

***Standard Front Page For
Examination Papers***

To be filled in by the student(s). Please use capital letters.

Subjects: (tick box)	Project	Synopsis	Portfolio	Thesis X	Written Assignment
----------------------	---------	----------	-----------	----------	--------------------

Study programme:	Development and International Relations	
Semester:	10 th	
Exam Title:	10 th Semester Master Thesis	
Name and Birth and Student Nnumber of Group Members:	Name	Student Number
	Michela Venturi	20180703
Hand in date:	15-10-2020	
Project title /Synopsis Title/Thesis Title	Migrant and Refugee Shelters in Mexico: Towards an Alternative Human Rights Model	
According to the study regulations, the maximum number of keystrokes of the paper is:	168.000	
Number of keystrokes (one standard page = 2400 keystrokes, including spaces) (table of contents, bibliography and appendix do not count)*	158.657	
Supervisor (project/synopsis/thesis):	Malayna Raftopoulos	
<p>I/we hereby declare that the work submitted is my/our own work. I/we understand that plagiarism is defined as presenting someone else's work as one's own without crediting the original source. I/we are aware that plagiarism is a serious offense, and that anyone committing it is liable to academic sanctions. Rules regarding Disciplinary Measures towards Students at Aalborg University (PDF): http://plagiat.aau.dk/GetAsset.action?contentId=4117331&assetId=4171389</p> <p>Date: 15th October, 2020</p>		

* Please note that you are not allowed to hand in the paper if it exceeds the maximum number of keystrokes indicated in the study regulations. Handing in the paper means using an exam attempt.



AALBORG UNIVERSITY
DENMARK

Aalborg University – Department of Politics and Society
Development and International Relations (DIR)
Latin American Studies (LAS)

***Migrant and Refugee Shelters in Mexico:
Towards an Alternative Human Rights Model***

Student: Michela Venturi

Supervisor: Malayna Raftopoulos

Aalborg, 15th October, 2020

Abstract

A global phenomenon with national and local ramifications, migration is often portrayed and dealt with as a political and security crisis by the governments of the countries affected by it. Mexico - a country that belongs to a regional migratory system that connects Central America to the U.S. - provides an illustrative example of the ways in which this dominant narrative of institutional repression contributes to the marginalization of the migrant population. Against a backdrop of human rights discriminations made even worse by the Covid-19 pandemic, shelters across Mexico play a vital role in supporting migrants and asylum seekers.

Embracing a theoretical framework hinged on the Gramscian notion of hegemony and a critical understanding of human rights, the investigation delves into the narratives told by shelters across Mexico and weaves a macro-narrative of grassroots, human rights-based activism. By creating spaces of resistance and counter-hegemonic action, shelters defend and promote the human rights of migrants and asylum seekers and foster their emancipation as fully-fledged social actors. The shelters' human rights-based activism and the process of emancipation of the migrant population allow for the creation of a counter-hegemonic human rights model that transforms human rights from abstract principles violated by a repressive government into emancipatory, counter-hegemonic tools in the hands of the oppressed.

Keywords: migration, human rights, activism, *casa de migrantes*, migrant shelter, refugee shelter, Mexico, Gramsci, hegemony, counter-hegemony, spaces of resistance.

Table of Contents

1. Introduction.....	p. 1
2. Methodology.....	p. 3
2.1 Ontology and Epistemology.....	p. 3
2.2 Data: Overall Approach, Gathering, and Processing.....	p. 5
2.3 Limitations.....	p. 8
2.4 Impure Methodology of Human Rights	p. 8
3. Theory.....	p. 10
3.1 Hegemonic Theory	p. 12
3.2 Critical Understandings of Human Rights	p. 15
3.2.1 Human Rights: An Overall Appraisal.....	p. 16
3.2.2 Latin American and the Adoption of Human Rights	p. 18
3.2.3 Coloniality of Human Rights and Decolonial Turn.....	p. 22
3.2.4 Human Rights: From “Pure” Concepts to “Impure” Products of Social Struggle	p. 25
3.2.5 Human Rights Education.....	p. 27
4. Context Analysis.....	p. 30
4.1 Migration in Mexico: A Changing Scenario.....	p. 30
4.2 Shelters and the Migrant Population: A Vital Bond.....	p. 32
4.3 The Mexican Federal Government: Guarantor vs. Violator of Human Rights.....	p. 33
5. Analysis of the Shelters’ Narratives.....	p. 35
5.1 Spaces.....	p. 35
5.2 Pluralities.....	p. 42
5.3 Narratives.....	p. 47
6. Discussion.....	p. 56
6.1 Spaces of Resistance and Counter-Hegemonic Action	p. 56
6.2 Grassroots, Counter-Hegemonic Human Rights Model.....	p. 59

7. Conclusion.....p. 62

8. Bibliographyp. 65

1. Introduction

A global phenomenon with national and local ramifications, migration is often portrayed and dealt with as a political and security crisis by the governments of the countries affected by it. Mexico - a country that belongs to a regional migratory system that connects Central America to the U.S. - provides an illustrative example of the ways in which this dominant narrative of institutional repression contributes to the marginalization of the migrant population. Whether stranded at the U.S.-Mexican border or navigating their way through the refugee protection system in a host community, migrants and asylum seekers in Mexico are an extremely vulnerable group subject to discrimination, xenophobia, and human rights violations. This holds even more true under the López Obrador administration which, after promising an open-arm approach to migration, abruptly reverted to the containment policies dictated by the U.S. The sudden breakout of the Covid-19 pandemic exacerbated the vulnerable position of the migrant population.

Against a backdrop of discrimination made even worse by the pandemic, it is essential to reflect on the vital role that migrant and refugee shelters (*casas* and *albergues de migrantes*) play in the protection and promotion of the human rights of the migrant population. Aside from providing vital humanitarian aid, shelters conduct a wide range of activities aiming at the defense and promotion of the human rights of migrants and asylum seekers. They also foster their role as fully-fledged social actors in a society that perceives them as illegal outsiders. The starting point of the investigation is the conviction that, in the face of a hostile environment, shelters create spaces of resistance (García Augustin & Bak Jørgensen, 2016, p. 4) where they elaborate and adopt a grassroots, counter-hegemonic human rights model aiming at the emancipation of migrants and asylum seekers.

The investigation will be guided by the following research question:

“How do shelters in Mexico contribute to upholding the human rights of migrants and asylum seekers in the face of an adverse context?”

The following sub-questions will help provide a detailed answer to the research puzzle, while shedding new light on the shelters' human rights-based activism:

- *“How do shelter integrate the human rights discourse into their activities?”*

- *“How does their interaction with the surrounding context and actors affect the shelters' work of defense and promotion of the human rights of migrants and asylum seekers?”*

- *“What impact has the Covid-19 pandemic had on the shelters' human rights-based activities?”*

Hinged on Gramsci's hegemonic theory and a critical understanding of human rights, the investigation will rely on a qualitative approach to the analysis of the narratives told by seven shelters selected across Mexico.

2. Methodology

The chapter will begin with an overview of the ontological and epistemological premises of the investigation. Following a section devoted to the gathering and processing of the data, the chapter will delve into the methodological matrix selected for the analysis of the data.

2.1. Ontology and Epistemology

Ontology

The approach underpinning the ontological position of the investigation is rooted in social constructivism and the assumption that reality is the result of the interactions and negotiations of social actors. Far from being an independent, objective entity, reality is “contingent upon human practices ...and developed and transmitted within an essentially social context” (Crotty, 1998, p. 42). Social constructivism posits that the world has potential meanings that remain latent until conscious entities engage with the world and make sense of it through the construction of meaningful realities. The notion of constructing reality differs from that of a subjective, individual creation and stresses the importance of social interaction. The focus on social practices also highlights the role that the context, culture (Crotty, 1998, pp. 52-57), and history (Burr, 1995, p. 3) play in the social constructionist process. Because of the plurality of social interactions and cultural and historical diversity, it follows that multiple understandings of reality can coexist with equal validity.

By adopting this ontological stance, the narratives told by the shelters appear as one of the multiple possible understandings of the Mexican reality in relation to migration. Far from representing a monolithic, objective scenario, they constitute a situated portrayal that coexists with several others, such as that of the government or local communities. Their narratives are also determined by the social interactions with other agents and affected by the context, culture, and historical juncture.

Epistemology

The epistemological stance of the investigation is hinged on the revaluation of perspectives emerging from the Global South in an attempt to provide “credibility and validity to systems of

knowledge that have been...oppressed by colonialism and capitalism” (Santos, 2015, p. 12). Embracing what Santos refers to as epistemologies of the South, this stance is rooted in the belief that the imposition of a Western dominant paradigm has silenced traditional perspectives, thus committing an “epistemicide.” The adoption of those repressed systems of knowledge allows to bring “cognitive justice” to the South (Santos, 2015, p. 13). and understand a reality of discrimination and marginalization with the ultimate purpose of fulfilling social emancipation (Santos, 2015, pp. 260-261). This “rearguard” paradigm, however, does not reject the validity of Eurocentric visions *in toto* (Santos, 2015, p. 25). What it advocates is not the replacement of a hegemonic paradigm with a counter-hegemonic one, but a multicultural space that allows for the emergence of alternative epistemologies of liberation that draw upon traditional and marginalized systems of knowledge (Santos, 2015, p. 261).

When applied to the investigation, this epistemological stance leads to embracing the perspective of Latin American scholars who have adopted a critical posture towards Western discourses. As postcolonial voices that have been marginalized, they provide a legitimate, reinvigorated perspective on the Mexican context, the discriminations that migrants and refugees are subject to, and the fights that shelters engage in. The adoption of Latin American perspectives is even more significant if we consider migration as a colonial legacy (Gutiérrez Rodríguez, 2018). This is not to say that non-Latin American perspectives are necessarily to be discarded, especially when the topic at hand has a global reach like migration and could therefore benefit from a multilateral dialogue. In this case, however, migration is dealt with as a form of “localized globalism”, i.e. a phenomenon determined by globalization but impacting local peripheries (Sousa, 2002, pp. 42-44) and therefore demanding local perspectives and responses.

The logic of prioritizing Latin American perspectives might seem at odds with my position as a researcher from the Global North as well, since this might lead to clashing views and potential misunderstandings. In order to avoid falling into this pitfall, it is essential to recognize and accept the limits imposed by my situatedness as a researcher (Graf, 2012) who can neither abandon her

background nor fully embrace a different one. While I will strive to maintain an open-minded and neutral stance throughout the investigation, I am fully aware that complete neutrality and objectivity are impossible to reach.

2.2 Data: Overall Approach, Gathering, and Processing

Qualitative Approach

The methodological framework relies on an overall qualitative approach to the analysis of primary data as a way of delving into the narratives recounted by migrant and refugee shelters in Mexico. The ultimate goal, however, is not the mere interpretation of individual perspectives. As Lichtman argues, the purpose of qualitative research is to “describe, understand, and interpret human phenomena, human interaction, [and] human discourse” (2017, p. 39). Not only will the qualitative analysis of the shelters’ narratives (human discourse) allow to understand their perspectives, it will most importantly shed light on their experiences of grassroots activism as they interact with migrants and relevant social actors (human interaction). At a broader level, it will also allow to reach a better understanding of the phenomenon of migration in the Mexican context (human phenomenon).

Types of Data

The investigation mainly relies on primary data provided by the shelters in the form of narratives gathered through semi-structured interviews. The term narrative is not merely a synonym of storytelling, as the act of relating a story. Narratives are “strategic, functional, [and] purposeful” inasmuch as they present a point of view and intend to achieve a specific aim (Given, 2012, p. 540). As mentioned by Lichtman, they are so intertwined with human phenomena that narratives can be considered as “polymorphous phenomena in context” (Hyvärinen, 2008, p. 447). They are complex accounts of actions, experiences, meanings, and values strictly tied to a context. The narrators are not only storytellers that provide a perspective on events, but also actors that operate under and are affected by the surrounding circumstances.

While the bulk of data comprises of the shelters' narratives (see *Analysis of the Shelters' Narratives* chapter), great emphasis is also placed on the context as an active background that affects the shelters on multiple levels. The use of secondary data will allow to analyze the context not only as a way to set the stage, but as a way to corroborate and reinforce the shelters' narratives, thus guaranteeing triangulation of data is achieved (see *Context Analysis* chapter). Most of the selected secondary data are of a qualitative nature and include articles from regional, domestic and international newspapers, such as *Milenio* and the New York Times, and official documentation issued by the Mexican government, such as the Migration Act. A limited selection of quantitative data from official migration entities, such as the Mexican Commission for Refugee Assistance (COMAR), and research institutes, such as *Consulta Mitosky*, is also used to analyze the context.

Primary Data Selection

The first step in order to gather relevant primary data was establishing a connection with migrant and refugee shelters across Mexico. The initial intention was to select shelters with different visions, human and physical capacities, and in different locations, thus ensuring a representative sample. The response to the selection process was not as forthcoming as expected. Out of 46 shelters that were contacted, only a dozen replied and merely seven confirmed their interest and availability in joining the research. In spite of this limitation, the seven shelters that have taken part in the research provide a comprehensive, plural picture in terms of location (from the Northern to the Southern border), vision (either laic or faith-based), as well as human and physical capacities (from itinerary centers to comprehensive support centers):

1. Casa del Migrante en Tijuana (Tijuana, Baja California)
2. Casa del Migrante Chihuahua (Chihuahua, Chihuahua)
3. Casa Nicolás, Solidarity in Exodus (Guadalupe, Nuevo León)
4. Casa Monarca, Humanitarian Aid to Migrants (Santa Caterina, Nuevo León)
5. FM4 Paso Libre, Dignity and Justice on the Road (Guadalajara, Jalisco)
6. Casa Tochan (Mexico City)

7. Casa de la Mujer Migrante, A Helping Hand to Female Migrants (Tuxtla Gutiérrez, Chiapas).

A description for each shelter is provided alongside the transcription of the corresponding interview (see *Appendix I*).

Semi-Structured Interviews

Given the qualitative nature of the research and the interest in the narratives of migrant and refugee shelters, data were collected through semi-structured interviews. Interviews were held remotely between mid-August and early September 2020 with one spokesperson for each shelter. In order to obtain accurate answers regarding both the overall vision and the specifics of each shelter, I ensured I could talk to either the founder, the executive manager, or a team member who had extensive knowledge on the shelter.

Conducting one-to-one semi-structured interviews allowed me to access the shelters' narratives in a way that other data would not have made possible. Most shelters are keen on sharing their views with universities and the media and use it as a strategy to raise awareness on the phenomenon of migration. However, previous interviews available online would not have allowed me to explore their visions in a thorough manner and target specific topics of interest. The flexibility and openness of the semi-structured approach (Ryen, 2002) contributed to the creation of a space where the unique perspectives and experiences of each shelter emerged.

The interview process, however, was far from being a blank canvas. The interview guide was carefully planned in order to reflect the research focuses and operationalize the dimensions that emerged from the theoretical paradigm. The three main topics that the interview revolves around correspond to the three sub-questions guiding the investigation:

- the importance of human rights in the vision and daily work of the shelters;
- the context in which they operate and the actors they work with;
- and the ways in which the Covid-19 pandemic has affected their commitment to the protection and defense of the human rights of migrants and refugees.

For each topic, a set of open-ended questions was developed reflecting the axes of the theoretical paradigm. Human rights education and the dual role of the government as a guarantor/violator of human rights were among the topics touched upon. The semi-structural approach also allowed me to explore issues that emerged spontaneously during the interviews. The founder of Casa de la Mujer Migrante, for instance, was willing to share her first-hand experience as a female migrant in Mexico, thus adding a further perspective to her narrative.

2.3 Limitations

The main limitations of the research are connected to the Covid-19 pandemic. Since March 2020, the health crisis has forced most shelters to quarantine behind closed doors and take on additional amount of work in connection to new restrictions and sanitary measures. Their availability at the time of the selection of the research participants was very limited. The seven shelters that joined the investigation do offer a plural picture in terms of vision and strategies. However, they cannot be considered as a sample that represents the whole category of migrant and refugee shelters in Mexico. As far as location is concerned, the Southern border region is represented by only one shelter as opposed to the Norther one with four shelters. Interviewing individuals working in different capacities within each shelter would have allowed to weave more plural narratives. However, the limited availability of the shelters due to the health crisis made it impossible.

2.4 Impure Methodology of Human Rights

The methodological approach chosen for the analysis of the selected data is rooted in a critical notion of reality and human rights, i.e. Flores' "impure methodology of human rights". The main strength of this methodological approach lies in the way in which human rights are perceived, i.e. as the result of the interplay between context, social interactions, and narratives. This assumption, which reflects some of the main believes underpinning the investigation, is referred to by Flores as "impurity" of human rights.

Flores' ontological premise is that reality is the plural, complex sum of social phenomena. Rejecting the presumption of an unachievable and unknowable "purity", Flores stresses that reality is an "impure" collage of complex, human experiences situated in a temporal and spatial context. A "pure" notion of reality rejects any possible imperfection and reduces any process of inquiry to a mere act of contemplation (2008, p. 74). From a critical perspective, however, reality does not reflect the notion of perfection. Its contradictions and multiple facets make it an "impure", plural array of experiences that are accessible and intelligible precisely because of their impurity. At the core of this notion of impurity is the idea of humanity. According to Flores, "human equals impure" (2008, p. 78). The experiences that form reality are impure and imperfect because they are inherently human and situated in an inherently human context. It is impurity that allows us to critically dissect reality as a human experience and find solutions to its underlying contradictions. This impure vision of reality can be applied to human rights as well. Far from being pure, human rights narratives resonate with tales of repressions and violations that cannot be approached at an "ideal, metaphysical" level (Flores, 2008, p. 82). Human rights should be seen in all their impurity and perceived as the imperfect outcome of historical processes and social tensions. The "impure methodology of human rights" proposed by Flores rests on this imperfect, contextualized notion of human rights and aims at providing an analytical tool to fully understand and possibly solve concrete, "terrible realities" of human rights violations (2008, p. 82).

From an operational perspective, the model consists of three categories strictly connected to one another, i.e. *space*, *pluralities*, and *narratives* (Flores, 2008, pp. 69-79). Each of the three categories represents one of the dimensions that constitute the multi-faceted notion of human rights. *Space* refers to the political and institutional context that determines the conventional, restrictive understanding of human rights as principles embedded in a constitution and prerogatives bestowed by the government. It also refers to the cultural dimension and the ways in which this may hinder the effective implementation of human rights. The category *Pluralities* acknowledges that the governmental and institutional dimensions provide only one of the multiple perspectives on human rights. Indeed, there

is a plurality of social actors that propose alternative understandings of human rights inspired by a social emancipatory project. The last category, *Narratives*, gives voice to the multiple struggles that social actors wage and the strategies they adopt to fulfil that project of emancipation.

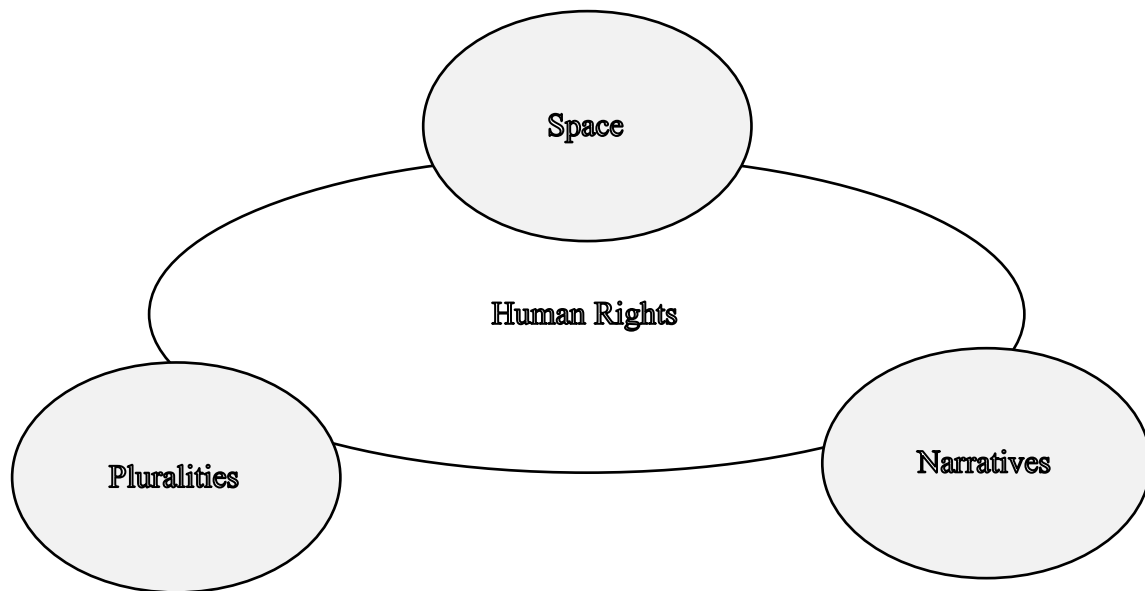


Figure 1. Own elaboration based on Herrera Flores' *Impure Human Rights Methodology* (2008, p. 79).

This three-dimensional matrix will be applied to the analysis of the semi-structured interviews. The narratives told by the shelters will be considered as overarching macro-narratives of human rights that will be in turn dissected into the three categories constituting the matrix:

-*space*, intended as the political, institutional, and cultural context in which the shelters operate. Often hostile and uncooperative, this context dictates a restrictive, discriminatory understanding of human rights;

-*pluralities*, referring to the social actors that shelters cooperate with in the promotion and defense of the human rights of migrants and asylum seekers;

-*narratives*, intended as micro-narratives describing the actual strategies embraced, the new understandings of human rights being written, and the fights being waged by the shelters.

3. Theory

When thinking about human rights, a double narrative of “historical victory [and] historical defeat” comes to mind (Santos, p. 17, 2013). During its seven decade-long history, the human rights regime has arguably achieved great results, ranging from the recognition of children’s rights in 1989 to the protection of cultural diversity in 2001. Its track record, however, is marred by setbacks and continuous violations. This double narrative of victory and defeat is clearly visible in Latin America, where the harmonization of human rights into the constitutions of most Latin American countries clashes with a reality of continuous violations at the expense of the most vulnerable groups. Drawing upon a long tradition of social movements, civil society has found a vibrant voice and has mobilized to demand the protection of the human rights of the most discriminated social sectors. Migrant and refugee shelters in Mexico provide an example of how civil society organizations (CSOs) can join forces with a vulnerable social group like the migrant population to demand the materialization of its human rights. In a largely hostile environment on a political and social level, this entails the creation of spaces of resistance where shelters can write alternative human rights narratives of emancipation.

From a theoretical perspective, this scenario lends itself to being analyzed through the concepts and dynamics that Gramsci elaborates as part of his hegemonic theory. Within the hegemonic system led by the Mexican government, shelters can be perceived as a counter-hegemonic force that creates spaces of resistance (García Augustin & Bak Jørgensen, 2016, p. 4). In such spaces, they forge a solidary alliance with the subaltern migrant and refugee population and perform counter-hegemonic actions aiming at their social emancipation. In the act of creating and performing within these alternative spaces of resistance, human rights undergo a process of resignification that draws upon decolonial and critical thinking. Stripped of their abstractionism, pretention of universality, and European colonial matrix, human rights are no longer part of the hegemonic discourse adopted by the state. In the grassroots narratives written by shelters, human rights are reconfigured as concrete drivers of social change within “an emancipatory script” (Sousa, 2002, p. 44) and as counter-hegemonic tools in the hands of CSOs, migrants, and asylum seekers.

The first part of the chapter will delve into Gramsci's hegemonic theory. Following an overview of the merits and shortcoming of the human rights regime, the rest of the chapter will be devoted to an in-depth analysis of human rights from a decolonial and critical perspective.

3.1 Hegemonic Theory

This first component of our theoretical paradigm is Gramsci's theory of hegemony, which he defines as a form of "intellectual and moral leadership" strictly connected to the political and economic dimensions in a mutually reinforcing way (1971, pp. 57-59). Gramsci's thought plays an important role in shaping Latin American decolonial thinking (Coletta & Raftopoulos, 2020, pp. 2-5). It therefore fits into the overall Latin American perspective embraced by the investigation.

State and Civil Society

Before delving into the theoretical framework, it is worth introducing two of the actors involved in the hegemonic/counter-hegemonic dynamics described by Gramsci, which also play a central role in the investigation, i.e. the *state* and *civil society*.

In Gramsci's own words, the state is a complex entity that emerges from the combination of two realms, which he refers to as political and civil society. The former comprises of state institutions and entities such as bureaucracy, the armed force, the judicial system and prisons (Filippini, 2017, pp. 73-74), whereas the latter includes the "so-called private organizations, like the church, trade unions, [and] school" (Gramsci, 1993, volume 2, p. 67). While order is a prerogative of political society, law - intended not as a punitive system but as a set of moral principles and customs - is considered as part of the realm of civil society (Filippini, 2017, p. 77). This dual nature is reflected in the double role played by the state "as a nexus of violence and civilization" (Jackson, 2018, p. 54). In order to describe this duality, Gramsci borrows the Machiavellian image of the half-beast, half-man Centaur. He describes political society as the animal component in charge of coercion, violence and force and civil society as the human part overseeing culture and civilization (Gramsci, 1971, pp. 169-170).

Political and civil society are therefore strictly connected in an integral body and - as it will be seen in the following section - instrumental in preserving the hegemony of the ruling class.

With this in mind, it is now possible to analyze how these actors interact within the Gramscian theoretical framework of hegemony.

Hegemony, Counter-Hegemony, and Social Alliances

One of the central theoretical concepts emerging from Gramsci's *Prison Notebooks* is that subaltern classes are subordinate to a hegemonic, bourgeoisie power rooted in the capitalist economic structure and reinforced by cultural and ideological superstructures. The Gramscian understanding of hegemony moves away from the classic concept of a purely "military-political hierarchy" (Wilkinson, 2008, p. 119) and shifts towards the cultural and ideological dimension. As mentioned above, Gramsci defines hegemony as a form of "intellectual and moral leadership" that gradually morphs into a political one (1971, pp. 57-59). The ideological trait is so important that we can talk about a form of cultural hegemony. The material dimension underpinning this intellectual and moral leadership, however, should not be underestimated. In Gramsci's own words, "...though hegemony is ethical-political, it must also be economic [and] necessarily be based on the...decisive nucleus of economic activity" (1971, p. 161). In a capitalist society, therefore, the control of the economic ways of production by the ruling class is strictly connected to social, political, and cultural power in a mutually sustaining manner. The process of hegemonic consolidation presupposes the achievement of what Gramsci refers to as a "certain...equilibrium" (1971, p. 161) - a class compromise that protects the interests of the hegemonic group, while ensuring those of the subordinate classes are taken into account. This compromise, however, does not jeopardize the dominant class and extends the reproduction of the "worldview of the rulers to the ruled" (Bates, 1975, p. 353). According to Gramsci, the role of preserving this compromise between the ruling class and the subordinate ones belongs to the state, which exercises its role of "mediator" both through civil and political society (Filippini, 2017, p. 45). The former cements the consent of the subordinate classes through cultural and ideological means, such as religion, education, and the law. When consent cannot be reached, the

latter intervenes through the use of force and coercion. Hegemony, therefore, stands out as a two-sided dominant system rooted both in the ideological consent of the masses and the violent means of political institutions. In Gramsci's own words, "hegemony and dictatorship [are] indistinguishable, force and consent are equivalent" (1971, p. 271).

The preservation of the hegemony of the ruling class is strictly connected to the existence of a "historical bloc", which Gramsci defines as the "complex... ensemble of the superstructure and the structure" (1971, p. 366). Given its multi-layered nature, hegemony maintains its dominant position over the subordinate classes through the "organic unity" of all its dimensions – economic, political, social, and cultural (Meret & Della Corte, 2016, p. 205). The possibility to revert this historical bloc, however, is not to be ruled out. According to Gramsci, the process of preserving hegemony is incessantly fought through class struggles and therefore entails the existence of counter hegemony, i.e. a force rising from subaltern classes to challenge the *status quo* (Baeg Im, 1991, p. 142). This holds true especially in times of crisis, when cracks start to appear in the historical bloc and the legitimacy of the ruling class starts shaking. Under these circumstances, two scenarios can materialize. A "passive revolution" may allow the failing ruling class to reorganize its economic, political, cultural, and ideological structures in order to regain the consensus of the subordinate classes and avoid any revolutionary attempt. While the aim of a passive revolution is preserving the hegemonic position of the ruling class, it nonetheless allows the "integration of the subordinate masses into the hegemonic institutions" (Baeg Im, 1991, p. 140). A systemic crisis, however, can also present the opportunity for subaltern groups to undermine the existing structures of power and articulate a new social, economic, political, and cultural order. This process of re-articulation - which within the capitalist order coincides with the proletarian revolution – entails all aspects of life: "new modes of labor, new modes of production, ... a new set of standards, a new psychology, new ways of feeling, thinking and living" that are true to the newly emerging class. This re-articulation ultimately entails the emancipation of those groups that until then had "passively accepted their condition of subalternity" (Meret & Della Corte, 2016, p. 205).

The rise of a counter-hegemonic force that challenges normative views requires not only a specific historical and political juncture that allows for subaltern forces to mobilize, but also the building of social alliances between different classes that can join forces and overthrow the hegemonic power. The idea of social alliances supporting the creation of a new order appears in Gramsci's *Some Aspects of the Southern Question*. In this pre-prison writing, he reflects on the Italian situation and the gap between the dominant, industrialized North and the dependent, agrarian South. Since the "Northern bourgeoisie has subjugated the South", enslaved the peasant class and relegated it to a condition "of poverty and desperation," Gramsci sees the necessity of a new order that would "oust the bourgeoisie from state power", disintegrate the Southern bloc comprising of landowners, and instate the "hegemony of the proletariat" (Gramsci, 2000, pp. 171-179). The leading role is clearly attributed to the working class, which should create a system of alliances with the peasant masses in order to gain their support and consent. This entails a three-fold effort on the part of the proletariat. The working class needs to understand the demands of the peasants and incorporate them into their fights. It needs to organize a largely fragmented social force and channel its "perpetual ferment" into a common project of emancipation from the capitalist system. On a more ideological level, it also needs to overcome any prejudice that the ruling ideology has attached to the South as a semi-barbarian, backward, and criminal region by nature (Gramsci, 2000, pp. 173-179). It is through this "solidary action between the two classes" (Gramsci, 2000, p. 172) that the rupture with the previous ruling system can be achieved and a new order arising from the counter-hegemonic potential of subaltern classes can be instated.

3.2 Critical Understandings of Human Rights

The second element of the theoretical paradigm is rooted in a critical understanding of human rights. As previously mentioned, shelters build solidary alliances with the migrant and refugee population and create spaces of resistance and emancipation in the face of a hegemonic state. Their activist efforts

also lead to a critique of human rights seen as abstract, atemporal products of a colonial legacy and their rewriting as counter-hegemonic tools of emancipation.

3.2.1 Human Rights: An Overall Appraisal

The modern notion of human rights results from the complex interplay of at least two dimensions: the legal-institutional dimension, which attributes the ascription of human rights to the discretion of a state or entity; and the moral-natural one, which links the possession of human rights to the inherent nature of every human being (Hajjar Leib, 2011, p. 41). This dual nature is often regarded as a contentious point and the source of some of the criticism surrounding the human rights discipline. Looking at the development of the concept of human rights can shed some light on its multi-dimensional nature.

The Merits of Human Rights

In the history of political Western thought, a concept of human rights echoing the modern one first appears in Locke's natural rights theory. Partly subject to God's law and partly endowed with freedom of choice and action, men in their natural state live in equality, liberty and are entitled to possessions. Such rights - which constitute duties as well - ensure the self-preservation of the human kind (Lazarski, 2013, pp. 49-52). The shift from the state of nature to a politically organized society does not mark the abolishment of natural rights but their transferring to a superior authority in charge of protecting and enforcing them (Lazarski, 2013, p. 59). The conceptual thread of natural rights is preserved in the 1948 Universal Declaration of Human Rights (UDHR), where the idea of man born "free and equal" is paired with the notion of an inherent "dignity" and the possession of "rights and freedoms" (UN, 1948). Though not a legally binding document *per se*, the UDHR introduced the dimensions of the inalienability and universality of human rights and laid the groundworks for their institutionalization as a set of guiding principles for nations and the international community to adhere to. Institutions like the UN Human Rights Committee and treaties like the International Covenant on Economic, Social and Cultural Rights (ICESCR) have allowed for the human rights doctrine to be embedded in domestic laws as a way of enforcing human rights norms and protecting right-holders

in case of violations. The influence of the human right discourse is not limited to the institutional and legal sphere. At a grassroots level, it has imbued the social fabric and infused a renewed spirit into activist fights by providing a new language to frame claims and struggles from below, thus becoming drivers of change.

The current human rights landscape is a multi-faceted, multi-player environment in constant evolution in response to changing global emergencies and factors. The traditional division of human rights into civil-political, socio-economic, and collective-developmental (Vašák, 1977, p. 29-32) has, for instance, been expanded to account for emerging critical human rights dimensions. The outcome has been the implicit and explicit addition of the rights of specific categories of individuals in need of further protection from human rights violations: women, children, indigenous populations, people with disabilities, and, significantly enough for the purposes of this investigation, migrants (Global Citizen Commission, 2016, pp. 39-50). The adoption of the Global Compact on Migration in December 2018, for instance, constitutes the first international effort to address migration from a holistic, human rights-based perspective (Guilt, 2018). The evolving nature of the human right doctrine and practice has been recently reiterated by UN High Commissioner for Human Rights Michelle Blachelet, who has stressed how human rights will be focusing on new “frontier issues”, including “people on the move” (UN Human Rights Office, 2019, p. 13).

The Shortcoming of Human Rights

This introspective effort aiming at “leverag[ing] greater human right impact” (UN Human Rights Office, 2019, p. 13) seems to discredit criticism pointing at human rights being an outdated, static architecture out of touch with current concerns. This type of criticism, however, is but one dimension of an overall pessimistic view on the whole construct of human rights. One of the fiercest objections is concerned with their ineffectiveness and lack of track record (Sikkink, 2017, p. 8). In light of rising human rights violations, war scenarios and forced displacements, the positive change promised by human rights does not seem to have been accomplished. The alleged ineffectiveness of the human rights regime is often ascribed to an underlying divide between theory and practice (Walters, 1995).

This, in turn, leads to a crisis of legitimacy as human rights are being perceived as distant, far-fetched notions that do not align with grassroots struggles and are “politically irrelevant” outside of institutional enclaves (Dancy & Sikkink, 2017, p. 52). Another dimension that has come into question is the universality of human rights, which can be challenged from at least three standpoints. From a historical perspective, claiming that human rights are universal implies an atemporal dimension that downplays the importance of the historical factors and circumstances that led to the formulation of specific rights. The second objection to the notion of universal human rights is linked to its perceived inefficiency and the divide between “universal possession” and “universal enforcement” (Donnelly, 2007, p. 283) – in other words, the gap between conceptual and substantive right. While human rights might be seen as a universal attribute possessed by all human beings, their actual enjoyment is dependent on their enforcement. As the numerous gross violations of human rights occurring at a domestic and international level prove, however, enforcement does not necessarily occur under all circumstances. The notion of universality of human rights, therefore, seems to be a polar concept insofar as it implies the possibility of human rights being denied and not enforced. The third aspect to have come under scrutiny revolves around the debate between the universality of human rights and cultural relativism. As the next section will show in more detail, human rights are often perceived as the by-product of a Eurocentric project of “cultural imperialism” (Hajjar Leib, 2011, p. 48) that denies identities other than the Western one in the name of the supposed universality of human rights. Cultural relativism argues against the universal character of humanity and the applicability of a universal human rights regime. What it advocates for, instead, is the revaluation of the practices and norms of each culture and for human rights to reflect cultural differences.

3.2.2 Latin America and the Adoption of Human Rights

Referring to Latin America as a homogeneous region is an abstraction as it conflates several different political experiences into a single entity – from Peru’s bloody military dictatorship to the post-Truth and Reconciliation Commission era, from Guatemala’s peace accords in 1996 to the decision of the Morales administration to terminate the International Commission Against Impunity

in 2019, from Mexico's "perfect dictatorship" under the PRI hegemony to the unfulfilled turn to the left with the election of López Obrador (AMLO). In spite of its different experiences, a common thread shared by all Latin American countries is that the history of human rights in the region has gone hand in hand with that of democracy. As the process of democratization has witnessed ebbs and flows, so has the respect and protection of human rights.

The Inception of a Regional Human Rights Framework

The inception of the human rights era in Latin America started with the signing of the Charter of the Organization of American States (OAS) and the Declaration of the Rights and Duties of Man in 1948 - the same year in which the Universal Declaration of Human Rights began the process of universalization of the human rights doctrine. Though non-binding, the two documents established the "fundamental rights of the individual without distinction as to race, nationality, creed or sex" and the state's obligation to "respect the rights of the individual and the principles of universal morality" (OAS, 1948), thus laying the groundworks for a regional human rights system. Signed in 1969, the American Convention on Human Rights further strengthened the foundations of this system by reaffirming the centrality of "economic, social, and cultural rights, as well as...civil and political rights" and the duty of the state to respect said rights and freedoms (OAS, 1969). It also cemented the institutional dimension of the so-called Inter-American System through the consolidation of the Inter-American Commission of Human Rights and the creation of the Inter-American Court of Human-Rights. This provided a framework of reference for the integration of human rights into all aspects of institutional and social life. Later commitments and resolutions ensured the continuity of the human rights regime in the Americas. The 1991 Santiago Commitment and the 1998 Reaffirmation of Caracas reiterated the commitment of the OAS member states to democracy and to a "system of individual freedoms [and] human rights." (OAS, 1998).

The Dual Stance of the State

As promising as this scenario might seem, the establishment of the Inter-American System did not automatically translate into an unconditional respect for human rights and a smooth process of

constitutional acknowledgment and domestic harmonization. The signing of the American Convention of Human Rights in 1969 was followed by a decade of military dictatorships that perpetrated systematic human rights violations and atrocities, such as in the case of Chile under Pinochet. Under these conditions, civil liberties were abolished, newly established democratic institutions dismantled, and government's impunity became the norm (ELLA, 2013, p. 2). It was not until the mid-1980s and early 1990s - a period that coincided with the third wave of democratization in Latin America – that effective constitutional changes took place towards a strengthening of human rights. Several countries adopted new constitutions like Colombia in 1991, while others introduced major constitutional reforms like Mexico in 1992. Despite domestic differences, this wave of constitutional reforms across the region led to the recognition of demo-liberal political and civil rights like freedom of expression; economic, social and cultural rights like education and health; as well as collective rights like the environment. It also introduced protection mechanisms and various forms of ombudsmen (Uprimny, 2011, pp. 1587-1594).

Even these constitutional reforms, however, could not ensure the end of human rights abuses at the hand of the state. The track record of Latin American countries varies drastically in this sense. The 2019 Report of the Inter-American Commission of Human Rights describes a polarized scenario. While it applauds the “strengthening of human rights institutions...and public policies with a human rights focus”, it nonetheless highlights persisting challenges, such as violence against women and indigenous people, increasing repression of social movements, and discrimination against “persons in condition of human mobility” (IACHR, 2019). These occur against a backdrop of widespread inequalities and social exclusions that further hinder the effective realization of economic and social rights (ELLA, 2013, p. 3). The setbacks of the human rights system in Latin America can be explained as the result of enduring factors. As Gallardo points out, the state cannot perform the role of guarantor of human rights as it is still a “rentier and clientelist machine” that is unable to implement the rule of law and preserves the privileges of those perceived as “legitimate minorities” (2010, pp. 63-65). By placing itself above society (Gallardo, 2010, p. 61), the state rejects any form of checks and balances

and civilian review, thus feeding a culture of impunity and lack of accountability. The repressive use of military and police force follows the same logic. The absence of strong national institutions is another persisting issue largely reflected in a corrupted bureaucracy and a weak, ineffective legal system (Picado, 2004, p. 31). The influence and often unsolicited interventions of international actors, most notably the U.S., should also be considered as a further hindrance to the successful protection and promotion of human rights by Latin American states.

Civil Society and the Re-politicization of Human Rights

While the effective implementation of human rights by the state leaves much to be desired, civil society has become a driving force in their promotion and a key actor that often serves as a bridge between international institutions, governments, and citizens. The rising number of civil society organizations devoted to the defense and promotion of human rights in Latin America shows a plural, dynamic scenario that draws on a long regional tradition of social movements. Pushing mostly for the recognition of the rights of historically excluded sectors of the population, civil society has been central in the shift to a more comprehensive human rights and normative framework (ELLA, 2013, p. 2). The 2013 Law for the Protection of Victims of Human Rights Violations, for instance, would not have materialized without the mobilization of Mexican civil society (Executive Committee for Victims of Violence, 2019). In spite of similar achievements, however, the relation between Latin American governments and civil society is far from being cooperative. As Santos points out, state and civil society are pitted against each other in a “dialectical tension” that revolves around human rights. The “struggle of civil society against the state”, more specifically, emerges from the contradictory stance of a state that depicts itself as the “guarantor of human rights” all the while acting as a “violator” (2002, p. 40).

From a critical perspective, this tension is not a negative occurrence and provides the opportunity for civil society to reclaim human rights as a democratic, emancipatory force that can truly benefit all sectors of the populations. By acting in the dual role of guarantor/violator, the Latin American state has “trivialized” the human rights discourse, used it as a way to maintain “asymmetric power

relations”, and deprived it of its democratic nature (Gándara Carballido, 2019, p. 107). The fights that civil society wages against the state are not only an expression of dissent. They are a political act that aims at reinjecting democratic force into human rights and demands the recognition of the political role of every human being (Sánchez-Rubio, 2018, p. 31), including those belonging to the most invisible sectors of society. By opposing the repressive human rights discourse used by state, civil society initiates a process of re-politicization of human rights that entails a redistribution of power, the abolition of privileges (Gándara Carballido, 2019, p. 109) and the enjoyment of a dignified life for all human beings. It creates alternative, counter-hegemonic spaces (Pisarello, 2004, p. 365) where a new emancipatory, democratic human rights narrative can be produced.

3.2.3 Coloniality of Human Rights and Decolonial Turn

As seen above, one of the main criticisms against human rights is hinged on the idea that they emanate from a Western liberal project and are instrumental in disseminating a lingering form of coloniality. This criticism is even more fierce when arising from Latin America, a region that has been torn and shaped by a century-long colonial domination.

Coloniality of Knowledge

One of the first points to clarify is that “coloniality” is not synonymous with the repressive system of political, military, and economic exploitation known as “colonialism” (Quijano, 2014; Maldonado-Torres, 2016). It is, however, inextricably connected to the process of expansion that in the 15th and 16th century imposed the yoke of Spanish rule on Latin America and gave way to five centuries of Western socio-political and economic regime. Though informed by the same oppressive practices (Quijano, 2014, p. 285), coloniality is not bound to the historical limits of colonial imperialism. Indeed, coloniality refers to a “metaphysical and ontological matrix of power” that has lingered on long after the dissolution of the colonial rule (Maldonado-Torres, 2016, p. 10). Drawing upon the racial divisions and practices of exclusions introduced by the “empire”, coloniality started as a “constant and systematic” marginalization and repression of the traditional ideas and systems of knowledge of the colonized. Repression was followed by the imposition of the believes and cultural

patterns of the colonizers, which became a seductive “aspiration” for native elites who tried to access power (Quijano, 1992, p. 12). The idea of a modern, European, superior civilization started to take shape in this context and in direct opposition to Latin American colonies (Quijano, 2014, p. 286), which were perceived as a primitive, non-European, inferior civilization. Embracing this dualistic logic of civilization/uncivilization and superiority/inferiority, coloniality allowed for the spread and imposition of Western thought on what Wallerstein would call “peripheries”. Masked as a mission with the aim of bringing “salvation, newness, progress, [and] development” to the “Others”, this process consolidated the “European mind” as a Western cosmovision that denies alternative systems of knowledge and imposes itself as a hegemonic epistemology (Mignolo, 2007, p. 43). With European civilization becoming the universal norm and the only possible model that the Others can aspire to, a cultural, symbolic, and ideological colonization occurred, which Lander defines “coloniality of knowledge” (2000). In the last five centuries, this form of enduring intellectual dominance has been so pervasive that it has led to the “self-colonization” of the minds of Latin American thinkers, who progressively started to look at Latin America through the lenses of Western schools of thoughts like Marxism, thus abandoning traditional imaginaries (Marini and Millán, 1994).

Coloniality of Human Rights

What Mignolo claims about the Western “exportation of knowledge” – i.e. that Latin America embraced an identity that was nothing but the reflection of the Eurocentric cosmovision (2007, p. 56) – can be applied to human rights as well. In a decolonial vein, the human rights doctrine is perceived as a set of European principles imposed on Latin America through the coloniality of knowledge. It is an extension of the “colonial matrix” and serves the purpose of maintaining a neocolonial, hegemonic rule subservient to Western ideologies, capitalism, as well as globalization (Gándara Carballido, 2019, pp. 14-18).

The Western human rights discourse found fertile ground in Latin America, where the legal foundations had been laid during colonial times. According to Wolkmer, the colonial legal apparatus was characterized by patrimonial, repressive structures rooted in an abstract form of European

humanism for the sole benefit of the colonizers (2006, p. 104). The legal systems that emerged from the dissolution of the Empire preserved the abstract idealism that had been planted during colonial times (Gallardo, 2010, p. 64) and continued to serve the interests of the native elites that were leading the newly-founded Republics. What emerged was a legal “hierarchical system” rooted in “abstract spiritual values” that lent itself to the protection of a few, while excluding the multitudes (Gallardo, 2010, pp. 64-65). The discriminations and inequalities that had characterized Latin America since colonial times have continued to exist under the auspices of these Western-inspired, ideological legal systems that are unable to cater for the complexities and tensions of peripheral societies like Latin America (Wolkmer, 2006, p. 165).

Human rights became part of legal systems that still bore a distinctive colonial imprint. As seen in the previous section, human rights started to be included in the Constitutions - either new or revised - of several Latin American countries in the 1980s and 1990s. The overall aim was the promotion of the integrity and dignity of man through the protection of his individual rights. This mission, however, has been largely unsuccessful. Not only was the human rights discourse introduced in a deeply elitist and abstract legal framework inspired by Western principles; human rights themselves rest on Eurocentric, abstract notions of universal justice and humanity that are blind to Latin American cultural pluralism (Gándara Carballido, 2019, p. 14) and oblivious to a history marked by patriarchalism, state violence, exclusion, and lingering inequalities. As Santos points out, the very belief that there is a “universal human nature” accessible through reason and superior to all other forms of life and the idea that men are born free and endowed with an “absolute dignity” whose protection is entrusted to the state all belong to a Western, liberal ideology (2002, p. 67). Once implanted in Latin America, the notion of universal and inalienable human rights is as seductive (Santos, 2002, p. 67) as the European culture was during colonial times (Quijano, 1992, p. 12). However, it is doomed to failure. The result of introducing a Western-inspired, abstract human rights discourse in a reality marked by conflicts and discriminations is a false sense of inclusiveness and an illusion of emancipation (Sánchez Rubio, 2018, p. 65).

Decolonial Turn in Human Rights

In order for Latin America to free itself from a colonial matrix and the logics of Western domination, decolonial scholars advocated for an “epistemic awakening” that would allow to rediscover alternative/traditional systems of knowledge and heal “colonial wounds” (Mignolo, 2007, p. 29). As Quijano explains, it was imperative to demystify the pretension of “universal rationality” of the Western cosmovision and recognize it as a form of “provincialism”. This would allow for an “epistemological decolonization” that would in turn lay the foundations for “an interchange of [the] experiences and meanings” that had so far been silenced under the colonial matrix (2007, p. 177).

The “epistemological awakening” of human rights entails an effort of recontextualization that frees them of the Western positivistic nature and places them in a context marked by discrimination and repression. According to Santos, the process of rethinking human rights has an intercultural and post-imperialist significance. He advocates for an alternative “human rights architecture” rooted in a notion of human rights that revalues alternative, non-imperialist systems of knowledge emerging from the South (2017, pp. 176-177). Not only does he reject the universal, ideological concept of Western rights, he also denies the validity of the original rights that predate the advent of liberal societies. From his perspective, they both constitute an “epistemicide” (2017, p. 177). What he introduces instead is the concept of “*ur-derechos*” intended as the “founding, clandestine” rights that were denied and suppressed by the Western human rights regime (2017, p. 177). Far from resting on a positive, assertive concept of human rights, this alternative architecture is rooted in acts of repression and violence. However, it is only by acknowledging these “original injustices” that it is possible to foster an intercultural, post-imperialist human rights discourse that can truly empower and emancipate Latin America (2017, p. 177).

3.2.4 Human Rights: From “Pure” Concepts to “Impure” Products of Social Struggles

As mentioned above, one of the fallacies of the human rights regime is its claim to universality. The belief that human rights constitute a static, eternal set of principles attributed to an abstract human entity implies that human rights belong to an equally abstract dimension unaffected by time and social

forces. This perspective not only downplays but completely ignores the socio-historical circumstances that have shaped the human rights narratives in Latin America.

Human Rights as Socio-Historical Concepts

As Flores states, human rights are not abstract, immutable categories systematically applied to a social reality that should conform to an “ideal, *a priori* consensus” (2008, p. 67). Far from being “pure”, intrinsically simple ideas, they are the complex result of ongoing, dynamic social processes of creation and re-creation that cannot be understood without considering the context in which those processes occur (2008, pp. 74-80). The effort of “historicizing” human rights, i.e. placing them in a specific socio-historical context, is the only way to unmask the mystifying nature of the universal human rights discourse (Ellacuría, 2012, p. 284).

This holds even more true for Latin America. It is worth repeating a central concept already stated in the previous section - the history of human rights in this region is built on systematic repressions, institutional shortcomings, grievances, and grassroots fights that aim at asserting from below the rights of the most vulnerable sectors of the population. Only by understanding human rights as the outcome of the interplay of these dimensions will it be possible to achieve the main theoretical and practical objective of Latin American critical thought – reinventing human rights by unlocking their emancipatory power (Gándara Carballido, 2014; Flores, 2008). Abandoning their abstract nature, human rights become the “connecting element” that guides the struggles of those who fight to assert their dignity and rightful place in society (De La Vega, 2018, p. 54). They represent the “essence” of the moral consciousness of the most vulnerable groups as it materializes in their fights for a dignified life (Fundación Juan Vives Suría, 2010, p. 68). In a dialectic dynamic, however, human rights are also the by-product of these fights (Gándara Carballido, 2014, p. 75), the outcome of collective, plural social struggles aiming at empowering their protagonists (Flores, 2001).

Social Struggles and Their Protagonists

In this effort of historicizing and reinventing human rights, one dimension stands out above all the others: “*las luchas*”, the social struggles in the name of human rights and the protagonists that animate

them. As Gallardo stresses out, a socio-historical understanding of human rights is necessarily rooted in the social fights that revolve around them (2006, p. 97). In turn, social fights strengthen the vital role played by those sectors of the population that mobilize themselves to assert their rights. The Chilean scholar offers a comprehensive list of the numerous vulnerable groups that strive for change through social movements: workers, indigenous populations, women, students, religious believers, and the indigents (2000, p. 8). By extension, we might add the category migrants as well. Significantly enough for the purposes of this investigation, Gallardo also mentions the leading role played by civil society organizations that support them in voicing their needs and claims (2000, p. 8).

An emancipatory, alternative theory of human rights, therefore, should not only reconceptualize human rights from a socio-historical perspective but bring the human element center stage along with its fighting spirit, vulnerabilities, and plural identities. The importance of this move is two-fold. As Freire says, “we cannot deny the importance of subjectivity in the process of transforming the world and history” (1970, p. 50). It also reminds us of the *raison d’être* of an alternative human rights model. This reconceptualized paradigm is only relevant insofar as it is applied by the protagonists that animate the social fights for the emancipation of the oppressed. While scholars can contribute to its theoretical formulation and reflect on the need of a decolonial and epistemological turn, they are ultimately responsible for reinventing human rights in their everyday struggle for a dignified life (Gándara Carballido, 2019, p. 172).

3.2.5 Human Rights Education

The human dimension of this alternative paradigm, its ties with the surrounding social environment as well as its emancipatory potential in the lives of the most vulnerable groups demand a further layer being added to it: an overarching pedagogical framework. In order to fully achieve its liberating effect in the lives of those who Freire calls “the oppressed”, this alternative model requires a cognitive level rooted in a deep understanding of human rights. It entails the existence of an ethics of human rights and a knowledge of its narratives and limitations that can inspire action. The nature of this knowledge is not factual but one that brings awareness and acts as the prologue to a process of inquiry and

emancipation. It is a form of “true knowledge” that can only be achieved through what Freire calls “pedagogy of liberation” (1970, p. 81).

Towards a Human Rights Education of Liberation

The Brazilian educator’s contribution to critical thought is offering an alternative perspective on education as a practice of freedom with the “revolutionary power” of overcoming the oppressed-oppressor duality (1970, p. 129). Although he did not reflect on education in connection to human rights, his views on pedagogy as a form of liberation provide an essential theoretical grounding for the educational dimension of our alternative human rights paradigm. It might provide a point of departure for further investigation as well.

According to Freire, reality is characterized by an underling contradiction that manifests itself in the division between the oppressed and the oppressor (1970, p. 52). Within this dual system, education is employed to maintain the oppressed in a subservient role through the so-called “banking” model. (1970, pp. 71-86). Seen as passive vessels to be filled with abstract knowledge, students are denied any critical skill and are subject to a student-teacher relation that perpetuates the oppression they experience in society. It is only when a process of self-awakening and awareness occurs within the oppressed that education can shift from being a “practice of domination” to a “practice of freedom” (Freire, 1970, p. 81). Once the oppressed become aware of the repressive conditions that deny them their humanity, their yearning for freedom set them on a journey of rebirth as new human beings, “neither oppressor nor oppressed” (Freire, 1970, p. 56). Pedagogy plays a vital role in this process of liberation of humankind. It allows for the emergence of the inner consciousness of men, which in turn leads them to pierce the veil of reality and become critical actors of change. This act of liberation is a holistic process not limited to the oppressed but extended to the oppressors as well. As mentioned above, it does not entail a mere reversal of the oppressed-oppressor dualism but its full resolution. Teachers become part of this process of liberation as well by replacing the “banking” concept with a renewed vision of human beings as conscious actors fully immersed in reality and capable of

changing it. Together with students, they contribute to the creation of a paradigm that combines critical thought and action (Freire, 1970, pp. 77-79).

This critical understanding of pedagogy as a practice of liberation that can change an oppressive reality perfectly fits within a critical model of human rights education. For those who are involved in social fights in the name of human rights, the path towards liberation starts with becoming fully and critically conscious of their rights. This can only be achieved through practicing a “critical human rights education of liberation”.

4. Context Analysis

Before delving into the analysis of the shelters' narrative, it is essential to provide an analytical overview of the context in which migration occurs and the shelters operate. Far from being a static background, the context affects the shelters on multiple levels. The analysis of the context, therefore, does not merely set the stage but allows to corroborate and reinforce the shelters' narratives.

4.1. Migration in Mexico: A Changing Scenario

Mexico is a country deeply shaped by the phenomenon of migration. Besides being a country of origin and return for millions of Mexican citizens living abroad (Morales Vega, 2011, p. 929), it is part of a regional system that connects poverty and violence-ridden Central America to the U.S. Within this regional migration system, Mexico primarily plays the role of country of transit for undocumented individuals who seek safe passage through its territory. In spite of the absence of universal agreement on the definition of undocumented/irregular migrants, the UN International Organization for Migration (IOM) defines them as “persons moving outside regular migration channels” and stresses that their irregular condition does not relieve States from complying with the obligation to protect their rights (2019, p. 116). The Department of Migration Policies estimates that in 2017 89.388 migrants with no papers traveled through Mexico (Unidad de Política Migratoria, 2018, p. 45), although figures released by UNHCR Mexico speak of 400,000 individuals (IOM 2017, p. 13). Their profile mainly includes young men aged 15-39, although the number of families has increased exponentially (Unidad de Política Migratoria, 2018, p. 53) following the arrival of the highly mediatized caravans from Central America. The number of accompanied and unaccompanied children travelling through Mexico has also witnessed a dramatic increase from 23,000 in 2014 to 53,500 in 2019 (Unidad de Política Migratoria, 2020, p. 4).

Undocumented migrants represent a highly vulnerable category exposed to countless dangers and subject to systemic discriminations. Their vulnerability is firstly linked to their condition of being undocumented and the overall uncertainty surrounding their present and future circumstances.

Violence is another central element affecting their condition. It is not only an endemic plague in the countries from which they flee (Nájera Aguirre, 2016, p. 259), it is a common denominator that accompanies them throughout their journey. The trails beaten by migrants are not only fraught with physical perils that endanger their lives (ITAM, 2014, p. 22) and impact their emotional state. The ubiquitous presence of Mexican organized crime and the illicit activities of smugglers - known as *polleros* and/or *coyotes* in the vernacular discourse of undocumented migration (Spener, 2009, p. 1) - makes migrants easy prey to human trafficking, kidnappings, and extortions (ITAM, 2014, p. 20). From an intersectional perspective, the level of risk is heightened for children, adolescents, and women, who can also be victim of work and sexual exploitation (Lothar Weiss & López Chaltelt, 2011, p. 10). The cultural dimension plays an equally central role in increasing their vulnerability. Prejudices, xenophobia and stereotypes all contribute to a widespread negative conception of undocumented migrants and their rejection by host communities (ITAM, 2014, p. 23). From a human rights' perspective, this multi-faceted vulnerability translates into the violation of several rights, including the right to due process, to access justice, and receive medical care (ITAM, 2014, p. 24).

Within the current political scenario, the traditional patterns of irregular migration through Mexico are changing. The harshening of the U.S migration policies, the deportation of migrants by the ICE, and the increasing militarization of the border have turned Mexico into a country of destination for irregular migrants and asylum seekers (UNHCR, 2019). These changes in migration patterns are confirmed by official figures. According to data released by COMAR, refugee applications went from 1,200 in 2013 to more than 17,000 in 2018 (2018). IOM defines an asylum seeker as an individual who seeks international protection and “whose claim has not yet been finally decided on by the country in which he or she has submitted it” (2019, p. 14). Both the condition of undocumented migrant and asylum seeker, therefore, relegates individuals at the margins of Mexican society and in a legal limbo.

4.2 Shelters and the Migrant Population: A Vital Bond

The Development Assistance Committee (DAC) defines a civil society organization (CSO) as a voluntary, non-profit organization whose direction is entrusted to citizens and independent of government involvement. Their scope of activity spans from humanitarian aid to the defense of human rights and they may include faith-based organizations, community-based groups and internationally affiliated bodies (UNDP, n.d., pp. 123-124), to mention but a few.

CSOs working with the migrant population in Mexico started to appear in the late 1980s as religious-based centers offering humanitarian aid to economic migrants (Castañeda Morales, 2013, pp. 3-4). In the last two decades, they have evolved and created a plural picture that includes *comedores* (canteens), *dispensadores de salud* (clinics), *dormitorios* (hostels), and *casas* and *albergues de migrantes* (migrant shelters). The protagonists of the investigation belong to the category of *casas* and *albergues de migrantes*, which will be referred to as “migrant and refugee shelters” to reflect the evolution of the population that they assist. Placed strategically along the main trails beaten by migrants, shelters are not only “waiting spaces” where they receive assistance (Nájera Aguirre, 2015, p. 261). As spaces where migrants and asylum seekers build meaningful relationships, shelters become part of their social capital as well (ITAM, 2013, p. 21).

Migrant and refugee shelters have carved out an independent space for the promotion of the human rights of the migrant population (Becker and Ulloa, 2018, pp. 9-10). However, the government’s dual stance prevents them from consolidating their role, as shown by Mexico’s Migration Policy 2018-2024. While the government calls directly upon CSOs to cooperate in the implementation of the policy (Government of Mexico, 2018, p. 10), their actual involvement is minimal to non-existent. Shelters have also been affected by the decision of the AMLO administration to suspend all funding (San Martín, 2019).

4.3 The Mexican Federal Government: Guarantor vs. Violator of Human Rights

Mexico's migration policies lie in a duality that prioritizes the "logics of national security" (González-Arias, 2019) and in the double role of the Mexican state as guarantor and violator of the human rights of migrants and asylum seekers.

On one hand, Mexico subscribed to international treaties like the Comprehensive Refugee Response Framework (CRRF) and the Global Compact for Safe, Orderly and Regular Migration. On a regional level, it is among the seven countries that adopted the Comprehensive Regional Protection and Solutions Framework (MIRPS) to foster cooperation within the regional system of migration (UNHCR, 2020). Mexico is also one of the four countries that, under the auspices of ECLA (Economic Commission for Latin America), joint efforts to ensure migration is not a desperate attempt out of structural poverty and violence but a well-informed decision that can be carried out in safe conditions and with a human rights perspective (ECLA, 2018, p. 9).

The nominal adherence to the human rights of the migrant population is also reflected in the legislative corpus of the country. The 2011 constitutional reform marked the beginning of the institutionalization of the human rights discourse, with article 1 introducing the *pro-persona* principle and the formal equality between Mexican citizens and foreigners (Bobes León, 2018, pp. 9-10). This implies that the rights enshrined in the constitution are automatically extended to non-Mexican citizens as well, regardless of their migratory status. Approved the same year, the Migration Act reaffirms the equality of treatment between legal and undocumented migrants (Morales Vega, 2011, p. 934) and goes as far as providing a list of rights specifically guaranteed to undocumented individuals:

- 1) the right to free movement to enter, remain in, travel through and leave the country (Title II, Article 7, Migration Act)
- 2) the right to free access to health care, whether provided by the public or private sector (Title II, Article 8, Migration Act)

3) the right to access to justice and to lodge complaints about breaches of human rights (Title II, Article 11, Migration Act)

4) the right to be informed the rights and obligations (Title II, Article 13, Migration Act)

5) the right not to be discriminated against (Title II, Article 67) (Government of Mexico, 2011).

The 2011 Law on Refugees, Complementary Protection, and Political Asylum grants refuge to all foreigners who have a “well-founded fear” that in their home country that will be persecuted due to their “race, religion, nationality, gender, social group or political opinions” (Government of Mexico, 2011, Article 13, §1).

The already mentioned Migration Policy 2018-2024 represents the culmination of the newly found bond between migration and human rights, more specifically in relation to the category of undocumented migrants. Besides focusing on safe migration and sustainable development in economic, cultural and social terms (Government of Mexico, 2018, p. 10), the government renews its commitment to its “long-standing tradition of welcoming foreign individuals” (Government of Mexico, 2018, p. 20) from a perspective of “full respect of human rights”. Most importantly, it acknowledges “irregular migration” as one of the seven areas that need special attention (Government of Mexico, 2018, p. 28). The document refers to irregular migrants as a vulnerable group whose members are exposed to violations of their fundamental rights because of their condition of “being without papers” (Government of Mexico, 2018, p. 16).

The formal adherence to the protection of the rights of migrants and asylum seekers, however, is mitigated and often reversed by the imperatives of national security. Examples of how the Mexican state can morph into a violator of the human rights of the migrant population abound. The Migrants Protection Protocols (MPPs), aptly referred to as Remain in Mexico Program, may at first appear as a safe third-country agreement signed with the United States. The protocols establish that asylum seekers who have applied for asylum in the US wait for their court hearing in Mexico. The lack of infrastructures and resources to welcome asylum seekers and the dangers to which they are exposed (Flores, 2019), however, have turned the border into a *de facto* detention area where the rights of

migrants and asylum seekers are continuously violated. A similar tale is told by the violent standoffs between the Mexican National Guard and migrants trying to cross the Southern border from Guatemala (Shoichet, 2020).

5. Analysis of the Shelters' Narratives

The Analysis chapter delves into the narratives of the shelters, as they recount their daily fights to defend and promote the human rights of migrants and asylum seekers. Each of the three dimensions – space, pluralities, and narratives – will allow to analyze how shelters unfold their human rights-based activism within the surrounding context and in relation to other social actors. Although during the interviews several more aspects emerged, only the most relevant ones will be analyzed.

5.1 Space

The first dimension of the model is space, which refers to the political, cultural, and social context in which the shelters operate and write their alternative, counter-hegemonic human rights narratives. A hostile environment that discriminates against the “illegal” population and hinders the shelters’ actions, the context often becomes the main challenge to overcome. Each of its multiple layers poses a unique challenge to shelters, as the analysis below shows.

The Political Context: The Federal Government

The dimension that echoes in all the narratives as the one that shapes the context more markedly is the political one, especially at the federal level. All the shelters unanimously agree that the federal government constitutes the main obstacle in the recognition of the human rights of migrants and asylum seekers and in their work as human rights defenders.

Migration has always been a contentious political area in Mexico, where the government has not only provided an inadequate response, but has contributed to the severity of the phenomenon. As a case in point, Araiza of FM4 Paso Libre cites the privatization of the Mexican railways in the 1990s by former President Zedillo, which contributed to turning freight trains into a dangerous means of transport for migrants (private communication 2020). Hernández of Casa Tochan offers a longitudinal perspective on migration in connection to the War on Drugs started by former President Calderón in 2006. According to her, migrants were the ones that paid the highest price in this “mockery of a war”

either by being portrayed as criminals by the government or by being forcibly recruited by narco-traffickers (private communication, 2020).

Although it is an issue that transcends political phases, migration has become even more problematic during the AMLO administration following the arrival of the caravans from Central America and the anti-migration stance of the U.S. government (L. E. Villareal, private conversation, 2020). Against a backdrop of crisis and urgency, the federal government has provided a poor, inadequate response. It has been incapable of grasping the nature of migration and has framed a phenomenon that is mainly social and human as a political matter. Villareal summarizes this attitude as follows: “The government reduces migration to the act of crossing borders without papers. But...migration is more than that. It is a social phenomenon” (private communication, 2020). The fact that migration has been treated as a political issue with no regard for the humanity of the phenomenon is also clear from the game of chess played by the U.S. and Mexican governments. After the Trump administration threatened to raise import fees on Mexican products if the government did not contain migration flows towards the U.S. (Karni et al, 2019), the AMLO administration “made its political calculations”, gave in to Trump’s “blackmail” (L. E. Villareal, private communication, 2020) and adopted contention policies to actively reduce the number of migrants travelling towards to the U.S. This marked a dramatic sea change in the stance of an administration that had initially vouched its support for the most vulnerable sectors of the populations and embraced a “welcoming, open arms” stance towards migrants (L. E. Villareal, private communication, 2020). The signing of the Migrant Protection Protocols in July 2019 provides further evidence of this tendency. Several shelters agree on the fact that Mexico has become a *de facto* third-safe country within a geopolitical system of migration overseen by the U.S. (G. Hernández & L. E. González Araiza, private communication 2020).

The use of the National Guard to stop migrants at the Southern Border and their incarceration in the National Migration Institute (INM) detention centers (La Izquierda Diario Mexico, 2020) show another angle from which the federal government looks at migration, i.e. as a matter of national

security. In the eyes of the government, migration is far from being a human right (Y. Gilardón, private communication, 2020) - it is a crime committed by criminals who must be chased after, locked up, and eventually deported. Referring to the incarceration of migrants, Villareal condemns the government's stance as "shameful" (private communication, 2020). Zavala considers the act of detaining migrants often in "inhuman conditions" as an unforgivable privation of their freedom (private communication, 2020). Hernández is "enraged" by the thought of the National Guard persecuting migrants (private communication 2020). The most heartfelt and vocal condemnation of the government's actions comes from Gilardón, a former female migrant from El Salvador who founded Casa de la Mujer Migrante in Chiapas. She is not afraid of pointing the finger against the AMLO administration for his inhuman criminalization of migrants. Not only does she condemn the act of incarcerating migrants, she reprimands the government for "deceiving" them by making them believe that prisons were shelters (Y. Gilardón, private communication, 2020). According to her, the change at the lead of the INM is a clear political move to strengthen their criminalization. Replacing Tonatiuh Guillén López - expert in migration issues and former chairman of the Colegio de la Frontera Norte (Informador, 2019) - with Guardoño - former coordinator of the INM detention centers - clearly means "seeing migrants as criminals" (private communication, 2020). Zavala reflects on the regrettable decision of the government as well and laments the appointment of yet another "political figure who does not know the first thing about migration" (private conversation, 2020).

The politicization and securitization of migration leads to a third area that emerges from the interviews, i.e. the duality of the federal government in its double stance as guarantor and violator of the human rights of migrants and refugees. The duality of the federal government in relation to migration, which has left a deep sense of deception in several shelters (L. E. Villareal, private communication, 2020), is tangible in the Migration Act. Parra stresses that the formal principles written in the law clash with the reality of a state that denies the human rights of migrants and asylum seekers (private communication, 2020). Araiza describes this duality in a simple yet compelling way by referring to it as "schizophrenic.". Delays of up to two to three years in processing complaints and

legal proceedings involving migrants, for instance, prove the government's disregard for this category. Even the refugee system is used in a repressive way to determine who can stay and who is sent back to certain death (private communication, 2020). While most shelters recognize a duality in the stance of the government, Gilardón vocally condemns López Obrador as a violator of human rights. His actions speak for themselves. Soon after migrants enter Mexican territory, he starts violating their rights by imprisoning them, by denying them the right to “express themselves”, and eventually by deporting them. Treated “no better than dogs”, migrants are not only silenced and denied the opportunity to apply for asylum. Some of them are put on trucks only to disappear and never be heard of again (private communication, 2020). A similar opinion is held by Hernández, who regrettably laments the fact that the Mexican state is “the main violator” of human rights and is responsible for undoing the progress achieved so far (private communication, 2020).

The Political Context: The State and Local Government

Although migration and the asylum system are constitutionally a prerogative of the federal government, they are also managed by the state and local levels as part of a system of migratory federalism (Ortega Ramirez, 2013). In this context, two main areas come under scrutiny in the narratives told by the shelters as most administrations are accused of being indifferent to migration and not cooperating with the shelters.

The indifference towards the phenomenon of migration is clearly proven by one significant figure. Out of the 32 Mexican states, only nine have harmonized the Migration Act into their public policies concerning migration (Martínex, 2015), thus showing an utter disregard for this phenomenon. As Araiza puts it, “[migration] doesn't even cross their mind” (private communication, 2020). In Tijuana, Parra describes a similar situation, with local administrations relegating migration to the bottom of their agenda (private communication, 2020). Local administrations are oblivious to the human dimension of the phenomenon and do little or nothing to support migrants and refugees. Soto recounts how, before their shelter opened, migrants getting off the freight train in Chihuahua used to live on

the street and receive “no help whatsoever from the authorities [or] the government” (private communication, 2020).

Local and municipal administrations are not only indifferent to migration, but unwilling to cooperate with shelters as well. The Nuevo León state government, for instance, granted Casa Nicolás the necessary funds to run a health program to detect symptoms of tuberculosis and hypertension in the migrant population. However, it was an isolated case. At a municipal level, Villareal describes the relationship between the shelter and the administration as a fruitless exchange of “cordial communications” (private communication, 2020). In Tijuana, while Parra does not deny the existence of some forms of cooperation with the local administration, she points out that it is an uphill battle that requires them to “knock at many doors” to obtain the smallest of the contributions (private communication, 2020). Hernández is worried that the few collaborative programs in place in Mexico City will soon be dismantled, leaving shelters in a limbo similar to that of migrants and asylum seekers (private communication, 2020). The indifference and lack of cooperation of state and municipal administrations, paired with their “inability to tend to the phenomenon of migration” (L. E. Zavala de Alba, private conversation, 2020), make shelters indispensable. Their role as “social actors and defenders of the human rights of the migrant population” fills the vacuum left by state and local administrations (L. E. Zavala de Alba, private conversation, 2020). In Gilardón’s own words, “we are doing their job”, striving to take whatever small action they can to solve a problem bigger than them (private communication, 2020).

The Local Community

Besides the three governmental levels of Mexican politics, migration and shelters are largely affected by the way in which local communities react to the migrant population and the activities of the shelters. What emerges from the shelters’ narratives is a two-sided reality that can both hinder and support their actions and where xenophobic feelings are intertwined with solidarity and empathy. From the Southern to the Northern border, all the shelters confirm the existence of racist, prejudicial attitudes. In spite of having experienced the phenomenon of regional migration for at least three

decades, Mexican society continues to see it as a problem that needs eradicating. A recent survey conducted by Consulta Mitofsky shows that nearly 80% of Mexicans are against migrants and would rather help them in their home countries (2018). This figure seems to be confirmed by the experiences of the shelters. In the conservative metropolitan area of Monterrey, Villareal sees xenophobia and racism as feelings “latent in the heart of every ordinary citizen” (private communication, 2020). In Guadalajara, Araiza notices how these anti-migrant feelings have consolidated the negative connotations attached to the image of migrants and asylum seekers. Considered less than foreigners, they are perceived as “illegal” human beings who have no rights and are not welcome (private communication, 2020). A similar understanding of racism is shared by Gilardón in Chiapas, where the condition of migrant is synonym with “*pandillero*” (gang member) and thief (private communication, 2020). While none of the shelters condone these attitudes, some attempt to understand the reasons behind them. In Mexico City, Hernández justifies xenophobic feelings as a coping mechanism, a form of self-protection in a difficult context that is not only harsh on migrants but on Mexican citizens as well (private communication, 2020). The role of the media in spreading xenophobic narratives should also be considered. Parra recalls how the arrival of the caravans from Central America in Tijuana was largely covered by the media. The “unclear, inaccurate information” they provided shaped public opinion in such a dystopian way that it created what she defines as “selective xenophobia” – while some categories of migrants were accepted, others were to be condemned (private communication, 2020).

In spite of these anti-migration feelings, all the shelters agree that solidarity prevails over xenophobia at a community level. As Gilardón puts it, “the good guys are more [than the bad guys]” (private conversation, 2020). Solidarity from the community has been essential for the survival of some of the shelters in terms of monetary donations either from foundations or private citizens. The shelters in Tijuana and Monterrey also benefit from donations from faith-based groups based in Texas and California, thus transcending a border that is “more political than social” (G. Parra, private conversation, 2020). Several shelters can also rely on donated food and items of clothing on a daily

basis. In some cases, the relationship between the shelters and the community surpasses the solidarity stage and becomes empathic. The shift from solidarity to empathy requires an effort of identification with the migrants and a deep interest in their condition. In Tijuana, this can be clearly felt in the support received from those who have experienced migration first-hand or have family members who have migrated (G. Parra, private communication, 2020). In Monterrey, the great turnout of people for the presentation of the 2019 report released by Casa Nicolás shows how empathy can emerge from non-migrants as well. There is another stage that a few shelters and communities have been able to reach, at least partially. When the community starts to realize that “shelters are a social benefit” (L. E. Zavala de Alba, private communication, 2020) and so are migrants, a mutually beneficial synergy can be established. In a tough neighborhood in Mexico City, Hernández describes Casa Tochan as a “collective project” that involves and benefits the community through educational and recreational activities, like open-air cinemas and traditional Christmas celebrations (private communication, 2020). In poverty-ridden Tuxtla Gutiérrez, business owners are increasingly benefiting from the presence of migrants and refugees. Gilardón commends the appearance of the banner “Rooms for rent to Haitian migrants” on the façade of a block of flats as a first step towards accepting migrants and recognizing their role within society (private communication, 2020).

5.2.2 *Pluralities*

The dimension *I* refers to the actors that the shelters cooperate with in the attempt to maximize the results of their work of defense and promotion of the human rights of migrants and asylum seekers. In a hostile context shaped by human rights violations perpetuated by the federal government, institutional indifference at a state and municipal level, and xenophobic narratives running deep in local communities, the importance of relying on allies cannot be stressed enough. The previous section has shown how the support of the community – whether in the form of solidarity, empathy, or synergy – helps create the conditions for shelters to carry out their activities in a largely repressive environment. The support of allies that operate in different capacities and at multiple levels is equally

important as it allows them to join forces and achieve more concrete results in their human rights battles.

Shelter-Shelter Cooperation

The first type of cooperation established by the shelters can be defined as “horizontal” since it involves other shelters that operate in similar circumstances and pursue similar goals. When asked about the importance of belonging to horizontal networks of cooperation, all shelters agreed on how essential this aspect is given the harsh context in which they operate. This kind of cooperation is a widespread reality that can even go beyond Mexican borders. The Red Zona Norte brings together shelters located in the Northern border region, from Casa del Migrante en Tijuana to Casa Monarca in Monterrey. At a national level, REDODEM unites shelters from 13 Mexican states, from Casa Tochan in Mexico City to Casa Nicolás in Nuevo León (REDODEM, n.d.). There are instances of regional cooperation as well. Casa de la Mujer Migrante, for instance, belongs to the Mesa de Coordinación Tranfronteriza, an organization that brings together Guatemalan and Mexican CSOs working with female migrants (Mesa de Coordinación Transfronteriza, n.d.). Although less prominent and involving only two out of the seven shelters, the international dimension is also worth mentioning with FM4 Paso Libre and the International Council of Voluntary Agencies and Casa del Migrante en Tijuana and the Scalabrini Network.

The shelters frame the horizontal networks of cooperation they belong to from different perspectives. Villareal refers to them as “friendships”, thus pointing out the human side of it (private communication, 2020). Gilardón calls them “coalitions” and highlights the idea of acting for a common purpose and against a common enemy (private communication, 2020). From Araiza’s point of view, they are “spaces” of dialogue and advocacy (private communication, 2020). These different yet complementary understandings speak of the multiple benefits that can be achieved through a solid shelter-shelter cooperation. One of the main areas that emerges from the shelters’ narratives is the exchange of information and knowledge. As Parra puts it, “networks of cooperation allow us to know things” (private communication, 2020). As for Casa Nicolás and Casa del Migrante Chihuahua,

REDODEM provides a database to share information about the migrants they assist - a sort of “GPS” to track down their path and monitor their behavior (L. E. Villareal, private communication, 2020). In a context where the government keeps shelters in the dark, the knowledge shared among them can be about institutional and political developments in terms of migration as well (Y. Gilardón & G. Hernández, private communication, 2020). Shelters also use their networks to share details about successful projects they have been part of in order to allow other organizations to implement similar actions (G. Parra, private communication, 2020). This point leads to the second dimension that makes shelter-shelter cooperation essential, i.e. education and capacity development. The power of sharing knowledge can only be yielded if shelters know how to operate in the best possible way for the sake of migrants and refugees and navigate their way in a hostile environment. These networks of cooperation can therefore become spaces of capacity building where shelters learn from one another and share good practices. Casa Monarca provides one of the most illustrative examples of this mutually beneficial educational model. When it was first established in 2015, Casa Monarca started to “collect the experiences of other shelters” by sending trainees to some of the oldest organizations, including Casa del Migrante en Tijuana. Embracing the principles of the Sphere Handbook, the shelter is now conducting capacity development courses for other shelters located along the Northern border, more specifically Matamoros and Reynosa (L.E. Zavala de Alba, private communication, 2020). This educational effort highlights one of the directions towards which most shelters are moving, i.e. the professionalization of their teams. Policy advocacy is another dimension where the cooperation among the shelters proves beneficial. The Red Zona Norte, for instance, mainly works to influence public policies (B. Soto, private communication, 2020).

National and International Human Rights and Migration Institutions

While horizontal networks help shelters join forces, they do not allow them to overcome all the obstacles they face at a political level. The lack of spaces for institutional dialogue and the indifference of the Mexican state can only be partially offset by shelter-shelter cooperation. It is also critical for shelters to establish vertical alliances with human rights and migration institutions that

can either pressure the government or create a bridge between Mexican shelters and the international community.

At a local level, bodies like the *Comisión de Derechos Humanos* (Human Rights Commission) in Mexico City have been instrumental in granting shelters access to programs and crucial information. Hernández stresses out that any form of cooperation between Casa Tochan and the local government has been made possible by the intervention of the *Comisión de Derechos Humanos*. In the face of an administration that “is not open at all”, the Commission has brought Casa Tochan on board the soup kitchen program run by the Welfare Secretariat of Mexico City (SIBISO). They hold regular meetings to keep the shelter abreast of institutional developments, thus creating those much-needed spaces of dialogue (private communication, 2020). At a national level, shelters that largely work with asylum seekers have developed strong ties with COMAR. In Monterrey, for instance, Casa Monarca has cooperated extensively with the commission’s local office to help asylum seekers navigate their way through the refugee claim process (L. E. Zavala de Alba, private communication, 2020). Working within an international protection system requires shelters to develop close ties with international institutions as well. UNHCR emerges as a central actor in the narratives of most shelters. Because of its work with the refugee population, Casa Monarca boasts a fruitful cooperation with the UN Refugee Agency, which will soon culminate with the building of a new shelter (L. E. Zavala de Alba, private communication, 2020). Casa del Migrante Chihuahua has also established positive relations with UNHCR, as well as IOM and Doctors without Borders. It is worth pointing out, however, that the ability to create these vertical networks of cooperation, especially at an international level, is strictly connected to the material and human capacities of each shelter. Villareal, for instance, regrettably points out that the limitations of the legal department of Casa Nicolás does not allow them to work with institutions like UNHCR (private communication, 2020). The effectivity of the shelters often comes down to a matter of privilege and access to resources (L. E. González Araiza, private communication, 2020).

Universities

While universities might at first seem unusual allies in the shelters' narratives, they have proven to be crucial actors that can contribute to the shelters' mission in a concrete manner. The importance of cooperating with universities is two-fold. The previous sections have touched upon the importance of knowledge as a way to empower shelters and education as a path to develop the necessary skills to work for the benefit of migrants and refugees in a largely hostile environment. Universities play a crucial role both as sources of reliable, analytical information about migration and as providers of specialized courses focused on migration. On one hand, universities cooperate with shelters in an effort to spread accurate information about the migrant and refugee population, thus trying to demystify the fear and prejudices rooted in Mexican society. In this sense, they counteract the negative effects of the narratives spread by the media, help provide an unbiased, objective perspective on the phenomenon of migration, and contribute to the shelters' pedagogical mission. Casa Monarca, led by a researcher and university professor, has invested time and effort in developing a synergy with local universities. Every academic year, for instance, the Tec de Monterrey develops a research proposal involving 9th semester economy students and Casa Monarca to investigate the role of the migrant population in the metropolitan area. The latest investigation, that has recently been published, analyzes the positive contribution that migrant and refugee workers bring to the economy of the city (L. E. Zavala de Alba, private communication, 2020). This synergy with universities is a reality also for a few shelters that do not necessarily have pre-existing academic ties. Casa Nicolás relies on medical students from the Tec de Monterrey, psychology students from Udem, and law students from the Universidad de Nuevo León (L. E. Villareal, private communication, 2020). This kind of cooperation is not important as a way to guarantee a source of volunteers to shelters. Its significance lies in the creation of soon-to-be professionals that specialize in the field of migration and have the necessary knowledge and skills to work with the migration and refugee population. This leads to a crucial point already mentioned above. Many of the interviewed shelters are trying to move away from an exclusively volunteer-based system towards the professionalization of their team, as required by the increasing complexity of the phenomenon of migration in the Mexican context.

5.2.3 Narratives

Throughout the research, the main goal of Mexican shelters has been described as the defense and promotion of the human rights of migrants and asylum seekers. The Narrative section is going to delve deep into their grassroots human rights fights, their overarching goals, and the strategies adopted.

Holistic Human Rights-Based Approach

The first dimension that needs to be analyzed brings the focus back on the essential elements of the shelters' activism. First and foremost, shelters work to ensure that the human rights of migrants and asylum seekers are recognized and effectively implemented in a context that largely denies every notion of human rights in relation to the migrant population. Shelters embark on this rights-based mission with a holistic approach that aims at covering all areas of the life of migrants and asylum seekers as dignified human beings and social actors. Zavala provides the most comprehensive definition of the all-round approach that will be analyzed below by summarizing it with four verbs: “welcoming, protecting, promoting, and integrating” (private communication, 2020).

Human rights lie at the core of this blueprint for action devised and adopted by the shelters. There is no question about their importance and their role as drivers of change in the daily fighting of the shelters. Human rights are described as the “corner stone” of their activities (L. E. González Araiza, private communication, 2020). They are an “indispensable element” in framing their activism. Indeed, the human rights-based approach is the only kind of activism that the shelters believe in and that can yield positive results. As Hernández stresses out, their activities “cannot be framed in any other way” (G. Hernández, private communication, 2020). Human rights, however, are not perceived as inspiring, affirmative values. While shelters might “know by heart” the principles included in the UDHR (Y. Gilardón, private communication, 2020), their grassroots fights emerge from the “rage” and “indignation” felt in the face of blatant human rights violations (G. Hernández, & B. Soto, private communication, 2020). The fact that shelters define their identity as “human rights defenders” means that human rights are being denied in the first place. Shelters refuse to accept the “human tragedies”

caused by human rights violations and mobilize in response to them (L. E González Araiza, private communication, 2020). Araiza takes the human rights criticism further and describes them as a “Western discourse.... [that] emerges from the notion of discrimination” and can only apply to “bourgeoise, white citizens” (private communication, 2020).

Not only do shelters adopt a human rights-based approach that emerges from a reality of denial. They also embrace a holistic view that leads to the incorporation of a human rights-based approach in the four areas mentioned above - *welcoming*, *protecting*, *promoting*, and *integrating*. The four areas can be considered as four subsequent stages in the process of supporting migrants and asylum seekers. *Welcoming* refers to the act of tending to their basic and most urgent needs, such as providing shelter, food, and medical care. Most shelters refer to this stage as humanitarian assistance and “direct work with the [migration and refugee] population” (L. E. González Araiza, private communication, 2020). The areas of protection and promotion are more strictly connected to the defense and promotion of human rights. *Protecting* entails the provision of legal support in case of human rights violations and for the regularization of the migratory status. Although “no human being is illegal”, as Villareal reminds us, the regularization of the migratory status is key to the enjoyment of other rights (L. E. Villareal, private communication, 2020). *Promoting* refers to the process of empowerment of migrants and asylum seekers by ensuring them the fundamental rights to education and work, both seen as essential steps towards the ultimate goal, i.e. social *integration*. This process does not only entail becoming part of a community as in the case of asylum seekers and migrants who decide to stay in Mexico. It aims at giving the entire migrant and refugee population a sense of self-worth as meaningful social actors, regardless of their destination (see *Migrants as Fully-Fledged Actors* section). Depending on the human and physical resources available and their vision, shelters may prioritize different key areas within their holistic human rights-based approach. Casa Monarca, which has developed a close relationship with UNHCR and COMAR, focuses on the legal aspects of the refugee claim process. Casa del Migrante en Tijuana and Casa del Migrante Chihuahua focus their efforts on work programs.

The significance of adopting a holistic approach is multi-fold. It promotes a more dignified image of migrants and asylum seekers as complex human beings who have the right to a meaningful life in all its aspects, from food security to education. It means extending the notion of human rights to humanitarian assistance as well. As Soto points out, even the simplest actions like cooking and providing meals are a way of defending human rights (private communication, 2020). For several shelters that identify as “laic”, this holistic approach allows to overcome the narrowness of charity work as well. Araiza criticizes the limitations of this “paternalistic” approach by linking it to a patriarchal, colonial way of imposing a predetermined aid model on helpless migrants (private communication, 2020). Hernández believes this narrow approach to supporting migrants and asylum seekers only belongs to faith-based organizations. Casa Tochan distances itself from this model by embracing a comprehensive human rights-based approach (private communication, 2020). The shift from a purely humanitarian, charity-based approach to a holistic, human rights-based one, however, is also visible in organizations that maintain a religious orientation. Casa Nicolás and Casa del Migrante en Tijuana have all embraced a human rights perspective and integrated in into a holistic model. In their case, the human rights discourse is harmoniously intertwined with religious values of brotherhood and solidarity.

Migrants as fully-fledged actors

In the previous section, the empowerment of migrants and asylum seekers and the development of a sense of self-worth have been mentioned as key stages in the shelters’ holistic, human-rights based approach. Throughout the investigation, the emphasis is placed on the shelters’ narratives, visions, and frameworks of action. This should not overshadow the fact that shelters do not intent to take up the lead role in the life of migrants and asylum seekers. The ultimate goal they pursue is supporting them as they become the main actors in their personal stories of emancipation, self-aware agents “in charge of their life choices” (G. Parra, private communication, 2020), and “social actors” affirming their role within a community. This process of self-growth, empowerment, and emancipation from

the passivity and constraints imposed by society entails two main stages, namely the creation of spaces of belonging and acceptance and an educational path.

Creating spaces where migrants and refugees feel a sense of belonging and are accepted sets the stage for their growth into fully-fledged social actors. This occurs at multiple levels and involves different actors. The process starts from the space provided by the shelters. Far from merely offering a bed space, shelters become a home where migrants and refugees develop a sense of “ownership” and agency (G. Hernández, private communication, 2020). The name chosen by most shelters is a tell-tale sign. *Casa del migrante* (migrant’s home) emphasizes the notion that shelters are home to the migrant population. Shelters have not been established *for* them but *belong to* them, thus stressing the notion of ownership, belonging, and agency. Establishing connections between a shelter and the surrounding context is an essential step in the creation of an external social space where migrants and asylum seekers can replicate their sense of ownership and belonging and exercise their agency. This, however, entails an additional process that aims at educating the community about the phenomenon of migration. As Gilardón points out, “Mexico is not ready to welcome migrants” and, as seen in the previous section, xenophobia and anti-migration feelings still run deep in society. The pedagogical role played by the shelters is vital in laying the groundworks for a social space where migrants are accepted and fully included. The shelters’ educational efforts aim at a shift in the perceptions widespread in the community. Discrediting all the narratives of hatred and fear, shelters strive to promote alternative, positive portrayals of migrants and refugees as human rights holders, beneficial social actors, and a “source of cultural richness” (Y. Gilardón, private conversation, 2020). Casa Monarca, for instance, has invested in the elaboration of reports with the purpose of disseminating accurate information about the phenomenon of migration (L. E. Zavala de Alba, private communication, 2020). For Casa del Migrante Chihuahua, their educating mission includes spreading general awareness on human rights in a society that largely ignores them (B. Soto, private communication, 2020).

The creation of these spaces of belonging and acceptance is instrumental in achieving the ultimate goal that shelters strive to pursue, i.e. the emancipation of migrants and asylum seekers, their shift from passive outsiders to fully-fledged actors both in their personal histories of liberation and within society. The first step in this process of emancipation lies in human rights education. The lack of human rights awareness that some shelters detect in Mexican society holds even more true for migrants and asylum seekers who are at the margins of it. All the shelters acknowledge that migrants and asylum seekers are either unaware or misinformed about the human rights that should be guaranteed to them in Mexico. In Tuxtla Gutiérrez, as female migrants enter the shelter they are welcomed by a poster asking them, “Do you know that your human rights have no border?” The answer is often negative (Gilardón, private conversation, 2020). For those who might have a general understanding of human rights, the challenge is overcoming their skepticism towards a discourse that they perceive as fruitless and meaningless (G. Hernández, private communication, 2020). Even in cases of gross human rights violations like kidnapping and forced labor, migrants and refugees often choose to not take legal action and passively accept their role of victims, whether at the hand of the state or organized crime (G. Parra, private communication, 2020). Shelters ensure that migrants and asylum seekers are aware of their human rights by scheduling workshops as part of their weekly activities, having one-to-one conversations, and disseminating as much information as possible on posters and flyers (G. Parra, private communication, 2020). Human rights, however, are not the only area in which education is essential. Shelters also devote their efforts to capacity building in order for migrants and asylum seekers to develop work-related skills and facilitate their social integration. As Gilardón points out, “the best way to help someone is not by giving...[but by] teaching them how to fish” (private communication, 2020). Shelters also strive to make migrants and asylum seekers aware of the duties they have as part of society. In Casa de la Mujer Migrante, where a nursery will soon be established, migrant workers will be required to pay a symbolic amount of money. By doing so, they will realize that they are functional social actors able to give back and contribute to the community (Gilardón, private conversation, 2020).

The pedagogical mission of the shelters and their goal of helping migrants and refugees become social actors allows to understand the ultimate role played by shelters. Shelters are supporters that provide assistance to migrants and asylum seekers in the form of knowledge, tools, and skills. They are “trampolines” that support them along their path (B. Soto, private communication, 2020), whatever that might lead them. Far from imposing any judgment on their decisions, shelters offer them fraternal, horizontal support and respect the agency of migrants and asylum seekers above their very own agency (L. E. González Araiza, private communication, 2020). Remarks like “we support them as far as possible” (G. Hernández & L. E. González Araiza, private communication, 2020) should be read as an acknowledgment not only of the shelters’ own limitations, but of the boundaries of their role as well. Shelters support migrants and asylum seekers until they become “self-supporting” “masters of their destiny” (B. Soto & G. Parra, private communication, 2020), capable of fighting for their rights and for their rightful place in society.

Adapting to a Changing Scenario

One of the main challenges that shelters face is being immersed in a rapidly changing scenario that requires the ability to adapt. Whether it is new migration flows, political sea changes, or unexpected health crises, shelters never abandon the defense and promotion of human rights. In the face of sudden transformations, they double down on their commitment, efforts, and resilience.

The changing face of migration in Mexico is one of the recurring themes in the shelters’ narratives. Older organizations like Casa del Migrante en Tijuana have witnessed a reality that has changed dramatically since the late 1980s. What started as “young men” migrating in search of job opportunities in the U.S. has changed to post-disaster displacement from Haiti in the 2010 and to the migration of family units in 2018 with the arrival of the caravans from Central America (G. Parra, private communication, 2020). In the last 10 years, Mexico City has witnessed a shift from receiving internal migrants from Southern Mexican states to becoming part of a regional refugee scheme (G. Hernández, private communication, 2020). A similar transformation has occurred in Monterrey, where shelters have also witnessed an increase in the deported population due to the U.S. anti-

migration policies (L. E. Zavala de Alba, private communication, 2020). These deep transformations in migration flows have forced shelters to adapt their work of defense and promotion of human rights to the changing needs of migrants and those of new categories. Albeit differences in their capacities, all shelters rely on a legal department that processes refugee applications, from Chiapas to Nuevo León. Several shelters have developed strategies to cater to the needs of children and families. Casa del Migrante Chihuahua cooperates with municipal schools where children are enrolled (B. Soto, private communication, 2020). In Tijuana, school attendance is combined with an after-school program to provide working migrants with a safe space for their children (G. Parra, private communication, 2020). Casa de la Mujer Migrante is also focusing on the needs of working mothers who have settled down in Tuxtla Gutiérrez by opening a nursery (Y. Gilardón, private communication, 2020). The best example of how shelters evolve is provided by Casa Monarca, which is adding a new shelter to their itinerant attention center in cooperation with UNCHR. The shelter will be the first one in Mexico catering specifically to the needs of asylum seekers (L. E. Zavala de Alba, private communication, 2020).

The previous sections have touched upon the shift of the AMLO administration towards migration contention policies. This has created a more hostile environment where the human rights of migrants and refugees are further denied. One of the strategies that have become more important than ever for shelters is exerting pressure on the federal government to stress the urgency of upholding the human rights of migrants and asylum seekers. This also allows shelters to maintain an independent, critical stance and play a key role in the monitoring of the government (L. E. Vilareal, private communication, 2020). Statements usually signed by networks of shelters are one of the most vocal ways to bring important issues to the attention of the government and demand a change. In January 2019, Red Zona Norte expressed its concern over the MPPs, under which thousands of asylum seekers would be returned to Mexican border cities waiting for their court hearing. Besides lamenting the scarcity of shelters and lack of resources, the statement captures the core issue between CSOs and the Mexican state in one sentence: “It is civil society that has to deal with the consequences of irresponsible

political choices.” The statement ends by demanding that the Mexican government adopt a “firm stance, based on a real concern for humanitarian assistance” and avoid “encouraging further human rights violations” (2019).

The latest in a series of unexpected developments, the Covid-19 pandemic has had a large impact on the most vulnerable sectors of the population, including migrants and asylum seekers. In Monterrey, many of those that were part of work programs lost their job and found themselves unable to pay their rent (L. E. Zavala de Alba, private communication, 2020). The closing of local schools abandoned migrant children in an educational void (G. Parra, private communication, 2020). Any development affecting the migrant population has an impact on the shelters’ activities as well. The Covid-19 pandemic, however, has hit them in a more direct manner. Although closing ordinances have not been extended to CSOs, most shelters across Mexico have closed their doors and quarantined with the migrants and asylum seekers they were assisting when the pandemic broke out (Arriola Vega & Coraza de los Santos, 2020, p. 4). Villareal and Soto recall how difficult a decision it was to take - yet it was a necessary one to avoid endangering lives (private communication, 2020). Even with their doors closed, several shelters have been affected by outbreaks of the virus (SIMN, 2020), including Casa de la Mujer Migrante (Y. Gilardón, private communication, 2020). The measures introduced at a state level in terms of social distancing and health standards are difficult if not impossible to achieve. In Tijuana, Parra stresses out that the shelter does not count on a professional cleaning team and maintaining the hygienic standards recommended by the state of Baja California “is a challenge” (G. Parra, private communication, 2020). The pandemic has had an impact on the financial side as well. In the first few months after the virus broke out, Casa Monarca saw donations from foundations and corporate donors plummet. It was only in July that things started to look up again (L. E. Zavala de Alba, private communication, 2020). In spite of all these challenges, the virus has not “cornered” the shelters (L. E. Villareal, private communication, 2020). Accustomed to a hostile environment that forces them to fight on a daily basis, shelters have reacted to the health crisis with the same resilience they show in reaction to the political and “human rights crisis” that is affecting Mexico (G. Hernández,

private communication, 2020). As Parra points out, “the emergency has shown us that we have to react” to protect the human rights of migrants and asylum seekers, which are further being undermined by the pandemic (private communication, 2020). The shelters have promptly responded to the emergency and adopting new strategies or adapting existing ones. In Guadalajara, Chihuahua, and Tuxla Gutiérrez, the shelters set up makeshift isolation rooms for migrants and asylum seekers displaying symptoms. While keeping their doors closed, they have been distributing face masks and hand sanitizers to migrants camped outside (B. Soto, private communication, 2020). In Monterrey, Casa Monarca has focused on food security by increasing the distribution of meals to migrant and refugee families that lost their jobs (L. E. Zavala de Alba, private communication, 2020). Not only has the pandemic proven the adaptability of shelters. It has provided the opportunity to strengthen some of processes already in place. In Monterrey, for instance, the experience of being enclosed within the shelters strengthened the migrants’ sense of ownership of the space (L. E. Villareal, private communication, 2020) It has allowed the creation of a microcosms where each migrant and asylum seeker play a vital role in the smooth running of the shelter – a microcosm that should ideally be replicated in the outside community. In Mexico City, the pandemic has helped migrants and asylum seekers become aware of the positive impact they can have within the outside space as well. Thanks to the abundance of food that Casa Tochan has received on a daily basis, they have been able to help feed the most indigent members of the neighborhood (G. Hernández, private communication), thus extending their agency and sense of belonging from the confined space of the shelter to the outside space of the community. In some cases, the pandemic has led to the creation of new opportunities as well. In Monterrey and Tuxla Gutiérrez, migrant and refugee women have been provided with the skills and tools to sew facemasks (L. E. Zavala de Alba & Y. Gilardón, private communication, 2020). The health crisis has also presented shelters with an opportunity for self-reflection and self-criticism. The pandemic has raised many questions and has highlighted the shelters’ limitations. More importantly, however, it has confirmed the necessity of respecting the human rights of the most vulnerable (G. Parra, private communication, 2020).

6. Discussion

The discussion will draw upon the most relevant aspects emerged from the analysis of the shelters' narratives through the lens of the theoretical framework. The first part of the chapter will delve into the spaces of resistance where shelters wage their grassroots, counter-hegemonic fights and forge social alliances with the migrant population and other relevant social actors. The second part of the chapter will focus on the grassroots, counter-hegemonic human rights model that shelters elaborated and adopt in the process of defending and promoting the human rights of migrants and asylum.

6.1. Spaces of Resistance and Counter-Hegemonic Action

The shelters' narratives show a complex, hegemonic reality that is largely opposed to migrants and asylum seekers and does not perceive them as right holders but as outsiders. In a context where the migrants and asylum seekers occupy a subaltern position, shelters become a vital ally in their individual stories of liberation. By creating spaces of resistance and counter-hegemonic action, shelters contribute to the defense and promotion of their human rights and support them along the path to becoming fully-fledged social actors. In this process, shelters also write alternative human rights narratives that strip human rights of their hegemonic and colonial nature and transform them into emancipatory, counter-hegemonic tools.

The context stands out as the most prominent dimension to consider in order to properly contextualize and understand the shelters' counter-hegemonic, human rights-based activism. Context is here understood from a Gramscian perspective as the combination between political and civil society. We are not referring to the geographical dimension or to economic and social indicators. What affects the shelters' grassroots activism is Mexican politics and Mexican society - the former characterized by an utter disregard for the human dimension of migration, the latter displaying xenophobic feelings and perpetuating hegemonic portrayals of migrants and refugees as "illegal" outsiders. In Gramsci, political and civil society are key to preserving the hegemony of the ruling class. In our case, they are instrumental in perpetuating the hegemony of the Mexican federal government – the main obstacle

to the implementation of the human rights of migrants and refugees and their recognition as social actors. The Mexican federal government is a hegemonic entity that exercises its political, legal, economic, and cultural power on the subaltern category of migrants and refugees. The way the Mexican government subjugates the migrants and refugee population relegates them to an even lower category than subalterns, i.e. the category of illegal outsiders. The government, personified by the AMLO administration, denies them their humanity by ignoring the social dimension of the phenomenon of migration. Migration is a political matter to be negotiated with the Northern American hegemonic giant, which in turn exercises its hegemony and influence on Mexico through a political border and the signing of treaties. From the government's perspective, migration is also a national security matter that requires an iron-fist approach. Similarly to the model described by Gramsci, law and order are instrumental in preserving the hegemonic-subaltern dynamics in place. In the Mexican case, law and order become hegemonic tool in the hands of a government that criminalizes migrants and refugees. This can be seen in the repressive ways of the National Guard and the detention practices of the INM.

As part of the legal apparatus of the country, human rights are also used in a hegemonic manner. As far as the human rights of migrants and asylum seekers are concerned, the Mexican federal government is characterized by an underlying duality. Although formally embedded in the Mexican constitution and migration policies, as a hegemonic entity the government is above the law and decides who should enjoy them and who should be denied them. Even the refugee protection system is used as a hegemonic framework to determine who is allowed to stay in Mexico and who should be deported.

These discriminations and abuses at the hands of the government are not met with indifference by the shelters, but with rage and indignation. Migrant and refugee shelters feel deceived not only by a government that has maintained a double, contradictory stance, but also by a human rights discourse that has not materialized its promise of universality and alienability. What they perceive is a crisis of legitimacy affecting both the Mexican government and the human rights regime. The ratification of

the Global Compact on Migration and the promise of changing Mexican migratory policies by the AMLO administration is perceived as a Gramscian “passive revolution” enacted by the government to appease the shelter. In the face of enduring violations of the human rights of migrants and refugees, however, shelters have taken the matter into their own hands.

The importance of the human rights-base activism of migrant and refugee shelters is multi-fold. Shelters act as human rights defenders filling in the vacuum left by a government that does not act as a guarantor, but as violator of human rights. Their role, however, is far more than acting as a substitute. In their daily struggles against the hegemonic power of the government and the xenophobic narratives entrenched in society, shelters create spaces of resistance (García Augustin & Bak Jørgensen, 2016, p. 4) and pockets of counter-hegemonic action. The aim they pursue is the implementation of the human rights of migrants and asylum seekers and the acknowledgment of their role as fully-fledged social actors. The first step towards the creation of spaces of resistance in opposition to a hegemonic government is the building of Gramscian social alliances. The first alliance to be forged is the one between shelters and the migrant population, which is reminiscent of the “solidary action” that Gramsci describes between the proletariat and the peasant masses (2000, p.172). However, for shelters to achieve concrete results in an adverse environment, it is essential for them to build additional social alliances. At a horizontal level, shelters join forces with other shelters who share their mission and vision, thus creating networks of cooperation that increase their counter-hegemonic potential. At a vertical level, they build strategic alliances with domestic and international migration bodies that can contribute to undermining the hegemonic authority of the government. However, one fundamental difference with the Gramscian notion of hegemony and counter-hegemony is the ultimate goal to be achieved. While Gramsci envisions the emancipation of the subaltern classes as a counter-hegemonic power overturning the ruling class, shelters do not aim at the rise of a counter-hegemonic bloc comprising of CSOs and the migrant population. The creation of spaces of resistance and counter-hegemonic action aims at achieving two results. On one hand, shelters demand that the government fulfils its promise as a guarantor of human rights. On the other, they strive for the

emancipation of migrants and asylum seekers and their inclusion in society as fully-fledged actors conscious of their being right-holders.

6.2 Grassroots, Counter-Hegemonic Human Rights Model

In the process of fighting for the emancipation of migrants and asylum seekers from these spaces of resistance, shelters create a grassroots, counter-hegemonic human rights model that transforms human rights from instruments of discrimination to vehicles of liberation.

The first dimension to be analyzed pertains to the notion of “counter-hegemonic.” The model elaborated and adopted by shelters does not reject human rights *in toto*. Indeed, human rights infuse every aspect of their grassroots activism and constitute the cornerstone of their beliefs and commitment. The Gramscian concept of counter-hegemony does not lead to the repealing of the human rights discourse as a whole. It consists of a process of resignification in which human rights are stripped of the traits that make them an hegemonic discourse. What shelters reject is the notion of human rights as instruments of discrimination used by a hegemonic power to subjugate the most vulnerable. This also ties in with the epistemic awakening advocated by the decolonial perspective of the investigation. Human rights are no longer part of a Eurocentric project of cultural imperialism (Hajjar Leib, 2011, p. 48) that bears the promise of universality and inalienability. In this counter-hegemonic, decolonial turn, human rights are stripped of their hegemonic nature and the Western ideologies that surround them. They are recognized as “impure” concepts (Hellera Flores, 2008) that are often violated and denied, especially in relation to the most vulnerable social groups. This renewed notion of human rights is rooted in the shelters’ indignation and outrage in the face of enduring human rights violations and is strictly depended on the notion of grassroots fights.

As mentioned above, one of the traits of this model is its “grassroots” nature, which points to the fact that human rights can only be affirmed and enjoyed as a result of social fights emerging from below. The idea that human rights follow a trickle-down pattern is not applicable to the Mexican context. Although the principles of international migration and refugee law are formally embedded

in the Mexican constitution and legislation, the government has not only failed to fulfil its role as a guarantor of the human rights of migrants and asylum seekers but has become the primary violator. Human rights cannot be upheld by a repressive, hegemonic government but must be affirmed from below. Shelters therefore become the main promoters and defenders of the human rights of migrants and asylum seekers. During the grassroots fights waged by shelters alongside the migrant population, human rights cease to be a tool used by a repressive government and become an instrument of emancipation in the hands of the most vulnerable.

This grassroots, counter-hegemonic human rights model displays other relevant traits that emerged during the analysis. As far as human rights-based activism is concerned, shelters adopt a holistic approach that aims at integrating human rights in all the areas in which they operate, from the provision of a shelter to legal assistance. This inclusive understanding of human rights allows shelters to offer comprehensive support in recognition of the multi-dimensionality of migrants and asylum seekers. It also allows to overcome the paternalistic, charity-based model that perpetuates a hegemonic portrayal of migrants and asylum seekers as helpless individuals with no agency. As seen in the previous section, shelters forge alliances with strategic social actors as an essential part of their grassroots activism. This model, therefore, is collaborative and supposed to be shared and implemented as a concerted effort. In an unstable scenario where migration flows and political tendencies change rapidly, this model proves to be adaptive, as shown by the Covid-19 pandemic. In the midst of a health crisis that has cost Mexico thousands of lives, shelters have relentlessly continued their commitment to the defense and promotion of human rights by adapting their strategies to new restrictions and the increasing vulnerability of migrants and refugees. Finally, education stands out as a key area. As a practice of liberation and emancipation from a subaltern position, education allows migrants and asylum seekers to be aware of their human rights and learn work-related skills that can facilitate their inclusion in society. Within horizontal networks of cooperation, education becomes a mutually beneficial practice, with shelters learning from one another. It is also worth mentioning the role of universities. Since one of the directions shelters are

moving towards is the professionalization of their teams, universities become strategic allies not only in terms of conducting research but as educational institutions that can shape migration and human rights professionals.

Out of all the dimensions discussed above, there is an additional one that lies at the core of this grassroots, counter-hegemonic human rights model, i.e. the human dimension. As far as shelters are concerned, their strategies are largely affected by the political context and, to a lesser extent, the social one. This should not overshadow the importance of the human resources that work in the shelters, shape their vision, and animate their grassroots activism. While all shelters share an unblinking commitment to defending human rights and a deep sense of pride and fulfilment in their activism, the skills and backgrounds of the shelters' founders and executive managers shape the way they operate to a certain extent. The close cooperation between Casa Monarca and universities in Monterrey can be linked to the academic role of the shelter's executive manager. The choice of establishing a shelter and a kindergarten to support migrant and refugee women in Tuxla Gutiérrez has been influenced by the founder's personal experience as a female solo migrant. The human dimension refers to migrants and asylum seekers as well. In the face of a political and civil society that often denies them their human nature and relegates them to the role of illegal outsiders, this model brings the focus back on their human condition. This should not be interpreted in sentimental terms. Humanity is here understood from a social perspective. Migrants and asylum seekers are fully-fledged social actors who can contribute to society, are in full control of their life, and are worthy of the respect of the community. They are the ultimate protagonists of their personal stories of emancipation and will ultimately have to fight for their own human rights. This human rights model, therefore, belongs not only to those shelters that have elaborated and adopt it in their grassroots fights, but to migrants and asylum seekers as well.

7. Conclusion

The investigation has delved into the narratives of shelters across Mexico to shed light on their grassroots activism aiming at the defense and promotion of the human rights of migrants and asylum seekers. In a hostile environment marked by the double stance of the government and xenophobic narratives deeply entrenched in society, shelters wage daily battles for the human rights and the social emancipation of the migrant population. The investigation was guided by the following research question:

“How do shelters in Mexico contribute to upholding the human rights of migrants and asylum seekers in the face of an adverse context?”

The results of the research confirmed the initial belief on which the investigation is hinged. Shelters defend and promote the human rights of migrants and asylum seekers by creating spaces of resistance and counter-hegemonic action where they forge a bond with the migrant population and fight for the materialization of their human rights. The defense and promotion of the human rights of migrants and asylum seekers is strictly intertwined with the fostering of their role as fully-fledged social actors. Indeed, shelters are “trampolines” in the process of human rights-based emancipation of migrants and asylum seekers. Their ultimate goal is for them to become the main protagonists in their personal stories of emancipation and the defenders of their own human rights. The shelters’ human rights-based activism and the process of emancipation of migrants and asylum seekers lead to the creation and adoption of a grassroots, counter-hegemonic human rights model that transforms human rights from abstract principles violated by a repressive government into emancipatory, counter-hegemonic tools in the hands of the oppressed.

The sub-questions allow to paint a more accurate picture of the shelters’ strategies and vision.

- “How do shelters integrate the human rights discourse into their activities?”

Embracing a comprehensive human rights-based approach, shelters elaborate and adopt a holistic model that integrates human rights into all the areas in which they operate, i.e. welcoming, protecting, promoting, and integrating. From the provision of food to the legal defense of human

rights, this holistic model allows to overcome the perception of humanitarian assistance and human rights defense as two separate areas and the limitations of paternalistic, charity-based models focusing exclusively on humanitarian action. This holistic approach also contributes to fostering the notion that migrants and asylum seekers are complex, all-round human rights holders. The inclusion of human rights into the activities of the shelters is also cemented through their pedagogical role. Shelters strive to educate migrants and asylum seekers about their human rights as a key stage in their process of emancipation.

- How does their interaction with the surrounding context and actors affect the shelters' work of defense and promotion of the human rights of migrants and asylum seekers?

The context is a determining factor that shapes the shelters' vision and strategies. On a political level, shelters stand in direct opposition to a federal government that has failed to fulfil its role as human rights guarantor and has become the main violator of the human rights of the migration population. This discriminatory, repressive environment that leaves no room for cooperation demands the creation of spaces of resistance where shelters can counteract the government's hegemonic power by fostering a human rights-based discourse of inclusion and emancipation. As far as local communities are concerned, the xenophobic narratives entrenched in society pose a challenge to the social inclusion of the migrant population. Shelters attempt to overcome them by investing in their pedagogical, awareness-raising efforts within local scenarios. Communities and shelters, however, can also create a synergy that benefits both parties. The importance of relying on strategic allies can also be perceived in the forging of alliances between shelters and strategic actors. Whether on a horizontal or vertical level, networks of cooperation allow shelters to strengthen their spaces of resistance and have a greater impact. It is important to stress out, however, that the creation of these spaces of resistance is not an end in itself. It is a strategy made necessary by a repressing environment and it is instrumental to the social inclusion of migrants and asylum seekers.

-What impact has the Covid-19 pandemic had on shelters' human rights-based activities?

While the health crisis has had a direct impact on migrant and refugee shelters, it has also shown their resilience and adaptability. In the face of reduced funding, new sanitary measures to comply with, and the heightened vulnerability of the migrant population, shelters have continued their work as human rights defenders by adopting new strategies and adapting existing ones. The crisis has also provided an opportunity for shelters to reflect upon their role and confirm their commitment to the defense and protection of the human rights of the migrant population.

8. Bibliography

- Arriola Vega, L. A., & Santo, E. C. (2020). Immobile and Vulnerable: Migrants at Mexico's Southern Border at the Outset of Covid-19. Retrieved on October 4, 2020. From: <https://www.bakerinstitute.org/files/16206/>
- Bates, T. R. (1975). Gramsci and the Theory of Hegemony. *Journal of the History of Ideas*, 36(2), 351-366.
- Baeg Im, H. (1991). Hegemony and Counter-Hegemony in Gramsci. *Asian Perspectives*, 15(1), 123-156.
- Becker, C. C., & Ulloa, P. G. (2018). Las Organizaciones de la Sociedad Civil en México. Hacia una Reforma de la LFFAROSC. Retrieved on July 18, 2020. From: https://www.comecso.com/wp-content/uploads/2018/12/Cuaderno_LFFAROSC_IBD.pdf
- Bobbio, N. (1979). Gramsci and the Conception of Civil Society. In M. Mouffe (Ed.), *Gramsci and Marxist Theory* (pp. 21-47). London: Routledge.
- Bobes Leon, V.C. (2018). Política Migratoria y Derechos de los Migrantes en México. Ciudad de México: FLASCO.
- Burr, V. (1995). An Introduction to Social Constructionism. London: Routledge.
- Castañeda Morales, L. F. (2013). Una Mirada a las Organizaciones de la Sociedad Civil en México. Pertinencia de su Estudio desde la Administración. Retrieved July 18, 2020. From: <http://congreso.investiga.fca.unam.mx/docs/xviii/docs/16.14.pdf>
- Coletta, M., & Raftopoulos, M. (2020). Latin American Readings of Gramsci and the Bolivian Indigenous Nationalist State. *Latin American and Caribbean Ethnic Studies*, 1-16.
- COMAR. (2018). Boletín Estadístico de Solicitantes de Refugio en México. Retrieved on October, 5, 2020. From: <https://www.gob.mx/cms/uploads/attachment/file/427549/COMAR2018.pdf>
- Consulta Mitofsky. (2018). Crisis Migratoria. Retrieved on September 20, 2020. From: http://www.consulta.mx/index.php/encuestas-e-investigaciones/item/download/1014_e062563bc4d70a29b87754edb45d4663

- Crotty, M. (1998). *The Foundations of Social Research: Meaning and Perspective in the Research Process*. Thousand Oaks: SAGE Publications.
- Dancy, G. & Sikkink, K. (2017). Human Rights Data, Processes, and Outcomes. In S. Hopgood, J. Snyder, & L. Vinjamury (Eds.), *Human Rights Futures* (pp. 24-59). Cambridge: Cambridge University Press.
- De La Vega, C. A. (2018). La Filosofía de la Liberación y la Analéctica en los Derechos Humanos. *Derechos en Acción*, 8(8), 121-151.
- Donnelly, J. (2007). The Relative Universality of Human Rights. *Human Rights Quarterly*, 29(2), 281-306.
- ECLA. (2018). Plan de Desarrollo Integral: El Salvador-Guatemala-Honduras-México. Retrieved on July 4, 2020. From: https://www.gob.mx/cms/uploads/attachment/file/462720/34.Hacia_un_nuevo_estilo_de_desarrollo_Plan_de Desarrrollo Integral El.pdf
- ELLA. (2013). Human Rights in Latin America. Retrieved on September 26, 2020. From: <http://ella.practicalaction.org/knowledge-guide/human-rights-in-latin-america/>
- Ellacuría, I. (2012). Historización del Bien Común y de los Derechos Humanos en una Sociedad Dividida. In J. A. Senent (Ed.), *La Lucha por la Justicia. Selección de Textos de Ignacio Ellacuría (1969-1989)* (pp. 275-291). Bilbao: Univesidad de Deusto.
- Filippini, M. (2017). *Using Gramsci: A New Approach*. London: Pluto Press.
- Flores Hellera, J. (2008). *La Reinención de los Derechos Humanos*. Sevilla: Atrapasueños.
- Flores Hellera, J. (Ed.). (2001). *El Vuelo de Anteo. Derechos y Crítica de la Razón Liberal*. Bilbao: Desclée de Brouwer.
- Flores, S. (2019). ‘Only God’s Hand Has Kept Us Safe’: Migrants Describe Kidnappings and Other Dangers at the Mexico Border. Retrieved on 15 July, 2020. From: <https://edition.cnn.com/2019/12/01/world/mexico-asylum-seekers-letters/index.html>
- Freire, P. (1970). *Pedagogy of the Oppressed*. New York: Continuum. .

Fundación Juan Vives Suría. (2010). *Derechos Humanos: Historia y Conceptos Básicos*. Caracas: Fundación Editorial El Perro y La Rana.

Gallardo, H. (2010). Teoría Crítica y Derechos Humanos. Una lectura Latinoamericana. *Revista de Derechos Humanos y Estudios Sociales*, 2(4), 57-89.

Gallardo, H. (2006). *Derechos Humanos como Movimiento Social*. Bogotá: Desde Abajo.

Gallardo, H. (2000). *Política y Transformación Social. Discusión sobre Derechos Humanos*. Montevideo: Editorial Tierra Nueva.

Gándara Carballido, M. E. (2019). *Los Derechos Humanos en el Siglo XXI: una Mirada desde el Pensamiento Crítico*. Buenos Aires: CLACSO.

Gándara Carballido, M. E. (2014). Repensando los Derechos Humanos desde Las Luchas. *Revista Culturas Jurídicas*, 1(2), 75-105.

García Augustín, O. & García Augustin & Bak Jørgensen, M. (2016). *Solidarity without Borders: Gramscian Perspectives on Migration and Civil Society Alliances*. London: Pluto Press.

Given, L. M. (2012). Narrative Analysis. In L. M. Given (Ed.), *The SAGE Encyclopedia of Qualitative Research Methods* (pp. 540-566). Thousand Oaks: SAGE Publications.

Global Citizenship Commission. (2016). The Evolving Understanding of Rights. In G. Brown (Ed.), *The Universal Declaration of Human Rights in the 21st Century: A Living Document in a Changing World* (pp. 40-56). Cambridge: Open Book Publishers.

González-Arias. (2019). La política migratoria en México. Retrieved on July 4, 2020. From: <http://revistafal.com/la-politica-migratoria-en-mexico/>

Gouvernement of Mexico. (2018). Nueva Política Migratoria del Gobierno de México 2018-2024. Retrieved on July 4, 2020. From: http://www.gobernacion.gob.mx/work/models/SEGOB/Resource/2218/1/images/Ley_Migracion_c.pdf

Government of Mexico. (2011). Ley de Migración. Retrieved on July 18, 2020. From: http://www.gobernacion.gob.mx/work/models/SEGOB/Resource/2218/1/images/Ley_Migracion_c.pdf

Government of México. (2011). Ley Sobre Refugiados, Protección Complementaria y Asilo Político. Retrieved on July 18, 2020. From: https://www.cndh.org.mx/sites/default/files/doc/Programas/migrantes/Ley_RPCAP.pdf

Gramsci, A. (2000). *A Gramsci Reader*. New York: New York University Press.

Gramsci, A. (1993). *Letters From Prisons. Volume 2*. New York: New York University Press.

Gramsci, A. (1971). *Antonio Gramsci. Selections from the Prison Notebooks*. London: Lawrence & Wishart Limited.

Guild, E. (2018). The UN Global Compact for Safe, Orderly, and Regular Migration: What Place for Human Rights? *International Journal of Refugee Law*, 30(4), 661-663.

Gutiérrez Rodríguez, E. (2018). The Coloniality of Migration and the “Refugee Crisis. *Refuge: Canada’s Journal on Refugees*, 34(1), 16-28.

Hajjar Leib, L. (2011). An Overview of the Characteristics and Controversies of Human Rights. In M. Fitzmaurice, P. Merkouris, and P. Okowa (Eds.), *Human Rights and the Environment: Philosophical, Theoretical, and Legal Perspective*, (pp. 42-67). Leiden: Brill.

Hyvärinen, M. (2008). Analyzing Narratives and Story-Telling. In P. Alasusuutari, L. Bickman & J. Brannen (Eds.), *The SAGE Handbook of Social Research Methods* (pp. 447-460). Thousand Oaks: SAGE Publications.

IACHR. (2019). Inter-American Commission on Human Rights. 2019 Annual Report. Retrieved on September 25, 2020. From: <http://www.oas.org/en/iachr/docs/annual/2019/TOC.asp>

Informador. (2019). Guillén López se va del INM, pero se queda en mi corazón: Sánchez Cordero. Retrieved on September 29, 2020. From: <https://www.informador.mx/mexico/Guillen-Lopez-se-va-del-INM-pero-se-queda-en-mi-corazon-Sanchez-Cordero-20190615-0041.html>

IOM. (2019). Glossary on Migration. Retrieved October 5, 2020. From:

https://publications.iom.int/system/files/pdf/iml_34_glossary.pdf

IOM. (2017). Plan Estratégico México. Marco Operacional Para Situaciones de Crisis Migratoria.

Retrieved on July 15, 2020. From: <https://www.comillas.edu/images/OBIMID/itam.pdf>

ITAM. (2014). Migración Centroamericana en Tránsito por México Hacia Estados Unidos:

Diagnóstico y Recomendaciones. Retrieved on July 16, 2020. From:

<https://www.comillas.edu/images/OBIMID/itam.pdf>

Jackson, R.P. (2018). Violence and Civilization: Gramsci, Machiavelli, and Sorel. In G. Rae & E.

Ingala (Eds.), *The Meanings of Violence: From Critical Theory to Biopolitics* (pp. 48- 64)..

Routledge, Oxon. New York: Routledge.

Karni, A., Swanson, A. & Shear M. D. (2019). Trump Says U.S. Will Hit Mexico With 5% Tariffs on All Goods. Retrieved on September 20, 2020. From:

<https://www.nytimes.com/2019/05/30/us/politics/trump-mexico-tariffs.html>

La Izquierda Diario México. (2020). Retrieved on September 29, 2020. From:

<http://www.laizquierdadiario.com/Guardia-Nacional-de-Mexico-reprimio-migrantes-en-la-frontera-sur>

Lander. E. (Ed.) (2000). *La Colonialidad del Saber. Eurocentrismo y Ciencias Sociales*. Buenos Aires: CLACSO.

Lazarski, C. K. (2013). John Locke's State of nature and the Origins of Man. In J. Grygienc, K.

Lazarski, & W. Waclawczyk (Eds.), *Human Rights and Politics*, (pp. 48-65). Warsaw:

Wydawnictwo Erida.

Lichtman, M. (2017). *Qualitativ Research for the Social Sciences*. Thousand Oaks: SAGE Publications.

Lothar Weiss, T. W & López Chaltelt, P. A. (2011). México: Políticas Públicas Beneficiando a los Migrantes. Retrieved July 15, 2020. From:

https://publications.iom.int/es/system/files/pdf/oim_pp_sp.pdf

- Maldonado-Torres, N. (2010). Outline of Ten Thesis on Coloniality and Decoloniality. Retrieved on September 13, 2020. From: http://caribbeanstudiesassociation.org/docs/Maldonado-Torres_Outline_Ten_Theses-10.23.16.pdf
- Marini, M. R., & Millán, M. (1994). *La Teoría Social Latinoamericana*. Coyoacán: Ediciones el Caballito.
- Martínez, F. (2015). La aplicación de la Ley de Migración, “sin efecto positivo”. Retrieved on October 5, 2020. From: <https://jornadabc.mx/tijuana/27-05-2015/la-aplicacion-de-la-ley-de-migracion-sin-efecto-positivo>
- Mesa de Coordinación Transfronteriza. (n.d.). Quienes somos. Retrieved on September 25, 2020. From: <https://transfronteriza.org/quienes-somos/>
- Meret, S. & Della Corte, E. (2016). The ‘Lampedusa in Hamburg’: Between Exit and Voice. In O. García Agustín & M. Bak Jørgensen (Eds.), *Gramscian Perspectives on Migration and Civil Society Alliances* (pp. 203-220). London: Pluto Press.
- Graf, N. B. (2012). Investigación Feminista: Epistemología, Metodología y Representaciones Sociales. (N. B. Graf, F. F. Palacios, & M. R. Everardo, Eds.) México, D.F.: Universidad Autónoma Nacional de México.
- Mignolo, W. (2007). El Pensamiento Decolonial, Desprendimiento y Apertura: Un Manifiesto. In S. Castro-Gómez, & R. Grosfoguel (Eds.), *El Giro Decolonial: Una Diversidad Epistémica Más Allá del Capitalismo Global* (25-46). Bogotá: Siglo del Hombre Editores.
- Morales Vega, L. G. (2011). Categorías migratorias en México. Análisis a la Ley de Migración. *Anuario Mexicano de Derecho Internacional*, 12, 929-958. .
- Morales Vega, L. G. (2011). Categorías Migratorias en México. Análisis a la Ley de Migración. *Anuario Mexicano de Derecho Internacional*, 12, 929-958.
- Nájera Aguirre, J. N. (2016). El Complejo Estudio de la Actual Migración en Tránsito por México” Actores, Temáticas y Circunstancias. *Migraciones Internacionales*, 8(3), 255-266.

OAS. (1998). Reaffirmation of Caracas. Retrieved on September 23, 2020. From:
<http://www.oas.org/juridico/english/ga-res98/eres16.htm>

OAS. (1969). American Convention on Human Rights. Retrieved on September 23, 2020. From:
https://www.oas.org/dil/treaties_b-32_american_convention_on_human_rights.htm

OAS. (1948). Charter of the Organization of the American States. Retrieved on September 23, 2020.
From:
<https://www.oas.org/dil/1948%20Charter%20of%20the%20Organization%20of%20American%20States.pdf>

Ortega Ramírez, A. S. (2013). Federalismo migratorio en México: Las oficinas estatales de atención a migrantes en un modelo comparativo nacional. *Migraciones Internacionales*, 7(1).

Picado, S. (2004). The Evolution of Democracy and Human Rights in America: A Ten Year Perspective. *Human Rights Brief*, 11(3), 28-31.

Pisarello, G. (2004). Los Derechos Sociales Como Derechos Exigibles: Virtualidades y Límites De Una Consigna. In D. Flores (Ed.), *Estudios Sobre Derechos Humanos*. San Salvador: FESPAD

Quijano, A. (2014). Cuestiones y Horizontes: De la Dependencia Histórico-Estructural a La Colonialidad/Descolonialidad del Poder. Buenos Aires: CLACSO.

Quijano, A. (1992). Colonialidad y Modernidad/Racionalidad. *Perú Indígena*, 13(29), 11-20.

REDODEM. (n.d.). Quienes somos. Retrieved on September 25, 2020. From:
<https://redodem.org/quienes-somos/>

Sánchez Rúbio, D. (2018). Derechos Humanos, Luchas, y Praxis de Liberación. In A. R. Martínez, & G. L. Bustamante (Eds.), *En Torno a la Crítica del Derecho* (pp. 63-86). San Luis Potosí: CENEJUS-UASLP.

San Martín, N. (2019). AMLO Notifica a su Gabinete: “No Transfieran Ningún Recurso a ONG o Sindicatos.” Retrieved on July 18, 2020. From: <https://www.proceso.com.mx/572198/amlo-notifica-a-su-gabinete-no-transfieran-ningun-recurso-a-ong-o-sindicatos>

Santos, B. de S. (2017). Derecho y Emancipación. Quito: V&M Gráfica.

- Santos, B. de S. (2015). *Una Epistemología Del Sur*. Buenos Aires: CLACSO.
- Santos, B. de S. (2013). Human Rights: A Fragile Hegemony. In F. Crépeau & C. Sheppard (Eds.), *Human Rights and Diverse Societies: Challenges and Possibilities*, (pp. 17-26). Newcastle Upon Tyne: Cambridge Scholars Publishing.
- Santos, B. de S. (2002). Hacia Una Concepción Multicultural de Los Derechos Humanos. *El Otro Derecho*, 28, 59-83.
- Shoichet, C. (2020). Migrants Clash with Mexican Troops at the Guatemala Border. Retrieved on 15 July, 2020. From: <https://edition.cnn.com/2020/01/21/americas/mexico-guatemala-border-caravan/index.html>
- Sikkink, K. (2017). *Evidence for Hope: Making Human Rights Work in the 21st Century*. Princeton: Princeton University Press.
- SIMN International. (2020). El Covid-19 Llegó a Las Casas de Migrantes. Retrieved on October 8, 2020. From: <https://simn-global.org/covid-19-arrived-at-the-casas-del-migrante/?lang=es>
- Spener, D. (2009). Some Reflections on the Language of Clandestine Migration at the Mexico-US Border. Retrieved on July 16, 2020. From: <http://faculty.trinity.edu/dspener/clandestinecrossings/related%20articles/spener%20lasa%202009%20final.pdf>
- Red Zona Norte. (2019). Postura de la Red Zona Norte sobre los Protocolos de Protección a Migrantes. Retrieved on October 2, 2020. From: <https://www.kinoborderinitiative.org/wp-content/uploads/2019/02/Red-Zona-Norte-Statement-on-MPP.pdf>
- Ryen, A. (2002). Cross-cultural interviewing. In J.F. Gubrium & J.A. Holstein (Eds.), *Handbook of interview research. Context and method* (pp. 335–354). Thousand Oaks, CA: SAGE Publications.
- UN. (1948). Universal Declaration of Human Rights. Retrieved on September 1, 2020. From: https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf
- UNHCR. (2020). About the MIRPS. Retrieved on July 18, 2020. From: <https://globalcompactrefugees.org/mirps-en/about-mirps>

UNCHR. (2019). Comunicado de Prensa. Retrieved on October 2, 2020. From:

<https://www.acnur.org/noticias/press/2019/10/5d94a7454/el-alto-comisionado-en-mexico-escucha-historias-de-esperanza-y-desesperacion.html>

Unidad de Política Migratoria. (2020). Niñas, niños y adolescentes migrantes. Retrieved on October 3, 2020. From:

http://portales.segob.gob.mx/work/models/PoliticaMigratoria/CEM/Estadistica/NNA/NNYA_S%C3%ADntesis_ene-jun_2020.pdf

Unidad de Política Migratoria. (2018). Prontuario Sobre Poblaciones Migrantes en Condiciones de Vulnerabilidad. Retrieved on July 16, 2020. From:

http://portales.segob.gob.mx/work/models/PoliticaMigratoria/CEM/Investigacion/Prontuario_vul.pdf

UNDP. (n.d.) NGOs and CSOs: A Note on Terminology. Retrieved on July 18, 2020. From:

https://www.undp.org/content/dam/china/docs/Publications/UNDP-CH03_Annexes.pdf

UN Human Rights Office of the High Commissioner. (2020). United Nations: Human Rights Appeal 2020. Retrieved September 1, 2020. From:

<https://www.ohchr.org/Documents/Publications/AnnualAppeal2020.pdf>

Vargas González, P. (2012). Reinserción de las Organizaciones de la Sociedad Civil en México. Estudio Comparativo de la Ley de Fomento en Diez Estados. *Espiral, Estudios sobre Estado y Sociedad*, 19(53), 125-149.

Uprimmy, R. (2011). The Recent Transformation of Constitutional Law in Latin America: Trends and Challenges. *Texas Law Review*, 89, 1587-1609.

Vašák, K. (1977). Human Rights, a Thirty-Year Struggle: the Sustained Efforts to Give Force of Law to the Universal Declaration of Human Rights. *UNESCO Courier*, 11, 29-32.

Walters, G. J. (1995). Human Rights in Theory and Practice: A Selected and Annotated Bibliography. Pasadena: Salem Press.

Wilkenson, D. (2008). Hêgemonía: Hegemony, Classical and Modern. *Journal of World-System Research*, 14(2), 119-141.

Wolkmer, A. C. (2006). *Fundamentos de História Do Direito*. São Paulo: Editoria del Rey.