



Migration and Citizenship

Theory, History, Literature



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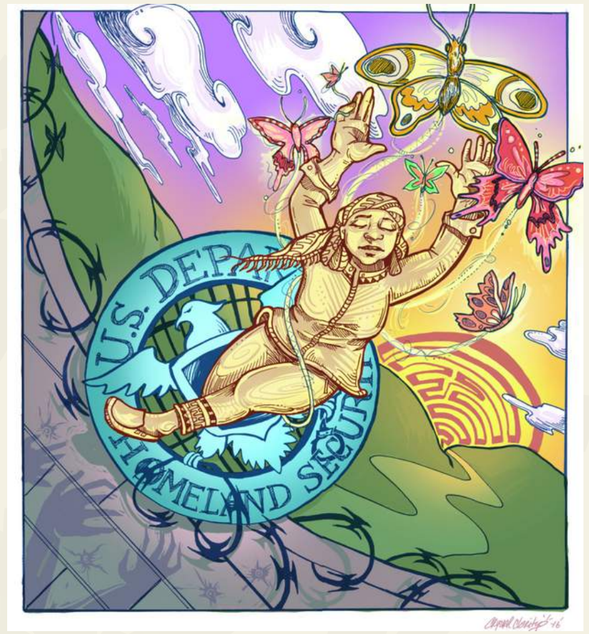
AGENDA

Week 4 -

Policing the Crises: Militarization of Borders, Incarceration of Migrants, and the Wealth Behind It All



1) Theorizing Borders

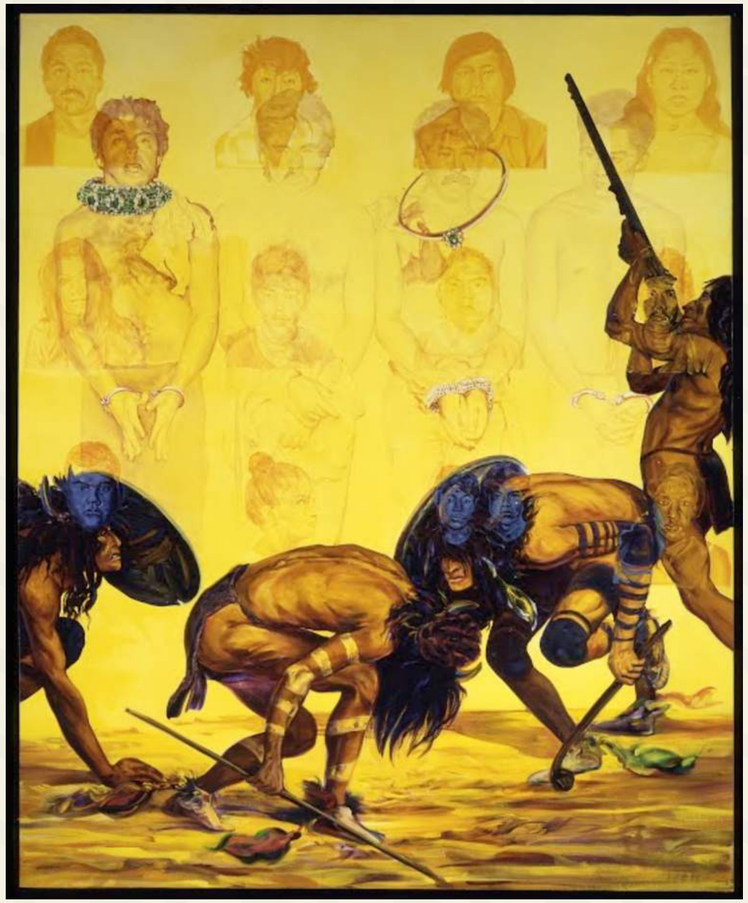
- Gilberto Rosas

2) Immigrant Detention

- Suspension of habeas corpus during 'war'-time law vs. peacetime law
- Dowling & Inda
- Elliott Young

3) Subcontracting incarceration

- David M. Hernández



Trail of Tears (2005), Benny Andrews

- Borders have been contentious since their invention, and conceptually they have been around for time immemorial. While the word itself may not appear in written English, French, or German until the Middle Ages, the concept of a border as that which separates one thing from another has long existed.
- As European contact began, emphasis was placed on the geographic (cartographic) partitioning of borders; whosoever had the most land was the most prestigious since, as was discovered by the Europeans, there was much to newly exploit from the lands they had colonized. Thus, borders began to be associated not just with national identification, as was conceptually the case prior to colonization, but synonymous with economic and political might.
- Where the border exists was entirely unfixed until global positioning systems (GPS) were invented by the U.S. military. Before and even long after contact between Europe and the Western Hemisphere, where borders were precisely depended entirely on who made a particular map.
- This power to *decide* borders by deciding who makes the map is precisely why cartography became such an important field during the sixteenth century and it is precisely why the most powerful have wanted to dictate this powerful ability. In other terms, borders are decided upon power.

Savages and Glitter (1986), John Valadez

- **border** – A side, edge, brink, or margin; a limit, or boundary; the part of anything lying along its boundary or outline; also, a boundary line which separates (OED); first appears in English in Chaucer's *A treatise on the astrolabe* (1391), "A lyne, that cometh..down to the nethereste bordure."
- **the border** – the contentious area of political and therefore social, cultural interest; in rhetorical use, can refer to the most contentious border of a country (e.g. the Scottish Border between Scotland and England during and after James VI's reign; the U.S.-Mexican border during the 20th and 21st centuries)
- **mestizo/mestizaje** – mixedness, mixed race, or (less often) a mixture; used to describe mixed-race people (replaces *mulatto*) in the Hispanophonic Latin American world
- **decoloniality/decolonial theory** – untangling the production of knowledge, including epistemological and ontological categories, from what is primarily Eurocentric, which it deems as made into hegemony based on violence (colonialism)

"The Parent Who Stays" by Reyna Grande, in *The Displaced* (ed. Viet Thanh Nguyen)

I was four years old when I watched my mother walk away from me to go to the land across the border—*El Otro Lado*. I didn't know if I'd ever see her again. I stayed behind with relatives who didn't want me, who treated me as a burden and made me feel even more unloved and unwanted than I already felt. My childhood was defined by the fear of being forgotten or abandoned, of being replaced by U.S.-born siblings. As a child, I didn't understand why my parents had emigrated. I believed that they had left because they didn't love me enough either to stay with me or to take me with them. What sustained me through the years of separation from my parents was my dream of having a family again. I clung to it through the birthdays and Christmases, Mother's Days and Father's Days. I clung to it through the three attempts to cross the border and the drive along Interstate 5 to the front door of my father's home in Northeast Los Angeles. I wish I could tell you that this is where and how my story ends, with this long-awaited reunification. With my siblings and me arriving at our father's house and starting a new life together in this great land of opportunity. I wish I could tell you that we got our happily-ever-after, and the trauma ended with the border crossing, and as soon as we overcame that barrier the psychological wounds began to heal. Unfortunately for us immigrants, the trauma doesn't end with a successful border crossing. I believe that for the rest of your life, you carry that border inside of you. It becomes part of your psyche, your being, your identity. Even beyond being undocumented and fearing deportation and having to live in the shadows of society, was the dawning realization that there was a mismatch between how I had imagined my new home and the reality of how it actually was. After so many years of separation, we didn't know each other. Though physically we had crossed the border, we'd missed so many years of each other's lives that emotionally and psychologically there was still a barrier between us. Immigration had turned my parents and me into strangers. The family I once had in Mexico no longer existed. As time went on, the separation continued. As I grew up and assimilated, my assimilation became another barrier between me and my parents. When I learned English at the expense of Spanish, language increased the separation. The day I started junior high, I surpassed my parents, who had only gone to elementary school, and so my education further separated us. Our emotions became a barrier as well. I was the daughter they left behind, and for most of my life, my relationship with my parents was filtered through that lens. Anger, resentment, and shame tainted how I saw them and interacted with them. My father dealt with his own psychological pain by drowning it in a can of Budweiser. Alcoholism helped him numb the suffering caused by his low-paying job, his limited English skills, his alienation in U.S. culture, but it also led him to a slow, painful death.

Deportation Nation (2017), *The Atlantic*

The Thickening Borderlands: Bastard Mestiz@s, “Illegal” Possibilities, and Globalizing Migrant Life by Gilberto Rosas

- The mammoth and seemingly ever intensifying policing regime once largely arrayed against undocumented migrations and drug smugglers in the U.S.- Mexico border region now grasps at undocumented life in the interior of the United States. They are exemplified by the notorious immigration laws of Arizona and Georgia and the far more pervasive, if less recognized, federal enforcement initiatives such as 287(g), Criminal Alien Programs, and Secure Communities. They are illustrated by Sheri. Joe Arpaio’s “concentration camps,” his spectacles of incarceration and humiliation that crystallize how the dynamics of international boundaries are now thickening, their reach longer, their edges sharper. Indeed vast new regimes of deportation, incarceration, and criminalization extend the border into the interior of nation-states amid the ruins of neoliberal globalization across much of the globe.
- And listen. Listen to a dreamer celebrate her defiance of the United States and the borderlands begin to crystallize: “I went up there, and I did it. Undocumented, Unafraid, Unashamed. I stood strong, and let them know who I was. I crossed the border. I’m undocumented. . . . I am undocumented, exercising my first amendment rights, asking the world to be fair! This is my home, this is my country, this is our land. Yours and mine.” Inhabitants of the borderlands hold close the raw memories of fights in the making of borders. They foreground the new horizons of post- or antiborder possibilities—that is to say, be it the international boundary between United States and Mexico or that between Israel and Palestine or the borders being made between Baghdad’s Green Zone and the rest of Iraq, the borderlands assert that such arrangements are fraught, incomplete, subject to contestation.
- Borders, that is, incite dreams. The suggestion that the borderlands are thickening captures how the cordoning of old commons, the vigilance by the petty sovereigns of new racisms, and the violent spectacle of the drug war in Mexico’s north signify both renewed vulnerabilities and renewed possibilities. They render the intellectual tradition of the U.S.- Mexico border region increasingly paradigmatic, challenging “illegality” and its hermeneutics currently dominating the social sciences. Such currents urgently recast mestizaje, Latin America’s generally and Mexico’s specific iteration of dominant racial ideologies and processes of asymmetrical cultural and racial fusion and their resultant hybridities. Borders, checkpoints, undocumented migrations are becoming increasingly significant across the globe, as are the oppositional subjectivities that they engender.

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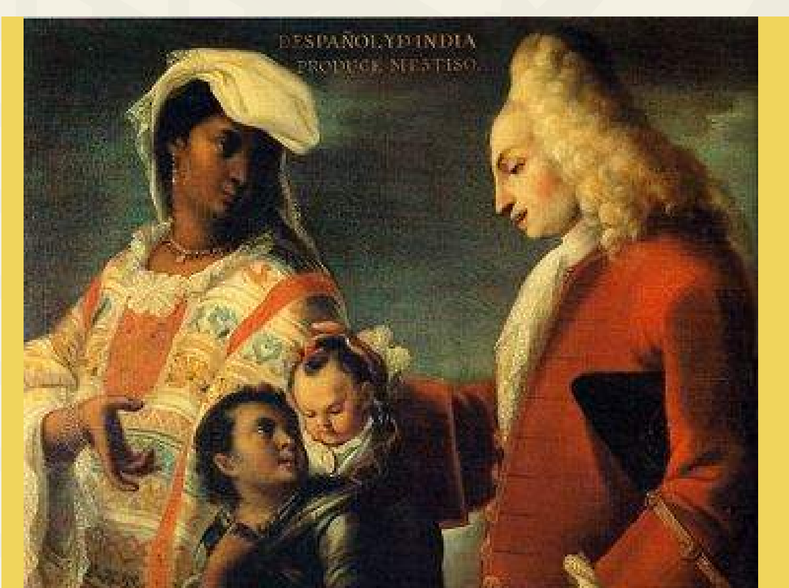
A picnic takes place on JR’s *Giant Picnic*, a photograph of the eyes of a Dreamer at the U.S.-Mexico border in Tecate, Mexico, on Oct. 8 2017

- The concentration of security forces and their necessary incompleteness cause undocumented migrants to risk life and limb to cross international boundaries, effectively subjugating, criminalizing, and forging an irreconcilable difference on them, in the subject par excellence of neoliberalism “in the struggle and the work through which he or she confronts death.”
- That is, the exposure of undocumented life to death effectively racializes migrants. *Humans—not bodies*— become objectified in the context of the new frontiers of the neoliberal Americas. They become dismemberable, detainable, deportable, incarcerable in this latest amplification of the decidedly unexceptional “high intensity policing and low intensity warfare.”
- But again, undocumented migrants traveling from or through Mexico have overwhelmingly succeeded in crossing the securitized border. +is is evident demographically and, more important, in terms of the nightmares of insecurity about undocumented migration currently reverberating across the United States.19 +us undocumented migrants evade the Border Patrol but are contained in the economic and racial order of the United States, while inciting ethnonationalist nightmares of insecurity among an aggrieved public, particularly following 9/11, and dramatically diffusing the effects of the U.S.- Mexico border deep in the interior of Mexico.20 Such nightmares dehumanize civilian immigrants, casting them as an invading force and, increasingly, as an “enemy within.”

Mestizaje, according to Rosas

- As the materiality of borders cut deeper north and south and deepen divisions across other parts of the globe, new identities resignify the old. The thickening of the borderlands captures how migrants and their allies transform *mestizaje*, or the processes and ideologies of racial and cultural mixing in the Americas as a result of contact with Spanish colonialism. It must be emphasized that mestizos, as Marisol de la Cadena notes, “are not simple, empirical hybrids, a plain result of biological or cultural ‘mixture’ of two (formerly discreet) entities.” Rather, as Ana Alonso writes, mestizos inscribe “a notion that has been a product of long-term, unequal dialogues in social fields of domination, exploitation, and subjectification."
- In Mexico the so-called cult of the mestizo emerged from the ashes of this country’s revolution as a remarkably successful attempt to exorcise its violent legacy. A cadre of intellectuals...imposed a new politics of subjugating life: a state-organized aesthetic of mestizaje. Bolstered by the new science of anthropology, mestizaje situated the beginnings of Mexican history firmly in the indigenous past.
- The natives of Mexico were presumed to be a dead or dying culture. They were romanticized as Mexico’s vital origins, but living ones were seen as backward after centuries of colonialism and oppression. Indians, then, had to be redeemed by the postrevolutionary science of racial fusion between the Spanish and the indigenous peoples, marshaled by the Mexican state. This new mythic revolutionary history considered racial mixture to be positive and became the cornerstone of a new state-driven cultural and aesthetic project that was explicitly anti- imperialist and anticolonial and that permeated state institutions such as schools and the mass media.27 Mestizaje, south of the border, thus provides an enduring map of social relations in Mexico as well as throughout much of Latin America.



***Spaniard and Indian Produce a Mestizo*, attributed to Juan Rodríguez Juárez**

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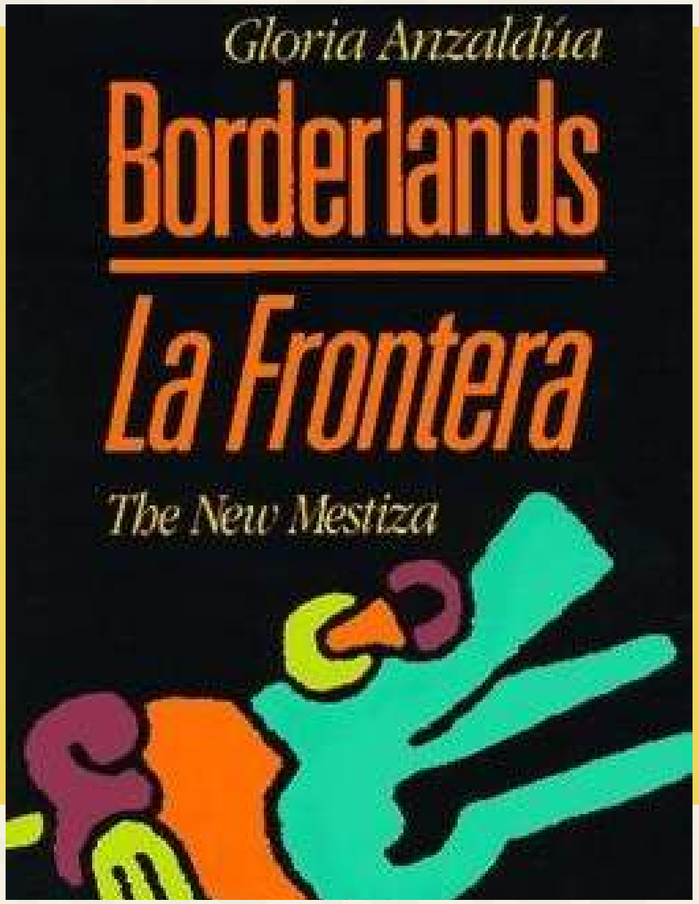
- Yet, as the border thickens, the roots and routes of transnational migrants, particularly mi grant experiences of competing racial projects in Mexico and the United States, interrupt certain processes of normalization. They informs new horizons of complex comminglings of Central Americans in Mexico and movements like the Dreamers in the United States. Such movements openly refuse their marginal status as “illegal aliens” or “undocumented” border crossers or their progeny do. +at is, migrations and (un)documentation, identity and power birth a new mestizaje, echoing Anzaldúa’s *Borderlands* from years ago.
- One can speculate that such migrant identities have a global relevance. As more and more people or their friends and their families live in the restless in-betweenness of undocumented immigration, the thickening borderlands become a global condition.
- That is, migrant subjectivities in Mexico, or those from Mexico or Central America in the United States, bring new energies, new frequencies, new orientations, ranging from quotidian techniques of survival to mass political mobilization. In the act of defying borders the repressed histories of colonization, conquest, enslavement, and domination nourish effective forms of resistance under contemporary global conditions: they are key to the imagination of decoloniality— and accompanying reversals of ideology—in its most utopian sense.
- *Borderlands/La Frontera: The New Mestiza*, Gloria Anzaldúa's discipline-defining 1987 autobiographical text, is where 'mestizo' theory is set to begin disciplinarily speaking. She is writing in the tradition of Black Feminism of Women of Color Feminism, which was at the time also called Third World Feminism—taking life *as* theory.



Forever Prisoners by Elliott Young

- "The government incarcerated 300,000 migrants on Angel Island from 1910 to 1940, more than half of whom were Chinese (100,000) and Japanese (85,000), making it by far the largest detention center at the time. Ellis Island processed many more than Angel Island (around 12 million) but fewer people were held there and they were detained for shorter periods."
- "The integration of local police with immigration enforcement in the 2010s cast a much wider net, entrapping millions of long-term immigrant residents in the jaws of an enhanced deportation machine. By the end of Obama’s second term, he had earned the dubious distinction of deporting over three million people, more immigrants than any other president in history. In doing so, the twenty-first century became an era of mass immigrant detention and deportation."
- "Native Americans and enslaved Africans are the most obvious examples of people who were very much inside the nation and yet were rendered "aliens" legally, politically, and socially. Free Blacks had citizenship rights in certain states, but their legal subordination made them into non-citizens in slave states and rendered them vulnerable to efforts to "repatriate" them to Africa. And even though Black people gained formal citizenship in 1868 and Native Americans in 1924, obstacles to voting, Jim Crow, and other discriminatory practices continued to limit their citizenship rights. Native Americans were subject to congressional plenary power in the late nineteenth century even after the 1887 Dawes Act conferred citizenship on individual landowning Indians, and certain states barred Native Americans from voting up to 1962, suggesting the extent to which citizenship rights were limited for non-white people. Although formally citizens, white US women were also considered to have less than full citizenship rights well into the twentieth century."
- "The forever prisoners are a small subset of the millions of all non-citizens locked up domestically or held in US-controlled prisons outside the country, but their stories demonstrate the extent to which foreigners in the United States and in US-controlled territories have found themselves beyond the protection of the Constitution or any semblance of human rights. What makes immigrants forever prisoners is not just the indeterminate time they spend locked up, but that they often remain vulnerable to detention and other forms of restrictions after release; they are never truly free. Noncitizens live in perpetual fear of incarceration and deportation for minor offenses that may have occurred decades earlier. And even naturalized citizens are under threat of having their citizenship stripped. Like twenty-firstcentury slave catchers, ICE agents roam highways, fields, and factories, snatching people from their homes and workplaces, and separating parents from their crying children."

Visions from the Inside: Day 4 (2019) by Zeke Peña

"I'm choosing this imagery because I think people forget that these detention centers are prisons and sometimes have harsher conditions."

https://visionsfromtheinside.tumblr.com/

Forever Prisoners by Elliott Young

- A concept known as **plenary power** is the reason immigrants have found themselves so exposed to state power with little protection from the Constitution or the courts. The plenary power doctrine vests the right to devise and enforce immigration laws with the legislative and executive branches, and the Supreme Court has been reticent to review such statutes even based on constitutional constraints.

- There is a long and complicated legal history of indefinite detention of non-citizens, with courts alternating between granting the government unlimited powers to incarcerate non-citizens and imposing time limitations on their detention pending a hearing or deportation... Although legal scholars argue that the Court left open the possibility of a constitutional challenge to indefinite detention, the current practice allows the government unfettered and unlimited detention authority. To most lay people, the ability of the government to imprison people without end and without a criminal conviction seems unfair and a blatant disregard of the most basic of civil rights, the right to freedom.

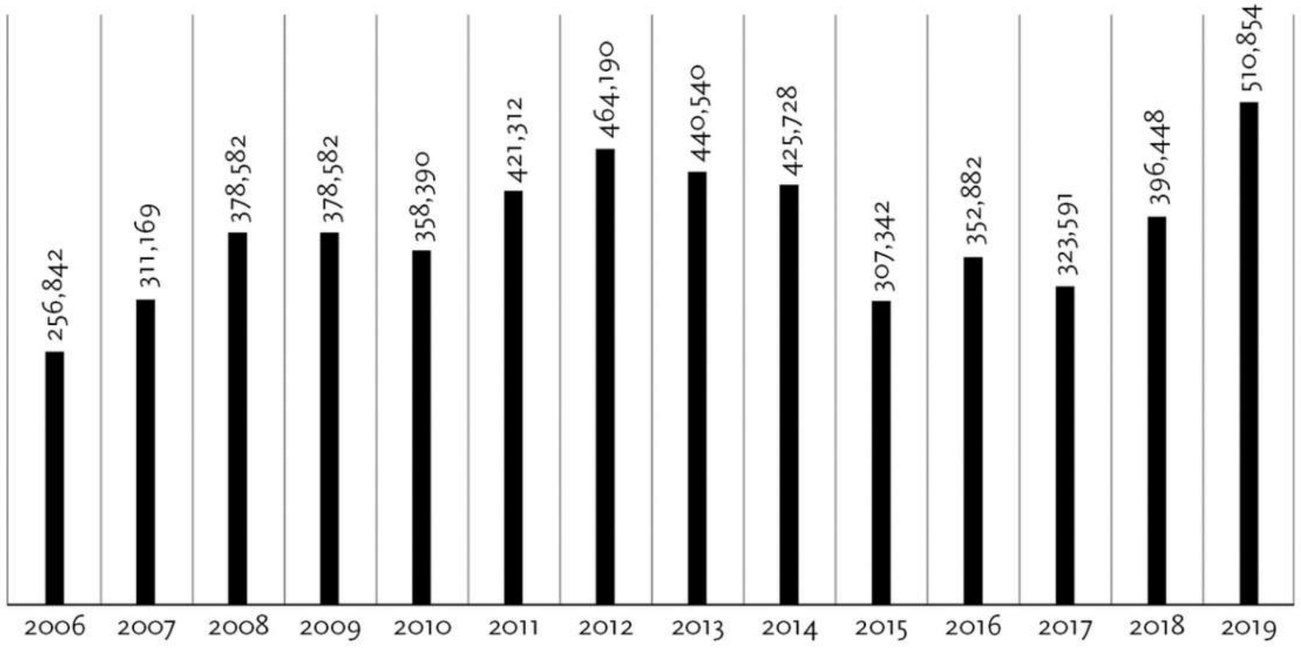
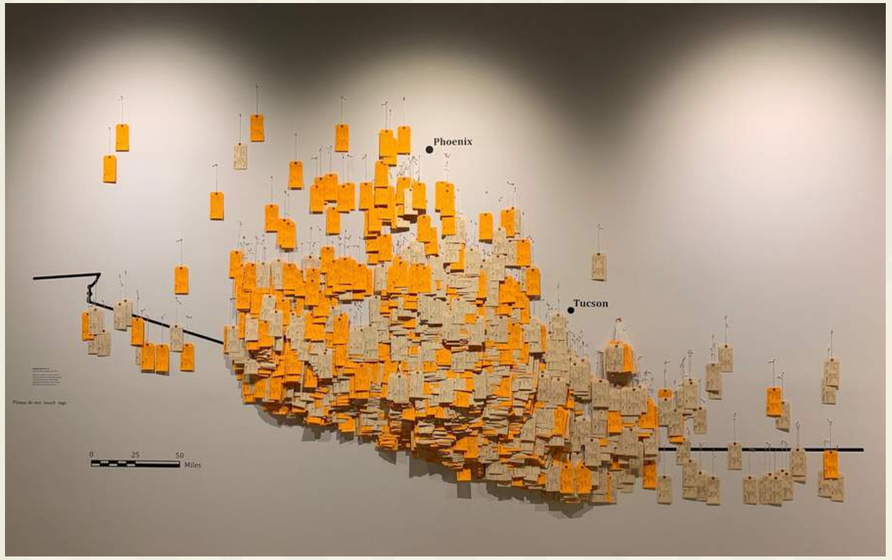


Figure I.4 Book-ins to ICE detention, FY 2006–2019.
Source: Department of Homeland Security, Immigration Enforcement Action Reports.

"Governing Migrant Illegality" by Jonathan Xavier Inda and Julie A. Dowling

- Crucially, the heavy policing of migrant illegality has had a profound and highly negative impact on immigrants and their communities, with Latinos bearing the major brunt. In many ways, immigration enforcement functions as a form of racial governance, that is, as a mechanism for managing the conduct of somatically different, and putatively “unruly,” populations. Indeed, it is quite evident that the targets of immigration policing are not just any bodies, but physically and culturally distinct ones. It is thus racialized migrants, Latinos in particular, who disproportionately suffer the consequences of immigration policing. We can illustrate the impact of immigration enforcement as a form of racial governance using as examples the blockading of the U.S.- Mexico border, workplace raids, and local police involvement in immigration matters.
- Shifting to the effects of interior policing, we find that workplace raids have also had a severely negative impact on immigrants and their communities. The most palpable impact of such raids has been their effect on the families, particularly the children, of the individuals who have been apprehended and deported. A 2007 study showed children and families of apprehended immigrants, who were mainly Latinos, experienced significant hardship, “including difficulty coping with the economic and psychological stress caused by the arrest and the uncertainty of not knowing when or if the arrested parent would be released.”

Families continued hiding and feared arrest if they ventured outside, increasing social isolation over time. Immigrant communities faced the fear of future raids, backlash from nonimmigrants, and the stigma of being labeled “illegal.” The combination of fear, isolation, and economic hardship induced mental health problems such as depression, separation anxiety disorder, post-traumatic stress disorder, and suicidal thoughts.



Hostile Terrain 94 (HT94) is a participatory art project sponsored and organized by the Undocumented Migration Project (UMP), a non-profit research-art-education-media collective, directed by anthropologist Jason De León. The exhibition is composed of over 3,200 handwritten toe tags that represent migrants who have died trying to cross the Sonoran Desert of Arizona between the mid-1990s and 2019. These tags are geolocated on a wall map of the desert showing the exact locations where remains were found.
https://www.undocumentedmigrationproject.org/installation

"Governing Migrant Illegality" by Jonathan Xavier Inda and Julie A. Dowling

- From social scientists, immigration officials, and policy analysts to immigration reform organizations and the public at large, it has been common for both individuals and groups to cast undocumented migrants—typically racialized as Mexican— as anti-citizens who threaten the overall well-being and security of the social body. The fundamental problem with the undocumented has been deemed to be their **illegality**...The criminality of unauthorized migrants is generally attributed to their not having a legal right to be in the United States.
- In addition to being constructed as irresponsible lawbreakers, undocumented migrants have routinely been linked to a host of other problems. For example, they have been associated with such cultural, social, and economic maladies as overpopulation, deteriorating schools, urban crime and decay, energy shortages, and national disunity. Furthermore, they have been accused of displacing American workers, depressing wages, spreading diseases, and burdening public services. All of these “problems” are seen as compounding the fundamental problem of immigrant criminality.
- The increased preoccupation with policing the interior of the nation was notably signaled with the DHS’s publication of ***Endgame: Office of Detention and Removal Strategic Plan, 2003–2012*** (US DHS 2003). Endgame essentially lays out the DHS’s vision for a secure homeland. The stated goal is to develop “the capacity and capability to remove all removable aliens,” focusing on those with criminal records or outstanding orders of deportation or both (US DHS 2003, 1.2). The rationale here is that striving for 100 percent removal allows ICE to provide the level of immigration enforcement necessary to “thwart and deter continued growth in the illegal alien population” (ibid., 4.4) and thus “to keep America secure” (ibid., 2.9).

"Governing Migrant Illegality" by Jonathan Xavier Inda and Julie A. Dowling

- ICE deems the hiring of undocumented immigrants a problem for several reasons.

1. First, the agency suggests that “illegal aliens often turn to criminal activity: including document fraud, Social Security fraud or identity theft, in order to get jobs” (ibid.) Such crimes are seen to impact negatively the lives of the U.S. citizens and legal immigrants whose identities are stolen.
2. Second, the need of undocumented migrants for fraudulent documents is said to create thriving criminal markets. Third, there is a perception that for every job taken by an undocumented immigrant there is one less job for a lawful U.S. resident. Fourth, employers are believed to exploit “illegal” workers by ignoring wage laws and safety standards.
3. Finally, undocumented migrants are seen “as easy targets for criminals who want to use them to gain access to sensitive facilities or to move illegal products” (ibid.).

- Worksite enforcement, then, is deemed necessary in order to stem the tide of illegality purportedly produced by undocumented migrants. The conviction seems to be that “illegal” immigration generally erodes respect for authority—that the toleration of lawlessness undermines consideration for law and order. For not only do the undocumented supposedly fail to conduct themselves responsibly, they also compel others to follow suit. Unauthorized immigrants are thus seen to represent a danger to the social body. Their disregard for the rule of law is understood to pose a threat to the general welfare of the population.

"Governing Migrant Illegality" by Jonathan Xavier Inda and Julie A. Dowling

The counter-conducts in which migrants and their allies have engaged, particularly as they have involved the participation of the undocumented, are significant in various respects. First, they speak to the political becoming of undocumented migrants. As Peter Nyers (2006) has pointed out, refugees and the undocumented are expected to be docile. Their lives tend to be represented in popular and legal discourse as the inverted image of political life. Whereas the citizen is expected to speak and act politically, the unauthorized migrant is supposed to remain silent. But in the context of contemporary policing, undocumented migrants have refused to be quiet. They have spoken out against the dehumanizing effects of such policing, and they have demanded dignity and recognition, asking to be seen not as criminals who harm the larger society but as human beings who contribute to it. That undocumented migrants are standing up and speaking is an important act of symbolic resistance. They are speaking out in a context that does not recognize migrants—in particular undocumented migrants—as legitimate speaking subjects. Second, migrant counter-conducts amount to noncitizen “acts of citizenship” or what we call unauthorized citizenship. Unauthorized migrants are not simply speaking out, they are actually claiming and exercising rights.

Next class...

Migration Literature (Part 1)

READING

- The Penguin Book of Migration Literature pp. 3-40, 51-67, 105-106
  - Olaudah Equiano, from *The Interesting Narrative of the Life of Olaudah Equiano*
  - M. Norbeße Philip, "Zong! #5"
  - Julie Otsuka, "Come, Japanese!"
  - Francisco Jiménez, "Under the Wire"
  - Edwidge Danticat, "Children of the Sea"
  - Phillis Wheatley, "On Being Brought from Africa to America"
  - Claude McKay, "The Tropics of New York"