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April 16th, 2013

Los Desconocidos Sin Voces:
Liminal Lives in the U.S.A.

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2013

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An abstract of
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of Emory University in partial fulfillment
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Spanish Department

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Abstract

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This thesis will explore the ways in which the undocumented immigrants currently detained in facilities such as the Stewart Detention Center exist both metaphorically (with regards to their marginalized positions as non-citizens) and literally (physically) in a liminal space in American society. In this space, they are subjected to inhumane living conditions, deprived of their fundamental human rights, and robbed of their humanity. *Figuratively*, this inhumane, undemocratic – and arguably unconstitutional – system functions as a microcosm of the way our government sanctions the mistreatment and/or ignorance of the plights of undocumented immigrants living in the U.S. The *literal* situating of undocumented immigrants in remote areas all over the country (such as Lumpkin, GA) exemplifies how they are other-ed in our society; they are considered secondary or superfluous to a national identity that is ironically in a liminal state itself.

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INTRODUCTION:*The Stewart Detention Center*

As we took the last turn down the bumping, narrow road, I could no longer see life in the distance; only rustic water towers, trailers, hayfields and the occasional cluster of trees punctuated the surrounding landscape. Nearly three hours after our departure from Atlanta, my Spanish professor and I had arrived at our destination: the Stewart Detention Center in Lumpkin, Georgia. We were accompanied by a kind woman named Marilyn, who ran a nearby refuge center, *El Refugio*, which houses families visiting their loved ones inside the facilities, since there are no nearby hotels.

We pulled into the half-empty parking lot facing a massive rectangular structure fortified by a chain-link, barbed wire fence. The blistering sun swelled high above our heads as we crossed the concrete pathway towards a set of tall iron gates. We pushed a button, and a moment later the gates trembled open with a loud, angry buzz, granting us access to a second concrete platform. The process was repeated several times until we reached a small, crowded waiting room. Seated in the room were several families, anxiously awaiting the only hour they would be permitted to see their loved ones that week – young bored-looking children, swinging their legs wearily against the backs of their chairs; mothers with tight and worried faces, their shoulders weighted down with fatigue. There was so much tension, restlessness and frustration contained within those four ordinary, slate-grey walls.

Two disgruntled shadows in security uniforms motioned us toward the sensory machines near the entrance. I obeyed them, quietly removing each article of clothing, signing my consent and release forms with trembling hands. Each gaze that swept over me seemed accusatory,

reflecting some underlying suspicion. I had the unnerving sensation I was being watched at every moment.

I sat down to wait with my companions. My hands were fidgeting and my temples moist with sweat, for I did not know what to expect. I was first scheduled to visit an undocumented detainee from Mexico who had spent the past thirty days of his life in solitary confinement. He had initially been detained at Stewart for driving without a valid driver's license and was sentenced to two months of solitary confinement after misbehaving in the facility (I was unable to confirm exactly what occurred).

Two hours later, we were called to the front. We placed all of our belongings in a locker (paper, pens or recording devices of any kind were absolutely prohibited), and a guard stamped our hands with barcodes. We held our wrists under another machine, scanned them, then followed another guard through the doors and down a bright, sterile hallway. Across the hall was a large room – inmate space – secured by thick black bars. Between them I could see a sweeping blur of oranges, greys and blues – detained men in uniform, their faces obscured by darkness. I felt isolated from them – a wanderer passing through an unknowable dimension. My companions and I were like spectators, and they, the untouchables.

Finally we reached another room, divided in two by a thick glass wall. Our side had several chairs, each of which faced a broad thick, glass window separating it from the other half of the room. There, the inmates were filing in. Burly security guards surrounded them on all sides. Not one of the inmates I saw had white skin, and almost all of them spoke in Spanish.

I sat in a booth near the end of the room with my professor. A few moments later, a hulking form emerged from the shadows on the other side of the glass. The detainee who was approaching us was a rugged looking man, but what struck me most were his eyes –wide and

unbelieving, the pupils fully dilated, the whites conquered by a stark, chilling blackness. It was as though the exhaustion of life, or the proximity of death perhaps, had somehow drained them of their color. The luster of life was utterly absent. I will never forget them – the way they watched me, the way they made me *know* that I was real.

I picked up the cold black receiver, pressing it tightly to my ear, twirling the silver cord in my hand. The man watched me, then nodded slowly and picked up the other receiver on his end. We spoke only in Spanish. His words were slow and slurred, his voice thick with confusion. Often he had trouble finishing his thoughts and his sentences would simply trail off into the air. It was as though every sound he uttered was a slow, reluctant piece of soul slowly drawn out of him, and a shocking reminder that he was actually capable of speech.

But there were brief interludes of warmth in his countenance. When I smiled at him he brightened, and once or twice he smiled back. He thanked us for coming to see him and told us we were beautiful.

It was difficult to inquire much of him, though. I could sense the frantic stir of agony rattling inside of him – the rawest symptoms of his humanity – threatening to choke him at any moment. Any question that cut too deeply shut him down instantly. He would freeze, lean back in his chair, heave slowly, and blink back wetness in his eyes with clenched jaws and fists. At one point he sobbed, *No puedo más, I can't anymore*, and rose from his seat, turning away from us to leave. Then he hesitated, perhaps thinking better of it. We were, after all, the last faces he would see for the next thirty days.

He composed himself and returned, but our conversation grew increasingly painful. We left him in a perpetual state of uncertainty, perhaps never to meet again.

Next, I met with another inmate named José, a gentle, insightful and articulate man with a fragile sadness in his eyes. José was born in El Salvador, a country fraught with political instability and violence. At the age of nine, José emigrated with his family to the United States. Although most of his family members were already legal citizens, José himself had no legal pathway to citizenship. In August, over a year and a half earlier, he had been detained after being accused of possessing false documentation by immigration officials (known as the Immigration and Custom Enforcement, or the ICE). He was immediately sent to the Stewart Detention Center to await a trial determining whether he would be allowed to remain in the United States with the rest of his family, or face his worst fear of deportation to a land he barely remembered.

Jose claims he was innocent of the crime of which he was accused, explaining that he had trusted his lawyer's advice to plead guilty in the interest of "speeding up the trial process." What followed was a painfully slow and perpetually disappointing cycle of court dates that led to no definitive conclusions. He later lost his lawyer because he could no longer afford him, but ironically, since José had been accused of committing not a crime but rather a minor civic offense, such as getting a parking ticket, the courts did not have to grant him the right to legal representation. Meanwhile, José's case was dealt with in secrecy. The documents spelling out his fate were never shared with him. Even if they had been, without legal aid, the complex, legal jargon they contained is difficult for anyone to interpret – especially if it is written in a language that is not your native one.

The case dragged on for months, and all the while José had no way of knowing when he would be released. He had absolutely no opportunity to influence what would become of him; he was literally suspended in a purgatory of incertitude – all because he lacked the papers that would salvage his humanity. Meanwhile, he was deprived of any means of effective

communication with the outside world. Daily, he worked long hours performing manual labor or chores in the Detention Center for menial pay (detainees can only spend their money on overpriced items sold within the center itself), locked into a system eerily evocative of slavery.

In the span of his absence, his mother grew ill and could no longer visit him. As her life drew to a close, he petitioned for the opportunity to see her one last time, but his request was denied. When his mother passed away, he was left crippled by grief and in solitude. He was not even permitted to attend her funeral. Reading the Bible and writing poetry were his sole sources of comfort.

Before I left, I promised José that I would write him a letter, in the hopes of initiating a correspondence and learning more about his life. I wanted to connect with him as a human being, and expose him to a different kind of American. I wanted him to know, above all, that I was deeply invested in the injustice he had been forced to endure. José had not committed a crime, yet he was imprisoned like a murderer, robbed of all of his fundamental human rights—including the right to mobility, which is arguably inextricable to the core meaning of freedom itself. His humanity had become contingent upon a document and subordinate to his citizenship status.

That evening, I emerged from Stewart Detention Center with a deep hurt in my chest. I truly ached for the inmates I had met, and for the families crowding about the small and sticky waiting room all day. I simply could not fathom it – the idea that someone like José, a gentle, hard-working person whose biggest crime was doing what was necessary to provide for his family, could be punished so severely and dealt with so callously within the borders of nation I have always called my home. A nation that in this case was not only undermining the rights it had been established to protect, but also the core humanity of the individuals living within its borders.

The brief glimpse of life without “status” in the United States forced me to seriously question my own identity as an American citizen. What is it like to be raised in a land where you are never perceived as an equal in the social or political sphere? How would it feel to be blatantly excluded from the “American” dream, robbed of the right to call oneself an “American” despite the irrefutable fact that “America” is the place you’ve called home? Is your home country an inextricable part of your identity? And if so, what does it mean to only *partially* belong to it? How do you cope with being surrounded by “citizens” who may freely enjoy privileges to which you are not legally entitled because you do not have the correct papers (or the correct nationality) to validate your right to exist on American soil? I wanted to penetrate that mindset: the sensation of being whipped, back and forth, constantly in the throes of a turbulent, unpredictable system. The perpetual weariness of worrying whether you are being monitored like a criminal. I wanted to understand, above all, the answer to one fundamental question: Is there a difference between being an “American” and being an “American *citizen*”? And if so, what exactly *is* it?

During our fleeting, yet transformative encounter, José had said something that particularly struck me: “We are America.” And he was right – without individuals like José, there would be no America. We would not exist. As iterated by Ilan Stavens in *Spanglish*, “the Americas have been the site of cross-racial and cross-verbal fertilization ever since their entrance to modern times in 1492, if not before, as the aboriginal languages intermingled through war and domination across the continent” (Stavens 23). Indeed, Latin American and U.S. Americans are both intimately tied to the lands of the Americas, encompassing a complex fusion of Iberian and pre-Columbian civilizations, with multiple languages and cultures. This fusion has flourished into its own distinct culture characterized by a Latino identity, and is particularly visible in the Southwestern border states.

Though they may not be “legal” residents, the majority of detained immigrants are members of families from all parts of the world who have sacrificed their lives to reach our shores, harboring the same dreams and ambitions as our ancestors once did. They seek freedom and opportunities that are unavailable to them in their native countries; they aspire, as all people do, to provide a better life for their families. In some cases they spend their childhoods or young adult lives within our borders; they create lives and families here, in our communities. They sustain the freedom and prosperity we enjoy as citizens. And yet they have been relegated to an existence of perpetual detainment, to the realms of the in-between, and the injustices they suffer are obscured within the liminal spaces of our society. They are the people who do not belong, the permanent and vulnerable underclass, the oppressed offspring of our nation. For too long, their voices have been silenced.

Thesis Overview

This thesis will explore the ways in which the undocumented immigrants currently detained in facilities such as the Stewart Detention Center exist both metaphorically (with regards to their marginalized positions as non-citizens) and literally (physically) in a liminal space in American society. In this space, they are subjected to inhumane living conditions, deprived of their fundamental human rights, and robbed of their humanity. *Figuratively*, this inhumane, undemocratic – and arguably unconstitutional – system functions as a microcosm of the way our government sanctions the mistreatment and/or ignorance of the plights of undocumented immigrants living in the U.S. The *literal* situating of undocumented immigrants in remote areas all over the country (such as Lumpkin, GA) exemplifies how they are other-ed in our society; they are considered secondary or superfluous to a national identity that is ironically in a liminal state itself.

Circumscribing this phenomenon, I believe that the rhetoric framing the public's conception of American identity is largely responsible for the creation and maintenance of such liminal spaces in our society; thus, while liminal spaces are actively *created* in American society, they originate in the national conscience, and have been passively woven into the rhetoric that frames many commonly-accepted narratives of U.S. history – from the creation of our nation itself to the legislation that followed thereafter.

Since the rhetoric that most deeply penetrates the public conscience is largely that which is concocted by the *elite* (i.e. those in positions of political or social authority), I will specifically highlight how the elites of the Americas have generally constructed and negotiated social boundaries. This elite articulated, re-articulated, and therefore repeatedly validated, its own authority by using rhetoric to carry fears that are latent in the American conscience to their physical manifestations.

To unravel the contradictory strands of this national rhetoric, and thereby understand how they have led to – and continue to perpetuate – the social sanctioning and eventual institutionalization of liminal spaces such as the Stewart Detention Center, I will focus on a number of moments that I identify as being key in the construction of this rhetoric. I do not pretend to offer a comprehensive history in what follows; rather, I have chosen to focus on analyzing the particular role that rhetoric has played and continues to play in framing and distorting an exclusive definition of American identity and nationalism. Moreover, I will draw from historical narratives to reveal how rhetoric has led to and repeatedly justified the oppression of varying groups of people at different points in history.

Historically, debates regarding “Americanism” have been characterized by a competitive, inflammatory dynamic of “us” (the Americans) versus “them” (the outsiders); that is, the notion

of being “American” is set against the necessary context of *not* being the ambiguous, un-American “other” – i.e. the undocumented immigrant – who belongs instead to the liminal spaces of U.S. society. In liminal spaces such as detention centers, an individual’s personhood is undermined by the transcendent value of national membership. In other words, humanity becomes subordinate to Americanism.

Before delving into a complete overview of the research I will present in support of this thesis, I shall clarify two key terms I utilize throughout. The traditional definition of “liminal” is “of, relating to, or being in an intermediate state, phase, or condition” (Merriam-Webster). For the purpose of my analysis, I describe “liminal spaces” as physical representations of *absence*, and which lack concrete identity. In this case, the liminal spaces to which I refer exist first *metaphorically* in our national conscience, and then emerge *physically*, as represented by the effects of historical and legislative rhetoric. Second, I define “rhetoric” as the art of effective or persuasive communication in the form of oral or written language. This definition includes but is not limited to historical narratives, written policies proposed or pushed through Congress, past and future federal legislations, the language of media (which is often laced with xenophobic and racist implications) and loud proclamations of righteousness in the public sphere uttered by extremist groups, many of which ground their arguments in morally questionable frameworks – incorporating such notions as “purity,” “Americanism,” and “patriotism” – in order to disguise underlying political or economic incentives.

It occurred to me that writing a strictly conventional research paper would not only be slightly repetitive – considering the breadth of scholarship already available about these topics – it would also fail to capture the lived experiences that often escape the rhetoric of which I speak. Without understanding this reality, we will inevitably struggle to comprehend why this subject

matters and merits further scholarly engagement. Research and observation alone cannot tell the whole story; therefore I have endeavored to go beyond the historical narrative that has come to define our national self-conception, and incorporate actual experiences throughout this analysis. Between chapters, I will include excerpts of letters I have received from José, along with letters from two other inmates at the Stewart Detention Center I received (they are in Spanish, so I have also included English translations). Their words shed light on the experience of being in a detention center and what it means to be “American,” providing a less ambiguous and tidy perspective than the one offered by most commonly accepted historical narratives. For the purpose of this thesis, they also shed light on the experience of a marginalized life living in the liminal spaces of U.S. society.

Chapter Summaries

This thesis is organized chronologically into two main parts. In the first part, I explore the rhetoric that shaped American identity as it extended only to those *within* the original spaces of the Americas, before mass migration into U.S. borders was possible. This part begins in 1492 with the establishment of a European colonial order in the Americas and concludes with the foundation of the United States in the eighteenth century. In Part II of the thesis, I will move into a discussion of America from the nineteenth to the twenty-first century. In this portion, I discuss how this rhetoric extended to those who came from *outside* national borders.

In Chapter 1, “Identity and Agency in Colonial America,” I explore how American identity was first established through rhetoric in the era of rising European colonialism in the late fifteenth century. In 1492, Christopher Columbus first made use of rhetoric to create a new identity for the lands of the Americas and inaugurate imaginary categories of difference among

the people who inhabited them. In the colonial era that followed, rhetoric was both a tool of power and subordination, justifying the authority of the elite over the public by drawing on the potency of religion to penetrate the mainstream conscience. The Catholic Church validated the natural essence of the prevalent social hierarchy, distinguishing inferior and superior groups of people on the basis of morally arbitrary, and ostensibly non-mutable (unchangeable) characteristics. The ceremonious, oral recitation of the Requirement ("Requerimiento") to indigenous people, coupled with religious literature and forged documentations of "blood purity" distinguishing the "Old" and "New World" Christians, imbued the discourse surrounding America's colonial order with a moral dimension that would further legitimize its existence.

Moreover, religious rhetoric served to veil the reality of a socially constructed hierarchy based not on morals, reason, or justice, but ethnic, socioeconomic and linguistic discrimination. This gave birth to a tendency to identify oneself in America in an exclusionary fashion – that is, *against* the existence of an imaginary "other" – asserting who one *is* by asserting, rather arbitrarily, who one is *not*.

The categories of difference that had organized colonial America continued to influence how American citizens were treated as morally distinct from the "others" who were not included in this kind of belonging. Importantly, the rhetoric of equality used to establish our democracy and national identity obscured this contradictory reality. In Chapter 2, "Early U.S. American and the Emergence of Americanism," I move from a discussion of the colonial order to the creation of U.S. America as a republic. Specifically, I elucidate how the rhetoric of U.S. legislation has obscured or glossed over underlying and contradictory realities of the lived experiences of the American people themselves. On the one hand, the rhetoric establishing America's existence as a nation implies that we were founded on an ideological basis and, in fact, an ideal. Beginning

with the Declaration of Independence and the assertion of our founding fathers that “all men are created equal”, the elite re-established America’s identity as a liberal, democratic state. This rhetoric establishes liberalism and democracy as our core ethical principles and assumes the superior value of freedom of all the people invoked in our constitutional framework. However, the experiences of the “others” are notably absent in this national rhetoric, exemplifying how historically these “others” have been relegated to the liminal spaces of our society, confined to spaces in which “the nation” justifies its most inhumane and illiberal practices by concealing or obscuring them. This gap between the national rhetoric and the reality in these accounts has thus both created and actively reconstructed the liminal spaces – or absences of definition and understanding – that currently pervade the public's conception of what “American” citizenship and belonging are.

After discussing the rhetoric that first articulated an imperial American identity, I will move into a discussion of U.S. American nationalism as it relates to language itself. From its initial conception in the spaces of America, the rhetoric of public debates regarding American citizenship, immigration policies, and border control measures have been imbued with a decisively moral dimension, affecting the way these debates were ingested and reflected by the American public.

In the wake of the industrial revolution in the early nineteenth century, mass migration was made increasingly possible. As a result, issues of legal and illegal migration emerged. The distinction between citizenship and residence became of paramount importance, gaining momentum in the public conscience through rhetoric. Citizenship became, by legal and public definition, a central premise of American belonging. In fact, the U.S. is not monolithic and

reflects in certain areas historic and long-standing differences in terms of how citizenship is understood.

In Chapter 3, “A History of Immigration and Exclusion: The Changing Rhetoric of American Identity in the Face of Immigration,” I will discuss of the history of our immigration policies, particularly highlighting how rhetoric framed citizenship and immigration debates. Beginning with the birth of U.S. society in the eighteenth century, I provide an overview of the policies shaping the “open doors” era (1776-1882), the era of regulation (1882-1924), and the aftermath of the Civil Rights movement (1965-1986). These immigration policies created boundaries distinguishing “Americans” from the “outsiders,” reflecting the aforementioned phenomena of bringing imaginary borders to surface through rhetoric.

In Chapter 4, “The New Latinos of the 1980s: Modern Immigration Rhetoric: From 1986 – Present,” I move away from the discussion of history and focus on the modern era of immigration rhetoric. Current immigration policies are similarly defined by a historically entrenched battle between two competing national identities, each of which provides conflicting definitions of what it means to be an “American.” The interaction between rhetoric (namely legislative) and the public conscience has led to the creation of increasingly exclusive local laws and the rise of extreme nativist groups – while diminishing the significance of the lived experiences of those living in the liminal spaces whose existences such rhetoric implicitly aims to obscure.

The linguistic elements of immigration and citizenship-related debates have also consistently reinforced the marginalization (or “other”-ing) of minority cultures and languages. Spanish-speaking immigrants have long faced a paradoxical dilemma which often alienates them from national conceptions of citizenship and belonging to the American community, as they are

other-ed through means of a language that, ironically, has existed on U.S. soil for at least as long as English has. As has been happening cyclically throughout history, large businesses and politicians have exploited this vulnerable population of low-income, Spanish-speaking, undocumented immigrants, many of whom are deprived of access to vital social services such as healthcare and education, a situation that is exacerbated by the fact that they are unable to speak and/or understand English. Today, Spanish-speaking U.S. residents—whether undocumented or not—in particular are victims of social marginalization and political alienation, as well as racial prejudice that is often justified or veiled by a linguistic otherness centered upon the superiority of English – a notion which parallels American nationalism (or “Americanism”) itself, since its identity is also dependent on the unstated premise of its inherent superiority.

In a fifth chapter entitled “Detention Centers As Liminal Spaces in Modern U.S. Society,” I return to my discussion of the Stewart Detention Center and the obscured systematic “other”-ing that sustains its unconstitutional existence. I expand here on the relationship between private corporations and the criminalization of undocumented laborers in contemporary American society. I also discuss the implications of the Stewart Detention Center as it pertains to the wider community of Spanish speakers in the U.S., who have been subjugated to racial profiling and engulfed in a culture of surveillance resembling a police state.

In the concluding chapter, I posit that we grapple as a nation with a gap in our understanding of who we are for reasons that date back to the colonial European elites who first articulated our ambiguous and inconsistent national character through the rhetoric they concocted. The problem, once more, is that our “original” identity is an imaginary concept – that is, we essentially never had one, since our national rhetoric failed to reflect the actual will of the people it was conceived to represent. Thus, we perpetually grapple with a fundamental void in

understanding of who we are. The result is a gap in understanding has led America to cyclically create liminal spaces that justify the subordination of people's humanity in favor of ever-changing definitions of American citizenship. Ultimately, the thesis will conclude with a proposal of several broad resolutions to ameliorate the grave injustices exemplified by the conditions of the Stewart Detention Center.

PART I: The Rhetoric of “American” Identity and Belonging (15th-18th century)

CHAPTER 1: Identity and Agency in Colonial America

The ceremonious naming of the islands of Hispaniola by Christopher Columbus is inextricably tied to the creation of American history, as it is one of the first documented accounts of how imperial powers established language as a tool of subordination over others. Upon his initial arrival to the Americas in 1492, Columbus performed the ritual of naming the inhabitants of the territory, as well as the territory itself, in order to establish ownership of them. In his initial correspondence with Luis de Santangel, Columbus evokes the idea of the New World as an “invented” land (as if it were created by the very act of his discovery) in order to assert his *right*—as the conqueror—to rename the islands he has encountered in honor of the Spanish saints and the royal families who supported his rule. “I have taken possession,” he states, “for their Highnesses by proclamation and Royal Crown...” (Columbus 263). Additionally, he incorporates an exaggerated description of the land’s fertility and abundant natural resources, trees and rivers, painting a picture of the Americas in 1492 as a pristine region evocative of the Garden of Eden. The implication in this rhetoric is that the land he “discovered” is simply open, vulnerable, and ripe for European colonization.

Supported by this pretext, Columbus established and then reiterated an infantile, dehumanizing notion of the colonized indigenous people. In this letter, Columbus introduces the idea of the “ecological Indian” who lives in harmony with nature, devoid of the resources and technology that existed in Europe, and whose social, economic and political systems paled in comparison to those of the apparently more advanced Spanish society. He claims that the indigenous people live in pacifist, simplistic utopian civilization, so undeveloped as to be

considered primitive and barbaric. This gave birth to the myth of the “noble savage,” which construed the indigenous people as subjects ready for and arguably in *need* of colonization. Notably, Columbus represses the brutal realities—the uprooting and displacement of the indigenous people—that such colonization would entail.

Thus in his narrative of the New World, Columbus’s rhetoric functioned as a means of diminishing the significance of the indigenous population relative to the promising value of their land. Simultaneously, he establishes ownership of a people by “other”-ing them through language—deeming them “savages” incapable of possession themselves, but whose land was clearly ready for conquest. Columbus’s words are permeated by the idea of subordinate and dominant social hierarchy constructed around the default of a civilized, Christian European society. The idea of being equipped to be part of a civilization—fundamental to pre-colonial political rhetoric of Europe—was therefore used to establish an original American identity.

Christopher Columbus, to whom history so often attributes the discovery or the invention of the Americas, was born into an era (the fifteenth century) in which two prevailing, but conflicting, ideologies surrounding the idea of “possession” predominated. According to traditional Roman law, “possession” signifies both the “physical presence and intention to hold the territory as one’s own. It is both an act and a mental process, an intention. Taking possession means establishing the intent to own... [It] occurs at the moment when the authority created by the text of the letters patent is activated” (Seed 189). Thus, possession first entails the literal, physical inhabitation of a bounded space; second, this possession is legitimized in the form of some kind of cultural communication, a means by which the individual clearly presents his/her *intent* to possess the territory in question.

Diverging from this fundamental notion, the English, unlike other Europeans, “rejected the idea that signs—markers, pillars, plaques, or piles of stone—could establish dominion over a territory or that anything other than “taking possession” (constructing permanent residences) constituted dominion” (Seed 194). In other words, for the English, *inhabiting* a particular space was a sufficient condition to indicate one’s possession it; thus, sovereignty was reinforced architecturally through the construction of literal borders, which legitimized the transfer of space to English rule. Of course, the colonized people were superfluous to this imperial design.

The Spanish conquistadors most closely aligned with the former notion of possession when they first laid claim to American land; they conceived of possession as encompassing not merely a strip of land, but also the *action* of colonizing of a *people*. This necessarily invoked the idea that attaining true sovereignty meant seizing the initiative to populate it (echoing the notion, “gobernar es poblar,” that would dominate nineteenth century Argentine politics). Constructing buildings was not most critical to establishing rule in an occupied region; it was rather the act of “naming and solemn declarations” (Seed 200). In the context of Spanish colonial rule, articulating one’s agency over a property was the sufficient means to establishing proper ownership of it.

Significantly, these two ideological contradictions were mired in the mixed notions of establishing a national identity or character in the space of a new territory. The English established their identity symbolically, redefining the space of the conquered territory they inhabited through constructing architectural and institutional representations of English dominance. Meanwhile, the Spanish imperial authority believed that *language* was a key element in legitimizing its ruled; moreover, it “relied centrally upon articulating a relationship between Europeans and a living, breathing Other rather than simply demarcating space” (Seed 209).

Language carried the power to assign conquered people to the category of “other-hood,” and therefore, into submission. This gave birth to a tendency to identify oneself in Spanish America in an exclusionary fashion – that is, *against* the existence of an imaginary “other” – asserting who one *is* by asserting, rather unjustifiably, who one is *not*.

Because Spanish imperialism was rooted in the concept that language was intimately tied to the establishment of colonial identity in the space of the conquered territory, rhetoric ultimately acquired a powerful material role in political and social realms. Specifically, Spanish authority used rhetoric to assign identities—or terms of belonging—to the elements of the Americas, a process that began in 1492 when Christopher Columbus first made use of rhetoric to create a new identity for the lands of the Americas and inaugurate imaginary categories of difference among the people who inhabited them. These discriminatory ideological assumptions gave rise to a colonial order that would prevail well into the eighteenth century and beyond that was based on racial categories that positioned the “dominant” white, European conquistador as superior to the “inassimilable Indian” who inherently belonged to a sub-caste, or automatic underclass of society. In this case, the term “inassimilable” functioned as a code word for “inferior” that assigned the “Indian” race to the liminal spaces of colonial society, thereby diminishing their status. Those contrary to this “natural” order were viewed as “un-natural” aliens and as threats to the engrained and “natural” order of society, which was a racial hierarchy premised in actuality on socially-constructed boundaries of difference (Fisher 1).

Similarly, the Spaniard notion of possession—of what it meant to control or colonize a people—was also tied inextricably to Catholicism. The possession of the Americas in 1492 was also invoked in the pursuit of fulfilling Spain’s overarching Catholic mission known as the “La Reconquista,” which began shortly after the Moorish invasion of the Iberian peninsula in 711. La

Reconquista was “a project to make the kingdom fully Catholic and eliminate from it religious minorities, such as the Jews and Muslims” (Stavens 24). The goal of the Spanish administration was largely to consolidate its power by embedding it within the Spanish language itself, making it the “unifying tongue” of an-expanding Spanish “kingdom” that could potentially sprawl across the globe (Stavens 24). In suit, possessing the people of the lands implicated “an act of linguistic enslavement” in which the plethora of languages spoken by the pre-established Indian tribes was subjugated by the language of the Spanish colonizers (Stavens 24).

The validity of an organized, naturally-imposed racial hierarchy was therefore strengthened by its sanction by society’s most highly regarded and powerful institution, the Catholic Church. In this sense, rhetoric was both a tool of power and subordination, justifying the authority of the elite to the public by drawing on the potency of religion to penetrate the public conscience. Moreover, this rhetoric served to veil the reality of a socially constructed hierarchy based not on morals, reason, or justice, but ethnic, socioeconomic and linguistic discrimination. Royal jurists and advisers justified the Iberian conquest of the Americas by appealing to a “historic mission to bring civilization and the Catholic faith to a heathen and barbaric indigenous population.” The Indians were expected to provide labor, tribute, and fealty to the Crown and its representatives in exchange for a “modicum of protection” (Fisher 2). Thus, because they existed on conquered territory, indigenous people were subject to monarchical rule; however, because they were viewed as identifiably and explicitly unequal, they were deprived of representation and of the right to an identity.

The royal administration was empowered by the sanction of the Catholic Church; in turn, the pope’s grant legitimized Spanish rule and directly influenced how rights were both formally and ceremoniously proclaimed over the conquered territory. The Law of Burgos, enacted under

King Ferdinand, led to the creation of the *Requirimiento* – the Requirement – which required natives to submit to the authority of Spanish crown, a claim that was validated by both the power of the Christian state and the authority of God. Under this law, natives were forced to acknowledge the Spaniard’s claim over them and comply with their demands and convert to Christianity.

However, the reading of the Requirement was more of a symbolic ritual than a mutually understood contract between ruler and subject. In fact, for many of the native peoples to whom it was recited, and who did not speak nor comprehend the Spanish language, it held no significance at all. The fact that the subordinated indigenous people failed to even understand that their rights were being dictated on their account was entirely irrelevant to the Spanish administration. It didn’t matter if they understood or consented in any way to what they were about to be forced to endure. The *only* necessary condition to establishing the conquistador’s dominion, according to the Church, was to orally articulate it in the public realm. Reading the document was thus an end in itself, effectively inaugurating a legitimate Spanish authority through rhetoric¹. If the native people refused to comply, they would be “officially” considered hostile and dealt with accordingly, regardless of whether they comprehended why they were being prosecuted in the first place.

The indigenous people who had been living on American soil long before the arrival of the European conquistadors could belong to America, and America could assert legal ownership

¹ Similarly, in the American criminal justice system, the authority of the government is established by reading, i.e. the Miranda decision requires arrested individuals to be read their rights, but it does not require this reading to be conducted in a language the detained person understands.

² Merriam-Webster’s dictionary defines nativism as “a policy of favoring native inhabitants as opposed to immigrants.” Essentially, it is a strand of prejudice that is grounded in cultural or ethnic stereotypes and discrimination, and specifically directed towards immigrants. In assuming a nativist’s position, one typically believes that immigrants (non-citizens) cannot lay claim to the national identity, because they are inherently incapable of assimilation. Further, nativism generally entails opposition to “open door” policies, as well as support of restricting immigration and decreasing the political and/or legal status of immigrant groups.

over them as subjects. However, as evidenced by their strictly limited social and political rights, America could clearly never belong to *them*. This implies an association between material worth and membership status (or citizenship), an idea that continues to influence American politics today. Therein lies the notion that words—which are orally recited and then codified in documents—are powerful enough to validate, or eliminate, the right to belong... that status in the Americas began as something that could not be acquired purely by free will, and that to be the one holding the piece of paper—to be the author of the written word—is to have a stake in claiming an American identity.

The oral rhetoric sanctioned by the Pope first validated the natural essence of the prevalent social hierarchy, distinguishing the inferior from the superior group of people on the basis of non-mutable (that is, unchangeable) characteristics. The ceremonious, oral recitation of the Requirement to the indigenous people, coupled with religious literature and forged documentations of “blood purity” distinguishing the “Old” and “New World” Christians, imbued the discourse surrounding America’s colonial order with a moral dimension. Spanish administrators advocated an ancient European conception of “blood purity,” which was once used to distinguish Spain’s “Old Christians” (considered “natural” or “pure”) from the “New Christians,” who consisted of Jewish and Muslim descendants who had converted to the Christian faith (Fisher 1). The latter group, believe to have “stained blood” (or *machna*) was discriminated against due to not only to their religious faith, but also to the innate “character traits, intelligence, political rights, and economic possibilities” believed to be directly related to their inferior race, and symbolized by their ostensibly distinct appearance (Fisher 1). Likewise, the darker pigmentation of Indians (who were not considered “white”) was a symbolic, identifying marker that justified their exclusion and hostile treatment by Spanish imperialists in

the public realm. Bureaucrats were obliged to indicate the race and blood purity of all of their subjects through documented records, which arguably demonstrates how documentation, historically, has been used to validate social constructions that create categories of people grounded in the idea of their relative value or purity. Thus the racist rhetoric not only supported the framework of an imaginary American community premised on a utopian *ideal* of “unalienated” identification or character, it also constructed racial categories as calculable entities which reflected the character of the racialized persons (Saldaña-Portillo 151).

The original American identity as established by the European colonists, therefore, was inextricably tied to the creation of liminal spaces in which those who were deemed “other” were fated to exist. Originally, this “other” was considered inferior and inassimilable, traits biologically tied to the racial qualities exhibited most prominently by the indigenous peoples. Therefore, the rhetoric articulating these identities reflected the same discriminatory ideological assumptions that had organized European society. Moreover, the rhetoric that originally designed imperial American colonialism was inextricably tied to the ideology that was expressed by the rhetoric of the Catholic Church. This framed the colonial order in the guise of morality in the sense that Christian law justified it, and its validity was further constructed by literal documentation. Because of the moral dimension of the rhetoric, humanity became subordinate to the documents signifying citizenship within these liminal spaces.

In essence, our nation is rooted in the imaginary categories of difference that emerged from the politics of identity and authority that shaped the New World beginning in 1492, when Christopher Columbus first encountered the space of the Americas and “claimed it” for the Spanish Crown. Columbus’s own account of his “discovery” of the “New World” in his “Letter

to Luis Santangel,” composed the same year, is a testament to how rhetoric strategically created and enforced imaginary boundaries of difference among territory and subjects alike.

These examples of early colonial rhetoric allude to the origins of an overarching imperial pattern of social organization inextricable to the identity of all spaces of the Americas: elites assign non-members (deemed “others”) to the liminal spaces of society in order to justify subordinating their humanity, while the reality of their oppression within such liminal spaces is obscured by the rhetoric they concoct, aimed at penetrating the public conscience. In this sense, rhetoric ultimately bridges the gap between imaginary borders and their actual manifestations—from social constructions and marginalization to media sensationalism, legal exclusions, border patrollers and barbed-wire fences, and ultimately, to the institutionalized liminal spaces such as detention centers. The inhumane treatment of non-citizens detained within the Stewart Detention Center – which is strategically situated in remote locations, far away from any public, commercial or residential area – is thus a paradigm of an imperial tendency to weave imaginary borders of difference into fabric of the national conscience – a pattern that began during the era of European colonialism.

LETTER #1: The Words of An Inmate at the Stewart Detention Center:

[English Translation]

My name is Oscar Rolando Tormé. I came to the U.S.A. with a tourist visa in the '80s. I have my whole family here. I was living in Miami, Florida, with my mother, in a trailer house. I was the one who covered all the expenses through my work, and I was transferred to Georgia. I have now lived here for 3 years, and I lived in Miami, Florida for 29 years. I found myself detained at the C.C.A. due to an infraction in '94. My mother and I sent out a petition for residency, and my response arrived in '97, when my residency was approved. My papers are now being processed. I was detained by the Gwinnett County police in Georgia and later dispatched to Immigration when I spoke to a [lawyer], he couldn't do anything for me, I was already in the custody of the ICE. My crime, according to the official, was "open container." I was walking towards my apartment, returning from the end of my work week, when I was arrested together with four of my companions, most of whom have already been deported, under the same charge, and although I had my social security ID card and a copy of my mother's petition on me, neither of those things meant anything. I was transferred to the North Georgia Detention Center, and then later the C.C.A. Stewart Detention Center, where I saw a judge for the first time in a month a half. Since I didn't have a lawyer, I was given another [court date], I told them that my mother is a citizen here, that I was bringing my petition for papers [for taxes], and they gave me another court date, so that I could give them photocopies proving my mother and sister's citizenship, they gave me an affidavit, but I didn't have the \$2,000 needed to send in another form, so that I would not be removed from the U.S.A. I explained my mother's condition, as she is very ill at 84 years old. I am 54 years old and I am sick with diabetes and [yet no one is moved to pay the slightest attention to my mother's grievances]. I have written medical records for both my mother and I,

and I am appealing my case. I have been detained for 9 months and I will be here for many more while my appeal proceeds. There is nothing for me in my country, and now that I am older and sick, who will give me work? How will I be able to afford my expensive medication? They want to deport to me to my death.

Here I have never been charged [in] the U.S.A and I know my job and I can work to pay for my medications and survive. Now that I have appealed my case, I confide in my Creator, that he have mercy [on my soul] every day, and for my mother, and [...] judge Dean Trimble, [and that] nothing happen to my mother if I am deported. Her birthday is December 31st and I won't be there, as I have been in all prior years. I pray to God that he pardons the injustice of the judge, who does not have mercy for anything or anyone, and I only ask Him to let me see my mother one last time. I have asked my sister not to tell my mother that I am sick or that I am being deported by judge Dean Trimble.

But I have faith that I will emerge with victory from this place, be it to my home country or to stay here. I have made myself the son of God, the omnipotent [...]. I have all the evidence with me, my papers are now in process. If you can help us, may God bless you, and if not, may God bless us all. Thank you.

ATT. Oscar Rolando Tomé

[Original Spanish Version]

Mi nombre es Oscar Rolando Tormé. Yo vine a U.S.A. con visa de turista en los años 80. Yo tengo toda mi familia aquí. Yo residía en Miami, Florida. Vivía con mi madre, en una casa tráiler. Yo era que corría con todos los gastos, por motivo de trabajo o me traslade a Georgia. Ya tengo cerca de 3 años por acá y 29 de residir en Miami, Florida. Me encuentro detenido en CCA por mi infracción en el '94. Mi madre y yo mandamos la petición de residencia y me llegó

respuesta en el '97, donde aprobaban mi residencia. Mis documentos están en proceso, a mi me detuvo la policía del condado Gwinett en GA y luego remitido a inmigración cuando yo le hablé a un Francista, él no pudo hacer nada por mi ya estaba bajo custodia de ICE. Mi delito, según el oficial, "open container." Yo iba de pasajero hacia mi apto, veníamos de cobrar mi semana de trabajo cuando fui arrestado junto a mis 4 conocidos, ya la mayoría fueron deportados, por el mismo cargo. Andaba mi ID social y una copia de la petición de mi madre y no me valieron nada de eso de allí. Fui trasladado a North Georgia Detention Center, luego trasladado a CCA Stewart Detention Center. Vi por primera vez al juez al mes y medio como no tenía abogado, me dio otra corte, le conté que mi madre es ciudadana de aquí, yo andaba la petición de mis papeles a la fiscal. Me dio otra corte, para que le diera fotocopias de la ciudadanía de mi mamá y hermana, me dio un afidávit, y como no tenía 2,000 dólares para enviar a usos medio otro formulario, para no ser removido de U.S.A. Yo le expliqué la condición de mi madre que está bien grave. Ella tiene 84 años y yo tengo 54. Estoy enfermo diabetes y no le causaría ninguna pena a mi madre. Yo tengo la carta del récord médico de mi madre y el mío estoy apelando mi caso. Ya tengo 9 meses detenido y estaré otros tantos mientras dure mi apelación, yo no tengo nada en mi país ya soy mayor ¿quien me dará trabajo, así y enfermo? ¿Cómo, podría, costear mi medicina que es mucha? Quieren deportarme a mi muerte. Aquí nunca he sido carga para U.S.A. Yo sé mi oficio y puedo trabajar, para pagar mis medicamentos y sobrevivir. Ya apelé mi caso y ahora voy a confiar en mi Creador, que tengan misericordia de mi oro todos los días, por mi madre, según el juez Dean Trimble no le pasará nada a mi madre si me deporta, ella cumple años 31 diciembre y no estaré allí como todos los años. Le ruego a Dios que perdona la injusticia del juez. No tiene misericordia, por nada ni nadie. Solo le pido a mi Dios pueda ver a

mi madre una vez más. Le he dicho a mi hermana no le diga a mi madre que estoy enfermo y que ya me deporto el juez Dean Trimble.

Pero tengo fe que saldré con victoria de aquí sea a mi país o me quede aquí. Me hecho hijo de altísimo, del omnipotente [illegible]. Tengo todas las pruebas conmigo, mis papeles están en proceso. Si pueden ayudarnos que Dios los bendiga, y si no que los bendigamos. Gracias.

ATT. Oscar Rolando Tomé

CHAPTER 2: Early U.S. American and the Emergence of Americanism

America grapples with an ambivalent, imaginary concept of the “nation” itself today because it fluctuates between two competing narratives framing its core identity. The first is the ideological ideal of a unified community based the illusion on *homogeneity*, which has been historically interpreted along the imaginary lines of categorical differences among people. Second, there exists an underlying, and often-repressed reality in which the prosperity of American citizens has clearly depended on the subordination and even enslavement of a marginalized underclass. Just as the imperial authorities once did, the U.S. elite has relied on imaginary categories of difference among peoples to assert the façade of a concrete, unified and consistent national identity and disseminate this conception to the mainstream. The result is a gap in understanding that has led America to cyclically create liminal spaces that justify the subordination of people’s humanity in the name of “American citizenship.”

Ideologically in opposition to the colonial social order, America was created as a democratic, liberal state. This was established rhetorically by the Founding Fathers in 1776, who asserted in the preamble of the Declaration of Independence that “all men are created equal,” and that by virtue of this equal standing, hold the universal right to “life, liberty and the pursuit of happiness” (Marrero 202). It was upon these sanctified principles that U.S. democracy was founded, in defiance of the colonial policies perpetuated by the British aristocracy, in which rigid socio-economic divisions subordinated the colonists from the “pure” blood Europeans. Since, the nation has been historically and rhetorically defined as the ultimate land of opportunity: an open-borders asylum for the oppressed of the world.

In the traditional liberal democratic state, citizenship is founded on the concept of a collective national identity and has “traditionally been taken to be a relatively straightforward

kind of belonging,” since it is a property commonly shared by the *members* of the nation (Cole 1). This belonging necessarily places a kind of value on membership as opposed to non-membership in the sense that the former is exclusive; those who are members are included may enjoy the benefits of citizenship, while those who are not members can never fully belong. In a political framework, the boundary that distinguishes insiders (citizens) from outsiders translates in practice to excluding outsiders from certain or all public activities within the national community that are definitive of such belonging, such as voting. This distinction is perhaps necessary to preserving the definition of citizenship itself – for if everyone were permitted equal inclusion in all activities, then the status of citizenship would be rendered meaningless.

However, distinguishing between members and non-members, or citizens and outsiders, is justified in the context of a liberal democracy only if it does not undermine the significance of the liberal state that began to develop after Independence. The symbolic value of membership cannot precede the importance of basic human rights; non-members cannot be prevented by liberal institutions from enjoying the same basic freedoms as non-members without violating the state’s principles. It is most important to remember that in order to have a liberal state at all, one must prioritize the “core liberal principle of more equality, that all people have an equal moral standing, a moral principle of humanity” (Cole 44). Therefore, the distinction between citizens and non-citizens can *only* be symbolic; it cannot be charged with a moral dimension, as were the conceptions of belonging defined by the Catholic Church during La Reconquista. Otherwise, the degree of morality that is bestowed on each group will inevitably differ, contradicting is the core liberal principle of moral equality, which is as central to the life of the liberal democratic state as freedom itself.

Further, as David Miller theorizes, in order to maintain an ethical conception of citizenship from a liberal point of view, all liberal states must assume responsibility towards non-members as well as members, at least with regards to their fundamental rights as human beings, since liberal theory dictates that all people are entitled to a “global minimum” set of basic rights. In her essay “On Membership and Free Movement,” Tiziana Torressi proposes that one of such basic rights is that of mobility or “free movement,” which she defines as “in itself a basic need” (Torressi 25). Free movement is not only central to the human experience, Torressi argues, but also to the sustenance of biological life; for instance, studies have demonstrated that “severe congenital inability to move could result in developmental and learning difficulties, and in alterations in our sensorial perception of space” (Torressi 27). Thus mobility is a *natural* (that is, not a socially constructed) human need, one that is inextricably related to the basic meaning of freedom itself (in fact, the Greek word for freedom, *Eleutheria*, is derived from a phrase that literally means “to go where one wills”) (Torressi 27).

Since freedom of movement is at the heart of the meaning of freedom, and the liberal state is founded necessarily on the “non-specific” values of morality equality, including freedom, then in the context of a liberal state freedom of movement is fundamental (Torressi 32). “The deepest meaning of liberty is... the possibility to see, learn, experiment and reinvent oneself and one’s identity, the ability to distance oneself from one’s own life and circumstances, to revise critically one’s ends and evaluate one’s life and choices” (Torressi 27). The U.S. Supreme Court has in fact explicitly recognized the intrinsic value of freedom of movement – not just as it applies to citizens but to all human beings:

Freedom of movement is akin to the right of assembly and to the right of association. These rights may not be abridged.... Like the right of assembly and the right of association, it

often makes all other rights meaningful – knowing, studying, arguing, exploring, conversing, observing and even thinking. Once the right to travel is curtailed, all other rights suffer, just as when curfew or home detention is placed on a person.” (*Aptheker v. Secretary of State*, 378 U.S. 500, 520) [1964] [Douglas, J., concurring]

Of course, Torressi also recognizes that communities do have a right to shape their membership; however, such membership cannot be enforced from *within*, because the resultant policies would be aimed to prevent non-members from accessing space and would therefore infringe on the individual’s right to freedom of movement, a freedom that is “intrinsically and instrumentally important to individual lives” (Cole 16). If freedom of movement is crucial to the existence of a liberal society, then the restriction of such movement is a “form of punishment and even torture” (Torressi 26). Yet this is exactly what is being done to so many undocumented immigrants, who have done nothing but commit a minor civil infraction and yet are detained indefinitely in detention facilities, their rights to mobility unjustly taken from them.

Just as being a “member” of a national community in a liberal state is arguably a symbolic representation of an imaginary concept, the borders separating members from non-members must be treated exactly as what they are – constructions of the imagination. Any literal re-enforcement of such borders runs the risk of creating a subordinated “category of persons who are not recognized by liberal theory, who are purely subject to the law with no sovereignty over it.” (*Citizenship and Acquisition* 4). To this end, Michael Walzer contends that “any situation that creates a class of people who are subjects only is manifestly unjust from a liberal point of view, a clear contradiction of the liberal democratic project” (Cole 5). Therefore, when citizenship creates categories of difference among people, it will inevitably be discriminatory, as has been

demonstrated by the permanent underclass of exploited undocumented immigrants who have been subject to our laws, yet have no influence over their own fates.

Importantly, the rhetoric of equality used to establish our democracy and national identity obscured this contradictory reality. On the one hand, the rhetoric that established America's creation reveals that it is founded on an ideological basis – an idea – that establishes democracy as a core principle and asserts the moral superiority of the value of freedom of all peoples in its constitutional framework. On the other, the categories of difference that had organized colonial America continued to influence how American citizens were treated as morally distinct from the “others” who were not included in this kind of belonging. The Founding Fathers themselves advocated a naturally ingrained, and blatantly Anglo-centric social order, and their nativist² beliefs emerged alongside the foundation of our apparently free and equal society. Many of them firmly believed that American citizenship should be limited to the English and northern European Protestant groups with which the original Puritan colonists most closely identified. Moreover, the lived experiences of the oppressed “other” were also notably absent from the national rhetoric, exemplifying how non-citizens are relegated to the absent, or liminal spaces of our society – spaces in which the nation justifies inhumane and illiberal practices, which undermine its own founding principles, by shielding them from the mainstream conscious.

Indeed, America effectively undermined its own core principles *in* the very act of its genesis; the racial categories of difference and disunion that once organized colonial life remained entrenched in the national psychology when America was founded as a democratic

² Merriam-Webster's dictionary defines nativism as “a policy of favoring native inhabitants as opposed to immigrants.” Essentially, it is a strand of prejudice that is grounded in cultural or ethnic stereotypes and discrimination, and specifically directed towards immigrants. In assuming a nativist's position, one typically believes that immigrants (non-citizens) cannot lay claim to the national identity, because they are inherently incapable of assimilation. Further, nativism generally entails opposition to “open door” policies, as well as support of restricting immigration and decreasing the political and/or legal status of immigrant groups.

liberal state. This contradiction is merely obscured but not resolved by the rhetoric of equality written into the Constitution. In reality, citizens were treated as morally distinct from the “others” who were not invited to share in the nation’s definition of belonging. Full constitutional rights were extended to American citizens, a group that was legally restricted to white and free men only. African Americans were also legally enslaved (and not considered fully human), and women were not allowed to vote. Importantly however, since voting is an infrequent and not highly visible marker of citizenship, the majority looks to other ways to define belonging – leaving space in the national conscience for the rhetoric of identity and nationalism to fill.

In Spanish colonial America, legal exclusions from membership echoed, and were justified by, the unwritten assumption rooted in the imperialist psychology that certain people are inassimilable; they are simply not *equally* capable of integrating into society and enjoying the quality of *freedom* that America represents. This assumption later led to the emergence of a paradoxical American nationalism that was not only ambiguous, but *immoral* and discriminatory, since it implicitly reinforced the notion that to be American was to be both “white” and “English-speaking” – an idea embedded in early political rhetoric. Consequently, those who were perceived as contrary to the “normative” white culture were framed as the “outsiders” who threatened the unity of the nation.

Benjamin Franklin reinforced this ambiguous conception of citizenship, reiterating, for example, that newly arrived German immigrants represented a uniquely un-American brand of inferiority – *inassimability*. In a letter written in 1751 regarding these German colonists, Franklin asserts that Germans are a threat to the “Anglo-Saxon identity,” which he relates to the first American colonies “bounded by the English” (Marrero 23). He asks, “Why should Pennsylvania, bounded by the English, become a Colony of Aliens, who will shortly be so numerous as to

Germanize us instead of our Anglifying them, and will never adopt our Language or Customs, any more than they can acquire our Complexion” (Marrero 23). Here, he positions an ambiguous “us” (Americans) against the foreign, and in this case German, “other” – nourishing the idea that American nationalism is dependent on its categorical superiority.

Moreover, Franklin not only harbored a fear of an “immigrant takeover,” he was also threatened by the presence of foreign languages on American soil (Morrero 23). In this vein, Franklin imbues the emergent German language with the properties of disease – alluding to the idea that it would contaminate the American community. “Unless the stream of their importation could be turned,” he states, “they will soon so out number us, that all the advantages we have, will not in my opinion be able to preserve our language, and even our Government will become precarious” (Marrero 23). Here, Franklin equates national unity with *homogeneity* – or sameness – among racial, ethnic and linguistic rather than moral or rational lines. His underlying presumption is that foreign cultures are linked to a common, homogeneous and unified, non-white ancestry – one that is inherently inferior to the racial precedent of “whiteness.” This notion that would later justify sweeping generalized legislative measures directed against entire groups of people.

According to Franklin, the immigrant in this context is decisively marked as “un-American” simply because he/she is assumed to have a certain attachment to his/her native country. This rhetoric indirectly condemns the immigrant culture – relegating it to the liminal space of other-hood – and diminishes its significance in relation to the apparently unadulterated U.S. mainstream one (a culture that was then characterized by English-speaking Anglo-Saxon people). Underlying this notion is a deeper threat: that of competing national loyalties. For latent in the American conscious is a fear of being re-conquered, of being colonized the way “we” once

colonized indigenous peoples, a fear of becoming outsiders on a land we essentially stole from others, a fear that we will not always be the invaders. Incorporating the figure of the “alien” in order to represent the nation as a unified national community, politicians from the earliest moments of the nation would leverage their power and win public favor by harvesting and exploiting the deepest fears and anxieties embedded in the U.S. cultural imagination – particularly, that of invasion.

In the mid-1800’s, this dormant fear would ignite in the name of American nationalism, profoundly influencing the relations between the U.S. and the foreign populations of “others” sharing its borders – and particularly, the Spanish-speaking Mexican population to the southwest. Throughout the mid-nineteenth century, a considerable number of Anglo-Americans harbored an imperialist “All Mexico” sentiment rooted in an overarching belief in “Manifest Destiny,” which had deeply influenced the rhetoric of the public debate regarding foreign relations. Using this sentiment to justify the war with Mexico over what was essentially territorial acquisition, these Americans wished to expand U.S. borders and advocated military efforts to annex all of Mexico (Carillo Rowe 121). Conversely, there were other Americans who feared, as our forefathers had, that the Anglo-American mainstream community would be unable to incorporate large numbers of non-white, non-English speaking people into the national social and political fabric. These Americans viewed this demographic as essentially inassimilable, and felt that the national space should be protected from “other” cultures like that of Mexico.

These divergent perspectives came to surface through the legislative rhetoric regarding the annexation of Texas by the U.S. in 1845, and the subsequent armed Mexico-United States War that lasted from 1846-1848. In 1847, the borders that distinguished Mexico from the United States were redrawn under the Treaty of Guadalupe Hidalgo. According to the conditions set out

by the Treaty, the U.S. acquired the northern region of Mexico, which would later become California, Texas, Arizona, Nevada, Utah, Wyoming, Colorado, Kansas, Oklahoma, and New Mexico. Moreover, the Mexican people living in those regions were given the opportunity to either return to Mexico or become U.S. citizens with full rights.

Though it guarantees the civil and human rights of displaced Mexicans of the acquired territory, the language of the Treaty of Hidalgo itself reflects a familiar fear and ignorance of foreign cultures. In Article 11, the Treaty specifies that in order to acquire full citizenship, one must “not preserve the character of citizens of the Mexican Republic” (Saldaña-Portillo 152). The “savage Indian” character is also subordinated in the language of the treaty, to assert the relatively superior of the “Mexican” character – reinstating the proverbial European colonial order. Since race at that time was widely believed to be a biological concept, it is also likely that “character” here was construed as a hereditary, and thus immutable property. The legislative rhetoric reframes a racialized logic by appealing to abstract notions of nationalism, set against an ambiguous Mexican “character.” The idea that certain countries or nationalities (in this case, the “Mexican” nationality) are implicitly associated with certain *characters* also imbues the concept of U.S. citizenship with a moral dimension, while obscuring the lived experiences and personhood of the “Mexican” individual it addresses.

The implication is that citizenship can only be extended to one who actively “assimilates” to American cultures, ridding oneself of any trace of one’s former national identity. In other words, to become American means to un-become who you *were* in your home country. For this reason, the notion that one’s “character” is directly linked to one’s national origin, or *space*, of birth transforms the meaning of U.S. citizenship into a concept that extends beyond national borders. Belonging, or sharing in the national identity, is defined in terms of ancestry (racial or

ethnic backgrounds), so that American identity is no longer merely ideological in nature. Instead, being “American” is in a sense an innate quality out of one’s control. This would later inform notions of “undesirable” versus “desirable” immigrants based on their perceived assimilability, generating restrictive immigration policies. Moreover, anti-immigration legislation has consistently targeted the *characters* of the immigrants themselves, imbuing their status as non-citizens with a moral dimension. Immigration advocates and opponents have often based their opinions on both projected and internalized characteristics of the targeted group. The notion of “other-hood” found its formal validation in the term “hyphenated American,” which emerged as the first large wave of European immigrants arrived to the United States in the late nineteenth century.

As U.S. history reveals, in moments of national vulnerability – such as periods of social tension, often accompanied or motivated by a loss of authority in the global sphere, or foreign conflicts and economic decline – an imperialistic fear of a *reverse* invasion predominates the public conscience. Panic and hysteria ensue, and citizens position themselves within the familiar, bipolar spectrum that is ingrained in the imperialist psychology: we tend to identify ourselves, in these moments by asserting most definitely who we are *not*. Echoing Franklin’s impossible and undemocratic aspiration for homogeneity based on set of discriminatory and Anglo-centric ideals, the American identity has become characterized by exclusion – and a perpetual battle of “us” against “them.” In the sixteenth century, the anti-Catholic sentiments that had ignited conflict between the French and Spanish empires gave birth to the idea of America as *not* Catholic. The French Revolution of the eighteenth century produced a fear of European radicalism; “American” thus also came to mean *not* radical in the public sphere. In the modern era, immigration policies have affected ever-more rigidly defined categories of difference and

given rise to emergent strands of cultural capitalism. All the while, the ambiguous characteristic of “assimilability” (initially considered a racial or ethnic quality) has been the imaginary standard against which the nation evaluates its constituents.

Therefore, just as the imperial authorities once did, the U.S. political elite has consistently relied on imaginary categories of difference among peoples to assert the façade of a concrete, unified and consistent national identity and disseminate this conception to the mainstream. In the modern era, we have continued to assert who we *are* by creating or advocating legislation – a form of rhetoric that permeates the public conscience – that primarily asserts who are *not*. This phenomenon is written into some of the most prominent legislative acts that defined U.S. immigration and border control policies. These laws have shaped the conditions in which individuals may or may not become recognized members of the American community, and are therefore central to examining the current plight of undocumented migrants detained within our borders.

LETTER #2: In The Words of An Inmate at the Stewart Detention Center:

[English Translation]

Hello,

My name is Diomar José Lira Barreto and around here they call me Diomar Barreto. Here I am, writing to you in the name of the 1,800 people who are detained at the C.C.A. I work in the kitchen of the [detention] center. I have worked here for over 100 days, and was given my cooking license. I work 7 days a week. They call us at 2 in the morning until 10 in the morning. The purpose of this is so that the press and the news can look at us and hear our “voices,” because “Immigration” violates our rights as human beings. Supposedly under U.S. law, illegal people are not eligible to do any kind of work, but in this detention center for immigrants, the C.C.A., we are allowed to work here for their benefit. Now were all so miserable because they make us sign papers as volunteers in order to [subvert] labor regulations and violate the law, because here we work for 8 hours straight without breaks, as guaranteed by law. They just feed us and then put us to work, like “slaves.” There are over 30 of us working in the kitchen and the worst part of it all is that they don’t give us filtered water, yet the officials drink filtered water. They are human beings, and us hard workers don’t have the privilege of drinking filtered water. We only drink contaminated sink water. No one cares about us at all, we are the unknowns of the world, or the animals. Why are they so unfair? Why do they violate our rights? There is nobody who defends us. Please send this written letter on my behalf to President Obama, so that he can come to see this grave injustice in which we live, and see that [Im]migration does not respect us. Supposedly [Im]migration complies with the laws as they are supposed to, but they do not. They are miserable racists who take advantage, believing that since they have the power of the law on their side, they can do what they like with Hispanic society. Now I am ill and no one attends to

me like they are supposed to. I don't know if it is due to the water here or from the pressure of so much hard work, but I have proof of everything here. They just give us "ibuprofen" for everything.

People of the press, [...] this is not a game, this is real. Here the water that we drink is not inspected, like it should be. All the water pipes are old and stained with blue – I see this with my own eyes. Here they wash the floors and walls all day with chemicals so that many of us won't suspect that the water contains anything. But I [have enclosed] this evidence for analysis, to show to President Obama so that he can see the water that we drink here – the "blue water" for us Hispanics – and so that he can help us and punish this detention center. Here are two pieces of the same cloth. I put one of them in the sink that we all drink water out of for five minutes. One is white, and the other is blue – both are parts of the same cloth – but the white one I did not submerge in the water, as it would have become blue instantly. Imagine that damage that has been done to our bodies. The consequences [of drinking contaminated water] will continue until we all have cancer – all because of the detention center. I once offered water to an official, and what he said to me was, "I am not a prisoner, to be drinking this water." I only did it to see his reaction. So now you see. Please, this is not a lie, this is real, with evidence.

Come visit me, to interview me, and I will tell you more about [the conditions] we are living in. Please send this to Univisión Noticias Hispana so that they will come as well. I am available to collaborate with anyone who can help bring justice. Pardon my writing, but I am trying to describe what we are all living in. I have not written in many years but understanding is the most important thing. Thank you, and I hope you help bring us justice. Merry Christmas and Happy New Year. Come quickly to bring this [situation] to light, so that a lawyer can help me. Demand that this does not work as a detention center. All press publicity about this center is a bunch of

lies. Here, inside, we live in another system than that which appears in the pages of the internet or in magazines. They are [telling] pure lies.

[Original Spanish Version]

Hola,

Mi nombre es Diomar José Lira Barreto y aquí me tienen como Diomar Barreto. Aquí les escribo en nombre de los 1,800 personas que estamos detenidas en "C.C.A." Soy trabajador en la cocina de este centro. Tengo más de 100 días trabajando aquí, y me dieron mi certificado de cocinero y trabajo 7 días por semana, y nos llaman a las 2 de la mañana hasta las 10:00 de la mañana. El motivo de esto es para que la prensa y noticia miren y escuchen nuestras "voces." Porque inmigración viola nuestra derecho como seres humanos. Supuestamente bajo las leyes de Estados Unidos las personas ilegales no son elegibles para ejercer ningún tipo de trabajo pero en este centro de detención para inmigrante "C.C.A." para el beneficio de ellos si podemos trabajar aquí. Ahora son tan miserables porque nos hacen firmar papeles como voluntario para desviar la ley del trabajador y viola la ley porque aquí trabajamos 8 horas sin el descanso permitido por la ley. Solo nos ponen a comer y luego a trabajar como "esclavos." Somos mas de 30 personas trabajando en la cocina y lo peor es que no nos dan agua filtrada, pero los oficiales si toman agua filtrada. Ellos si son eres humanos. Y nosotros que trabajamos duro no tenemos ese privilegio de tomar agua filtrada. Solo tomamos de los lavamanos agua contaminada. Nosotros no le importamos para nada somos unos desconocidos del mundo o animales. ¿Por qué son tan injustos? Porque violan nuestro derecho. No hay nadie ni una luz que nos defiendan. Por favor hagan llegar esta carta escrita por mi al "Presidente Obama." Para que el mismo venga a ver tanta injusticia en que vivimos, y el vea que migración no nos respeta.

Supuestamente migración cumple con las leyes como se debe. “Pero no”—son unos miserables racistas aprovechados piensan que con el poder de la ley que tienen pueden hacer lo que se les de la gana con la sociedad hispana. Ahora me siento mal de salud y no me atienden como se debe. No sé si por motivo del agua estoy así o por la presión de tanto trabajo. Tengo prueba de todo aquí solo dan “ibuprofen” solamente para todo. Señores de la prensa, etc., esto no es juego esto es real. Aquí el agua que tomamos no es inspeccionada como se debe. Todas las líneas de aguas están viejas y con una mancha “azul” yo lo veo con mis propios ojos. Aquí lavan los pisos y paredes todos los días con químicos. Para que muchos de nosotros no sospechemos de que el agua trae algo. Pero aquí les mando esta prueba para que las analicen y se las muestren al presidente Obama para que el vea el agua que tomamos aquí nosotros los hispanos. “Agua azul” y que el pueda ayudarnos y castigar este centro de detención. Aquí estas dos pruebas de las mismas telas. Una la puse 5 minutos en los lavamanos donde tomamos agua todos nosotros. Una blanca y una azul de las misma tela solo que la blanca no la metí en agua porque se pone rápido azul. Imagínense como deberíamos tener la sangre y riñones de nuestro cuerpo esto nos va a traer consecuencia en el futuro hasta cáncer. Vamos a tener por culpa de este centro de detención. Yo le ofrecí agua a un oficial y lo que me dijo fue “Yo no soy un preso para tomar de esa agua. Solo lo hice para ver su reacción.” Como ven. Por favor esto no es mentira esto es real con pruebas.

Vengan a visitarme para entrevistarme para decir más cosas en la que estamos viviendo por favor mándenla a Univisión Noticias Hispana para que vengan también. Estoy disponible a colaborar con quien sea. Con tal de que se haga justicia discúlpenme mi escritura pero trato de describir esto lo que vivimos todo yo tengo muchos años que no escribo pero van a entender que es lo más importante. Gracias y espero que se haga justicia. Feliz navidad y año nuevo. Vengan

pronto para sacar esto a la luz y que un abogado me ayude a demandar esto que no sirve como centro de detención. Las publicidades de este centro son mentiras esto aquí adentro es otro sistema a como ellos las ponen en sus paginas de internet o revista puras mentiras.

PART II: The Rhetoric “American” Identity and Belonging (19th-21st century)

CHAPTER 3: A History of Immigration and Exclusion: The Changing Rhetoric of American Identity in the Face of Immigration

The “Open Door” Era: From 1776 – 1882

In our society, the idea of belonging to America has been dominated by the conception of a national “character” defined (without any logical or moral basis) by “whiteness” and an ability to speak English. This conception is completely contradictory to the liberal democratic principles of moral equality and liberty upon which we are ideologically founded – not only is it discriminatory, it inevitably perpetuates a national culture characterized by exclusion. Through rhetoric, belonging has become equated with membership, and membership with citizenship in the public conscience. Yet citizenship, like our national identity, has been primarily constructed around the façade of a concrete, national identity. This national identity is also inherently a construct of rhetoric, and it does not necessarily represent objective realities nor does it necessarily adhere to a moral framework. However, it has historically been construed as an ethical or moral concept, and therefore those who are not included in this national identity are consequently viewed as outside of these ethical or moral standards. The discourse underlying the relationship between members and non-members has been therefore imbued with a moral dimension that justifies, for instance, the view that non-members are to be treated with suspicion and hostility, as they are a threat to this moral framework. This in turn justifies casting off non-members into the subordinate, or the inferior, position, in order to undercut this threat, as the United States has done to its immigrants throughout history. This is self-destructive way to

conceive of identity in liberal society, for liberal institutions must be protected because they ensure the moral values of freedom and autonomy that the liberal state represents (Cole 48).

In a brief discussion of the history of our immigration policies, I will explore how rhetoric has assigned identities to those who live outside of our borders, thus framing citizenship and immigration debates legislatively – from the adoption of the U.S. Constitution in 1787 to the modern era. U.S. immigration policies – which inevitably create boundaries distinguishing “Americans” from the “outsiders” – reflect the aforementioned phenomena of bringing imaginary boundaries to surface through rhetoric. Inflammatory anti-immigration rhetoric has repeatedly penetrated the public conscience, leading to increasingly exclusive legal definitions of citizenship as well as the emergence of extreme nativist groups. Meanwhile, the lived experiences of those living in the liminal spaces remain obscured. This historical phenomenon underlies the predicaments faced by the Stewart Detention Center detainees today. The familiar loud, inflammatory clamor of extremist xenophobic declarations – which are largely grounded in stereotypes and prejudices and then masked as concerns of national security or moral obligations – continually silence the cries of these oppressed individuals, keeping them confined to their respective liminal positions in society and utterly powerless.

Exploring the legal definition of American citizenship is additionally crucial to this dynamic because citizenship becomes a specific and concrete barrier that segregates undocumented immigrants from the rest of society, namely in the sense that their human rights are not necessarily protected by law. Until 1882, illegal immigration did not exist. Before then, U.S. borders were thus “open” in the sense that no particular kind of immigrant was legally barred from entry. However, this open-borders policy had little to do with tolerance towards foreigners and ethnic minorities. Instead, it was largely tied to American colonists’ stark

opposition to immigration control, which had been imposed on them by the British in order to curb the powers of the American colonialists and maintain economic and political authority. To the original American colonists, immigration meant growth and prosperity; in fact, Great Britain's restriction of immigration was cited as one of the main reasons for initiating the American Revolution. However, as mentioned earlier, not just anyone could become a U.S. citizen; in 1790, Congress passed a Naturalization Act that limited citizenship to "free white persons" (a law that would later be used as a legal basis for excluding a particular ethnic group from entering the U.S. borders in the form of the Chinese Exclusion Act). In short, before the "open doors" era in which the U.S. officially created the status of a migrant's illegality, residence and citizenship were merely social, and often implicitly moral (thus imaginary) – as opposed to legal distinctions, materialized by rhetoric.

Yet with each new sweep of migrants, there has emerged the notion that *this* group is somehow fundamentally different from the pre-existing American constituents, who have already assimilated to the national identity. Since the property of "whiteness" was the implicit, pre-established basis for citizenship, and the first incoming European immigrants were racially indistinguishable, their other-ness was marked instead by alternate criteria including national origin, religious beliefs, and the use of minority languages. Rather than articulating citizenship in explicitly racial terms, anti-immigration rhetoric deemed these groups "inassimilable," discouraging them from participating in American society and enjoying in its prosperity. The question of "assimilability" – of being capable of belonging to America (a notion that is officially recognized in the form of citizenship) once more assigned "outsiders" to the liminal, amoral spaces of society, since once these groups are deemed inassimilable, they were inevitably also morally condemned.

During the first major immigration wave of the industrialization era of the nineteenth century, between 1836-1914, approximately 30 million immigrants came to the U.S. from Europe. In the 1850s, large numbers of German and Irish Catholic immigrants began crossing American borders. In response, these groups became the main targets of exclusionary immigration regimes, and political rhetoric generated the power to create and perpetuate border policies that marginalize these migrant groups. The prejudices aimed at the German and Irish Catholic immigrants were rooted in a rigid, yet ironically ambiguous sense of nationalism pervading the American conscience. Such social stigmatization constrained the mobility and access of immigrants – and “non-white” people in general – into mainstream American society, while keeping a docile, isolated, silenced labor force in its designated liminal space.

Initial anti-immigration rhetoric implicated the notion of cultural contamination; the new European migrants were corrupt, “dirty and diseased,” and would infect the nation by bringing poverty and crime along with them to our shores. Puritans who lived in the original thirteen colonies of New England even “objected to sharing food with Scotch-Irish newcomers” (Marrero 39). The strands of nativism aimed especially at Eastern Europeans (the “undesirables”) culminated in the formation of newly legitimized anti-immigration groups, such as the notable Immigration Restriction League in 1894, which was composed of Harvard College graduates, and the “Know Nothing movement³.”

Towards the end of the nineteenth century, German and Irish-Catholic immigrants became engrained in the national community, having aligned themselves with the pre-established

³ Briefly, this movement refers to the emergence of the Know-Nothing Party, also known as the American Party, in the late 1840’s and early 1850’s. Followers of the Know-Nothing Party were predominantly white, Protestant American citizens who fervently opposed immigrants (fearing job competition) and Catholics (who they viewed as directly antagonistic). A secret organization, it quickly gained momentum in the North of the U.S., where most recent immigrants lived. In 1856, the party won control of the Massachusetts legislature; that year, Millard Fillmore represented the party in the presidential campaign, winning nearly 900,000 votes.

European framework. Anti-immigration rhetoric was then re-directed at the new influx of immigrants arriving from southern and eastern Europe (such as Italy, Hungary, and Russia) and later, the Chinese, who arrived in large numbers due to the increased labor demands of the transcontinental railroad and the California gold rush. Rather than in the previous era where moral and cultural arguments relied on a rather vague notion of cultural purity that was justified by differences in religious faith or political ideologies, scientific rhetoric emerged to substantiate the notion of “racial contamination” instead (Seller 151). Measuring skulls and forehead angles (phrenology) was believed to determine “cranial capacity,” which was used as evidence to suggest that Slavic and Italian immigrants, for instance, were less intelligent than the Scottish and Norwegian, but more intelligent than the Asian and African-American people (Seller 151). Importantly, this apparently scientific rhetoric emphasized *defects* attributable to the immigrant’s environment which were thought “correctable” through “socialization,” “integration,” “civilization,” and “normalization.” However, since defects were also considered hereditary and therefore immutable, many immigrant groups with noticeable identification markers – either linguistic or racial –were permanently marked by an ethnic brand of inferiority in the public sphere.

In the absence of federal legislation regarding immigration, during the “open doors” era, which lasted from approximately 1776 to 1881, border control was instead exercised by individual state governments and local officials. Local authorities created legislation and exercised jurisdiction over immigrants (in terms of their inspection, integration, recruiting, and welfare), according to the states’ labor needs. In 1875, a key Supreme Court decision (*Henderson v. Mayor of New York*) outlawed individual states’ laws regulating immigration, declaring them unconstitutional and transferring the authority and practice of immigration policies to the federal

government. In the years that followed, the federal government continued to expand its power to mediate concepts of national identity and belonging by “racializing the immigrant and defining citizenship in terms of racial inheritance” (Behdad 32). Meanwhile, the states exercised a patriarchal role to act as the guardians of the national culture by regulating the racial configuration of their community through manipulative rhetorical devices, Draconian policies, and harsh legal restrictions. This sheds light on the relationship between rhetoric and the tangible barriers it helps directly create: rhetoric is the form in which legislative policies are created and, perhaps, perpetuated by the elites who shape them, but they only gain importance and meaning in the public sphere, and only if they are reflected by the public will.

Due to increased pressure from the states, the federal government eventually took formal action on issues of immigration control. This increased pressure embodied the same brand of hysteria and panic that has consistently emerged during periods of disruption in our nation’s usually ascendant military or economic trajectory – arguably two of our most prominent identifying markers as a nation. The 1880’s were marked by a series of national recessions that debilitated the national economy and culminated in a sustained depression into the 1890s. Approximately one-fifth of the workforce was unemployed, and many frustrated whites felt that the Chinese labor – imported by large corporations chiefly to build the transcontinental railroad – had essentially shut them out of jobs in agriculture, mining and manufacturing. Many perceived the Chinese as competition for low-wage, low-skilled jobs, producing an anxiety regarding the “yellow peril” (Behdad 32).

In reality, as industrialization had propelled the U.S. into a new era of opportunity, and immigrants (many from China) came to form the largest segment of the American labor force (with the important exception of the South, as I will later discuss). Largely because of the efforts

of their cheap, exploited labor, the nation was ushered into a period of unprecedented growth. By 1890 the U.S. had the leading global industrial power. The constitutional rhetoric, coupled with political propaganda, had long-embellished the prospect of the American dream, summoning immigrants to cross our borders in order to meet the nation's labor shortages. And while American citizens thus exploited immigrants for their labor, this labor was imagined as a fixed end; incoming migrants were hence tolerated only until they had finished the jobs they were intended to complete. In the public sphere, most citizens actively and entirely excluded them—forcing these immigrant populations to congregate within their own, segregated communities in urban centers – their designated liminal spaces.

Then in the face of increased insecurity and pessimism brought on by the economic recession, the same Chinese immigrants were doubly exploited as convenient political scapegoats, and identified through xenophobic rhetoric as threatening and hostile agents. Restrictionist arguments, which were in favor of *limiting* immigration, reproduced notions of cultural contamination through scientific rhetoric, as did the aforementioned phrenological arguments used against the Irish laborers. “Widespread acceptance of the germ theory,” for instance, “led to concern that immigrants were a menace to public health. Restrictionists warned Congress that the importation of Chinese labor into California would introduce ““frightful...diseases and contagions’ such as ‘Asian’ cholera, ‘Chinese’ syphilis, and leprosy” (Seller 151). Western states’ began voicing demands to exclude “Orientals” from American society, generating stigma against Chinese people living in the U.S. (Behdad 32). This xenophobic rhetoric was laced with exaggerated language and farfetched speculations, stigmatizing the Chinese immigrants. Thus well before there was such a thing as an illegal status, ethnic groups were assigned to the liminal spaces of U.S. society through social

marginalization—cast off into the realms of amorality. As Dennis Preston states in “Linguistic Profiling: The Linguistic Point of View,” “immigrants became the receptacles for the nation’s self-image: like a mirror, if the immigrant looked good, then so did the country” (Preston 83). Moreover, by shifting responsible for national struggles onto a specific enemy agent (which was of course a misrepresentation of facts) through provocative anti-immigration rhetoric, politicians could promote an ideal unified, homogenized American community representative of a strong and stable global power.

In response to pressures from the states (particularly California, which had one of the largest Chinese populations), the Chinese Exclusion Act was passed in 1882. It prohibited Chinese immigrants from achieving naturalization or citizenship, barred new Chinese workers from entry, and explicitly designated national origin as a criterion for American citizenship – as well as for membership and belonging. As a result, an ever-exclusive conception of citizenship would continue to influence immigration reform. The legislation also plainly validates nativist ideologies (articulated also by the Founding Fathers), illustrating that nativism was clearly not considered a radical notion among the American administration and mainstream society, even if it contradicted liberal theory. The Chinese Exclusion Act solidified a link between “Americanism” or patriotism, and the racism validated by the law. It is also a historical precedent in that it reflected how the state (in this case, California) could consolidate its control over the federal government – particularly when large corporations were intertwined with state interests. Arguably, the state has remained the most actively engaged and decisive agent of immigration control to this day.

Yet somehow, the exploitation and exclusion of the Chinese migrant laborers in the late 1800s has been thoroughly de-emphasized in the modern immigration debate. At the local level,

large corporations aiming to secure cheap labor consistently worked to solidify readily exploitable, marginalized underclass in society bounded by its permanent state of illegality – and whose members were fated to a perpetual liminal existence in mainstream society. The Chinese who still lived within U.S. borders were locked into a permanent underclass, where they could be subject to the law without having any kind of sovereignty over it; they existed beneath the radar of the public conscience in the liminal spaces of U.S. society.

The Chinese Exclusion Act also had the effect of creating institutions to reinforce the new legal constraints on illegal migrants, including the systematic deportation of “illegal” foreigners. In 1891, Congress passed an Immigration Act, which created the predecessor of the INS, known as the “Office of Immigration.” It was disciplinary in nature, and was responsible for monitoring the flow of new immigrants, deporting immigrants who were excluded by law and supervising states’ regulation of contract labor laws. Subsequently, several legislative acts limiting immigration from certain parts of the world were pushed through Congress.

Moreover, during the “open doors” era, the treatment of minority language became inextricably linked to the immigration debate, most logically because those who use minority languages most visibly are recent immigrants. Nativists believed that foreign-language speaking immigrants were either *unwilling* or unable to assimilate to English-speaking, white American culture; thus, they were labeled “inassimilable aliens” – essentially, a euphemism for “inferior.” This assumption is also reflected in the language of the aforementioned Treaty of Guadalupe Hidalgo, which posited that the Mexican people living in the newly annexed U.S. territory may become U.S. citizens by an active change of character, reflecting the logic that Mexicans – and members of other Spanish-speaking nations who are collectively homogenized by the mainstream culture, do not necessarily belong to U.S. America in the same ways that

descendants of European immigrant do. Moreover, the rhetoric of the Treaty encompasses the immigrant's paradoxical relationship with his/her native fatherland; while it recognizes him/her as a free and equal citizen, it also constantly seems to reject who he/she is.

This paradox is particularly significant with regard to examining the rhetoric surrounding language itself. Immigrants' language barriers were viewed largely as obstacles to their assimilation and class mobility. As the foreign-born population in the U.S. increased with immigration, debates regarding bilingualism in schools and other public institutions emerged. From a political perspective, these debates were framed as attempts to resolve these language problems by absorbing English-speaking culture through an English-language education. Not surprisingly, claims for public spaces reserved for non-English languages to be expressed freely were viewed as threats to national unity, just as the migrating racial or ethnic minorities often were – regardless of the fact that such unity evoked a concept of the “nation” that was a fundamental contradiction.

Historically, the courts have not considered language a mutable characteristic by law – a notion that has unconsciously infiltrated the public conscience. To reiterate, mutability is a judicial concept that applies to a status that will not change with the passage of time, and over which an individual has no influence – permanent markers of difference outside the bounds of self-control – including national origin, race, color, ethnicity and ancestry. Because the federal administration has considered language a “mutable” trait, there exists an implication that using a minority language is an *active* decision. By *not* learning English or by continuing to speak one's native in the public realms, minority-language speakers are conceived in the mainstream conscience as having made an active choice *not* to assimilate to the English-speaking culture.

In suit, various laws were introduced in order to make it more difficult for Spanish-speakers to become U.S. citizens. In 1906, the first law requiring English as a precondition to citizenship was passed, a requirement that remains in place to this day. In 1917, Congress enacted a strategic literacy test over President Wilson's veto, which had been widely used between 1890 and 1920. This would effectively limit immigrants from the "undesirable" parts of the world, while keeping the Western Europeans free from similar restrictions, as they were considered the "desirables" who were most "assimilable" (or superior, or "white", or potentially "American"). In 1923, twenty-two states had instated laws that prohibited the teaching of foreign languages in primary schools. These laws embodied the rhetoric that generated and reflected negative attitudes towards the learning and use of languages other than English in the U.S. Though they were ruled unconstitutional in 1926, the negative connotations regarding foreign languages remain embedded in the national community. In this way, social injustice literally perpetuates itself through inciting a language barrier that subordinates Spanish over English by insisting on the importance of it in on our education systems. This has de-emphasized the importance of multiculturalism and bilingualism in our schools, along with generating a stigma that continues to influence policy and the national conscious today.

The Era of Regulation: 1882 – 1924

Nineteenth century U.S. legislation such as the Chinese Exclusion Act of 1882 – the first explicit legal distinction among residents and citizens on the basis of an immutable trait (national origin) – had forged an implicit relation between one's ability to integrate into society and become "American," and national origin. Thereafter, various systematic exclusions restricting immigrants associated with certain ethnicities or nationalities were legally instated. In 1907,

Senator William Dillingham, from the state of Vermont, led the first Immigration Commission, demanding the first quantitative restrictions of immigrants in the form of a quota system (Martin 45). These quotas further reinforced the notion of American citizenship as an “inherited” status rather than a status that could be achieved through an individual’s actions (Behdad 32).

Until the 1920s, these quotas were aimed to limit mainly Jewish, Italian and Slavic people, who represented populations ostensibly excluded from the “white” American identity. In 1921, a temporary Emergency Quota Act was passed, which limited immigration specifically from the Eastern Hemisphere and contained race-based exclusions. Then in 1924, a new, longer-lasting quota system based on ethnicity was installed under the Immigration Restriction Act, imposing a set annual quota of 2% for each country already represented by the ethnic composition of the American population. It was designed in such a way that “undesirable” immigrants from Southern and Eastern Europe were restricted from entry “in favour of the ‘superior’ Northern and Western Europeans” (Marrero 38). Well into the 1930s, Jewish refugees who attempted to immigrate to the U.S. in order to escape the Holocaust were repeatedly denied on the basis of legal quotas and continuing eugenic propaganda, even in years when inflated quotas for western and northern European nations were not filled (Cole 11). Between 1924 and 1939, as many as 6 million Southern, central and Western Europeans were banned from entering the United States by the quota acts, many of whom would later be murdered in the Holocaust. No quota was established for Mexican and Latin American immigrants, however, which facilitated their migration into the country particularly in the fields of agricultural labor.

Immigration Policy in the Wake of the Civil Rights Movement, from 1965-1986

From 1924 to 1965, immigration policies followed more or less the same cyclical pattern of exclusion, tolerance, and scapegoating – depending on fluctuating political, social, and economic conditions. Times of economic struggle would produce widespread public unease, which politicians would exploit by redirecting public fears towards the outsiders, projecting the blame onto the ever-scapegoated, defenseless immigrant. Although the Chinese are the only ethnic group legally excluded from a pathway to U.S. citizenship, other groups were discriminated against in more implicit ways. For instance, a “gentleman’s agreement” was passed in 1907, which sharply limited Japanese immigration, such that the U.S. agreed not to actively impose restrictions on Japanese immigration as long as Japan prohibited further emigration to the U.S. (Seller 153). The cause of this act was anti-Japanese nativism, particularly in California, where there was a large population of Japanese immigrants. Following the Japanese attack on Pearl Harbor in 1945, the Japanese-American population was once again used as a scapegoat to alleviate the panic infiltrating the nation. Hundreds of thousands of Japanese Americans were legally isolated in concentration camps all around the country, as all people of Japanese ancestry were equally assumed to be disloyal and treated as foreign enemies.

The 1924 quota system remained in place until the middle of the Civil Rights movement, with the passing of the Immigration and Nationality Act of 1965, which remains the basis of our immigration system today. These amendments eliminated the race and ethnic biases from immigration policy, enacting a new system of visa allocation based on non-racialized categories, giving priority to those immigrants with special skills or family relationships with U.S. residents or citizens. Further, immigrants must have a job offer waiting for them in the U.S., and the prospective employer must provide evidence that American workers are not available to fill the job and that the wages and working conditions of the job offer will not affect American workers.

These distinctions indirectly gave preference to certain socioeconomic classes and countries over others, giving special consideration to such criteria as family, skill, and refugee status. Moreover, these qualifications reinforce the expectation that immigrants must be in a position of quickly assimilating to American culture or else they can only be relegated to the liminal spaces of society, reflecting the colonial imperialist hierarchy deeply embedded in our nation's psychology.

In the latter half of the nineteenth century, a program centered on illegal immigration (and particularly Mexican-American immigrants) was actively maintained on the level of the local authorities particularly in Southwestern border-states, where cheap manual labor was particularly needed. When the U.S. experienced an industrial boom in the midst of World War II, the nation was once more in need of cheap, efficient labor – particularly in agriculture, a thriving industry in the South. Large agribusinesses in these states aimed to secure cheap agricultural workers to solidify readily exploitable, marginalized underclass bounded by its permanent state of illegality in the Southwest border states. Most of these laborers were Spanish-speaking and of Mexican origin.

In response to increased labor shortages, the administration designed a U.S.-Mexico farm-work program to support agribusinesses that were suffering from labor shortages and needed more workers to work on farms and railroads. These *bracero* programs, also known as “Operation Wetback,” were particularly convenient for American businesses because they assured a constant, unregulated illegal flow of workers willing to work long hours for low wages. Since these workers lacked status, legal protection, and union rights, they were readily exploitable. Their employers were not only freed from constraining bureaucratic procedures, they were not held accountable for providing illegal work in the first place. Conveniently, while

a 1952 Immigration and Nationality Act made “harboring” undocumented immigrants illegal, American businesses were protected by a section called the “Texas Proviso” which stated that employment was not considered “harboring.” Between 1942 and 1964, these *bracero* programs admitted 4,000,000 Mexican workers. Similar to the plight of the Chinese in the previous century, these workers came to consolidate a secondary labor market characterized by low wages and poor working conditions—a market that would never be considered suitable for most American citizens, since it provided minimal opportunities for economic advancement or social mobility. Just as the Chinese had been before, migrants were locked into a state of liminality and cut off from a pathway citizenship in 1882 in part due to state pressures.

CHAPTER 4: The New Latinos of the 1980s: Modern Immigration Rhetoric: From 1986 – Present

The New Latinos of the 1980s

While in earlier decades most immigrants arrived from Europe, the 1980's were marked by a large influx of immigrants entering the U.S. from different parts of Latin America, particularly Mexico – a lasting trend that would profoundly shape contemporary society. The sheer magnitude of the Spanish-speaking newcomer population, along with the *symbolic* emergence of *barrios* (entirely Spanish-speaking communities) across the country – and particularly in border states – instigated the perception that Hispanic immigrant culture was invading mainstream U.S. culture, rendering them particularly averse to assimilation in the eyes of the public. The new anti-immigration rhetoric surface aimed at the nation's rapidly expanding Hispanic immigrant community often targeted problems of *language* rather than those of race or ethnicity, since in the modern era, “racial explanations of social hierarchy have lost their legitimacy in public discourse” and have been replaced by “a conflation of race, class and language” (Schmidt 142-3).

As an example of such rhetoric, in the introduction of Richard R. Hofstetter's *U.S. Immigration Policy*, published in 1984, William French Smith, former Attorney General of the U.S., warns of the “social costs” associated with the “formation of America's melting pot.” In reference to the large influx of Hispanic immigrants entering U.S. borders at the time of its publication, he predicts that assimilating such a large and diverse group of “non-Europeans” will endanger the character of the American population. “Even if cultural barriers can be erased, racial differences will continue to exist,” he states. “Indeed, if present trends are maintained, the American population will lose its “Anglo” character... The new immigration will transform

America from an ethnic melting pot to a racial polyglot” (Smith 3). Once more, the implications of his rhetoric are grounded in the notion of assimilability, which is imbued with a moral dimension.

Echoing these sentiments, contemporary anti-immigration advocates such as prominent Harvard scholar Samuel P. Huntington reflect Franklin’s fear of American society losing its “Anglo” character to a “Colony of Aliens.” Huntington has argued that Hispanics were fundamentally different from past immigrants of the seventeenth and eighteenth centuries. Hispanic culture “threatens to divide the United States into two peoples, two cultures, and two languages” (Garcia 153). “There is no Americano dream. There is only the American dream created by an Anglo-Protestant society. Mexican Americans will share in that dream and in that society only if they dream in English” (Garcia 154).

Significantly, during the 1980s, the U.S., “smarting from its long and humiliating inability to extricate its citizens taken hostage in Iran,” was acutely sensitive to appearing weak in the foreign domain (Seller 158). For this reason, the government wanted to make sure that it asserted a position of power, confidence and mastery when dealing with foreign nations and, by extension, foreign people. Indeed, the U.S. has a record of responding to violence or threats of invasion on its territory by passing restrictive new legislations and barring certain people perceived to be the enemy from gaining access to its borders. This precedent was established as early as 1798, when the Alien and Sedition Act was passed in response to an increasing fear of war with the French, authorizing the president to deport any immigrant considered a threat to national security during peacetime.

The passing of the 1986 Immigration and Control Act was particularly influenced by the collaboration between local governments and businesses in the Southwest border-states, where

Mexican immigration was most visible in the public sphere and thus provoked the most xenophobic hostility. Many Southern congressmen had close ties with the agricultural industry and lobbied in Congress to shape immigration reform. In response to increased pressure from the states and generalized hostility towards all foreign agents, the Reagan Administration aimed to control undocumented migrant flows by passing the 1986 Immigration Reform and Control Act. This included sanctions against employers or businesses that hired “illegal aliens,” heightened border security measures. Though it offered a measure of aid to those undocumented immigrants who were already in the United States – since it included a proposition that enabled Mexican people who entered the country illegally before January 1st, 1980 to be granted amnesty over a ten-year waiting period – it also deprived the undocumented of social services including welfare, food stamps, and unemployment benefits, while still requiring them to pay taxes – thus containing them within a permanent underclass.

The Immigration Reform and Control Act did some good, as three million undocumented immigrants were granted amnesty. Many of them benefited socially and financially because they were no longer subject to exploitation and abuse in the workplace. Unfortunately, it also prevented these immigrants many from achieving *equal* prospects; deprived of the lifeblood of social services, and altogether excluded from participating in mainstream society, their lack of status still made any substantial social mobility unfeasible. Furthermore, the Act failed both to deter more undocumented immigrants from arriving and to identify a distinct, uniform means of identification for those who were in the process of being legalized. Immigrants needed several different forms of identification, each of which were only temporarily, in order to prove – and re-prove – that they were legally allowed in the country. This created a “flourishing economy” of fraudulent documentation.

Also in the mid-eighties, the government began outsourcing jails and for-profit prisons came to surface. The first contract (or business negotiation) was signed in 1984 by the Corrections Corporations of America – which remains the largest for-profit prison company in the U.S. today. The contract authorizes private prisons to move into communities left behind by the globalized economy, and implicitly, to seek out however many individuals they can manage to detain in those areas. The private corporations were additionally buoyed by ample taxpayer funding, which they used to construct thousands of prison cells across the country. Thereafter, their primary incentive was simply to fill them as efficiently as possible.⁴

Modern Immigration Rhetoric, From 1986 – Present

From 1990 to 2000, the Latino population in the United States grew from 22.4 million to 35.3 million. Many of these immigrants were “New Latinos” from countries such Dominican Republic and El Salvador, as opposed to those Latinos with further-reaching ties to the United States including Mexicans, Cubans and Puerto Ricans. From 1990 to 2000, the number of “New Latinos” more than doubled, from 3.0 million to 6.1 million, and their numbers have continued to increase since (Bartlett & García 1). Currently, 35% of Latino youth are foreign-born (Bartlett & Garcia 1). Between 1970 and 2000, the school-age, foreign-born population increased from 2 to 6 percent. Today, nearly 13% of all schoolchildren in the U.S. speak Spanish as their home language (Bartlett & García 2).

In the 1990s, the Clinton administration was instrumental in reconfiguring immigration policy, passing a new series of federal operations to further secure the border. The conservative Operation Gatekeeper was passed in 1994 in California, the first modern effort to reinforce a

⁴ Today, for every person they detain, the CCA racks up about \$122 a day. The CCA reported a \$1.7 billion in gross revenue last year.

2,000-mile border between California and Mexico. In the following two years, both the budget of the INS and the number of Border Patrol agents doubled. The federal government began to install fences and other barriers along parts of the borders, especially the most widely transited areas of illegal immigration between San Diego, Imperial Beach, and San Ysidro in California. Funds were allocated to capture undocumented immigrants as they crossed the border. Also in 1994, California's Proposition 187 was introduced, which prohibited states from providing social services including education to undocumented immigrants; although the law was later ruled unconstitutional, its scapegoating spirit spread, shaping the cultures of the surrounding region.

The strengthening of the Border Patrol fomented a culture of surveillance in the border region; state disciplinary practices were increasingly transformative in making the average citizen into a "patriotic vigilante" (Behdad 174). Fueled by conspiracy theories, including the aforementioned unconscious fear that Mexico was attempting to re-conquer the parts of the Southwest it had lost over a hundred years ago to the United States in the Treaty of Hidalgo, a new "Patriotic movement" emerged in the 1990's in the form of nativist splinter groups and factions. By 2005, this anti-immigrant base reorganized themselves across the nation, culminating in larger-scale activist efforts, such as the vigorous Minuteman Project initiated by Jim Gilchrist. Named after the armed elite militia force first formed in Revolutionary America, the project "popped up in different areas in country to actively report, harass, and guard the border against immigrants, "vigilante style" to catch undocumented immigrants trying to cross" (Marrero 8). In the past decade, the Minuteman Project has attracted media attention to illegal immigration, framing itself as a patriotic group of citizens keeping watch on "our" border.

Likewise, local authorities – particularly in the Southwest – continued exercising over their own borders, generating a culture of exclusion and surveillance. In Alabama, Arizona,

Georgia and Oklahoma, laws were written up either granting, or requiring, the local and state police the authority to detain individuals whom they suspected were undocumented. This created a kind of police state for Latinos living in the Southwest, who experienced “a sense of permanent and constant visibility” (Behdad 174). These laws would also punish anyone who granted undocumented immigrants the refuge of space by offering them transportation, employment, or even rental apartments.

In 1996, the Illegal Immigration Reform and Immigrant Responsibility Act was passed under the Clinton administration, considered the “most stringent legislation in modern U.S. history” (Marrero 44). It reduced judicial review, increased deportations and detentions, restricted the options for asylum seekers, and required citizens to sponsor immigrants if necessary for proof. The repercussions of this act were severe: hundreds of thousands of immigrants arrested and deported, including legal permanent residents convicted of nonviolent offenses that had occurred decades prior were detained and removed. Even asylum seekers were detained if they could not prove immediately upon entering the country that they had a credible fear of persecution in their home country— “a very tall order for someone who had just escaped from a difficult situation and now faced armed U.S. officials at an official point of entry” (Marrero 44). Importantly, the act also failed to stop unauthorized immigration, proving once more that “the rhetoric had no effect on the reality” (Marrero 44).

As Roxanne Lynn Doty suggests, practices such as fences, border patrol, prison camps, detention centers, and other means of policing territorial borders are symbolic gestures, “expressions of the promise for a stable and reproducible inside, a unified territorial identity that can be unproblematically distinguished from the outside” (Cole 49). They are created, in other

words, in an attempt to produce the illusion of a unified exterior in order to mask the muddled interior of the national identity.

“You can always build more fencing, installing sharper wire and better surveillance equipment; you can always build more prison camps and call them ‘detention centres’, so that you maintain the border on the inside, with the same razor wire and equipment; you can always employ more border patrols; and you can always shoot more migrants as they attempt the crossing. There are no limits here – even if the United States did build a fence all along its border with Mexico, it can always add a few feet to it, always build a second fence, always install other protections...” (Cole 51).

However, these measures will have no impact on the reality of the situations they attempt to assert control over – first, because they fail to address the profoundly taxing problems that exist on the *other* side of the border, and second, as long as we live in a democratic liberal state and there are jobs for immigrants within our borders, migration will continue to affect our nation.

Regardless, state laws that deal with immigration today have become increasingly harsh. They are now oriented towards criminalizing not only the act of *being* an illegal immigrant, but associating with one at all. Hostility towards immigrants was inflamed particularly after the attacks of September 11th, 2001, which produced widespread panic, paranoia, and new waves of xenophobia characterized by a rhetoric of “national security” and “fighting terrorism.” Federal, and to a greater degree, local legislation has been passed to put in place strict measures to control our borders in order to ensure that “terrorists” will be prohibited or expelled from them. These laws have had devastating consequences for many hard-working families and their communities, yet they have done little to nothing towards ameliorating terrorism.

In 2005, the federal Real ID Act was passed, establishing new federal standards for driver's licenses and banning them from being distributed legally to undocumented immigrants. The introduction of a policy known as "Operation Streamline" in 2005 mandated that "nearly all undocumented immigrants crossing the Southern border in certain areas be prosecuted through the federal criminal justice system" (*Grassroots Leadership: Operation Streamline*). Also under this policy, unauthorized entry and re-entry was redefined as a crime. Since the program was initiated in 2005, federal districts along the Texas-Mexico border have spent more than \$1.2 million on the criminal detention and incarceration of border-crossers. An astounding more than 135,000 migrants have been criminal prosecuted in just *two* border districts (not counting the innocent casualties). Moreover, the program helped private industries to legitimize the construction of additional migrant detention centers across the country, built and run by private corporations.

As in the past, local authorities have extensively influenced how immigration policies are practiced, particularly within the border-states themselves. In 2010, the Arizona Law was passed (also known as S.B. 1070), which requires local police officers to confirm the status of anyone suspected of being an undocumented immigrant. This inspired similar laws in other states. The Alabama Law (H.B. 56) of 2011 is considered the "harshest legislation of its kind passed by any state in the union, even more severe than its famous predecessor in Arizona" (Marrero 113). Similar to the Arizona Law, it requires that police ascertain the legal status of anyone she/he first comes into contact with if there is a "reasonable suspicion" that the person may be undocumented. Additionally, the Alabama Law mandates school districts to identify the legal status of its students and turn them over to state authorities if they are suspected of being an undocumented immigrant. It also bans all undocumented residents from receiving any state or

local benefits, punishes any transaction with an undocumented immigrant, and specifically works to criminalize undocumented people by making driving without a license “a very serious transgression” (Marrero 113).

Dehumanizing immigration policies have perpetuated the misguided notion that undocumented immigration is equivalent to a felony, when it is morally incomparable to, say, a violent crime. They have also worsened segregation within American communities. Laws will inevitably guide the eyes of the public—especially those in power. These ruthless laws have inadvertently turned local civilians – including hospital workers, teachers, and local employees – into unauthorized authority figures, ironically in the interest of being law-abiding citizens. Citizens in these states are thus expected to *turn* on people who live and work in their own communities, operating much like a police state. Essentially, they heighten awareness of differences among people, creating a fragmented national identity.

For this reason perhaps, Latino Activists began to refer to laws like H.B. 56 as “Juan Crow laws⁵” (115). Inevitably, they have led to racial profiling and discrimination, which has been fueled by the vicious rhetoric used to describe undocumented immigrants – especially Mexicans, who have become “convenient symbols for everything that ‘threatens’ the country” (Marrero 7). As a result, undocumented immigrants find any contact with the mainstream culture, in which authorities may be lurking, increasingly problematic. “Living off the radar” becomes “essential to survival,” making it impossible for them to assert their voices in the very discourse that revolves around them (Marrero 211).

⁵ This is a reference to the legally sanctioned racial segregation that pervaded the U.S. South from the late nineteenth century until the Civil Rights Movement in the 1960s. “Jim Crow” laws explicitly discriminated against African Americans on the basis of race – prohibiting them, for instance, from sharing public spaces with whites.

One rhetorical manifestation of this increased criminalization of immigrants is propaganda aimed at stigmatizing the term “illegal” in itself. A common strategy politicians have deployed in order to devalue the humanity of these immigrants is to criminalize them through rhetoric, referring to them as “criminal” or “illegal” aliens instead of “undocumented” individuals. The implications of the former two phrases create stigma, perpetuate discrimination, and relegate the aspect of “legality” to the individual him/herself, rather than the act committed in question. The word “illegal” in this context is not only inaccurate, but also “improper and demeaning” (Downes 2012).

Describing an immigrant as “illegal” is inaccurate for two reasons: First, in a country rooted in the belief of due process of the law, calling an immigrant “illegal” or “undocumented” until his/her case has been fully processed and a verdict has been made is contrary to the ideal of “innocent until proven guilty” that our justice system is intended to upset. Is it not contradictory that we are allowed to *assume* undocumented immigrants are guilty and immediately punish them as such regardless of whether they ever had the right to a fair trial to defend themselves and an attempt to prove otherwise? But according to the immigration laws, the U.S government is actually not obligated to provide representation for undocumented immigrants.

Second, an immigrant’s status isn’t as fixed as a real criminals’ is– it’s ever subject to change depending on the circumstance. In past Supreme Court decisions, being found on U.S. soil without proper documents has not been regarded as a criminal act, though it is often treated like one on the state level. In fact, Justice Anthony Kennedy, who wrote for the majority opinion on S.B. 1070, Arizona’s controversial immigration laws, declared, “as a general rule, it is not a crime for a movable alien to remain in the United States” (Downes 2012).

Prominent contemporary immigration activist and former New York Times reporter Jose Antonio Vargas, who openly exposed himself as undocumented immigrant in an essay he wrote for the *New York Times Magazine* in 2011, has fervently campaigned to ban the term “illegal” from immigration discourse entirely. His point is that to identify a human being as “illegal” is to endow him/her with inherently negative qualities, as if he/she is tainted, illegitimate or embodies the stereotypical criminal. In the guise of such unforgiving wording, advocates of anti-immigration policies can more easily assert that being “illegal” means being undeserving of any legal protection. “The term dehumanizes and marginalizes the people it seeks to describe,” he stated in a *TIME* magazine article in September 2012 (“Immigration Debate: The Problem with the Word Illegal”).

“Think of it this way: In what other contexts do we call someone illegal? If someone is driving a car at 14, we say ‘underage driver,’ not ‘illegal driver.’ If someone is driving under the influence, we call him or her a ‘drunk driver,’ not an ‘illegal driver.’ Put another way: How would you feel if you — or your family members or friends — were referred to as illegal?”

Vargas also initiated a non-profit campaign known as “Define American,” aimed at generating progressive discussions about immigration and bringing in “new voices” to fix our “broken” immigration system. The campaign is aimed at the American public, and it beckons U.S. to reconsider the meaning of “American” and “citizenship.” It has also worked to monitor the use of the phrase “illegal” in the media.

Other media activists have gone so far as to argue that the term “illegal” a “class-action adjective” and “the reason the country has not yet passed sweeping immigration reform” (Downes 2012). Perhaps there is some merit to this; it is true that our laws have subordinated the

humanity of non-members of our society, in favor of a seemingly superior, yet ultimately imaginary, national identity – the ideal of the white, English-speaking “American” citizen.

Therefore, even before illegal immigration was legally established, the rhetoric of “American” identity has worked to implement the same kinds of imperialistic categories of difference among peoples, while propelling the immigration debate into the public sphere. These policies enacted additional identification markers – however arbitrary and subjective – to distinguish “Americans” from the “outsiders” in the national conscious. As a result, immigrants have not only been stigmatized for their ostensible racial, ethnic, cultural, linguistic, or socio-economic differences, they are literally dehumanized to the point where they seem irrelevant to the national conscience altogether. This is how injustice has run its course; humanity is disregarded when the American public turns the other cheek. Left to fend for themselves in the liminal spaces of society – without statuses, legal rights, or concrete senses of belonging – detained immigrants are in the utmost vulnerable positions in U.S. society. These detainees spend months of their lives wasting away in jail cells, and are usually accused of and condemned for offenses that, ironically, are the purest expressions of the humanity, which a liberal democracy is built to protect and prioritize above all else. They deserve the right to moral equality and human decency – for they are merely attempting to make better lives for themselves and their loved ones. They merit the right to personal liberty, freedom and mobility – to travel where one wills – for they have made meaningful sacrifices in their geographic pursuits. No remorse or regret is bestowed upon the innocent laborers; the nation objectifies them as the proverbial “others” – the faceless, nameless threats. Their cries remain unheard today, just as the scars inflicted upon their ancestors remain unacknowledged.

LETTER #3: In the Words of An Inmate at the Stewart Detention Center:

[English Translation]

Hello pretty girl, how are you? I hope you are well. I received your letter, and your words have moved me. You are a girl full of surprises, intelligence and beauty. Your parents have done a good job. They have put beautiful things in your heart.

Here from the detention center I can't tell you too much at the moment. Here, one sees many things that destroy families: sons who will never see their parents again, wives who make sacrifices to move forward with their children because their husbands are in the centers with us. I have been here for one year and three months, and I have seen it all. Women who give up and betray their husbands, destroying the person's home and life. There are lawyers who take cases for their families; they spend all the money that they have only to be told by these lawyers that there is nothing they can do for them. I know that the process depends on the person. Here they count us about 6 times a day, as if we were hens laying golden eggs, of which they are afraid to lose. In our country (U.S.A), we are composed of various cultures and languages – to me, that is the most beautiful thing about it. To me, to be “American” is to know one's history, as well as the cultures and languages contained within it, to open one's mind. To understand where I am, and where I will go. Instead of criticizing people, it is better to hear what they have to say. [...]

These voices don't have a place to claim themselves, because these voices were taken away from them. I hope that I will not ever find myself in this predicament. [...] About myself, I can tell you that there were 5 of us, my older brother who died 6 years ago, my mother who just died, my father [...] I had five rocks who provided for us. During that time, my younger aunt emigrated to the U.S., in the 70s. She gave up her money [...] My mother had to leave her children behind. My older sister left her little girl and boy to be my second mother, her and my grandmother. My

older brother was the discipliner. My sister taught me to read in the newspaper. I spent my childhood under my brother and sister's care, distrustful and disciplined. My mother was here in this country fighting against an ocean [of] racism. I arrived [here] at 9 years old. [...] After school, I had to keep myself busy. My grandmother knew a mechanic of fishing boats, and he taught me how to repair them. These were the things I had to do after school. At 10 years old, I had my first and only girlfriend. She [was with me] until my mother came to bring me back to this country, this was when I was 17 years old. It was a very big change to leave behind all my friends, my girlfriend, my older brother, my younger sister, and my grandmother. It was extremely difficult. I had a very hard adolescence [...] [I had] to wake up so early to go to work and I had to go to school. [...] I lived almost my whole life in Los Angeles, California. 5 years ago I arrived at Georgia. Susan, in love I have never had luck. When I was young I was always fat and no one took the time to get to know the true Jose and when they did my mother would scare them away with her motherly jealousy. [...] Ok, my life has its ups and downs, but when existence is always before you, it forces you to see that you are a stranger even when you are in your own country, because over time the same [...] thoughts [and beliefs] are repeated of those who came before, especially those of the leaders, who try to make you disappear. Special people like you (with education) [are the exception] [...].

I saw many deaths in my childhood, my home was living beneath my bed out of fear that a lost ball ("bola") would fall and would take my life. Returning to my childhood, I was only 2 and a half years old when my father died. I don't remember him, only what my mother has told me of him. That he had a big heart, that he would take off his shirt and give it someone who needed it more and bring him food, that he was a man with a noble heart. My life has lost 3 loves, 1 of my

father when I was only a baby, I for my brother 6 or 7 years ago, and now the love of my mother. My mother who gave me my being, my life.

I will never forget you, your smile, your dimples (the little holes that form in your cheeks when you smile) that my mother had. [...] In your eyes I see dreams that are very big, and that you want to realize them. [...] It's very far from where you live, but I would love to see you again, I don't know if you will be able to. I would tell you my life if you wanted to and I want to know yours. [...] When we spoke we had a lot in common and this surprised me. Especially coming from someone as young as yourself. I was about to cry. Beautiful, intelligent – you are something divine in your form of being. In the Bible, Jehovah Dios describes it as Los Angeles. He says that there are acts with rocks more beautiful, like the sapphires, emeralds, and that's what I see in you. The years between 2009 and 2011 were a tough battle that I couldn't have survived without someone was at my side night and day. From this glimmer of hope, I knew I had to keep waiting and loving and hoping. When I saw you I felt a beautiful connection, something in you that I liked and I don't want to lose your friendship – in fact, I would like for it to grow. I want to know everything about you if it is possible and if you want to tell me. To be the center of someone's life and make a huge difference in the lives of others, that is my dream. I will send you one of my poems and one that I learned when I was little.

[...]

Your friend José Guillermo Rivas Chimchilla

[Original Spanish Version]

Miércoles, 5 de diciembre

Hola bella dama, como estas? Espero que bien. Recibí tu carta, me conmueve tus palabras. Eres una mujer llena de sorpresas, inteligente, guapa. Tus padres han hecho buen trabajo. Han puesto cosas bellas en tu corazón Bueno bonita si es acerca de mi y mi vida te lo diré todo, y acerca de el centro de detención no puedo decirte demasiado por el momento. Aquí se ven muchas cosas como destruyen familias, hijos que no volverán a ver a su padre. Esposas que hacen sacrificios para sacar adelante a sus hijos porque sus esposos están en Centros como estos. Yo en lo que tengo aquí 1 año y 3 meses, he visto todo. Mujeres que se dan por vencidos y traicionan a sus maridos y con eso destruyen el hogar, y la vida de la persona. Hay abogados que hacen castos, a la familia. Todo el dinero que tienen para decirles que no pueden hacer nada por ellos a pesar de eso sé que el viaje corres por la cuenta de la persona! Aquí nos cuentan como 6 veces al día. Como si fuéramos las gallinas de los huevos de oro, y tienen miedo que se les pierda. Acerca de nuestro país (U.S.A.) que somos un país de diferentes culturas y lenguajes, para mi eso es lo más bello. Para mi ser “Americano” es saber un historia, las culturas, y los lenguajes que hay abrir mi mente y entender en donde estoy, y a donde iré. En vez de criticar a la gente es mejor oír lo que ellos tienen que decir. Aquí te mando algunas [...] la voces que no tienen a donde clamar, porque les fue quitado sus voces. Ojala que no me meta en problema. Bueno tu podrás escribirles pero ellos no sabían a quien le están escribiendo no les quise darles tu nombre tal vez por celos ☹ Bueno de mi te puedo decir que éramos 5 mi hermano el mayor murió hace 6 años, mi madre al morir, mi padre ella [...] vio contra la pared, tenía 5 rocas que proporcionan alimento. En ese tiempo mi tía el menor emigró para los Estados Unidos, en los 70 renunció su dinero y mando [...] a hacer a sus hermanos. Mi madre tuvo que dejar a sus hijos atrás, mi hermana la mayor dejo su niña y niño ser mi segunda madre, ella y mi abuela. Mi hermano el mayor era la disciplina. Mi hermana me enseñó a leer en un periódico

(newspaper), pase mi niñez bajo mi hermano y mi hermana recelas y disciplina. Mi madre aquí en este país luchando contra el mar del racismo llegue a mis nueve años era un [illegible] corriente[illegible] y corriente. Después de el escuela tuve que mantenerme ocupado. Mi abuela conocía a una mecánico de motores de mar (fishing boat) el me enseñó como se reparaban, eso era mis cosas que tenia que hacer después de escuela. A los 10 años tuve mi primera novia y única. Ella creció a la par mía [illegible] hasta que mi madre se fue a recoger para venirme a este país eso fue a unos 17 años. Fue un cambio muy grande dejar atrás a mis amigos , a mi novia, a mi hermano el mayor, y mi hermana la menor, mi abuela. Fue algo muy duro. Tuve una adolescencia muy dura con una vejecita tan honda que se despertara bien temprano para ir a trabajar y yo tenia que ir a la escuela, ok perdón “yo viva” casi mi vida en Los Ángeles, California, hace 5 años me vine para Georgia. Susan en el amor nunca tuve suerte. Cuando estuve joven siempre fui gordo y nadie se detenía a conocer al verdadero José y cuando lo hacían mi madre las espantaba con sus celos de madre. [...] ok, mi vida tiene sus surgidas y bajas, siempre el racismo enfrente de uno siempre lo hace ver que uno es extranjero hasta en su propio país, porque es tiempo los mismo y pensamientos que los demás, especialmente los de sus lideres, te hacían desaparecer. Gente especial como tu (con educación) o se hacían como ellos o a parecían muertos al siguiente día. Yo vi muchos muertes en mi niñez, mi hogar era vivir bajo las camas por miedo de que una bola perdida calla y te quitara la vida. Volviendo a mi niñez yo solo tenia 2 anos y medio cuando mi padre murió no me recuerdo de el solo lo que mi madre me decía de el. Que tenia un gran corazón, que se quitaba camisa y se la regalaba en alguien que la necesitaba y lo llevaba a comer, que era un hombre de noble corazón. Mi vida ha perdido 3 amores, 1 el de mi padre cuando yo era solo un bebe, 1 para hermano hace 6 o 7 anos atrás, y ahora el amor de mi madre. La mujer que me dio mi ser, la vida. Yo nunca me olvidare

de ti. Tu sonrisa. Tus camanances (esos hoyitos que se hacen en tus cacheteas cuando sonríes) que me madre tenia. [...] En tus ojos veo sueños que son muy grandes y que quieres que se realicen. [...] Es muy lejos de donde vienes, pero pasera verte otra vez no se si podrás. Te contaría mi vida si tu lo desease y yo quiero saber la tuya. Y dime quien te dio mi segundo apellido, bueno ese es el apellido de mi padre José Guillermo Chinchilla. [...] Cuando hablamos tuvimos mucho en común y eso me sorprendió. Especialmente que viene de un ser muy joven como ti! Ha [illegible] de llorar, hermosa, inteligente, eres algo divino en tu forma de ser. En la Biblia Jehová Dios describe como son Los Ángeles. [...] Bueno del 2009 al 2011 fue una dura batalla que no hubiera sobrevivir sin alguien quien estuvo a mi lado día y noche. Ese pedacito mío que me supo esperar y amar y todavía me sigue esperando. Cuando te vi, yo sentí una bonita conexión algo en ti me gusto y no quisiera perder tu amistad, mas sin embargo quiero que crezca mas. Yo quiero saber de ti todo si es posible o si tu lo quieras. Ser el centro de la vida de alguien y hacer una gran diferencia en la vida de otros ese es mi sueño. Bueno te mandare uno de mis poemas y uno que me lo aprendí cuando era un pequeño.

Tu amigo, José Guillermo Rivas Chimchilla

CHAPTER 5: Detention Centers As Liminal Spaces in Modern U.S. Society

The Rise of Private Prisons Since 9/11

After September 11th, the federal government established the Department of Homeland Security (DHS) and relegated immigration law enforcement to the DHS's new agency, Immigration and Customs Enforcement (ICE) – which remains in power today. Because immigration policy falls under the executive rather than the judicial branch, the immigrant's human rights – as well as judicial accountability and fairness – remained de-emphasized in the discourse surrounding process of their detainment. This shift in power created a way for the private prison industry to infiltrate law enforcement systems themselves. Due to a lack of government funding and increasingly stringent legislation towards undocumented immigrants, a market of for-profit detention centers and prison facilities has opened up and expanded. Corporations not only make contracts with the federal government in order to develop more detention centers, they also have the power and wealth to effectively lobby in Congress for more policies to strengthen border controls, further criminalizing illegal immigration and calling for more prisons – generating from them a hefty profit at the expense of the taxpayer.

These private prison corporations have particularly reaped the benefits of the inflammatory national rhetoric instigated by the terrorist attacks of September 11th. Essentially, they used these tragedies as business tactics, capitalizing on Americans' heightened fear of foreigners as they easily pushed xenophobic immigration laws through Congress. The utmost vulnerable population of undocumented immigrants has become the primary target of corporately owned, for-profit business-prisons. These corporations expand their power and generate profit by lobbying in Congress to further the criminalization of immigrants, measures that have been directed primarily at Latinos since the 1980's. Today, Latinos constitute the

majority of those sent to federal prison for felony crimes, “with sentencing for newly defined immigration felonies like illegal border crossing or aiding in border crossing accounting for the increase” (Carlsen 2012).

As a result of this corporate influence, there has been dramatic growth of the prison population over the past two decades – which seems counter-intuitive, considering that statistically, crime has actually steadily decreased over that period. The United States imprisons a higher percentage of its own population than any other country in the world, with nearly 2.5 million people; in fact, 25% of the world’s prison population currently resides in U.S. prisons. The ICE now sends 400,000 immigrants a year to detention centers, and increased convictions for non-violent immigration and drug offences has driven the number of women in prison up by 800%.

Director of the CIP Americas Program Laura Carlsen explains this apparent discrepancy through two factors: “the lock-up of mostly poor, black or Latino recreational drug users and of immigrants— [which] now account for more than 80% of people behind bars in our country” (Carlsen 2012). Carlsen says “Draconian drug prohibitionist polices” and new laws that “criminalize” undocumented immigrants are to blame for crowding our nation’s prisons. These were policies enacted under the probable guise of providing U.S. citizens with a measurably higher degree of security, or helping decrease drug use and “fight the drug war” (a highly stigmatized and politically charged term that would merit a separate analysis).

National People’s Action (NPA) in collaboration with National Prison Divestment Campaign and the Public Accountability Initiative (PAI) composed a report outlining the ways in which private prison operators benefit from the “deepening immigration crisis” in our country (“Jails Fargo: Banking on Immigrant Detention” 2012). According to the report, Wells Fargo

plays a key role in financing “all three of the largest private prison operators in the United States.” These prison operators “reap profits from contracts with Immigration and Customs Enforcement, capitalizing on the immigration crisis at the expense of the human rights of hundreds of thousands of immigrants, half of whom have never committed a crime.” In particular, NPA and PAI identified Wells Fargo as the *only* major bank to have made massive investments in all three of the largest privately managed prison companies.

Unbeknownst to many, we live in a society where prisons are actually not owned by the state, but privately run and facilitated as businesses; these business operate in liminal spaces, operating according to a framework that is superfluous to the liberal democratic design of the U.S. constitution. According to the NPA report, privately owned prisons are also known for their “abhorrent conditions,” while detained immigrants are especially at risk – “subjected to squalid conditions and abuse, sometimes for months or years in America’s for-profit detention centers.” Other abuses extend beyond the prison walls; children of detained family members are often placed in foster care systems and adopted while their parents—powerless—are being detained. Even more shocking, children may be imprisoned *alongside* their parents; for instance, the Don Hutto Center, a prison in Western Texas operated by CCA, housed entire *families* as recently as 2009. There, toddlers were dressed in prison scrubs and cooped up in cells for entire days, without any source of entertainment.

Moreover, the undocumented prisoners are exploited in as a labor force, often working overtime while being paid less than minimum wage. In 1979, Congress established the “Prison Industries Enhancement Certification Program” which encouraged “states units of local governments to establish employment opportunities for prisoners that approximate private sector work opportunities” (*PRIDE Enterprises*). And although PIE requires laborers to be paid

minimum wage, it also permits “reasonable” deductions from these wages to account for room and board to “defray the costs of inmate incarceration” (Elk & Sloane 2011). These deductions are often taken a bit to the extreme; many detainees earn as little as \$0.20 per hour. At the Stewart Detention Center, I was told detainees earn about \$2 per day, but they are only allowed to make purchases from the selection of low-quality items with inflated prices offered at the prison shop. These inmates are too poor to afford their own *lawyers*, and grossly underpaid, yet prisons still try to take money directly out of their pockets. The labor *forced* upon detainees through a system is all too reminiscent of that of the Spanish *encomienda* – which the Spanish Crown once used to veil the colonizers’ exploitation – and essentially enslavement – of the indigenous people of the Americas.

Thus the immigrants detained in detention centers are contained in institutionalized liminal spaces where their humanity is disregarded. By providing financial support to these industry, financial providers such as Wells Fargo perpetuate an inhumane cycle in which vulnerable immigrant communities are exploited for profit: even more appalling, within these prisons cutbacks are made at the expense of detainees’ basic food and medical needs, and leaving them understaffed and overcrowded.

Life Without Status in a U.S. Detention Center

The plight of undocumented immigrants today is a microcosm of a broader Western imperialist tendency in which legal decisions subordinating and discriminating against marginalized populations are made without regard to their humanity; yet these marginalized populations are necessarily subordinated because their right to freedom depends on their documentable citizenship. On the one hand, immigrants that are held in detention facilitates

facing deportation are entitled by law to at least a hearing before an immigration judge and review by a federal court; representation by a lawyer (though not at government expense); reasonable notice of charges and of the time and place of a hearing; a reasonable opportunity to examine the evidence and the government's witnesses; competent interpretation for non-English speaking immigrants, and clear and convincing proof that the government's grounds for deportation are valid. However, in these liminal spaces, which (like Steward Detention Center) are often obscured from the national conscience and out of the reach of justice and moral equality, the judicial system operates rather secretively. By concealing its controversial inner workings within the centers themselves, ultimately, it is nearly impossible to hold anyone specifically accountable for anything.

The immigration courts are often buried within the centers themselves, as one of the most rapidly expanding court systems in America. Eighteen of the 58 immigration courts nationwide are in detention centers; there, judges deliberate cases of both criminals and non-criminals who have committed civil immigration violations, but not crimes. In Stewart's court, there were more than 11,000 cases total in 2011, which is a 40% increase from the previous year. Unlike all of other courts in the American judicial system, however, files and evidence are not released to the public; immigration judges are not permitted to speak with news media; and many judges do not even record their decisions in writing, which makes further public review of a case problematic and confusing.

According to the Justice Department's Executive Office for Immigration Review, the reason that immigration courts can withhold certain documents is to protect the immigrant's privacy, since they are under the executive branch as opposed to the judicial branch (Sacchetti & Valencia 2012). Thus when judges decide who can be granted asylum and who cannot be based

on their subjective opinion, their words are considered final, and the immigrant is left to fend for him or herself. In this case, it seems the immigrant's privacy becomes conveniently more important than preserving his/her humanity. Without openly communicating details of the detainment process, the public is less likely to take an interest in what occurs in detention centers, leaving the possible injustices and oppressions within them unnoticed and unchecked.

Complicating matters, these immigration courts also tend to be overburdened and understaffed, leading to haphazard decision-making in the interest of speeding up trials. For instance, according to the Transactional Records Access Clearinghouse, a record collection program at Syracuse University, "Lumpkin judges typically resolved cases in less than two months compared with almost two years in Boston immigration court" (Sacchetti & Valencia 2012). Meanwhile, immigration judges tend to make much less and have less job security than their counterparts, which gives them less motivation to spend more time on each case.

Every year, immigration judges order approximately 160,000 people to be deported (at a cost of approximately \$23,000 per deportation); this number includes more than 10,500 individuals who asked for asylum because they claimed their native country was dangerous. In 2011, over 400,000 foreigners were deported; half hadn't committed any crime other than being undocumented. Many others were detained for only minor infractions, such as traffic violations. Last year, the court in Stewart deported 98% of its detainees, the highest rate in the United States (Sacchetti & Valencia 2012).

Further, federal law dictates that by being detained indefinitely without legal representation, inmates are not being "deprived" of any rights, since they are not in a position to assert them in the first place. This is the case of José, the inmate from El Salvador whom I met in the Stewart Detention Center. The main problem faced by detained immigrants is a lack of

consistent and affordable legal representation—lawyers who can communicate with their clients and who are genuinely concerned with their needs. In 2012, only 22% of immigrants in detention had lawyers. There is only one immigration lawyer in Lumpkin, Georgia (Sacchetti & Valencia 2012). Most immigrants with no legal representation – which ironically, they would be guaranteed had they committed a *crime* – are immigrants who speak minority languages. Linguistic barriers further obscure the inner workings of the system – complex legal jargon is even more difficult to grasp if it is written in a language one does not intuitively understand.

Interestingly, U.S. law dictates that those “seeking haven from political and social upheavals” and “who have experienced persecution in their homelands, or who have a ‘well-founded fear of persecution’ on account of race, religion, nationality, politics or membership in a particular social group,” are considered refugees and thus automatically entitled to political asylum within U.S. borders (*American Civil Liberties Union*). José had told me that the place of his native birth, El Salvador, was wracked with civil warfare and unsafe to live in, yet the fact of his oppression was not been enough to protect him with refugee status. However, historically, refugees have been treated differently based on nationality or even political affiliations, because racial discrimination (often rooted in blatantly xenophobic beliefs) directly frames our political conception of who inherently deserves to be here in the first place. “Refugees from Communist countries have been welcomed, while those from countries officially regarded as “democratic,” like El Salvador, are often spurned; “Cubans have been admitted traditionally, while Haitians have been turned away or detained” (*American Civil Liberties Union*). There has never been truly such a thing as equal treatment under law when it comes to determining one’s status.

The deportation of countless parents have had a devastating impact on families. If their children are U.S. citizens, they are sometimes placed into foster homes rather than being

permitted to remain with their families. Currently, at least 5.5 million children in the United States have at least one undocumented parent. The majority of these children – 75% – are themselves American citizens. At the same time, it is important to note that only 5% of immigrants behind bars are there for what would normally be considered a crime. “People who are in for re-entry aren’t criminals—these are people coming back to see their children, coming back to visit a sick relative...Our families are being broken up by this ridiculous policy.” Director of Enlace⁶ Peter Cervantes-Gautschi said, “of immigrants in the federal prison system, nearly half are in for things not even considered crimes six years ago” (Carlsen 2012).

Off the Radar In U.S. Society

The space of the detention center is only one brutal side effect of a deliberate and systematic “other”-ing of ethnic minority immigrants by largely Anglo-Saxon dominant institutions, seeking either to promote a political agenda or for financial profit (or both), throughout our history. Echoing the essential paradoxes our nation has grappled with since its conception, we reject undocumented immigrants despite the fact that they are fundamentally ingrained in the social and political fabric that make up our national identity. Meanwhile, these individuals receive no protection in any realm of our society; they are regarded as social outcasts by the media and as illegal aliens by federal and local government legislation.

Today, there are approximately 11.1 million undocumented immigrants living in the United States, “many of whom are so thoroughly enmeshed in the nation’s economic and social fabric that they cannot be removed without causing enormous damage to their communities and without affecting the future needs of the U.S. economy” (Marrero 22). There has never been a

⁶ Enlace is an organization that advocates the rights of low-wage workers and has coordinated the “National Prison Divestment Campaign.” Through this campaign, it mobilized a coalition of more than 130 national, state and local organizations to “convince shareholders to divest their funds from the prison industry” to reduce the power of the CCA and GEO (the second-largest private prison company) to lobby for “laws that imprison our communities.”

time in history in which so many immigrants have been forced to remain in such a state of illegality for so long, subjugated to a life in the shadows. Most detained immigrants currently have no legal pathway to citizenship. They embark on a long, difficult journey towards an American Dream, but it is forever out of their reach.

These individuals pay taxes and contribute to our economy by fulfilling the need for cheap, low-skilled labor (particularly in agribusiness), yet they are still deprived of access to nearly all social services, and cannot obtain driver's licenses, attend college, nor receive healthcare coverage or financial aid. Each year, 65,000 undocumented graduates of American public high schools (funded by taxpayers' money) are told they will not be able to go on to receive a higher education, since they are not U.S. citizens. Restricting college opportunities for promising youths seems like a huge waste of resources, given the current structural deficits in our economy. "American society tells us that if you work hard you will be able to obtain your American Dream. But that wasn't the case. Despite all the qualified grades and extracurricular activities and the passion I had for higher education, I viewed even obtaining a vocational degree as a challenge because of the status that I had no choice in making," said one 19-year old undocumented U.S. resident (*Papers 67*).

Neglecting the plight of Spanish-speakers who cross our borders will have powerful, and potentially dangerous repercussions for our society's long-term economic, political, and social stability as well as our national identity. The sheer volume of Spanish-speaking immigrants in the detained population will inevitably have profoundly negative implications for the Hispanic community in terms of how it conceives of its identity in the context of our society. For what does the unjust detainment of a loved one do to a community's conception of American politics and society?

Undocumented workers are not the only individuals directly implicated in this debate. Their relatives, neighbors, and all of those who are in some way connected to the Spanish-speaking community in the United States, are now comprising, increasingly, a major and definitive sector of our population – currently about 16%, making them the largest minority racial group in the country (Carlsen 2012). It is predicted that by the mid-twenty-first century, whites will no longer comprise an absolute majority of the U.S. population.

Meanwhile, due to the number of Latinos born in the U.S. each year, Latinos are both the fastest growing segment of the population overall and the largest segment of the immigrant population in recent years. According to projections from the U.S. Census Bureau, by 2050, the Hispanic school-age population will increase by 166 percent, while the non-Hispanic population will grow by just 4 percent. It is expected that by 2050, Latino children will outnumber non-Latino children in U.S. schools (Bartlett & Garcia 3).

The primary question at stake for Spanish-speaking immigrants today is whether the merits of preserving cultural unity and a national identity triumph the potential risks of separating oneself from the greater, and so-called definable, “American identity.” They have “hyphenated identities” – caught between the realms of the other – their native country – and the U.S., the dominant identity, of which they are not entirely accepted but must participate in and absorb nonetheless.

From the late twentieth century until today, the legal and linguistic elements of immigration and citizenship-related debates have consistently reinforced the marginalization (or “other”-ing) of minority cultures and languages. In this vein, Latinos – the current majority in the makeup of our migrant population – have become particularly marginalized and alienated by the political realms. Against this context, the Spanish language became constructed as a *problem* by

both law and mainstream society. Particularly⁷ from the 1980s on, public and legislative rhetoric have implicated the notion that “the Chicanos' resistance to learning English and acquiring effective English education has accentuated their difficulties” (Chiswick 26). Some contemporary scholars contend that Mexicans in the U.S. tend to have “significantly lower earnings” due to the “Mexican ethnic-group” effect. In *The Economic Progress of Immigrants: Some Apparently Universal Pattern*, Barry R. Chiswick that “Chicanos have also been outstandingly *resistant* to the melting-pot version of ‘American’” and makes sweeping generalizations about the population’s intellectual capacity. “They have a low level of schooling, much of it of low quality, particularly when filtered through a language handicap” (Chiswick 26). The use of Spanish in U.S. society therefore not only signifies a person’s status as an “outsider” with a foreign identity – Spanish itself becomes the imaginary barrier to social mobility, since it displaces English. This culminates in a kind of linguistic “other”-ing that both homogenizes the Latino community and contributes to an unfavorable perception towards Hispanics overall.

As a result, stereotypes have erupted and circulated in the mainstream conscience associating the Spanish language as a way to identify, dehumanize, isolate, and stigmatize Spanish-speakers, additionally impeding their potential social mobility in society. In the public view, Spanish is often associated with immigrants who perform low-skilled jobs for low wages, as “one is most likely to encounter the public use of the Spanish language among those who are near the bottom of the social and economic ladder – e.g. lawn service workers, farm workers, domestic workers, apparel factory workers, restaurant ‘bus boys’ and dishwashers, low-skilled construction workers, [and] day laborers,” there is a perception that Spanish speakers are not

⁷ While the remarks that follow speak specifically about Chicanos, they may be applied to other Latinos as well.

capable or worthy of intellectual pursuits. Spanish has become conceived as a language a “poor people of color, of conquered and colonized people, of immigrants” (Shmidt 142; Garcia 153).

Because of these preconceived notions regarding Spanish, in the public mainstream conscience, the terms Hispanic and Latino have become “metonyms” connected to the idea of an underclass, in which the terms of their categorical difference are morally charged (Shmidt 142). “Activities seen as typical of bad citizens (dropping out of school, becoming teenage mothers, taking drugs, committing crimes, going on welfare) are habitually associated with, for example, Puerto Ricans, and become “explanations or their “failure” (Shmidt 143). The children of “illegal” immigrants are, by virtue of their birth on U.S. soil, considered legal U.S. citizens as well as residents, yet they too are rendered homogenized and silenced in the rhetoric against “illegals.”

Today, only 14 percent of Latino students in the country graduate from college. Stavans writes that “the majority complain that the cultural obstacles along the way are innumerable: the closely knit family dynamic, the need to help support their family, the refusal to move out from home in order to go to school... And language, naturally: for many of them proficiency in the English language is too high a barrier to overcome. English is the door to the American Dream. Not until one masters el ingles are the fruits of that dream attainable” (Stavans 3).

Hence being racially identified as a Latino in public spaces has been demonstrably detrimental, as the rhetoric of the media and history contends, positions one in the liminal spaces of mainstream psychology. Studies have shown that Anglo-Americans’ often perceive Hispanics as “unproductive, uneducated, poor, and criminally-inclined” (Jacqueline Toribio 25). In recent verbal guise tests, “speakers of Spanish-accented English are downgraded on traits of competence and rated as less suitable for higher status occupations” (Jacqueline Toribio 25),

while “Accents, ‘broken’ English, and ‘mixing’ [have] become signs of illiteracy and laziness... Bilingual neighborhoods [have become] “equated with slums...” (Shmidt 143). And meanwhile, “terms that do not fit the moral picture disappear from the discourse” (Jacqueline Toribio 25).

Stavans further claims:

“[The] dichotomy between the universal and the particular irrigates Hispanic culture en los Unaited Esteits. Hispanic, a term that came about in the Nixon Administration, and its counterpart, Latino, are Platonic words that, para bien o para mal, symbolize a sum of parts. People from various national groups prefer to define themselves through more particular names: Colombian-Americans, Ecuadorian-Americans, and so on. Therefore, the maxim *e pluribus unum* exemplifies the twisted dynamics within the community: the unity and the multiplicity are often at odds with one another, although for political purposes they often choose to create an alliance” (12-13).

The racial prejudice underlying anti-immigration rhetoric aimed at this population is not unlike the racial or ethnic prejudices of its predecessors; however, it is also centered upon a linguistic otherness positioned in relation to the superiority of English – a notion which parallels American nationalism (or “Americanism”) itself, since its identity is also dependent on the unstated premise of its inherent superiority. This is because historically, English has been constructed as the national and patriotic language of authentic Americans, which positions the use of *minority* languages as a symbol of anti-American sentiments.

This status is not only projected onto Spanish-speakers by the American public, it is also internalized by the speakers themselves, influencing their self-perceptions and behavior. Yet as various linguistic studies have indicated, one’s native language and identity are inextricably bounded; therefore, losing ties to one’s language means giving up a part of one’s identity

(Salaberry 3). On the other hand, these unfavorable attitudes towards Spanish encourages may Hispanics to escape the stigma of their racialized social context by “assimilating” – that is, by relinquishing their heritage language and erasing the mutable aspect of their identities in favor of speaking English, the language of the Anglo-American mainstream “majority.”

People internalize the feeling that they are different, and as a result of this stigmatization, many U.S.-born Latinos may struggle to feel positively about themselves or about the communities they identify with. They may come to unconsciously resent Spanish because it symbolizes an underlying cause of the social, racial and political marginalization. Some “belittle, avoid, and/or even berate speakers of their heritage language in the belief that English monolingual fluency in public spaces is crucial to their own social mobility in the U.S.” (Shmidt 145). Therefore, Latinos essentially police their own imaginary boundaries of language in the public space within their own group (Shmidt 146).

Conversely, there are also those who resist learning English, and are thus relegated to a limited existence in “enclave communities;” they tend to perceive themselves as “permanently disenfranchised by the mainstream” and therefore, utterly disconnected from it (Jacqueline Toribio 25). Complicating matters, individuals in these communities tend to receive little support from local and national authorities; the political institutions, including public schools, supposedly intended to help them actually reinforce their self-perceived exclusion from mainstream society. Their children are forced to venture into adulthood with an utter lack of national guidance, supervision or role models.

Still other Spanish-speakers may feel that their allegiance to American culture inevitably competes with the speaker’s heritage, and are impelled to reconstruct their identities, exploring various social, racial, cultural and linguistic boundaries in the process. Historically, members of

diverse ethnic groups alternately cultivate and utilize unique dialects that constitute “deviations” from standard English, asserting or performing their identities and openly pledging their allegiances to their respective particular social, ethnic, or cultural groups. “Spanglish,”⁸ for instance, a linguistic style, complete with its own grammatical rules and vocabulary, fuses English and Spanish. Bilingualism and the unique use of “Spanglish” often become inextricable to the speaker’s identity, a fundamental bridge between his/her traditional culture and broader identification with his/her native land as an American citizen.

The Latino’s struggle to define his identity in the context of a culturally fragmented America is a war of words. For some, Spanish is an important symbol of one’s membership in a particular community, culture, or history; it is an essential instrument for communication with those community who may share a common culture, language and history; and it can come to define one’s sense of belonging. For others, however, Spanish is a barrier that separates them from the world that exists beyond their communities; it is a constant reminder of one’s difference in the context of a predominantly Anglo-Saxon mainstream society.

We must ask ourselves: is “ethnic resilience” ultimately good for our economy and nation, and for the minority populations in question? Is it possible to bridge the cultural, political and socioeconomic gaps among Latin-American communities? If so, can a unified Latino identity eventually become an integral part of what it means to be American, rather than opposed to it? And most fundamentally: can America learn to truly love all of its *citizens* the same?

⁸ In his analysis of “Spanglish,” Ilan Stavens defines the term as “The verbal encounter between Anglo and Hispano civilizations” and “a common vehicle of communication in places like Miami, Los Angeles, San Antonio, Houston, Albuquerque, Phoenix, Denver, and Tallahassee, as well as in countless rural areas,” where 35.3 million documented, the official number issued by the 2000 U.S. Census (Stavens 4). Bureau, Latinos reside. In 2003, this number jumped to 38.8 million, making Hispanics “the largest minority north of the Rio Grande” (Stavens 5). In his writing, Stavens also evokes the widespread perception that Spanglish is “sheer verbal chaos—el habla de los bárbaros.” He writes, “Spanglish is often described as the trap, la trampa Hispanics fall into on the road to assimilation—el obstáculo en el camino. Alas, the growing lower class uses it, thus procrastinating the possibility of un futuro mejor, a better future” (Stavens 3-4).

The vast potential for the Latino community to shape our nation's trajectory is undeniable. Now, we must decide carefully as a nation how we are going to move forward. If we do not figure out a realistic solution that will allow this large, irreplaceable community to fully participate in our democracy, we will be unable to sustain ourselves economically or morally. Embracing the American values of freedom and equality means, in the deepest sense, that rights may not be assumed at the expense of the rights held by others. By denying undocumented immigrants basic human rights – denying them their right to freedom and mobility, without addressing the realities of their lived experiences in our rhetoric, obscuring them from the public conscience – we are misrepresenting American constitutional tradition which has prioritized the protection of persons, a category that includes both citizens and non-citizens.

The Constitution has repeatedly ruled that excluding any *person* from the receiving the fundamental rights upon which our nation was founded is unconstitutional, even if the person does not have a legal status. The 14th Amendment, which states, "Nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws," and ruled that it applied to *all* persons "without regard to any differences of race, of color, or of nationality," and to "an alien, who has entered the country, and has become subject in all respects to its jurisdiction, and a part of its population, although alleged to be illegally here." In other words, the Constitution has been conceived as "citizenship-blind."

On the basis of significant constitutional rhetoric, such as that of the aforementioned Fourteenth Amendment, U.S. legislation has ultimately upheld the notion that as a liberal democratic state we must respect our core founding principles. In 1896, for instance, in the case of *Wong Wing v. U.S.*, the Court ruled that all persons within the territory of the United States are

entitled to the protection guaranteed by those amendments. Further, even aliens shall not be held to answer for a capital or other infamous crime, unless on a presentment or indictment of a grand jury, nor be deprived of life, liberty, or property without due process of law" (*Wong Wing v. U.S.*). In 1975, in the case of *Plyer v. Doe*, the Court overturned a Texas law that "denied immigrant students from access to public schools by withholding funds from school districts that enrolled children"; the law also "allowed public schools to demand proof of citizenship and deny admission to those who could not verify their legal status in this country" – inviting racial profiling, essentially, in the spaces of public schools (Perez xxv). Invoking the Equal Protection Clause of the Fourteenth Amendment, the Court ruled that immigrant students had a guaranteed constitutional right to an education, regardless of their legal status. This decision is key in furthering the trajectory of immigrant rights in the United States, yet it also raises a concern with regard to the remaining federal policies which bar undocumented students from accessing institutions of higher education on the basis of their lack of citizenship. This seems a waste of the taxpayers' investment in these students' academic progress, since after their high school graduation their educational rights expire; they are beyond compulsory schooling age. Consequently, they are essentially forced into the secondary labor market, once again locked into a liminal state of existence. Likewise, the Stewart Detention Center represents a stark betrayal of the principles of democracy on which our country was founded, because it systematically overlooks justice and reason, and glosses over the civic and social contributions undocumented workers have made as being evidence of their legitimization as potential citizens.

CONCLUSION:

After my experiences at the Stewart Detention Center, I was haunted by the secrecy of the institution, and the blatant lack of public attention that these detainees and facilities have been given. I wondered: *why* aren't more people talking about this? *Why* aren't more American citizens acknowledging—or caring about—the daily hardships and inhumanity from which this population suffers? How many human lives and freedoms will be sacrificed in the pursuit of maintaining a national façade of homogeneity, unity and consistency? The answers to these questions are inevitably complex, and I reasoned that perhaps such complexity was precisely the issue. Debates related to the immigration or, by extension, to detained undocumented immigrants, appear so overwhelmingly complex and thus inaccessible to the general public that many, even when made aware of the conditions of detention centers, simply do not know *how* to engage this discourse.

I envisioned this thesis as a potential starting point for a new discussion about truth and humanity in the United States. I propose that it be used as a gateway of access and understanding for those Americans who are disillusioned, disengaged or uninformed—a lens through which we may begin to understand citizenship, identity and belonging in U.S. America. Moreover, because this debate is so multifaceted, I felt that a full understanding of it required a multidisciplinary approach. Thus I used this thesis as an experiment with genre—incorporating history, political theory, creative writing and linguistics—in the creation of a fuller, fairer narrative through which we can begin to identify what being American means today, and give equal weight to the lived experiences of those in the liminal spaces of society.

José and his companions at the Stewart Detention Center are locked into a system eerily evocative of slavery—their humanity contingent upon a document. As a nation, we are

undermining the rights we were established to protect. This will be an embarrassing chapter of our history, just as we are now forced to reconcile the sanctioning of enslavement of African Americans and Native Americans living on American soil. By neglecting the plights of the oppressed and marginalized peoples who have been assigned to the liminal spaces of society, the nation has indeed lost its sense of humanity. And every day an innocent person suffers unjustly at our hands is just another stain on our collective American conscience. And this system, I believe, is not only grounded in the history I have attempted to trace in these pages, but is also often obscured by the rhetoric that frames it.

Furthermore, it seems that what has always mattered most in the public sphere has been the creation of a legitimizing narrative itself. Once this narrative reaches the masses, it penetrates the national unconscious and manifests systematically—often in ways that are difficult to identify, much less alter. For this reason, even if they are only proposed or drafted, laws have profound implications and effects on communities. Such consequences, however, can only truly be felt if we strive to critically engage the liminal spaces *as well as* the rhetoric that frames the American identity. The voices of the oppressed and silenced “others” in the liminal spaces of society must be heard.

Today, the U.S. American perception of who “we” are is perpetually complicated by who “we” have claimed to be. The necessarily abbreviated overview of America’s past that I have offered here is marked by repeated violations of the core ideals and values upon which its democracy was founded. In the fifteenth century, the Spanish colonizers identified themselves in the spaces of the Americas in opposition to the indigenous peoples, whom they saw as barbaric and inassimilable “others.” Their arguably inhumane and immoral conquest was justified by a rhetoric that established their legitimacy as the majority group, premising it on the invalidation

or “other”-ing of a target minority group—the indigenous peoples. With the Declaration of Independence and the Constitution in the late eighteenth century, the Founding fathers constructed an emergent U.S. national identity based on the rhetoric of American equality. In the wake of the industrial revolution, discriminatory immigration policies solidified a culture of exclusion based on racial, ethnic, or linguistic other-ness. Since then, politicians seeking to exploit fear of the “outsider” in order to maintain their power have created highly paranoid communities willing to support political leadership that fortifies borders. Meanwhile, the truth of the lived experiences of those relegated to the liminal spaces of our history have remained concealed or distorted through rhetoric.

But these historical injustices have a way of coming back to us—in ruinous circles—finding us where we left them, and the reality of the past is always etched into the present, tangled up inside of each and every one of us. I believe the nation *still* grapples with an imperialist *disease* of perpetual dissatisfaction, a fear of being re-conquered. And in the absence of a concrete, consistent national framework by which we can identify ourselves, we have continued an imperial tendency to assign groups of people to either superior or subordinate positions. We perpetuate categories of *difference* among peoples to identify them—a pattern of rhetoric based on instinctive, yet ultimately unfounded fears. In this sense, the language of our national rhetoric is not only highly political, but also intimately tied to identity; additionally, it has been used as a fundamental instrument of power since the birth of American society.

A Creative Writing professor once explained to me that a reader experiences a story’s plot through a series of alternating moments of “connection” and “disconnection” amongst its characters. Since, I have wondered whether human life unfolds in a similar fashion. We, the protagonists of our own lives, conceive of our peers as major and minor characters, and

experience connection and disconnection with that which constitutes our environments, as well as with our innermost “selves.” Further, we perpetually construct, modify, and perform our “characters” in order to breathe life and inject meaning into our bodies, beliefs, voices, and memories. These characters become a gateway of connection into the societies where we live, and more broadly, they furnish us with a sense of security and of belonging in the universe. However, unless we reconcile our public façade with our innermost selves, our characters could prohibit us from experiencing deeper levels of connection and fulfillment.

Presently, we are the most in-debt, obese, addicted and medicated adult population in U.S. history; we are indeed a society of misfits. Perhaps we misguidedly subscribe to the notion that to succumb to our internal chaos is to walk headfirst into disastrous psychological territory. Regardless, we must come to terms with the fact that we live in a vulnerable world, and that we cannot selectively relinquish our democratic principles in order to protect ourselves from an imaginary enemy. Further, we cannot remain rooted in fixed ideas of what it means to be who we are; fluidity is essential to our identity – rigidity would be the death of us. We have not taken responsibility for the consequences of our actions. It is as if we are convinced that *society* – not personal agency – is to blame.

But a nation founded on a series of contradictions will certainly crumble. We can no longer ignore the ways in which these imaginary visions of an America that does not correspond to our history have deformed our current perception of reality and led to social conditions that are not only immoral but in every practical sense, unsustainable. We must work to acknowledge and actively expose the uncomfortable paradoxes of our existence, or else we will never be able to lay claim to an identity that is a true representation of America. If we fail to reconcile our

internal paradoxes, our current sense of national identity is doomed to an interminable battle, raging on between the unknown, ambiguous “us” versus “them.”

Moreover, if we do not make amends for our past failures as a country and truly acknowledge them as failures, we will fail to account for how we have individually contributed to the inequity, social tensions, and impediments to mobility pervading our communities today. In an increasingly globalized and diverse society in which undocumented immigrants are increasingly part of our communities and our lives, American citizens must address the existence of liminal spaces in society before it is too late.

Since borders of difference begin in the unconscious, erasing them from must begin from within. I urge citizens to take responsibility for what is going on in or within the bounds of society, for if we have one obligation, it is to protect our own country’s core principles. We must recognize that any abuses of human rights on our country’s soil are not only a stain on the people they affect, but on us – as Americans. We must absolutely do our best to erase imaginary borders (color lines, linguistic lines, etc.) and embrace the truest meaning of diversity: inclusivity, community engagement – mere acceptance or tolerance is not enough. And any resolution must come from our ability to alter national consciousness, and to remove barriers that exist in the imagination and which are based on an idealized (yet inaccurate) national self-conception. This conception does not however exist in isolation; it must be continuously constructed and reinforced in order to survive. I argue that in order to facilitate a change in the public consciousness about immigrants, we must begin with a change in how we conceive of our rhetoric.

In researching and writing this thesis I also thought a lot about my generation and our place in all of this history. I believe that only we have the power to alter our nation’s trajectory—

and the potential to create new imaginary relations in the American conscious, ones that eliminate rather than create borders among peoples. We must each individually consider what it means to be a part of the American community and share in the American identity, and address the ways in which we can discontinue the neocolonialism that our society continues to perpetuate. We must learn to feel – each of us, individually – secure in our beings. We must be flexible and open-minded with the ways we define what it means to be American. We must learn to embrace an ideology and rhetoric that circumscribes an inclusive American identity, and that welcomes individuals from all walks of life. We must ask ourselves why students in the U.S. are not expected to achieve fluency in other languages and become well versed in the histories of foreign cultures. We must actively seek the ways in which discriminatory practices are written into our laws.

Additionally, we should be wary of circumstances in which private corporations attempt to gain political power and generate prosperity at the expense of vulnerable populations that are often defenseless in the face of the linguistic and legal odds stacked against them. This entails eliminating the culture of secrecy surrounding the abuses of undocumented immigrants and raising public awareness; evaluating how the language of the law and xenophobic propaganda affect our individuals attitudes about “foreign” peoples by projecting negative stereotypes which may then be subconsciously internalized by foreigners and U.S. citizens alike; and investing in long-term educational, linguistic, and immigration reform. Finally, we must understand that the richness of our country is derived from its heterogeneous population. To reflect on my own experience as an American citizen, what makes *me* feel American *is* the unique diversity embedded in our country’s cultural history. It is about staying afloat in the giant melting pot, not drowning in it. Our diversity, our differences – these are what make the U.S. a beautiful nation. It

will require a major shift in the way we conceive of citizenship, immigration, bilingualism and multiculturalism, but this is a necessary and urgent task.

We live in a modern world in which the insubstantiality of prejudice should be obvious to everyone. We can no longer afford to be passive or disconnected from reality; the stakes are far too high. We must stop thinking that the “immigration problem” is “not our problem.” We are a nation *of immigrants*; therefore, an issue pertaining to *an immigrant* is inherently *everyone’s* problem. With specific regard to the Latino population, we must also consider how our role in our international affairs might have perpetuated the very poverty and political turbulence abroad that forces migrants to seek refuge on U.S. shores—leaving their loved ones behind for low-paying jobs and an alienated existence. We must go beyond the imaginary, to acknowledge the underlying, systematic, and concrete reasons why immigration exists in the first place (unemployment, poverty, oppression, and other grievances that wrack the globe), and work to understand how we have contributed to the problems that exist on *both* sides of the border – especially with regards to Latin American countries, with whom we have a long history of economic and political interventions which have contributed to the dwarfed prospects and slow progress of many parts of the region.

It is time for us – *all* of us – who have imprinted our personal histories on U.S. soil; who have created lives and families within its borders; who have improvised our identities within its impossibly intricate cultural framework, and who understand that the U.S. can only continue exist if it is shared, to step forward and speak out. It is time for us to engage and to reconcile the complexities and contradictions embedded in the rhetoric of our nation’s life story. It is time for us to extricate ourselves from our entangled perception of reality. If we do not actively defend the intrinsic value of human life, then I believe that we will forfeit our right as a nation to exist.

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