

WE ARE F.I.E.L: CREATING VISIBILITY AND VOICE
IN THE STRUGGLE FOR IMMIGRANT RIGHTS

by

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DEDICATION

To my mother, Maria Angelica Loera, without whom none of this would be possible and to the millions of undocumented immigrants who risk everything for a better life.

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CHAPTER I

INTRODUCTION: SOMOS F.I.E.L

In the summer of 2011, on the streets of Washington D.C an audible and distinct chant was heard, “Ain’t no power like the power of the people, because the power of the people don’t stop!” This loud and unwavering chant resonated from the voices of hundreds of immigrant rights activists as they marched towards the gates of the White House to demand deportation relief and immigration reform. Their plea was heard. In 2012 President Obama issued an executive order, DACA (Deferred Action for Childhood Arrivals), granting deferred action or deportation relief and legal work permits for undocumented youth who meet certain criteria. Two years later, once again pressured by immigrant rights activists and leaders, President Obama issued another immigration executive order. This time, the 2012 order would be expanded to include the undocumented parents of U.S born citizens.

For the members of F.I.E.L (*Familias Inmigrantes y Estudiantes en la Lucha*) (Families and Students in the Struggle) an immigrant rights organization in Houston, these two executive orders were momentous. However, they were only a temporary fix for the 11 million undocumented immigrants who live in the United States today. FIEL activists, also known as Los FIEListas, stressed that they would continue to fight for those who were excluded and hold politicians and policy makers accountable for the limbo-like state of immigration reform and immigrant rights. Given the hostile anti-immigrant context in the United States, how does an immigrant rights organization like FIEL claim rights and representation for undocumented immigrants who are considered criminals? In the summer of 2014, I was given the opportunity to study FIEL’s role

within the immigrant rights movement and the ways in which they empower and provide visibility and voice to the undocumented immigrant community in Houston.

Immigration Law and the Construction of Illegality

Since the late 1980s and the 1990s, immigration reform has become a significant issue in Congress, yet both Republicans and Democrats have failed to reach an effective solution. The socio-political status of undocumented immigrants raises questions about how to best approach immigration reform through legislation. Disagreements among legislators are mostly centered on securing the border and whether or not undocumented immigrants in the United States should have a pathway to citizenship. It is important to note that addressing undocumented immigration was not always a central issue in the United States. To understand the scope of undocumented immigration and its politics, it is crucial to examine the history of immigration law and its creation of migrant illegality.

For years, immigration policies have excluded particular groups, specifically lower class immigrants who were racialized as non-white. The first major piece of immigration legislation was the Chinese Exclusion Act of 1882 which prohibited Chinese laborers from entering the United States (Chomsky 2014:33). This act was not only the first restrictive immigration policy, it was also the first to target a specific group based on race and nationality and to require government intervention in patrolling the borders of the country. It established immigration checks and controls (Golash-Boza 2014:43). Thus, the very first references to “illegal immigrants” were towards the Chinese; the term appeared in the *New York Times* to describe immigrants as “bootleggers” or people who had “jumped ship” (Chomsky 2014:46). Exclusionary and restrictive immigration

policies such as the Chinese Exclusion Act set the course for future immigration policies such as the Johnson-Reed Act of 1924 and the contemporary debates over citizenship.

For example the Johnson-Reed Act, also known as the Immigration Act of 1924, limited entry to the United States by creating national-origin quotas. These quotas dictated the number of immigrants who could enter the United States in any given year based on composition or the percentage of U.S. residents who traced their heritage to that country (Schaefer 2008:879). However these quotas did not take into account the following groups: aliens ineligible for citizenship such as Asians, the descendants of slaves, and Native Americans (Golash-Boza 2014:44). The arrangement was overtly racist as it clearly favored immigration from Northern and Western European countries, designed to increase their population, and stop the growth of other groups. During the debates of the Johnson Reed-Act, radical eugenicists were invited to provide testimonies before Congress making it clear that Northern Europeans were superior to Southern and Eastern Europeans and advocating for the sterilization of people deemed to be inferior (44). Members of Congress, who voted in favor of these racially biased quotas, took these ideas into account. Hence, Great Britain and Northern Ireland were granted a quota of 65,271 immigrants; Italy 5,802; Yugoslavia, 845; and 100, for most African and Asian Countries (Ngai 2004:28; Golash-Boza 2014:25). By placing a preference of national-origin quotas for Europeans only, the law and the legislators who crafted it, made it clear that they did not consider non-white immigrant groups as part of the nation (2014:44).

Moreover, immigration policies such as the Johnson-Reed Act contained overt and covert racial notions as birthright citizenship was first granted to whites only, until the passage of the 14th amendment of the 1868 Civil Rights Act extending citizenship to

blacks and the Snyder Act of 1924 which granted citizenship to Native Americans. However, debates over citizenship status of certain groups such as Native Americans continued to persist until the passage of the Nationality Act of 1940 which established birthright citizenship to individuals born in the United States. (Golash-Boza 2014:38-46; Menchaca 2011:452).

To comprehend immigrant illegality as we know it today, it is crucial to examine the period of 1924-1964. Illegal entry into the U.S was surveilled with the creation of the border patrol in 1924, as a product of the expanded Oriental Exclusion Act and the Johnson-Reed Act (Golash-Boza 2014:361). Following the passage of these acts, nativist and racist views increased during the Great Depression as Mexican migrants and U.S citizen Mexicans were considered undeserving, excluded from employment and economic relief, and deported back to Mexico (Menjivar and Kanstroom 2013:41; Menchaca 2011:506). However with the end of World War II and with high shortages of labor, the Bracero Program was created as a U.S-Mexico agreement for temporary contract labor, bringing over 4 million Mexican workers.

Even with the large number of legal braceros, employers would encourage braceros to overstay their tenure. They preferred this undocumented labor because it was abundant, cheap, and wanted to avoid contracting fees, fixed minimum wages, and other precautions (Menchaca 2011:527; and Kanstroom 2013:42). The Bracero Program, however, came to an end in 1964 when Congress negotiated an agreement with Mexico to allow U.S corporations to set up assembly factories in Mexico and hire cheap labor there. The program was also terminated due to pressure from civil rights organizations, the Catholic Church, and labor unions who were concerned by the treatment of workers

and the need for American farmworkers (Menchaca 2011:525). Despite the ending of the program, the economic need and structure that depended on these workers did not, and “suddenly the old system became illegal” (Menjívar and Kanstroom 2013:42; Menchaca 2011:537; Chomsky 2014:11). The passage of the Immigration and Nationality Act of 1965 further cemented and institutionalized the illegality of Mexican labor migration in setting quotas far below the number of braceros who had been allowed in the past previous years (Chomsky 2014:60).

The mass deportation of immigrants by border patrol also played a role in facilitating undocumented migration. A series of mass deportations were conducted in 1930 and 1950 with the implementation of Operation Wetback in which over a million Mexican immigrants were deported (Chomsky 2014:364). Operation Wetback successfully invoked a high level of fear among Mexican immigrants who found themselves forced to leave their homes and return to Mexico. The stigmatization of undocumented immigrants by Operation Wetback increased with nativist and racial biases that continued to influence immigration laws (2014:46).

With the increase in border security coupled with restrictive immigration policies, more and more workers began to stay longer in the U.S as immigrants rather than temporary workers (2014:12). In terms of the economics of this illegality and immigration relationship, undocumented labor has proven to be essential to the U.S economy at the expense of creating an exploitative group. In this case, immigration laws have served as a type of “permanent crisis management” that strategically supplies and redefines the parameters of labor discipline and coercion. The efforts of these laws have intended to make particular migrations into “disciplined and manageable objects,” yet the

ongoing migrant labor as well as class conflict ensures the failure of this objective (Menjivar and Kanstroom 2013:44).

When conceptualizing illegality in relation to undocumented migration, it is important to distinguish both as interrelated yet not synonymous. Illegality is a social relation as well as a juridical status much like citizenship in that it entails an association to the state (De Genova 2002:424). Immigration law has produced and defined the parameters of migrant illegality through calculated and intricate policies of intervention (De Genova 2002:424). The socially and politically motivated construction of migrant illegality has further influenced categories such as “illegal immigrant” and “illegal alien.” These social categories not only serve the purpose of differentiating citizen from non-citizen but help to alienate, marginalize, and exploit undocumented people through policing, deportation, and denying those rights (De Genova 2002:439). Furthermore, it is important to recognize that illegality is not just a social status crafted by immigration laws but also a lived reality of the 11 million undocumented immigrants in the United States.

Immigrant Rights Activism

For the most part, the history of immigrant rights in the U.S showcases a pattern of advocacy. This pattern can be characterized as strong and short interventions fueled by the socio-political environment. As Latinos have come to constitute the majority of the immigrant population, they have also become one of the biggest groups to mobilize and advocate for immigration reform and immigrant rights. Since the 1970s and 80s, attempts to pass immigration reform, especially after the Reagan era, has resulted in a tumultuous

roller coaster ride. In the U.S, the trend has been more towards border enforcement measures rather than progressive policies to address undocumented immigrants and their rights. For the Latino community, their advocacy for immigration reform did not appear on a national political agenda until the 1980s (Villarreal and Hernandez 1991:61). Only a few organizations played important roles in the immigration debates during the 1980s such as the Mexican American Legal Defense and Education Fund (MALDEF), the League of United Latin American Citizens (LULAC), the National Council of La Raza (NCLR), and the United Farm Workers (UFW), an affiliate of the AFL-CIO.

However, during the 1990s, more and more hostile immigration policies began to be enforced; these fueled anti-immigrant sentiment, specifically against Mexican immigrants. It was during this period that the immigrant rights movement emerged with full momentum as politicians with nativist ideologies argued that Latin American immigrants posed a threat to the national identity of America. A prominent political scientist and Harvard scholar, Samuel Huntington, claimed, “In this new era, the single most immediate and most serious challenge to America’s traditional identity comes from the immense and continuing immigration from Latin America, especially from Mexico...” (Samuel Huntington 2004; Nicholls 2013:22). This anti-immigrant sentiment provoked many politicians to support more border enforcement and deportation measures during the Clinton administration. Immigration reform did come to the political forefront in 2000 with meetings between U.S President George W. Bush and Mexican President Vicente Fox. However the terrorist attacks of September 11, 2001, eliminated any chance for immigration reform and immigration was quickly redefined as a security issue.

Consequently, fear of terrorism became linked with issues of immigration reform and border security driving more xenophobic sentiment (Nicholls 2013:33).

Because of the hostile socio-political environment for immigration policies, immigrant rights advocates and supporters had to develop what Walter Nicholls calls “niche openings” or opportunities for small progressive measures (2013:28). It was then that in 2001 that the DREAM Act (Development Relief and Education for Alien Minors) was introduced and found key support among House members and Senators in Congress. This legislation was aimed towards undocumented youth to have a pathway for citizenship in the United States under certain requirements. Moreover, with the creation of the DREAM Act, undocumented youth became an integral component in its support as they became more politically conscious and aware of their undocumented status (48). Undocumented youth increasingly became activists joining and creating organizations to champion and be a voice for their rights. In doing this, undocumented students mobilized for the DREAM Act and became a socio-political group known as the DREAMers (48).

Since its introduction in 2001, the DREAM Act underwent numerous revisions and had finally been reintroduced in 2010 when it failed to pass Congress (Corruncker 2012:145). Before this moment, however, the year 2010 also marked a significant moment for the DREAMers in the immigrant rights movement. That same year, a group of undocumented students known as the DREAM Act 5 conducted the first act of civil disobedience, a sit in, at Senator McCain’s Arizona office (2012:148). This act proved that young undocumented activists had the capacity to bring their rights to the political forefront as they fearlessly risked their deportation and detention. It was during this period of increasing grass roots organizing and student activism that I was initially

exposed to the immigrant rights movement and became a DREAM Act activist as an undergraduate at Texas A&M University. The ultra-conservative atmosphere at A&M proved to be fertile grounds for the rise of my activism and participating in countless protests and marches.

That same year, in May 2010, I also participated in my first immigrant rights march where I first met Chris the founder and executive director of FIEL based in Houston. I then kept in touch with FIEL and with the organization's progress through social media and the Texas network of immigrant rights organizations, the Texas Dream Alliance (TDA). During the May 1st immigrant rights march, what struck me most about FIEL was their ability to mobilize activists and passionately inspire people by leading the march chants and songs. I still remember Abel, Chris's brother, banging a drum and chanting, "When immigrant rights are under attack, what do we do? Stand up fight back!" as crowds of activists marched behind him joining in unison. Another thing that initially interested me about FIEL was the organization's stance in opposing the use of acts of civil disobedience, which at the time was a big aspect of the DREAM Act movement. I wanted to understand what made FIEL such an influential organization in Houston and what made them stand apart from other immigrant rights organizations.

At a time when most organizations were solely focusing on the DREAM Act, FIEL decided to not just advocate for DREAMers but for all the undocumented immigrants in the United States. They wanted to be a source of empowerment, a resource for opportunities and at the same time protect immigrant communities. Thus, they did not encourage acts of civil disobedience among its members unless someone felt compelled to do it individually such as publically declaring their undocumented status at a march or

protest. Chris formed the organization in 2007 along with members of his family and friends. When asked why he decided to form FIEL, he said he created the organization out of the basic need to help better the lives of undocumented immigrants. As an undocumented immigrant himself, Chris knew how it felt to lack resources for help and to feel as if no one was fighting for his rights. He wanted FIEL to focus not just on the DREAMers or undocumented youth, but to fight for all the undocumented immigrants and their families. So he used the name FIEL, which means loyalty in Spanish, and incorporated both *familias y estudiantes* (families and students) in the organization's name.

Research with Los FIEListas

When I originally started my research, I sought to understand how FIEL was advocating for immigration reform. Yet during my time with FIEL as an anthropologist and volunteer, I realized that immigration reform is not their only goal in their struggle for immigrant rights. Their diverse strategies, distinct structure, and advocacy methods forced me to question FIEL's role within the immigrant rights movement, as well as their effectiveness as an organization of activists, leaders, and members of the community. Politicians, civic organizations, USCIS (United States Citizenship and Immigration Services), immigration judges, the border patrol, and anti-amnesty advocates are just a few of the heterogeneous actors and tactics that contribute to how FIEL addresses undocumented immigration. Using the concept of governmentality which will be explained in chapter two, I contend that FIEL is more than just an immigrant rights organization. They are a counter-hegemonic organization amongst a network of powerful

and authoritative entities and bureaucratic practices that have marginalized undocumented immigrants and deemed them unworthy of rights and citizenship.

In countering these various agents of power, FIEL has created a voice for empowerment and a space for protection of undocumented immigrants. The organization has deconstructed xenophobic discourses and notions that depict undocumented immigrants as static racialized individuals incapable of being productive American citizens. FIEL has come to dispel racist and nativist narratives by fighting for citizenship rights, rights for socio-economic advancement, rights for political representation, and ultimately for a human right to exist. FIEL serves as a reminder that the fight for immigrant rights will not be easily solved with immigration reform, but with the humanization of our immigration system and the individuals whose lives are continuously affected by the powers of both state and non-state actors.

Methodology

My data collection involved serving as a volunteer at FIEL for seven weeks starting in June 2014 where I used qualitative research methods of direct and participant observation and interviews. My direct and participant observations consisted of documenting the workings of the office on a day to day basis and the interactions between FIEL staff and members, including the clients seeking legal assistance. This method allowed me to study the everyday culture at the FIEL office and organization's relationship with the undocumented immigrant community in the surrounding area. Through my direct observations, I was able to analyze the DACA process and how undocumented immigrants utilized resources at FIEL either through paralegal members

or the lawyer on site. Additionally, I not only participated in FIEL as a volunteer but as an activist. My first participant observation as an activist occurred on July 18, 2014, during a counter-demonstration that FIEL conducted in response to national anti-amnesty protests. The event titled, “Demonstration Against Hate” involved immigrant rights activists and other supporters who were acquainted with FIEL or had heard about the event through social media or friends. The anti-amnesty group hosted the event and brought their supporters through social media and by word of mouth.

Aside from participant and direct observation, I also conducted semi-structured interviews with four FIEL members: Chris, the executive director, his brother Abel one of their paralegals Chele, and an activist Maria. The questions in the interview were designed to understand their personal experience as immigrant rights activists, why they joined FIEL in particular, and their role within the organization or immigrant rights movement. I also asked questions regarding the politics of immigration reform. In addition to interviews, I gathered participant and direct observation data documented in field notes from conversations at the FIEL office and the demonstration.

Every participant interviewed, Chris, Abel, Maria, and Chele including informants who were not interviewed, Griselda, were given pseudonyms to ensure anonymity, confidentiality, and protection. However, I was given permission by Chris and other members of the organization to utilize the organization’s name, FIEL, in my study. Furthermore, I examined my data through content or textual analysis that involved in-depth readings of data text, formulating codes and thematic categories, and intensively assessing and revising thematic structures and codes. Through content analysis, I was

able to interpret interviews, the immigrant rights discourses, and the participant and direct observations of FIEL and their members within my theoretical framework.

Overview of Chapters

Chapter two, “Los FIEListas: Counter Hegemony and Empowerment in the Struggle for Immigrant Rights” examines FIEL as a counter-hegemonic organization within the scope of governmentality. The concept of governmentality showcases how power operates both inside and outside of the state and is dispersed to govern individuals and populations such as undocumented immigrants. Technologies of rule, bureaucratic practices, discourses, and agents of power contribute to how undocumented immigrants are marginalized and criminalized as racialized subjects. Despite these various forms of power and authority, FIEL fearlessly confronts this hegemony through acts of resistance and mobilization, allowing them to act as powerful agents of change.

The third chapter, “The Power of Cultural Expression: Voices of Immigrant Rights Activists” is a processual narrative analysis of a counter-demonstration against an anti-amnesty protest in Houston. This chapter showcases how FIEL mobilizes their community through cultural expression and ritual communication. This demonstration served as a way to understand the anti-immigrant and immigrant rights discourses that were exhibited through dialogue, chants, signs, and symbols. As a participant observer, I analyzed the demonstration as a process and as an event in motion. Thus, processual analysis of the demonstration allowed me to analyze the spontaneity, the human agency, intentions, desires, thoughts, and the dynamic interaction of both groups through narration as it unfolded. Furthermore, it showcases FIEL’s counter-hegemonic response

to xenophobic and anti-immigrant rhetoric that has an effect on the lives of undocumented immigrants.

The last chapter, “To Be Undocumented: Confronting the Heterotopia of Illegality in the Struggle for Citizenship” provides readers with personal accounts of FIEL members to shed light into their lived experience as undocumented immigrants and as immigrant rights activists. It illustrates how undocumented immigrants address and make sense of their illegality within the context of governmentality. I also discuss how undocumented people, in various degrees, undergo different forms of inspection involving race, class, gender, and legal status which reflect the heterotopia and boundaries of their everyday social lives. Moreover, this heterotopia serves as an analytical tool to conceptualize the borders, boundaries, and social spaces undocumented immigrants occupy as a result of their illegality and racialization.

Altogether these three chapters are meant to provide a better understanding of immigrant rights through my experience at FIEL as an anthropologist and activist. In doing so, I hope to encourage readers to critically examine the struggle for immigrant rights within the scope of governmentality and question current immigration policies. More importantly this analysis showcases how FIEL members and activists counter these various actors, bodies, and bureaucratic practices through counter-hegemonic strategies and cultural expression.

CHAPTER II

LOS FIELISTAS: COUNTER HEGEMONY AND EMPOWERMENT IN THE STRUGGLE FOR IMMIGRANT RIGHTS

Addressing immigration has become a major issue in U.S politics and is a polarizing topic amongst politicians, policy makers, the media and the American public alike. Even though the United States is considered a “nation of immigrants,” immigration is reframed as a problem specifically at the U.S-Mexico border where undocumented immigrants, asylum seekers, and refugees have crossed. The undocumented immigrant population in the United States consists of approximately 11 million individuals of various nationalities and ethnicities, yet within the immigration discourse the term “illegal alien” has become synonymous with Latinos, specifically Mexicans. Policy makers and politicians have focused their efforts in creating policies and laws to secure and militarize the U.S-Mexico border rather than creating a pathway to citizenship for the millions who are undocumented. However, this is not the first time the nation-state and its laws have denied citizenship rights to immigrants based on race, class, and status. Historically, race and racializing processes have played a central role in immigration.

Given this history, this chapter will explore immigration and its relationship to race, racialization, discourse, power, and bureaucracy. Together, these forces contribute to how immigration is addressed and are part of the multi-faceted Foucauldian concept of governmentality (Foucault 2007). This concept encompasses not just the powers of the nation-state but the practices and networks of actors, organizations, and entities that exercise authority over individuals and populations (Inda 2006; Foucault 2007; Fassin 2011). Thus, governmentality includes the practice of all authoritative bodies that help

and aim to shape conduct and exercise power over individuals and populations. It is an analytical tool and concept that shows how various forms of power and practices define and influence how undocumented immigrants are perceived and governed.

FIEL is also a part of this constellation of power and practices functioning as a counter-hegemonic organization yet constrained by bureaucratic forces and agents of power. As an organization, it is both an object and by-product how immigration is problematized, addressed, internalized and externalized in the United States. FIEL's objectives and efforts to advocate for immigrant rights is at the same time a response to how immigration is regulated, governed, and managed in the United States.

Consequently, FIEL's actions and practices are inevitably a part of governmentality through its interactions with the powers of the state and its relation to the immigrant community. It further illustrates both the possibilities and limitations of counter-hegemonic power. In this chapter, I use the concept of governmentality and its interconnected facets of discourse, and technologies of rule, to show how they affect FIEL and the undocumented immigrant communities they serve. In addition, I will illustrate how FIEL serves as a counter-hegemonic organization by providing voice and agency through acts of resistance and assertions of cultural citizenship.

Governmentality of Undocumented Immigration

Governmentality refers to the “conduct of conduct” and the “more or less calculated ways of thinking and acting” that influence, regulate, and manage the actions and behaviors of individuals and populations (Inda 2006:3). It is best described as a heterogeneous multi-faceted concept or domain; studies of governmentality not only

consider the activities of the nation-state but critically connect all practices and bodies that seek to shape conduct on both the individual and collective level (Inda 2006:3). Thus, understanding undocumented migration or “illegal immigration,” requires a multifarious analysis that considers how individuals and populations are managed, regulated, and disciplined.

Within the realm of governmentality, also lie the discursive formations which conceptualize and rationalize power relations. According to Inda, discursive fields are considered “political rationalities” or “intellectual machines” that manipulate and control reality (2006:4). To deconstruct these political rationalities, it is important to understand not just the language of the discourse but how language produces knowledge and becomes a system of representation. For Foucault, discourse does not consist of one statement, one text, one action or one source. Discourse is comprised of meaningful statements that produce and reproduce rules of formation, maintenance, modification, and disappearance through time (Foucault 1972:31; Wetherell, et al. 2001:73). Hence, discourse involves not just language but practices that enact knowledge about particular topics at particular moments (Wetherell, et al. 2001:73).

From this perspective, scholars have begun to examine the concept of migrant “illegality” and how this discourse is shaping perceptions of immigration (De Genova 2002:432). Through discourse, the socially and politically motivated construction of migrant illegality is based on social categories such as “illegal immigrant” and “illegal alien.” Illegality, in this sense, is understood abstractly not only as a political orientation but as a social construction intertwined with notions of citizenship, nationalism, and legitimacy (De Genova 2002:422). With respect to undocumented migrations, the

character of these movements requires a social and historical analysis of the law and the creation of migrant illegality. The nation-state along with other agents of power such as lawmakers, politicians, and USCIS who have become active players in sustaining hegemony through coercion, technologies of rule, and the socio-political construction of illegalities (Fassin 2011:213; Inda 2006; De Genova 2002).

Despite the profound effect that social and political illegality has had on the lives of undocumented immigrants, I must emphasize that they are not bounded by this illegality. FIEL members and the undocumented immigrants they help each have a distinct immigration story and each experience different degrees of this illegality. What makes immigrant activists such as the FIEL team so significant is that they have found their undocumented status to be a source of empowerment and agency to mobilize the immigrant community in Houston. Even though society grants undocumented immigrants marginal status, they have established ways in which to exhibit agency. Even with the passage of anti-immigrant laws, they continue to navigate their lives within the U.S social structure and advocate for immigration reform. All around the country immigrant rights groups like FIEL have organized acts of resistance such as protests, “Coming Out” as undocumented events, and political marches in order to bring awareness to the struggles they are facing. Because of their strong and expressive forms of communication which seek to make a marginalized group visible, these acts of resistance have become an effective counter-hegemonic response and discourse. They represent a counter-hegemonic confrontation and reaction to the dominant ideology of citizenship, belonging, and nationality. FIEL and the undocumented immigrant community are both reshaping and deconstructing dominant notions of citizenship, criminalization, and illegality.

Discourse formation, as Foucault argued, is not just about understanding language but also about analyzing the construction of topics and how language is practiced. In deconstructing anti-immigrant discourses, it is vital to examine the conceptual link that associates immigrants with criminals through language. This involves understanding the power of language and the symbolic violence involved in reproducing the criminalization of immigrants (Bourdieu 1991, Hagan 2008). Specifically, symbolic violence refers to the power of a dominant group to make its preferences, perceptions, norms, and in this case language, appear superior to the non-dominant group (Golash-Boza 2014:226).

For Bourdieu, language and the linguistic market exhibit a salient domination or, “an attitude which challenge the usual dichotomy of freedom and constraint” by the people who comply with this disposition (1991:51). The intimidation or symbolic violence is not easily detected and neither is the social conditions and situation that produced it; symbolic violence and its dominating character can work to reproduce a conceptual association of immigrants with crime and suspicion. It sets mental, legal, political, and social connotations that are made to “stigmatize immigrants and to delineate their place within the social hierarchy” (Hagan 2008:99; Bourdieu 1991). This symbolic violence constructs undocumented immigrants as criminals and contributes to the language of immigration debates and immigration law. In this case, anti-immigrant policy-makers and politicians exert symbolic violence through their language, bureaucratic practices, and implementation of immigration law. Thus, symbolic violence is another form of governmentality which reflects power and is produced through discourse.

The linking of criminality to immigrants is not recent. Historically, it has been a factor in influencing restrictive immigration measures. Immigrants have often been characterized as drug and alcohol abusers and as the main cause for increases in crime since at least the early nineteen twenties (Hagan, et al. 2008:96). The arrival of large number of immigrants during this time period incited fear in many native-born citizens who felt threatened by the new cultures and feared losing their privileged position. This link between immigrants and crime continued in social and public discourses as more restrictive immigration policies were implemented in the 1930s and 1960s. As undocumented migration from Mexico increased, these immigrants were increasingly considered a new threat and their illegality served as a means to justify their marginalization and treatment as criminals.

Additionally, public discourses that oppose immigration are not just centered on the symbolic violence of criminalizing immigrants; they are often intertwined with race and racism. In the United States, as well as around the world, migrations and displacements from Africa, Europe, and Latin America have generated a rise in xenophobia that influence anti-immigrant organizing and discourse (Davila, et al. 2014:1). Race and culture are inevitably part of this discourse and must be studied critically. They are influential in how countries such the United States respond to undocumented migration and construct immigration laws. Before I discuss how race and racism are manifested in immigration discourses, it is important to acknowledge the racialization of Latinos in the U.S and its effect on the perception and stigmatization of immigrants.

The first groups of Latinos who were racialized in the United States were Mexican immigrants. Many were already present in the United States when the Treaty of Guadalupe Hidalgo ended the Mexican-American War in 1848, and Mexico ceded the states of Texas, Arizona, New Mexico, and California to the United States. The signing of the treaty caused an estimated 50,000 Mexicans to suddenly become U.S citizens (Bucerus, et al.2003:3). Although, despite the agreements in the Treaty of Guadalupe which granted Mexicans citizenship and the rights of white citizens, the U.S did not follow through with this stipulation of the treaty. The United States then began a process of racialization that ascribed Mexicans different legal rights on the basis of race. Mexicans who were mestizos, Christianized Indians, and Afromexicanos or mixed race people of African descent were considered inferior and stripped of legal rights (Menchaca 2011:446). Mexicans then entered a new “racial order in which their civil rights were limited on account of their blood quantum” (2011:467).

As more Mexicans began to immigrate, racialized notions influenced the construction of restrictive and exclusionary immigration measures and became the, “prime rationale for legal domination, discrimination, and restrictions on mobility” (Chomsky 2014:32). It wasn’t until after 1965 that the term “illegal immigrant” became more associated with Mexican workers crossing the Rio Grande and began to be used more often by journalists, politicians, and the media (Chomsky 2014:47; De Genova 2002). Xenophobic, nativist and racist views rooted in U.S immigration laws have defined who deserves citizenship and have created boundaries of exclusion for a non-white undocumented immigrant population. These boundaries are not only created by the

nation-state, but also by citizens, public discourses, border security, and other agents of power that deem undocumented immigrants not worthy of belonging.

Following the Civil Rights Movement and the passage of the Civil Rights Act of 1964, blatant racism is no longer legal or tolerated in contemporary laws and institutions. We no longer have immigration laws that overtly exclude immigrant groups on the basis of race such as the Chinese Exclusion Act of 1882. With this progress and change, many people perceive racism as a thing of the past and consider today's society as post-racial. This claim, however, does not explain how racial inequality continues to persist in almost every aspect of American life including housing, income, education, employment, and health. Eduardo Bonilla-Silva importantly poses this question, "How is it possible to have this tremendous degree of racial inequality in a country where most whites claim that race is no longer relevant?" (2006:2).

Confronting this question, Bonilla-Silva was forced to think about racism in a different light. He argues that racism today functions under a new guise. He defines this new form of racism as colorblind racism where non-racial dynamics are used to justify racial inequality and conceal racially biased behaviors and practices (2006:3). In re-conceptualizing racism, Bonilla-Silva characterizes it not just in terms of an ideology but also as more of a structure (26). He outlines this structure as a "network of relations at social, political, economic, and ideological levels that shape the life chances of various races" (26). This new approach of thinking about racism also brings into question the definition of race, which Bonilla-Silva acknowledges as a constructed identity and social reality that is fluid and constantly changing (8). Racism, in this case, is operating within a

new structure. It is characterized by the “covert nature” of racial discourses and practices, and the invisibility of mechanisms that reproduce racial inequality (26).

I extend Bonilla-Silva’s notion of colorblind racism and its covert nature to the racialized discourses pertaining to undocumented immigrants. From this perspective, race, racism, and racial dynamics are part of a structure that contributes to false notions of immigrants within the highly charged immigration debate. These ideas are manifested in anti-immigrant rhetoric, illustrating a polarized view of undocumented immigrants that organizations such as FIEL experience and try to counter. Bonilla-Silva focuses on these racial discourses and how subtle language and statements are used to conceal racist discrimination and perceptions (2006:101). Much of the immigration discourse reflects a racialized view of undocumented immigrants as mostly Latino, specifically Mexican. This was clearly showcased during FIEL’s counter demonstration against an anti-amnesty protest.

During this protest, anti-amnesty protesters presented a racialized view of undocumented immigrants which was apparent in their dialogue and protest signs. Phrases such as “Go back to Mexico!” and poster signs that read, “Stop the Illegal Invasion, Boycott Mexico” carried these overt racial connotations that promoted fear and anger of Mexican immigrants. Many of the protesters at the demonstration would shake their heads when FIEL activists called them racists. During a media interview, one protester claimed that she was tired of President Obama promoting a “race war” saying she was only concerned about immigrants taking away her freedom. Another woman even described Mexico as the Middle East, noting how both Mexicans and people from the Middle East are brown skinned and present a danger to the United States. This type of

dialogue and covert language is an example of how racism in certain contexts can be difficult to detect when racist ideology is no longer blatant or black and white.

To Be Undocumented: “Technically You Don’t Exist”

“What does it mean to be undocumented” is one of the many questions that I continuously asked myself. One day I observed one of FIEL’s paralegals working on a DACA application for a client, it was clear that the client was struggling to provide documentation and was confused as to what the DACA program entailed. When explaining the limitations of DACA, the paralegal said, “Without this, technically you don’t exist.” Feeling non-existent and invisible without proper legal documentation is a sentiment that many undocumented immigrants experience. Without proper legal documentation, working legally in the U.S is no longer an option. Undocumented immigrants are then left to work wherever they can in order to sustain a living. They are further criminalized because to work without documentation means one has to obtain false drivers licenses and IDs. Being undocumented not only distinguishes you from a legal citizen, it also carries a criminal connotation even though being in the U.S without documentation is a civil offense and not a criminal one (Chomsky 2014:98).

The undocumented immigrant experience varies from one individual to the next as immigrants experience various degrees of illegality in their everyday lives. However, the boundaries of their undocumented status become apparent when they encounter agents of power, organizations, discourses, and other authoritative bodies and practices that encompass the governmentality of immigration. Practices of governmentality such as detention and deportation bring into perspective how migrant illegality is addressed and

also defined by physical and cultural borders. Like Gloria Anzaldúa and Alejandro Lugo, in my research I define borders as more than just physical geo-political lines; they can also be examined as internal divisions or boundaries that structure, “personal and collective aspirations as well as social divisions” (Lugo 2008:118; Anzaldúa 2007). It is these borders and boundaries that help to conceptualize the undocumented experience, the heterotopia, feelings of melancholia and marginality felt by FIEL members and the immigrant communities they serve. To elaborate, melancholia encompasses all the ways in which racialized subjects contest their everyday conflicts and struggles. It is not only collective and individual emotions but involves making sense of these structures of feelings that “accompany the unstable immigration and suspended assimilation” (Zavella 2011:158).

The migration journey whether a voluntary or involuntary decision, places migrants in new circumstances where they must learn to make sense of their new surroundings. At the same time, they find themselves constructing a peripheral vision, “a perspective in which comparisons between Mexico [or other country of origin] and the United States are based on a sense of marginality” (Zavella 2011:23). Together melancholia and peripheral vision contribute in understanding the conceptual space of heterotopia and the feeling of exclusion and marginality. In other words, undocumented immigrants have come to occupy a liminal space within the U.S social structure as they learn to navigate their illegality and the boundaries that are imposed by all governmental and non-governmental bodies.

Along these lines, Alejandro Lugo comes to understand and conceptualize spatiality and boundaries distinctly in his ethnography of working and living in the border

as a maquiladora worker. He utilizes Foucault's concept of heterotopia as an ethnographic tool to critically examine the border, borderlands, and border culture (Foucault 1972, Lugo 2008). Heterotopia is described as a state of disorder in which things are placed, arranged or laid in a way that makes it impossible to have a sense of belonging (Lugo 2008:122). Similarly, I extend Foucault's concept of heterotopia to the illegality of undocumented immigrants that affects almost every aspect of their lives in the United States. Heterotopia helps to examine how practices of governmentality, like detention and deportation, push undocumented immigrants into a conceptual and structured space of exclusion and alienation.

In using heterotopia to conceptualize spatial separations and boundaries imposed by the state apparatus, analytical tools such as border inspections help to enrich ethnographic accounts and better "capture the human experience in its everydayness" (Lugo 2008:124). Lugo defines border inspections as more than just physical stations at the border that determines whether or not you can cross a geo-political boundary. Border inspections can be forms of "cultural surveillance" by those who have the power to inspect such as INS officers and USCIS agents that review individuals along the lines of race, class and gender (116). In my research with FIEL, my direct observation of applicants going through the DACA application process showcased a similar yet different form of inspection. The DACA program and its process established boundaries in determining who qualifies and who does not by inspecting individuals on the basis of age, race, education, income, and residency and immigration history.

It is also important to differentiate borders from the theoretical notion of borderlands so as to provide more clarity in how they each relate to heterotopia. Gloria

Anzaldúa elaborates on these two concepts by defining borderlands as, “a vague and undetermined place created by an emotional residue of an unnatural boundary” (2007:25). It is in the borderlands, Anzaldúa states, that the prohibited and the forbidden reside, “the transgressors, the aliens whether they possess documents or not, whether they’re Chicanos, Indians, Black” (25). Borderlands are not just particular to the Texas-U.S Southwest/Mexican border but are present anywhere,

Borderlands are physically present wherever two or more cultures edge each other, where people of different races occupy the same territory, where under, lower, middle and upper classes touch, where the space between two individuals shrinks with intimacy (Anzaldúa 2007:i).

The U.S-Mexico border provides a context for understanding the theoretical distinctions of border, borderlands, and border crossings. For example, the border for many is a destination and serves as an incitement or possibility, “an always unfulfilled locality” for a better life to the U.S, while at the same time “reinforcing nation and its privileged subjects” (Lugo 2008:123). In terms of border crossing, not everyone manages to cross a border. However even when an undocumented immigrant manages to cross the border with or without inspection, their lives still undergo another form of inspection. Immigration laws and policies in the United States place strict restrictions for undocumented immigrants that prohibit them from working legally, obtaining identification documents such as a driver’s license, and having a pathway to citizenship. Maria, a FIEL volunteer and activist, talked about how her undocumented status is a constant reminder of fear: “I just want to be able to do my job, be able to drive without being scared. At the end of the day all we [undocumented immigrants] want is to feel safe, go to work and go about life in the U.S....” (Maria, Lilia Loera, August, 14, 2014).

For undocumented immigrants, their place of residence is the U.S, yet their non-legal status creates a gray zone of temporariness that precludes a sense of belonging and has a profound effect for many. Nevertheless, it is vital to acknowledge that borders, borderlands and heterotopia can bring insight into the agency and resistance of marginal groups that cross and occupy these spaces and divisions. In conceptualizing borders, borderlands, and agency as a critique of the static notion of culture, Renato Rosaldo explained, “Our everyday lives are crisscrossed by border zones, pockets and eruptions of all kinds. Social borders frequently become salient around such lines as sexual orientation, gender, class, race, ethnicity, nationality, age, politics...” and for the purposes of this research I also add undocumented status (Rosaldo 1993:207). Like Rosaldo, I argue that these borderlands and heterotopias should not be regarded as “empty transitional zones” but as “sites of creative cultural production that require investigation” (207).

As mentioned previously, to be undocumented means different things to different people, yet they are all prone to discrimination and alienation that entail possible deportation and policing by immigration laws and powers of the state. Some undocumented immigrants, in various degrees, may feel as if they do not have a sense of belonging and as if they live invisible lives within the U.S social structure. Yet, this invisibility and marginality for activists at FIEL have served and continue to serve as a source of empowerment and opportunity. In fact, the founders of FIEL, Chris Hernandez and his family, started the organization in response to the obstacles and barriers they faced because of their illegal status. They wanted to ensure protection and provide resources to improve and better the lives of other immigrant families and their children.

They not only formed an organization around the principles of family, social justice, and immigrant rights, they also created a strong and powerful community.

In addition to being undocumented, Los FIEListas also share a racialized experience; they are not only advocating for legal rights, but also for the right to their distinctive heritage as Latinos. As part of this Latino community, FIEL has redefined the meaning of citizenship. When we think about citizenship, we often think about it in terms of a juridical status and the privileges that come with being a citizen such as voting and being able to serve in the military. For Los FIEListas, legal citizenship would give them the opportunity to be able to do these things and be recognized. However, even without it, they still exercise their voice and agency in a country that considers their status as criminal, their culture as a threat, and their labor as expendable. Rosaldo challenged the notion of the citizen mono-subject, a person who speaks English only and lives only in relation to an Anglo heritage, with the concept of cultural citizenship. Cultural citizenship conveys human worth, dignity, respect, and the right to one's culture. It functions as a way for marginal groups to claim space, equality and rights in society (1994:402).

Cultural citizenship is different from legal citizenship because it does not discriminate between non-citizens and citizens and embraces differences such as race, class, gender, and sexual orientation; it provides a heterogeneous all-inclusive state of equality (Rosaldo 1994:402). The relevance of cultural citizenship lies not just in understanding the marginal experiences and agency of FIEL community members, but also in how social scientists and the public come to understand citizenship and belonging. For Los FIEListas, citizenship is significant because of its privileges and because it will provide an opportunity for socio-political mobility. Unlike many who are granted

citizenship through birth, Los FIEListas and other immigrant rights activists have to fight and prove they deserve it. Their struggle for citizenship is marked by experiences of exclusion, illegality, and racialization. Thus, they not only fight to become first class citizens but are also fighting for their right to be different.

Processual Analysis of Acts of Resistance: The Power of Cultural Expression

Because Latinos have constituted the majority of the immigrant population and have been negatively portrayed and targeted by the media and politicians, they have become one of the biggest groups to mobilize within the immigrant rights movement. FIEL, like many immigrant rights organizations, has found ways to empower the undocumented immigrant community in order to counter anti-immigrant discourses and criminalization. Leo Chavez refers to one such discourse as the “Latino Threat Narrative:” it functions to portray Latinos whether immigrant or not as a homogenous group of “uneducated, monolingual Spanish speakers” that are incapable of social and cultural change and unwilling to integrate into American society (Chavez 2008:41). The Latino Threat Narrative legitimizes “values, attitudes, morality, and other beliefs that passively or actively support the established order and the class interests that dominate it” (Chavez 2008:41). Powerful agents such as media pundits, politicians, and other individuals thus openly craft biased representations and myths of Latin American immigrants. To deconstruct these hegemonic representations, FIEL utilizes forms of public communication that present counter representations and alternate perspectives of immigrants and Latinos, often using various forms cultural expression.

An important event which showcased the power of expressive culture was FIEL's, "Demonstration Against Hate." This event, held in summer of 2014, was a counter-response to national anti-amnesty protests that were occurring all around the country outside of Mexican consulates and public government offices. Also, this event allowed me to study how FIEL mobilized their members and observe how they communicated and expressed their message. In addition, I witnessed how the anti-amnesty protesters expressed their own message in response to FIEL's counter-demonstration. Both groups produced competing discourses through dialogue, protest signs, symbols, music, and chants. The demonstration and its social actors were constantly in motion creating a communicative space of dynamic cultural interactions.

Through my narration and subjective experience of the event, I was able to conceptualize and capture the emergence of the counter-discourses, intentions, and feelings of both groups by utilizing processual analysis. This method of analysis proved to be vital in my research as it showcased the dynamics and the tempo of what Rosaldo calls "culture in motion" (1993:105). Processual analysis concerns itself with a certain "something more that can neither be reduced to nor derived from structure...feelings, the tempo of everyday life and the making of class formations cannot simply be deduced to structural factors" (1993:105). It is a form of analysis that can consist of narration or an "extended case method which enables readers to follow a group of people through a series of incidents" (138). This analytical tool allowed me to examine the ambiguity, spontaneity and the improvisation of interaction between people, their feelings and how they expressed themselves at FIEL's counter-demonstration.

Furthermore, my processual analysis of the event identified unique forms of expression such as ritual communication based on cultural memory and showcased how FIEListas powerfully and publicly voiced and expressed their message for immigrant rights. Ritual communication concerns itself with the “projection of community ideals through creative public expression” usually through ritual and forms of presentation (Marchi 2009:57). Cultural memory is also a part of this communication as a “field of contested meanings associated with trauma and power relations that affect identity and social categories” (Zavella 2011:191). Forms of cultural memory can be produced through performances, music, and in public spaces to showcase identity, tradition, language, or cultural citizenship (192). At the demonstration, FIEL showcased this ritual communication and cultural memory distinctively through music, social justice speeches, and chants.

For instance, the dynamic and spontaneous nature of the demonstration came from moments of silence and through distinct forms of cultural expression such as Martin Luther King’s “I Have a Dream” speech and music by Los Tigres Del Norte. Martin Luther King’s “I Have a Dream Speech” is often used by activists at rallies to ritually communicate their message of humanization for immigrant rights. For FIEL, it was intended to show feelings of empowerment, freedom, and social justice in the face of marginalization and oppression. Music was also an important form of communication as FIEL activists played music from a Mexican norteño band called Los Tigres Del Norte. Their song “*Somos Mas Americanos*” (We Are More American) highlights the complex narrative of the U.S- Mexico border embedded in its representations and lyrics (Zavella 2011:192). FIEL activists symbolically played this song during the demonstration as a

way to bring about their own perspective or point of view on the politics of immigration. During this song, I observed how activists with staunch and passionate facial expressions sang the lyrics, “Yo no cruce la frontera, la frontera me cruzo” [I didn’t cross the border, the border crossed me]. This line, although small, is a strong metaphor and statement from an immigrant’s point of view of what the U.S-Mexico border means and represents. Through these distinct forms of cultural expressions, FIEL and the activists illustrated what Zavella calls, “powerful transnational archive of feelings” that helps counter the anti-immigrant sentiment and discourse (2011:192).

Los FIEListas: Agents of Change and Resistance

The protesters at the demonstration, conservative right wing media, and politicians consider undocumented Latino immigrants to be incapable of possessing power and unable of bringing about positive change. They are portrayed as undeserving foreigners who are unwilling to assimilate to American society and, therefore, pose a threat to American culture and way of life. FIEL and its members, however, deconstruct these negative generalizations and xenophobic ideas. They are constantly redefining what it means to be a citizen by fighting for their voice, visibility, and the right to exist. Through their unique forms of cultural expression and communication, they are countering anti-immigrant discourses that are imbued with colorblind and overt racism and nativist ideologies.

In understanding how FIEL advocates for immigrant rights, I applied the concept of governmentality to critically examine all the various bodies, technologies, discourses, powers, and relationships that help to create the political and cultural context of

undocumented immigration. However, it is important to emphasize that undocumented immigrants and their struggle should not be solely defined by these concepts and ideas. Los FIEListas are a reminder to social scientists that they are also redefining what it means to bring about social change and resist the dominant ideology that considers them invisible and exploitable non-citizens. As anthropologists, it is vital for us to expand our theoretical perspectives in understanding immigration, culture, citizenship, and through the experience of marginal groups and the activists who counter their alienation through acts of resistance.

CHAPTER III

THE POWER OF CULTURAL EXPRESSION: VOICES OF IMMIGRANT RIGHTS ACTIVISTS IN HOUSTON

On July 18-19, 2014, anti-immigrant groups all across the nation decided to host an anti-amnesty protest at Mexican consulates, state capitals, lawmaker offices, highway overpasses, and various public spaces. States and locations were listed for “American patriots” to come out and participate in the 321 protests nationwide. However, it wasn’t long before many immigrant rights activists and organizations heard about these protests and created their own counter-demonstration. FIEL, under the direction of Chris, was among the many immigrant rights organizations who decided to host a counter event titled, “Demonstration Against Hate” urging fellow activists, students, and families to come out in support of immigrant communities. The day of the demonstration, a crowd of immigrant rights activists gathered and confronted the anti-amnesty protesters at the Mexican consulate. It was an event that importantly revealed FIEL’s influence within the community and the manner in which they mobilized and established their message. Even more so, the voice and agency of FIEL, activists, and their immigrant community were showcased through various forms of cultural expression to confront the xenophobic discourse of anti-amnesty protesters.

Both events were created by two different communities to mobilize people with different intentions. For the anti-amnesty group, their message centered on the illegality and criminalization of undocumented immigrants through the use of chants, posters, symbols, dialogue, and various media. For FIEL, this demonstration was an opportunity for the immigrant community to come out and counter the “hate and racism,” as posted

on the Facebook event, by this anti-amnesty group. Racism proved to be an important and reoccurring theme for FIEL, and it was often used interchangeably with the word “hate.” Their references to racism and hate when describing the anti-amnesty protester’s message showcased the covert nature of racial discourses and practices.

Even though many of the anti-amnesty protesters claimed they were not racist, the immigrant rights activists experienced the targeting of undocumented immigrants at the Mexican consulate as a racialized xenophobic attack. In order to appear as not racist, the anti-amnesty protesters made sure to acknowledge and incorporate people of color as allies and also as victims of crimes by immigrants. For example, they advertised a campaign called the “Remembrance Project” whose aim is to showcase crimes committed by undocumented immigrants. With FIEL’s counter discursive ideas on immigration, they and the anti-amnesty group created two distinct spaces of mobilization and imagined communities of solidarity, whether anti-immigrant or pro-immigrant. Thus, the demonstration that followed as a result of their organizing manifested the complex narratives of immigration through the discourses of the two groups involved.

Organization of the Anti-Amnesty Protest

According to a website titled, “Americans for Legal Immigration PAC” (ALIPAC) with the caption “Leading the Fight Against Illegal Immigration and Amnesty” the anti-amnesty protests were in response to President Obama trying to “bus and house illegal aliens as a part of his new federal smuggling operation” (ALIPAC.us). The caption also thanked the protesters for coming out in Murrieta and Oracle California, where they blocked the “invasion” buses filled with Central American children refugees

and asylum seekers. After the location listings followed another list of websites affiliated with the Republican Tea Party that contained messages of support for these “historic protests.” These websites also carried the same message when advertising for the event, using words and phrases that shared a common theme of inclusion vs. exclusion, fear, caution, criminalization, and racism.

As Bonilla-Silva points out, racism has taken a new disguise. In this case, it’s one that rests on the stigmatization of immigrants, specifically from Mexico and other Latin American countries, ultimately enhancing inequality and marginalization. The anti-amnesty organizers’ strategy of criminalizing immigrants and perceiving them as a threat to American society is not an uncommon practice. During the 1920s, immigrant groups from Southern and Eastern Europe were considered to be the main cause for increases in crime. An immigration commission by members of U.S Congress in 1911, known as the Dillingham Commission, also made the conclusion that immigration caused crime and posed a serious threat to American culture (Immigration Commission 1911, Hagan 2008:96). In understanding this link between immigrants and criminality, John Hagan analyzes what he calls the “crime-immigration nexus” in the representation of immigrants through Bourdieu’s concept of symbolic violence (Bourdieu 1991, Hagan 2008:95). By conceptualizing and imposing a link between immigrants and crime, a new social relation is created and thus, “any act of criminality then works to legitimize and naturalize those arbitrary associations” (2008:99).

Even though, U.S immigration law considers being in the country without documentation as a civil offense not a criminal one, mental, political, and social associations of undocumented immigrants as criminals are continuously reflected in

immigration discourses. When describing undocumented immigrants and the unaccompanied minors, almost all the websites linked, referred to them as both “illegal aliens” and “criminals who have broken our laws, disrespected our nation and citizens... and cause major problems that harm Americans and America in many ways” (ALIPAC.us). The ALIPAC website, in particular associated “illegal immigrant” with gangs, child molesters, violent criminals, drug cartels, disease carriers, and terrorists. Only a few websites advocating for the anti-amnesty protest recognized the different nationalities of the immigrants and unaccompanied minors. However, most of the criticisms were aimed towards Mexico. One linked website, libertyfederation.com, did not contain the high frequency of these themes and phrases as most of the ALIPAC’s supporters and coalitions, yet their main message of anti-immigrant rhetoric were still the same.

I also noticed that many of the organizations shared certain characteristics in their names such as “Oath Keepers,” “American Defenders,” “USA Riders,” “National Liberty Federation,” and “Family Security Matters.” The one organization and website that stood out the most among them was the “Remembrance Project” meant to “memorialize and raise awareness of Americans killed by illegal aliens (theremembranceproject.org). Just like ALIPAC, the organization’s purpose is profiling undocumented immigrant crimes and to purportedly protect American citizens. Yet it depended on the specific profiling of crimes committed by undocumented immigrants in order to get their message of “protection” across. In addition to having the same thematic messages for the anti-amnesty protest, all the organizations made sure to incorporate patriotic phrases and symbols in order to further enhance the dichotomizations of us versus them, illegal versus

legal, and citizens versus non-citizens. Many of the anti-immigrant websites had the same colors of red, white, and blue with graphics of the USA flag and a bald eagle with the phrase “Saving America” (ALIPAC.us). This strategy of invoking patriotism and differentiating American citizens from non-citizens was one of the main methods the anti-amnesty protesters utilized to heighten their identity as legitimate members of the nation-state. What is more, their messages of fear and criminalization of immigrants became visible in the poster signs and dialogue of other anti-amnesty protests that occurred nationwide.

Organization of FIEL’s Demonstration Against Hate

Meanwhile, immigrant rights activists from all over the nation also mobilized through Facebook and other social media outlets. FIEL’s event, “Demonstration Against Hate,” called for a “peaceful and civil demonstration” and to “let us show that our community will not stand for hate,” followed by a translation in Spanish. Messages on FIEL’s event Facebook wall were all of support and encouragement. One participant commented that the “anti-immigrant protesters are driven by hate as their intent is to destroy, let us not mirror it and simply take it...history has taught us that love is the most powerful feeling in the universe that has the unique standpoint to abolish hate.” Another supporter posted a photo of someone holding a sign that said, “Welcome” and “Bienvenidos” with a colorfully painted cardboard heart on top of the U.S flag with the caption “Thank you FIEL for organizing this. These racists must be countered.” The picture appeared to have been taken at a busy highway overpass, where many of the anti-amnesty protesters were scheduled to be for their anti-amnesty events.

FIEL's Demonstration Against Hate event on Facebook had 141 people planning to attend and was shared among many of the attendees on their respective profiles. Out of the 141 people, approximately 25 people did attend the event. This low outcome could have been as a result of rainy weather concerns. Unlike the anti-amnesty protesters, FIEL was the only organization I could find that had created a Facebook event to counter the anti-amnesty protesters on July 18th and 19th in the Houston area. Chris shared the event among other social media sites but mostly organized via Facebook, by word of mouth, and by announcing it via a local news station. When speaking with Chris about the demonstration, he mentioned that he had found out about the protests through other activists and on the Internet, and had warned the Mexican consulate ahead of time. He also made sure to secure permits by the city of Houston to have a sound system and speakerphones for the event in case the police asked for them. After seeing both events advertised all over social media by the anti-immigrant protesters and by FIEL, I could sense that this event was going to draw media attention as well as have a good turnout from both groups.

Before the Demonstration and Anti-Amnesty Protest

The day before the demonstration, the environment at FIEL's office headquarters was a bit tenser and less cheerful than the previous days. Chris darted in and out of his office throughout most of the day as DACA applicants and other clients filled the waiting area. A reporter from a local news station came into the office to help broadcast FIEL's demonstration and the anti-amnesty protests that were set to occur. I could hear Chris announcing the date and time the protest was taking place in a serious tone and urging

viewers to come out in support of the immigrant community. After I left the office, I couldn't help but think back on the day I first became acquainted with Chris and FIEL in 2010, when I was an undergraduate and becoming a part of the immigrant rights movement. It was the day of the May 1st marches in 2010, the day when thousands of immigrant and human rights organizations and activists came together to advocate for immigration reform and demand equal rights. It was also the first day I had marched as an immigrant rights activist and the first time I had ever encountered an anti-immigrant group. I remember feeling shock, anger, and frustration to witness people yelling, "Illegals go home" and being called "dirty Mexican."

Despite all the yelling and hateful language, what really stayed with me from that first march was the resilient attitude I observed from Chris, FIEL members and other activists to overcome the insults and verbal attacks against immigrants and Mexicans. Just by looking at the social media posts and the language used by groups such as ALIPAC, it made me realize that the anti-immigrant rhetoric had not changed since that march in 2010. FIEL members and other activists would most likely be encountering the same kind of anti-immigrant protesters at the Mexican Consulate.

Demonstration Against Hate: Anti-Immigrant and Immigrant Right's Discourses

The day of the demonstration, I noticed that Chris appeared relaxed and resolved when I asked him if he was ready for the demonstration. He had quietly answered "yes" and remained quiet throughout the morning, giving out orders for Abel to begin packing the equipment for the event. The equipment consisted of megaphone speakers, a sound system, and two large banners. One banner had FIEL's logo painted across with the

words, “My parents were the original DREAMers” along with FIEL’s contact information and office location. Maria, a fellow FIEL activist, had arrived and appeared very excited; she mentioned that she always enjoyed marching and protesting with FIEL, particularly because of their high energy, but that other activists and organizations would be there as well. I noticed that Maria was wearing a black t-shirt with FIEL’s logo across the front, while Chris and Abel were both wearing business professional attire. At first I was a bit confused as to why Chris and Abel did not opt for a more comfortable outfit due to the high chance of rain and the hot temperature forecasted for the day. Later, Chris had explained that he always made sure to present himself in a professional manner, especially through his clothing. Even for events such as protests and marches, he emphasized the importance of looking professional because as he put it you never know who you are going to meet or when you have to be ready for a live interview.

Chris’s personal value regarding self-image and dress was something he said his mother taught him at a young age: “My mom always taught me that no matter what...I remember that I first started dressing up when I started working for her. I was like 14...When I started doing this people would take me more seriously.” He pointed out that he was also influenced by Malcolm X’s theory of self-image and honor,

There’s a theory that Malcolm X had that when you go to church you go dressed up as a way to honor him [God]. I’m wearing my vest to honor you because you are important in my life, so when he taught to his people he dressed up too because it was a way of honoring them as if to say you are important to me and I’m dressing up to honor you out of respect for you (Chris, Lilia Loera, August 4, 2014).

Not only did Chris place an emphasis on honoring the immigrant communities he serves but also wanted to stray away from what he considered an activist stereotype, “...a lot of people think that because you are an activist, you need to be grungy, and you need

to go save the whales....” Among the immigrant rights activists at the demonstration, Chris and Abel were the only activists that I observed wearing business professional attire apart from some of the media reporters. Chris’s emphasis on professional attire also signifies a symbolic counter representation in straying away from the activist stereotype and from a non-political and passive immigrant stereotype. In contrast, the anti-amnesty group also wanted to make a statement based on their attire; mostly all of the protesters were wearing red, white, and blue colors to continue to reflect this theme of patriotism and being American.

While we were driving to the Mexican consulate, Chris and Abel were rather quiet and it seemed as if both of them were feeling a bit tense and nervous about the demonstration. After a couple of minutes of silence, Chris began to play Spanish music in the car from a famous Mexican norteño band called, “Los Tigres Del Norte.” I didn’t need to ask Chris who the band was, for I had immediately recognized the voices of the singers and the familiar sound of the accordion and the bajo sexto, music instruments that are characteristic of norteño bands. Like many Mexican American children of immigrant parents, I had also grown up listening to this popular band with their songs about life at the border, immigration, drug cartels and of “Mexico lindo.” Chris first skipped around a couple of songs on his phone until he found the one he was looking for, the song was “*Somos Mas Americanos*” (We are more American). Abel quickly raised the volume and began to sing loudly with Chris. Some of the lyrics include, “Quiero recordarle al gringo: Yo no cruce la frontera, la frontera me cruzo” [I want to remind the gringo: I did not cross the border the border crossed me] and “America nació libre, el hombre la dividió. Ellos pintaron la raya, para que yo la brincara y me llaman invasor. Es un error bien

marcado” [America was born free, man divided it. They drew the line for me to jump and then they call me invader. That’s a well-marked error]. During certain parts of the song Chris and Abel would sing louder and with more emotion as if the song meant something more than just the catchy accordion and chorus.

As I was listening to the music, I first wondered why Chris and Abel had decided to play this particular song and whether it was a way for them to recognize their personal views in the immigrant rights movement and a way to uplift their spirits. I realized that it was all of the above and more. Pat Zavella describes Los Tigres Del Norte music and message as creating a discursive political space that allows Mexican audiences to relate through the subject positions, text and performances (2011:192). Their song “*Somos Mas Americanos*” highlights the complex narrative of the U.S- Mexico border in its representations and lyrics. One of the main lines that stuck out to me was, “Yo no cruce la frontera, la frontera me cruzo.” This line, although short, is a strong metaphor and statement from the immigrants’ point of view of the U.S-Mexico border. Zavella describes this as a cultural memory that is reflected in music, performances and artists’ representations (2011:191). It presents an alternate history, one that is based on the point of view of the immigrants in their cultural memories. Both Chris and Abel emigrated to the U.S illegally from Mexico at a very young age. Their immigration story, like that of many other undocumented immigrants, brings about many emotions and is a source for their activism in the immigrant rights movement. Listening to a song by Los Tigres Del Norte asserts a feeling of empowerment that helps counter anti-immigrant sentiment and criticize the exploitation of immigrants.

Chris and Abel also played Los Tigres Del Norte and other Spanish songs several times throughout the demonstration as a way to ease tensions between the protesters and immigrant rights groups. It was an effective strategy as I observed many of the immigrant rights activists would stop shouting at the protesters and begin to sing the recognizable lyrics of "*Somos Mas Americanos*." Like Chris and Abel in the car, many of the immigrant rights activists sang with emotion and pride, becoming louder through every lyric. Having this emotional connection with the music was not only observed among the immigrant rights activists; I remember looking back at the Mexican consulate guards and catching one of them smile and nod while the music played. One of the many reasons Los Tigres Del Norte's music resonates with a lot of immigrants is because their main focus, as one of the band's spokesperson states, is to bring awareness and to bring "*testimonios*" or stories of the immigrant experience.

For example, the significance of songs like "*Somos Mas Americanos*," lies not only in its emphasis of the border as more than a geo-political boundary but as a borderland intertwined with history and people. In the song, the border is portrayed as a line that trespassed into the land of the people who are now "jumping over" to work. The band sings, "They took eight states from us, who is then the invader. I am a stranger in my own land, I do not come to bring war, I am a man of labor." By narrating the migrant experience in their songs and lyrics, Los Tigres Del Norte have become more than just a Mexican norteño band, they have become a way for immigrants to find empowerment and cultural resonance by being able to relate and express themselves through their music.

After the song finished playing, I realized that Chris and Abel seemed a bit more cheerful than when I first greeted them in the morning. However moments later Chris admitted, "I am a little nervous." He told me that he anticipated three different scenarios to happen. One scenario would be that the anti-immigrant protesters do not show up because of the weather (due to the high chance of rain), second would be that they do show up but with a small amount of people and we outnumber them, or third they outnumber us. I asked Chris what the most likely scenario would be, and he predicted that most likely there would be a small amount of people consisting of "old white people." He mentioned that in the past and from his experience conducting a lot of protests and marches, it is usually the same kind of people all the time with the same kind of message. Based on my analysis of the anti-amnesty organization such as ALIPAC, the Remembrance Project and Oath Keepers, most of the members and followers shown on their website pictures did fit Chris's description of "old white people." For example on the Remembrance Project website, a picture of twelve white men and women, who appeared to be around 40 years of age and older. They also held a poster with a picture of a young black teen wearing a football uniform bearing the title, "killed by an illegal alien" (theremembranceproject.org). The ALIPAC website did not show any pictures of their members but their Facebook page had photos of past protests. Most of their supporters were white with the exception of two individuals who were black. In terms of age group, the anti-immigrant protesters mostly consisted of individuals who appeared to be in their late 30s to late 50s. Meanwhile the immigrant rights activists looked much younger consisting of a college student age group with the exception of about seven individuals who appeared older than 30 years of age.

Chris added that he was not looking forward to seeing the same kind of people and secretly hoped the anti-amnesty protesters would not show up. He also stressed that regardless of the scenario, he had followed the proper precautions, attained permits for the sound system, speakerphones, and for permission to hold signs in a public street as well as alerting the Mexican consulate about the protest. Later, Chris stressed the importance of following proper protocol in order to conduct public events such as demonstrations, rallies, vigils, and marches. He stated that having permits, lawyers on hand, and security are necessary to ensure protection for the people who would be participating in the demonstration, and that it was FIEL's responsibility not to pose a risk. For Chris, acts of civil disobedience such as sit-ins, protests, and any other act of public defiance, do serve a purpose in the immigrant rights movement, however because of their high risk of arrest and deportation, Chris does not allow FIEL to conduct them. He did note that coming out as an undocumented immigrant can be considered an act of civil disobedience, something he has done in many instances. Yet he emphasized that many organizations do not take the time to provide any form of legal assistance and many of their members and organizations have been fined or arrested. Having this source of security is one of the many strategies FIEL utilizes in order to protect the immigrant community and to ensure they are safe to make their voices heard.

When we reached the front of the Mexican consulate, the first thing I saw was the anti-immigrant protesters. As we sped off to find parking, there were about eleven protesters holding a huge banner that I could only make out with the words, "Illegal Aliens" painted boldly across. Once we saw the protesters, Abel quietly asked, "How long are we going to be here for?" Chris replied in a serious tone, "As long as they are

here for.” Chris ended up parking behind the Mexican consulate where I noticed there was a long line of men, women and children waiting by a side entrance. Abel mentioned that there was always a line at the consulate and people have to wait hours to be helped. As we walked by with our signs, speakerphones and sound system, I wondered if they had seen the protesters on the other side while they stood patiently waiting with documents in their hands. When we neared the corner, the anti-immigrant protesters saw us as we made our way towards them. We decided to stand in the front of the Mexican consulate facing the protesters with only a street separating us. Some of the protesters laughed as we walked with our equipment and some of them began to shout across the street as cars sped by between us, although the shouting was inaudible to us.

A young Hispanic man came by and introduced himself to Chris; he was from a Hispanic student organization at the University of Houston and had heard about the event via email. He told Chris that more people were coming with more banners and signs. A white man and woman came around the corner carrying two large signs. They appeared to already know Chris as they quickly greeted him with a smile and introduced themselves to the rest of the FIEL volunteers. More and more people slowly began to show up while Chris began to set up the sound system. A group of young Hispanic men and women came from around the corner and smiled and nodded at everyone. They were all wearing purple t-shirts and appeared to be from an organization, one t-shirt read, “Northside Deferred Action.” Other people made their way towards us with signs and banners. Many of the individuals looked like young college students while others appeared to be in their late 30s and 40s.

After several minutes of setting up equipment, I noticed that there were about twice as many activists on the pro-immigrant side compared to the anti-amnesty group across the street. The immigrant rights activists outnumbered the anti-amnesty protesters as approximately 20 activists lined the street and more continued to arrive. Most of the FIEL volunteers and the other activists were Hispanic; however there were several white, black, and Asian activists who had also joined us. On the other side, the majority of the anti-amnesty group were white, middle aged and senior individuals, as Chris had predicted. However, there was one black man and woman and another woman who looked to be Hispanic. In terms of gender, most of the anti-amnesty groups were older males with only a few women. For the pro-immigrant groups, there were more women at the beginning and then it seemed to be about equal after a few more activists joined in later.

One woman from the anti-amnesty group had brought two young girls who looked as if they were her daughters, and had them hold signs. The city of Houston police had stationed themselves near a small parking lot nearby and all of them stood on the side of the anti-amnesty group facing us with their posture at attention. Chris had mentioned earlier that this type of security was called on for marches, protests, and riot control, and recognized some of the police members from other demonstrations they had conducted. The only form of security that was on the side of the immigrant activist groups were four Mexican consulate guards who also stood at attention behind the gates of the consulate with the Mexican flag in the background. For the most part, at the beginning of the demonstration they showed no expression and interacted very little with the immigrant rights activists. In addition, I spotted several media reporters who were interviewing

some of the anti-amnesty protesters and taking pictures of their signs. As FIEL and the other activists began to line up across the protesters to face them, one of the reporters quickly grabbed her phone and began to record and take pictures of us.

When the speaker system was finally set up, the immigrant rights activists began to hold up their signs, causing the anti-amnesty protesters to point, frown, and inaudibly shout things. Chris and Abel began to hand out flyers to everyone with their speakerphones in hand, walking back and forth quickly. The flyer, titled “Not One More Deportation, Ni Una Mas Deportación,” had a list of chants in English and Spanish in bold letters. Some of the chants read, “What do we want? Immigrant Rights, How do we get them? Melt the Ice,” “Show me what democracy looks like, (response) this is what democracy looks like.” Another chant read, “The people UNITED, will never be DIVIDED,” and another read “1, 2, 3, 4, we don’t want this border war, 5,6,7,8, its time to LIBERATE.” Before anyone could start to recite the chants, one individual began to yell across the street as a protester pointed and shouted at a young man from the pro-immigrant side. The protester shouted “You are guilty!” and one of the white immigrant rights activists responded with, “They are not guilty of anything!” Abel noticed that things had immediately escalated and began the first chant.

The first chant that Abel decided to start with began, “Aqui Estamos, y No Nos Vamos!” [We are here and we are not leaving]. Everyone immediately began to join in unison over and over again. Their chanting sound was amplified throughout the street due to the loud speakerphones that both Chris and Abel were holding, and also by how quick Chris was able to rally everyone who may or may not have heard of the chant before. The anti-amnesty protesters on the other hand, did not have a sound system or anyone with a

speakerphone, so most of their responses and shouts were not heard on the pro-immigrant side and especially since cars drove by on the busy street between us. I could tell that the anti-amnesty protesters' attitude and emotions quickly heightened as more people began to shout, point fingers, and hold their signs up higher. As the chanting continued, I could not help but also chant alongside the immigrant rights activists. Before the chanting, Chris had handed me the FIEL banner and I decided to help one of the FIEL volunteers hold it. While holding the banner and listening to activists chant with passion, persistence, and with unwavering voices, I began to feel a sense of collective emotion and solidarity.

Even though I am not undocumented, I immediately felt as if I was a part of this community and a part of their struggle. Emile Durkheim, coined the term "collective effervescence" as a way to understand religion, rituals and society, "...There are some periods in history when, under the influence of some great collective shock, social interactions have become much more frequent and active. Men look for each other and assemble together more than ever. That general effervescence results which is characteristic of revolutions or creative epochs" (Durkheim 1959:241). This effervescence can be applied within the context of the demonstration as both undocumented activists and allied activists (activists who are not undocumented) chanted in unison and expressed themselves through songs and signs. The "Undocumented and Unafraid" chant exemplified a collective feeling of solidarity that went beyond being just being undocumented, it was a call for equality, empowerment, and visibility.

Similarly, Regina M. Marchi in her observations of Day of the Dead celebrations notes how cultural event brings about a diverse group of people from various racial and

ethnic backgrounds that stimulate feelings of empathy and solidarity and at the same time create an imagined community (2009:58). Like the Day of the Dead, the counter-demonstration served as a communicative space of cultural expression and resistance. Even more so it reflected a sense of cultural citizenship, a phenomenon of inclusion and solidarity that can be used to organize and claim rights based on cultural belonging rather than legal status of citizenship (Rosaldo 1994). In other words, the demonstration was a bridge to bring people together, whether undocumented or not, to advocate for immigrant rights. It also served as means to express and celebrate diversity of being Mexican, an immigrant, undocumented or an activist, whether Latino, white or black.

After the chanting had stopped, Chris, for the first time since we arrived at the consulate, addressed the anti-amnesty protesters with his speakerphone. He stated loudly, “We are not going anywhere, if you need to hear this in a different language that is perfectly fine with us!” He then began the second chant, with Abel following close behind as they walked back and forth chanting, “Stop the hate, stop the fear, refugees are welcome here!” This chant was a little bit more rhythmic and more of the activist’s voices became louder and clearer. One activist continued on with a chant directed to the issue of the refugee children, “We love children, yes we do, we love children how bout you,” and more people once again joined in on the new chant. This chant represented a different message compared to the first chant that was used. It acknowledged the plight of the refugee children of Central America within the scope of the immigrant rights movement. Many of the protesters fired back with, “They are not my children!” and “Send them home!” Even though the unaccompanied minors came from Central America and are considered refugees, the anti-amnesty protesters still utilized the same message of

anti-immigrant and anti-Mexican sentiment. At one point Abel shouted back, “The children are not even from Mexico so you are protesting the wrong consulate!”

One young Hispanic woman beside me was one of the loudest as she chanted at the top of her lungs, having to pause in between chants to catch her breath. As she was chanting her face filled with passion and determination, but not angry like the anti-amnesty protesters who were yelling and shouting at individual people. However, one young man from the pro-immigrant side stopped chanting as one of the protesters kept singling him out. This seemed to have aggravated him as he shouted back insults and curse words. Abel and the other activists watched with concern. Every time the chanting would lose momentum, or if people began to shout at the anti-amnesty protesters, Abel, Chris, and other activists would begin another chant. At one point, a young woman appeared frustrated by how some activists would stop chanting and begin shouting at the protesters. She turned to face some of the activists and said in Spanish, “Compañeros, tengo una propuesta, en vez de estar peleando con ellos mejor hay que cantar, hay que hacer cosas de paz...” She urged the activists to stop arguing with the protesters and instead to sing and do peaceful things. She called the anti-amnesty protesters ignorant for their insults and argued that we should surpass that ignorance by uniting and reforming ourselves. She began to sing the song “De Colores” but I noticed that a lot of people did not know the song and it was not as loud as the chants Chris and Abel were conducting. There was silence and once again more shouting continued on both sides as protesters yelled, “Leave America!”

Throughout all the chanting and shouting that was occurring, other people were walking past the spectacle trying to get through to the Mexican consulate’s side entrance.

I noticed as a young man and woman that I presumed to be Mexican, walking towards the Mexican consulate. Both of them quickly glanced at the anti-amnesty protesters across the street and bowed their heads quietly as they walked slowly past our signs and sound system without looking at any of the activists. They seemed to be ashamed or afraid. Before the couple had walked by, an older woman with her children had walked over and began to chant. I wasn't sure if she was with an organization or if she had just happened to walk by. After she left, she came over to me and kissed me on the cheek, thanking me for what I was doing. Unlike this woman, the couple seemed to walk in fear, deciding not to walk in front of the street but rather behind the activists. A much older man had also walked by the activists and had stopped to ask me in Spanish where the entrance to the Mexican consulate was. After I gave him directions to the side entrance, he nodded and walked on quickly, avoiding the activists and the protesters like the couple had.

My interaction with this man, compared with the woman who gave me a kiss on the cheek, presented two different reactions to the demonstration taking place. I had assumed the man would have acknowledged or given a sign of approval from the activists like the woman had. These two interactions were an observation of how people viewed the demonstration differently either as just a scene or as a demonstration for immigrant rights. Some undocumented immigrants find shame or hide their legal status, while others embrace it and use it as a tool of empowerment for the movement. For the most part, before the DREAM Act movement and the DREAMers, undocumented immigrants did not embrace their status of being undocumented. "Coming Out" rallies became a recent strategy within the immigrant rights movement that created more visibility and voice for immigrant youth and older activists such as Chris.

For some immigration reform advocates, publicly announcing your undocumented status is not considered to be an effective strategy in the immigrant rights movement. Disagreements over strategy often occur and create divisions within the movement, leaving organizations and activists to carry out different methods of advocacy. During the demonstration, disagreements as to how to counter the anti-amnesty protest occurred when some of the younger activists began to angrily shout back at the protesters. In one instance, one of the younger activists was shouting at one of the protesters and looked as if he wanted to cross the street and argue with the protester. A much older activist, who was wearing a brown vest filled with buttons and badges did not agree with the young man's conduct and told him, "If you fight him how does that make us better?" I later found out that the badges and buttons on his brown vest were symbols of the Chicano Rights Movement and that he had worked with Cesar Chavez in Delano for the United Farm Workers Union during the 1970s. He showed a much more peaceful approach in showcasing his stance by chanting, singing, and at one point even walking across the street to offer one of the protesters a taco. These two different approaches in confronting the anti-amnesty protesters are not only exposed in events such as demonstrations, but also within the immigration reform debate often leading to divisions within the movement.

One of the loudest chants and the one that I feel resonated most with Chris and the other immigrant activists was the chant that announced being undocumented. Chris led the chant "Undocumented and Unafraid!" over and over again as everyone joined in whether undocumented or not. It was a chant that evoked feelings of power and courage and at the same time created visibility without fear of the anti-immigrant protesters. It

became one of the chants that seemed to draw some of the strongest reactions from the anti-amnesty protesters. Many of them booed and shouted insults loudly with their faces in anger and shock. One woman kept shaking her head and raising her fist. Chris noticed the angry response from the anti-amnesty group and chanted back with “Undocumented, you are too, Undocumented you are too” causing even more of an uproar among the protesters.

Chris then changed the chant to, “When people are uneducated what do we do, stand up and fight back!” After a couple more minutes of chanting, Chris decided to take a small break to clear his voice and had another activist take over. She was one of the few white activists who looked older than thirty from the immigrant rights side. She began her first chant with, “Jim Crow, Go home!” over and over again as everyone joined in. This chant was not listed in the flyer Abel had handed out at the beginning of the demonstration, and it explicitly compared Jim Crow to the anti-amnesty and anti-immigrant rhetoric. Within Bonilla-Silva’s analysis of color-blind racism and its racial structure, he incorporates the idea of the “re-articulation of some racial practices characteristic of the Jim Crow period of race relations” (2006:26). Jim Crow laws functioned as a way to make African Americans inferior to whites and further inequality and segregation. In her chanting of Jim Crow, the activist wanted to showcase the similarities between inequality, inferiority, and segregation for immigrants and African Americans.

Two occurrences, rain and fences, marked one of the major turning points of the demonstration. After the first hour of the protest, it began to rain and yet none of the protesters or immigrant rights activists left the demonstration. Nobody seemed to care

that they were getting drenched, even Chris and Abel who were wearing business attire. On the contrary, the rain seemed to have signaled to both the activists and protesters to shout and chant louder. Soon after, police members drove around the street to patrol incoming cars and began to set up a metal fence. They first began to put the metal gates around the anti-amnesty protesters, walking to and from the street signaling at people to not cross, and for cars to not stop and watch the demonstration. Cars passing by would occasionally honk and wave at either the immigrant rights activists or the anti-amnesty protesters. Once the police officers began to set up the fences in front of the activists, someone began to chant “No more fences, No more fences” over and over again. This chant was not only referring to the fences the police were setting up around the activists, but was also a reference to the border. Like the border fence, the metal fence resembled the “us versus them” dichotomy and a boundary to silence the voice of immigrants.

In the beginning of the demonstration, most of the officers were standing around the anti-amnesty protesters, chatting with one another casually, watching the activists from across the street. After the fences were placed on both sides of the street, the police became more active in their surveillance of the demonstration. They began to walk up and down the street carefully observing the immigrant rights activists as if they were expecting someone to act disorderly. Several activists, including myself, became tired holding the signs and decided to place one of our posters in front of the fence. Moments later, the police officer walked towards us and ordered us to not place the posters and signs in front of the fence. Maria, a FIEL activist, noticed that the anti-amnesty protesters had their posters leaning against the wall and the U.S flag was hanging upside down against the fence. When Maria asked the police officer why the anti-amnesty protesters

were allowed to have signs on their fence and the U.S flag upside down, the officer ignored her and walked away.

Later, Maria described how this scenario, for the first time in her experience as an immigrant rights activist, made her angry and disappointed at the police. For Maria, the police officers' position alongside the anti-amnesty protesters made her feel unsafe, as if being an undocumented immigrant and an activist posed a threat. She states,

At one point all the cops were standing on their side as if we were going to jump out at them or do something to harm them...I even went to one of the cops and said, 'What is this, how come all the cops are over there, shouldn't you be equally put' and he said we have a cop on your side...I don't know if they don't think about it, like I think about these things (Maria, Lilia Loera, August 14, 2014).

The other activists, including Chris, also felt Maria's feelings of frustration towards the police. Chris later mentioned that he had noticed an anti-amnesty protester using a megaphone speaker and asked one of the main police officers patrolling the area if they had checked their permits; the police officer responded rudely, mocking him, and telling him to mind his own business. Even though the counter-demonstration consisted of mostly chanting, singing, and signs that contained messages of love, compassion, and understanding of immigrants, the police officers surveilled the activists instead of the anti-amnesty protesters who continuously shouted with raised fists and emotions of anger. The police officers had been called to patrol the demonstration and to ensure safety, yet the immigrant rights activists felt unprotected and stigmatized as dangerous due to the manner in which the officers conducted and positioned themselves throughout the demonstration.

On the other hand, the Mexican consulate guards' behavior towards the activists or the anti-amnesty protesters was not easily discerned. I would often look behind me to

see if any of the anti-amnesty protesters' shouts or insults would make any of the guards express themselves openly but they remained standing still. However this changed with two particular occurrences that caused some of the guards to react differently. The first one occurred when Chris played a Los Tigres Del Norte song and I caught a smile on one of the guard's face as activists began to sing and dance to "*Somos Mas Americanos*" and other Spanish songs. The second instance occurred when a young activist, who took over the megaphone and led the chants, turned around and spoke to the consulate guards. They looked taken aback and surprised that the activist unexpectedly started to acknowledge them. The activist began to talk passionately to the guards about their indifference to the demonstration and to the problems in Mexico. He exclaimed, "Zapata dijo, 'El que roba lo perdono, el que mata lo perdono porque a veces uno tiene que hacer por necesidad, eso es el caso con los carteles y con los MS13, pero el que no perdono es el traidor, nunca se perdona el traidor'" [Zapata said he who robs I forgive, he who kills I forgive because sometimes one has to for necessity this is the case with the cartels and with MS13 but I do not forgive traitors, never forgive a traitor].

Immediately I noticed two of the guards walk away slowly with their hands behind their back leaving one guard standing. The guard who did not leave looked upset, and yet he did not decide to walk away like the other guards, as he continued to listen to the activist in front of him. The activist pointed at the protesters and said, "Ni a ustedes lo quieren aquí, acuérdense cuando vayan a la casa y acuérdense de los niños" [They don't want you here, remember that when you go home and remember the children]. After the activist finished speaking, people began to clap and the guard still stood making no indication that he was leaving. Before this interaction, calls for justice and recognition of

immigrant rights were aimed at the anti-amnesty protesters and the Mexican consulate guards were not even considered as a part of the demonstration.

With this confrontation, the other activists shared the activist's frustration with what they perceived as indifference by the Mexican consulate guard. Maria commented how she wished the Mexican consulate guards had sided with them instead of not doing anything at all. It seemed as if, for the activists, the Mexican consulate guards were a representation of Mexico and its government and their frustration for not recognizing the immigrant struggle as part of theirs. Unlike the Houston police officers, the Mexican guards did not show antagonistic behavior towards the activists by appearing as if they were not a part of the demonstration. However, the young activist's speech and accusations of betrayal caused two guards to walk away either in anger or embarrassment, while one guard stood in silence with an upset expression on his face.

Two important strategies that the anti-amnesty protesters and the immigrant rights activists shared were the use of flags. The anti-amnesty protesters used the U.S flag as a reflection of their patriotism and as a form of identity. One protester had placed the flag alongside a public fence, upside down. Many of the immigrant rights activists saw this as disrespectful and unpatriotic. After an activist accused the protester of being un-American, the protester justified his action as a symbol of the country being in distress and unsafe due to the immigrant threat. The police officers did not seem to mind the protester's actions, despite the activists' complaints that it was a sign of disrespect. Other protesters waved small U.S flags and several times began to sing the national anthem. This strategy seemed to have backfired after the activists joined in the singing, leaving the protesters angry that they were partaking in their singing. Meanwhile, the U.S flag

and the Mexican flag were both carried by some of the activists as a symbol of their identities and culture. In Leo Chavez's analysis of the immigrant rights marches and rallies, he argues that the use of Mexican and U.S flags illustrate notions of exclusion and inclusion as well as questions of identity. He states, "For the immigrant marchers, carrying the U.S flag was an expression of belonging and a visible, concrete symbol of their desire for inclusion" while the Mexican flag resembled a symbol of their roots and heritage (Chavez 2008:181).

After noticing the Mexican flag carried by an activist, the anti-amnesty protesters were heard shouting, "This is America." Some of them even pointed towards the Mexican consulate shouting, "That's Mexico, Go Home!" This rhetoric was also mirrored in Leo Chavez's analysis of politicians responding to rallies and marches, which found the use of Mexican flags as "insulting" and even raised the question of citizenship of U.S born activists (2008:158). In like manner, for the protesters the Mexican flag symbolized un-American notions and values, and a fear that it signified a Mexican invasion by undocumented immigrants. The protesters' accusations and assumptions that the immigrant rights activists were undocumented and from Mexico were amusing to some. One activist shouted, "I'm not from Mexico" and others responded with a chant, "This is what America looks like, show me what America looks like" followed by, "USA, USA, USA!" At one point, Chris told the activists, "Lets annoy them with our culture" and began to play Spanish dance songs on the speaker system loudly, leaving the anti-amnesty protesters silent without a cohesive counter chant.

Another instance that left the anti-amnesty protesters speechless occurred when Chris and the other activists, after an hour of chanting, decided to take a break by using

the speaker sound system. Chris played Spanish dance songs by famous Mexican singers such as Vicente Fernandez, leaving the activists dancing and laughing. The anti-amnesty protesters shook their heads in disagreement or stood silently watching with faces of disapproval. After a while, the music died down and a familiar voice arose from the speakers. Martin Luther King's "I Have a Dream Speech" began to play from the speaker system, leaving both groups quiet as the sound of Martin Luther King's voice pulsed throughout the street. Chris and the other immigrant rights activists bowed their heads, while the anti-amnesty protesters continued to stare silently. Together, Chris's use of Spanish songs and Martin Luther King's "I Have a Dream Speech" were not only strategies to project a stronger message of visibility against the anti-amnesty protesters, but were also a form of ritual communication.

These strategies evoke Marchi's discussion of ritual actions as a form of communication, or ritual communication, a term that takes into account the communicative process of ritual and its "projection of community ideals through creative public expression" (2009:57). Through this unique form of community expression, shared experiences are conveyed creating structures of feeling that showcase "knowledge through humanization rather than through theory or argument" (57). At the demonstration, MLK's "I Have a Dream Speech" was a form of community expression that evoked a structure of feeling; it represented empowerment, freedom, and social justice, resonating with the immigrant rights activists. Drawing parallels with the Civil Rights Movement through Martin Luther King's speech became a way in which to express their struggle for equal rights and to counter the oppression of being undocumented and criminalized.

Besides the chanting, signs that were displayed and held were also primary forms of communication in which the anti-immigrant and immigrant rights group reproduced discourses of immigration. One of the main banners by the anti-amnesty protesters was placed front and center and was the first sign I noticed when we drove to the Mexican consulate. This banner read, "Illegal Aliens Are Killing America's Future," using bold letters with black and white photos of individuals with the words "murdered" across the photos. All of the photos on the banner showed black and white individuals: a young child, three young men and women, and a young teen in a football uniform. This poster had the same photos shown on the Remembrance Project website and used the same campaign banner to make their message public at the demonstration. Other posters read, "Secure our border," "Boycott Mexico," and "Stop the Illegal Invasion." Signs varied in their message from insults to President Obama and insults to the unaccompanied minors with one sign that read, "If you don't send them home, send them to 1600 Pennsylvania Ave. Washington D.C." Another sign linked undocumented immigrants to terrorism with a photo of an individual titled "Illegal Immigrant" and the caption, "Came to the U.S to commit violent jihad, the government wants to make all illegals legal." All of the signs reflected themes of criminalization, xenophobia and racism that depicted immigrants as threats to American society.

On the other hand, the immigrant rights activist had signs that expressed love, peace and conveyed humanization of immigrants instead of restraining their identity to their illegal status. One activist had a sign that read, "Love children, Hate the U.S backed tyrants they flee from," and another read, "Refugees Welcome." One sign called for immigration reform and the benefits it would bring, "Immigration Reform will increase

Texas tax revenue by 748 billion by 2033” and another reflected the history of immigration in the U.S with the quote inside the statue of liberty, “Give me your tired, your poor yearning to breathe free.” The only sign that was aimed towards the Mexican government was written in Spanish and faced the Mexican consulate building with the words, “Exigimos que Mexico promueva los derechos humanos de inmigrantes” [We demand Mexico promote human rights for immigrants]. Like the chanting, many of the anti-immigrant and anti-amnesty protesters reacted strongly to Maria’s sign, “Undocumented and Unafraid.” Some were so shocked by this sign that they took pictures and video, appearing in a conservative news website, Breitbart News. Altogether these signs and chants reflected FIEL’s and the other activists’ demands for immigrant rights and for justice through a human rights approach

The Media’s Response to the Demonstration

Online media outlets from both sides of the political spectrum were also present to cover the event and to provide accounts from both groups. Nevertheless, immigrant and anti-immigrant discourses were also reproduced through their online accounts of the event. A writer, Lana Shadwick from an online conservative news and opinion website called Breitbart News had introduced herself to Chris and asked him a couple of questions. Afterwards she spent much of her time with the anti-amnesty protesters only interviewing Chris and two other activists. In her news article of the event titled “Undocumented And Unafraid: Pro-Amnesty Supporters Gather in Houston,” she did not describe FIEL and the immigrant rights group as activists but as “pro-amnesty

supporters.” She centers the immigration debate as one of anti-amnesty versus pro-amnesty and not one of human and immigrant rights.

Additionally, the article contained more quotes and pictures from the anti-amnesty protesters and emphasized how the group had people of all different races, incorporating quotes from a black protester who had stated to the interviewer, “They need to follow the law and stop using racism as an excuse to break the law. They are trying to hijack the Black movement,” while another protester whose name they disclosed as Samuel Deleon stated, “Invasion from illegals is destroying this Country -our schools, our hospitals, our prisons are bombarded with them, and our neighborhoods are bombarded by gangs and drugs.” Shadwick did mention Chris in her article, calling him the leader of the “pro-amnesty group” and misspelling FIEL’s name. Chris was quoted as saying, “We are here basically to talk about truth about the undocumented community, what we contribute to the economy, the culture, and the community, and what we contribute in many other ways that people do not talk about” (Breitbart.com). In addition, Shadwick did incorporate another quote from an activist condemning the U.S and their part in the plight of the Central American children, but did not elaborate on the issue as she did with another protester who was advocating for the release of a U.S soldier who illegally crossed into Mexico with guns. Shadwick concluded her article by posting links of the organizations conducting the protests with locations and times for readers.

Another interviewer, from a non-partisan newspaper called Free Press Houston, posted a video of the event highlighting some of the interviews of the demonstration. The interviewer of Free Press Houston described the event as,

Conservatives explain to us how the Gays, the Muslims, the Mexicans, and President Obama are all working hand in hand to destroy the moral fabric of

America. Filmed on site at an anti-immigration protest in Houston, pro-immigration supporters also chime in while dancing to Salsa music (FreePressHouston.com).

The video incorporated quotes from some of the anti-amnesty protesters, however unlike Breitbart News, Free Press Houston incorporated more of the anti-immigrant and racist views of the anti-amnesty protesters. Many of the protesters correlated immigrants to Muslim terrorists or Nazis, and described Mexico as a Middle-eastern country. Others associated immigrants and President Obama with gays showcasing the anti-amnesty protester's misunderstanding and slander of GLBT and Muslims, who are continuously stigmatized and discriminated against in the U.S.

The Power of Cultural Expression

FIEL's counter response to the anti-amnesty protest was not only an event to demonstrate a pro-immigrant rights argument. For some people, these types of counter-demonstrations would be described as a riot or as two groups of people shouting at each other without achieving anything. But underneath the surface it was much more than that. Both organizations strategized and came together, creating a space of ritual communication, community, and cultural expression. Through my narration of the event, these forms of communication including the interactions and dialogue reflected the spontaneity, chaos, and the motion of the demonstration as culture unfolded. For FIEL, displaying signs, conducting chants, playing Mexican music and including Martin Luther King's "I Have a Dream" speech represented pride in their culture as well as a right to defend it. It further showcased their ability and agency to create a public voice for the

undocumented immigrant community in a hostile anti-immigrant environment through the power of cultural citizenship.

Furthermore, the language of the anti-immigrant protesters illustrated the anti-immigrant discourses made against undocumented immigrants. Their anti-immigrant message continues to influence the current immigration debate where policy makers create unjust and hostile policies to control and deport undocumented immigrants. Moreover, FIEL's counter-demonstration revealed that the immigration debate is not just centered on the question of legality and border security, but also on the racialized perceptions of immigrants who are criminalized and marginalized in the United States.



Illustration 1: Demonstration Against Hate



Illustration 2: Immigrant Rights Activists



Illustration 3: Anti-Amnesty Protesters

CHAPTER IV

TO BE UNDOCUMENTED: CONFRONTING THE HETEROTOPIA OF ILLEGALITY IN THE STRUGGLE FOR CITIZENSHIP

In Houston, Texas as President Obama announced his 2012 executive order, FIEL celebrated this monumental event and prepared for the DACA process by incorporating a legal department into their organization. The newly added legal department would assist the undocumented immigrant community with the DACA application, its submission to USCIS (United States Citizenship and Immigration Services), as well as help individuals with their deportation cases. The FIEL staff or FIEListas, recognized the importance of DACA, and thus made it their objective to ensure undocumented immigrants were not left out of this process due to lack of resources. From 2012 onwards, FIEL has helped and continues to help hundreds of undocumented immigrants in the Houston area by providing one -on-one consultations and affordable legal assistance.

Within the immigrant rights movement, DACA, along with other proposed immigrant reform legislation, are important political objectives. For FIEL, it is a key component in their purpose but it is not the end solution to the immigrant rights struggle. Despite its success in helping many DREAMers, the FIEL team still recognizes DACA as a temporary and flawed policy for immigration reform and immigrant rights. Those who do qualify for DACA are temporarily allowed to work legally without a pathway to citizenship. Therefore, for some members of FIEL, DACA represents a superficial and short-sighted fix as millions of undocumented immigrants are still excluded from legal rights and representation. Instead of gaining inclusion through citizenship, their illegality and marginality forms a heterotopic structured space of exclusion and alienation. And

yet, their rights and freedom are still bounded by the nation-state which has the power to detain and deport. The Foucauldian concept of heterotopia is applied in this chapter as a means to analyze and recognize the heterogeneous, underrepresented, marginal experience of undocumented immigrants (Lugo 2008:123; Foucault 1972). In addition, I use the concept of melancholia and peripheral vision to further conceptualize the heterotopia, undocumented migration journey, and feelings that affect the experiences of the immigrant community FIEL encounters and helps every day. These theoretical concepts importantly provide a glimpse into the lives of undocumented people that is absent in the politics of immigration debate and dialogue.

The chapter will begin by analyzing the DACA program and its facets such as its strict process and restrictions. In examining DACA, I will focus on the outcomes, expectations, and most importantly who is excluded in order to emphasize its shortcomings within the context of immigrant rights. It is my contention that the exclusionary nature of immigration policies like DACA is evidence of how the nation-state has maintained nativist values and has made citizenship disadvantageous to a non-white immigrant class. It has done this by making citizenship nearly impossible to millions of immigrants, bringing about dehumanizing conditions at detention centers and eliminating due process in deportation proceedings. However, I also argue that the state is not the only agent of power responsible for shaping how undocumented immigration is addressed. Together state and non-state bodies such as political parties, the media, civic organizations, INS, and USCIS are reflective of how power is dispersed by facilitating and regulating activities of the state and its institutions through governmentality.

In this chapter, I also draw upon the interdisciplinary concept and field of governmentality. This multifarious concept showcases the ways in which authoritative state and non-state bodies, strategies, tactics, and discourses shapes the “comportment of others” by acting upon their “hopes, desires, circumstances or environment” (Inda 2008:7 Foucault 2007). Using this approach, I bring into focus the various power entities that seek to control, regulate, and target immigration and undocumented people through its unjust policies (Inda 2006:8). It also importantly reflects how F.I.E.L represents a counter-hegemonic organization within this governmentality and their limitations as they encounter and fight against various agents of power. Furthermore, this chapter uncovers the dynamics of immigration policies such as DACA, in hopes of bringing a critical look at the immigration debate, through the perceptions of those at FIEL and the community they serve.

To Be DACAdmented: Process, Limitations, and Vulnerability

The first time I walked into FIEL’s office headquarters, the first thing I noticed was people sitting in rows of chairs in what appeared to be a waiting area. I was a bit confused as to why people were waiting until Chris explained that they had recently opened up a legal department. The newly added legal department would be helping the undocumented immigrant community apply for DACA and other types of legal assistance. Today FIEL’s legal department consists of Chris as its main supervisor who oversees management, and four paralegals, including Abel and Chele. The team also includes a small number of volunteers such as Maria, who assist individuals who need to apply and renew DACA, and a hired on-site lawyer who helps with serious cases such as

deportation. Due to the high amount of applications and renewals each year, the FIEL team has placed a strong emphasis on expanding their legal department to handle the increasing number of DACA applicants. I mostly dedicated my time and directly observed interactions between DACA applicants, members of the community, and FIEL members in their legal department.

Despite anti-immigrant rhetoric that considers DACA as amnesty, DACA is only granted under specific and strict requirements that apply to a select number of the 12 million undocumented immigrants. For example, individuals must be under the age of 31 as of June 12, 2012, have come to the U.S before reaching 16 years of age, and have continuously resided in the U.S since June 15, 2007 up to the present time. They must have been physically present in the U.S on June 15, 2012, and at the time of making their request for consideration of deferred action with USCIS. In terms of conduct, individuals cannot have been convicted of a felony, significant misdemeanor or three or more other misdemeanors, and cannot pose a threat to national security or public safety. Additionally individuals must be currently in school, or have graduated or obtained a certificate of completion from high school, or have obtained a general education development certificate (GED), or be an honorably discharged veteran of the Coast Guard or armed forces. If an individual meets these requirements, turns in the proper documentation and application and is approved by USCIS, a renewable 2-year work permit is sent. With this official approval, deportation is deferred unless unlawful crimes are committed, or the application is rejected by USCIS (USCIS.gov).

The rejection and denial of DACA applicants are all subject to the discretion of the immigration officer who ultimately decides whether or not to grant DACA relief

based on personal documentation. While working with hundreds of applicants each week, the FIEL team deals with USCIS rejection and denial notices on a daily basis. As mentioned, potential DACA applicants are rejected if they hold specified types of criminal or “significant” misdemeanors. When shadowing one of FIEL’s paralegal members, who was registering a possible DACA applicant, the applicant began by disclosing that he had been unjustly arrested by a Houston police officer. The officer had stopped him for speeding and had asked him for documentation. According to the applicant, the police officer was attempting to find a reason to arrest him and when he disputed the charge he was detained and later released. FIEL’s paralegal was concerned and hesitant as he looked over the application, yet reassured the applicant that it would be okay to continue. Many aspects of the DACA program, such as the criminal record or the “significant misdemeanor” portion are left ambiguous when it comes to the specificity of the crime committed. Most are left for USCIS to determine whether or not the crime bars applicants from applying to the DACA program.

Abel recognized that many applicants are rejected because of their criminal history. He listed the three most common types of misdemeanors encountered at FIEL: DWI or DUI, drug charges and domestic abuse. He expressed concern over the way the process is implemented and questioned the objectivity of the immigration officers at USCIS, who decide what crimes constitute “significant misdemeanors.” Although he understands the importance that USCIS places in “weeding out” those who would be considered a threat to U.S security, he protested that,

A DWI disqualifies you, any aggravated assault disqualifies you, or any significant misdemeanor could potentially disqualify you even if it’s a C class misdemeanor, but what really is considered ‘significant’ and who determines that...even with minor

criminal records you are still subject to the discretion of the immigration officer... (Abel, Lilia Loera, July 16, 2014).

Abel's concerns and frustrations came from his experience as he deals with applicants who are rejected in their DACA process and renewals for offenses he would not consider to be a threat to national security such as possession of marijuana. Not granting any form of legality to those who have some sort of criminal record, leaves a group that will remain not eligible for any form of legal status or legal work; USCIS has deemed them ineligible for legal status and permanently excluded them from citizenship. Their illegality and criminality remain fixed without a possibility of mobility within the social structure while they seek other means to make a living.

Today more than 400,000 undocumented youth have registered for the DACA program, yet an estimated 1.4 to 1.9 million young people have not applied (americanprogress.org). In Houston, Chris and the FIEL team have experienced first-hand difficulties with the DACA application, its process, and how undocumented youth have come to perceive and understand its meaning and outcomes. For many undocumented immigrants, applying for DACA is difficult for reasons ranging from financial issues, English literacy problems, not knowing or having access to the application, not having legal representation, and fear of being deported or risking the deportation of family members who do not qualify for DACA. Problems such as these are encountered on a daily basis by the FIEL team. They often find themselves having to find new ways to adjust and accommodate to new USCIS regulations while at the same time making sure they meet their client's needs. USCIS and most immigration attorneys do not

provide this type of service, leaving many immigrants who could qualify out of the DACA process.

Moreover, according to Chris and the FIEL team, many undocumented immigrants applying for DACA are scammed and ripped off by lawyers and businesses that are attempting to profit from fake applications and false documentation. Chris mentioned that many immigration attorneys would charge fees to answer questions and provide notary signatures or other minimal services that FIEL offered for free. One problem involved an online education degree company, The Marquee Learning Center. This company had scammed countless DACA applicants by charging for a high school diploma through a quick crash course. USCIS had been notified of the company's methods and were not accepting applications that included a diploma from this company. DACA applicants were confused and frustrated after submitting their paperwork to FIEL; their application was denied until they could provide a diploma certified through Texas Board of Education. Abel and Chris were particularly bothered by the way the company lured and lied to many undocumented immigrants who believed they would obtain their DACA faster if they paid for their services.

Companies like The Marquee Learning Center make a profit from scamming many people, especially immigrants. With new policies such as DACA, scamming immigrants presents itself as an easy opportunity. During my volunteer hours at the FIEL office, I noticed that many applicant files had a Marquee Learning Center diploma. This situation would eventually lead to many applicants having returned applications or rejection letters by USCIS. The FIEL staff would then have to call applicants and schedule appointments to consult on how to obtain a GED and continue with the application. This scenario

presents a difficult obstacle for undocumented immigrants, which could potentially qualify, to not apply for the DACA program.

Further, it is not easy to obtain a GED for those who do not speak English or lack some sort of education. One woman that I called, to notify her of her rejection letter because of her Marquee Learning Center issued diploma, seemed very confused about her case. She wasn't able to find a way to come to the FIEL office because of her long work hours and could not speak English very well. In addition, she was not sure when she would be able to go to the office to get her case sorted out. This uncertainty and confusion were common when I called many of the applicants who had no idea that they had been scammed. The vulnerability that undocumented immigrants face because of their illegality is perpetuated further as they have no legal representation or protection under the law. It also provides opportunities for companies like the Marquee Learning Center and other scammers to take advantage of undocumented immigrants and their aspirations for legal status.

The Heterotopia of Undocumentedness: Inspection, Exclusion, and Marginality

Every immigration case that FIEL encounters brings into perspective the millions of immigrants with distinct stories who migrate for a variety of reasons: family reunifications, escaping violence, economic opportunity, seeking refuge, or even migrate, without a will of their own. They are lumped into a group that will be excluded from citizenship and vulnerable to detention and deportation because they do not meet the requirements of what the government considers worthy of belonging. Techniques and practices of governmentality serve as a means to control the lives of the undocumented

immigrant population through rule of law and sovereignty. This section seeks to understand how undocumented immigrants at FIEL respond to their illegality, restrictive immigration policies, detention and deportation. These forms of governmentality contribute to the heterotopic space of exclusion and resistance that undocumented immigrants occupy as they make sense of their illegality, criminalization and racialization.

One day a young volunteer named Griselda was going to help me file and organize applicant files. When I introduced myself to her in English, I realized that she couldn't communicate in English very well, so I spoke to her in Spanish. She seemed shy and reluctant to talk, so we spent much of our time in the file room in silence. After an hour, she asked me how I knew FIEL, and I began to tell her about my research on immigration. She seemed interested and asked me if I was an immigrant. I told her that I was born in the U.S but that my parents had immigrated illegally in the 80s and had spent much of their lives working as undocumented migrant workers. When listening to me recount my parent's immigration story, she seemed more comfortable talking with me despite my broken Spanish.

Through our conversation, I learned that she was from Guatemala and was volunteering with FIEL to compensate for helping with her deportation case and lawyer. What resonated with me the most about her story is that she came to the U.S very young and unaccompanied to reunite with her parents, who had immigrated to the U.S years before. Unfortunately, she was not able to qualify for DACA because she was already under deportation proceedings. When she spoke about her deportation case, her tone became dismal so I changed the subject and began to talk about school. We talked about

college and the financial aid workshops that FIEL offered for undocumented students. I asked her if she planned to go to college after high school, and she did not seem too sure. The topic of college and the overall future of her case brought about another tone of dejection and uncertainty.

As we continued, we avoided the topic of her deportation case and instead talked about Guatemala. She told me how much she missed her home country, describing the weather and where she lived. She was also surprised to hear that I had not visited Mexico in ten years due to the kidnappings, crimes, and murders in the border cities. We both shared our feelings of frustration, concern and fear for the drug cartel violence that has plagued both Guatemala, Mexico and the rest of Latin America. After our conversation, I encouraged her to seek out help with FIEL, to continue to pursue her studies, and to remember that college is possible. Even with my advice and encouragement, she did not seem too optimistic. Questions of the future and her career goals in the U.S seemed unattainable given the fact she was still in deportation proceedings. This type of situation can cause undocumented immigrants like Griselda to feel as if they do not have a future or feel a deep sense of dejection and exclusion. She emigrated to the U.S from Mexico to reunite with her parents, and like her parents sought a better life from the struggles she faced in Guatemala. Despite leaving, she expressed how much she missed Guatemala and yearned to one day return and visit her grandmother. Listening to Griselda's story made me question, "Where is home for Griselda and how does a judge ultimately decide where she belongs?"

Griselda like hundreds of unaccompanied minors and immigrants each year are placed in deportation proceedings where their fate is determined by the decision of an

immigration judge who can either deport or allow them to stay in the United States. Her circumstance is an example of how authoritative agents such as immigration judges have the power to practice and sustain the hegemony of the nation-state by establishing who is a deportable “illegal alien” and who is not. The practice of deportation and detention showcases how undocumented immigrants, even unaccompanied minors, are treated as a criminal class by various agents of power. From the start of her immigration journey to being placed in deportation proceedings, Griselda, like hundreds of immigrants each year, are inspected in terms of race, legal status, class, gender, and nationality. Together these types of inspections produce socio-cultural borders and boundaries that determine who can legally stay in the United States. Although scholars have often celebrated the crossing of socio-cultural and physical borders (Rosaldo 1993), Alejandro Lugo conceptualized borders and boundaries drawn by the state apparatus by examining how border crossing involve inspections of who can cross a border (Lugo 2008). Border crossings, “inspect, monitor, and surveil what goes in and out in the name of class, gender, race and nation” (115).

Even after having supposedly crossed bridges between Mexico and the United States, we must not overlook that many of these crossings are at once densely and dispersedly populated by inspectors who are too numerous to ignore (116).

These inspectors or agents of power are not just located along border stations, but are present in various contexts whether they are immigration judges or USCIS officers. Like Gloria Anzaldua and Lugo, I use borders as more than just physical geo-political lines; they can also be examined as internal divisions or boundaries that structure “personal and collective aspirations as well as social division” (Lugo 2008:118; Anzaldua 2007). Similarly, I argue that borders help to define and create illegality, the borderlands, and

heterotopic space of being undocumented. It is in this non-place and space of exclusion where undocumented immigrants experience marginality and alienation.

Other practices of governmentality, such as detention and deportation, also contribute to the heterotopia of undocumentedness. When I asked Chele, one of FIEL's paralegal members, about the biggest difficulty he faced as a member of FIEL, he sighed and responded, "The system itself because I have been a part of it, in almost being deported. So I know what people go through in the beginning of a situation like that...the way you are treated in the detention centers." Chele had come to the U.S from El Salvador at age 12 as an unaccompanied minor to escape gang violence and reunite with his parents. After he was stopped for a minor traffic violation on his way to school, he was placed under deportation proceedings and placed in a detention center for a month. With the help of FIEL who provided legal assistance and started a social media campaign titled "Education Not Deportation," he was granted deferred action and allowed to stay in the U.S. Chele recalls his experience in the detention center as traumatic, explaining how he felt unjustly perceived and treated as a criminal.

People are not treated nicely...it comes to a point when even like the regular rights, trials, and stuff like that have become so cut out to like the simplest form, like whenever you are being processed... they do it by herds, they put everybody in one room. So they have minimalized the due process for immigrants to a certain point where they put everybody in a herd and whoever wants to be deported raises their hand. And people obviously do not want to be in a detention center, so the majority just decides to get deported, and they just come back later or whenever they can (Chele, Lilia Loera, August 5, 2014).

Later he even mentioned that you don't even get to see the judge in person: everyone sits in a room and watches the judge on a TV screen.

Chele's recollection of his experience in being held and almost being deported reveals a much more complex picture of the immigration system, a system that he describes has "minimalized the due process." This curtailment of due process in deportation proceedings was brought forth by The Immigration Act of 1990. This act strengthened the border patrol, increased the basis for deportation of migrants, and placed a global cap on the number of family reunification migrants (who were originally exempt from the initial quota), thus increasing the "stakes of illegality" (Menjivar and Kanstroom 2013:50). Consequently, the law directly and indirectly affected the lives of individuals like Chele and Griselda who were placed in deportation proceedings.

The dehumanizing effects of illegality and practices of governmentality such as deportation and detention further reflect the heterotopia of being undocumented. Chele's characterization of people, at the detention center as "herds" illuminates his feelings of being treated inhumanely, as an object that needs to be disciplined and managed like an animal. Despite that being in the United States without legal documentation is considered a civil offense not a criminal one, Chele was treated as a criminal, detained by ICE and almost deported. His story exposes the inhumane dark shadow of our immigrant system, the imprisonment of unaccompanied minors and immigrant families whose only crime is being in the country undocumented.

The hardships and challenges of being undocumented are experienced in various degrees from individual to individual, for many undocumented immigrants, learning to overcome various boundaries imposed by their illegality is difficult. Through my years as an immigrant rights activist, I have often heard individuals say that they were not aware of their undocumented status until they had to get an ID or driver's license. Many like

Griselda, however, are fully aware of their status, do not feel as if they have a future, and do not know of opportunities and resources they can obtain. Her story illustrates one of the major difficulties the FIEL team face in convincing undocumented youth that they have a future in the U.S despite their status. As Chele shared,

It bothers me that students come here and do not know that they can have financial aid. It's the information part, people are so uninformed and they don't know they have rights. Sometimes there are ways for them to apply to become legal or residents and they don't know because one they are not informed or two because they don't have the resources and they do not know what to do (Chele, Lilia Loera, August 5, 2014).

Abel also shared this feeling and emphasized that he has stopped many students from going back to Mexico by helping them out with their cases and providing them with helpful resources.

The feeling of wanting to go back to their country of origin is common among undocumented youth. Many return because they feel that any progressive immigration legislation will not pass Congress, giving up hope. Maria for example, recounted how she felt when the DREAM ACT did not pass in 2010. She was so depressed that she wanted to go back to Mexico:

I just had a meltdown...I made the decision that I did not want to be in this country if I was going to be here undocumented, because it's one thing to be undocumented and know that, have that in mind. I'm going to work cleaning houses, which is what my mom does, and there's nothing wrong with that. But once you're undocumented, and you have an education and you want to do more for your community and your family, that's tough. I did not want to do that. I feel like my family has worked too hard. If I just go back to Mexico and work over there, I felt like that's what I needed at the time, to go back to Mexico (Maria, Lilia Loera, August 14, 2014).

She also described how she visited the Mexican consulate and told the consulate official that she wanted to move back to Mexico. When she told them this, they recommended

that she not go back and simply gave her documents to fill out to avoid a tax and did not offer any further help. But by 2010, statistics show that more undocumented youth were going back to Mexico either voluntarily or due to deportation. Between the years 2005-2010 more than 1.4 million Mexicans returned to their country, and 400,000 returnees in the past decade were youths. From 2005-2010, 5%-35% were apprehended by U.S authorities and the other 65%-95% returned to Mexico voluntarily. Reports from both Mexico and the U.S suggest that the majority were due to, “lack of educational and job opportunities and increases in anti-immigration policies” (Pew Research Center).

In sum, the study reveals a fragmented but revealing picture in the number of immigrant youth going back, Maria’s, Chele and Griselda’s accounts provide a glimpse in the ways undocumented youth who stay are emotionally affected by their illegality and how they learn to deal with their circumstance. Like Anzaldua and Lugo would say, they are not only border crossers but also “borderland inhabitants” in the U.S as they encounter racialization and marginalization due to their illegality (Anzaldua 2007; Lugo 2008). Foucault describes a similar state, heterotopia, as a, “state in which things are laid, placed, arranged in sites so very different from one another that it is impossible to find a place of residence for them” (Foucault 2002:249). Lugo applies the concept of heterotopia to the U.S-Mexico border; I apply it to the state and conceptual space occupied by undocumented immigrants like Griselda, Maria, and Chele who have no place of residence and whose lives are heavily inspected by agents of power. Thus, heterotopia serves as a structured space for undocumented immigrants as they negotiate, adapt or make sense of their illegality and marginality as racialized subjects. Moreover, analyzing various forms of inspections can bring further insights in what Lugo calls the

“heterotopia of every day social life” (Lugo 2008:123). Inspections go far beyond just border inspections; they can appear in every aspect of a person’s life illustrating boundaries, social divisions, cultural borders, and heterotopias. For undocumented immigrants, immigration policies, border patrol agents, organizations, and immigration judges showcase the ways their illegality is inspected and how they learn to make sense of their place within the U.S social structure.

The Melancholia and Peripheral Vision of Heterotopia

In the midst of the anti-immigrant socio-political environment, organizations such as FIEL help to counter obstacles by providing resources to undocumented immigrants to succeed educationally and financially. But FIEL’s most powerful objective is to encourage undocumented immigrants to stand up for their rights through their own voice and agency. It is a vital tool for FIEL and has a profound impact for those who realize that despite not having citizenship they can still mobilize and empower themselves and others. This empowerment endures on both sides of the border and has influenced many who returned to Mexico either from deportation or voluntarily. In fact, these DREAMers formed an organization called “DREAM in Mexico.” Their main objective and mission is to be an “obligatory reference of altruism and educative value...an organization that gives all the opportunities available to innumerable people, create a dreamer’s community and help with the development and progress of Mexico” (dreaminmexico.org).

I met a founding member of DREAM in Mexico in 2011, before he returned to Mexico, I was on my way to Washington D.C with the Texas Dream Alliance, a

network of immigrant rights organizations (FIEL included), to bring awareness to the DREAM Act and immigration reform. Years after that trip, he decided to voluntarily return to Mexico after living in the United States as an undocumented student. Along with other DREAMers who returned, he recounts his immigration story and struggles in the U.S and Mexico in a book titled *Los Otros DREAMers* or *The Other DREAMers*. These stories of undocumented youth in the United States carrying their lived experience back to their home country is more than just a reminder of struggle but a journey of self. It is a journey that reflects feelings of marginality and what some scholars have called melancholia and peripheral vision. Both melancholia and peripheral vision help to conceptualize the feelings and ways that individuals contest their everyday conflicts and struggles within heterotopic spaces. For Maria, this melancholia was expressed when she considered going back to Mexico as the only solution to her hardships of being undocumented. For *Los Otros DREAMers* who did return to Mexico, feelings of melancholia influenced the way they contested their new surroundings in a different manner; they created a new community of DREAMers in Mexico as a reflection of their undocumented experience in the United States.

Additionally, peripheral vision has an impact on melancholia in the way it reflects a dual frame of reference between country of origin and the destination country. Peripheral vision enables one to observe the local and faraway simultaneously as if they could see something out of the corner of their eye triggering awareness, emotions, and responses to new surroundings. (Zavella 2011:8). Peripheral vision includes the power and social relations that affect the bifocal lenses and points of views of immigrants (2011:23). It is illustrative of how *Los FIEListas* and *Los Otros DREAMers* counter or

respond to their alienation and various agents of power as they shift their perspectives between country of origin and the destination country. Hence, both the U.S and Mexico serve as points of reference in how undocumented immigrants make sense and emotionally respond to their socio-political environment and circumstance in both countries. In sum, FIEL and Los Otros DREAMers prove that there can be resistance within heterotopia, through feelings of melancholia and peripheral vision.

Solidifying Cultural Citizenship at FIEL

While observing interactions at FIEL, the manner in which clients and staff referenced their nationality, heritage, or shared racialization as Latinos proved to be significant ways to connect with applicants, make them feel at ease, and create a sense of cultural citizenship. During one of my first observations, when the DACA applicant told Abel that he was born in Guerrero, Mexico, Abel made conversation instantly as his family was also from the same place. They cracked jokes and talked to each other as if they had not just met minutes before. Sharing a common place of origin helped to establish a cultural connection and familiarity between the applicant and Abel. It helped to create a friendly and relaxed ambiance as the individual prepared to start the DACA application process. As mentioned, the DACA application process is strict and extensive. USCIS inspects every personal detail involving their immigration, marital status, criminal record, sexuality, education, income, nationality, race, age, and gender to determine qualifications.

In connecting with applicants, however, cultural differences are also manifested. For the FIEL staff, one of the groups they have trouble helping are Salvadorans. Chris's

mother mentioned how many Salvadorans who migrate to Mexico for refuge or to migrate to the United States get treated badly in Mexico and at the Mexican border. Because of this mistreatment and Mexico's unjust immigration policies, some Salvadorans develop mistrust and cultural misunderstandings of Mexicans. Chris confided that he once had to pretend he was from a certain town and city of El Salvador to earn the trust of an applicant, who only wanted a Salvadoran to help with his or her application. Tactics such as these become a way for the immigrant community to become more comfortable with Los FIEListas, through familiarity and shared heritage.

In addition, I observed a much stronger bond at FIEL derived from being Latino and the racialization that comes with this social status. I once overheard Abel tell one of his clients that he had to pick the white option for the race question in the DACA application explaining that USCIS considers Mexicans as white. Seeing the applicant's amused expression he then said, "They want to categorize us as white even though they don't treat us that way", and then they both laughed nodding in agreement. In comparing the treatment of whites to Mexicans, Abel and the applicant recognized that white Americans do not experience the marginalization and stigmatization from racialization. When I asked Abel about the race question, he replied that he found it to be joke and at the same time he was incredulous that Latinos are officially considered white. Like Abel, I also recognized the contradiction in the USCIS race question. In fact, in her study of birthright citizenship, Martha Menchaca argues that the recent attempts to deny citizenship based on birth in the nation is just the latest example of racial exclusion in U.S immigration law (Menchaca 2011:467). Today current policies no longer carry blatantly racist notions, yet in Arizona law enforcement have the power to inspect an

individual for legal documentation if they have reasonable suspicion to believe they are undocumented. The reasonable suspicion clause is solely based on the officer's discretion and judgment creating possibilities for racist discrimination. Countless immigrant rights activists and Latinos all across the nation protested the law, ultimately questioning, "Do I look illegal?"

Despite facing criminalization and marginalization, Los FIEListas have found ways in which to empower and mobilize by supporting the undocumented immigrant community through their immigration stories, heritage, and cultures. They have created a powerful space of solidarity or cultural citizenship through their activism and cultural expression (Rosaldo 1992). Thus, in advocating for equal rights, members and activists at FIEL embody the concept of cultural citizenship, "the phenomenon whereby people organize their values, practices, and beliefs about their rights based on a sense of cultural belonging" (Rosaldo 1994:3). Even more, FIEL and their members are not only advocating for citizenship rights but also for the right to their racialized heritage and culture. Many anti-immigrant politicians consider Latinos and immigrants as an inferior foreign group that is incapable of cultural change or creating social progress and advancement. Yet, FIEL and immigrant rights activists all across the nation have dispelled this discourse through acts of resistance and mobilization. Their cultural citizenship is proof that they have the agency and the ability to create social change in the midst of an anti-immigrant socio-political environment.

The Future of Immigration Policy in the Hands of Those in Power

The DACA program, despite providing some basic rights such as the ability to obtain a legal job and halting deportations, still does not provide a pathway to citizenship. Its requirement to renew the application every two years reflects its short-term purpose, not a long-term one. Because of this, many undocumented immigrants do not feel as if DACA has eased their situation. Their lives are still continuously impacted by legislative measures and the political climate within each state. For example in Texas, with the newly elected Republican state governor Greg Abbott, conservative lawmakers tried to repeal the Texas Dream Act (HB 1403), which provides in-state tuition to undocumented students. Greg Abott, who has criticized President Obama's immigration actions, publicly announced his support of the HB 1403 repeal and described the law as "flawed." Newly elected Lieutenant Governor Dan Patrick described it as an incentive and reward for illegal immigration. In response to this repeal, Los FIEListas and other Texas activists marched towards the Texas Capital chanting, "Education Not Deportation, Education Not Deportation," wearing graduation gowns and caps. Their signs read, "The DREAMers are back in Texas." Aside from trying to improve immigrant legislation and handle USCIS regulations for DACA and other legal matters, the FIEListas must now confront those in Congress who are working to repeal the Texas DREAM Act and place more state-level restrictions for DACA applicants.

With the current state of state and national politics, immigration legislative measures are at the top of political agendas with the new presidential election of 2016. The social and political discourses of the media, activists, and anti-immigrant groups will continue to make a great impact on lawmakers and elected officials. An important

question that arises when it comes to DACA is whether the program will be revoked under a new president elected into office in 2016. According to Chris and Abel, chances of this happening are very slim. In his interview, Chris noted that no executive order in the history of the U.S has ever been repealed. Because of this, Chris and Abel both feel optimistic for the immediate future of DACA. However, they both acknowledge that it is only meant to be a short-term fix and hope for comprehensive legislation. Despite their optimism, DACA has come under attack many times since it was introduced. Tea Party Republican senators and house members have pledged to stop Obama's immigration policies and to impede any other executive actions. Thus, the future of DACA and the future of any immigration legislation or executive order introduced under President Obama will be in the hands of the next president who will take office in 2016.

La Lucha Sigue

Throughout the history of the U.S, immigration law has presented many contradictions which sustain illegality through different tactics and generate severe constraints to the lives of undocumented people. Various agents of power such as USCIS, border patrol officers, and immigration judges, have facilitated and sustained the hegemony of the nation-state through technologies of rule such as laws and deportations. The governmentality that underlies them has ultimately impacted the lives of undocumented people in the United States. Even though immigration policies like DACA have become ways for undocumented immigrants to work legally and halt deportation, it still leaves a significant number of immigrants in a limbo-like social standing. Denial of citizenship rights and the barriers from their illegality has created a heterotopic space of

marginality and racialization that they must encounter and confront. When asked about her future in the U.S, Maria expressed pessimism,

At this point, it's just like...will I wait another ten years because I have been active since I was 13, 14, and I'm 26 now, another ten years...I'm sure time flies...I'm just tired. And it's weird that I'm tired now that I have rights or more...I can do with DACA than before but I'm just...I feel tired. I feel drained, and it's a constant thing (Maria, Lilia Loera, August 14, 2014).

On the other hand, on November 20, 2014, President Obama took the presidential podium and delivered what would be another executive order on immigration. He announced a series of actions that would expand the DACA program to parents of citizens or lawful residents under certain requirements. The USCIS website described the action as “executive actions to crack down on illegal immigration at the border, prioritize deporting felons not families, and require certain undocumented immigrants to pass a criminal background check and pay taxes in order to temporarily stay in the U.S. without fear of deportation.” Whether it was pressure from Congress or from immigrant rights activists, President Obama decided to take action at a time when both the Senate and House could not come to a consensus over immigration reform legislation.

Like DACA, this expansion memorandum was a successful victory but not recognition of immigrant rights and a solution to the unjust immigration system in place. It once again symbolized a temporary fix for millions who will continue to be excluded and not be granted a pathway to citizenship. As immigrant rights activists, Chele, Abel, Maria, and Chris know the politics of immigration too well as their lives have each been affected by political agendas and short promises. Yet they do not let the government's power and failure weaken their staunch involvement in the immigrant rights movement. The marginalization and injustices they have experienced as undocumented immigrants

and in helping immigrants at FIEL continue to empower them as they envision hope and change for their community. After President Obama's executive order, Chris Hernandez announced to the F.I.E.L community via social media that, "La Lucha Sigue!" [Struggle Continues]. He stressed that FIEL would fight double time for the millions who have been excluded. Through their counter-hegemonic acts of resistance and enduring agency, FIEL and their activists serve as a reminder that the fight for immigrant rights is far from over.

CHAPTER V

EPILOGUE: VAMOS DIBUJANDO EL CAMINO “LET US PAVE THE WAY”

As a graduate student conducting research on immigration activism, I wanted to understand the political discourse or debate on immigration in relation with the academic literature. So for the spring 2015 semester, I decided to intern for the Texas House legislature for Representative Joe Farias. With new Republican governor Greg Abbott and a Republican majority, the 84th session of the Texas legislature saw the introduction of several anti-immigrant bills. I describe these bills as anti-immigrant because their measures and provisions target a marginalized and vulnerable population, undocumented immigrants. Rather than supporting immigration reform efforts, they sought to police and alienate undocumented immigrants by disenfranchising them and making their lives in the United States more difficult. With these bills, Texas Legislators wanted to advance a xenophobic agenda that would limit rights and citizenship to an immigrant population that is largely Latino.

In summary, SB 185 by Sen. Perry from Lubbock would allow for police officers or any peace officer to ask for citizenship documentation if they have “reasonable suspicion” that the individual is here illegally. Additionally, this bill would cut off any state funding for local government entities that forbid law enforcement or peace officers to inquire about immigration status. HB 11 from Rep. Bonnen from Angleton would speed up the hiring of more Texas Department of Public Safety troopers and establish a physical repository for crime statistics on the border. It also would re-establish state police checkpoints on the border to check southbound travelers for

contraband, and would make it a crime to “encourage or induce” a person to remain in the country illegally. Along with HB 11, SB 1819 by Sen. Donna Campbell of New Braunfels would repeal the Texas DREAM Act which provides in-state tuition to undocumented students residing in Texas.

The introduction of these bills is a product of many factors and, at the same time, sets a precedent for how our government handles the immigration system. In response to these bills FIEL and activists all around Texas gathered to protest these anti-immigrant bills and make their voices heard at the Texas Capitol. Their mobilization and organizing garnered media attention during a border security subcommittee hearing. FIEL along with 200 activists and supporters arrived at the hearing and provided more than 100 testimonies of support for in-state tuition for undocumented immigrants. During the hearing, undocumented students wore caps and gowns and publicly announced their undocumented status, testifying about their struggles and lives in the U.S. The three senators who supported these anti-immigrant bills were forced to sit and listen to their stories until 2 am in the morning. Not only was Sen. Donna Campbell’s accusation that granting in-state tuition for undocumented students incites “illegals to immigrate to the U.S” debunked in the debate, it was lost in the dialogue as activists produced more than 100 testimonies.

It was clear that the senators that day did not foresee the arrival and the impact of hundreds of activists, such as FIEL and other immigrant rights organizations. Because of their efforts, Senator Campbell’s bill to discontinue in-state tuition for undocumented immigrants was stopped and did not become law. The power of FIEL and their allies was apparent that day as they fearlessly deconstructed the anti-immigrant discourse through

agency and voice. It is important to recognize that this community refuses to stay invisible and be defined by illegality and vulnerability. They have the power to create change and create consciousness. Despite the setbacks regarding immigration reform, the halting of DACA's expansion, and the creation of anti-immigrant bills, FIEL and hundreds of activists continue to walk towards social justice. Their passion and dedication to continue to fight against oppression and marginality symbolically reveals how stigmatized groups create legitimacy for themselves and their struggles against hegemonic entities that exclude and confine them. Through acts of resistance, voice, and agency, FIEL and activists all around the country are paving the way for social change through perseverance and courage. They further remind us that the roots for social change do not always start on the bureaucratic level but begin with social movements and the mobility of the oppressed and the marginal.

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