

Talk of ‘Broken Borders’ and Stone Walls: Anti-immigrant Discourse and Legislation from California to South Carolina

Ann Kingsolver
University of South Carolina

The anti-immigrant sentiments that propelled the passage of California Proposition 187 in 1994 – linked to an economic downturn and worries about NAFTA – have been echoed across the U.S. over the intervening sixteen years. This article briefly reviews public discourse about anti-immigrant legislation in a wave of other states from California to South Carolina, and discusses the convergence of anti-immigrant and white supremacist projects in the U.S., using the concepts of market citizenship and citizen surveillance. As new anti-immigrant legislation is proposed in the South, understanding it within its national and historical context is important. This discussion includes consideration of the role of metaphor in both fueling and countering anti-immigrant discourse.

Anti-immigrant discourse: ‘broken’ borders and stone walls

Legislation that may be worded in terms of protecting U.S. or state citizens but be referred to in public discourse as anti-immigration or anti-immigrant legislation has been making its way through statehouses across the U.S. over the past decade and a half. This is the latest round of legislation blaming recent immigrants (often from a specific nation or set of nations) for economic hardship or criminal activity in the U.S., which is portrayed as possible to alleviate with the removal or barring of undocumented or “illegal immigrants.” The research question taken up here is: what larger discursive projects (e.g., racializing projects, cf. Omi and Winant 1994, or economic projects) do specific acts of anti-immigrant legislation fit into, and how might state legislation – most recently proposed in southeastern states – be understood as part of a national political project? In this article, I demonstrate some ways to situate local anti-immigration legislation within that larger national context through the concepts and methods of anthropology. I argue that anthropological perspectives can contribute to both academic and social justice

activist analyses of anti-immigrant legislation (which is focused especially on recent immigrants from Latin American nations, often glossed collectively as “Mexico” in public discourse), and that such analyses are particularly needed in southeastern U.S. states like South Carolina at this juncture. There is a rapidly growing new immigrant population from Latin America and other global regions, and both the immigrant rights NGO infrastructure and the new structures of governmentality for immigration enforcement (the U.S. Immigration and Customs Enforcement system, devolving such enforcement to local authorities) are just being established in some areas and may lack the linguistic and cultural resources emphasized as vital by anthropologists.

This article emerges from a long-term ethnographic research project in which I have been studying how individuals (often without ever reading the legal documents themselves) make sense of policies related to globalization and anticipate the effects of those policies, like the North American Free Trade Agreement, on their everyday lives. In this larger project, I use political economic and interpretive theoretical lenses to focus on the cultural logics – e.g., the logic of neoliberal capitalism – that both inform and are constructed through individual explanations and actions. As Fleck (1935) and Douglas (1986) have noted, it is extremely challenging to think outside our own “thought styles,” or the cultural logics into which we have been socialized. Weber’s (1977) initial project on interpreting the logic of capitalism and how it related to other logics (religious ones, in his example) has inspired quite a few anthropologists like me to see the potential of using political economic and interpretive theoretical perspectives together to see economic and political decisions as culturally contextualized.

This project is also situated within the anthropology of law, or political anthropology. Carol Greenhouse (2006: 189) has pointed out that today, “anthropologists are working on legal doctrine, and lawyers are working on cultural practice.” In her review of recent studies of law, she found discursive analyses to be commonly used across disciplines, and among the most common research themes to be “rights (individual rights, indigenous rights, and human rights), and security,” which are prominent themes in this article on the spread of anti-immigration legislation. Discourse analysis, or the tracking of collective strands of explanation and action (including assertions of power, identity, and rights, for example), is a common method used in legal anthropology. As Greenhouse (2006: 200) explains, “A theory of discourse helps to account for how states are rendered social through language and the interplay of subjective experience among ordinary people in their everyday lives, as well as how states figure in history through collective identities created in those very processes.” In looking specifically at how anti-immigration legislation fits into a larger cultural landscape of contested assertions of rights, identity and power, I join anthropologist Nicholas De Genova and others in using the concepts and methods of our discipline to investigate the broader cultural logics at issue. “It thus becomes possible for the ethnographic study of undocumented migrations to produce migrant ‘illegality’ as the kind of ethnographic object that can serve the ends of a distinctly anthropological critique of nation-states and their

immigration policies, as well as of the broader politics of nationalism, nativism, and citizenship” (De Genova 2002: 423).

As I was doing ethnographic interviewing and discourse analysis between 1993 and 1996 on what people (in many occupations, identifying themselves in many ways) in the U.S. and Mexico thought of the North American Free Trade Agreement for my book *NAFTA Stories: Hopes and Fears in Mexico and the United States* (Kingsolver 2001), I found that racialized and national identities were often conflated in narratives about threats to economic nationalism and job security. As I researched those narratives more, and studied speeches and political advertising and cartoons related to California Proposition 187 (an anti-immigrant bill proposed in 1994, the year NAFTA was being debated and voted on), I learned that metaphors related to the U.S.-Mexican border – e.g., a stone wall, a leaky membrane, the Berlin Wall -- became a vehicle for what was being said both overtly and between the lines about citizenship and economic entitlement. In 1996, I moved from California to South Carolina, and since then, I have continued to study anti-immigration legislation, through some ethnographic interviews but mostly through the close textual analysis of the laws themselves, evidence regarding the funding of political advertising campaigns, the analysis of aggregate data (e.g., U.S. Census data), and narrative analysis of documents including political speeches and letters to the editor. As an anthropologist, I believe it is important methodologically for us to study state and local anti-immigration laws within a national and transnational context, since there are national movements providing funding to local anti-immigration campaigns at strategic moments, for example, and I have watched similar proposed legislation make its way from California to South Carolina over more than a decade. It is that larger pattern of anti-immigration legislation and the selective marking and unmarking of individuals and groups as “citizens” or “illegal immigrants” (whatever their actual status might be) that interests me here. Pablo Vila’s (2000) research on the use of metaphors and the variety of narratives in constructing “border” identities demonstrates excellent methodological techniques in this type of research. The work I have done for this article is much more limited to discourse analysis, but as I have noted, it is situated within a larger ethnographic project yielding the observations about motivations for proposing anti-immigrant legislation across the U.S.

The day before I submitted this article for publication, in May 2010, I received a mass e-mail from South Carolina Senator Jim DeMint asking me to “tell Congress to build the fence!” He referred to the Secure Fence Act passed 5 years earlier, in which “we promised to build 700 miles of double layer fencing on our border with Mexico.... Less than 35 miles of fencing have been completed!” he said. “Americans have demanded a real fence to combat the very real problems of illegal immigration that have led to human trafficking, drug trafficking, kidnapping and violence on our border.” So it is with the fence metaphor that I will begin my argument in this article.

When the U.S. Senate voted in support of South Carolina Senator Lindsey Graham’s amendment to the Homeland Security Department appropriations bill

in 2007, the Republican Senator could begin distancing himself from the title Rush Limbaugh had given him of “Lindsey Grahamnesty” and the related conservative dissent over the immigration reform bill that he had not been able to get passed earlier in the year. The issue has been reframed from discussions of the Z visa and the legal and cultural meanings of “amnesty” to the language of national security, national emergency, and the threat of terrorism that has characterized both U.S. political discourse and some of the most egregious hate crimes and sanctioned discrimination in the U.S. since 9/11/01.

After the Senate vote for his amendment, Senator Graham said: “Securing our border is a national emergency because it’s a national-security problem not to be able to control who comes into your country” (Graham, as quoted by Rosen 2007a). What I focus on in this article is the *selectivity* in this discourse: securing the U.S.’ *southern* border is represented as more of a security threat than the northern border -- despite arrests defined as terrorist-related being more frequent on the Canadian border -- and, especially, I focus on just *who* is represented as constituting the national public perceived to be under threat from the “uncontrolled” flow of immigrants across the southern border. In the first part of the argument, I will relate the recent rhetoric about immigration legislation to an analysis of public discourse about California Proposition 187 at the time of its passage in 1994 (based on my interviews with Californians at the time) and trace a brief history of anti-immigration at various jurisdictional levels across the U.S. from California to the Southeast since the mid-1990s. Then I will move on to a discussion of the convergence of anti-immigrant and white supremacist political projects and some conceptual frameworks for thinking about anti-immigrant discourse, particularly market citizenship and citizen surveillance.

When the Senate passed the “emergency” funding to fortify the U.S.-Mexican border, Senator Graham said: “The vote was overwhelming because everybody agrees that the broken borders we have today are not in our national security interests” (Graham as cited by James Rosen 2007b). Lou Dobbs of CNN has also used the term “broken borders” in discussions of immigrants from Mexico as an “army of invaders” (Fairness & Accuracy in Reporting 2007). This choice of the term *broken* borders suggests a disturbing current rupture in what was once a hermetically sealed boundary, which does not reflect experience but which has tremendous rhetorical power. The term broken conveys also a need for repair, and the assumption that it would be natural to spend money as a national public on completing this emergency repair, as those in Holland might vote to repair a breach in a dyke. In fact, it seems to mobilize *more* attention than repairs still needed in New Orleans’ levees.

After the immigration reform legislation he helped propose earlier in 2007 did not pass, Senator Graham was told by his colleagues to focus on the need to secure the southern national border. Representative Duncan Hunter, a Republican from California, said that there ought to be “a very strong sense of urgency in this country to simply carry out the law, the mandate, for 854 miles of fence that we passed.... They’ve only built 13 miles of the fence so far” (Hunter as cited by Babington 2007).

As in recent references to Fortress Europe, when individual national economic or political sovereignty appears diminished, talk turns toward border fortifications and blame of selectively marked immigrant groups. According to Ong (2007: 15), there are now discussions in Europe of granting different kinds of graduated citizenship, or postnational citizenship, with different levels of rights, to different immigrant groups within the EU. Fox (2005) discusses rights and claims in relation to “multi-layered citizenship.” As Ong (1999) points out, citizenship is not fixed but flexible, and we need to understand the logics through which arguments about citizenship and transnationality are made.

This current focus on building a wall between the U.S. and Mexico brings to mind an earlier period when the wall proposal was taken less seriously as a construction project and treated more as a metaphor, like viral contagion, for the perceived economic and physical threat immigrants from Latin America represented to an assumed public, racialized inaccurately as a default white votership in much anti-immigrant rhetoric in California in 1994. When California Proposition 187 – the ballot initiative that would have made it illegal to provide health care or educational services to undocumented immigrants – was being debated before the vote in California, Kemchs drew a cartoon that appeared in *Los Caricaturistas* in Mexico in October 1994 that equated Proposition 187 with the construction of a stone wall topped by barbed wire between Mexico and the U.S. Political cartoonists in Mexico were not hesitant about bringing into public discourse the link between anti-immigrant legislation and white supremacist political projects (and funding); several cartoons equated Governor Pete Wilson’s advocacy of California Proposition 187 with Hitler’s role in the Holocaust. While hyperbole is the stock in trade of political cartoonists, I argue that in Mexican civic space it was more possible than in the U.S. to talk publicly about white supremacy and U.S. immigration legislation as overlapping political projects.

Researchers including Jean Stefancic (1997) and William Tucker (2003) have discussed the relationship between white supremacist funding and well-financed campaigns for anti-immigrant legislation across the U.S. The Federation for American Immigration Reform (FAIR), probably with Pioneer Fund backing (Stefancic 1997), targeted the “white” vote in California with the “Save Our State” initiative (although by no means did the vote break down along the lines of stated identities). That rhetoric equated citizenship with whiteness and placed the responsibility for the state’s economic downturn on the undocumented workers (assumed to be non-white) whose labor actually contributed to California’s being (at that time) the eighth largest trading body in the world. The Federation of American Immigration Reform also “bankrolled Proposition 200” in Arizona (Judis 2006). In U.S. public space, though, there is largely silence about the link between white supremacist and anti-immigration sentiment, or outright rejection of it, as in South Carolina’s U.S. Senator Jim DeMint’s remarks in 2007 after he and others voted down the immigration reform bill that his fellow South Carolina Congressman Lindsey Graham had supported. Senator DeMint said, to a reporter: “We’ve gotten thousands of calls, and I haven’t gotten one call that could have been

interpreted in any way as anti-immigration.... It is more really about our country and what it means to be a citizen and enforcing the rule of law, and basically our oath of office that is to swear to protect the Constitution.... I have not sensed any racism or any fear of diversity or the things that have been leveled against some of us” (DeMint, as cited by Rosen 2007c).

The links between dollars going to specifically white supremacist causes and the anti-immigrant publicity are hard to trace, and are rarely announced publicly. Disguised as populist groundswells, such targeted campaigns often appear and disappear in ways that seem a bit mysterious to those not funding them, but I would join others in arguing that these campaigns are connected nationally. For example, in the spring of 2000, as John McCain, George W. Bush, and other Republican contenders for the presidential nomination moved into South Carolina and worked the state before the primary vote, Project USA anti-immigration signage went up around the state – including one on a billboard right over one of Columbia, South Carolina’s two mosques that said “90 percent of U.S. population growth in the 21st century will result from current immigration; stop it, Congress.” Anti-immigration television advertisements were broadcast frequently. The ads stopped and the billboard signs made way for Chick-fil-A’s misspelling cows as soon as Bush had won the primary. More research needs to be done on the national funding of such state and local campaigns. An organization cannot simply be labeled white supremacist without extensive research, of course, but there is a genealogy of political priorities and funding to trace carefully, as with the Pioneer Fund. The Federation for American Immigration Reform has data available for anti-immigration researchers on its website, <http://www.fairus.org>, arguing that there is a discontinuity between today’s immigration situation and any previous era, and that it is time to close the “frontier” since the massive illegal immigration of Mexicans is – the site argues – jeopardizing the U.S. economy.

Here are two examples of the formation of local anti-immigrant organizations that were organized or assisted by national anti-immigrant organizations: the Federation for American Immigration Reform and the Minutemen Civil Defense Corps. The local efforts were directly tied to moments in which there was proposed anti-immigrant legislation at the local level, in the first case, or at the national level, in the second. James Claffey (2006) has published a description of the formation of the Sachem Quality of Life (SQL) organization in Farmingville, New York (on Long Island) and the small group’s attempts “to speak for” the entire community in protesting the presence of undocumented immigrant workers:

Composed of thirty to forty working-class, native-born residents, this group began a media blitz demanding that public officials at the local and federal levels act immediately. They also spoke to immigration officials (the INS) and began a generalized campaign to rid the town of the undocumented. (Claffey 2006: 75)

Claffey goes on to note that FAIR sent in a national organizer and violence against undocumented workers began to escalate. While SQL members do not claim any responsibility for hate crimes, as their anti-immigrant rhetoric and harassment

increased, two workers from Mexico were picked up by two young men who claimed they had construction work for them but then attacked the workers brutally in an abandoned building.

Picked up a few days later, one of the perpetrators was found to have Nazi and white-supremacy tattoos. As became clear during the trial, they were 'out to get some Mexicans,' clearly a hate crime. They are currently serving twenty-five years for attempted murder. (Claffey2006: 78)

Then, Claffey (2006: 79) reports, "five white teenagers, residents of Farmingville, fire-bombed the house of a Mexican family of four in town." Much more research of the kind Kathleen Blee (2002) has done on local and national Ku Klux Klan activity is necessary to bring accountability to white supremacist organizations – perpetrators of hate speech – for hate crimes like these in Farmingville, New York.

As new immigrants from Latin America settle in increasing numbers in regions of the U.S. without a history of Latino community members, national anti-immigrant and hate groups see growth opportunities. In South Carolina, which has one of the most rapidly growing new populations of recent immigrants from Latin America to the U.S., the proposal of national immigration legislation in 2007 was quickly mirrored by local anti-immigration organization orchestrated through national groups. The state president of the national organization the Minutemen Civil Defense Corps (MCDC) said to the 150 people gathered to form the new Horry County chapter of the MCDC about the 'invasion' of 'illegal immigrants': "We've got to get rid of them, one way or another" (The Myrtle Beach Sun News 2007). More studies are needed of the links between this kind of violent speech to all the levels of violence Bourgeois (2001: 6-7) has described: political, structural, symbolic, and everyday.

One form of symbolic violence is the selective use and valorization of the term 'immigrant' in dominant discourses in the South over time. The organization of labor has been global in this region since before the U.S. was a nation, but enslaved Africans were not spoken of as immigrants in the same way that free Europeans with capital were mentioned in dominant discourse. In the late 1800s and early 1900s, for example, South Carolina legislators annexed land from African American farmers, bought a steamship, and offered northern Europeans with at least \$6,000 free passage to South Carolina and free land for settlement. The South Carolina Commissioner of Agriculture, Commerce and Immigration (an interesting combination of portfolios), in his first report to the governor of South Carolina in 1880, said:

The question of whether we desire or require immigration is no longer debatable. To keep pace with the progress of the world, we must have our waste lands settled, our idle resources developed, our streams running machinery. We can never induce capital until we have the population.... An emigrant agent located in New York says, now is the time for the South to act. This State can easily double her population, increase her wealth 300 per cent, reduce taxes and pay off her debt.... The odium in which the

institution of slavery was held by immigrants, previous to the late civil war prevented a rapid settlement of the South. That objection has been removed by the abolition of slavery, and South Carolina now offers greater inducements to immigrants than any of the Northern or Western States. [First Annual Report of the Commissioner of Agriculture of the State of South Carolina, 1880: 22-23]

Note that the African Diaspora in South Carolina was not labeled, in this document, an immigrant group. The selective marking of groups as immigrants or not, desirable or not, has been ongoing in dominant discourses in South Carolina. The latest iteration is the bill that South Carolina State Senator Glenn McConnell introduced in the 2009-2010 session of the Senate: S 306, which would prevent undocumented workers (called illegal aliens) from receiving workers' compensation if injured on the job, if the employer was aware of the worker's undocumented status before the accident. This is compatible with the structural violence of the imposition of local ICE (replacing INS) authority across the South, a system in which local law enforcement officials now carry federal authority, and recent restructuring of the poultry work force in South Carolina due to immigration raids. Those 2008 and 2009 raids rendered visible labor relations and marginalized workers who had largely been invisible in dominant discourse, and that exacerbated anti-immigrant discourse. As Benson (2008: 596) points out, "power and perception overlap," and that "[f]aciality is crucial to the constitution and perpetuation of structural violence because how people see others can help legitimize patterns of social subordination, economic exploitation, and spatial segregation." Once undocumented poultry workers in South Carolina were stigmatized in the news, there were fears of broader anti-immigrant and anti-Latino discrimination (Ordonez 2008), and many recent Latino immigrants lost jobs in the poultry plants in Greenville and Columbia, replaced mostly by prison workers (another form of structural violence that is not always rendered visible in public discourse, although prison uniforms are visible on the South Carolina statehouse lawn most any day, worn by grounds crews). The relationship between the encouragement of fear of deportation, as through the recent ICE raids in South Carolina, and the need to maintain a low-wage labor force including workers with varying degrees of citizenship has been described well by De Genova (2002: 439):

Migrant 'illegality' is lived through a palpable sense of deportability, which is to say, the possibility of deportation, the possibility of being removed from the space of the nation-state.... Thus, the legal production of 'illegality' as a distinctly spatialized and typically racialized social condition for undocumented migrants provides an apparatus for sustaining their vulnerability and tractability as workers.

The racialization that is part of this process is discussed in the next section.

Selective racialization and the politics of blame

A "moral" aspect of the neoliberal capitalist project is the displacing of responsibility for economic and social difficulties onto a strategically stigmatized

group, as in the politics of blame (cf. Farmer 1992) that propelled the passage of California Proposition 187 in 1994. I have discussed this larger process elsewhere as *strategic alterity*, or “shifting between different assertions of devalued group identity in order to valorize free-trading citizens of the market and to mask the labor of those making that free market participation possible (by moralizing the devalorization)” (Kingsolver 2007: 87). The text of Proposition 187 (which was later ruled unconstitutional) actually blames undocumented immigrants for economic hardship during Governor Pete Wilson’s administration. A parallel process in the U.K. to the politics of blame invoking the word “Mexican” in the U.S. is the racializing project invoking “Paki,” a shortened version of the word “Pakistani,” used pejoratively to refer to immigrants from many nations. Michael Finewood (2005: 57), in an analysis of representations of Latino immigrants in South Carolina, argued that the rhetoric of “illegal” status conferred a related assumption about the criminality of recent immigrants from Latin America, reflected in allusions by those he interviewed to drug cartels and “sneakiness”. The ballot version of Proposition 187 began with these words, which certainly equated undocumented status with criminality:

The People of California find and declare as follows:

That they have suffered and are suffering economic hardship caused by the presence of illegal aliens in this state.

That they have suffered and are suffering personal injury and damage caused by the criminal conduct of illegal aliens in this state.

That they have a right to the protection of their government from any person or persons entering this country unlawfully.

Which Californians needed protection from whom? The rhetorical sleight of hand here between citizenship, whiteness, and the threat posed by (a selectively marked group of) immigrants was a powerful one. Charles Briggs (2005) has proposed the analytical model of “spheres of communicability” to examine the ways in which racializing and medicalizing discourses intersect in constructing subjectivities, and that is certainly applicable to the ways in which racializing discourses and a number of other discourses have overlapped in the selective stigmatization of “immigrants” – of necessity, a reification – in anti-immigrant discourse in the U.S. The discourse through which Proposition 187 was promoted – in speeches and media advertisements – masked the complexity of identity and immigration by equating the term “immigrant” with the term “Mexican,” which was curiously racialized even as it was gendered and nationalized (cf. Vila 2000; Kingsolver 2001). The identities of immigrants from many nations were reduced, in the “Save Our State” initiative, to the term “Mexicans” meant to distinguish a racialized, gendered (male), Spanish-speaking, national *other* from a Californian *self* assumed in the promoting rhetoric to be “white” (and threatened, according to Zavella 1997). While there are many ways to conceptualize the relationship between racialization and class processes, I agree with Charles W. Mills (1997: 32-33) that:

...the economic dimension of the Racial Contract is the *most* salient, foreground rather than background, since the Racial Contract is calculatedly aimed at economic exploitation. The whole point of establishing a moral

hierarchy and juridically partitioning the polity according to race is to secure and legitimate the privileging of those individuals designated as white/persons and the exploitation of those individuals designated as nonwhite/subpersons.

I believe the simplification of identities in the discourse promoting California Proposition 187 was tied directly to the production of (white) citizens of the *market*, and those (non-white, non-citizens) who reproduce them (in the Marxian sense). Joseph Nevis (2002) has also stated (in his history of the U.S. policy Operation Gatekeeper) that arguments about security, employment, racialization and “illegal” immigration have to be considered in the same frame. He documents why public attention has been on the undocumented immigrant workers rather than the employers providing their jobs.

Neoliberal capitalist rhetoric facilitates the construction of an unmarked, or ‘white,’ working self, free to sell one’s products on the world market, somehow linked (either vertically in the industry, or symbolically) with the owners of capital, and a marked ‘strategic other,’ the worker who helps the free-to-sell worker get the work of production done. I think market citizenship (Kingsolver 2001) is distinct from national citizenship, and see the former as being used to argue for or against groups’ rights within nation-states regardless of legal status. Aihwa Ong (2007) discusses this as “graduated citizenship”:

... differentiated spaces of the political are often coordinated with diverse modes of government – disciplinary, regulatory, pastoral – that administer populations in terms of their relevance to global capital.... Such differential biopolitical investments in different subject populations privilege one ethnicity over another, male over female, and professional work over manual labor, within a transnationalized framework. (Ong 2007: 78-79)

Ong has further argued that:

... components formerly tied to citizenship – rights, entitlements, as well as nation and territoriality – are becoming disarticulated from one another and rearticulated with governing strategies that promote an economic logic in defining, evaluating, and protecting certain categories of subjects and not others. (Ong 2007: 16)

Whether we talk about this process as othering, alterity, xenophobia, or racial formation (Omi and Winant 1994), the collapsing of multiple ethnic, transnational, and gender identities into an underclass, male, dark-skinned, transgressive “Mexican” was prominent in the discussions of California Proposition 187. Governor Pete Wilson and other proponents of the legislation always mentioned Latino undocumented immigrants as those responsible for economic hardship to the state and undeserving of health and educational benefits, as though all were of a single class and racialized identity, or “Mexicans,” and never marked undocumented immigrant groups currently racialized as ‘white.’ Richard Delgado (1999: 251) has noted, “efforts to limit citizenship are efforts to maintain a system of white supremacy and to give that system the veneer of fairness and principle.” And Renato Rosaldo (1999: 257), in a discussion of cultural citizenship, said, “in

California statewide initiatives provide citizens with an occasion for voting their prejudices. Proposition 187 was arguably in large measure an expression of white supremacy." R. Michael Alvarez and Tara L. Butterfield (2000), political scientists, used the Voter News Service exit polls to interpret why the 59% of California's voters who passed Proposition 187 voted for it; they concluded that the passage of Proposition 187 was linked with "cyclical nativism" related to a poor economy and with endorsement of the policy by gubernatorial and senate candidates, who often used stereotypical images of immigrants in their campaign ads. While the thrust of the legislation was symbolic, one of the outcomes was an unprecedented level of Mexican immigrants seeking U.S. citizenship, which Santamaría Gómez and Zackrisson (2003) attributed to a desire to vote in U.S. elections like the one in which Proposition 187 had been passed.

The stereotype of a male migrant worker, coming to steal jobs or luring them over the Mexican-U.S.A. border with Ross Perot's (Perot with Choate 1993) articulated "giant sucking sound," was used as a nationalist axe to divide workers and actively *unmarked* the common goals of the neoliberal administrations of Mulroney, Bush, and Salinas through NAFTA to attract capital (including the investments of Mexican millionaires) to a North American market from the European Union. Gendering, racializing, and otherwise stereotyping the "Mexican" was facilitated by the availability of vilifying images in Hollywood representations of a Mexican *other* as a storytelling foil over most of the twentieth century (Flores 1995). In his analysis of representations of new immigrants on U.S. magazine covers, Leo Chavez (2001: 21) found that although representations of immigrants were complex and often contradictory, alarmist imagery always rose in moments of economic downturns. Kevin Keogan (2002: 231) argues that only under favorable economic and cultural conditions is there the possibility of "an inclusive political orientation toward illegal immigrants."

Policing the margins: citizen surveillance and market citizenship

How can a population be mobilized to police the margins of who is allowed to be a free-trading citizen and who is strategically altered as a silenced non-citizen of the market supporting that status? Lee Baker has described that the Louisiana statute affirmed by the Supreme Court in the Plessy vs. Ferguson decision required that conductors assign and enforce constructions of passengers' race or be fined and possibly imprisoned (Baker 1998: 24). On the streets of Atlanta described by Du Bois in *The Souls of Black Folk* (1903), who was it that would enforce the law forbidding those racialized as black and white from having a conversation? The enforcement of such a law would have required not only police surveillance but also citizen participation in the kind of racial profiling that has its descendants in the Neighborhood Watch programs and the TIPS program of the twenty-first century. Legally sanctioned racialized segregation in the U.S. *required* citizen surveillance – thus the very nature of the term *vigilante*. I argue that the political legacy of California Proposition 187 was the resurgence of this citizen surveillance implied

as those racialized as *white* policing the borders of whiteness both figuratively and literally. Smith (2006) has pointed out the pitfalls of leaving it up to the individual eye to identify those who represent a threat to the national public. As Foucault would remind us, racial profiling is – at its core – about disciplining the public and reinforcing governmentality rather than about personal or national security.

Even though Governor Pete Wilson, re-elected on the same ballot on which Proposition 187 appeared, stated in a pre-election debate earlier in 1994 that he knew the initiative could never become an enforceable law, its role in affirming an explicitly and implicitly white supremacist discourse in California was powerful, as were the associated expressions of violence ranging from turning renters out of their housing to beatings and killings of those perceived as undocumented immigrants. The stereotypes promoted through the support and passage of California Proposition 187 were not merely annoying or misleading; they were very, very dangerous. Hate crimes against Latinos increased sharply after the passage of Proposition 187 (Finnigan 1995: 6). Since it is impossible to tell citizenship by looking at a person, the discrimination affected citizens and non-citizens alike. The pro-187 advertisements portrayed a California being overrun by undocumented Latinos. The largest concentration of undocumented Latinos is in Los Angeles County, according to Rodriguez (1996: 18), and in that county, 80 to 85% of foreign-born Latinos were U.S. citizens in the mid-1990s. The Coalition for Humane Immigrant Rights of Los Angeles documented the increase in incidences of hate crimes and other acts of discrimination against Latinos in the period following the passage of California Proposition 187, aimed against citizens of the U.S. and of other nations alike, based on visual marking of individuals as “the other.” Many of these experiences of discrimination were specifically racialized. A Latina mother (with U.S. citizenship) and her children, for example, were told by their apartment complex manager that they could not use the pool after 6PM because in the evenings it was “for whites only” (Finnigan 1995: 6). Another U.S. citizen, a Latina, was turned away from a hospital while she was hemorrhaging. She was told that the hospital no longer treated Hispanics. As a result, she lost her baby (Martinez 1995: 18). The Coalition for Humane Immigrant Rights of Los Angeles reported many more examples, often more violent than these, of empowered hatred against visually targeted Latinos in California following the passage of Proposition 187. These acts, especially when carried out or sanctioned by police officers, seemed to support a white supremacist notion of who constituted the public of, or who had a right to citizenship in, California and the U.S.A.

Tomás Almaguer (1994) has written about the white supremacist paradigm of the Lights on the Border program, in which citizens (symbolically “white”) were urged to park their cars and trucks in lines facing the Mexican side of the U.S.-Mexican border shining their bright white lights on it to prevent or discourage border crossing by those symbolically seen as non-white and the couriers of economic hardship for California. Members of the Minuteman Civil Defense Corps also took border policing into their own hands, reflecting the broader privatization logic of neoliberal capitalism.

Governor Pete Wilson urged the national passage of a corollary to Proposition 187 (Ono and Sloop 2002: 62), and similar bills were considered first in Texas, Florida, and Arizona (Ono and Sloop 2002: 4) – states also tending toward English-only initiatives. Recently, there have been more local and state ballot initiatives in Hazleton, Pennsylvania, Riverside, New Jersey, and most recently, in Arizona with the passage of State Senate Bill 1070, now the Support Our Law Enforcement and Safe Neighborhoods Act. Provisions of that act include enforcing trespassing charges against “illegal aliens” who are “present on any public or private land in this state” (Sec. 3, Title 13, Chapter 15) and providing “for any lawful contact made by a law enforcement official or agency of this state or a county, city, town or other political subdivision of this state where reasonable suspicion exists that the person is an alien who is unlawfully present in the United States, a reasonable attempt shall be made, when practicable, to determine the immigration status of the person” (Sec. 2, Title 11, Chapter 8). Arizona Governor Janice Brewer issued a statement (http://azgovernor.gov/dms/upload/PR_042310_StatementByGovernorOnSB1070.pdf) on April 23, 2010, as she signed the bill into law, saying that it was necessary for Arizona to address a crisis “the federal government has refused to fix... the crisis caused by illegal immigration and Arizona’s porous border.” She stated that the bill would protect “all of us, every Arizona citizen and everyone here in our state lawfully.... We cannot delay while the destruction happening south of our international border creeps its way north.” Although Governor Brewer stated, in that same speech, “I will NOT tolerate racial discrimination or racial profiling in Arizona,” the passage of the bill had several immediate results that illustrated the political and cultural logic connecting the actual wording and implementation of legislation to larger debates and public anxieties. On the one hand, fears of racialized profiling and questioning of people with and without citizenship alike led to boycotting of a number of Arizona businesses, and comments in public discourse ranging from professional sports to the White House to late night television jokes. On the other, Republican State Representative Debbie Riddle, of Texas, announced plans to introduce a law similar to Arizona’s S. 1070 in the January 2011 Texas state legislative session. She had already introduced HB 49, titled “an act relating to the creation of the offense of criminal trespass by illegal aliens and to certain procedures for arresting illegal aliens suspected of committing criminal offenses,” in February 2009, but that bill had died in committee. Representative Riddle expressed hope that Arizona’s new Support Our Law Enforcement and Safe Neighborhoods Act would encourage Texans to pass her similar bill into law. Archibold (2010) reported in the *New York Times* that in 2009 “there were a record number of laws enacted (222) and resolutions (131) in 48 states [related to immigration policy], according to the National Conference of State Legislatures.” Anthropological analysis of the texts of each these laws and resolutions and the different discourses and cultural logics within which they are situated would be useful. In the examples I have studied, there seems to be a cultural argument being made that increased surveillance of all the citizenry is justified to increase protection of “lawful citizens” from the criminality of “illegal

immigrants” (generally, for example, through trespassing or using public services without paying taxes, or argued in relation to specific killings in the U.S.-Mexico border region, etc.).

Not since the McCarthy era have we seen so much state-sponsored citizen surveillance in the U.S.A. (cf. Lind and Otenyo 2006). Although the rhetoric for the current surveillance is related to the events of September 11th, 2001 (cf. Haggerty and Gazso 2005), we can see continuity between the anti-immigrant discourse and practice supporting the passage of California Proposition 187 and more recent anti-immigrant legislation, and current anti-terrorist policies. Similarities include blurring constructions of race and nation in targeting individuals for state-sanctioned reductions of rights or for hate crimes by vigilantes, and a symbolic withdrawal from an inclusive national identity to an entrenched notion of the coextensiveness of full citizenship with whiteness. In both moments, “security” is discursively associated with this symbolic whiteness and blame and danger are associated with non-whiteness. We are back to Charles Mills’ racial contract.

Nativist appeals to anti-immigration legislation have waxed and waned with the economic and political tides in the U.S.A.. In the 1870s, for example, the U.S. was experiencing a severe economic depression (Zinn 1995: 240) in sync with a global recession. One response in the U.S. was to blame Asian immigrants for job shortages, and the Chinese Exclusion Act was passed in 1882 (Frank 1999: 74). After that act was passed, there were increased border patrols along both the U.S.-Canadian and U.S.-Mexican borders and pressure on those neighboring North American nations to adopt the same immigration policies as applied in the U.S. (Lee 2002). Over a century later, in 1996, the Illegal Immigration Reform and Alien Responsibility Act was passed by the U.S. Congress and began another round of talks with representatives of the Canadian and Mexican governments on coordinating immigration controls. In 2002, there were very public protests in Canada about racial profiling in U.S. immigration practices.

How is “freedom from terrorism” being used to selectively invoke and ignore global citizens’ rights under international agreements? How is current U.S. immigration policy, as enforced by paid officials and by individuals acting out of ‘citizen watch’ entitlements, prone to privilege whiteness and stigmatize nonwhiteness to the point of stripping away citizenship rights because of racial profiling? Alejandro Portes argues (2003: 51): “While coping with the terrorist threat is an urgent concern, it should not derail us from the long-term priorities of the nation, or be used to justify chauvinism. An unfortunate consequence of this sense of national urgency is that the words ‘immigration’ and ‘terrorism’ are often joined in the same sentence, as if one necessarily led to the other.” Joanne Mariner (2003) discusses the increasingly discriminatory national regulation of citizenship status despite nations being signatory to the 1969 International Convention on the Elimination of All Forms of Racial Discrimination. Teresa Hayter (2000: 165) argues, “immigration controls are inherently racist.” Brian Keith Axel (2002) talks about the representation of diasporas as a “national interruption,” going along with the fantasy of homeland – as in the Homeland Security Act – and he suggests

that we view citizenship as a commodity. I would argue that market citizenship, like cultural citizenship, is a way to think about degrees of inclusion in the national public apart from legal status and that it is tied to moral and racializing arguments about whose free-marketeering status is merited and who is meant to serve the free-marketeering citizens as labor. If terrorism were the actual fear associated with non-citizenship, why would non-citizens be fighting in the U.S. military in Iraq, with the promise of a faster track to a green card? Like the wall, arguments about threats to security are largely symbolic and used to promote citizen surveillance of a shrinking default national citizenship. Legal status does not always matter at such moments, as Japanese Americans in California learned during their World War II internment.

Concluding strategies

Anthropology is well-equipped as a discipline, theoretically and methodologically, to situate anti-immigrant legislation in particular moments and places within broader contexts and cultural logics. In this article, for example, I have shown how California Proposition 187 – never intended by its proponents to be a lasting law, given its unconstitutionality – served as a focal point for a collection of fears about economic decline across the United States and a perception of diminishing political control by those racialized as white (who are often conflated with 'U.S. citizens' in public discourse and anti-immigration political advertisements). Activist anthropologists whose scholarship is informed by social justice concerns are inclined to ask what can be done about these dominant and arbitrarily racializing representations of new immigrants as threatening to personal, economic and national security. A number of useful suggestions have already been made. Otto Santa Ana, at the end of his book *Brown Tide Rising: Metaphors of Latinos in Contemporary American Public Discourse* (2002), suggests that we engage in a campaign of counter-metaphor: countering representations of immigrants as violating the national body, for example, with representations of immigrants as the lifeblood of the nation, necessary to its economic and cultural vitality. He suggests that rather than allowing disease metaphors to be used for new immigrants, we publicly call racism a cancer in the U.S. Racializing discourse about immigrants itself also introduces the possibility of transnational organizing against racialized discrimination (cf. Silverstein 2005: 377). As Silverstein (2005: 377) argues, it is our responsibility as scholars "to explore the cultural conditions of not just disjuncture and difference, but also of conjuncture and convergence." Expanding on this, it is possible to see convergence not only between neoliberal and neoconservative agendas and white supremacist and anti-immigrant agendas, but also between social science research and social justice work. The hate crimes spurred by anti-immigrant discourse need to be understood not only in local contexts, but in national, transnational, historical, political, economic and cultural contexts, and anthropological analyses contribute usefully to such a project. Given (1) the current national economic downturn, (2) the highest regional rate in the country of recent immigration from Latin American nations, and (3) the new

immigration enforcement responsibilities of local sheriffs' offices, for example, in communities where immigration-related legal and translation services may not be fully available, the current need for such anthropological analyses is particularly cogent in the U.S. South.

References Cited

Almaguer, Tomás

1994 *Racial fault lines: The historical origins of white supremacy in California*. Berkeley: University of California Press.

Alvarez, R. Michael, and Tara L. Butterfield

2000 The resurgence of nativism in California? The case of Proposition 187 and illegal immigration. *Social Science Quarterly* 81(1): 167-179.

Archibold, Randal C.

2010 Arizona enacts stringent law on immigration. *The New York Times*. April 23. <http://www.nytimes.com/2010/04/24/us/politics/24immig.html>, accessed May 12, 2010.

Axel, Brian Keith

2002 National interruption: Diaspora theory and multiculturalism in the U.K. *Cultural Dynamics* 14(3): 235-256.

Babington, Charles

2007 The American people believe that until we're able to secure our borders and enforce our laws, taking additional steps is really not in the best interests of the country. – John Boehner, R-Ohio. Can immigration reform be salvaged? Farmers and others try to get remnants of failed legislation passed. *Columbia, SC: The State*, June 30, A12.

Baker, Lee D.

1998 *From savage to negro: Anthropology and the construction of race, 1896-1954*. Berkeley: University of California Press.

Benson, Peter

2008 El campo: Faciality and structural violence in farm labor camps. *Cultural Anthropology* 23(4): 589-629.

Blee, Kathleen M.

2002 *Inside organized racism: Women in the hate movement*. Berkeley: University of California Press.

Bourgois, Philippe

2001 The power of violence in war and peace: Post Cold-War lessons from El Salvador. *Ethnography* 2(1): 5-37.

Briggs, Charles L.

2005 Communicability, racial discourse, and disease. *Annual Review of Anthropology* 34: 269-291.

Chavez, Leo R.

2001 *Covering immigration: Popular images and the politics of the nation*. Berkeley: University of California Press.

- Claffey, James E.
2006 Anti-immigrant violence in suburbia. *Social Text* 88, 24 (3): 73-80.
- De Genova, Nicholas P.
2002 Migrant 'illegality' and deportability in everyday life. *Annual Reviews in Anthropology* 31: 419-447.
- Delgado, Richard
1999 Citizenship. In *Race, identity, and citizenship: A reader*, eds. Rodolfo D. Torres, Louis F. Mirón, and Jonathan Xavier Inda, 247-252. Malden: Blackwell Publishers Inc.
- Douglas, Mary
1986 *How institutions think*. Syracuse: Syracuse University Press.
- Du Bois, W.E.B.
1903 *The souls of black folk*. Republished by Digireads.com, September 30, 2005.
- Fairness & Accuracy in Reporting (FAIR)
2006 CNN's Immigration problem: Is Dobbs the exception – or the rule? April 24. <http://www.fair.org/index.php?page=2867>, accessed September 2, 2007.
- Farmer, Paul
1992 *AIDS and accusation: Haiti and the geography of blame*. Berkeley: University of California Press.
- Finewood, Michael
2005 'They're taking our jobs': Representations of Latino immigrants in the Carolinas. M.A. thesis, University of South Carolina.
- Finnigan, David
1995 Hate crimes up since Proposition 187, group says. *National Catholic Reporter* 12/29; 32(10): 6(1).
- First Annual Report of the Commissioner of Agriculture of the State of South Carolina
1880 Charleston, SC: Walker, Evans & Cogswell, Printers.
- Fleck, Ludwik
1935 *The genesis and development of a scientific fact*. Translated 1979. Chicago: University of Chicago Press.
- Flores, Richard
1995 Alamo images and the birth of 'otherness.' Paper presented at the American Anthropological Association meetings, November, in Washington, D.C.
- Fox, Jonathan
2005 Unpacking 'transnational citizenship.' *Annual Review of Political Science* 8: 171-201.
- Frank, Dana
1999 *Buy American: The untold story of economic nationalism*. Boston: Beacon Press.
- Greenhouse, Carol
2006 Fieldwork on law. *Annual Review of Law and Social Science* 2: 187-210.

Haggerty, Kevin D., and Amber Gazso

2005 Seeing beyond the ruins: Surveillance as a response to terrorist threats. *Canadian Journal of Sociology* 30(2): 169-187.

Hayter, Teresa

2000 *Open borders: The case against immigration controls*. London: Pluto Press.

Judis, John B.

2006 Border war. *The New Republic*, Jan. 16: 15-19.

Keogan, Kevin

2002 A sense of place: The politics of immigration and the symbolic construction of identity in southern California and the New York metropolitan area. *Sociological Forum* 17(2): 223-253.

Kingsolver, Ann E

2007 Farmers and farmworkers: Two centuries of strategic alterity in Kentucky's tobacco fields. *Critique of Anthropology* 27(1):87-102.

2001 *NAFTA stories: Fears and hopes in Mexico and the United States*. Boulder: Lynne Rienner Publishers.

Lee, Erika

2002 Enforcing the borders: Chinese exclusion along the U.S. borders with Canada and Mexico, 1882-1924. *Journal of American History* 89(1): 54-86.

Lind, Nancy S., and Eric E. Otenyo

2006 Administrative agencies in a technological era: Are eavesdropping and wiretapping now acceptable without probable cause? *International Journal of Public Administration* 29: 1397-1409.

Mariner, Joanne

2003 Racism, citizenship, and national identity. *Development* 46(3):64-70.

Martinez, Demetria

1995 Hatred mumbles along new fault line called Proposition 187. *National Catholic Reporter* 2/10; 31(5):18.

Mills, Charles W.

1997 *The Racial Contract*. Ithaca: Cornell University Press.

The (Myrtle Beach) Sun News

2007 150 turn out to fight illegal immigration. *The State Newspaper*, Columbia, SC, November 11, B11.

Nevins, Joseph

2002 *Operation Gatekeeper: The rise of the 'illegal alien' and the making of the U.S.-Mexico boundary*. New York: Routledge.

Omi, Michael, and Howard Winant

1994 *Racial formation in the United States from the 1960s to the 1990s*. 2nd ed. New York: Routledge.

Ong, Aihwa

2007 *Neoliberalism as exception: Mutations in citizenship and sovereignty*. Durham: Duke University Press.

- 1999 Flexible citizenship: The cultural logics of transnationality. Durham: Duke University Press.
- Ono, Kent A., and John M. Sloop
2002 *Shifting borders: Rhetoric, immigration, and California's Proposition 187*. Philadelphia: Temple University Press.
- Ordonez, Franco
2008 Immigration arrests spark fear among S.C. poultry workers. *The Herald*. September 5. <http://www.heraldonline.com/109/v-print/story/795178.html>, accessed January 11, 2010.
- Perot, Ross, with Pat Choate
1993 *Save your job, save our country: Why NAFTA must be stopped – now!* New York: Hyperion.
- Portes, Alejandro
2003 Ethnicities: Children of migrants in America. *Development* 46(3): 42-52.
- Rodriguez, Gregory
1996 The browning of California: Proposition 187 backfires. *The New Republic* 9/2; 215(10): 18-20.
- Rosaldo, Renato
1999 Cultural citizenship, inequality, and multiculturalism. In *Race, identity, and citizenship: areader*, Rodolfo D. Torres, Louis F. Mirón, and Jonathan Xavier Inda, eds., 253-261. Malden: Blackwell Publishers Ltd.
- Rosen, James
2007a Senate backs plan to beef up border. *The State*, Oct. 4, A6.
2007b U.S. Senate approves Graham border measure – amendment would provide money for fencing, agents, detention centers. *The State*, July 27: A4.
2007c DeMint applauds defeat of bill – immigration measure supported by Bush, Graham dies in Senate. *The State*, June 29: A1.
- Santa Ana, Otto
2002 *Brown tide rising: Metaphors of Latinos in contemporary American public discourse*. Austin: University of Texas Press.
- Santamaría Gómez, Arturo, and James Zackrisson
2003 Politics without borders or postmodern nationality: Mexican immigration to the United States. *Latin American Perspectives* 30(2): 66-86.
- Silverstein, Paul A
2005 Immigrant racialisation and the new savage slot: Race, migration, and immigration in the New Europe. *Annual Review of Anthropology* 34: 363-384.
- Smith, Mark M.
2006 Looking blindly for terrorists. *Commentary*. *The State*, Aug. 2, A9.
- Stefancic, Jean
1997 Funding the nativist agenda. In *Immigrants out! The new nativism and the anti-immigrant impulse in the United States*, ed. Juan F. Perea, 119-135. New York: New York University Press.

Tucker, William H.

- 2003 A closer look at the Pioneer Fund: Response to Rushton. *Albany Law Review* 66(4):1145-1160.

Vila, Pablo

- 2000 Crossing borders, reinforcing borders: Social categories, metaphors, and narrative identities on the U.S.-Mexico frontier. Austin: University of Texas Press.

Weber, Max

- 1977 *The protestant ethic and the spirit of capitalism*. New York: Prentice Hall.

Zavella, Patricia

- 1997 The tables are turned: Immigration, poverty, and social conflict in California communities. In *Immigrants out! The new nativism and the anti-immigrant impulse in the United States*, ed. Juan F. Perea, 136-161. New York: New York University Press.

Zinn, Howard

- 1995 *A people's history of the United States 1492 – present*. Revised and updated edition. New York: HarperCollins.