



REFORM WITHOUT JUSTICE

LATINO MIGRANT
POLITICS
and the
HOMELAND
SECURITY STATE

Alfonso Gonzales



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*Latino Migrant Politics and the Homeland
Security State*

ALFONSO GONZALES

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Para mis abuelos, mis padres y mis hijos

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PREFACE

This project was born out of a frustration that I share with a generation of Chicano and Latino intellectuals and activists, most of whom either migrated to the United States as children or are the children of migrants, who came of age in the context of what historian Rodolfo Acuña calls the anti-immigrant hysteria of the last thirty years. Collectively, we have witnessed the intensification of state violence against our communities in the form of deaths at the border; mass detentions; families devastated for generations by deportation; racial profiling on streets and public places; young men gunned down by state authorities; people denied their valid asylum claims; the dehumanizing experience of being asked for “papers”; and many more quotidian injustices too detailed to list. But we have also witnessed the intensification of Latino migrant activism in many forms over the last several decades, from marches and voter registration drives to civil disobedience actions and the formation of coalitions with progressive allies in what has become a multiethnic and multisector migrant rights movement.

This book is on the relationship between Latino migrant activism and on state migration control policies and practices between 2001 and 2012, but its genesis is in California during the fight against Proposition 187 in 1994, a law that would have banned undocumented people from most public services, among other provisions. At this time, as a teenager and noncitizen, I first began to grapple with understanding how and why injustices toward migrants and Latinos come about and what it would take to stop them. Although these questions have been burning inside me for almost twenty years, this book is written from the privileged position of a political scientist and participant-observer who has lived and studied in Southern California and New York City with the goal of thinking about how to stop the injustices that have marked my generation. I do not claim that this book will provide the definitive answer to this problematic or

that it will satisfy everyone who reads it. Rather, it explains the challenges facing those Latinos and their allies alike who, regardless of race or nationality, seek emancipation from human suffering in the face of a powerful and entrenched police state, even amid all the celebration around “immigration reform” and Latino political power on the horizon.

I am bound to make some mistakes and omissions in my effort to think through the relationship between Latino migrant activism and the post-9/11 security state that has emerged. Such shortcomings are entirely my own. However, the insights, knowledge, and conceptual clarity that may be gained from this book are the product of many people who have been helpful in this project in a deeply dialogical way. First and foremost among those on this long list are the more than sixty people I interviewed for this book. Indeed, these migrant activists, deportees, and policy makers shared their thoughts and time with me, often allowing me into their homes, meetings, organizations, and lives. Although it will be theoretical and challenging at times, this book is for you, for us, and for the movement of our time.

This book is also for my mentors, colleagues, and students. I want to thank Ray Rocco, Mark Sawyer, and Bill Robinson, all of whom have challenged me to think and rethink my approach to this project from its earliest stages, during my days at UCLA in the Department of Political Science. Ray has been an outstanding adviser, mentor, and friend to me, and I proudly consider myself his student. Mark has challenged me in many ways that ultimately made me a better scholar. Bill provided enthusiastic and receptive feedback while always reminding me to stay committed to my ideas.

My senior colleagues and mentors from the post doc that I completed in the Latino Studies program in the Department of Social and Cultural Analysis at New York University had a tremendous imprint on this project. While at NYU, I had the great honor of having Renato Rosaldo, René Francisco Poitevin, and Joseph Nevins provide feedback on the entire manuscript. Each provided a very specific type of feedback. Renato helped me to develop my voice and the ethnographic aspects of this project. René Francisco drew on his expertise in critical theory and encouraged me to do my “Gramsci pushups.” And Joseph Nevins, an expert in the field of migration control, provided precise advice and encouragement. I also want to thank Arlene Dávila, Juan Flores, Neil Brenner, and Josie Saldaña for sharing their time and resources with me. Arlene provided help with my book proposal and early chapters, and Juan provided important feedback on different drafts of the project. Lastly from NYU, I would like to thank Cristina Beltrán for her example and for paving the way forward for my generation of theorists.

I am immensely indebted to my friends and colleagues Adrián Félix, Mark Jimenez, Aidé Acosta, Andres Garcia, Chris Zepeda, and Raul Moreno for their

critical and heavy conceptual feedback on many drafts of my work at different stages in its development. I will be forever be grateful to Adrián and Andres for reading several drafts of this book cover to cover. I also want to thank Miguel Chavez, Steven Osuna, Yoseph Crownhead, Victor Rios, Elana Zilberg, Juan de Lara, Susan Coutin, Mario Barrera, Silvia Zamora, Albert Ponce, Arely Zimmerman, Ulla Berg, Opal Tometi, Monica Novoa, and Zachariah Mampilly for reading parts of the manuscript or book proposal. Not to be forgotten, I want to thank the undergraduate researchers who provided assistance along the development of this project, including Janet Perez, Mathew Pinero, Jee Eun Mae, Diana Hernandez, Johana Rodriguez, and Fernando Venancio of Lehman College; Jazmin Molina of NYU; and Maribel Meza, Araceli Gonzalez-Flores, and Eduardo Maximo of UCLA. I also want to thank Pablo Morales, Allison Brown, Mario Rocha, and Sandy Andes.

Several individuals at various institutions helped me develop this project. Foremost among these institutions, I would like to thank Shawn Plant at the office of the Dean of School of Natural and Social Sciences, Victoria Sanford at the Center for Human Rights and Peace Studies, and my colleagues in the Department of Political Science, especially Jeannette Graulau for her intellectual solidarity, Tom Hattori for giving me a semester off, and Chiseche Mibenge for reading the entire manuscript and providing generous feedback. I also want to thank Arlene Torres of the CUNY Latino Initiative and all of my colleagues from the Latino Caucus of the American Political Science Association.

I am also grateful to have been invited to share aspects of this project at numerous institutions. For this I am grateful to Linda Green at the Center for Latin American Studies at the University of Arizona, Ediberto Roman at the College of Law at Florida International University, Mark Noferi and his colleagues at Brooklyn Law School, and to the Department of Latin American Studies at the University of Florida. To be sure, I am immensely grateful to Oxford University Press and my editor, Angela Chnapko, for their enthusiastic support of this project. I am also indebted to the three anonymous reviewers who provided insightful and energetic suggestions on my manuscript.

There are several community members and mentors whom I would like to thank for supporting me along this journey. First and foremost, I would like to thank Jorge Hernandez, who led me to the path of higher education through a community-based Raza Studies program. Over the years many have provided me a sense of community and a sense of family from the West Coast to the East Coast, including Rosa Martha Zarate, Ward Schinke, Dariush Haghighatand, Manuela Sosa, Elizabeth Iglesias, Rossana Reguillo, Miriam Jimenez, Hector Perla Jr. Nimmi Gowrinathan, Jason Javier, Gladys Ivonne Garcia y su familia, Maria Huerta y su familia, and Citlali Negrete y su familia.

Last but not least, I want to thank my family. Words cannot express the deep-felt love that I have for my siblings, nephews, and my parents, John J. Gonzales and Maria Guadalupe Toribio-Gonzales. Completing this book would have been impossible without all of their love, support, and guidance. My brothers, Chris and Martin, taught me many valuable life lessons, and my sister, Jazmin, led the way forward as the first to graduate high school and attend college in our family. She is my original intellectual mentor. This book is also dedicated to my *sobrinos* Johnny, Felix, and Vicente, and my *sobrinas* Alyssa, Vanessa, and Naillila; even as children you have taught me the power of laughter and love. My father, or *jefito*, as I affectionately called him, left me many wise teachings and passed on to me his work ethic, love for *norteñas*, and sense of humor. He and my brother Chris will be missed forever. I am especially beholden to my mother, for she has taught me the value of family, perseverance, and human solidarity since I was a child in Tijuana. Indeed, it is these values that are at the heart of this book and my everyday pedagogy.

Finally, this project could not have come to fruition without the support of my brilliant and beautiful wife, Esther Maria Portillo-Gonzales, and her family. They raised her to be a humble and well-respected defender of human rights, from Southern California to New York City, from El Salvador to Mexico, and beyond. Esther's actions and intellectual interventions are written throughout this book and on my heart. Last but not least, this work is dedicated to my cherished daughter, Alitzel Guadalupe Gonzales. Your mother and I dedicate ourselves to what we do so that you may inherit a world that is more just than the one we have lived in.

Reform Without Justice

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Introduction

I met Bernardo, a deportee and veteran of the 1991 US war in Iraq (Operation Desert Storm), in November 2010 at a protest in front of the US Embassy in Mexico City to denounce US immigration policies. Bernardo told his story of removal:

I was born in Cancún and I was taken to the States when I was one year old, me and my twin sister. I lived an American life since I was one year old. I'm thirty-eight. I went to the Persian Gulf in 1991 and in 1993. I made a mistake in '93—*tres cervezas*, eighteen years ago....Seven months ago ICE [Immigration and Customs Enforcement] agents went to pick me up from LA to San Diego, from San Diego to Eloy, Arizona, because I got this misdemeanor DUI under California law.¹

Bernardo concisely explained how under the 1996 immigration laws passed by then president Bill Clinton, Legal Permanent Residents became retroactively deportable for prior convictions for any of the newly designated federal immigration “felonies.” He then described how he was racially profiled and caught by an ICE raid in a furniture store and was detained for six months until tried before a judge:

They lied to us! When ICE came inside this mattress company, it was like, “Anybody Latino? Get over here!” You know, separating people. “You never had a problem with the law?” “Yeah, in '93, I am not going to lie to you guys,” I said. “That is probable cause for the judge to see you. Come, you are going to court tomorrow!” They lied to us! From LA they took us to San Diego. They kept telling us that we were going to court. They flew us to Eloy, Arizona. Six months fighting my papers, the judge kept telling me, “Sign the volunteer [departure].” “Your Honor, I am not going to give up my papers. I got kids to feed.”²

Bernardo's is a tragic and complex tale that involves many points of contact between Latinos and state agencies, including being policed, detained, and deported. He went from being profiled based on his phenotypic features and

cultural characteristics—in other words, because he “looked Latino”—to being detained and processed in an immigration detention center, where he was held for months, only to be deported.

What makes Bernardo’s story even more tragic is that he is just one of millions of Latinos and other people of color who are subjected to a racial gaze from government officials and private individuals who view them as perpetual suspect foreigners under what anthropologist Nicholas De Genova and others have called the homeland security state.³ De Genova uses this term to refer to a national security state similar to the one built around the specter of Communism at the beginning of the Cold War but this time with a new focus on *migration control* and anti-terrorism.⁴

The homeland security state was symbolically consolidated in the aftermath of 9/11 with the Patriot Act and the formation of the Department of Homeland Security (DHS) in 2003. However, its formation resists any facile date of birth, for it was built upon many previous efforts to increase the migration and social control capabilities of the US government, including the 1986 Immigration Reform and Control Act and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, among other congressional and executive acts.⁵ Yet, for reasons that I will expand upon later, any serious analysis of the homeland security state can not be reduced to its institutional features, nor could it avoid the war on drugs of the 1980s and 1990s. Rather, it is a deeply social and economic set of relationships.

Since 1990, the United States has deported roughly four million people, with the vast majority being deported after 9/11.⁶ Under the homeland security state, the number of deportations from the year 2000 to the year 2012 has more than doubled. For instance, Figure 1 shows the rise in deportation from roughly 188,000 removals per year in fiscal year 2000 to 410,000 people in 2012. If trends continue, two million people will have been deported under the Obama administration alone. To put this in historical perspective, the United States has removed more people in the last ten years than in the last 110 years combined.⁷ Moreover, the United States currently spends more on immigration enforcement than it does on all other federal law enforcement combined.⁸ Today, the US government spends fifteen times more on migration control than it did in 1986, when the Immigration Reform and Control Act was passed in Congress.⁹ As a result of such legislation, executive policies, and resources dedicated to enforcement, Latinos now make up one-half of those sentenced to federal prison.¹⁰

Yet as suggested by Bernardo’s presence at an international protest in front of the US Embassy in Mexico City organized by the International Migrant’s Alliance, a global grassroots migrant organization comprised of 100 organizations and based in over 25 countries from the major migrant sending regions of the world in 2010, Latino *migrant* activists and the broader global migrant movement have not been passive subjects.¹¹ The migrant rights movement is a multiethnic and multisector constellation of actors that overlap and intersect with the even broader

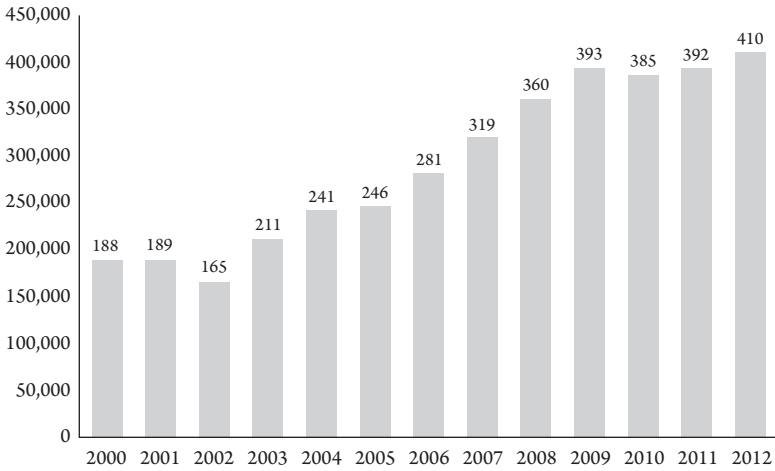


Figure 1 Removals, Fiscal Years 2000–2012.

Source: Data for this figure is drawn from two sources. The United States Department of Homeland Security, Removals Statistics, 2011 Year Book of Immigration Statistics, Table 39. ALIENS REMOVED OR RETURNED: FISCAL YEARS 1892 TO 2011 http://www.dhs.gov/sites/default/files/publications/immigration-statistics/yearbook/2011/ois_yb_2011.pdf. And from Department of Homeland Security, Immigration and Customs Enforcement, Press Release, FY 2012: ICE announces year-end removal numbers, highlights focus on key priorities and issues new national detainer guidance to further focus resources December 21, 2012. <http://www.ice.gov/news/releases/1212/121221washingtondc2.htm>

US and global Left, which includes party organizations, labor unions, faith-based organizations, nongovernmental organizations, hometown associations, affinity groups, and what scholars call the new social movements of youth, students, and racial, ethnic, and sexual minorities. Indeed, Latinos and their allies in the movement have fought back—albeit with limited success—against the encroaching homeland security state at almost every step of its development, from its embryonic stages in the 1980s and most definitely in the aftermath of 9/11.

Perhaps the most spectacular example of this resistance was during the mega-marches of 2006. In this series of massive and peaceful pro-migrant marches that took place across the country, protesters demanded legalization and voiced their opposition to the Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005 (HR 4437), which was passed in the House of Representatives of the 109th Congress. During these mass mobilizations, between 3.7 and 5 million protesters, most of whom were Latino, shocked the world by taking to the streets of over 160 cities across the United States to demand justice for migrants.¹² The movement has been able to organize mass mobilizations and actions every year after the 2006 marches. Latino migrant activists and their allies have developed a variety of tactics beyond mass mobilizations, including unprecedented naturalization, voter-registration, and get-out-the-vote

drives, often aided by the ethnic media.¹³ Undocumented youth activists have used direct action and civil disobedience tactics to pressure the executive office to implement policies that would bring temporary relief from deportation through Deferred Action for Childhood Arrivals (DACA) program.¹⁴ Indeed, it is the accumulation of more than a decade of organizing by Latino migrant activists and their allies that has brought us to the historic negotiations over immigration reform in the 113th Congress advanced by the so-called Gang of Eight (the group of senators who are drafting such legislation).

Despite the recent celebratory talk about Latino political power, the migrant movement and its allies have not been able to move beyond short-term solutions such as DACA or to push through a sweeping immigration reform bill that will guarantee a simple and fair path toward citizenship for the undocumented, curtail the power of the homeland security state, and address the root causes of migration. At best, the Border Security, Economic Opportunity, and Immigration Modernization Act (S. 744) and other bills like it will bring much-needed temporary relief from deportation and the right to have a work permit for those that qualify. But it will reduce most of the eleven million undocumented people living in the United States to temporary workers and place them on a ten-year path toward a green card that is filled with legal trip wires and hurdles and that is contingent upon border security. In fact, Bernardo, and perhaps millions of others, would not benefit from this bill because of minor convictions from their past and other requirements. Most critically, most comprehensive immigration reform (CIR) proposals that have emerged in recent years are bound to preserve the very homeland security state and global economic system that has brought about mass migration over the decades.

Reform Without Justice seeks to explain what led us to this moment through an analysis of the conjuncture between 2001 and 2012 leading up to the immigration reform debate. During this period under study, through a series of contestations, Latino migrant activists and their allies have attempted to secure social justice victories for migrants in the face of mounting state violence against migrants under the auspices of the homeland security state. An analysis of any conjuncture attempts to understand the confluence of forces that define the terrain of the struggle between dominant groups and subordinate groups in any given historical moment and location.

In this regard, the book seeks to explain the complex constellation of forces and structures driving migration control policies and the challenges that they present for Latino migrant activists and their allies between 2001 and 2012. Beyond immediate short-term victories such as the DACA or any CIR bill, I seek to unearth why Latino migrant activists and their allies have not been able to win sustainable and transformative social justice victories that actually change the structures that cause migration and state violence toward migrants. My reference to justice is in the sense put forth by political theorist Iris Marion

Young—the elimination of domination and human suffering.¹⁵ Moreover, later in the book, I discuss how Latino migrant activists and their allies could potentially turn the tide against authoritarian solutions to the so-called immigration crisis and democratize the United States.

Readers who are interested in gaining greater understanding of my theoretical framework and methods are encouraged to read the appendix. For now it should suffice to indicate that to answer my research questions, I draw upon the ideas of twentieth-century political theorist Antonio Gramsci and neo-Gramscian thinkers to develop my theoretical framework. In addition, my methodological approach is built upon critical discourse analysis and critical ethnography, a method of study that combines ten years of participant observation; over sixty interviews with migrant activist and policy makers in Los Angeles, Washington, D.C., and New York City; and interviews with deportees and policy makers in Mexico and El Salvador.

Based on this theoretical framework and methods, I argue that between 2001 and 2012, Latino migrant activists and their allies could not move beyond isolated and short-term victories because they were up against a form of political power that I call anti-migrant hegemony. This is a type of ideological leadership that naturalizes the idea that we should adopt novel authoritarian solutions to the “immigration crisis,” not just within the state but in civil society—the media, religious and intellectual institutions, and other private associations located outside of the official jurisdiction of the state. While authoritarian solutions have become naturalized, there is nothing natural or inevitable about them. This form of consensual domination is the work of concrete political actors whom I conceptualize as an anti-migrant bloc, a contradictory and fluid constellation of forces composed of elected officials, state bureaucrats, think tanks, intellectuals, and charismatic media personalities who, under the influence of strategic fractions of global capital, have set the boundaries of the immigration debate around narrow questions of criminality and anti-terrorism. This narrow debate conceals the racial politics of migration control, guarantees the reproduction and expansion of the homeland security state, and obfuscates the structural causes that have displaced millions of people in the Americas and other parts of the world into the migrant stream over the last thirty years.

Anti-migrant hegemony is not a stagnant form of political power that is merely predicated on a majority in Congress, brute force, or pure domination. Rather, as Antonio Gramsci writes, hegemony is a dynamic form of power that rests upon the “combination of force and consent” in which “the fact of hegemony presupposes that account be taken of the interests and the tendencies of the groups over which hegemony is to be exercised.”¹⁶ Thus even some liberals and Latino migrant activists have come to support what the Migration Policy Institute accurately called “a strong bipartisan pro-enforcement consensus” that has resulted “in the creation of a well-resourced, operationally robust, modernized enforcement system.”¹⁷ More so than any one policy or act of Congress or

the executive, this form of consensual domination is the linchpin of this modern system of migration control, and it is what leaves many elected officials, state personnel, intellectuals, and activists who are sympathetic to migrants silenced or struggling to propose a kinder, gentler version of the homeland security state rather than seeking to dismantle it. Indeed, it is this type of fluid and disparate ideological power that normalizes state violence, or what scholars Cecilia Menjivar and Leisy Abrego call “legal violence” against migrants and their families, many of whom were born in the United States.¹⁸

The anti-migrant bloc acts against migrants and their families in many ways; however, in this study of specific sites and localities of the homeland security state, it does so through the criminalization of migrants. I use this term in two ways throughout the book. Criminalization in the discursive sense serves as the ideological glue of the homeland security state; it is a process in which a set of discourses attribute criminal characteristics to a targeted group, in this case Latinos, to win consent for legal violence.¹⁹ In the legal sense, criminalization also expands the grounds for removal in order to facilitate detention and deportation. Rather than being one single stagnant discourse, the exact language used to criminalize Latinos shifts in different contexts, such as in the halls of the US House of Representatives, municipal governmental bodies, in the State Department, the executive office, or in the media and in popular culture.

Despite these shifts, the criminalization of Latinos functions to legitimize state violence against women and entire Latino families and maps out polemical but simple “common sense” and “race neutral” “solutions” to a complex problem rooted in the evolution of US-led global capitalism and the displacement of millions of people from Latin America and the Caribbean from their traditional means of survival. Regardless of the context, the criminalization of migrants is what makes it easy, almost dutiful (i.e., “common sense”), for a judge to deport someone like Bernardo, without thinking about the impact of the deportation on his wife, children, mother, community, or even his very life. It also leaves some liberals asking what *else* did someone like Bernardo do to be deported instead of questioning the system of mass deportation that cast him and millions of other migrants away from their families and communities in the name of the “law.” This process allows for the advocates of the homeland security state and novel police practices to make post-racial claims that enforcement is colorblind and that it is just about “enforcing the law,” even when, as indicated by figure 2, Mexicans and Latin Americans comprised 97% of all removals in 2010.

Yet the most insidious consequence of the criminalization of migrants is that it allows the anti-migrant bloc to set the boundaries of the immigration debate within a binary opposition, in which they advance a one-dimensional image of “the bad immigrant” who, based solely on a few “exaggerated, simplified, and naturalized characteristics,” deserves to be detained and deported and in which the traditional opposition attempts to counter with more simplified images of the

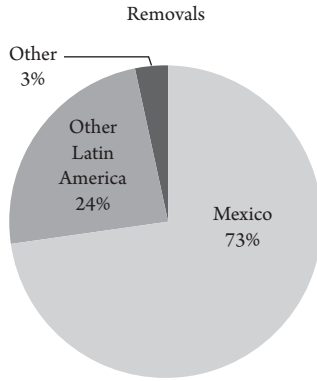


Figure 2 Pew Hispanic Center, Removals by Country of Origin 2010.

Source: Julia Preston, "Record Number of Foreigners Deported in 2011, Officials Say" New York Times, September 7, 2012. <http://www.pewhispanic.org/2011/12/28/ii-recent-trends-in-u-s-immigration-enforcement/>

immigrant who deserves to stay.²⁰ This simplistic characterization forces Latino migrant activists and their allies into a false binary opposition in which the rights of the "good immigrant"—the poster child image of the palatable assimilated American kid who came to the United States—as a child may potentially stay at the expense of the "bad immigrant." The latter of whom, like Bernardo, may have made a few mistakes in their lives, must be policed, detained, and deported.

Once Latino migrant activists and their allies accept this binary, they subtly consent to the production of legal violence against migrants. Moreover, advocating for the rights of the good immigrant within the binary serves to silence potentially counterhegemonic discourses that challenge the structural causes of migration and that take an unequivocally anti-racist stance to defend the human rights of Latinos (and other people of color), who, regardless of legal status or history with the law, are perpetually suspected to be deportable by virtue of their phenotypic and cultural characteristics. Thus, the ideological leadership of the anti-migrant bloc sets the boundaries of the debate and divides and disorganizes Latino migrant activists and the broader migrant rights movement between immigration reformers and oppositional forces.

Before elaborating on how the Latino migrant movement and its allies are divided and disorganized by anti-migrant hegemony, I must elaborate on the cleavages of the anti-migrant bloc. I developed this term from Gramsci's notion of the historic bloc. The anti-migrant bloc is a contradictory and discordant ensemble of forces operating at the level of the state, civil society, and the global economy that seek to expand and reproduce the homeland security state. The exact cleavages—*factions* and *fractions*—of the anti-migrant bloc are too vast and dynamic to lay out in any one study.²¹

In the period under study, some of the main sectors of the bloc include academics, charismatic television and radio personalities, elected officials, and state

personnel within the bureaucracy such as DHS that have the support of strategic fractions of capital. Many of these actors take on the role of organic intellectuals whose vocation it is to educate society into supporting the expansion of the homeland security state. According to Gramsci, such a corps of intellectuals gives their particular social group awareness and greater homogeneity.²² From this perspective, nativist academics such as the late Samuel P. Huntington—who wrote the infamous article “The Hispanic Challenge” and the book *Who Are We? The Challenge to America’s National Identity*, among others—take on a critical role within the anti-migrant bloc as organic intellectuals of the homeland security state.²³ Huntington’s writings in the early 1970s were a thinly veiled defense of Jim Crow racism and authoritarian state practices.²⁴ His more recent writings on “Hispanics” in his tradition reified the fantasy of a static and homogenous Anglo-American national identity based on Protestant values that he saw as being undermined by Latino and Mexican migration in particular at the dawn of the homeland security state. Organic intellectuals of the homeland security state are not just academics. It also includes a broad range of intellectuals including journalists and television and talk radio personalities Lou Dobbs, Glenn Beck, Fred Savage, and Rush Limbaugh.

Beyond academics and media personalities, there are set of civil society based institutions that are at the core of the anti-migrant bloc’s intellectual power. Indeed, organizations such as the Federation for American Immigration Reform, the Center for Immigration Studies, the Heritage Foundation, and the Manhattan Institute, among others, are dedicated to shaping immigration policy by educating people on the virtues of the homeland security state (see chapter 1). These think tanks are funded by a select fraction of capital, such as the Scaife foundations funded by the billionaire Richard Mellon Scaife, heir to the Mellon family fortune. The Scaife foundations have given these and other ultra-Right organizations millions of dollars over the years.²⁵

Operating at the level of the state, elected officials and state bureaucrats also function as organic intellectuals in a sense. Indeed, this stratum of intellectuals is strategic because they have direct decision-making power over the bureaucracy and the distinct sites of local, state, national, and transnational levels of governance. Outside of planning and codifying migration control policies, elected officials and state personnel shape and educate society about immigration issues through their connections to the media and in the halls of power. Regardless of the sector, intellectuals and intellectual power are essential to the anti-migrant bloc as it functions to shape and exploit ordinary people’s common-sense thinking about immigration politics and Latinos. By “common sense,” I am referring to what Gramsci described as the contradictory forms of consciousness held by ordinary people that are shaped by the dominant class’s ideology and that make things appear normal and unchangeable.

The anti-migrant bloc operating at the level of the state and civil society divides and disorganizes Latino migrant activists and the broader migrant rights movement. Indeed, the movement is also not a homogenous force but rather a constellation of actors who are divided over how to respond to the good immigrant–bad immigrant binary, and they differ in their vision of what constitutes immigration reform. At the risk of oversimplification, the migrant rights movement should be conceived of as having two major factions: immigration reformers and oppositional forces. Immigration reformers, a label developed by political theorists Luis Fernandez and the late Joel Olson, seek to defend the rights of migrants by reforming the current immigration system within the dominant policy framework, whereas the oppositional sector seeks transformative change that breaks with the good immigrant–bad immigrant binary and addresses the structural causes of migration.²⁶

Immigration reformers are often led by a class of professional middle-class to affluent Latino brokers who mediate between the state and the broader base of working-class Latinos in society. Many Latino immigration reformers come from the ranks of the Congressional Hispanic Caucus or other elected government bodies; the dominant Latino policy organizations in Washington, D.C., such as the National Council of La Raza, the Center for American Progress, the Center for Community Change, America's Voice, and the National Immigration Forum; the heights of the labor establishment; the Catholic Church; and select circles of academics and policy experts, among other groups.

Some Latino immigration reformers come from the ranks of the migrant working class and progressive movements and may even share much in common with their oppositional counterparts. But they are willing to accept the established terms of the debate on immigration reform within the good immigrant–bad immigrant binary. Thus immigration reformers reject using arguments around racial justice or human rights and favor a moderate discourse designed to “win over the middle,” not to “offend” people who are potentially on “our side.” This strategy often leads them to embrace the good immigrant–bad immigrant binary and thus focus on attempting to counter the anti-migrant bloc with the static image of the good immigrant—the straight-A undocumented student with a perfect record “who can’t wait to join the Air Force,” for instance—or with “data” showing that Latinos are indeed assimilating or that Latinos are more patriotic than whites.

Immigration reformers often fight for important changes that would have a real and positive impact on the lives of migrants, but they are structurally locked into a game of perpetual compromise with the dominant bloc, which often forces them to accept the established terms of the debate on migration control. This position requires immigration reformers to accept and lobby for state practices and policy proposals that include the further militarization of the US–Mexico