

ABSTRACT

Title of Dissertation: *¡ILLEGAL!:* THE RACIAL POLITICS OF
UNDOCUMENTED MEXICAN
IMMIGRATION IN CALIFORNIA, 1970-
1999

Jacqueline Beatriz Partida, Doctor of
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Dissertation directed by: Associate Professor Nancy Raquel Mirabal,
American Studies Department

This dissertation examines how undocumented Mexican immigrants were alternately constructed as both threats and economic necessities between 1970 and 1999. This study uses legislative debates, newspaper articles, and political rhetoric, to explore how exclusionary discourses shaped immigration policies and reinforced racial hierarchies. It argues that the category of the “illegal alien” was not just a legal designation but a racialized one used to justify exclusion, economic exploitation, and shifting definitions of national belonging. Focusing on three key immigration policies—the Dixon Arnett Law (1971), the Immigration Reform and Control Act (IRCA, 1986), and Proposition 187 (1994)—this dissertation traces how undocumented Mexican immigrants were framed in moments of political and economic uncertainty. In particular, it looks at how the economic anxieties of the

1970s transformed Mexican migration into a crisis, reinforcing narratives of invasion and displacement. By the 1980s, immigration policies like the Immigration Reform and Control Act (IRCA) balanced selective inclusion—offering amnesty to some while expanding workplace surveillance and employer sanctions that deepened labor precarity. While IRCA introduced limited avenues to legalization, it also reinforced surveillance and labor control, paving the way for what takes place in the 1990s: a shift in the discourse from economic concerns to moralized and racialized preservationist rhetoric, culminating in Proposition 187's attempt to criminalize undocumented immigrants' presence in public life.

Using the Manufacturing Danger / Manufacturing Possibility framework, this dissertation demonstrates how narratives of crisis, control, and conditional inclusion actively shaped immigration policy to sustain racial and economic hierarchies. Rather than viewing exclusionary laws as inevitable responses to migration, this study reveals how they were strategically produced to sustain white dominance and economic precarity. By historicizing these shifts, this project challenges the idea that exclusionary immigration policies naturally respond to migration. Instead, it reveals how discourse has historically and strategically been deployed to justify exclusion, reinforce racial and economic hierarchies, and sustain cycles of criminalization. Understanding these historical patterns is essential for resisting contemporary efforts to criminalize and marginalize immigrant communities.

¡ILEGAL!: THE RACIAL POLITICS OF UNDOCUMENTED MEXICAN IMMIGRATION IN
CALIFORNIA, 1970-1999

by

Jacqueline Beatriz Partida

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Advisory Committee:
Professor Nancy Raquel Mirabal, Chair
Professor Janelle Wong
Professor Perla Guerrero
Professor Bayley J. Marquez
Professor Ana Patricia Rodríguez

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Dedication

To the undocumented,

You are not illegal.

You are not a threat.

You are home.

This work is for you.

Acknowledgements

This dissertation is the product of not only years of research, writing, and revision, but also of community, care, and the quiet persistence of many people who walked alongside me through it all.

To my family: Mom and Dad, thank you for your sacrifices, your love, and your unwavering support. Every long night, every moment of doubt, every breakthrough is tied to the values you instilled: humility, perseverance, and care. I persisted because you told me I could. To my siblings, thank you for being my first community. Your grounding presence reminded me of who I am beyond the academy and reminded me to stop and smell the roses. To my partner, your steady presence and faith in me have been the quiet engine behind this work. Thank you for holding space for both the struggle and the celebration, for championing every small win, for the late-night pep talks, and for always reminding me of the bigger picture. I am forever indebted to all of you in ways I can never fully repay.

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To future cohorts, you can do this. You can write through the fear. As so many in my department have said, write what you care about, because it will keep you coming back, even on the hardest of days. Your story matters. Keep going. You will finish. *Sí se puede.*

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List of Abbreviations

Immigration Laws and Policies:

- **AB 528** – Assembly Bill 528 (Dixon Arnett Bill).
- **IIRIRA** – Illegal Immigration Reform and Immigrant Responsibility Act.
- **IRCA** – Immigration Reform and Control Act.
- **Prop. 187** – Proposition 187.
- **S. 5094** – The 1929 Law Criminalizing Unauthorized Entry.

Government and Immigration Agencies:

- **CBP** – Customs and Border Protection.
- **DHS** – Department of Homeland Security.
- **ICE** – Immigration and Customs Enforcement.
- **INS** – Immigration and Naturalization Service.
- **USCIS** – United States Citizenship and Immigration Services.

Theoretical and Conceptual Terms:

- **CDA** – Critical Discourse Analysis.
- **CRT** – Critical Race Theory.

Chapter 1: Introduction

Introduction: Framing the Study

For 160-plus years, it has been a porous border because it's to our advantage to keep it that way. When times are good, we like the cheap labor—middle-class folks can afford housemaids, manufacturers exploit illegal workers for their own profit, and we're all fat and happy. Then come the bad times, Anglos out of work, and we decide the problem is all these people taking "our" jobs, so we crack down on illegal immigration until the economy recovers. . . . Now we're all used to our politicians blamin' "Messakins" when times get bad 'cause politicians are just natural liars, hypocrites and fools. It's fine to let them carry on, but who would have imagined the people of California would be dumb enough to believe them?

—Molly Ivins, 1994 ¹

Published just weeks before Californians voted on Proposition 187, Molly Ivins' column captures a persistent contradiction in U.S. immigration policy: immigrant labor is welcomed during times of prosperity but scapegoated during economic downturns.² This cyclical logic reveals that immigration governance has never been solely about legality or borders, but rather about managing racialized labor and deflecting political responsibility through manufactured crisis. From the 1790 Naturalization Act to Mexican Repatriation, Operation Wetback, and post-9/11 crackdowns, exclusionary policies have repeatedly cast immigrants as threats to national security, labor markets, and social cohesion.³ Immigration enforcement, therefore, is neither

¹ Molly Ivins, "Other Opinions - Initiative Aimed at Illegal Immigrants Mean-Spirited, Foolish," *The Fresno Bee*, October 6, 1994.

² Ivins, "Initiative Aimed at Illegal Immigrants."

³ For historical immigration law, see Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton, New Jersey: Princeton University Press, 2014); for Mexican Repatriation, see Francisco E. Balderrama and Raymond Rodríguez, *Decade of Betrayal: Mexican Repatriation in the 1930s* (Albuquerque: University of New Mexico Press, 1995); for Operation Wetback, see Kelly Lytle Hernández, *Migra!: A History of the U.S. Border Patrol* (Berkeley: University of California Press, 2010); and for post-9/11 immigration enforcement and policing, see Amada Armenta, *Protect, Serve, and Deport: The Rise of Policing as Immigration Enforcement* (Oakland: University of California Press, 2017).

neutral nor purely legal; it is deeply shaped by capitalist interests and ideological storytelling designed to reinforce racial hierarchies and obscure systemic inequalities.

Understanding how these narratives evolved, and how they were mobilized to justify exclusion, requires a closer examination of the discursive strategies that shaped immigration policy at key historical moments. *¡LEGAL!* investigates late 20th century immigration rhetoric as a discursive project that helped produce and legitimize racial exclusion and economic domination. Drawing on the frameworks of racialized exclusion, labor disposability, and conditional inclusion, I argue that immigration discourse did not merely reflect shifting conditions: it functioned as a mechanism that enabled those shifts. Methodologically, I use Critical Discourse Analysis (CDA), archival research, and narrative analysis to examine three key moments in California immigration policy: the Dixon Arnett Law (1971), the Immigration Reform and Control Act (IRCA, 1986), and Proposition 187 (1994). Each moment reveals how political and economic anxieties generated new forms of exclusion: from economic containment in the 1970s (“Wetback Invasion”), to securitized surveillance in the 1980s (“Cracking Down”), to preservationist racism in the 1990s (“Save Our State”). Across these decades, racial anxieties were weaponized, in what George Lipsitz calls “recreational hate,” to consolidate power and frame immigration as a perpetual crisis.⁴

Taken together, these case studies lay the groundwork for understanding how neoliberalism restructured immigration discourse across the late 20th century. To fully grasp the stakes of that transformation and why the 1970s marked a pivotal turning point, it is necessary to clarify how immigration rhetoric produces material consequences in the present.

⁴ George Lipsitz, *The Possessive Investment in Whiteness: How White People Profit from Identity Politics* (Philadelphia: Temple University Press, 2006): 50.

Study Importance and Contributions

Today, over 11 million undocumented people live in legal limbo: not simply due to policy failure, but as a consequence of a political economy that profits from their exclusion.⁵ While public debates typically focus on enforcement and reform, a deeper question remains: How did we get here? To answer this question, we must first reconsider a common misunderstanding: viewing illegality as simply a legislative failure oversimplifies how race, language, economics, and public discourse converge to produce exclusion.

One key example of this convergence is the persistent association of undocumented immigration with criminality, despite unauthorized entry being a civil violation. This framing reinforces exclusion by narrowing pathways to legalization. For example, prior to the 1980s, the registry system allowed long-term undocumented residents to adjust their status. However, by 1986 policymakers ceased updating it, reflecting a broader ideological shift toward permanent exclusion. Intensifying discourse around criminality culminated in the 1996 introduction of the 3-to-10-year reentry bars, further entrenching the legal precarity faced by undocumented people today.⁶

To contextualize this shift, scholars have traced how illegality was constructed across legal, economic, and discursive domains. Historians such as Kelly Lytle Hernández, Mae Ngai,

⁵ See Cecilia Menjívar, “Liminal Legality: Salvadoran and Guatemalan Immigrants’ Lives in the United States,” *American Journal of Sociology* 111, no. 4 (January 2006): 999–1037, for an analysis of how immigrants experience liminal legality, a condition that shapes their everyday lives; Jeffrey S. Passel and Jens Manuel Krogstad, “What We Know About Unauthorized Immigrants Living in the U.S.,” *Pew Research Center*, <https://www.pewresearch.org/short-reads/2024/07/22/what-we-know-about-unauthorized-immigrants-living-in-the-us/>.

⁶ Elizabeth F. Cohen, *Illegal: How America’s Lawless Immigration Regime Threatens Us All* (New York: Basic Books, 2020); Kristi Lundstrom, “The Unintended Effects of the Three- and Ten-Year Unlawful Presence Bars,” *Law and Contemporary Problems* 76, no. 3/4 (2013): 389–412; Dara Lind, “The Disastrous, Forgotten 1996 Law That Created Today’s Immigration Problem,” *Vox*, April 28, 2016, <https://www.vox.com/2016/4/28/11515132/iirira-clinton-immigration>.

and Lisa Flores have traced the legal production of “illegality” in pre-1965 contexts.⁷ Aviva Chomsky and Nicholas De Genova extend this analysis into the post-1965 period, highlighting increased surveillance and the emergence of labor disposability.⁸ Discourse scholars, including Christina Gerken, Lina Newton, Leo Chavez, Otto Santa Ana, Kent A. Ono and John M. Sloop, examine how narratives of threat, criminality, and undesirability racialize Latinx migrants in the public imagination.⁹ While these works offer critical insights, they largely leave the ideological shifts of the 1970s under examined.

Building on this scholarship, my dissertation centers the 1970s as a critical and understudied turning point. Specifically, this decade functioned as a hinge between the end of overt racial quota systems and the rise of mass enforcement. I argue that exclusion was restructured through race-neutral logics of economic regulation and national security. During this period, undocumented status increasingly became conflated with criminality, even though unauthorized entry remained a civil, not criminal, offense. Yet this criminalizing discourse coexisted with portrayals of undocumented immigrants as economically necessary workers whose labor, though indispensable, was increasingly depicted as problematic or destabilizing.

⁷ Hernández, *Migra!*; Ngai, *Impossible Subjects*; Lisa A. Flores, *Deportable and Disposable: Public Rhetoric and the Making of the “Illegal Alien”* (University Park, Pennsylvania: Pennsylvania State University Press, 2020).

⁸ Aviva Chomsky, *Undocumented: How Immigration Became Illegal* (Boston: Beacon Press, 2014); Cohen, *Illegal*; Nicholas De Genova, *Working the Boundaries: Race, Space, and “Illegality” in Mexican Chicago* (Durham, N.C.: Duke University Press, 2005).

⁹ Christina Gerken, *Model Immigrants and Undesirable Aliens: The Cost of Immigration Reform in the 1990s* (Minneapolis: University of Minnesota Press, 2013); Lina Newton, *Illegal, Alien, or Immigrant: The Politics of Immigration Reform* (New York: New York University Press, 2008); Leo Chavez, *The Latino Threat: Constructing Immigrants, Citizens, and the Nation* (Stanford, California: Stanford University Press, 2013); Otto Santa Ana, *Brown Tide Rising: Metaphors of Latinos in Contemporary American Public Discourse* (Austin: University of Texas Press, 2002); Leah Perry, *The Cultural Politics of U.S. Immigration: Gender, Race, and Media* (New York: New York University Press, 2016); Kent A. Ono and John M. Sloop, *Shifting Borders: Rhetoric, Immigration, and California’s Proposition 187* (Philadelphia: Temple University Press, 2002).

This shift was not incidental but a strategic discursive intervention designed to expand enforcement, obscure racial hierarchies, and deflect attention from systemic inequality.¹⁰

This ideological realignment reshaped how undocumented immigrants were valued: no longer solely excluded, but differentially included based on their perceived utility. Lisa Marie Cacho's concept of rightlessness, which she frames as a mode of social death, is central to understanding how undocumented immigrants are positioned within hierarchies of social value and legality. Extending her analysis, I examine how neoliberal immigration governance selectively grants conditional inclusion based on perceived economic productivity and moral acceptability. While Cacho theorizes rightlessness as a mode of exclusion, I further analyze how crisis narratives simultaneously produce labor precarity and legitimize enforcement under the guise of economic necessity.¹¹

These shifts in human valuation and governance were reenergized in the 1970s, a decade that marked more than a transitional moment. Rather than merely responding to external pressures, such as economic recession or demographic changes, policymakers strategically defined immigration policy in ways that laid the ideological groundwork for the punitive regimes of the 1980s and 1990s.¹² Analyzing how illegality became entangled within neoliberal governance thus requires a deeper engagement with neoliberalism itself.¹³ Before turning to that, however, it is necessary to first examine the longer history of exclusion that gave rise to the category of "illegality" in the first place.

¹⁰ See Juliet Stumpf, "The Crimmigration Crisis: Immigrants, Crime, and Sovereign Power," *American University Law Review* 56, no. 2 (2006): 367–419, for an analysis of how immigration law and criminal law have merged to frame undocumented immigrants as criminals and justify exclusionary policies.

¹¹ Lisa Marie Cacho, *Social Death: Racialized Rightlessness and the Criminalization of the Unprotected* (New York: New York University Press, 2012).

¹² See Douglas S. Massey and Karen A. Pren, "Unintended Consequences of US Immigration Policy: Explaining the Post-1965 Surge from Latin America," *Population and Development Review* 38, no. 1 (2012): 4–7.

¹³ See Jodi Melamed, *Represent and Destroy: Rationalizing Violence in the New Racial Capitalism* (Minneapolis: University of Minnesota Press, 2011).

The Racial Origins of Illegality and the Shifting Logic of Exclusion

To understand how undocumented Mexican immigrants came to be framed as “illegal,” we must trace a broader genealogy of illegality as a tool for regulating belonging. Since the nation’s founding, U.S. immigration and citizenship laws have used legal classification to define who belongs. The 1790 Naturalization Act restricted citizenship to “free white persons,” embedding whiteness into the foundation of national membership.¹⁴ This exclusionary power soon extended to removal: in 1798, Congress enacted the Alien and Sedition Acts to control non-citizens. The Alien Friends Act authorized the president to deport individuals without due process if deemed a political threat, while the Alien Enemies Act permitted the detention and expulsion of non-citizen men during times of war.¹⁵ While not always visible in public debate, these policies have resurfaced in contemporary discourse, showing how the law can be used as a tool to decide who belongs and to take that belonging away whenever it is convenient.¹⁶

While this dissertation focuses on how racist laws became entangled with neoliberalism to reproduce illegality in the post-1960s era, that entanglement rests on a much longer history of legal exclusion. Mae Ngai’s *Impossible Subjects* provides a foundational genealogy, arguing that illegality is not a neutral legal category but a racialized condition produced by immigration and citizenship law. Although differential inclusion has long shaped U.S. membership, the Immigration Act of 1924 marked a turning point by codifying illegality as a durable legal and

¹⁴ Gabriel J. Chin and Paul Finkelman, “The ‘Free White Person’ Clause of the Naturalization Act of 1790 as Super-Statute,” *William & Mary Law Review* 65, no. 5 (April 2024): 1047–1115.

¹⁵ Lenni B. Benson, “The Danger of Dissent: A Century of Targeting Immigrants,” *New York Law School Law Review* 65, no. 2 (2020-2021): 133-168–70; “Alien and Sedition Acts (1798),” *National Archives*, accessed October 1, 2024, <https://www.archives.gov/milestone-documents/alien-and-sedition-acts>; Andrew Glass, “Congress Initiates Alien and Sedition Acts, June 18, 1798,” *POLITICO*, June 18, 2018, <https://www.politico.com/story/2018/06/18/this-day-in-politics-june-18-1789-647018>.

¹⁶ Eric Westervelt, Scott Simon and Ximena Bustillo, “Supreme Court Bars the Trump Administration from Using the Alien Enemies Act,” *NPR*, May 17, 2025, <https://www.npr.org/2025/05/17/nx-s1-5401420/supreme-court-bars-the-trump-administration-from-using-the-alien-enemies-act>.

racial category. Ngai describes this figure as “a person who cannot be and a problem that cannot be solved.”¹⁷ As exclusion shifted from biological to cultural justifications, the 1924 Act redrew the nation’s racial map. European immigrants gradually shed the racial markings of their ethnic origins. In contrast, Asians and Mexicans were cast as unassimilable outsiders.¹⁸

These exclusions were not uniform but operated relationally. As Natalia Molina argues, racial scripts define one group in reference to another. The exclusion of Chinese immigrants under the 1882 Chinese Exclusion Act established a legal precedent for regulating labor and national identity through race. While Chinese immigrants were formally barred, Mexican laborers were incorporated through cyclical contracts, only to be expelled when no longer needed. Both groups were cast as unassimilable and disposable, but through distinct racial logics: the Chinese through legal exclusion and nationalist fears, Mexicans through labor exploitation and discursive criminalization.¹⁹

The 1930s marked an important moment when Mexicans moved from being tolerated as economic laborers to being framed through increasingly alarmist and racialized narratives. Lisa Flores shows that during this era, U.S. media and congressional rhetoric had shifted from portraying Mexicans as docile laborers to portraying them through tropes of disease, criminality, and illegality. This discursive transformation constructed Mexicans as threats to the nation, reinforcing their racialization as “illegal aliens.”²⁰ These evolving rhetorical borders mirrored the logics of Chinese exclusion, illustrating how racial scripts migrate across time to sustain a white

¹⁷ Ngai, *Impossible Subjects*, 5.

¹⁸ Ngai, *Impossible Subjects*.

¹⁹ Natalia Molina, “‘In a Race All Their Own’: The Quest to Make Mexicans Ineligible for U.S. Citizenship,” *Pacific Historical Review* 79, no. 2 (May 1, 2010): 167–201.

²⁰ Lisa A. Flores, “Constructing Rhetorical Borders: Peons, Illegal Aliens, and Competing Narratives of Immigration,” *Critical Studies in Media Communication* 20, no. 4 (December 1, 2003): 362–87.

national identity and justify deportation.²¹ During this period, even U.S.-born citizens of Mexican descent were subject to mass repatriation.²² They were later brought back during the Bracero Program (1942–1964), which institutionalized the economic usefulness of Mexican laborers while denying them political and legal belonging. Though contracted for agricultural work, braceros were excluded from full rights and protections. Once again, their disposability became clear when the program ended and was followed by yet another deportation campaign, Operation Wetback (1954), which mass-deported Mexicans regardless of legal status.²³ Immigration policy and media narratives thus worked together to adapt racialized exclusion to shifting economic and political needs.²⁴

Although selectivity has long shaped U.S. immigration policy as a tool of racialized control, neoliberalism repackaged this logic through the language of economic rationality and productivity. Even before the rise of neoliberalism, migrants were portrayed as economic burdens as seen in exclusion-era references to “coolie labor” and the racialization of Chinese and Mexican immigrants as disposable laborers.²⁵ Yet, as Madeline Hsu demonstrates, even during the era of formal exclusion, U.S. immigration policy made exceptions for Chinese elites, particularly students and technical workers whose educational credentials aligned with Cold War economic and diplomatic interests. From 1948 to 1965, these selective admissions, referred to as “side doors,” enabled thousands to bypass quota restrictions, illustrating how immigration control could prioritize perceived merit and utility over blanket exclusion.²⁶ This selective

²¹ Flores, “Constructing Rhetorical Borders”; see also Molina, ““In a Race All Their Own.””

²² Flores, “Constructing Rhetorical Borders.”

²³ Ngai, *Impossible Subjects*, chap. 4.

²⁴ See Flores, “Constructing Rhetorical Borders”; Ngai, *Impossible Subjects*.

²⁵ Erika Lee, “The Chinese Exclusion Example: Race, Immigration, and American Gatekeeping, 1882-1924,” *Journal of American Ethnic History* 21, no. 3 (2002): 36–62.

²⁶ Madeline Y. Hsu, *The Good Immigrants: How the Yellow Peril Became the Model Minority* (Princeton: Princeton University Press, 2015), 3-6.

incorporation foreshadowed later neoliberal logics that tethered inclusion to productivity and preserved underlying racial hierarchies, which were later masked by the model minority myth.²⁷

Similar racialized selectivity can be seen in how the U.S. treated Cuban versus Haitian migrants during the Cold War. As Felix Masud-Piloto explains, Cubans were often accepted as political refugees to make communism look dangerous and weaken Castro's regime. In contrast, Haitians fleeing violence in U.S.-backed countries were denied refugee status, detained, or confined to camps in South Florida.²⁸ As Masud-Piloto writes, "the rules for the migration were dictated mainly by political and not humanitarian considerations. The refugees became a useful, and at times powerful, weapon in the political war between the United States and Cuba."²⁹ Race played a key role in these decisions, especially during the Mariel boatlift. During this period, the Carter administration introduced a new classification called the Cuban-Haitian entrant. The policy allowed both groups to access federal aid but withheld full recognition of refugee status. This solution temporarily resolved the political contradiction of the open-door policy but also reinforced the racialized logic that framed some migrants as economically motivated rather than politically persecuted.³⁰

These comparisons show that terms like "refugee" or "illegal alien" are not just legal labels; they are discursive constructs shaped by political interests and racial logic. The racialized treatment of Cuban and Haitian migrants underscores how migration status is produced through ideological frameworks. Scholars such as Jodi Melamed and Lisa Duggan help contextualize this by showing how neoliberalism retooled longstanding racial exclusion through the language of

²⁷ Hsu, *The Good Immigrants*, 4.

²⁸ Felix Roberto Masud-Piloto, *From Welcomed Exiles to Illegal Immigrants: Cuban Migration to the U.S., 1959-1995* (Lanham, Md.: Rowman & Littlefield, 1996).

²⁹ Masud-Piloto, *From Welcomed Exiles to Illegal Immigrants*, 3.

³⁰ Masud-Piloto, *From Welcomed Exiles to Illegal Immigrants*, 3-5.

market rationality, moral responsibility, and fiscal responsibility.³¹ Understanding this shift is important for grasping how notions of undeservingness continue to shape immigration discourse, even in an era that claims to value diversity and merit. I elaborate on this framework in more detail in the next section.

Yet this cultural logic cannot be disentangled from the material realities that drive migration, specifically U.S. foreign and economic policy. As scholars of immigration history and sociology have shown, the United States is not merely a passive destination for migrants; it is an active producer of displacement.³² While a full analysis is beyond this dissertation's scope, it is important to acknowledge that Mexican migration frequently emerges in response to structural dispossession, including peso devaluations, neoliberal reforms such as the privatization of communal land (ejidos), and U.S.-backed structural adjustment programs that devastated rural economies and eliminated local labor markets.³³

While this dissertation focuses on the domestic rhetorical construction of undocumented Mexican immigrants, scholars have shown that laws like the Immigration Reform and Control Act of 1986 and Proposition 187 did not emerge in a vacuum. These laws operated not only as responses to demographic anxieties within the United States but also as part of a broader transnational racial project that intersected with neoliberal trade policies like the 1994 North American Free Trade Agreement (NAFTA). Although my dissertation remains grounded in U.S. discourse, this transnational context is critical: such policies restructured labor flows, disciplined

³¹ Jodi Melamed, "The Spirit of Neoliberalism: From Racial Liberalism to Neoliberal Multiculturalism," *Social Text* 24, no. 4 (2006): 1–24; Lisa Duggan, *The Twilight of Equality: Neoliberalism, Cultural Politics, and the Attack on Democracy* (Boston: Beacon Press, 2004).

³² Ngai, *Impossible Subjects*; Massey and Pren, "Unintended Consequences of US Immigration Policy"; Douglas S. Massey, Jorge Durand, Nolan J. Malone, *Beyond Smoke and Mirrors: Mexican Immigration in an Era of Economic Integration*. (New York: Russell Sage Foundation, 2002).

³³ Massey, Durand, and Malone, *Beyond Smoke and Mirrors*; David Yetman, "Ejidos, Land Sales, and Free Trade in Northwest Mexico: Will Globalization Affect the Commons?," *American Studies* 41, no. 2/3 (2000): 211–34.

displaced migrants through enforcement, and embedded racial hierarchies within economic systems that prioritized efficiency and regional control.³⁴ As Harvey illustrates, this system was designed to concentrate wealth in the hands of a few.³⁵

At the same time, as Douglas Massey and Jorge Durand show, U.S.-Mexico labor programs like the Bracero Program established transnational migration networks that endured even after formal legal channels were closed. These transnational ties and the cultural capital immigrants carried became subject to state regulation and criminalization. In doing so, the United States criminalized the very workers it had once recruited.³⁶

By the 1990s, this racial logic expanded beyond national origin, collapsing distinct migration histories into a singular racialized figure: the “illegal alien.”³⁷ Migrants fleeing political violence in El Salvador, Guatemala, and Nicaragua were routinely denied asylum and recast as economic opportunists. This legal exclusion reinforced their racialization, positioning them not as refugees but as national security threats.³⁸ These dynamics were especially visible in Central American communities in cities like Los Angeles and San Francisco, which became flashpoints for both migrant settlement and political backlash during the 1980s and 1990s.³⁹ This

³⁴ Massey, Durand, and Malone, *Beyond Smoke and Mirrors*.

³⁵ David Harvey, *A Brief History of Neoliberalism* (Oxford: Oxford University Press, 2005).

³⁶ Massey and Pren, “Unintended Consequences of US Immigration Policy.”

³⁷ Nicholas P. De Genova, “Migrant ‘Illegality’ and Deportability in Everyday Life,” *Annual Review of Anthropology* 31 (2002): 419–447; Ngai, *Impossible Subjects*.

³⁸ Susan Bibler Coutin, *Legalizing Moves: Salvadoran Immigrants’ Struggle for U.S. Residency* (Ann Arbor: University of Michigan Press, 2000); Menjivar, “Liminal Legality”; Cecilia Menjivar and Leisy Abrego, “Legal Violence: Immigration Law and the Lives of Central American Immigrants,” *American Journal of Sociology* 117, no. 5 (2012): 1380–1421.

³⁹ Andrew Ruppenstein, *Legal Immigration to California 1984–1994: A Summary* (Sacramento, CA: California Department of Finance, Demographic Research Unit, 1997); David Dodds, *Legal Immigration to California in Federal Fiscal Years 1997 and 1998* (Sacramento, CA: California Department of Finance, Demographic Research Unit, 2000); Roberto Suro, *Counting the “Other Hispanics”: How Many Colombians, Dominicans, Ecuadorians, Guatemalans and Salvadorans Are There in the United States?* (Washington, DC: Pew Hispanic Center, May 9, 2002); see also Lisa Marie Cacho, “‘The People of California Are Suffering’: The Ideology of White Injury in Discourses of Immigration,” *Cultural Values* 4, no. 4 (October 2000): 389–418.

conflation raises a broader question: how does the process of racialization collapse diverse Latinx experiences into a single, threatening figure?

Racial formation theory, developed by Michael Omi and Howard Winant, offers a powerful lens for understanding how new racial projects rework the language of exclusion while preserving its underlying function. According to their framework, racial meanings are not fixed but continuously produced, contested, and rearticulated through law, policy, and discourse. Within this framework, the racialization of Mexican immigrants as “illegal” evolves in response to shifting political and economic agendas, rather than remaining a static or fixed legal and social category.⁴⁰ This continual reworking of “illegality” serves to codify legal whiteness; as Ian Haney López argues, citizenship law helped to establish whiteness as the national standard for belonging.⁴¹ Therefore, whether racism is activated through racial scripts, maintained by the law, or transformed over time, it also becomes spatialized, mapping exclusion and belonging onto specific geographies. As George Lipsitz argues, “a white spatial imaginary, based on exclusivity and augmented exchange value, functions as a central mechanism for skewing opportunities and life chances in the United States along racial lines.”⁴² In California, narratives portraying immigrants as threats to public resources helped shape public sentiment around schools, neighborhoods, and law enforcement. These discursive frames reinforced whiteness not only as a cultural ideal but also as an identity imagined to be under threat and in need of protection across geographic and institutional boundaries.⁴³

⁴⁰ Michael Omi and Howard Winant, *Racial Formation in the United States* (New York: Routledge, 2015).

⁴¹ Ian Haney López, *White by Law: The Legal Construction of Race* (New York: New York University Press, 2006).

⁴² George Lipsitz, “The Racialization of Space and the Spatialization of Race: Theorizing the Hidden Architecture of Landscape,” *Landscape Journal* 26, no. 1 (2007): 13.

⁴³ Lipsitz, “The Racialization of Space”; Cacho, ““The People of California Are Suffering””; Chavez, *The Latino Threat*.

My analysis shows that the rhetoric surrounding “illegality” has changed remarkably little, even as the crises justifying it have shifted. While the context, speakers, and policies have changed from the 1920s to the 1990s, the underlying logic remains consistently familiar. This continuity reveals how language normalizes exclusion and narrowly defines who is considered worthy or valued, beyond simple binaries of good or bad. These dynamics became especially visible in the 1970s and 1990s, when asylum standards hardened and migrants’ moral worth was increasingly judged through a neoliberal lens. Migrants fleeing violence were cast as economic burdens.⁴⁴ At the same time, California’s demographic shift into a majority-minority state intensified white anxieties about political power. The backlash was especially sharp in California, where demographic change helped fuel Proposition 187. Unlike earlier federal restrictions, Proposition 187 emerged from region-specific anxieties about demographic transformation and resource scarcity. It reframed undocumented immigrants not just as economic liabilities but as existential threats.⁴⁵ Understanding how illegality became entangled with neoliberal governance requires analyzing how exclusion was restructured through fiscal justifications that appeared race-neutral while preserving racial hierarchies.⁴⁶ What may seem like recycled rhetoric is, in fact, a strategic reactivation of older racial logics through frameworks of budget austerity, security, and cultural preservation.⁴⁷

This strategic reactivation of racial logics is the subject of the next three chapters. Across Chapters 3 through 5, I trace how this reactivation works discursively. It offers the appearance of

⁴⁴ Phyllis Pease Chock, “No New Women: Gender, ‘Alien,’ and ‘Citizen’ in the Congressional Debate on Immigration,” *PoLAR: Political and Legal Anthropology Review* 19, no. 1 (1996): 1–10; Phyllis Pease Chock, “Remaking and Unmaking ‘Citizen’ in Policy-Making Talk about Immigration,” *PoLAR: Political and Legal Anthropology Review* 17, no. 2 (1994): 45–56; Coutin, *Legalizing Moves*; Menjivar, “Liminal Legality.”

⁴⁵ Cacho, “‘The People of California Are Suffering’”; Chavez, *The Latino Threat*.

⁴⁶ Duggan, *The Twilight of Equality*; Cacho, “‘The People of California Are Suffering’”; Omi and Winant, *Racial Formation in the United States*.

⁴⁷ Cacho, “‘The People of California Are Suffering’”; Melamed, “The Spirit of Neoliberalism.”

race neutral language while reinscribing racial exclusion. But as Ngai's work reminds us, the problem lies not in illegality itself, but in the structure and logic of restriction that produces it.⁴⁸ As the Supreme Court considers new challenges to birthright citizenship, "illegality" remains a dangerously malleable concept, legally constructed yet rhetorically powerful.⁴⁹ Language reflects law, shapes policy, and constructs public common sense. That is why discourse analysis remains central to understanding how immigration policy justifies exclusion while disavowing its racial foundations.⁵⁰

Rather than offering a comprehensive history, this overview identifies key discursive and legal developments that laid the groundwork for neoliberal restructuring in the late 20th century. During this period, neoliberalism did not invent exclusion but retooled it through the language of economic logic.⁵¹ This reframing is built on earlier logics of racialized restriction, offering new justifications for familiar hierarchies. To understand how these exclusions were recast in the late 20th century, we must now define the ideological project that granted them renewed legitimacy: neoliberalism.

Defining Neoliberalism and Its Role in Immigration Governance

Immigration policy in the 1970s must therefore be understood within the broader rise of neoliberalism. However, the term remains contested across fields such as political economy, legal studies, and discourse analysis. Scholars have approached neoliberalism through a variety of lenses: as a form of social control vis-a-vis the state, as a project that instigates class conflict

⁴⁸ Ngai, *Impossible Subjects*.

⁴⁹ Ari Shapiro, "Birthright Citizenship Goes to the Supreme Court," *Consider this from NPR*, podcast audio, May 15, 2025, <https://www.npr.org/2025/05/15/1251545887/supreme-court-birthright-citizenship-trump-executive-order-scotus>.

⁵⁰ Teun A. van Dijk, *Discourse and Power* (Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2008).

⁵¹ Harvey, *A Brief History of Neoliberalism*; Duggan, *The Twilight of Equality*; Melamed, "The Spirit of Neoliberalism."

to reinforce capital dominance, and as a set of ideational practices that normalize market-based thinking, to name a few.⁵² Despite these differences, most define neoliberalism as a mode of governance rooted in free-market capitalism, individual responsibility, and the privatization of public goods.⁵³ Its intellectual foundations lie in the economic philosophies of Friedrich von Hayek and Milton Friedman, whose ideas gained renewed influence in response to the global economic crisis of the 1970s. Neoliberalism promoted deregulation, privatization, and reduced state intervention as solutions to economic stagnation.⁵⁴ This logic came to shape not only economic policy but also the way immigration was debated. Rather than relying on explicit racial bans, policymakers framed immigration restrictions as necessary for labor control and national stability. This framing did not eliminate racial hierarchies; instead, it masked them behind language that appeared neutral and fiscally responsible.⁵⁵

By the late 20th century, neoliberalism transformed state structures, displacing social protections with market efficiency as the guiding principle. Economic instability in the 1970s eroded the Keynesian model of public investment and opened space for free-market policies advanced globally by institutions like the International Monetary Fund (IMF), the World Bank, and the Mont Pelerin Society.⁵⁶ As David Harvey argues, neoliberalism did not emerge organically: it was actively cultivated by political and business elites seeking to restructure

⁵² Damien Cahill, Melinda Cooper, Martijn Konings, and David Primrose, eds., *The Sage Handbook of Neoliberalism* (Los Angeles: SAGE Reference, 2018); Neil Davidson, "Neoliberalism as a Class-Based Project," in *The Sage Handbook of Neoliberalism*, ed. Cahill et al., 55–68; Mitchell Dean, "Foucault and the Neoliberalism Controversy," in *The Sage Handbook of Neoliberalism*, ed. Cahill et al., 40–54; Kean Birch, "Neoliberalism: The Whys and Wherefores ... and Future Directions," *Sociology Compass* 9, no. 7 (2015): 571–84; Loïc Wacquant, "Bourdieu, Foucault, and the Penal State in the Neoliberal Era," in *Foucault and Neoliberalism*, ed. Daniel Zamora and Michael C. Behrent (Cambridge: Polity Press, 2016), 93–106; Naomi Klein, *The Shock Doctrine: The Rise of Disaster Capitalism* (New York: Metropolitan Books, 2007); Harvey, *A Brief History of Neoliberalism*.

⁵³ Manfred B. Steger and Ravi K. Roy, *Neoliberalism: A Very Short Introduction* (Oxford: Oxford University Press, 2010).

⁵⁴ Steger and Roy, *Neoliberalism*.

⁵⁵ Gerken, *Model Immigrants and Undesirable Aliens*.

⁵⁶ Steger and Roy, *Neoliberalism*.

governance in ways favorable to capital accumulation. This ideological project gained political traction by co-opting the language of individual freedom used in civil rights movements, reframing economic inequality as the result of personal failure rather than structural injustice.⁵⁷

Under President Reagan, neoliberal economic restructuring went hand-in-hand with aggressive foreign policies that displaced thousands from Central America, intensifying migration pressures even as immigration enforcement hardened. U.S. foreign interventions in Central America during this era, including CIA-backed campaigns that destabilized governments and contributed to widespread violence, directly fueled migration flows. Yet rather than acknowledging this role, U.S. discourse recast migrants as criminal threats, allowing immigration policy to shift focus from humanitarian protection to enforcement and surveillance.⁵⁸

These broader shifts had direct implications for immigration governance. Earlier immigration laws openly favored white European migrants, yet by the 1970s and 1980s, racialized exclusion was recast through discourses emphasizing economic burdens and national security threats. The 1980 Mariel boatlift vividly illustrated this shift: earlier Cuban refugees were framed as Cold War allies, but Afro-Cuban and working-class migrants of Mariel were portrayed as criminal threats and economic burdens, exemplifying how neoliberal discourse racialized and criminalized migration.⁵⁹

⁵⁷ Harvey, *A Brief History of Neoliberalism*.

⁵⁸ See Steger and Roy, *Neoliberalism*; Jocelyn Viterna, “Pulled, Pushed, and Persuaded: Explaining Women’s Mobilization into the Salvadoran Guerrilla Army,” *American Journal of Sociology* 112, no. 1 (2006): 1–45; María Cristina García, *Seeking Refuge: Central American Migration to Mexico, the United States, and Canada* (Berkeley: University of California Press, 2006); and Max Holland, “Private Sources of U.S. Foreign Policy: William Pawley and the 1954 Coup D’etat in Guatemala,” *Journal of Cold War Studies* 7, no. 4 (2005): 36–73.

⁵⁹ Perry, *The Cultural Politics of U.S. Immigration*.

Consequently, immigration violations previously treated as civil infractions increasingly became criminalized.⁶⁰ By the 1990s, unauthorized entry was portrayed as a crisis threatening national security, justifying intensified policing, detention, and deportation practices. This shift was not simply a matter of legal reclassification, but part of a broader ideological project that weaponized national security discourse to justify punitive policies. Even as enforcement escalated, the U.S. economy remained dependent on undocumented labor, reinforcing a paradox in which migrants were simultaneously essential yet deportable, a defining characteristic of neoliberal immigration governance.⁶¹ As Chomsky argues, this system “criminalizes people of color and then discriminates on the basis of their criminal status.”⁶²

Literature Review: Neoliberal Constructions of Difference

This paradox has been widely examined by scholars who trace how neoliberal thinking reshaped immigration discourse, policy, and belonging across the late 20th century. Scholars across immigration studies, Latino studies, and neoliberalism have shown how U.S. immigration policy used economic logic to justify racial exclusion.⁶³ Their work highlights how policymakers framed restriction not as discrimination but as fiscal necessity, concealing how economic discourse restructured racial hierarchies.⁶⁴ While much of this work emphasizes the racial effects

⁶⁰ Stumpf, “The Crimmigration Crisis.”

⁶¹ De Genova, “Migrant ‘Illegality’ and Deportability in Everyday Life.”

⁶² Chomsky, *Undocumented*, 15.

⁶³ Arlene Dávila, *Barrio Dreams: Puerto Ricans, Latinos, and the Neoliberal City* (Berkeley: University of California Press, 2004); Rubén O. Martínez and Raymond Rocco, “Neoliberalism and Latinos,” *Latino Studies* 14, no. 1 (2016): 2–10.

⁶⁴ Monica W. Varsanyi, “Rescaling the ‘Alien,’ Rescaling Personhood: Neoliberalism, Immigration, and the State,” *Annals of the Association of American Geographers* 98, no. 4 (2008): 877–96; Martínez and Rocco, “Neoliberalism and Latinos,” 4–7.

of neoliberalism,⁶⁵ this dissertation investigates how immigration policy became a tool for structuring conditional inclusion and differential belonging.⁶⁶

To frame this analysis, I engage with three intersecting themes: racialized exclusion, labor disposability, and conditional inclusion, to demonstrate how my dissertation extends and complicates existing frameworks. By tracing discursive shifts from the Dixon Arnett Law (1971) to Proposition 187 (1994), I analyze how immigration policy used narratives of economic insecurity and legality to construct and manage racialized labor. Through legislative rhetoric, media coverage, and public debate, I historicize how exclusionary immigration policies during this period reinforced exclusion while maintaining a facade of neutrality shaped by neoliberal economic and moral ideas about worth and belonging.

Racialized Exclusion and Neoliberal Immigration Policy

These themes echo in the work of scholars such as Christina Gerken and Leah Perry, who have examined how economic criteria, especially financial self-sufficiency, became proxies for racial and gendered exclusion during the 1980s and 1990s.⁶⁷ Gerken argues that laws like the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA, 1996) and the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA, 1996) institutionalized a distinction between “deserving” and “undeserving” immigrants, presenting exclusion as a matter of personal responsibility rather than racial control.⁶⁸ My dissertation extends this insight to

⁶⁵ Lisa Marie Cacho, “Racialized Hauntings of the Devalued Dead,” in *Strange Affinities: The Gender and Sexual Politics of Comparative Racialization*, ed. Grace Kyungwon Hong and Roderick A. Ferguson (Durham, NC: Duke University Press, 2011), 225–49; Martinez and Rocco, “Neoliberalism and Latinos,” 6–8.

⁶⁶ Luca Mavelli, “Citizenship for Sale and the Neoliberal Political Economy of Belonging,” *International Studies Quarterly* 62, no. 3 (2018): 482–93; Martinez and Rocco, “Neoliberalism and Latinos,” 8–10.

⁶⁷ Gerken, *Model Immigrants and Undesirable Aliens*; Leah Perry, “Overlooking/Looking Over Neoliberal Immigration: Amnesty Policy in the ‘Nation of Immigrants,’” *Cultural Studies* 28, no. 5/6 (2014): 844–68; Perry, *The Cultural Politics of U.S. Immigration*.

⁶⁸ Gerken, *Model Immigrants and Undesirable Aliens*.

earlier moments, showing how the Dixon Arnett Law framed Mexican laborers as both economically vital and politically expendable. Perry analyzes how IRCA used two contrasting narratives: one celebrating immigrants as essential to national prosperity, the other depicting them as threats to economic and national security. While IRCA's amnesty program is often viewed as inclusive, Perry shows how it rewarded economic productivity while deepening surveillance and criminalization. My analysis builds on this by situating IRCA within a longer trajectory of managing Mexican labor through selective inclusion and regulatory control.⁶⁹

While Gerken and Perry focus on the 1980s and 1990s, my dissertation turns to the 1970s as a pivotal moment. Drawing on Cedric Robinson's theory of racial capitalism and Mae Ngai's analysis of the legal construction of "illegality," I show how earlier policies intensified existing structures of racial domination.⁷⁰ Chapter 2 situates these dynamics within a longer history of racial governance, showing how land dispossession, labor exploitation, and immigration law produced the undocumented as a figure of threat, disposability, and illegality.

This historical foundation helps us understand how IRCA did more than regulate labor. It put into practice the securitized exclusion that policymakers and media had been advancing since the 1970s. My analysis connects IRCA to the preservationist rhetoric that defined Proposition 187, framing both as part of a broader shift in immigration governance and racial discipline. Rather than treating these policies as isolated developments, I examine them as cumulative strategies that embedded racial exclusion within neoliberal logics. These exclusionary shifts were not just rhetorical; they reshaped labor conditions and set the stage for neoliberal governance to

⁶⁹ Perry, "Overlooking/Looking Over Neoliberal Immigration"; Perry, *The Cultural Politics of U.S. Immigration*.

⁷⁰ Cedric J. Robinson, *Black Marxism* (Chapel Hill: The University of North Carolina Press, 2020); Ngai, *Impossible Subjects*.

treat undocumented immigrants as (de)valued subjects, necessary to the economy, yet politically disposable.

Labor Disposability and the Contradictions of Neoliberalism

Despite their claims of promoting equality and expanding opportunity, neoliberal immigration policies reinforced racial hierarchies by deepening conditions of labor disposability. Scholars like Raymond Rocco and Alfonso Gonzales argue that neoliberalism excludes racialized migrants from political membership while extracting their labor.⁷¹ While much of this scholarship focuses on the post-9/11 era, my dissertation shows how these dynamics were already present in earlier policy formations.

Rocco contends that neoliberal governance depends on a precarious immigrant labor force, criminalizing undocumented workers while benefiting from their exploitation. He describes labor disposability as a political strategy that allows the state to control migration while ensuring a vulnerable workforce.⁷² This strategy was evident in early policies like the Dixon Arnett Law and institutionalized in IRCA's employer sanctions and partial legalization. By the 1990s, Proposition 187 positioned undocumented immigrants not only as unauthorized workers but as burdens to the state.

Gonzales extends this analysis by showing how labor precarity became a national security issue. After 9/11, migrants were increasingly cast as threats, justifying expanded policing and detention. He calls this the "authoritarian turn," where state violence replaced market incentives as the dominant mode of regulation. While Gonzales focuses on post-9/11

⁷¹ Raymond Rocco, "Disposable Subjects: The Racial Normativity of Neoliberalism and Latino Immigrants," *Latino Studies* 14, no. 1 (2016): 99–117; Alfonso Gonzales, "Neoliberalism, the Homeland Security State, and the Authoritarian Turn," *Latino Studies* 14, no. 1 (2016): 80–98.

⁷² Rocco, "Disposable Subjects."

securitization, my dissertation situates this turn within a longer timeline, showing how earlier policies already used economic rationales to justify criminalization and exclusion.⁷³ These shifts laid the groundwork for preservationist rhetoric that framed undocumented immigrants as existential threats to national identity.

Conditional Inclusion and the (De)Valuation of Undocumented Life

Neoliberal immigration policy did not simply exclude; it redefined belonging through conditional inclusion. Legal recognition was selectively granted based on economic productivity and moral acceptability. Scholars such as Lisa Marie Cacho, Beth Baker-Cristales, and J. David Cisneros have examined how neoliberal frameworks criminalize those deemed “undeserving” while rewarding those who meet state-defined standards of worth.⁷⁴ My dissertation engages these debates by analyzing how immigration policy structured inclusion around these criteria.⁷⁵

Cacho argues that undocumented immigrants occupy a space of “social death,” existing within the law only as subjects of punishment. Exclusion, she explains, does not erase these populations but sustains state power by legitimizing racial hierarchies and violence. Rightlessness, in this view, is not a passive condition but an active process. Certain populations including undocumented immigrants, gang members, and others, are positioned as necessary for justifying state punishment and securitization.⁷⁶ My dissertation extends this argument by shifting the focus from criminalization alone to neoliberalism as a system of managed inclusion

⁷³ Gonzales, “Neoliberalism, the Homeland Security State, and the Authoritarian Turn.”

⁷⁴ Cacho, *Social Death*; Beth Baker-Cristales, “Mediated Resistance: The Construction of Neoliberal Citizenship in the Immigrant Rights Movement,” *Latino Studies* 7, no. 1 (March 1, 2009): 60–82; J. David Cisneros, “A Nation of Immigrants and a Nation of Laws: Race, Multiculturalism, and Neoliberal Exception in Barack Obama’s Immigration Discourse,” *Communication, Culture and Critique* 8, no. 3 (2015): 356–75.

⁷⁵ Cacho, *Social Death*; Beth Baker-Cristales, “Mediated Resistance”; Cisneros, “A Nation of Immigrants and a Nation of Laws.”

⁷⁶ Cacho, *Social Death*.

and exclusion. While Cacho theorizes rightlessness through punishment, I examine how neoliberal immigration governance selectively grants recognition based on productivity and moral worth.

Baker-Cristales similarly demonstrates how immigrant rights movements engaged neoliberal logic through respectability politics, arguing for inclusion in ways that unintentionally reinforced the idea that citizenship must be earned. She shows how Spanish-language media and protest organizers promoted a model of neoliberal citizenship grounded in financial independence and moral discipline. My dissertation extends this analysis by tracing how these logics structured immigrant inclusion in policy discourse, reinforcing rather than challenging racial and economic hierarchies. Cisneros critiques how immigration discourse positions the U.S. as “a nation of immigrants” and “a nation of laws.” This contradiction, he argues, enables neoliberal governance to justify selective inclusion while reinforcing racialized exclusion. While Cisneros focuses on presidential rhetoric, my dissertation analyzes how these logics circulated through public debates over immigration policy. Drawing from letters to the editor, commentary in news articles, and quotes from individuals with a stake in the debate, I trace how neoliberal frameworks of conditional inclusion and moral worth were embedded in media narratives surrounding IRCA and Proposition 187.⁷⁷

Conclusion

Taken together, these scholarly debates show how immigration policy has been a central place where ideas about race and power are built, challenged, and hidden within the language of neoliberalism. Given the distinct political, economic and social conditions of each decade, this

⁷⁷ Cisneros, “A Nation of Immigrants and a Nation of Laws.”

dissertation takes an interdisciplinary approach to examine how the perceived worth of undocumented people is constructed and contested over time. Drawing from immigration studies, critical race theory, and discourse analysis, I trace how these shifts unfolded from the 1970s through the 1990s. I engage Leo Chavez and Lina Newton's analyses of elite discourse and media framing to understand how narratives of danger justified exclusion; draw on Mae Ngai and Kelly Lytle Hernández to ground the historical construction of illegality; and apply theoretical insights from Jodi Melamed, David Harvey, Cheryl Harris, Eduardo Bonilla-Silva, George Lipsitz, and David Roediger to show how neoliberal immigration policy reinforced racial and economic hierarchies.⁷⁸

Theoretical concepts introduced here, including racialized exclusion, labor precarity, and differential inclusion, anchor the dissertation's analytical approach. The following chapters analyze how these frameworks materialize in key policy moments, demonstrating how neoliberalism restructured immigration discourse across the late 20th century. This historical framing reveals how exclusionary narratives evolved over time: from economic rationality (1970s), to securitization (1980s), to preservationist racism (1990s), each reinforcing the state's control over racialized labor through shifting discursive strategies.

Conceptual Framework and Methodological Approach

To analyze how these evolving narratives functioned not just as descriptions but as tools of state power, I draw on a conceptual and methodological framework that centers discourse,

⁷⁸ Chavez, *The Latino Threat*; Newton, *Illegal, Alien, or Immigrant*; Ngai, *Impossible Subjects*; Hernández, *Migra!*; Melamed, "The Spirit of Neoliberalism"; Harvey, *A Brief History of Neoliberalism*; Cheryl I. Harris, "Whiteness as Property," *Harvard Law Review* 106, no. 8 (1993): 1707–91; Eduardo Bonilla-Silva, *Racism without Racists: Color-Blind Racism and the Persistence of Racial Inequality in America*, 4th edition (Lanham, Md: Rowman & Littlefield Pub., 2014); Lipsitz, *The Possessive Investment in Whiteness*; David R. Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class* new ed. (London, England: Verso, 2022).

racial formation, and political economy. As such, I take the position that immigration rhetoric does not passively reflect policy decisions; it actively constructs and legitimizes structural inequality. “Illegality” is not simply a legal designation but an ideological formation that shapes public perception, policy outcomes, and systems of belonging. Drawing from Omi and Winant’s theory of racial formation, I conceptualize illegality as a racial project. This political process links the representation of racialized identities with the organization and distribution of power and resources. As they write, “a racial project is simultaneously an interpretation... and an effort to organize and distribute resources (economic, political, cultural) along particular racial lines.”⁷⁹ Rather than treating race as static or merely descriptive, I examine how state actors, legal frameworks, and public discourse produce undocumented immigrants as racialized outsiders. This approach enables me to trace how illegality functions as both a discursive and material tool of state power, embedding racial hierarchies through appeals to economic logic, moral order, or national security.

This dissertation approaches illegality as a racialized construct with three interlocking dimensions: as an idea, it operates discursively to define the limits of national belonging; as a practice, it is enforced through surveillance, legal exclusions, and labor control; and as a revelation, it exposes the deep entanglement of race, state power, and economic exploitation. This framework informs how I trace the discursive production of undocumented Mexican immigrants across multiple historical moments.

To analyze how these discursive shifts occur, this study employs Critical Discourse Analysis (CDA), drawing from the Discourse-Historical Approach (DHA), and narrative analysis

⁷⁹ Omi and Winant, *Racial Formation in the United States*, 125.

to examine how undocumented Mexican immigrants were framed between 1970 and 1999.⁸⁰ Because this project interrogates how race is reproduced and systems of domination are sustained through language, CDA is critical for uncovering how exclusion is legitimated. Immigration policies function not only as legal mechanisms but as discursive projects that mask racialized hierarchies beneath claims of fairness and objectivity. CDA allows me to analyze both what is said in policy and media discourse and how language itself produces “illegality” as a racialized justification for exclusion.

Drawing on the work of Teun van Dijk, Norman Fairclough, Ruth Wodak and Michael Meyer, this dissertation analyzes how elite discourse, including legislative debates, policy rhetoric, and mainstream newspapers, constructs racialized representations of immigrants while obscuring the structural conditions that shape migration. These narratives do not merely describe crises; they manufacture them.⁸¹ As Dara Strolovitch argues, the very language of “crisis” has become a tool that distorts reality. It is often used to draw attention to the concerns of privileged groups, while the everyday struggles of marginalized communities are ignored or treated as normal. Her analysis reinforces this dissertation’s findings that narratives of immigration crisis are not neutral reflections of reality but strategic operations of power that obscure racial and economic hierarchies under the guise of urgency.⁸² Lisa Flores and Lina Newton’s work on policy narratives further informs my approach, as they show how immigration laws rely on crisis

⁸⁰ Ruth Wodak and Michael Meyer. “Critical Discourse Analysis: History, Agenda, Theory and Methodology.” In *Methods for Critical Discourse Analysis*, 2nd ed., edited by Ruth Wodak and Michael Meyer, 1–33. London: SAGE Publications, 2009.

⁸¹ van Dijk, *Discourse and Power*; Teun A. van Dijk, *Elite Discourse and Racism* (Newbury Park, Calif.: SAGE Publications, 1993); Teun A. van Dijk, “Principles of Critical Discourse Analysis,” *Discourse & Society* 4, no. 2 (1993): 249–83; Norman Fairclough, *Language and Power* (London: Longman, 1989); Norman Fairclough, *Critical Discourse Analysis: The Critical Study of Language* (London: Longman, 1995); Ruth Wodak and Michael Meyer, *Methods of Critical Discourse Analysis* (London: SAGE, 2001).

⁸² Dara Z. Strolovitch, *When Bad Things Happen to Privileged People: Race, Gender, and What Makes a Crisis in America* (Chicago: University of Chicago Press, 2023).

storytelling to frame exclusion as necessary. Their insights help illuminate how threats are constructed to justify enforcement.⁸³

Manufacturing Danger / Manufacturing Possibility as an Analytical Framework

Building on this methodological foundation, I introduce the Manufacturing Danger / Manufacturing Possibility framework to analyze how undocumented Mexican immigrants were alternately constructed as threats and economic necessities between 1970 and 1999. This framework traces how discourse manufactures crisis and legitimizes exclusion or conditional inclusion in response to shifting political, economic, and racial anxieties. It distinguishes between two core narrative forms:

Manufacturing Danger, frames undocumented immigrants as threats to national security, labor markets, or cultural identity. These narratives often deploy crisis language: portraying immigrants as invaders, criminals, or economic burdens to justify restrictive policies and uphold racial and economic hierarchies. This is evident in cases like Proposition 187, where threat narratives were central to exclusionary policy design.

Manufacturing Possibility, opens discursive space for resistance, inclusion, or redefinitions of national belonging. Counter-discourses, emerging through legal challenges, community activism, or alternative media, challenge dominant narratives by reframing undocumented presence in more expansive or liberatory terms. Possibility does not imply full inclusion; rather, it signals the moments when dominant logics begin to fracture and alternative imaginaries of belonging emerge.

⁸³ Flores, “Constructing Rhetorical Borders”; Flores, *Deportable and Disposable*; Newton, *Illegal, Alien, or Immigrant*.

I do not treat these categories as opposites. Instead, I borrow from Ono and Sloop, who theorize the border as a shifting discursive construction, to frame them as interdependent rhetorical forces. In this view, undocumented immigrants are positioned at the fluctuating threshold between criminality and conditional belonging.⁸⁴ Building on this concept, I extend their framework across three decades of immigration discourse to examine how the meaning of “illegality” evolves in relation to shifting racial, economic, and moral narratives. While their analysis centers on media and political discourse surrounding Proposition 187, my dissertation broadens the concept by applying it across multiple rhetorical genres, including legislative testimony, national and regional newspaper coverage, public commentary, documentary film, and archival materials. In doing so, I follow in their footsteps to theorize the border not as a fixed geographic line but as a discursive and symbolic construct that is continually reshaped to delineate belonging. Across Chapters 3 through 5, I demonstrate how criminalizing and inclusionary frames are often co-constructed. Narratives that depict migrants as threats frequently emerge alongside calls for limited inclusion, often framed through moral, economic, or humanitarian appeals. Yet even these appeals for inclusion often reinforce racial hierarchies by recognizing only those migrants who are seen as “deserving.”

These dual frames of danger and deservingness are not neutral. They reflect deeper ideological responses to instability. As Stuart Hall argues, moments of perceived crisis often lead to moral panics that justify increased state control.⁸⁵ My analysis applies this insight to immigration discourse, where panic over demographic change becomes a vehicle for exclusionary policy. Daniel HoSang’s work further shapes my approach by revealing how even

⁸⁴ Ono and Sloop, *Shifting Borders*; Flores, “Constructing Rhetorical Borders.”

⁸⁵ Stuart Hall et al., *Policing the Crisis: Mugging, the State, and Law and Order* (London: Macmillan, 1978), 221.

inclusionary discourses often reproduce the logics of exclusion they claim to resist.⁸⁶ Both Hall and HoSang show that the language of danger can serve different purposes. It is often used to justify harsh or exclusionary policies, but it can also be used to raise alarms about the harms those policies may cause, including threats to public health, civil rights, and social stability. This dual use of danger, both to incite fear and to issue caution, illustrates the rhetorical flexibility that makes it a powerful tool for both opponents and proponents of immigration policy.

Importantly, while possibility does not eliminate danger, their entanglement becomes a site of rhetorical struggle. Rare moments of rupture do exist. Scholars and activists are already tracing the ways that art and activism come together to resist oppression and create new forms of belonging beyond legal or economic frames. Writers like Sandra Cisneros demonstrate how storytelling itself can function as a form of narrative repair, restoring dignity to lives erased or ignored by dominant discourse.⁸⁷ While not theorized centrally here, cultural interventions like Lance Canales' musical adaptation of "Deportee" contribute to this work through acts of naming and remembrance.⁸⁸ The importance of retelling more complete and inclusive narratives is briefly introduced in the opening of Chapter 2. These acts of narrative repair continue to offer possibilities for more just and expansive futures. Close attention to how narratives shift over time, whether through art, media, or policy, is central to this project's methodological approach.

⁸⁶ Daniel Martinez HoSang, "The Ideological Alchemy of Contemporary Nativism: Revisiting the Origins of California's Proposition 187," *Kalfou: A Journal of Comparative and Relational Ethnic Studies*, June 16, 2014.

⁸⁷ For scholarship and cultural production that explores the intersections of art, activism, and alternative forms of belonging, see Leticia Alvarado, *Abject Performances: Aesthetic Strategies in Latino Cultural Production* (Durham: Duke University Press, 2018); Alicia Schmidt Camacho, *Migrant Imaginaries: Latino Cultural Politics in the U.S.-Mexico Borderlands* (New York: New York University Press, 2008); Sandra Cisneros, *The House on Mango Street* (New York: Vintage Books, 2009); and Sandra Cisneros, *Woman Without Shame: Poems* (New York: Alfred A. Knopf, 2022).

⁸⁸ Lance Canales and the Flood, *Deportee (Plane Wreck at Los Gatos)*, YouTube video, 3:52, September 2, 2013, <https://www.youtube.com/watch?v=CeCstLTB0EI>.

Corpus and Method: Tracing Immigration Discourse Across Time

To analyze how immigration discourse evolves, I examine recurrent framing devices, metaphor usage, and rhetorical strategies over time. Discourses that become embedded in policy, media narratives, and legal frameworks, reinforcing exclusionary logics, are classified as state-sanctioned discourse. Meanwhile, contesting narratives push back against these exclusions but do not necessarily lead to structural change. This approach supports the Manufacturing Danger / Manufacturing Possibility framework by tracing how immigration rhetoric either reinforces dominant narratives or opens space for counter-discourses that challenge them.

To examine how discourses on undocumented Mexican immigration shifted from the 1970s to the 1990s, this study draws on a range of textual sources, including:

- Congressional debates and legislative texts related to the Dixon Arnett Law (1971), the Immigration Reform and Control Act (IRCA, 1986), and Proposition 187 (1994).
- Archival materials, including Herman Baca's personal papers, which document grassroots resistance to restrictive immigration policies.
- National newspapers (*Wall Street Journal*, *Christian Science Monitor*, *New York Times*) and regional newspapers (*The San Francisco Chronicle*, *The Fresno Bee*), from which I extract and analyze quotes to examine how immigration discourse was constructed and circulated across elite and localized contexts.
- Political speeches, public statements, and letters to the editor, reflecting both elite discourse and grassroots responses.
- Cultural texts such as *The Unwanted*, a documentary that visualized the ideological and emotional dimensions of undocumented life.

I used structured spreadsheets to log key excerpts, assign rhetorical tags, and track evolving discursive patterns across time. Each chapter employed a consistent methodological strategy grounded in critical discourse analysis (CDA), supported by iterative close reading, custom coding schemas, and analytic memo writing. I conducted three rounds of reading: noting standout language or contradictions; thematic and rhetorical coding; and a final synthesis in which the Manufacturing Danger / Manufacturing Possibility framework was applied and refined. I treated excerpts not as neutral evidence but as ideologically productive texts that reflect and reproduce structures of power.

California is central to this study not only because of its demographic significance, but because it has long served as a bellwether in shaping national immigration policy and rhetoric.⁸⁹ The state's transformation into a majority-minority population by the 1990s intensified racial anxieties, fueling exclusionary measures like Proposition 187.⁹⁰ California's political culture, shaped by figures like Governor Ronald Reagan, who carried the state's anti-immigrant politics into the national stage during his presidency, makes it a crucial site to study how local dynamics anticipate federal enforcement trends.⁹¹ As the front line of border enforcement and a hub of immigrant labor, California helps reveal how race, law, and neoliberalism converged to reshape national belonging.⁹²

Chapter 3: Legislative Testimony and Movement Archives

This chapter draws on legislative hearings, archival materials, and documentary film to

⁸⁹ Daniel Martinez HoSang, *Racial Propositions: Ballot Initiatives and the Making of Postwar California* (Berkeley: University of California Press, 2010); Kitty Calavita, "California's 'Employer Sanctions' Legislation: Now You See It, Now You Don't," *Politics & Society* 12, no. 2 (June 1, 1983): 205–230.

⁹⁰ Cacho, "The People of California Are Suffering."

⁹¹ Kitty Calavita, "The Contradictions of Immigration Lawmaking: The Immigration Reform and Control Act of 1986," *Law & Policy* 11, no. 1 (1989): 17–48.

⁹² Kitty Calavita, "The New Politics of Immigration: 'Balanced-Budget Conservatism' and the Symbolism of Proposition 187," *Social Problems* 43, no. 3 (August 1, 1996): 284–305.

capture the multilayered public discourse that shaped narratives of illegality in 1970s California. I conducted a close reading of 33 testimonies from two California State Assembly Committee on Labor Relations hearings held in January and February 1972, which addressed A.B. 528, also known as the Dixon Arnett Law.⁹³ These hearings focused on so-called “illegal aliens” and strikebreaker legislation and form a core part of my analysis. Introduced in 1971, this assembly bill sought to penalize California employers who knowingly hired undocumented workers. Although the bill passed and was signed into law by Governor Ronald Reagan, legal challenges and jurisdictional conflicts ultimately rendered the statute unenforceable. As Calavita explains, A.B. 528 became a “dead law,” with no successful prosecutions brought under its provisions. Nonetheless, its symbolic function was significant. Analyzing these testimonies is critical because they mark an early attempt by a state government to regulate immigration through labor policy, helping to normalize employer sanctions discourse well before such measures were codified federally under IRCA.⁹⁴ Held in Los Angeles and Sacramento, the hearings reflected a convergence of Cold War anxieties, racial scripts, and neoliberal logics that sought to justify state control over undocumented communities. While Ngai shows that the figure of the “illegal alien” was created through earlier federal immigration law, A.B. 528 illustrates how this logic also took shape at the state level during the early 1970s.⁹⁵ The bill’s focus on employer sanctions signaled an early shift toward neoliberal governance by linking racial anxiety, labor control, and

⁹³ California Legislature, Assembly Committee on Labor Relations, *Transcript of Hearing, January 7, 1972, Los Angeles, California: Subject: Illegal Aliens and Strikebreaker Legislation* (Sacramento, 1972); California Legislature, Assembly Committee on Labor Relations, *Transcript of Hearing, February 1, 1972, Sacramento, California: Subject: Illegal Aliens and Anti-Strikebreaker Legislation: Interim Hearing* (Sacramento, 1972).

⁹⁴ Calavita, “California’s ‘Employer Sanctions’ Legislation.”

⁹⁵ Ngai, *Impossible Subjects*.

public order to the idea of legality. These themes would later become central to federal policy under IRCA.⁹⁶

To complement this legislative analysis, I examined the Herman Baca Papers, a 141-page digitized collection from UC San Diego's Special Collections. This archive includes 55 items spanning more than a dozen formats, including letters, flyers, newsletters, news releases, press clippings, and public statements. These materials reveal both public narratives and internal organizing discourse. Some were hybrid or ambiguous in form, requiring interpretive decisions regarding genre and rhetorical function. Using CDA, I conducted close readings, thematic tagging (e.g., #DangerNarrative, #RadicalThought), and memo writing to unpack the discursive logics that later became central to my analytical framework.

I also transcribed and analyzed *The Unwanted*, a 45-minute documentary that aired on public television in 1975. Using the same CDA approach, I examined storytelling patterns, voiceover framing, and character construction. This visual media analysis revealed how race and moral hierarchies were activated to shape public perception of immigrant "illegality."

Chapter 4: National Media Discourse

I analyzed 86 national media sources from 1985 to 1986 drawn from the *New York Times*, *Wall Street Journal*, and *Christian Science Monitor*. These were selected from a larger pool of 112 entries and chosen for their relevance to IRCA-era discourse. I developed a custom coding schema to assess rhetorical structure, narrative function, and tone. Each source was tagged for dominant and alternative framings of undocumented immigrants and coded for discursive techniques such as binaries, metaphor, and moral panic. Additional thematic layers

⁹⁶ This analysis builds on the historical context provided in Kitty Calavita's article, "California's 'Employer Sanctions' Legislation."

included #Invasion, #Control, #MoralityNarrative, and #AlarmistTone. Analytic memos helped identify ideological assumptions and rhetorical contradictions. This analysis revealed how public discourse criminalized and conditionally included undocumented communities under claims of objectivity and public interest, primarily through the logic of securitization. While echoes of earlier concerns remained, this shift signaled a departure from the 1970s emphasis on the perceived impact of undocumented immigrants on labor, the economy, and national identity.

Chapter 5: Regional Media and Preservation Logic

To examine regional discourse, I conducted a CDA of 107 articles published in October 1994 in *The Fresno Bee* (56) and *The San Francisco Chronicle* (51), capturing media responses during the Proposition 187 campaign. Although I excluded the *Los Angeles Times* from systematic coding, given the detail of existing scholarship on its coverage, I did read and selectively included one article in Chapter 5.⁹⁷ This piece offered a unique narrative framing that differed from the other two papers and thus contributed meaningfully to the overall discourse analysis. These newspapers offered contrasting geographic and political contexts, with Fresno representing a more conservative, agrarian region, where 66% of voters supported Proposition 187 and 34% opposed it. In contrast, San Francisco reflected a progressive urban area with diverse immigrant communities, where only 29.3% voted in favor and 70.7% voted against the measure.⁹⁸

This chapter traces how the Preservation Narrative functioned rhetorically to justify exclusion on moral, cultural, and economic grounds. Each article was coded for its contribution to this narrative and analyzed for rhetorical strategy, preservation logic, and discursive

⁹⁷ See Ono and Sloop, *Shifting Borders*; Santa Ana, *Brown Tide Rising*.

⁹⁸ Bill Jones, *Supplement to Statement of Vote, November 8, 1994 General Election*, (Sacramento: California Secretary of State, 1994), 103-104. <https://elections.cdn.sos.ca.gov/sov/1994-general/ssov/ssov-complete.pdf>

contradiction. I treated excerpts as ideologically embedded texts and examined how they reinforced or contested conditional belonging. *The San Francisco Chronicle* often foregrounded student activism and moral critiques, while *The Fresno Bee* emphasized access to education and grassroots resistance.

This method informed the selection of newspaper sources by allowing me to identify which publications consistently engaged with the dominant and oppositional narratives surrounding undocumented immigration. The balance between national and regional outlets was strategic: national newspapers revealed elite policy discourse, while regional sources captured how these narratives were contested, localized, or reinterpreted on the ground. This range of perspectives allowed for a more comprehensive understanding of how public discourse shaped and responded to immigration policy.

- *Wall Street Journal* analyzed IRCA from a business and labor market perspective (Chapter 4).
- *New York Times* framed IRCA as a compromise between economic needs and enforcement (Chapter 4).
- *Christian Science Monitor* emphasized moral and social dimensions of reform, particularly debates on fairness and legality (Chapter 4).
- *The San Francisco Chronicle* focused on opposition, student activism, and moral critiques of Proposition 187 (Chapter 5).
- *The Fresno Bee* covered grassroots opposition to Proposition 187, particularly student activism and debates on access to education (Chapter 5).

This layered methodological approach allowed me to examine how undocumented Mexican immigrants were framed across time, geography, and genre. It also revealed how discourse functioned as a tool of state power in constructing and legitimizing “illegality.”

Tracing the Ideological Intensification of Immigration Discourse and Thematic Analysis

This dissertation traces how immigration discourse intensified ideologically across three key policy moments between 1970 and 1999. In each moment, rhetorical strategies shifted in response to economic, political, and racial anxieties, framing undocumented Mexican immigrants as increasingly urgent threats to the nation.

Dixon Arnett Law (1971) – Framed undocumented immigrants as economic threats, leading to employer sanctions and heightened workplace surveillance. This moment reflects the period’s exclusionary rhetoric, captured in phrases like the “Wetback Invasion,” which portrayed Mexican migrants as outsiders flooding the labor market and destabilizing the economy.

Immigration Reform and Control Act (IRCA, 1986) – Institutionalized exclusion by criminalizing undocumented workers, implementing employer sanctions, and reinforcing the “deserving vs. undeserving immigrant” binary. This moment reflects the “Cracking Down” rhetoric, which cast undocumented immigrants as lawbreakers and justified increased surveillance and enforcement.

Proposition 187 (1994) – Marked the culmination of moral panic and cultural exclusion, portraying undocumented immigrants as existential threats to state resources and identity. Framed through the rhetoric of “Save Our State,” this moment mobilized fear to justify denying immigrants access to education, healthcare, and social services.

The debates around A.B. 528 and Proposition 187 reflected California's growing assertion of power over immigration enforcement. Together, they illustrate a broader state versus federal conflict, with California advancing its own exclusionary vision in response to perceived federal inaction.⁹⁹ These rhetorical shifts do more than reflect public sentiment; they represent ideological projects designed to manufacture crises. Through the lens of Manufacturing Danger, each policy moment frames undocumented immigrants as invaders, criminals, or burdens in ways that justify exclusion and increase control over their labor.

Yet these narratives were not uncontested. Counter-discourses emerged in media, public testimony, and grassroots activism, rearticulating undocumented presence in ways that opened possibilities for inclusion or redefined belonging. While these counter-narratives often lacked institutional power, they represent moments of Manufacturing Possibility, where new discursive openings emerged.

Thematic analysis across these decades reveals that immigration discourse is not fixed. It changes over time, often in response to public fears, shifts in society's expectations, and new government priorities. These changes can either uphold or push back against existing racial and economic inequalities.

⁹⁹ See Kitty Calavita, *U.S. Immigration Law and the Control of Labor, 1820-1924* (London: Academic Press, 1984). Calavita argues that immigration law has historically operated as a tool of labor control, shaped by the contradictions of capitalist accumulation and state legitimation. Though her study centers on federal policies in the 19th and early 20th centuries, the dynamics she identifies, including symbolic restriction and contradictory enforcement, help contextualize California's efforts to assert immigration authority in the 1970s and 1990s. In my analysis, these dynamics are evident in A.B. 528 and Proposition 187, state-level initiatives with ambiguous outcomes that advanced exclusionary legislation to symbolically address anxieties around labor and legality, even as federal policy, particularly IRCA, continued to preserve the economic dependence on undocumented immigrant labor.

Chapter Overview

Grounded in this critical orientation, this dissertation traces how language shaped, and was shaped by, shifting ideologies of labor, exclusion, and belonging between 1970 and 1999. Structured chronologically, the chapters apply the Manufacturing Danger / Manufacturing Possibility framework to analyze how immigration rhetoric alternately framed undocumented immigrants as threats or as subjects of conditional inclusion across three distinct political moments.

Chapter 2: The (Im)possibility of Citizenship: Mapping the Undocumented in U.S. History, 1836-1970s

To begin, Chapter 2 establishes the historical groundwork by contextualizing Mexican racialization and showing how U.S. immigration policy and racial ideology constructed Mexicans as perpetually excluded from national belonging. I argue that illegality has long been wielded as a political tool to exclude Mexicans from full incorporation into the nation-state. While often treated as a contemporary issue, this chapter demonstrates how the legal exclusion of Mexicans from citizenship is rooted in key historical policies that shaped racialized labor regimes. I examine pivotal moments, beginning with the 1836 Texas rebellion and the Treaty of Guadalupe Hidalgo, where citizenship was legally promised to Mexicans but became an impossibility after the Mexican-American War. I then explore how the emergence of the U.S. immigration bureaucracy in the early 20th century fostered a racialized labor hierarchy, wherein Mexican laborers were essential yet politically disposable. Additionally, I trace how nativist rhetoric, often justified through colorblind language, has consistently defined citizenship in narrow ways that exclude Mexican migrants. Lastly, I discuss how communities of color historically resisted exclusion, forging political movements that disrupted dominant racial logic.

While this chapter focuses on historical patterns of dispossession, it does not yet address how language and discourse actively construct Mexican illegality, a gap the following chapters begin to unpack. Building on Chapter 2's historical account of racialized labor exclusion, Chapter 3 shows how these ideological foundations were reactivated in the 1970s and rearticulated through crisis narratives of invasion and insecurity. These racialized logics were not just recycled, they were weaponized to construct undocumented Mexican migrants as both economic threats and national security risks.

Chapter 3: “Wetback Invasion”: Racialized Labor, Insecurity, and the Making of the “Illegal Alien,” 1970-1981

This chapter begins the core case study analysis by examining how U.S. public discourse in the 1970s shifted to depict undocumented Mexican workers as a threat. Before this period, undocumented workers were not widely portrayed as dangerous or as a significant problem. However, by the 1970s, a noticeable shift in the narrative emerged. For example, elites cited in prominent newspapers began alluding to a growing “invasion” of undocumented migrants, describing a crisis that had developed over the previous five years. Alarmist reports also highlighted a near-doubling of apprehensions.

I argue that the rhetoric of national security and economic protectionism during the 1970s socially constructed Mexican migrants through racialized narratives of invasion and danger. These narratives did ideological work by producing an identifiable enemy, fueling anxieties about preserving racial and economic stability in colorblind terms.

The Dixon Arnett law serves as a case study, illustrating how early employer sanctions reinforced the idea that undocumented workers were causing economic instability while keeping them essential to the labor market. Although Mexican migrants were increasingly vilified, they

were framed through a contradictory discourse, simultaneously constructed as victims of labor exploitation and threats to national security. This dual framing reinforced their economic necessity while justifying exclusionary policies under the guise of economic stability and national security. Additionally, this chapter engages with media representations, particularly *The Unwanted*, a 1975 documentary that reframed undocumented migrants as American Dream seekers. By incorporating media analysis, this chapter demonstrates how counter-narratives challenged the dominant political discourse of criminality and invasion.

Chapter 4: “Cracking Down”: Surveillance, Protection, and the Criminalization of the Undocumented, 1982-1992

Building on this discursive foundation, Chapter 4 examines how anti-immigrant rhetoric from the 1970s became federal policy in the 1980s, as public debate hardened into legal enforcement. It focuses on the immigration reform debates of the early 1980s, which laid the groundwork for the Immigration Reform and Control Act (IRCA) of 1986. These debates framed undocumented migrants as both economic burdens and security threats, paving the way for IRCA to institutionalize workplace surveillance and employer sanctions, worsening labor conditions and reinforcing criminalization.

While often remembered for its amnesty provisions, IRCA also recast undocumented migrants as “illegal aliens,” embedding security rhetoric into law. This shift coincided with the rise of neoliberal governance, which promoted free-market policies while expanding state surveillance and control over labor. By offering legalization with one hand and exclusion with the other, IRCA reframed immigration from a matter of labor regulation to one of national security, deepening vulnerability while sustaining economic extraction.

Chapter 5: “Save Our State”: Race, Preservation, and the Rhetoric of Exclusion in the Proposition 187 Debate

If Chapter 4 examined how exclusion was implemented through security discourse, Chapter 5 reveals its intensification through the language of cultural preservation. This chapter examines how Proposition 187 marked a shift from depicting undocumented immigrants as economic threats to portraying them as existential dangers to the state. In the 1970s, anti-immigrant discourse gained traction through policies like California’s employer sanctions. By the 1980s, with the rise of neoliberalism, these ideas became embedded in federal immigration policy, targeting “illegal aliens” as central to national debates. By the 1990s, these narratives converged into what I identify as a preservation narrative, one that cast undocumented immigrants as threats to whiteness, national identity, and state resources.

Proposition 187 represented the culmination of this shift. Policymakers mobilized moral panic to justify heightened restrictions, portraying undocumented immigrants as racialized symbols of state decline. Narratives of cultural preservation, fiscal crisis, and legal responsibility converged to legitimize exclusion. Though rooted in the 1990s, these debates anticipated contemporary rhetoric around immigration enforcement, citizenship, and belonging.

The preservation narrative also demonstrates how neoliberal racial logic matured into a system of managed inclusion and exclusion. By framing undocumented immigrants as threats to civic order, Proposition 187 justified exclusion not through overt racism, but through appeals to lawfulness, responsibility, and national preservation, which are hallmarks of neoliberal governance.

Chapter 6: Conclusion: The Afterlives of Immigration Rhetoric

Chapter 6, “The Afterlives of Immigration Rhetoric,” builds on the preservation narrative to connect past debates to contemporary immigration politics. It shows how the criminalization of undocumented immigrants persists today, continuing to shape policies that target Latinx communities under the guise of national security and economic stability.

The chapter highlights several key findings. First, the framing of undocumented immigrants has evolved across decades: from economic anxieties in the 1970s (Chapter 3), to securitized narratives of criminality and surveillance in the 1980s (Chapter 4), and finally to preservationist racism in the 1990s that justified total exclusion (Chapter 5). Each phase reflects how neoliberal governance reshaped the rationale for exclusion while maintaining racialized labor control.

Second, racialized exclusion remains a continuous feature of U.S. immigration policy. The narratives used to justify exclusion in the past continue to circulate in the present, reactivated and repackaged to serve new political agendas. Rather than addressing systemic failures, immigration rhetoric enables cycles of scapegoating, redirecting blame onto undocumented communities.

The chapter concludes by examining how the anticipated 2025 mass deportation campaign mirrors these earlier strategies, reinforcing exclusion through recycled economic, security, and preservationist frames. Across time, immigration rhetoric has not simply responded to crisis but manufactured it. It has legitimized state violence, sustaining racial hierarchies, and, as George Lipsitz writes, fueled “recreational hate.”¹⁰⁰ Recognizing these patterns is critical for resisting contemporary efforts to criminalize and marginalize immigrant communities.

¹⁰⁰ Lipsitz, *The Possessive Investment in Whiteness*, 50.

Chapter 2: The (Im)possibility of Citizenship: Mapping the Undocumented in U.S. History, 1836-1970s

“The sky plane caught fire over Los Gatos Canyon.
Salvador Sandoval Hernández.
A fireball of lightning, and shook all the hills.
Guadalupe Hernández Rodríguez, Maria Santana Rodríguez.
You ask, who are all these friends, all scattered like dry leaves?
Juan Valenzuela Ruiz, Wenceslao Flores Ruiz.
The radio calls us “just deportees.”
-Deportee (Plane Wreck at Los Gatos)¹⁰¹

On January 28, 1948, a plane crash over Los Gatos Canyon claimed the lives of all 32 people on board, including 28 Mexican nationals employed through the Bracero Program. While the all-white crew members were individually recognized and given proper burials, the Mexican passengers were buried in a mass grave in Fresno, their identities erased from the official record.¹⁰² This erasure not only stripped them of dignity but also reinforced their disposability, framing their deaths as insignificant.

In response to this injustice, Woody Guthrie composed *Deportee (Plane Wreck at Los Gatos)*, a song that mourned the forgotten and condemned the dehumanization of Mexican laborers. Decades later, author Tim Z. Hernández and musician Lance Canales sought to recover the names and life stories of those erased.¹⁰³ In a reimagined version of *Deportee*, they whispered the names of the victims, reclaiming their place in history.

This act of remembrance raises critical questions: Who is remembered, and under what conditions? Why did it take over 65 years for these names to be acknowledged? More broadly,

¹⁰¹ Canales and the Flood, *Deportee (Plane Wreck at Los Gatos)*.

¹⁰² Gustavo Arellano, “Column: A Vigil for a Long-Ago Plane Crash Shows How to Remember the Lives of the Dead,” *Los Angeles Times*, 2023.

¹⁰³ Diana Marcum, “Passengers on Doomed 1948 Flight, Their Names Now Emerge from Shadows,” *Los Angeles Times*, 2013.

how did Mexicans, once landowners, become an exploited labor force, integral to the U.S. economy yet systematically excluded from full participation in society?

This chapter traces that long history of exclusion and transformation, arguing that U.S. expansion systematically displaced and disenfranchised Mexicans, embedding their marginalization into both law and public consciousness. It unfolds across four key sections. The first examines land dispossession (1846-1890), exploring how U.S. territorial conquest and the ideology of Manifest Destiny stripped Mexicans of land ownership and redefined their social status. The second section, labor exploitation (1890s-1930s), analyzes how displaced Mexicans were absorbed into the U.S. economy as a racialized, low-wage labor force. The third, surveillance and illegality (1930s-1960s), investigates how border policies and state surveillance criminalized Mexican laborers, producing the modern category of the “illegal immigrant.” Finally, the fourth section, resistance and radicalism (1960s-1970s), examines the rise of Chicana/o activism as communities fought to reclaim their dignity, land, and rights in the face of systematic marginalization.

These historical processes reveal that illegality has long functioned as a mechanism of exclusion: first, the U.S. extracted value from Mexicans through land dispossession; then, it restricted their rights while exploiting their labor; and finally, it criminalized their very presence, reinforcing their exclusion from full citizenship. These intertwined forces laid the foundation for policies and rhetoric that continue to frame Mexican immigrants as both indispensable and undesirable today. The logic of preservation did not just justify exclusion: it sustained and adapted it over time. By framing Mexican landowners as illegitimate, Mexican laborers as exploitable, and Mexican migrants as threats, preservation became a flexible ideological tool for reinforcing racial and economic hierarchies.

From Landowners to Dispossessed: The U.S. Seizure of Mexican Land and Legal Dispossession (1846-1890s)

The U.S. Seizure of Mexican Land

In the 19th century, the United States expanded its territory through conquest, using Manifest Destiny to justify the violent appropriation of Indigenous and Mexican lands. Settler colonialism was not merely a process of land acquisition; it restructured legal, economic, and labor systems to entrench white supremacy.¹⁰⁴ While Indigenous peoples were forcibly removed or exterminated, Mexicans were absorbed into a racial hierarchy that redefined them as a necessary yet disposable labor force.¹⁰⁵ Their transition from landowners to laborers rendered them politically powerless and economically vulnerable.¹⁰⁶

The Mexican-American War (1846–1848) marked a decisive turning point, formalizing the racial and economic subjugation of Mexicans under U.S. rule. The war was fundamentally a project of territorial expansion, with U.S. leaders portraying annexation as both inevitable and morally justified. Politicians and intellectuals such as John O’Sullivan, Walt Whitman, and Andrew Jackson framed Mexico as an obstacle to progress, framing Anglo-American settlement as the natural and superior force of civilization. The war ended with the Treaty of Guadalupe Hidalgo (1848), which forced Mexico to cede over 55% of its territory to the United States.

¹⁰⁴ Richard Griswold del Castillo, “Manifest Destiny: The Mexican-American War and the Treaty of Guadalupe Hidalgo,” *Southwestern Journal of Law and Trade in the Americas* 5, no. 1 (1998): 31–44; Christine A. Klein, “Treaties of Conquest: Property Rights, Indian Treaties, and the Treaty of Guadalupe Hidalgo,” *New Mexico Law Review* 26, no. 2 (1996): 201–56.

¹⁰⁵ Patrick Wolfe, “Settler Colonialism and the Elimination of the Native,” *Journal of Genocide Research* 8, no. 4 (December 1, 2006): 387–409; Guadalupe T. Luna, “Chicana/Chicano Land Tenure in the Agrarian Domain: On the Edge of a Naked Knife,” *Michigan Journal of Race & Law* 4, no. 1 (1998): 39–144; Kim David Chanbonpin, “How the Border Crossed Us: Filling the Gap between *Plume v. Seward* and the Dispossession of Mexican Landowners in California after 1848,” *Cleveland State Law Review* 52, no. Issues 1 & 2 (2004): 297–320; M. Bianet Castellanos, “Introduction: Settler Colonialism in Latin America,” *American Quarterly* 69, no. 4 (2017): 777–81.

¹⁰⁶ Luna, “Chicana/Chicano Land Tenure”; Chanbonpin, “How the Border Crossed Us.”

Although the treaty guaranteed Mexican land rights, these protections were quickly undermined. At President James K. Polk's request, the U.S. Senate removed Article X, which had explicitly safeguarded Mexican land grants, particularly in Texas.¹⁰⁷ This omission signaled the federal government's intent to dispossess Mexican communities. Soon after, U.S. lawmakers implemented legal mechanisms designed to transfer land from Mexicans to Anglo settlers.

Legal Mechanisms of Dispossession

To dismantle Mexican land ownership, Congress passed the California Land Act of 1851, which required Mexican landowners to prove their claims in U.S. courts. This process was deliberately costly and bureaucratic, forcing many into lengthy legal battles they could not afford. As a result, many mortgaged their land to pay for legal representation, deepening their financial instability. The Gold Rush (1848-1855) further accelerated land dispossession by dramatically increasing property values and tax burdens. Many Mexicans who once held large land grants could no longer afford to pay these new inflated taxes, leading to forced sales or outright land seizures by Anglo settlers.¹⁰⁸

Rather than validating Mexican and Spanish land grants, the Board of Land Commissioners actively facilitated displacement. It placed the burden of proof entirely on Mexican landowners, many of whom lacked the formal legal documentation required by U.S. courts. Even when documentation was presented, courts often dismissed these claims, forcing Mexican families off their land. Legal precedents overwhelmingly favored Anglo settlers, reinforcing racial exclusion through judicial rulings. For example, in *Plume v. Seward*, courts

¹⁰⁷ Griswold del Castillo, "Manifest Destiny."

¹⁰⁸ Christopher David Ruiz Cameron, "One Hundred Fifty Years of Solitude: Reflections on the End of the History Academy's Dominance of Scholarship on the Treaty of Guadalupe Hidalgo," *Southwestern Journal of Law and Trade in the Americas* 5, no. 1 (1998): 83–108.

ruled that squatters' rights could override Mexican land grants if precise legal titles were absent. Similarly, in *United States v. Castro*, the court denied a Mexican land claim due to unclear boundaries, yet in *United States v. Stevenson*, an almost identical claim by an Anglo settler was upheld.¹⁰⁹

These legal contradictions were not oversights but deliberate strategies to consolidate land in white hands. Historians and legal scholars argue that this racially targeted application of property law directly violated the Treaty of Guadalupe Hidalgo. Rather than outright legal bans, U.S. courts facilitated exclusion through procedural barriers, judicial bias, and discriminatory rulings. Between 1854 and 1930, the U.S. Supreme Court heard 91 land claim cases, yet decisions rarely protected Mexican property rights. Although Mexicans filed 73.7% of all claims with the Board of Land Commissioners, nearly half of all settled claims went to Anglo claimants. This statistic underscores how Mexican landowners had to fight for land that was legally theirs yet faced structural disadvantages designed to ensure their dispossession.¹¹⁰

By the early 20th century, land dispossession was largely complete, but exclusion did not end there. Having been stripped of land, Mexicans were systematically absorbed into the U.S. economy, not as equal participants, but as an indispensable yet permanently racialized labor force. This economic marginalization was reinforced through escalating racial violence. Between 1854 and 1870, at least 37 Mexican Americans were lynched in Los Angeles, often accused, without due process, of crimes against Anglos. The last recorded lynching of a Mexican American in California occurred in 1892, when Francisco Torres was murdered in Santa Ana.¹¹¹

¹⁰⁹ Chanbonpin, "How the Border Crossed Us"; Luna, "Chicana/Chicano Land Tenure"; Cameron, "One Hundred Fifty Years of Solitude."

¹¹⁰ Cameron, "One Hundred Fifty Years of Solitude"; Chanbonpin, "How the Border Crossed Us"; Luna, "Chicana/Chicano Land Tenure."

¹¹¹ Griswold del Castillo, "Manifest Destiny."

These killings were not random acts of violence but part of a broader system of white supremacy intended to eliminate Mexicans as legal and economic competitors.

Mexican women were particularly vulnerable to this racial violence. As Maythee Rojas argues, the case of Josefa, the only woman ever hanged in California, exemplifies how Mexican women were racialized, criminalized, and erased from historical narratives. Her execution reinforced racial and gender hierarchies that justified Anglo legal dominance, marking Mexican women as both threats to settler order and objects of racial violence. Unlike Anglo women, who were positioned as symbols of settler belonging, Mexican women were cast as dangerous to racial and gender purity.¹¹² The omission of Josefa's surname from historical records reflects a broader pattern of legal and cultural erasure, in which Mexican women were denied not only property ownership but also historical recognition. Nicole Guidotti-Hernández's *Unspeakable Violence* builds on this argument, demonstrating that the erasure of figures like Josefa was not solely racial or legal but also gendered. Together, these dynamics reinforced both white supremacy and patriarchy, ensuring that Mexican women remained excluded from both legal protections and historical memory.¹¹³

Settler Colonialism, Erasure, and Resistance

Placing U.S. history within a broader framework of settler colonialism, historian Patrick Wolfe argues that the elimination of Indigenous communities, whether through land dispossession, labor exploitation, or racialized exclusion, was not an incidental outcome but a systematic process designed to erase their presence.¹¹⁴ Complementing this perspective, M.

¹¹² Maythee Rojas, "Re-Membering Josefa: Reading the Mexican Female Body in California Gold Rush Chronicles," *Women's Studies Quarterly* 35, no. 1/2 (2007): 126–48.

¹¹³ Nicole Marie Guidotti-Hernández, *Unspeakable Violence: Remapping U.S. and Mexican National Imaginaries* (Durham: Duke University Press, 2011).

¹¹⁴ Wolfe, "Settler Colonialism and the Elimination of the Native."

Bianet Castellanos's "Introduction to Settler Colonialism in Latin America," extends this analysis beyond U.S. borders, demonstrating that the logic of elimination is not confined to a single national context but operates transnationally.¹¹⁵ Together, these frameworks reveal that Mexican exclusion was not an unintended consequence of U.S. expansion; rather, it was a foundational strategy of domination embedded within legal, economic and political systems.

Yet, exclusion was never passively accepted. Mexican communities resisted through folklore, collective memory, and direct action. One of the most enduring examples is Joaquín Murrieta, a figure whose legend blurred the line between outlaw and revolutionary. While Anglo authorities painted him as a criminal, Mexican communities saw his defiance as a response to a legal system that failed to protect them. Through oral traditions and storytelling, Murrieta became a symbol of resistance, illustrating how legal exclusion forced Mexicans to navigate survival through both compliance and defiance.¹¹⁶

Conclusion: Erasure as a Strategy of Control

The history of Mexican land dispossession and exclusion is not just a past injustice, it continues to shape contemporary struggles over land, labor, and belonging. The same mechanisms of legal exclusion that were once justified under Manifest Destiny persist today in exclusionary immigration policies, labor exploitation, and gentrification, all of which continue to displace and marginalize Mexican and Latinx communities. Yet, traces of this history remain both visible and obscured. As Cameron observes, "it is one of the greatest curiosities of life in California, as it is throughout the Southwest, that the names of the former grantees. . .are today

¹¹⁵ Castellanos, "Introduction: Settler Colonialism in Latin America."

¹¹⁶ Sons of the San Joaquin, *The Ballad of Joaquín Murrieta*, 2005, Western Jubilee Recording Company, under exclusive license to Smithsonian Folkways Recordings, accessed February 28, 2025, <https://folkways.si.edu/sons-of-the-san-joaquin/the-ballad-of-joaquin-murrieta>.

affixed to cities, streets, and waterways, but no longer to the recorded deeds of the lands in which these points of interest are located.”¹¹⁷ This reveals that the U.S. conquest of Mexican land was not only achieved through military force but also through legal, economic and cultural systems designed to erase and replace.¹¹⁸ As Naomi Klein reminds us, a nation’s character is shaped not by isolated moments but across generations. The enduring legacies of dispossession reveal that conquest is not a single event: it is an ongoing process that continues to define power, belonging, and exclusion in the present.¹¹⁹

The Racialization of Mexican Labor: Exclusion, Exploitation, and Whiteness (1791-1924)

From Landowners to Laborers: The Making of a Racialized Workforce

The dispossession of Mexican landowners did not mark the end of their economic contributions to the United States. Instead, it redefined their status, shifting them from landholders to a racialized, low-wage labor force. Unlike Indigenous groups, who were often targeted for removal or elimination, Mexicans were absorbed into the economy in a subordinate role. They were deemed necessary for economic productivity but denied political and social inclusion.

This transformation reflects Cedric Robinson’s concept of racial capitalism: a system in which racialized labor is exploited, while access to full citizenship and property rights remains restricted.¹²⁰ The Treaty of Guadalupe Hidalgo reinforced this exclusion by failing to secure land or legal protections for Mexicans, while the California Land Act of 1851 systematically dismantled their landholdings. As a result, Mexicans transitioned from independent landowners

¹¹⁷ Cameron, “One Hundred Fifty Years of Solitude,” 98-99.

¹¹⁸ Cameron, “One Hundred Fifty Years of Solitude.”

¹¹⁹ Klein, “Treaties of Conquest,” 253.

¹²⁰ Robinson, *Black Marxism*.

to an exploited laboring class, their economic roles dictated by Anglo-American settlers who now controlled both land and industry.

Recognizing labor shortages as a threat to industrialization, Alexander Hamilton argued in 1791 that immigration should be encouraged to secure a sufficient workforce. However, as Calavita argues, by the mid-19th century U.S. policymakers had shifted from encouraging open migration to actively regulating labor migration. The goal was not to stop immigration outright but to ensure a controlled and exploitable workforce. These policies were not mere responses to economic demand; they were deliberate strategies to divide workers along racial lines, discouraging solidarity and preventing collective labor action. Consequently, class struggle shaped these policies, often fostering xenophobia and labor alienation rather than worker unity.¹²¹

Racialized wage disparities further reinforced these divisions. In one case, wages were explicitly stratified by race and national origin: “common labor, white, \$1.30-\$1.50; common labor, colored, \$1.25-\$1.40; common labor, Italian, \$1.15-\$1.25.”¹²² While wages were structured by race and nationality, Mexicans occupied a unique position: they were deemed indispensable to the economy but permanently excluded from full inclusion in the nation-state. This pattern of economic exploitation without legal recognition laid the foundation for broader exclusionary policies. As the United States sought to regulate its labor force and define national belonging, immigration law became a critical tool of racial gatekeeping.

¹²¹ Calavita, *U.S. Immigration Law and the Control of Labor, 1820-1924*.

¹²² Calavita, *U.S. Immigration Law and the Control of Labor, 1820-1924*, 76.

Gatekeeping, Race, and the Legal Construction of Exclusion

The emergence of exclusionary immigration laws formalized the United States as a gatekeeping nation. The Chinese Exclusion Act of 1882 marked a pivotal moment in this process, establishing legal barriers that determined who could be part of the national community. By restricting Chinese immigrants, the law reinforced the idea that “true” Americans were those who were not perceived as foreign threats. However, this logic of exclusion did not remain confined to Chinese immigrants, it expanded to target other racialized groups, including Mexicans. U.S. immigration laws created a stark division between those deemed worthy of protection and those labeled as outsiders. Early legal restrictions against Chinese immigrants laid the groundwork for policies that would later depict Mexican workers as both economic threats and racial undesirables.¹²³

This comparative racialization process positioned different immigrant groups in relation to one another. While Southern and Eastern European immigrants were often seen as potential candidates for assimilation into whiteness, Mexicans were cast as permanently foreign, reinforcing policies that denied them pathways to full inclusion. The exclusionary logic became especially apparent as debates over Mexican immigration began to mirror earlier discussions about Chinese laborers. Just as Chinese workers were once depicted as an unstoppable, job-stealing force, Mexican workers were framed as an invasion threatening the nation’s economy and racial purity. This fear-based rhetoric fueled restrictive policies aimed at both limiting Mexican immigration and controlling those already present in the country. Yet, these laws were

¹²³ Lee, “The Chinese Exclusion Example,” 37.

not just about economics. They were about preserving a specific racial order that dictated who could belong in the United States.¹²⁴

Citizenship and the Shifting Boundaries of Whiteness

Throughout U.S. history, whiteness has functioned as a gatekeeping mechanism for power, property, and full citizenship. Legal rulings such as *Ozawa v. United States* (1922) and *United States v. Bhagat Singh Thind* (1923) reinforced this by defining naturalization eligibility strictly within racial lines, permitting only those deemed “white” or “Black” to become citizens. These decisions solidified race as a legal category used to determine belonging, leaving Mexicans in a precarious and contradictory position: legally classified as white under the Treaty of Guadalupe Hidalgo yet often denied full citizenship and social inclusion.¹²⁵

Policymakers and nativist groups exploited this legal ambiguity, restricting Mexican naturalization while continuing to depend on Mexican labor. A clear example of this contradiction was the case of Timoteo Andrade, a Mexican immigrant who was denied U.S. citizenship because he did not fit neatly into the state’s rigid racial categories. Although Mexicans were technically considered white, Andrade’s case demonstrated how whiteness was not just a legal category but a flexible racial standard, shaped by political, social, and economic interests.

Andrade was eventually granted citizenship, but only after demonstrating his assimilation into white cultural norms. His case reveals how racial categories are socially constructed and differentially applied by the state, depending on political convenience. Unlike European immigrants, who could gradually assimilate into whiteness over generations, Mexicans occupied

¹²⁴ Lee, “The Chinese Exclusion Example,” 39, 45-46, 52.

¹²⁵ Molina, ““In a Race All Their Own,”” 168-170.

a liminal status: legally white but socially excluded. Courts and government agencies applied racial classifications inconsistently, reinforcing white supremacy in ways that served state interests.¹²⁶

For example, when whiteness benefited the government, such as counting Mexicans in the census for political representation or including them in military drafts, it was acknowledged. However, when whiteness threatened white economic or political dominance, it was denied.¹²⁷ This legal and social contradiction allowed the state to maintain Mexican labor as indispensable to the economy while simultaneously marginalizing Mexican communities, reinforcing a racial order in which they were both necessary and disposable.

Conclusion: Racialized Labor and Structural Exclusion

By the early 20th century, Mexicans had been transformed from landowners into a permanently racialized labor force, ensuring their continued economic exploitation while denying them access to full citizenship. These laws were not simply practical responses to economic demand. They were deliberate racial projects designed to uphold a white-dominated national identity. As Mexican labor became more deeply embedded in U.S. industry and agriculture, the logic of exclusion evolved. Whereas earlier policies had focused on land dispossession, the 20th century saw new modes of exclusion emerge through border enforcement, racial surveillance, and state control over migration. The next chapter explores this transition, tracing how Mexicans, once framed primarily as workers, became constructed as “illegal aliens” through shifting legal frameworks and racialized immigration policies.

¹²⁶ Molina, ““In a Race All Their Own,”” 171-173.

¹²⁷ Molina, ““In a Race All Their Own,”” 174-176.

From Surveillance to Structural Exclusion: The U.S.-Mexico Border as a Racial Tool (1893-1960s)

The U.S.-Mexico Border as a Contested Space

Borders are not natural. They are human-made structures designed to enforce political, economic, and racial divisions. Common phrases like “get in line” obscure the reality that U.S. immigration laws have never been neutral but rather constructed to serve exclusionary goals. While European immigrants often encountered relatively open policies at entry points like Ellis Island, the U.S.-Mexico border evolved into a mechanism of racialized control, targeting Mexican migrants for surveillance and exclusion.¹²⁸

This selective enforcement reflects a deeper ideological framework. The myth of American exceptionalism, which portrays the U.S. as a beacon of freedom and opportunity, has long been used to justify violent expansion and exclusionary policies. The American frontier myth, as articulated by Frederick Jackson Turner’s *Frontier Thesis* (1894), framed the West as an empty wilderness awaiting Anglo settlement.¹²⁹ This narrative erased Indigenous and Mexican presence, portraying U.S. expansion as inevitable. It was not merely rhetorical. It directly shaped border policy, defining immigration enforcement strategies that endure to this day. Turner’s framing of the borderlands as lawless and unstable still informs modern border militarization, where securing the nation is equated with controlling racialized migration. Despite

¹²⁸ See Ngai, *Impossible Subjects*, for historical context on how immigration law creates illegality; Hernández, *Migra!*, for the role of border enforcement in racialized surveillance; Chavez, *The Latino Threat*, for discourse on who is considered an “outsider” in the U.S.; Chomsky, *Undocumented*, for an analysis of how immigration laws function to regulate labor and sustain global capitalism.

¹²⁹ Frederick Jackson Turner, “The Significance of the Frontier in American History,” *Annual Report of the American Historical Association*, 1894, <http://catalog.hathitrust.org/api/volumes/oclc/12256929.html>.

this long history, mainstream discourse continues to present the border as a fixed and natural boundary, obscuring the racial and political motivations behind its enforcement.

The U.S.-Mexico Border and Settler Colonialism

Historians have challenged these assumptions, debunking the myth of an “empty frontier” and complicating our understanding of the borderlands. Expansion was not an organic process but rather an imposition of new legal frameworks that redefined land ownership and national belonging.¹³⁰ Revisionist historians have sought to decenter the Anglo-American narrative, instead foregrounding Indigenous and Mexican agency in shaping the region.¹³¹ For example, Pekka Hämäläinen’s *The Comanche Empire* reveals that before the arrival of U.S. forces, the Comanche controlled much of the Southwest through warfare and trade, while Juliana Barr highlights how colonial powers used map-making to delegitimize Indigenous land claims, superimposing artificial lines onto the North American landscape.¹³² Extending this analysis beyond the U.S., M. Bianet Castellanos argues that the logic of elimination is a transnational phenomenon that persists across Latin America.¹³³ The borderlands have never been static; they have always been contested spaces of power, movement, and resistance. However, U.S. policies have historically sought to fix the border as a means of reinforcing racial hierarchies and controlling mobility.

¹³⁰ Andrew J. Torget, *Seeds of Empire: Cotton, Slavery, and the Transformation of the Texas Borderlands, 1800-1850* (Chapel Hill: UNC Press Books, 2015); Geraldo L. Cadava, *Standing on Common Ground: The Making of a Sunbelt Borderland*. (Cambridge, Massachusetts: Harvard University Press, 2013).

¹³¹ Michiel Baud and Willem Van Schendel, “Toward a Comparative History of Borderlands,” *Journal of World History* 8, no. 2 (1997): 211–242; John R. Wunder and Pekka Hämäläinen, “Of Lethal Places and Lethal Essays,” *The American Historical Review* 104, no. 4 (1999): 1229–1234.

¹³² Pekka Hämäläinen, *The Comanche Empire* (New Haven: Yale University Press, 2008); Juliana Barr, “Geographies of Power: Mapping Indian Borders in the ‘Borderlands’ of the Early Southwest,” *William and Mary Quarterly* 68, no. 1 (2011): 7.

¹³³ Castellanos, “Introduction: Settler Colonialism in Latin America.”

Surveillance, Labor Control, and the Criminalization of Migration

Beyond marking territorial boundaries, the border has functioned as a mechanism of labor control and racial surveillance. This transformation was accelerated with the emergence of the U.S. Border Patrol in 1924, which expanded its enforcement strategies in the mid-20th century. Historian Kelly Lytle Hernández argues that the Border Patrol was not merely a law enforcement agency: it was a tool for racializing migration. In its early years, the agency was composed of men who had been part of vigilante groups like the Texas Rangers, known for their violent campaigns against Mexicans. These officers brought their anti-Mexican ideologies into formal policing, ensuring that “Mexican appearance” became sufficient justification for stops, interrogations, and deportations. By the 1920s, Mexicans became the primary targets of immigration enforcement, as it was widely assumed that unauthorized border crossings were made exclusively by Mexicans. Consequently, the racial profiling of Mexican bodies became institutionalized.¹³⁴

Surveillance techniques also evolved as officers were trained in “tracking” methods, drawing on pseudo-scientific racial theories that justified the hunting and capture of Mexicans. But why did immigration enforcement shift from policing Europeans and Asians to focusing almost exclusively on Mexicans? According to Hernández, this shift was driven by several factors. First, shifting political priorities and the rise of the nativist movement in the U.S. sought to limit nonwhite immigration. Second, economic pragmatism made Mexicans easier to deport due to their proximity to the border, making mass deportation both economically and logistically feasible. Finally, U.S.-Mexico diplomatic negotiations played a role, as both governments

¹³⁴ Hernández, *Migra!*.

cooperated during economic downturns to repatriate Mexican workers under the assumption that they would return with wealth and social capital.¹³⁵

These diplomatic negotiations underscore a deeper reality: the U.S.-Mexico border has never been a one-sided policy but a site of ongoing political bargaining. While often framed as a product of American policy, the border has also been shaped by cross-border negotiations. However, the U.S. and Mexico have never been equal partners in this process. While Mexico has at times exercised bargaining power, particularly during U.S. labor shortages in World War II, its position has always been subordinate to U.S. economic and political interests. For example, during World War II, the Bracero Program (1942-1964) formalized Mexican labor recruitment but also expanded deportation measures. U.S. officials sought to regulate the flow of Mexican workers, ensuring that their presence could be controlled while simultaneously facilitating their return when labor demands declined. This contradictory approach demonstrates how the U.S. treated Mexican labor as both essential and expendable.¹³⁶

By the late 1940s, the Border Patrol intensified its policing of Mexican laborers, pushing migrants into hazardous terrain, where many died attempting to cross. These deaths were framed as unfortunate accidents rather than the result of intentional policies of deterrence. Even today, modern border militarization relies on similar narratives, shifting blame away from state violence and onto the terrain itself.¹³⁷

At the same time, border enforcement was undergoing a fundamental transformation. By 1947, the U.S. Border Patrol experienced a significant transformation. Previously, border enforcement was regionally controlled, allowing local communities to shape enforcement

¹³⁵ Hernández, *Migra!*.

¹³⁶ Hernández, *Migra!*.

¹³⁷ Hernández, *Migra!*.

practices, but the postwar era saw a shift toward delocalization. Border Patrol officers were no longer drawn from local communities, severing ties to regional industries and aligning enforcement with federal immigration priorities rather than local economic needs. Their tactics also became increasingly militarized, incorporating surveillance technologies and paramilitary strategies.¹³⁸

This shift was met with unexpected resistance from Texas agribusiness leaders, who had historically relied on Mexican labor. In what Hernández calls “the farmers’ rebellion,” agricultural leaders pushed back against the Border Patrol’s harsh new immigration enforcement, arguing that these crackdowns would destabilize the labor supply. However, by the late 1950s, federal priorities won out, cementing the U.S.-Mexico border as a site of national security enforcement rather than labor regulation.¹³⁹

Conclusion: The Border as a Racialized Tool

The history of border enforcement and militarization reveals that Mexican migration has never been a neutral economic issue; it has always been deeply racialized. The U.S.-Mexico border remains a site of contradiction, simultaneously facilitating labor extraction while enforcing exclusion. By the mid-20th century, the racialization of Mexican migration had been fully institutionalized. Mexicans were no longer framed solely as laborers. They were increasingly constructed as “illegal aliens.” This shift was not accidental; it was a deliberate political project designed to justify new forms of exclusion. The process of criminalization did not go uncontested. In response, Mexican and Chicana/o activists mobilized to challenge the

¹³⁸ Hernández, *Migra!*.

¹³⁹ Hernández, *Migra!*.

legal and cultural structures that sought to erase them, using land, labor and cultural activism as key strategies of resistance.

Radical Resistance: Land, Labor, and Cultural Activism in the Chicana/o Movement

(1960-1970s)

Chicana/o Activism and the Fight for Belonging

Mexican and Chicana/o activists recognized that being labeled “illegal” was more than a legal status; it was a racial project designed to permanently relegate their communities to second-class citizenship. The Chicana/o Movement of the 1960s and 1970s emerged as a powerful challenge to the legal and cultural structures that sought to erase them. Unlike earlier generations of Mexican Americans who pursued inclusion through assimilation, the Chicana/o movement rejected the premise that their worth depended on conforming to Anglo-American norms.¹⁴⁰ Instead, activists demanded self-determination, reclaiming history, land, and labor rights through direct action.

In New Mexico, Reies López Tijerina and his group, La Alianza Federal de Mercedes, fought to reclaim land grants promised under the Treaty of Guadalupe Hidalgo. Tijerina’s activism directly challenged the U.S. government’s failure to honor its commitments, demanding the restoration of these lands and the recognition of the rights of displaced Mexican communities. By the 1960s, Tijerina had become one of the most militant figures in the Chicana/o Movement. His dramatic takeover of the Tierra Amarilla courthouse in 1967, where he attempted a citizen’s arrest of local officials, drew national attention to the issue of land

¹⁴⁰ Neil Foley, “Becoming Hispanic: Mexican Americans and Whiteness,” in *White Privilege: Essential Readings on the Other Side of Racism*, edited by Paula S. Rothenberg, 2nd ed., 55-65. New York: Woth Publishers, 2005.

dispossession. Though met with state repression, this action exposed the historical theft of Mexican land and underscored the ongoing struggle against settler colonialism.¹⁴¹

While Tijerina fought for land, labor organizers like César Chávez and Dolores Huerta focused on another pressing issue, economic exploitation. The United Farm Workers (UFW) emerged as the most influential labor movement for Mexican and Chicana/o workers, advocating for better wages, improved working conditions, and legal protections. Through organized boycotts and strikes, including the Delano Grape Strike (1965–1970), nonviolent civil disobedience modeled after the tactics of Dr. Martin Luther King, Jr., and cross-racial solidarity with religious leaders, students, and labor allies, Chávez and Huerta transformed the farmworkers' struggle into a national human rights issue. One of Chávez's most iconic acts was his 25-day fast, a demonstration of the movement's moral urgency and the power of nonviolent protest. Although the UFW achieved historic victories, such as the passage of the California Agricultural Labor Relations Act in 1975, its impact was limited by corporate resistance and the state's ongoing criminalization of labor organizing. However, the movement's legacy endures as today's farmworker rights organizations continue to build on the UFW's foundation.¹⁴²

For urban Chicanos, cultural expression became a key form of resistance. One of the most influential literary works of the movement was Rodolfo "Corky" Gonzáles' poem *I Am Joaquín* (1967), which captured the struggle for Chicano self-determination. Its themes of oppression, resilience, and historical continuity resonated deeply with a generation confronting systemic discrimination. By weaving together Indigenous, Spanish, and Mexican histories,

¹⁴¹ Ian F. Haney López, "Protest, Repression, and Race: Legal Violence and the Chicano Movement Social Movements and Law Reform," *University of Pennsylvania Law Review* 150, no. 1 (2001): 205–244.

¹⁴² Matthew Garcia, *From the Jaws of Victory: The Triumph and Tragedy of Cesar Chavez and the Farm Worker Movement* (Berkeley: University of California Press, 2012); Jorge Mariscal, "Negotiating César: César Chávez in the Chicano Movement," *Aztlan: A Journal of Chicano Studies* 29, no. 1 (April 1, 2004): 21–56; López, "Protest, Repression, and Race."

Gonzáles constructed a Chicano identity that rejected assimilation and embraced radical resistance.¹⁴³

In education, the 1968 East Los Angeles Walkouts (organized by high school students) protested racist curricula that ignored Mexican American history, underfunded and overcrowded schools in Chicana/o communities, and discriminatory policies that contributed to high dropout rates and limited opportunities for Chicana/o students. This student-led movement resulted in significant reforms, including the hiring of more Chicana/o educators and the establishment of ethnic studies programs. However, the walkouts also exposed tensions within the movement, particularly around gender dynamics.¹⁴⁴

Chicana students played a crucial yet often overlooked role in shaping the movement. Historian Martha Bernal documents how young Chicanas challenged both sexism and racism, navigating patriarchal structures within the movement itself. While male leaders often received public recognition, Chicana activists were instrumental in behind-the-scenes organizing. For example, Vickie Castro, a key organizer of the Eastside Walkouts, strategically used her appearance to gain access to school spaces and district officials, enabling students to mobilize and execute the walkouts successfully. This demonstrates that Chicana activism extended beyond traditional leadership roles. They were central to organizing, strategizing, and sustaining the movement.¹⁴⁵

Similarly, Chicana feminists sought to challenge the limitations of the broader Chicana/o Movement, which often prioritized race and class while sidelining issues of gender and sexuality. Organizations such as Las Hijas de Cuauhtémoc and Comisión Femenil Mexicana Nacional

¹⁴³ López, “Protest, Repression, and Race.”

¹⁴⁴ Dolores Delgado Bernal, “Grassroots Leadership Reconceptualized: Chicana Oral Histories and the 1968 East Los Angeles School Blowouts,” *Frontiers: A Journal of Women Studies* 19, no. 2 (1998): 113–142.

¹⁴⁵ Dolores Delgado Bernal, “Grassroots Leadership Reconceptualized,” 135.

advocated for reproductive rights, workplace protections, and political representation, pushing for an intersectional approach to justice.¹⁴⁶

The Criminalization of Chicana/o Activism: The Eastside 13 and State Repression

State repression soon followed. Shortly after the student walkouts, authorities arrested thirteen prominent Chicana/o activists, later known as the Eastside 13. This group, composed of teachers, students, and community leaders, faced a combined prison sentence of 66 years, reflecting the state's aggressive efforts to suppress dissent. Although the courts eventually ruled their cases unconstitutional, these arrests sent a clear message: activism would be met with criminalization. They also exposed the state's commitment to maintaining racial and economic hierarchies and reinforced the movement's belief that the U.S. legal system was not neutral but a mechanism of racialized control. As Ian Haney López argues, the criminalization of Chicana/o activism marked a turning point, pushing activists to reject assimilation and embrace a more radical identity. Regardless of the state's surveillance and infiltration of dissident groups, its repressive actions ultimately strengthened the movement's resolve to fight for systemic change. Despite these obstacles, the Chicana/o Movement demonstrated the power of collective action, forcing mainstream institutions to acknowledge their demands and fundamentally reshaping education, labor rights, and cultural representation.¹⁴⁷

Conclusion

This chapter has demonstrated that the exclusion of Mexicans was not a byproduct of U.S. expansion but a deliberate feature of it. From land dispossession to labor exploitation and

¹⁴⁶ Maylei Blackwell, *Chicana Power!: Contested Histories of Feminism in the Chicano Movement*, First edition., Chicana Matters Series (Austin, Texas: University of Texas Press, 2011).

¹⁴⁷ López, "Protest, Repression, and Race."

racialized border enforcement, each stage reinforced a broader logic of preservation. The displacement of Mexican landowners and the criminalization of their labor served not only economic interests but also ideological ones, solidifying the boundaries of whiteness and national belonging.

Yet, exclusion was never uncontested. The Chicana/o Movement rejected assimilationist frameworks and fought for self-determination, challenging the contradictions within U.S. legal and economic structures. Even as activists made gains, the state adapted by deploying new strategies to sustain exclusion under new forms. By the late 20th century, preservation narratives extended beyond land and labor to include national security rhetoric, further entrenching the criminalization of immigration.

Chapter 3 examines this shift, tracing how Mexicans, once seen as indispensable laborers, were reframed as economic and social threats, fueling narratives of insecurity that justified restrictive policies and heightened surveillance. This transition, from racialized worker to perceived source of instability, reveals how exclusionary logic adapts to shifting political and economic demands.

Chapter 3: “Wetback Invasion”: Racialized Labor, Insecurity, and the Making of the “Illegal Alien,” 1970-1981

Introduction

The 1970s marked a pivotal shift in anti-immigrant rhetoric and policy. Economic downturns and the early emergence of neoliberal restructuring transformed public and political attitudes toward undocumented migration. While neoliberalism had not yet fully taken hold, its core tenets: deregulation, labor market flexibility, and market-driven thinking, had already begun to influence immigration discourse. Policymakers increasingly reframed undocumented labor not just as an economic necessity but as a threat to national stability and American workers. This chapter argues that the 1970s functioned as a critical ideological moment: a decade when the idea of illegality solidified in the public imagination.

Assembly Bill 528 exemplifies this shift. It codified the contradiction that defined undocumented Mexican labor: simultaneously making it indispensable to U.S. capitalism, while framing it as an economic threat.¹⁴⁸ Previously, undocumented workers had been tolerated as an essential, informal labor force rather than treated as a significant social or economic problem. By the 1970s, however, policymakers and media figures manufactured a growing sense of crisis, portraying undocumented migration as an urgent threat that required state intervention. Rather than addressing structural economic instability, policymakers redirected public anxieties toward immigration, intensifying fears of job displacement and labor competition.

Policymakers and media amplified these concerns, deploying alarmist metaphors of invasion, instability, and excess to frame undocumented migration as a crisis. Reports warned of surging border apprehensions, describing the crisis as rapidly escalating over the past five years

¹⁴⁸ Gilberto Cárdenas, “United States Immigration Policy toward Mexico: An Historical Perspective,” *Chicana/o Latina/o Law Review* 2 (1975): 66–91; Massey and Pren, “Unintended Consequences of US Immigration Policy.”

to justify expanded regulatory and enforcement measures.¹⁴⁹ Though neoliberal policies would fully take hold in the 1980s, the 1970s laid the groundwork for the criminalization of undocumented labor, embedding exclusionary immigration policies within economic justifications.¹⁵⁰ The debates surrounding A.B. 528 not only shaped the racialized construction of undocumented migration in the 1970s but also set the stage for future employer sanctions and punitive immigration enforcement, culminating in the Immigration Reform and Control Act (IRCA) of 1986.

These developments were not merely responses to demographic changes but reflected active political strategies that deflected attention from broader economic crises while preserving a disposable, racialized labor force. This chapter unfolds in four sections. First, it examines the economic and political conditions that fueled anti-immigrant sentiment and led to A.B. 528. Second, it analyzes how media and policymakers manufactured danger, constructing narratives of job displacement, invasion, misinformation, and illegality to justify exclusion. Third, it explores how activists and labor leaders countered these discourses by reframing undocumented workers as integral to economic and community stability. Finally, it examines a documentary that disrupts dominant criminality narratives, showing how cultural production functioned as a counter-discourse to state narratives of exclusion and labor exploitation.

Background

By the 1970s, civil unrest and radical mobilization challenged U.S. hegemony. Historically oppressed communities protested police brutality, the Vietnam War, poor schooling,

¹⁴⁹ California Legislature, Assembly Committee on Labor Relations, *Transcript of Hearing*, January 7, 1972; California Legislature, Assembly Committee on Labor Relations, *Transcript of Hearing*, February 1, 1972.

¹⁵⁰ Harvey, *A Brief History of Neoliberalism*; Steger and Roy, *Neoliberalism*.

and housing inequality, demanding structural change. Rather than addressing systemic inequalities, elites scapegoated undocumented Mexicans, using media and political rhetoric to amplify anti-immigrant sentiment amid California's economic decline.¹⁵¹ Building on the growing influence of deregulation, privatization, and labor market flexibility, neoliberal restructuring offered policymakers a strategic framework for redefining immigration as an economic problem. Policymakers leveraged fears of economic instability to frame immigration as a problem of limited resources, suggesting that any gain for immigrants would come at the expense of others, especially U.S. citizens. This framing justified exclusionary responses. This raises an important question: If other marginalized groups were mobilizing for structural change, why was there no broad-based radical movement in support of undocumented workers?

Rather than confronting either the deepening economic contradictions or growing radicalism of the era, policymakers constructed a crisis around undocumented migration. This discourse functioned as a divide-and-conquer strategy, reinforcing racial and economic hierarchies while continuing to extract value from already dispossessed Mexican laborers. The immigration apparatus, which relied on deportation threats and border militarization, normalized exclusionary policies without requiring mass removals. As De Genova argues, the power of this system lies not in deportation itself but in its ever-present threat, reinforcing labor precarity.¹⁵²

The passage of A.B. 528 illustrates this shift. Signed into law by Governor Ronald Reagan on November 8, 1971, it imposed sanctions on employers hiring undocumented workers.¹⁵³ Though framed as a deterrent, it functioned as a mechanism of control through the

¹⁵¹ Leo R. Chavez, *Covering Immigration: Popular Images and the Politics of the Nation* (Berkeley: University of California Press, 2001).

¹⁵² De Genova, *Working the Boundaries*.

¹⁵³ Calavita, "California's 'Employer Sanctions' Legislation."

threat of deportation.¹⁵⁴ Even after falling into legal limbo, the law reinforced the perception of Mexican labor as both necessary and disposable by legitimizing employer sanctions, a contradiction that remains central to contemporary immigration politics.¹⁵⁵

The racialized narratives that emerged in the 1970s concerning undocumented immigrants continue to evolve today. While the language of economic threat and invasion has been replaced with terms like “border security” and “illegal immigration,” the core function of these discourses remains the same: to justify the exclusion of migrants by framing them as both an economic burden and a national security threat. By embedding these ideas within the logic of neoliberalism, policymakers transformed immigration enforcement into an issue of economic necessity, legitimizing exclusionary policies as pragmatic rather than ideological. The debates over A.B. 528 not only set the foundation for exclusionary immigration narratives but also revealed how political rhetoric constructs crisis. The next section explores how elite discourse actively produced these threats, justifying restrictive policies through manufactured fear.

Narrating a Problem

The debate over A.B. 528 demonstrates how discourse actively produced exclusion, rather than simply responding to economic concerns. By constructing symbolic borders through defense narratives, policymakers and media positioned undocumented immigrants as economic disruptions rather than contributors, thereby justifying conditional inclusion and state intervention.¹⁵⁶ These representations did not merely reflect social structures; they actively shaped them.

¹⁵⁴ “Reagan’s Deportation Bill Threatens Millions of Chicanos—Taken from the *Los Angeles News Advocate*,” *La Voz de MAPA: The Mexican American Political Association Newsletter*, February 1972, *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

¹⁵⁵ Cárdenas, “United States Immigration Policy toward Mexico.”

¹⁵⁶ van Dijk, *Discourse and Power*.

Drawing from critical discourse analysis, I examine how elite rhetoric shaped public perception and state action.¹⁵⁷ As Kitty Calavita argues, when crises emerge, states maintain control by managing surplus labor populations in ways that align with capitalist priorities.¹⁵⁸ Discourse scholars such as Teun van Dijk emphasize that elites (politicians, academics, and journalists) wield power through language, influencing not only “what people think, but [also]...what they think about.”¹⁵⁹ Representations of Mexicans as economic burdens, criminals, or outsiders function as ideological mechanisms that justify exclusionary policies.¹⁶⁰

Applying Lisa Marie Cacho’s concept of human value, I examine how A.B. 528 rendered Mexican migrants both indispensable and disposable, oscillating between being wanted and unwanted.¹⁶¹ This framing was not just rhetorical; it had real policy consequences. Lina Newton examines how politicians legitimize restrictive policies by crafting emotional narratives that construct target groups in specific ways.¹⁶² While policy narratives are crucial, statutes themselves operate as sites of meaning-making, reinforcing racial hierarchies through legal discourse.¹⁶³

To explore this, I analyze elite discourse surrounding A.B. 528, drawing from Herman Baca’s personal papers related to the Dixon-Arnett bill, which include newspapers, letters, flyers and memos. Additionally, I examine testimony from two 1972 California hearings on “illegal alien” and strikebreaker legislation, which largely centered on the Dixon-Arnett bill and the perceived consequences of undocumented migration. Within this collection, I identified instances

¹⁵⁷ van Dijk, *Discourse and Power*.

¹⁵⁸ Calavita, “California’s ‘Employer Sanctions’ Legislation.”

¹⁵⁹ van Dijk, *Discourse and Power*, viii.

¹⁶⁰ Hugh Mehan, “The Discourse of the Illegal Immigration Debate: A Case Study in the Politics of Representation,” *Discourse & Society* 8, no. 2 (1997): 249–270.

¹⁶¹ Cacho, *Social Death*.

¹⁶² Newton, *Illegal, Alien, or Immigrant*.

¹⁶³ HoSang, *Racial Propositions*.

where politicians and activists discussed the undocumented, focusing on the assumptions they made about migrants' identity and role in society. Through this textual analysis, I traced dominant narratives that framed undocumented workers in specific ways, revealing the racialized social cognitions underpinning debates on immigration.

Yet, discourse can also be a site of resistance. To illustrate this, I examine a documentary that reframes undocumented migrants not as criminals but as American Dream seekers. By centering human stories, the film challenges racialized narratives that dehumanize immigrants and reduce them to statistics. However, history demonstrates that while alternative narratives can contest exclusion, dominant frameworks often shape legal outcomes. The exclusionary logic embedded in defense narratives has influenced restrictive policies, as seen in A.B. 528, which codified racialized labor control under the guise of national security.¹⁶⁴

National Security Rhetoric and Assembly Bill 528 (the Dixon Arnett Bill)

The framing of undocumented Mexican labor as both necessary and expendable became embedded in legal policies that sought to regulate employment. A.B. 528, central to legislative debates over immigration control, became entangled in national security rhetoric in the 1970s. While Cold War anxieties shaped U.S. security discourse in later decades, I argue this process began earlier, as undocumented immigrants were framed as internal threats to job security, public services, and demographic stability.¹⁶⁵

California became the first state to codify employer sanctions with A.B. 528. Set to take effect on March 4, 1972, it amended the California Labor Code (Section 2805), stating:

¹⁶⁴ Mehan, "The Discourse of the Illegal Immigration Debate."

¹⁶⁵ Mehan, "The Discourse of the Illegal Immigration Debate."

No employer shall knowingly employ an alien who is not entitled to lawful residence in the United States if such employment would have an adverse effect on lawful resident workers.

(b) A person found guilty of a violation of subdivision (a) is punishable by a fine of not less than two hundred dollars (\$200) nor more than five hundred dollars (\$500) for each offense.

(c) The foregoing provisions shall not be a bar to civil action against the employer based upon violation of subdivision (a).¹⁶⁶

Although framed as a deterrent, A.B. 528 primarily functioned as a tool of exclusion, reinforcing the racialized perception of Mexican labor as both exploitable and disposable. However, the law faced immediate legal challenges. On November 23, 1971, the Superior Court of Los Angeles County granted an injunction in *Dolores Canning Company, Inc. v. Howard*, ruling that the statute was unconstitutional on two grounds: “(1) it encroached upon the exclusive right of the Congress of the United States to regulate immigration and naturalization, and (2) it failed to provide that degree of certainty required to meet the constitutional guarantees of due process.”¹⁶⁷

While the California Court of Appeals upheld this ruling, state officials appealed, arguing that A.B. 528 merely reinforced federal efforts to regulate undocumented labor markets. The court rejected this claim, emphasizing that Congress had deliberately avoided criminalizing employment. Specifically, it noted that Congress had intentionally avoided prosecuting so-called “wetbacks” under the INA (Immigration and Nationality Act), as employment alone did not constitute harboring for criminal prosecution. The court further pointed out that despite enforcement under the INA, there were no real legal consequences for undocumented workers, stating: “...most illegal entrants are simply shipped back to the border as ‘voluntary’ returnees.”¹⁶⁸ Additionally, the court recognized that the statute restricted Congress’s ability to regulate

¹⁶⁶ “Assembly Bill No. 528: Chapter 1442,” *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego; Calavita, “California’s ‘Employer Sanctions’ Legislation.”

¹⁶⁷ *Dolores Canning Co. v. Howard*, 40 Cal. App. 3d at 678 (Ct. App. 1974).

¹⁶⁸ *Dolores Canning Co. v. Howard*, 40 Cal. App. 3d at 682 (Ct. App. 1974).

immigration when economic self-interest was at stake. It cited, “The federal government may find a compelling need to save crop damage in border states by using Mexican nationals as daytime workers who would be allowed to cross the border and work during the day, provided they returned to their homes that night.”¹⁶⁹

However, in *De Canas v. Bica* (1976), the U.S. Supreme Court reversed this decision, ruling that states could regulate the employment of undocumented workers during economic crises as “employment of illegal aliens in times of high unemployment deprives citizens and legally admitted aliens of jobs; acceptance by illegal aliens of jobs on substandard terms as to wages and working conditions can seriously depress wage scales and working conditions of citizens and legally admitted aliens; and employment of illegal aliens under such conditions can diminish the effectiveness of labor unions.”¹⁷⁰ The Court also rejected the California Court of Appeals’ assumption that Congress had deliberately omitted undocumented labor regulations from federal law. Instead, it pointed to the Farm Labor Contractor Registration Act, which was intended to regulate unauthorized agricultural workers.

Although Calavita describes A.B. 528 as a symbolic law, she acknowledges its broader influence. The bill inspired copycat legislation and federal hearings on employer sanctions, reinforcing the contradictory perception of Mexican labor as both essential for economic growth and dangerous to national security.¹⁷¹ In this way, A.B. 528 was more than symbolic; it shaped national dialogue and federal debates on Mexican belonging, influencing federal immigration policies like the Immigration Reform and Control Act of 1986. During these debates, Mexicans were constructed as the primary suspects: workers whose employment needed to be dissuaded,

¹⁶⁹ *Dolores Canning Co. v. Howard*, 40 Cal. App. 3d at 687 (Ct. App. 1974).

¹⁷⁰ *De Canas v. Bica*, 424 U.S. 351 (Supreme Court 1976).

¹⁷¹ See Calavita, “California’s ‘Employer Sanctions’ Legislation,” footnote #3.

justifying the state's authority to regulate labor under the guise of protecting its own self-interest.¹⁷² Notably, the California Court of Appeals observed that the INA did not explicitly prohibit hiring undocumented labor, creating a legal "no-man's land."¹⁷³ A.B. 528 attempted to resolve this ambiguity by deterring undocumented migration through employer sanctions.

This shift in discourse is crucial for understanding how race is discursively reproduced and how immigration rhetoric reinforces U.S. hegemony. While the Supreme Court upheld states' right to act in their own interest as long as they did not violate federal law, A.B. 528 ultimately faded into legal oblivion. However, its legacy endured, leaving states scrambling to balance economic dependence on undocumented labor with increasing anti-immigrant sentiment. This precedent set the stage for future immigration debates by embedding racialized labor control into legal discourse. The next section examines how policymakers and media weaponized crisis rhetoric to justify this exclusion.

Manufacturing Danger Through Narrative

Building on Ono and Sloop's *Shifting Borders*, this section shows how policymakers and media actively positioned Mexican migrants on a symbolic border between exclusion and conditional inclusion.¹⁷⁴ By reinforcing racist us/them binaries, policymakers and media manufactured a climate of fear that strategically framed Mexicans as the (un)wanted. This section unpacks four interconnected narratives that justified exclusion: (1) displacement, which framed undocumented labor as a threat to U.S. workers; (2) invasion, which cast Mexican migration as an uncontrollable crisis; (3) misinformation, which delegitimized opposition voices;

¹⁷² *De Canas v. Bica*, 424 U.S. 351 (Supreme Court 1976).

¹⁷³ *Dolores Canning Co. v. Howard*, 40 Cal. App. 3rd 673 (Ct. App. 1974).

¹⁷⁴ Ono and Sloop, *Shifting Borders*.

and (4) illegality, which criminalized undocumented presence as a violation of national order.

Examining these narratives provides insight into how rhetorical borders are legitimized, shaping public perceptions of who is valued and who is devalued within the nation.

Danger of Displacement Narrative

The proponents of the Dixon Arnett law argued that this measure was necessary to prevent the displacement of American workers by undocumented immigrants. They framed undocumented labor as a direct threat to wage stability and job security, portraying it as a driver of economic instability. The following statements demonstrate this sentiment:

1. The intent of the law was twofold: 1) to prevent wages from being depressed by illegal aliens who are invariably hired at wages below those prevailing in the area, and 2) to prevent legal U.S. citizens from being displaced by illegal aliens. . . . In addition, as I mentioned before, the law will also ensure that illegal aliens do not depress wages by their willingness to work for “coolie” wages.¹⁷⁵
2. We have to limit the entree of newcomers into our domestic economy. . . . When we don't do that, Mexican-Americans, Columbians, Indians, are displaced and suffer depressed wages. And the Arnett Bill is intended to realistically reach this problem by eliminating much of the impacted displaces. The people who have pushed the other alien and citizens aside.¹⁷⁶
3. Like the Braceros before him, the illegal alien is a victim of the travails of our society, and often he's a victim, like the domestic worker that he's replaced. . . . The consequences of this situation in California, I think, are clear. The existence of very large numbers of illegal aliens help to drive down the wages in the industries in which they are employed. . . .¹⁷⁷
4. We have been supporters of the general Dixon Arnett position for a long time, because we are one of the unions most directly affected in a sort of a rifle-shot way by

¹⁷⁵ Peter R. Chacón (California Assemblyman), “Statement on the Illegal Aliens Law: What’s Good and What’s Bad About It?,” February 10, 1972, *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

¹⁷⁶ Sheldon Greene (General Counsel for the California Rural Legal Assistance), “Illegal Aliens and Anti-Strikebreaker Legislation: Testimony before the Assembly Committee on Labor Relations,” *Transcript of Hearing*, February 1, 1972, Sacramento, CA, 14.

¹⁷⁷ Mike Peevey (representing the California Labor Federation), “Illegal Aliens and Anti-Strikebreaker Legislation: Testimony before the Assembly Committee on Labor Relations,” *Transcript of Hearing*, February 1, 1972, Sacramento, CA, 61.

employment displacement by illegal aliens. . . .We have a great deal of sympathy for the exploited illegal alien. . . .But he is indeed putting our people out of work. . . .¹⁷⁸

These statements collectively constructed the “illegal alien” as a disruptive economic force, framing undocumented workers as the primary cause of wage suppression and job losses. The displacement narrative was compelling because it positioned undocumented workers as the active agents of economic instability, constructing an imagined threat that heightened anxieties over job security and social order. This framing cast A.B. 528 as a protective measure against that perceived threat, defining undocumented workers not by their pursuit of opportunity but by their supposed economic harm. While the displacement narrative reinforced a citizen/non-citizen binary, it also narrowed the boundaries of belonging by implying that only legal citizens had the right to economic stability. In discursive terms, Mexicans were cast not as contributors to the labor force but as threats to it, making their exclusion seem both warranted and expected.

Beyond labor displacement, this discourse also justified racialized policing and surveillance as a matter of economic common sense. Proponents linked undocumented migration to welfare dependency, reinforcing the idea that undocumented immigrants were economic destabilizers:

5. A large portion of the letters received are letters of support from Mexican-Americans legally in this country asking me to continue my efforts. They tell me that unemployment in their areas runs as high as 25% and often causes a person to depend on welfare just to feed his family.¹⁷⁹
6. The purpose of the Arnett Law was to help American citizens and legal residents get off of welfare and into jobs by preventing illegal entrants from being hired in their place.¹⁸⁰

¹⁷⁸ Jerry Lynch (Public Relations Director of Local 47), “Illegal Aliens and Anti-Strikebreaker Legislation: Testimony before the Assembly Committee on Labor Relations,” *Transcript of Hearing*, January 7, 1972, Los Angeles, CA, 61–62.

¹⁷⁹ Dixon Arnett to Manuel Marin, March 7, 1972, *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

¹⁸⁰ Alex Garcia and Peter Chacón, Memorandum to Democratic Assemblymen, February 16, 1972, *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

7. Vast numbers of illegals in the work force mean lost jobs and income for California workers of all races and backgrounds. Forces resident workers onto welfare and thus have a negative economic impact on all taxpayers in this state.¹⁸¹
8. Many of us, people who come across the border for example from a brief tour of Mexico, are inconvenienced by a search of our vehicles. . . .And I don't think that there's a person in this room which given the choice of the indignity of welfare dependency as opposed to once in a while being stopped and asked for a driver's license to assure that they're a lawful resident alien would choose the welfare dependency and yet that is the alternative which our Chicano society, urban and rural, and our Black society is concerned in.¹⁸²

These rhetorical statements not only connected undocumented immigration to economic instability and welfare dependency, but they also reinforced individualism over collective community power. For example, as statement five notes, undocumented immigrants are at odds with the Chicano community, exacerbating intra-community divisions. This discursive strategy cast the undocumented as destabilizing forces responsible for displacing Mexican-Americans, furthering internal tensions within the broader Mexican-American population. By the 1970s, debates over undocumented immigration had amplified divisions within the Mexican-American community. The displacement narrative, combined with anxieties over social services, made undocumented migrants hypervisible in ways that dehumanized them. These narratives matter not only because of their content, but because of how they actively construct power and belonging. As statement eight suggests, policymakers and media discourse surrounding displacement normalized racial profiling as a preferable alternative to welfare dependency. The argument that submitting to racialized policing was better than economic hardship reveals how discourse legitimized civil rights violations, conditioning individuals to accept systemic discrimination as a necessary trade-off for economic security.

¹⁸¹ Leo T. McCarthy (Chairman, Assembly Committee on Labor Relations), "Illegal Aliens and Anti-Strikebreaker Legislation: Testimony before the Assembly Committee on Labor Relations," opening statement, *Transcript of Hearing*, February 1, 1972, Sacramento, CA, 1.

¹⁸² Greene, "Illegal Aliens and Anti-Strikebreaker Legislation," 14–15.

In sum, the displacement narrative operated as a rhetorical strategy that extended beyond labor concerns. It was fundamentally about belonging and about who had the right to work, live, and thrive in the U.S. By portraying undocumented immigrants as threats to economic stability and social order, the discourse manufactured them as an imagined danger. Once positioned as a threat, it became rhetorically impossible to view them as deserving of joy, opportunity, or inclusion. Why can't joy be shared across immigration status? What would it mean to embrace an abundance mindset toward the undocumented rather than a deficit-based approach?

By framing undocumented migration through these exclusionary discourses in the 1970s, policymakers not only reinforced economic and racial hierarchies but also laid the groundwork for future policies that would continue to criminalize undocumented workers. Today, that same rhetoric, rooted in national security, economic harm, and cultural preservation, remains central to anti-immigrant policy justifications. By understanding how displacement discourse served as a political tool in the past, we can better confront the ways it continues to justify exclusion today.

Danger of Invasion Narrative

Proponents of A.B. 528 relied on the invasion narrative to manufacture a sense of danger. Political elites emphasized that the presence of undocumented immigrants had been “greatly accelerating over the last four or five years.”¹⁸³ An immigration official reinforced this sentiment, stating that despite the “great effort made to clean up the entire United States of all illegal aliens [in 1954]. . . .we are now up. . . .[in the number of apprehensions].”¹⁸⁴ While

¹⁸³ Leo T. McCarthy, in conversation with Leonard W. Gilman (Regional Commissioner, Immigration for the Southwest Region), “Illegal Aliens and Anti-Strikebreaker Legislation: Testimony before the Assembly Committee on Labor Relations,” *Transcript of Hearing*, January 7, 1972, Los Angeles, CA, 6.

¹⁸⁴ Leonard W. Gilman (Regional Commissioner, Immigration for the Southwest Region), in conversation with Leo T. McCarthy, “Illegal Aliens and Anti-Strikebreaker Legislation: Testimony before the Assembly Committee on Labor Relations,” *Transcript of Hearing*, January 7, 1972, Los Angeles, CA, 6-7.

apprehension numbers do not reflect actual migration patterns, 97% of those apprehended were Mexican, further cementing the association between Mexican identity and illegality in the public imagination.¹⁸⁵ One individual described a “wetback” as “illegal aliens, whether they have come with no official entry papers or have over-stayed their 72-hour permit. . . .”¹⁸⁶

In addition to criminalizing Mexican identity, elites stressed that the so-called invasion was no longer confined to rural agricultural economies. Policymakers and media increasingly depicted undocumented migrants as moving into urban spaces, disrupting the perceived stability of U.S. communities. Despite claims that there was “no interest in harassing hard-working illegals,” political rhetoric reinforced racist cognitive representations of the “other.”¹⁸⁷ The following statements illustrate how elites framed undocumented immigration through the invasion narrative, a discourse that scholars argue exaggerates the size of the undocumented population and employs alarmist metaphors to incite fear.

Analyzing the A.B. 528 debates reveals how elites deliberately manufactured a sense of insecurity and overwhelm through their rhetoric. The following statements emphasize the perceived sheer number of undocumented immigrants as a means of validating the invasion narrative and cultivating economic anxiety:

9. To us the situation is clear as it is to your Committee, when you have 113,000 illegals apprehended in California alone in 1970, you often wonder if this is only the tip of the iceberg.¹⁸⁸
10. According to some sources, there are now over 100,000 illegal aliens in the state. If only one fourth of them are employed, or 25,000, that many U.S. citizens are being deprived of jobs which should rightfully be theirs.

¹⁸⁵ California Legislature, Assembly Committee on Labor Relations, *Transcript of Hearing*, January 7, 1972.

¹⁸⁶ Rosemary Cooperrider (Santa Clara County Council of Churches), “Illegal Aliens and Anti-Strikebreaker Legislation: Testimony before the Assembly Committee on Labor Relations,” *Transcript of Hearing*, February 1, 1972, Sacramento, CA, 63.

¹⁸⁷ McCarthy, “Illegal Aliens and Anti-Strikebreaker Legislation,” 1.

¹⁸⁸ Peevey, “Illegal Aliens and Anti-Strikebreaker Legislation,” 60.

Many Chicanos in the state, therefore, are currently being denied work because jobs are going to illegal aliens. Yet the flow of illegal aliens to the state continues unabated.¹⁸⁹

11. Earlier reports had noted the number of illegal aliens in the tens of thousands, however, the Newsweek February 14 issue underscores the problem for the unemployed who compete for jobs with illegal aliens stating that United States authorities estimate that as many as 3 million illegal aliens may now be living and working in the United States—and sending close to \$10 billion a year in income back to their families in Mexico.¹⁹⁰

All these statements focus on scale, which is a key strategy in the invasion narrative. The sheer size of the undocumented population is framed as overwhelming, reinforcing a sense of economic insecurity and fear of job loss. Despite the lack of accurate estimates, factual precision is unnecessary; sensationalized numbers alone provoke alarm. In statement twelve, the concern extends beyond physical presence to economic impact, shifting the narrative to remittances sent “back home.” This construction positions undocumented immigrants as a double threat: they are portrayed not only as taking U.S. jobs but also as draining the economy by sending money outside the country. The fixation on numbers constructs an illusion of an overwhelming invasion that must be contained.

Beyond sheer numbers, political rhetoric also employs metaphors that portray undocumented immigration as an unmanageable crisis and frames lax U.S. immigration policies as enabling an unchecked invasion that demands immediate enforcement.

13. But despite the termination of this program, more Mexican nationals continued to cross the border. Perhaps the U.S. Federal Immigration authorities were undermanned or, as some say, “looked the other way” when “illegals” attempted to cross the border. In any case, the flood continued. Thus, the Arnett law.¹⁹¹

¹⁸⁹ Chacón, “Statement on the Illegal Aliens Law.”

¹⁹⁰ Vern Cannon, “Sacramento Report” (California Teamsters Legislative Council, February 18, 1972), *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

¹⁹¹ Chacón, “Statement on the Illegal Aliens Law.”

14. I think there was an awful lot of eye-winking on the part of governmental officials allowing illegals to come in. Illegally here by invitation, and they were used.¹⁹²
15. The ink is hardly dry from Governor Ronald Reagan's signature on A.B. 528. . . and already another Assemblyman is attempting to repeal the law.¹⁹³
16. As the employer of approximately 300 Mexican Nationals, we would like to protest strongly the current move to repeal the Dixon Arnett Bill A.B. 528. This bill has been long in coming and greatly needed. Now we finally have some teeth behind the immigration laws.¹⁹⁴

Statements thirteen and fourteen frame A.B. 528 as a necessary response to failures in U.S. immigration enforcement, with officials allegedly “looking the other way” or “winking” at undocumented migration. The phrase “the flood continued” invokes a natural disaster metaphor, portraying Mexican migration as a force that threatens to overwhelm U.S. communities unless policymakers intervene with strong legal measures. Statement fifteen’s “the ink is hardly dry” suggests that any attempt to weaken A.B. 528 would exacerbate the crisis and signal continued leniency toward undocumented immigration. Finally, statement sixteen invokes a body metaphor, arguing that immigration laws now have “teeth,” a term that signals strength and enforcement power. These metaphors amplify urgency, portraying immigration policy as too weak and positioning undocumented immigrants as an uncontrollable force that must be contained.

The invasion narrative is fundamentally about regulating opportunity. It casts undocumented immigrants as unwanted economic actors whose ability to sell their labor power for wages violates state law. Yet, as history shows, laws are not neutral; they are constructed,

¹⁹² Sigmund Arywitz (Executive Secretary-Treasurer, Los Angeles County Federation of Labor, AFL-CIO), “Illegal Aliens and Anti-Strikebreaker Legislation: Testimony before the Assembly Committee on Labor Relations,” *Transcript of Hearing*, January 7, 1972, Los Angeles, CA, 34.

¹⁹³ Cannon, “Sacramento Report.”

¹⁹⁴ Joseph F. Nicassio (Vice President, Poppy Food Company) to Peter R. Chacón, February 11, 1972, *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

rewritten, and reinterpreted to create and sustain narratives that justify racialized labor control. Political elites use the invasion narrative to frame immigration as a crisis, reinforcing calls for stricter enforcement. By fixating on size, the invasion narrative amplifies fears of economic displacement and justifies exclusionary policies. The use of metaphor reinforces the perception of crisis, portraying immigration as a force that threatens national stability. At its core, the invasion narrative is not just about numbers; it is about belonging. It constructs the undocumented subject as the unwanted, a figure that must be contained and controlled to preserve national and economic order.

Danger of Misinformation

The misinformation narrative also manufactures danger. This narrative creates a climate of fear by planting the seed of distrust. Specifically, the proponents of A.B. 528 used this narrative to claim that politicians protesting the bill acted out of dubious motivations. They argued that opponents exaggerated reports of citizens experiencing hardship, dislocation and broken homes, and they insisted that the law was not racist. In other words, when elites accuse the opposition of deception, they suggest that empathy makes one vulnerable, and that failing to prioritize self-interest will lead to harm.

Within this framework, proponents argued that opponents obscured the “real facts” through exaggeration. The following excerpts illustrate the claim that Chicanos were being misled:

17. No sooner had the measure passed than rumblings began to be heard in Chicano communities that the law was bad and that Chicanos were being laid off en masse by employers. . . .

The number or percentage of these that are nationals and those that are legitimate U.S. citizens was not provided by any of the witnesses. . . .

Brophy, a Republican and winner over Richard Alatorre (a Chicano Democrat) in the special election in the 48th Assembly District, has a dubious motive in introducing the measure. . . .One wonders how some Chicanos can be duped so easily!

Chicanos who have reacted emotionally to this issue and have obscured the real facts will call me everything under the sun. . . .But the facts are there for everyone to peruse. . . .

I will not stand idle and permit Chicanos to be hoodwinked. Certainly there will be problems connected with the Arnett law and I will be the first to address myself to any needed changes. . . .I will not, however, be stamped into irrational acts because of the demands of a few.

I urge you, as a leader in the Mexican American community, to consider the foregoing remarks and not be misled by broad-range, general statements being made by some.¹⁹⁵

18. The proponents of the Brophy bill are claiming that the Arnett Law will cause great hardship in that hundreds of thousands of people will be fired from their jobs, and that families will be broken up as husbands and fathers are deported. . . .

At the same time, no one wants to cause the kind of hardship which is alleged by the Brophy bill supporters. . . .

The Arnett bill specifically provides that if a person can qualify (not has) for legal residency, he is employable. Under federal law, even though an individual may have entered illegally at an earlier date, if his children were born here, or if his wife is a legal resident, then he qualifies for legal residency, and therefore would not be put out of a job. . . .only people who are going to be put out of jobs are illegal entrants who do not have a family here.¹⁹⁶

Excerpt seventeen employs the misinformation narrative by claiming that Chicanos were distorting reality due to their emotional reaction. It dismisses their concerns as irrational and manipulated, labeling those who opposed the law as “duped” or “hoodwinked.” The speaker positions himself as neutral and objective, reinforcing the idea that the opposition is reactionary and misguided. Proponents designed this rhetorical strategy to strip Chicano leaders of authority, portraying their knowledge and lived experiences as invalid because they are driven by emotion rather than reason. This framing is particularly damaging given the historical context, as many

¹⁹⁵ Chacón, “Statement on the Illegal Aliens Law.”

¹⁹⁶ García and Chacón, “Memorandum to Democratic Assemblymen: Subject: Brophy Bill Regarding Employment of Illegal Aliens.”

marginalized communities turned to non-governmental organizations rather than state institutions to report workplace discrimination due to mistrust of American institutions.

Proponents also discredit the opposition by questioning their motives. For example, the claim that political elites manipulated Chicano leaders delegitimizes their concerns, portraying them as not only misinformed but complicit in spreading deception. Excerpt eighteen refutes concerns about displacement and family separation by downplaying the harm of A.B. 528. The speaker claims that the law only affects “illegal entrants who do not have a family here,” ignoring the bureaucratic and financial barriers undocumented immigrants face in adjusting their legal status. The argument assumes that immigration laws function fairly and overlooks those who do not qualify for legal status but have deep roots in the U.S.

Proponents of A.B. 528 dismissed accusations of racism, arguing that the law targeted undocumented status rather than ethnicity, while ignoring the racialized structures underpinning legal status itself.

19. Spokesmen for Mexican-Americans are confusing the issue when they claim there are “racist” overtones in a new California law which would penalize employers who knowingly hire illegal aliens. To argue as they do that the law will deny job opportunities to many persons of Mexican descent is simply to concede that many aliens from Mexico are seeking work illegally in the United States of America.

While the law is being challenged in court on constitutional grounds, because of the burden it places on employers, there are simply no grounds to challenge it as being unfair to any ethnic group in our society.¹⁹⁷

20. It is unfortunate, however, that you feel my measure was designed to discriminate against persons of Latin-American descent. This is not true, and I am sorry that we find ourselves in disagreement.¹⁹⁸

¹⁹⁷ “Off Target,” *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

¹⁹⁸ Arnett to Marin, March 7, 1972, *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

The argument that A.B. 528 was not racist hinges on the claim that if the law disproportionately impacted Mexicans, it merely reflected the realities of unauthorized migration, rather than discriminatory intent. This colorblind logic erased structural barriers to documentation, the racial biases of employers, and the broader racialized history of immigration enforcement. Proponents of A.B. 528 used the misinformation narrative to reframe racial disparities as self-evident rather than as a consequence of systemic inequality. They treated legal status as an easily accessible, neutral category rather than a constructed legal barrier that excluded racialized groups. In doing so, proponents denied the role of race in immigration enforcement and portrayed critics of the law as misrepresenting the facts.

In sum, the misinformation narrative functioned as a form of gaslighting, a strategy through which proponents branded opposition voices as emotional, reactive, and deceitful. This discourse framed concerns about displacement, economic hardship, and family separation as exaggerated or outright false. It also insisted that A.B. 528 was not racist, arguing that racial disparities merely reflected the demographics of unauthorized immigration, thereby denying the structural and legal barriers shaping immigrant experiences. The political elite continue to use this strategy beyond this historical moment. Today, misinformation rhetoric continues to operate in similar ways, often reframed through “fake news” discourse. By casting opposition voices as uninformed, manipulated, or deliberately deceptive, those in power are able to delegitimize genuine concerns while reinforcing narratives that serve their interests. However, one striking contrast between past and present discourse is how political actors framed undocumented immigrants. While today’s dominant narrative portrays them primarily as criminals, in this historical moment, some political figures perceived them as belonging, so long as they were part

of the family unit. This shift in rhetoric marks a transition from framing undocumented workers as disposable labor to viewing them as a direct criminal threat in contemporary discourse.

Danger of Illegality

The proponents of A.B. 528 sought to refute concerns about the bill by reframing the debate around illegality. They argued that opposition to A.B. 528 was unwarranted, that its repeal was anti-Chicano, and that concerns over “illegal aliens” were contradictory. However, underlying these conversations were assumptions about the dangers of illegality, assumptions that reinforced exclusionary policies.

This narrative strategically redirected attention to illegality itself while claiming to dismiss it. Proponents argued that Chicanos were “unduly concerned” since the measure would not affect them. Yet, by making this claim, they implicitly reinforced the idea that those who lacked legal status should be concerned. Illegality then became the justification for A.B. 528.

22. A. E. Edgar, director of the local office of the federal Immigration and Naturalization Service, said he felt local Mexican Americans were “unduly concerned” about the impact of the new law.

None of the 78,000 resident aliens—65 percent of whom are Mexican Americans—in San Diego and Imperial counties would be affected by the law, Edgar said.

No one with permits to reside or work in the U.S. is affected, he explained, including the “green card” commuters who cross the border daily to work in the South Bay area. . . .

He said special provisions are included to provide necessary papers to aliens who have worked and lived in the area for a number of years. Temporary work permits and visas will be provided for Mexican-American resident youths who have not obtained the necessary proof of their legal entry, he explained. . . .

Edgar said yesterday that some firms already have dismissed Mexican employees in anticipation of enforcement of the new law in March.¹⁹⁹

¹⁹⁹ Nancy Ray, “Chicanos Picket Chacon’s Offices: Assemblyman’s Vote Favoring Ban on Jobs for Illegal Aliens Assailed,” February 11, 1972, *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

These statements, made by A.E. Edgar, director of the INS, attempted to downplay the law's effects by reassuring legal residents that they would not be impacted. However, in the same breath, Edgar acknowledged that employers had already begun firing Mexican employees in anticipation of the law's enforcement. This contradiction is striking. If the law had not yet gone into effect, why had employers already begun dismissing workers? His statement downplays the law's immediate impact, even as it demonstrates its consequences. By speaking directly to authorized workers, Edgar's words also speak indirectly to unauthorized workers. His message is clear: those without legal status will be punished.

This black-and-white framing reduces documentation status to a moral binary: those who possess documentation are right, while those who lack it are wrong. This simplification ignores the complexities of race, labor, and citizenship, as well as the historical shifts in immigration enforcement. While the opposition argued that many people had lived in the U.S. for decades without documentation, proponents of A.B. 528 reframed their presence as a violation of the law. Consequently, proponents of A.B. 528 framed opposition, including A.B. 315, as anti-Chicano.

25. Dolores Huerta has said that her group will be out in force at any future hearings in Sacramento against the Brophy bill. I think her reaction is indicative of what we can expect from other such groups. I think Chicano groups are going to become increasingly vocal against the Brophy bill, simply because they will realize that it eliminates all of the efforts in getting the Arnett bill passed last year.

The Brophy bill should be stopped and it should be done on the basis that it is an anti-Chicano bill which will prevent the hiring of American citizens or resident aliens with lawful status, most of whom are Mexicans. Further, it should be strongly pointed out that the growers and manufacturers are behind this. If the groups which supported the Arnett bill last year are as vociferous now against the Brophy bill, I think it is going to be easy to make these points.

A possible alternative to the outright killing of the Brophy bill is for the committee to come up with an alternative bill. Such a bill should be designed to take care of any demonstrated hardships, without the bad effects of the Brophy bill.²⁰⁰

²⁰⁰ Garcia and Chacón, "Memorandum to Democratic Assemblymen," February 16, 1972.

26. The Officers and Members of this Local Union on February 13, 1972, voted full support to A.B. 528 provided the Bill is amended to protect all parties concerning citizens and immigrants. We respectfully request your support in this matter.²⁰¹

27. Secondly, I know that you will be hearing a lot from those who wish to take precipitous action on the matter and who are fond of shooting (from the hip) at any Mexican American who happens to be in office.²⁰²

These statements suggest that opposing A.B. 528 was anti-Chicano because the law was designed to give Chicanos their jobs back. Interestingly, statement twenty-seven acknowledges the potential harms of A.B. 528, as the United Rubber Workers ask for amendments to the bill. Their concern aligns with the opposition's argument that Chicano families often live in mixed-status households. While proponents of A.B. 528 claimed that removing unauthorized workers would benefit Chicanos, they ignored the fact that many Chicanos had family members, friends, and neighbors who were undocumented. By oversimplifying support as a binary choice, this framing ignored the complexity of Chicano family dynamics and the broader impact of the law.

The illegality narrative also relied on a paradoxical framing, one that attempted to define what was "good" or "bad" for the American workforce. This framing simplified immigration policy into a moral issue rather than recognizing the complex economic and social factors at play.

29. Assemblyman Brophy's bill carries an urgency clause with immediate effect and states that the problems that have arisen since enactment of Mr. Arnett's bill "will cause a serious crisis in the employment market." The "serious crisis" mentioned in Mr. Brophy's A.B. 315 has yet to be explained. If it refers to a shortage of illegally entered Mexicans who can fill jobs at depressed wages working in constant fear of deportation, then maybe a "crisis" will develop; a good crisis for California's workers who are already short of jobs in this long period of unemployment.²⁰³

²⁰¹ J.D. Evans (President, Local Union No. 100, United Rubber Cork, Linoleum and Plastic Workers of America) and Frank Vargas (COPE Chairman) to Peter Chacón, February 21, 1972, *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

²⁰² Chacón, "Statement on the Illegal Aliens Law."

²⁰³ Cannon, "Sacramento Report."

30. “It’s most inconceivable to me that a person who is known to be an illegal alien should be competing for jobs of those who have legally entered the United States,” Chacon said.²⁰⁴

Statement twenty-nine exposes a contradiction in labor rhetoric. It frames the displacement of undocumented workers as a “good” crisis for California’s workforce. Yet, if something is a crisis, shouldn’t it be prevented? This paradox reveals how value was assigned based on legal status, with those deemed “illegal” considered inherently less valuable. Meanwhile, statement thirty reinforces the idea that competition between legal and illegal workers is unacceptable. Yet, all workers compete for jobs. Why, then, do people place the blame on those seeking opportunity?

The danger of illegality narrative was not always explicit, yet its rhetorical impact shaped public perceptions of who belonged and who posed a threat. By arguing that Chicano concerns were “unduly” exaggerated, framing A.B. 315 as anti-Chicano, and suggesting that the crisis of undocumented labor was actually beneficial, proponents of A.B. 528 manufactured a moral distinction in which legal status determined worth. However, as the next section will demonstrate, Chicano families were often non-traditional and mixed-status. Thus, A.B. 528 reinforced differential treatment in ways that disproportionately harmed their communities. As exclusionary rhetoric intensified, so too did resistance.

Activists opposing A.B. 528 did more than protest injustice; they created alternative narratives that reframed undocumented migrants as essential contributors to California’s economy. Labor leaders and activists, such as Herman Baca and key labor organizations, challenged the economic threat rhetoric, portraying undocumented Mexican workers as an indispensable part of the labor market. This resistance extended beyond policy debates; it was

²⁰⁴ “Illegal-Alien Law Backed by Chacon,” n.d., *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

also reflected in cultural production, such as *The Unwanted*, a 1975 documentary that offered a counter-narrative to the invasion discourse by humanizing migrants and highlighting their aspirations. Although activists resisted A.B. 528 in different ways, they advanced distinct rhetorical strategies to construct an alternative vision of belonging. Some emphasized moral arguments, others leveraged historical precedents, while radical activists questioned the very legitimacy of restrictive immigration laws. These counternarratives did not merely refute exclusionary rhetoric; they actively redefined the debate, positioning undocumented workers as vital members of their communities rather than as burdens on the state.

Manufacturing Possibility Through Narrative

Building on these acts of resistance, the debate over A.B. 528 was shaped not only by exclusionary rhetoric but also by counternarratives that reimagined undocumented Mexican labor as essential rather than threatening. Opponents emphasized possibility, a rhetorical strategy that challenged dominant discourses of exclusion and criminalization, through four key frames: morality, danger, historical precedent, and radical thought. These framing techniques redefined undocumented workers not as burdens but as contributors whose labor, families, and presence enriched their communities. In challenging the dehumanizing rhetoric used to justify exclusion, these frameworks reinforced the idea that undocumented migrants were deserving of security, dignity, and belonging. By analyzing these possibility-centered narratives, we see how rhetorical borders not only delineate exclusion but also construct immigrant value through a more humane and inclusive lens.

Morality Narrative

Opponents of A.B. 528 used the morality narrative to argue that the law was inhumane and unjust. They framed it as a direct attack on vulnerable communities, particularly working-class families whose livelihoods would be disrupted overnight. This framing positioned opposition to A.B. 528 as an ethical obligation, compelling lawmakers and the public to consider the broader social consequences of the bill.

31. When breadwinners lose their livelihood overnight, their families are endangered. There must be an appropriate reason for such an action, and we can see no justification for the hardships caused by the passage of this law.²⁰⁵

32. The last two weeks I've made four visitations to CASA headquarters in Los Angeles. There, I and other Mapistas personally observed the inhumanity of this law which the Superior Court of Los Angeles County has already ruled unconstitutional.

At present CASA has helped over 15,000 families which are affected by this law. It is tearing the Chicano community apart.²⁰⁶

33. Our fight is not against fellow Chicanos or Chicano organizations. We are not now or have never been against the efforts of UFWOC and we understand the realities of the farmworkers struggle and are more than agreeable to having this bill, or any other bills, amended to include the words "in agriculture" to protect their organizing efforts. Our concern is with the chaos and human sufferings that it will create in the urban areas where 85% of all Chicanos live.²⁰⁷

34. ...but these things are seeds, and seeds of division. . . .don't let yourself get caught into dividing California, the Mexican...they are not your enemies. But the workings of this bill and certain other forces that have been working against the Mexican community. . . .you must hear the other side of the story.²⁰⁸

²⁰⁵ Rev. Roberto Walker (Angelica Lutheran Church), Rev. Mark Day, O.F.M. (St. Joseph's Catholic Church), Rev. George Cole (Presbyterian Synod of Southern California), and Rev. Oliver Garver (Episcopal Church of East Los Angeles), "Christmas Prayer Vigil," December 22, 1971, *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

²⁰⁶ Raul Loya (Director, Southern Region, Mexican-American Political Association) to Uvaldo Jr. Martinez, "RE: Your Letter Inquiring about MAPA's Position to the Dixon Arnett Law," March 20, 1972, *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

²⁰⁷ Herman Baca (MAPA, SD County Director) "Chicano Protest: Illegal Alien Law," *San Diego County Chicano Federation Newsletter*, April 1972, *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

²⁰⁸ Abe Tapia, (Los Angeles protester against the Dixon Arnett Bill), "Illegal Aliens and Anti-Strikebreaker Legislation: Testimony before the Assembly Committee on Labor Relations," *Transcript of Hearing*, February 1, 1972, Sacramento, CA, 56.

These statements frame A.B. 528 as an unjust law that would cause food insecurity, increase human suffering, and disproportionately harm the Spanish-speaking community. Notably, opposing A.B. 528 did not necessarily mean advocating for undocumented immigration. Instead, opponents strategically framed undocumented individuals as breadwinners whose removal would destabilize entire families. This rhetorical shift redefined undocumented workers as essential to their communities, rather than as burdens. Opponents strategically avoided internal divisions within Chicano organizations, focusing instead on the widespread suffering A.B. 528 would inflict on working-class families. This rhetorical move encouraged Chicano unity, reinforcing the idea that opposing A.B. 528 was a moral imperative. By highlighting the 15,000 families affected, these statements forced the audience to confront a fundamental ethical question: why would anyone condone such suffering? As statement thirty-four suggests, legislators needed to hear from those directly impacted because it was morally wrong to plant seeds of division within the community.

Beyond framing the law's consequences as inhumane, opponents also explicitly labeled A.B. 528 itself as immoral. They pointed to the disruptive impact on people's established lives and the inconsistencies in how immigration laws were enforced:

35. This bill is immoral. . . .We feel that the worst thing that the Chicano community can do is to let history repeat itself. The 1930 and 1954 deportations must never happen again. After all, who gave Columbus his green card?²⁰⁹

36. . . .the people who are coming across the border this problem has been ignored for years and years. . . .And all of a sudden this law comes in and it starves these people out. . . .But my emphasis is being put in that if you pass a law right now, and all these people are into the streets. This is grossly immoral.²¹⁰

37. I believe if they have been here for three years as a refugee, they can become legal American citizens. . . .and I think it's unfair to do to one side just for political reasons

²⁰⁹ Baca, "Chicano Protest: Illegal Alien Law."

²¹⁰ Father Mark Day, "Illegal Aliens and Anti-Strikebreaker Legislation: Testimony before the Assembly Committee on Labor Relations," *Transcript of Hearing*, February 1, 1972, Sacramento, CA, 32.

when the need, the hunger is there. And these people who have come to the United States, do not come seeking money for free, they come here looking for jobs. This is a moral right.²¹¹

38. Although the illegal alien situation constitutes a problem, one must consider the total ramifications of any acts taken to deal with it. . . . This failure to act has placed many persons (illegal aliens and lawful residents) in a position to be disastrously affected by ill-considered and hasty legislation. . . .

It is wrong, for instance, to allow an illegal alien to be gainfully employed within the U.S. for many years, raise his family and more or less make permanent residence in the U.S. and then suddenly tell him he cannot be employed and that he must leave the country (a possible occurrence under the new law's effect).²¹²

These statements challenge the inconsistencies in defining who has the right to belong. Statement thirty-eight moves beyond a rigid right/wrong binary to argue that the real issue is not undocumented presence but the moral hypocrisy of immigration policy. The U.S. allowed undocumented individuals to establish roots only to revoke their stability at will. This, the speaker argues, is morally unjust. Similarly, statement thirty-five delivers a biting critique of historical hypocrisy, raising the rhetorical question: "Who gave Columbus his green card?" This statement flips the exclusionary logic back on its enforcers, exposing the double standards in defining legality and belonging. Meanwhile, statement thirty-seven highlights the uneven application of immigration law, noting that while some Cubans received legal pathways to U.S. citizenship, Mexican immigrants remained criminalized and excluded. This framing forces the audience to question the legitimacy of these legal inconsistencies.

Finally, opponents of A.B. 528 presented resistance to the law as a moral duty, calling for unity and a rejection of restrictive immigration policies based on ethical principles.

²¹¹ Reverend Roberto Walker, (Minister, Lutheran Church, Los Angeles), "Illegal Aliens and Anti-Strikebreaker Legislation: Testimony before the Assembly Committee on Labor Relations," *Transcript of Hearing*, February 1, 1972, Sacramento, CA, 27-28.

²¹² Clifton Blevins (Attorney, Legal Aid Society), "Legal Probe," *Voice-Viewpoint*, March 1, 1972, *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

39. We know that the problems of these workers are occasioned by their lack of legal status. Then let their status be legalized, so that they will not be divided against and pitted against their Chicano brothers. Ours is a great country—we have taken in many people: we certainly have room for many more.

They said there was no room for the Christ child in Bethlehem. Have we not yet learned the lesson that he came to teach us? Let us open our doors and seek every means to solve the problems that beset us.²¹³

40. We believe that all law must be acutely promulgated and designed for the common good of all citizens. Any law that does pursuit harm to one sector of our society cannot be condoned even though it might be designed to help another sector of society. . . .

We join with him [Pope Paul VI] and with all men of goodwill to demand exceptional treatment of the immigrants. We demand that the Dixon Arnett law be repelled, changed, or delayed in its implementation so that the human dignity and God-given rights of these aliens be protected.²¹⁴

Statements thirty-nine and forty invoke religious and moral rhetoric to frame opposition to A.B. 528 as an ethical duty. Statement thirty-nine explicitly links legalization to unity, arguing that documentation status was a tool used to divide disadvantaged communities, a classic “divide and conquer” strategy. It presents legalization as the moral and just solution. The reference to the Christ child elevates the argument to a moral imperative, framing compassion and open doors as religious duties rather than political choices. Similarly, statement forty calls on people of goodwill to recognize that human dignity should not be contingent on legal status. This reframing of the debate from security concerns to humanitarian responsibility shifts the burden onto lawmakers and the public to act in alignment with moral and ethical values.

The morality narrative functioned as an intervention in the dominant discourse of exclusion. By framing A.B. 528 as immoral, opponents forced the audience to consider the ethical dimensions of immigration policy. They highlighted inconsistencies in enforcement,

²¹³ Walker et al., “Christmas Prayer Vigil.”

²¹⁴ Father Hurtado to Mr. Chacon, “RE: The Statement of Illegal Aliens,” February 22, 1972 (released March 2, 1972), *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

exposed double standards, and called for solidarity within the Chicano community. More importantly, they used religious and ethical rhetoric to shift the debate away from legality and toward humanity. In doing so, they manufactured possibility not through legal arguments or policy reform, but through a moral call to action grounded in collective empathy.

Danger Narrative

Proponents of A.B. 528 framed undocumented immigrants as threats. Opponents, however, turned this narrative on its head, arguing that the real danger lay in the law itself. They contended that A.B. 528 endangered public peace, the nuclear family and democracy. By reframing the legislation as the true source of harm, opponents shifted the focus away from undocumented individuals and toward the broader social consequences of exclusionary policy.

Assemblyman Brophy, an opponent of A.B. 528, introduced A.B. 315 on February 3, 1972, as a means of protecting public peace and repealing Section 2805 of the Labor Code. The bill reads:

41. *The people of the State of California do enact as follows:*

SECTION 1. Section 2805 of the Labor Code is repealed.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

While Section 2805 of the Labor Code is generally desirable, numerous problems have arisen since its enactment indicating that its operation will cause a serious crisis in the employment market. To avoid this, and to enable the Legislature and all parties interested to consider the enactment of substitute legislation of a more beneficial character, it is necessary that this act take effect immediately.²¹⁵

²¹⁵ Brophy, *Assembly Bill No. 315* (February 3, 1972), *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

This bill does more than repeal Section 2805; it frames itself as a safeguard for democracy.

While it acknowledges the need for employer sanctions, it challenges the current enforcement mechanism and argues for a more effective alternative. The danger narrative here is strategic. It positions A.B. 315 as a necessary shield to prevent an employment crisis and welfare expansion, making it easier for the public to support its repeal. Additionally, by implying that a replacement measure will follow, it reassures concerned citizens that repealing A.B. 528 will not leave immigration policy unregulated.

Opponents of A.B. 528 also argued that the measure endangered the stability of the nuclear family and disrupted entire communities.

42. When it was discovered that the law had been passed, employers immediately began to fire workers indiscriminately, throwing thousands of families into a state of chaos. Actually many of these dependents were forced onto the welfare rolls, and here in L.A. County welfare rolls rose sharply in December due to this. . . .If this is any indication of what lies in store for our families and for our community when the legislation goes into effect, then our families, our barrios, our communities, and our state of California are in grave danger. When any society victimizes any sector of its population, harasses them, and passes discriminatory legislation against them, that society is endangering the very ideal of democracy and undermining its very foundation.²¹⁶

43. It is affecting thousands of families with children born here that have one or both of their parents deported because of the law.²¹⁷

44. ...here's a division that's been created by people like yourselves. The division between in the barrio between the illegal alien. And I've just given my testimony by saying that the barrio is a family that is inter-related. ²¹⁸

These statements reframe undocumented immigrants as integral members of extended familial and community networks. Rather than positioning them as a threat to stability, opponents of A.B.

²¹⁶ Father Mark Day, Father Roberto Walker, Ignacio Uribe, Soledad Alatorre, Sister Natalia (H.U.A.O.), Sister Maria De Jesus (H.U.A.O), Bert Corona, Camilo Perez, Maria Elena Gaytan, *Statement of C.A.S.A*, February 3, 1972, *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

²¹⁷ C.A.S.A, "Join Our Great Protest Demonstration on March 4th," n.d., *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

²¹⁸ Father Mark Day (in conversation with Chairman McCarthy), "Illegal Aliens and Anti-Strikebreaker Legislation," *Transcript of Hearing*, February 1, 1972, Sacramento, CA, 31.

528 argued that removing them actively destabilized the barrios. The rhetorical shift from individual migrants to interconnected families was crucial. By framing undocumented immigrants as breadwinners and family members, opponents of A.B. 528 positioned themselves as defenders of democracy and social stability. The phrase “in grave danger” is particularly striking; it demands urgency, shifting the burden of responsibility onto lawmakers who must act to protect families from state sanctioned harm.

Another rhetorical strategy used to oppose A.B. 528 was framing it as a violation of civil rights and an overreach of state power into federal immigration policy.

45. ...the intent of this law has been aimed at one ethnic group alone, the Mexican and Latin Americans. . . .While aimed at illegal aliens this law adversely affects the hiring of citizens and legal aliens of Spanish-speaking descent. . . .The law as written perpetuates the exclusion of the Spanish speaking from further employment and promotion in effect, it treats them as second-class citizens denying them equal protection of the laws and equal opportunities guaranteed to them by the state and U.S. Constitution and infringes over federal authority over immigration matters.²¹⁹
46. Because the law is directed against employers who hire aliens, it is scaring employers from hiring any Chicanos and forcing them to discharge their Chicano workforce. Many thousands of long time residents of the United States do not have documents but are solid contributors to the economy.²²⁰
47. ... local police departments and other law enforcement forces stop arresting and harrassment of brown, Spanish speaking persons on the streets, factory gates and in public places acting “illegally” for the immigration service...they have no right to police us for this federal law that only can be enforced by federal agencies.²²¹
48. We feel that this law is unconstitutional. Immigration is a federal matter not a state matter. In theory the law says *all* “illegal aliens,” in reality we know that this law is aimed at one specific ethnic group, the Mexicano’s, who make up 95% of the people without documents. This law has already been ruled unconstitutional in Los Angeles County and will be ruled upon by the California State Supreme Court.

²¹⁹ Edward R. Roybal (U.S. Congressman, 30th District, Los Angeles, California), “Press Statement on the Repeal of the Dixon Arnett Law That Deals with Employment of Aliens in the State of California,” February 14, 1972, *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

²²⁰ La Voz de MAPA, *The Mexican American Political Association Newsletter*, February 1972. “Reagan’s Deportation Bill Threatens Millions of Chicanos.” Originally published in *Los Angeles News Advocate*, January 15-31, 1972. *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

²²¹ Father Mark Day et al., *Statement of C.A.S.A.*, February 3, 1972.

The law is highly discriminatory. How, especially in this racist society, do you distinguish a U.S.-born Chicano from his brother across the border?²²²

Statement forty-five directly calls A.B. 528 unconstitutional, arguing that it denies equal protection to Spanish speakers and illegally encroaches on federal immigration authority. This rhetorical move reframes the law as an attack on democracy itself. Similarly, statement forty-six highlights how the law marginalizes all Chicanos, not just undocumented individuals. By deterring employers from hiring Spanish-speaking workers, the law functions as a racial exclusion policy. Statements forty-seven and forty-eight expand this critique by accusing local law enforcement of illegally enforcing federal immigration policy. The claim that police are “harassing brown, Spanish-speaking persons” implies that A.B. 528 encouraged racial profiling. Statement forty-eight challenges the law’s claim to neutrality. While it claims to apply to all “illegal aliens,” opponents argued that it overwhelmingly targeted Mexican nationals. This critique exposed the racialized application of immigration enforcement and challenged the illusion of race-neutral policies.

Opponents of A.B. 528 successfully weaponized the danger narrative by turning it against the law itself. Instead of allowing proponents to monopolize fear-based rhetoric, they reframed A.B. 528 as the true danger: a threat to public peace, family stability, and democratic rights. They invoked “public peace” to justify repeal, making their opposition more appealing to mainstream audiences. They framed the law as a threat to Chicano families, shifting the debate from “illegal aliens” to the realities of mixed-status households and community networks. They exposed the law’s racial bias, arguing that it operated as a tool of racial exclusion rather than a neutral immigration policy. Ultimately, by using the danger narrative against A.B. 528,

²²² Baca, “Chicano Protest: Illegal Alien Law.”

opponents transformed the terms of the debate, positioning themselves as defenders of democracy rather than simply advocates for undocumented rights.

Historical Narrative

Opponents of A.B. 528 made another compelling argument rooted in the historical narrative, which framed exclusion, deportation and deflection as longstanding strategies of discrimination. This rhetorical approach underscored the persistent construction of undocumented immigrants and Chicanos as unwanted in U.S. society. By exposing the continuity of racist policies, opponents sought to disrupt this pattern and advocate for humane immigration practices. The historical narrative operated as a rhetorical strategy that: demonstrated how bodies have been differentially discriminated across time and space; illustrated how racist immigration and labor laws have consistently targeted Mexicans and other marginalized groups; and challenged state and federal policies that reinforce exclusion and displacement.

U.S. documentation practices have long embedded exclusion. Opponents of A.B. 528 pointed to this history, arguing that changes in immigration procedures created a disconnect between those living in the U.S. and the evolving citizenship requirements.

49. Baca said many Mexican-Americans who moved to the United States many years ago, before immigration procedures were as strict, have no papers to prove their legal status. Others, including children of legal alien residents, never have obtained the necessary visa or work permits. . . . Mexican-American groups protested the measure was “racist” and said the law would force Mexican-Americans to prove constantly that they were in this country legally.²²³

50. The problem, as stated before, is a complex problem and is not black and white. We have so called “illegal alien” (mothers, father[s], brothers, uncles, etc.) that have been here for 10-20-30 even 50 years who have not received their documents for one reason or another;

²²³ Ray, “Chicanos Picket Chacon’s Offices,” February 11, 1972.

language differences, cultural differences, bureaucratic red tape, and an overall fear by Mexicanos of an oppressive agency (U.S. Immigration Department).²²⁴

These statements highlight the politics of documentation as a barrier to belonging. Statement forty-nine suggests that many migrated during a time when documentation was less formalized, and thus, their lack of status is a product of shifting bureaucratic processes rather than intentional wrongdoing. It underscores the racialized burden of proof, where Mexican-Americans must continuously prove their right to exist in the country. Meanwhile, statement fifty illustrates how fear, systemic obstacles, and racialized bureaucracy contribute to undocumented status, further reinforcing exclusion.

Beyond documentation, U.S. labor laws have long used exclusion as a strategy to regulate employment and wages by targeting marginalized workers.

51. California is historically famous for this type of law. Chronologically, the California State Legislature has passed the following Laws: In 1850, anti-mining laws were passed against Mexicans who had laid the foundation for the mining industry; in the 1860's and 70's, anti-coolies laws were passed against Chinese; a bill was passed in 1870 requiring a \$500.00 bond for each Asian immigrant (sound familiar?); in 1882 the California State Legislature persuaded the federal government to exclude Chinese immigration; in 1913 the California State Legislation passed an anti-alien law which prohibited Japanese from owning land (Japanese were later interned in 1942); Okie's laws were passed against Anglos to prohibit the immigration into this state due to the depression that engulfed the United States.²²⁵

By placing A.B. 528 within this historical context, opponents argued that it marked yet another iteration of scapegoating a marginalized group for economic instability. This comparative historical approach revealed the continuity of racial exclusion in California law and linked the displacement of Mexicans to broader patterns of labor discrimination.

Opponents also used historical precedents of mass deportation to illustrate how American institutions discard workers when they are no longer deemed economically useful.

²²⁴ Baca, "Chicano Protest: Illegal Alien Law."

²²⁵ Baca, "Chicano Protest: Illegal Alien Law."

52. We, as Mapistas cannot stand complacently idle while our brothers are being deported like cattle. We must stop this mass deportation movement or else we'll find history repeating itself as it did during the EXPATRAITION ERA of the twenties.²²⁶
53. It is estimated that of the 175,000 Mexicano's who from 1917 to 1930 who met the state's agricultural needs, only 10% were available in 1936 due to deportation. In 1954, Mexicano's were once again the victims of deportation due to the economic recession that followed World War II and the Korean War. It is estimated that more than four million Mexicano's were deported between 1950 and 1954.²²⁷
54. It is a fact that the Immigration Department of the United States has been an oppressor of the Mexican people. When cheap labor has been needed, the Immigration Department has never failed to turn its head in permitting growers to bring in hordes of destitute people for the purpose of exploitation.²²⁸

Statement fifty-two invokes historical memory by linking A.B. 528 to previous eras of mass deportation. By comparing contemporary deportation threats to the Expatriation Era of the 1920s, opponents warned of history repeating itself. Statement fifty-three supports this claim by providing a historical timeline of deportations, illustrating how Mexican laborers were systematically discarded in response to economic downturns. Finally, Statement fifty-four makes the federal government complicit, arguing that the U.S. immigration system has historically facilitated exploitation while turning a blind eye to employer abuse. This historical framing allowed opponents to shift the conversation from "illegality" to the structural conditions that manufactured migrant vulnerability.

Deflection was another historical trend that opponents of A.B. 528 highlighted. They argued that economic instability stemmed not from undocumented workers but from systemic failures. Rather than addressing the root causes of economic downturns, elites redirected public frustration onto undocumented migrants, scapegoating them for high unemployment and recession.

²²⁶ Loya to Martinez, "RE: Your Letter Inquiring about MAPA's Position," March 20, 1972.

²²⁷ Baca, "Chicano Protest: Illegal Alien Law."

²²⁸ "News Release," n.d., *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

55. The economic recession in the state of California and the failure of the system to rectify the causes, is the reason for this “scapegoat” law.

It is estimated by a local Assemblyman that minorities have an 18% unemployment rate. Of these, less than 1% are “illegal aliens” in the state of California. If one takes 1% from 18% we still have a 17% unemployment rate.²²⁹

56. And now at a time when the oppressed people of this country have begun to voice their dissatisfactions (Blacks, Asians, poor Whites, women's groups, American soldier's Unions, etc.), this state looks to the so called “aliens,” as the principal reasons for poverty and unemployment, when in reality the problem lies in other factors such as the Vietnam War and the exportation of our job markets to other countries. The electronics industry and the gigantic garment industry are principally responsible for exporting their job markets to Mexico, where the Mexican people are paid much less money for their hard work; while unemployment in this country keeps growing.²³⁰

These statements expose the politics of blame, showing how elites constructed the “illegal alien” as a convenient scapegoat to avoid accountability for economic failures. Statement fifty-five argues that California’s recession resulted from structural policy failures, not immigration, and supports this claim with statistical evidence showing that undocumented immigrants made up a negligible portion of the unemployed. Statement fifty-six extends this critique by linking scapegoating to broader forces like war, corporate outsourcing, and global economic shifts, factors that elites ignored while placing blame on migrants.

The historical narrative against A.B. 528 exposed a recurring pattern: U.S. institutions recruited Mexican workers in times of economic need and expelled them once their exploitation was no longer necessary. This strategy of exclusion has long functioned as a tool of labor control rather than national security. The opposition to A.B. 528 sought to interrupt this recurring cycle by exposing how such policies were never about national security or economic stability but about maintaining racial and economic hierarchies. The key question remains: how can we break this historical cycle?

²²⁹ Baca, “Chicano Protest: Illegal Alien Law.”

²³⁰ “News Release,” *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

Radical Thoughts Narrative

While many opponents of A.B. 528 framed their arguments around morality, historical precedent, or pragmatic concerns, a smaller but significant group of activists rejected the very foundation of restrictive immigration laws. Rather than advocating for better enforcement mechanisms or humanitarian protections, these activists challenged the exclusionary nature of U.S. immigration policy itself, constructing undocumented migration as a fundamental human right. Unlike the morality narrative, which grounded opposition in compassion and fairness, or the historical narrative, which exposed patterns of racialized exclusion, the radical narrative called for a complete reimagining of borders, citizenship, and labor rights. This framework did not seek to make the undocumented legible within the legal system but instead questioned why legality should determine human worth in the first place.

Opponents of A.B. 528 positioned migration as a moral and universal right, rejecting nationalist frameworks that justified exclusion. For example, Pope Paul VI declared:

57. Pope Paul VI, has recently stated in two documents, The Spiritly Care of Immigrants and a Call to Action, that immigrants have certain basic rights, among which are the rights to immigrate for their survival to work, and support their dependents in the mother country. His Holiness ask's that these people be welcomed by the country to which they migrate and that their rights be protected by law.²³¹

This religious framing linked migration to human dignity and moral duty, casting restrictions on movement as unjust rather than lawful. The argument disrupted nationalist assumptions by asserting that human rights transcend borders.

Similarly, radical activists challenged the very idea that governments should control who belongs. Statement fifty-eight pushes back on national sovereignty and enforcement, stating:

58. The spokesman indicated that they do not believe that it is the “illegals” who should be deported or fought against but that the laws should be changed and everyone

²³¹ Hurtado, “RE: The Statement of Illegal Aliens.”

should be able to reside where they like, and provided with adequate employment. Business can spread the wealth more, powers can be shortened; and more jobs can be created in a peace oriented economy, they believe.²³²

This framing reimagines migration as a basic human right. For these activists, the real problem was not the undocumented themselves, but the system that rendered them “illegal” in the first place.

The radical narrative also called for fundamental economic restructuring rather than merely adjusting immigration enforcement. Instead of advocating for better legal protections within existing frameworks, these activists critiqued the economic system itself. This perspective is evident in Statement fifty-nine, which questions why policymakers prioritize exclusion over economic investment in marginalized communities:

59. Why can't you people fight as hard to create jobs in the barrio as you do to exclude the Mexicans from Mexico? Why can't you and the Federal government, what's happening in East L.A. now? They want to build \$60,000 homes in the hills right above East L.A. and they want to demolish the barrio. We have evidence of this. Why can't we put jobs there? Why can't we work on that for the benefit of all the people? That would dry up some of the sources of these problems so that we could take more people in, you see? . . . we want assimilation and administer parole for the people. . . . I think that we have to rearrange our national priorities for people rather than for profit.²³³

This statement exposes the contradictions in how poverty and migration were framed, arguing that exclusionary policies served as a deflection from real solutions to poverty and inequality. By demanding that the government invest in job creation rather than criminalizing migration, this narrative shifted the debate back onto policymakers and the economic system itself. In critiquing the capitalist logic behind immigration enforcement, it positioned undocumented migrants not

²³² La Voz de MAPA, “Reagan’s Deportation Bill.”

²³³ Father Mark Day (in conversation with Chairman McCarthy and Assemblyman Gonsalves), “Illegal Aliens and Anti-Strikebreaker Legislation,” *Transcript of Hearing*, February 1, 1972, Sacramento, CA, 31-33.

just as workers but as human beings whose rights should not be contingent on their economic utility.

Beyond rejecting the premise of “illegality,” this narrative also called for abolishing deportations and regularizing the status of all undocumented workers. Statement sixty laid out clear demands for legalization, arguing that:

60. All workers who are here working and living should be given visas immediately!

That while their visas are being processed, no one should be deported!

That all children, women and aged persons who are not workers and are here within our families' folds should also be given their visas!

That ALL deportations should be stopped, immediately.²³⁴

This statement directly challenged the core function of A.B. 528 by framing deportations not as law enforcement, but as inhumane and unnecessary acts that disrupted the lives of long-settled immigrants. By positioning legalization as both a moral and practical necessity, the statement rejected the bill’s underlying goal: expanding state control over undocumented immigrants.

Rather than treating unauthorized status as a criminal offense requiring punishment, this perspective recast undocumented workers as integral members of society whose exclusion was neither natural nor necessary. Furthermore, the call to end deportations was not merely a demand for leniency but a rejection of the entire enforcement apparatus that treated undocumented presence as a problem to be eradicated. In doing so, this argument undermined the legitimacy of deportations, portraying them not as neutral legal procedures but as coercive state actions that destabilized immigrant communities and reinforced racialized hierarchies of belonging.

Unlike other counternarratives that sought policy change through legislative appeals, the radical narrative emphasized grassroots resistance, direct action, and community mobilization.

²³⁴ Father Mark Day et al., “Statement of C.A.S.A.”

Statements sixty-one and sixty-two framed mass organizing as the key to dismantling racist policies, urging workers to unite, form committees, and take collective action against the law:

61. Unidos somos una gran fuerza...unidos derrotaremos esta gran injusticia...aboliremos la ley Arnett. Organizemos a nuestros compañeros de trabajo...A nuestras familias...a nuestras iglesias, nuestras escuelas. A toda nuestra comunidad ... en comites de defensa y lucha! contra esta ley! Todos escriban una nota a: Gobernador Reagan...Diciendole: ARNETT NO.²³⁵

62. "They come because they are learning that in unity there is strength. If our status is 'illegal', we can only fight through organization."²³⁶

These statements suggest that "illegality" is not an inherent status but an imposed condition meant to divide workers and weaken organizing efforts. The only response, then, was collective resistance. Rather than appealing to policymakers for recognition, these narratives insisted on building power through direct action by encouraging workplace organizing, mobilizing families, and forming defense committees. In doing so, they reframed immigration enforcement as a tool of economic and racial suppression, best countered not through legal appeals but through collective struggle.

Finally, some activists challenged the racialized logic of exclusion, arguing that difference should be embraced rather than vilified. Statement sixty-three directly confronted the racial discrimination underlying immigration enforcement:

63. It is a forth right violation of our civil rights, when each and every one of us subject to questioning by not only the government agencies, but by our employers, just because: the color of our skin, our language, and our names are "different". "Different" does not mean inferior. "Different" does not mean wrong. "Different" does not mean stupid: and "Different" does not mean dirty and lazy. "Different" means that there is a great possibility that the Mexican people have not been

²³⁵C.A.S.A., "¡Peligro Trabajador Sin Papeles! Gran Marcha de Protesta Marzo 4," n.d., *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

²³⁶ La Voz de MAPA, "Reagan's Deportation Bill Threatens Millions of Chicanos," *The Mexican American Political Association Newsletter*, February 1972.

recognized in their own right. And "Different" means that perhaps the time has come for us to live and be treated as men and women, rather than as beasts.²³⁷

This language explicitly rejects the dehumanization of undocumented workers and instead calls for recognition, dignity, and justice. The rhetorical shift from difference as a marker of exclusion to difference as a source of value offered a powerful counter to dominant narratives that cast Mexican migrants as threats. By reframing the discourse, this statement disrupted the logic of racial inferiority and instead positioned Mexican people as deserving of full humanity and rights.

The radical narrative differed from other defenses against A.B. 528 because it did not just advocate for better treatment of undocumented workers, it fundamentally rejected the structures that criminalized migration. While other narratives sought to reform the system, this narrative sought to dismantle it. By rejecting the legal framework that divided documented from undocumented, workers from non-workers, and citizens from non-citizens, this discourse challenged the very notion of a symbolic border. Unlike other counternarratives that framed undocumented workers as victims deserving compassion, the radical narrative positioned them as political actors demanding justice.

The core question posed by this discourse remains relevant today, if the exclusion of undocumented immigrants is a deliberate, racialized policy choice, what alternatives exist beyond simply reforming restrictive laws? If migrants are not just workers but full human beings with rights independent of state recognition, what would it mean to truly dismantle the systems that criminalize them? This narrative challenges us to look beyond reforms within the existing system and to imagine a world where exclusionary borders and the logics that sustain them no longer define belonging.

²³⁷ "News Release," *Herman Baca Papers*, MSS 0649, Special Collections & Archives, UC San Diego.

The Haunting of the American Dream: Hunt, Capture and Deportation

In the political battle over A.B. 528, opponents sought to manufacture possibility for undocumented immigrants by using moral, historical, and radical narratives to challenge exclusionary policies. These narratives framed undocumented immigrants as workers, community members, and human beings worthy of dignity and inclusion. While these rhetorical strategies provided an important counterpoint to dominant discourses of criminality and invasion, political and public discourse ultimately constrained their impact.

This tension between humanizing immigrants and reinforcing their precariousness is at the heart of *The Unwanted*, a 1975 documentary that marked a shift in mainstream representations of undocumented migration.²³⁸ Before its release, the language of invasion shaped the dominant narrative of immigration, as politicians, media outlets, and enforcement agencies obsessed over quantifying “how many” undocumented people were in the U.S. However, these numbers consistently reflected public anxiety more than the reality of migration itself.

When *The Unwanted* aired on NBC Los Angeles, it offered a counter-narrative to the invasion discourse by portraying undocumented immigrants as individuals with aspirations, families, and struggles. Unlike policy debates that dehumanized them through statistics and legal classifications, the documentary centered their personal stories. In doing so, it reframed immigration from a national security “problem” to a human-interest story. Yet, despite its attempt to challenge dominant narratives, *The Unwanted* continues to rely on the logics of pursuit and exclusion. It constructs the undocumented not only as subjects in search of

²³⁸ *The Unwanted*, directed by Jose Luis Ruiz, written by Frank Del Olmo (Los Angeles, CA: NLCC Educational Media, 1997; originally released 1975), videocassette.

opportunity but as those always on the verge of capture. The film's structure, which is both cyclical and fragmented, mirrors the repetitive cycle of migration, enforcement, and exclusion.

This dynamic is best understood through the lens of haunting. As Gloria Anzaldúa famously wrote, "the U.S. Mexican border es una herida abierta [is an open wound] where the Third World grates against the first and bleeds."²³⁹ This open wound, the site where immigrants seek opportunity but are met with exclusion, becomes the unspoken backdrop of *The Unwanted*. The documentary captures this haunting in two ways: first, by introducing immigrant aspirations, and second, by forcing the audience to witness their inevitable betrayal through deportation.

This section analyzes how *The Unwanted* constructs the haunting of the American Dream, specifically through the film's portrayal of pursuit, capture, and removal as mechanisms that reinforce the impossibility of belonging. To mirror the documentary's storytelling techniques, this analysis integrates visual analysis of key moments ("The In-Between" sections) with human-interest stories that illustrate different trajectories of the American Dream. Pablo's story represents the immigrant driven by economic necessity, seeking opportunity in the U.S., while the Garcia family's story embodies a vision of economic stability and contribution, despite their undocumented status. Gabriel and Yolanda's story highlights the devastating consequences of deportation, illustrating how the American Dream is foreclosed for many. Meanwhile, employer narratives expose the contradictions of American capitalism, revealing how belonging is determined by economic value rather than legal status. By examining how *The Unwanted* frames these narratives, this section interrogates how media representations construct the undocumented immigrant as a figure of pursuit, exclusion, and impossibility. Although the film

²³⁹ Gloria Anzaldúa, *Borderlands/La Frontera: The New Mestiza*. 1st ed. (San Francisco: Spinsters/Aunt Lute, 1987), 3.

seeks to humanize undocumented immigrants, it remains tethered to the limits of the American Dream: a framework that grants conditional inclusion only through economic productivity and ultimately reinforces exclusion. *The Unwanted* reveals that for undocumented immigrants, the American Dream is not simply an aspiration; it is a specter that haunts their existence.

The In-between: Visualizing the Hunt/Haunt

The film opens by portraying the undocumented subject as a hunted figure, juxtaposing the Mexican-American War with contemporary immigration enforcement raids. The first sequence reconstructs the American frontier through imagery of war and bloodshed, foreshadowing how violence has shaped and continues to shape the U.S.-Mexico border. While the violence of the Mexican-American War took the form of cannons and battlefields, today the state wages a different kind of war, carried out through surveillance, policing, and deportation.

The film makes this shift from military conquest to immigration enforcement explicit through a stark time jump. The historical montage of war and revolution suddenly gives way to a present-day scene of a man running through the streets. He is fleeing, his body in motion, while an unseen force, presumably an immigration officer, pursues him. This parallel positioning suggests that Mexican existence in the U.S. is one of perpetual flight, a continual state of (un)becoming: “Leaving the smoke and ashes of a modern-day Mexico torn by poverty, they come in search of the American Dream, only to find they have become the unwanted.”²⁴⁰

This narration underscores the contradictions of migration. While immigrants pursue economic survival, U.S. institutions construct them as disposable subjects. The film presents the border as a wound, a site where immigrants’ pursue dreams that the system forecloses. Echoing

²⁴⁰ *The Unwanted*, dir. Ruiz.

Anzaldúa's metaphor of the border as an open wound, *The Unwanted* visualizes this pain through images of flight, capture, and loss.²⁴¹

Yet the film also leaves certain realities unspoken. While it highlights the struggle of border crossers, it does not interrogate who benefits from their precarity. The absence of this critique allows the narrative to fall back into a humanitarian frame, which evokes sympathy but does not challenge the structural forces that produce the conditions of illegality in the first place. The focus on individual struggle risks depoliticizing the larger system of labor extraction, surveillance, and enforcement.

By visually positioning the undocumented as both pursued and in pursuit, *The Unwanted* constructs a subjectivity that is always in motion, never secure. This haunting is reinforced through fragmented cinematography, where images of pursuit, capture, and removal repeat in a cyclical manner. This structural choice reflects the reality that, for undocumented immigrants, there is no resolution but rather an ongoing negotiation of presence, exclusion, and return.

The Pursuit: American Dream in Motion

The first story features Pablo, an immigrant from Puerto Vallarta, Mexico, who is about to embark on his journey as an undocumented immigrant to the United States. The documentary captures the emotional weight of migration, not only for Pablo but for his entire family. As he prepares to leave, he embraces his loved ones in what will be one of his last moments with them. Pablo reflects on his departure: "It is not easy to leave your loved ones or your homeland, and yet there is not much that can be said. We see and look at each other, and I become very sad when I think of how much I will miss my family. But if I don't go to the United States, my

²⁴¹ Anzaldúa, *Borderlands/La Frontera*, 3.

mother and family will have no place to live and no money for food.”²⁴² Pablo’s narration compels the viewer to witness the severity of what is at stake. He leaves not by choice but out of necessity for his family’s survival. The documentary highlights Puerto Vallarta’s stark economic realities, portraying it as a town that serves as a playground for American tourists while remaining an impoverished home for local residents.

The film juxtaposes this contradiction with Pablo’s human-interest story which challenges the national security discourse that casts undocumented immigrants as threats. Rather than reinforcing the hegemonic narrative of invasion, the documentary positions Pablo as an individual with *ganas* (grit), determined to succeed. The narrator affirms this by stating: “For like other lonely and fearful immigrants, he knows the American Dream belongs only to those who pursue it.”²⁴³ The film strategically aligns Pablo’s story with the pursuit of the American Dream, portraying him as ambitious despite U.S. laws that restrict his mobility. However, his story also exposes the impossibility of the American Dream. As the film notes, unlike past waves of migration, where European immigrants arrived at Ellis Island or Mexican laborers entered in masse through the Bracero Program, contemporary migration policies discourage permanent settlement. Pablo’s journey highlights the shift toward a temporary labor model, which reinforces precarity rather than stability. His story also complicates the dominant neoliberal narrative of the American Dream, which promotes self-sufficiency and individualism. While Pablo embraces the idea of hard work and perseverance, his motivations are collectivist rather than individualist, as his success supports the well-being of his family.

²⁴² *The Unwanted*, dir. Ruiz.

²⁴³ *The Unwanted*, dir. Ruiz.

Opportunity and Precarity: The Garcia Family's Dream

The second story centers on the Garcias, a mixed-status family of six, where only the youngest child is a U.S. citizen. Their story presents an optimistic vision of the American Dream, but it remains haunted by the looming threat of deportation. Garcia expresses his gratitude for being in the U.S.: “I am very proud to be here because I have a chance to give to my family everything they need. The money that I was making in Mexico was not enough to buy food for my family or clothes for my children.”²⁴⁴ His words reinforce the myth of opportunity embedded within the American Dream: the idea that hard work leads to prosperity. However, the paradox is that while the family has achieved economic stability, their legal status remains unchanged. One misstep could strip away everything they have built.

To make the Garcias legible to the broader public, the documentary frames them as a heteronormative nuclear family, a strategic move to evoke empathy from an American audience. Garcia reflects on his childhood in Mexico: “When I lived in Mexico, I didn’t have any schooling. I was eight or nine years old, and I was supposed to go to school, but I only went twice because I had to work on the farm. Everybody works in Mexico, women and children, they don’t pay good, and so they come to this country to make a better living for their family.”²⁴⁵ His words challenge the American construction of childhood as a protected, education-centered stage of life. Instead, labor and survival mark childhood in impoverished communities. Garcia also speaks to the wage discrepancies between Mexico and the U.S.: “In Mexico City, I was working in a restaurant making \$24 a week. It was not enough to support my family. I was feeling very bad inside my heart because I cannot give my family anything. My children were crying, and

²⁴⁴ *The Unwanted*, dir. Ruiz.

²⁴⁵ *The Unwanted*, dir. Ruiz.

they were asking me for things.”²⁴⁶ His statement underscores global economic inequalities; yet, while goods and capital flow freely across borders, people do not.

The In-Between: Visualizing the Capture

This section, “Visualizing the Capture,” presents the spectacle and performative nature of immigration raids. One of the most unsettling aspects of the documentary is how normalized these raids appear. Immigration officers casually take coffee breaks between enforcement actions, discussing “dangerous border crossers” before heading out to patrol, fully aware that their actions could uproot someone’s life in an instant. These moments underscore how routine and unremarkable state violence has become, treated not as morally troubling, but as just another part of the bureaucratic procedure. For example, the film captures the chase and apprehension of undocumented immigrants, depicting the hunt as a routine performance of state power. The tension between the officers’ detached demeanor and the desperation of the captured migrants reveals a stark contrast in how the state views enforcement versus how migrants experience it. For instance, when Gabriel Lopez is handcuffed, he tells the immigration officer, “Because you know, I like it right here, and I want to stay here.”²⁴⁷ His words capture the cruel irony of his situation: his desire to belong is met with expulsion.

The Employer’s Dilemma: Documentation and Citizenship

In the 1970s, employers were often cast as villains in public debates about immigration, and policies like the Dixon Arnett law sought to penalize them for hiring undocumented workers.

²⁴⁶ *The Unwanted*, dir. Ruiz.

²⁴⁷ *The Unwanted*, dir. Ruiz.

The first employer introduced in the documentary owns a restaurant and reflects on how immigration enforcement impacts his business:

“Um, if someone comes into your restaurant looking for a job, we give an application card. On the card, it states, 'Are you a citizen?' If it is marked yes, when we read the card, then we assume the individual is a citizen of the United States. There is no way you can really tell... What we need are people who can do a job, and that is what we are looking for. If the aliens or supposed aliens were taken away from our industry—my restaurant in particular—economically, it would be disastrous as far as the public is concerned. We would automatically just, labor-wise, double the price on the menu. If we can get American citizens to do some of the jobs, it's almost impossible. I haven't seen in ten years in Southern California an American dishwasher. Americans are too good to wash dishes, basically speaking, and I don't mean that detrimentally. We were just brought up that way.”²⁴⁸

His frustration reveals the contradictory role of undocumented workers in the U.S. economy. On the one hand, they are deemed illegal and subjected to deportation, yet on the other, they provide essential labor that sustains entire industries. His comment that “Americans are too good to wash dishes” pushes back against the claim that undocumented workers are taking jobs from U.S. citizens. Instead, he points out the labor hierarchy that dictates which jobs are desirable and who is expected to perform them. Additionally, his argument that removing undocumented workers would force businesses to double menu prices exposes the hidden subsidy undocumented labor provides to American consumers. Without it, the cost of dining out or any other service industry reliant on low-wage labor would dramatically increase.

The Capitalist Contradiction: Profit vs. Enforcement

The second employer, who works in the garment industry, pushes back against the idea that businesses should be responsible for verifying immigration status:

“The fact that we will have to take people and investigate them—that would make us a member of the CIA, FBI, um, police department, and all the other organizations. No, I don't feel that we should have to be policemen. They have union cards, and if anybody is

²⁴⁸ *The Unwanted*, dir. Ruiz.

going to check them, let it be either the border patrols, the immigration departments, or the unions. I don't feel it should be management's responsibility. Between collecting income taxes, doing census reports, pollution reports, and now they want us to tell them if they are legal or illegal. Who is going to reimburse us? Who is going to pay management?"²⁴⁹

This response highlights the contradictions between American capitalism and the state's effort to regulate labor. Although businesses rely on undocumented workers to sustain their industries, the government expects employers to enforce immigration laws, even though doing so conflicts with their primary goal of profitability. The employer's frustration centers not on the workers themselves, but on the state's attempt to offload the task of labor policing onto businesses. His comments reveal how immigration enforcement serves economic interests by keeping undocumented labor exploitable but never fully secure.

Racial Profiling and Labor Control

The third employer challenges the assumption that undocumented immigrants exclusively work in low-skilled jobs. He expresses concern about the racial profiling that would result from employer sanctions:

"I really don't know how you handle an illegal man since there is no legitimate way we could really tell. When a man comes in, you can assume, you can guess, but there is no way of knowing whether he is illegal or not. They have such good documentation. I'd rather think the better place to start is with the Social Security card. If the government is gonna control it, looks like a pretty easy place to do it. And if a guy came in, like any Caucasian worker, and says, 'I'm legal, and I want a job,' and you hire him, and he's of Mexican extraction, you really run a big risk. And I am not sure how you get away from penalizing people that have a legitimate right to work here. I think our natural reaction would be, since the penalty would be so severe, to have an excessively hard look at any Mexican-descent individual who comes in for work."²⁵⁰

²⁴⁹ *The Unwanted*, dir. Ruiz.

²⁵⁰ *The Unwanted*, dir. Ruiz.

His words expose the racial conflation between being Mexican and being undocumented. The assumption that Mexican workers are inherently suspect reflects broader patterns of racialized labor control. His concern that employer sanctions will result in discrimination acknowledges the paradox of enforcement: by attempting to regulate undocumented workers, the government would inadvertently create new forms of exclusion for all Mexican workers, regardless of legal status. This argument is especially revealing when juxtaposed with a later scene in the documentary featuring an INS official. The official reminds the public about the Fair Employment Practices Act, which prohibits discrimination based on nationality. This contradiction, between the stated ideal of equal employment rights and the reality of immigration enforcement, illustrates how race and labor are deeply intertwined in U.S. immigration policy.

Taken together, these employer narratives expose the contradictions at the heart of U.S. immigration policy. While the state criminalizes undocumented workers, it simultaneously depends on them to sustain key industries. This paradox, where the state enforces exclusion but maintains economic reliance, reveals the instability of immigration enforcement. Employers, despite benefiting from undocumented labor, express frustration that the government forces them to act as enforcers of laws they neither control nor fully support. This tension illustrates how immigration enforcement is not simply about legality but functions as a mechanism of labor control, keeping undocumented workers in a state of perpetual precarity. By framing enforcement as necessary for economic stability, the state legitimizes exclusion while ensuring that labor remains cheap and disposable.

This unresolved tension not only exposes the contradiction of enforcement, but also sets the stage for the final act: deportation. The next section examines how *The Unwanted* captures

the haunting reality of removal, where the state not only denies the American Dream but violently forecloses it through deportation.

The In-Between: Visualizing the Deportation

Perhaps the most haunting scene in the documentary depicts the looming deportation of American Dream seekers whom immigration agents captured during the raid. When authorities deny the camera crew entry into the holding room, the door shuts, symbolizing the finality of their fate. Yet, before the scene fades, a defiant cry echoes: “Viva Villa, Viva Mexico.”²⁵¹ For those familiar with Mexican history, this invocation of Pancho Villa, often likened to Robin Hood, serves as a powerful act of resistance. It reframes their deportation not as an admission of defeat, but as part of a historical continuum of struggle.

The film presents Tijuana as a “dumping ground,” a place where the United States discards people it no longer finds useful. This imagery calls to mind Anzaldúa’s assertion that “the third world grates against the first and bleeds,” portraying the border as a site of perpetual violence and dispossession.²⁵² Deportation is not simply an administrative act; it wounds individuals and families and severs them from the lives they sought to build. The state does not simply remove these families; it wounds and betrays them, casting them out at the threshold of a country that once promised opportunity. The documentary’s closing statement shifts focus from the deported to those in power, calling out Congress for its failure to address immigration tensions in a meaningful way. This final critique underscores a crucial question: Who gets blamed, who is held accountable, and who is responsible? The film exposes how powerful institutions misdirect blame targeting the deported rather than the economic and political

²⁵¹ *The Unwanted*, dir. Ruiz.

²⁵² Anzaldúa, *Borderlands/La Frontera*, 3.

structures that create their precarity. Rather than confronting the exploitative labor system that depends on undocumented workers while simultaneously criminalizing them, policymakers instead frame the undocumented as the problem. This redirection of blame obscures the true causes of economic instability and fuels harmful narratives that justify exclusion.

Many portray capitalism as an equalizing force, yet access to its promises remains deeply unequal. Many have sought the American Dream, but few have attained it, as racial, class-based, and citizenship-based barriers have long shaped access to economic stability and legal status. The film argues that discrimination is not incidental; it is foundational to the U.S. immigration system. Recognizing who is excluded, who benefits, and who must be held accountable requires a historical lens that situates current immigration debates within a legacy of racialized labor control.

In sum, *The Unwanted* offers a critique of mainstream immigration discourse by shifting attention away from criminalization narratives and toward the lived realities of undocumented immigrants. By highlighting human-interest stories, the documentary redefines undocumented individuals not as threats, but as workers, parents, and seekers of opportunity. The film dismantles the national security frame and instead humanizes its subjects, making them legible to the American public by aligning their aspirations with the dominant cultural myth of the nuclear family and the American Dream. Yet, despite this framing, the film ultimately reveals a painful reality: state policies systematically deny those who pursue the dream the right to belong. In the eyes of the state, they remain unwanted.

Conclusion

This chapter has demonstrated how the debates surrounding A.B. 528 positioned undocumented Mexicans on a rhetorical and symbolic border of danger and possibility. Although

politicians constructed them as “illegal,” they simultaneously framed them as hard workers, often comparing them to Bracero laborers. This rhetorical move painted them both as victims of exploitative employers and as individuals who had overstayed their welcome. This framing manufactured a sense of danger, reinforcing racist cognitive representations of Mexicans while normalizing national security rhetoric as a tool for policing the undocumented. In doing so, the debate over employer sanctions in California laid the groundwork for increasingly punitive measures targeting undocumented communities.

Ultimately, the debates around A.B. 528 legitimized national security discourse, paving the way for employer sanctions and enforcement measures that would culminate in the Immigration Reform and Control Act (IRCA) of 1986. The political discussions in California during the 1970s not only contributed to heightened border surveillance and expedited deportations in the following decade but also influenced the contours of amnesty policies. While the danger narrative dominated elite discourse, the possibility narrative also played a strategic role. Politicians used it to negotiate support by suggesting that if those who had arrived before the 1970s could be legalized, then would they (Chicana/os) in turn support employer sanctions? This foreshadowed the structure of IRCA, which balanced legalization for some with intensified enforcement mechanisms.

This chapter has shown how the discursive construction of danger and possibility was not merely rhetorical; it became the foundation for U.S. immigration policy. These narratives shaped the restrictive policies that followed, culminating in employer sanctions and the criminalization of undocumented labor. Yet, these policies did not emerge in isolation. Rather, they evolved alongside shifts in economic governance. As neoliberalism gained traction in the 1980s, policymakers faced a contradiction: how to maintain access to undocumented labor while

reinforcing restrictive enforcement. The next chapter examines how the 1986 Immigration Reform and Control Act institutionalized this contradiction, balancing amnesty with increased surveillance and sanctions, and deepening labor precarity under the guise of reform.

Chapter 4: “Cracking Down”: Surveillance, Protection, and the Criminalization of the Undocumented, 1982-1992

Introduction

By the 1980s, policymakers and media reframed immigration rhetoric, portraying undocumented immigration as a national security crisis. This shift coincided with the rise of neoliberal governance, characterized by deregulation, the promotion of free markets, and expanded surveillance over marginalized populations. The 1986 Immigration Reform and Control Act (IRCA) institutionalized these contradictions by granting legal status to select undocumented immigrants while imposing employer sanctions and intensifying border enforcement. This dual approach created a tiered system of legality, blurring the lines between inclusion and exclusion. Legalization was framed as a privilege for the “deserving,” while those excluded faced increased criminalization.

This chapter argues that IRCA functioned as a tool of exclusion disguised as reform, reinforcing racialized labor hierarchies and perpetuating migrant vulnerability. To unpack this, I first examine the neoliberal contradictions that structure IRCA. Next, I analyze how policymakers and media collaboratively framed undocumented immigrants as threats, justifying restrictive enforcement. Lastly, I discuss IRCA’s enduring legacy, highlighting its influence on increasingly punitive immigration measures in the 1990s and beyond. These themes set the groundwork for exploring how public discourse shaped perceptions of undocumented immigrants through narratives that manufactured danger and constrained possibilities for inclusion.

Neoliberal Contradictions of IRCA

IRCA crystallized the contradictions of neoliberalism by promoting market flexibility while intensifying surveillance and the criminalization of immigrant labor.²⁵³ These contradictions are clearest in the employer sanctions paradox: although the law prohibited businesses from hiring undocumented workers, key industries such as agriculture and service continued to rely heavily on immigrant labor. Kitty Calavita notes that this reflects a historical tension in U.S. immigration policy: the economy depends on immigrant labor, yet restrictions are routinely imposed to maintain political legitimacy.²⁵⁴ Rather than penalizing employers, IRCA's sanctions exacerbated migrant vulnerability, rendering workers more susceptible to exploitation.²⁵⁵

Nicholas De Genova's concept of "deportability," a condition of perpetual insecurity that disciplines labor through fear of removal, clarifies how IRCA maintained a legalized yet precarious class of immigrant workers.²⁵⁶ The law's selective amnesty imposed restrictive procedural barriers, reinforcing dependence on low-wage employment while denying long-term security.²⁵⁷ This contradiction aligns with Cedric Robinson's theory of racial capitalism, where racialized labor hierarchies sustain economic extraction.²⁵⁸ IRCA preserved immigrant labor as indispensable yet disposable, ensuring profitability while institutionalizing insecurity.

²⁵³ Perry, "Overlooking/Looking Over Neoliberal Immigration."

²⁵⁴ Calavita, "The Contradictions of Immigration Lawmaking."

²⁵⁵ Perry, "Overlooking/Looking Over Neoliberal Immigration."

²⁵⁶ De Genova, *Working the Boundaries*; De Genova, "Migrant 'Illegality' and Deportability in Everyday Life"; Tanya Golash-Boza and Pierrette Hondagneu-Sotelo, "Latino Immigrant Men and the Deportation Crisis: A Gendered Racial Removal Program." *Latino Studies* 11, no. 3 (2013): 271-292.

²⁵⁷ Perry, "Overlooking/Looking Over Neoliberal Immigration."

²⁵⁸ Robinson, *Black Marxism*.

Although IRCA marked a turning point in immigration policy, it did not emerge in a vacuum.²⁵⁹ Throughout the early 1980s, several similar immigration reform bills failed to gain legislative approval. Proposals in 1982, 1983, and 1985 all attempted to balance employer sanctions, labor protections, and legal pathways for undocumented immigrants, but political divisions repeatedly stalled reform.²⁶⁰ By the time IRCA passed in 1986, lawmakers had shaped it into a compromise reflecting competing economic and political pressures, offering a limited amnesty while increasing enforcement.²⁶¹

Constructing Crisis: IRCA, Media, and the Politics of Illegality

To justify IRCA's restrictive enforcement measures, policymakers and media figures reframed undocumented immigration as a national security crisis.²⁶² Immigration was no longer framed merely as an economic concern but increasingly portrayed as a threat to national sovereignty, public safety, and cultural stability, marking a significant shift in immigration discourse. Policymakers strategically employed several rhetorical frameworks to legitimize IRCA's enforcement provisions. Senator Alan Simpson (R-WY) explicitly linked immigration to security, stating, "The word 'security' is entering the debate," a move that fueled moral panic and bolstered support for harsher policy interventions. Politicians portrayed the U.S.-Mexico border as dangerously porous, labeling it as America's "Achilles' heel."²⁶³ These narratives framed immigration as uncontrollable chaos, requiring immediate state intervention. By

²⁵⁹ Immigration Reform and Control Act of 1986, Public Law 99-603, 99th Cong., 100 Stat. 3359 (1986).

²⁶⁰ Pear, Robert. "House Refuses to Consider Broad Bill on Immigration." *New York Times, Late Edition (East Coast)*, September 27, 1986, sec. 1.

²⁶¹ Pear, Robert. "President Signs Landmark Bill on Immigration." *New York Times, Late Edition (East Coast)*, November 7, 1986, sec. A.

²⁶² Chavez, *Covering Immigration*; Benjamin Gonzalez O'Brien, *Handcuffs and Chain Link: Criminalizing the Undocumented in America* (Charlottesville: University of Virginia Press, 2018).

²⁶³ Matt Moffett, "Guarding the Gates: Fear of Terrorists Directs New Attention To Illegal Immigrants—Border-Tightening Advocates Say Security Is at Stake, But Others Have Doubts—Submachine Guns in Texas," *Wall Street Journal*, Eastern Edition, May 14, 1986.

portraying undocumented migration as an existential threat rather than a labor issue, policymakers rallied public support for stricter enforcement policies.

Policymakers and media also employed gendered narratives, amplifying exclusion through fears of reproductive burdens and welfare dependency. Congressional debates depicted immigrant women as irrational and prone to “reproductive accidents,” invoking fears of demographic change and dependency.²⁶⁴ By racializing gender and reproductive behavior, these narratives legitimized exclusion as essential for preserving social order.

Through emotionally charged language, racialized images, and security-focused rhetoric, media coverage reflected and reinforced policymakers’ anxieties, embedding exclusionary ideas about immigrants into the public imagination and making harsh immigration enforcement seem both necessary and justified. My analysis of national newspapers (*Wall Street Journal*, *Christian Science Monitor*, *New York Times*) reveals dominant themes in media coverage, including frequent associations between undocumented migration, crime, terrorism, and border instability.²⁶⁵ Journalists, editorials, letters to the editor, and commentary by politicians and people with stakes in the debate routinely described immigrants as economic competitors who depressed wages and burdened public resources. These portrayals legitimized employer sanctions while obscuring structural dependence on immigrant labor. Furthermore, media coverage reinforced IRCA’s selective inclusion rhetoric by consistently portraying “good,” deserving immigrants as hard-working and morally upright, while casting “bad” immigrants as

²⁶⁴ Chock, “No New Women”; Chock, “Remaking and Unmaking ‘Citizen.’”

²⁶⁵ While this chapter primarily analyzes media coverage from the *New York Times*, *Christian Science Monitor*, and *Wall Street Journal*, I incorporate a single excerpt from the *Los Angeles Times* to highlight a counter-narrative that was less prominent in my primary sources. Given California’s central role in shaping immigration policy debates, particularly in the lead-up to Proposition 187, regional newspapers like the *LA Times* played a key role in reflecting public sentiment. This excerpt serves to illustrate the Opportunity Narrative, a framework that was not as widely represented in the national newspapers I analyzed but remains critical to understanding how the discourse of immigration reform was contested.

criminals or welfare dependents. These narratives entrenched a racialized hierarchy, making exclusionary policies appear justified, natural, and necessary.

Additionally, emotionally charged and visually dramatic media portrayals significantly shaped public perceptions. As Elizabeth Cohen argues, events like “the Mariel boatlift. . . [and the] drowning death of thirty Haitians. . . brought undocumented immigration into focus for Americans in a way that statistics alone could not.”²⁶⁶ These vivid images embedded a sense of crisis into public consciousness.²⁶⁷ Teun van Dijk’s discourse analysis further shows that media narratives did more than reflect political discourses; they helped produce social meanings.²⁶⁸ By embedding immigration within frames of security and economic anxieties, the media normalized IRCA’s enforcement measures and laid the rhetorical foundation for more punitive policies.

Beyond IRCA: Long-term Consequences of Criminalization

While this discursive shift reshaped public perceptions, its consequences extended beyond rhetoric. In the years that followed, IRCA’s logic of selective inclusion and enhanced enforcement provided the blueprint for increasingly carceral and exclusionary immigration policy. Three significant developments illustrate IRCA’s long-term legacy: First, California’s Proposition 187 (1994) intensified the framing of undocumented immigrants as threats to economic stability, public resources, and cultural identity. This policy explicitly linked migrants to welfare fraud and social decay, reinforcing the narrative that immigration was fundamentally incompatible with U.S. society. Second, the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA, 1996) expanded deportation and detention mechanisms, building on

²⁶⁶ Cohen, *Illegal*, 142.

²⁶⁷ Cohen, *Illegal*.

²⁶⁸ Teun A. van Dijk, “Discourse and the Denial of Racism,” *Discourse & Society* 3, no. 1 (1992): 87–118.

IRCA's criminalization groundwork. IIRIRA institutionalized migrant vulnerability by connecting deportation to criminal convictions, regardless of severity. It entrenched a legally marginalized migrant underclass exposed to constant removal threats. Finally, post-9/11 policies, including biometric tracking systems and a range of national security programs intensified immigration enforcement within surveillance frameworks.²⁶⁹

Programs like E-Verify and Secure Communities expanded IRCA's enforcement logic into everyday life. As Cecilia Menjivar and Leisy Abrego argue, this evolution reflects the expansion of legal violence, where laws function as tools of exclusion, not only punishing unauthorized entry but also creating long-term conditions of insecurity. Policies like IRCA institutionalized fear, placing undocumented migrants in a constant state of exposure to detention, deportation, or exploitation, even among those who qualified for amnesty. These effects were not incidental. Lawmakers structurally embedded them into immigration policy to preserve social control. In this system, legal status does not ensure safety but instead facilitates ongoing monitoring and vulnerability.²⁷⁰

Manufacturing Danger Through Narrative

Building on the security rhetoric that shaped IRCA, policymakers and media figures entrenched narratives that cast undocumented Mexicans as threats to national security, economic stability, and American cultural values. These narratives did more than justify restrictive policies; they shaped public perceptions of human worth, defining some immigrants as

²⁶⁹ See Lind, "The Disastrous, Forgotten 1996 Law"; HoSang, *Racial Propositions*; Gerken, *Model Immigrants and Undesirable Aliens*; Cacho, "The People of California Are Suffering"; Tanya Maria Golash-Boza, *Deported: Immigrant Policing, Disposable Labor, and Global Capitalism* (New York: New York University Press, 2015); Lipsitz, *The Possessive Investment in Whiteness*.

²⁷⁰ Menjivar and Abrego, "Legal Violence"; Cecilia Menjivar, "Immigration Law Beyond Borders: Externalizing and Internalizing Border Controls in an Era of Securitization," *Annual Review of Law and Social Science* 10, no. 1 (2014): 353–369.

contributors while casting others as burdens or threats. Immigration debates reinforced a security/insecurity binary, depicting undocumented immigrants as destabilizing forces in need of regulation and control.

The use of “invasion” metaphors in immigration discourse tapped into deep-seated fears about national sovereignty and cultural purity, allowing policymakers to justify increasingly restrictive policies. These metaphors, alongside other rhetorical strategies such as positive self-representation (depicting the U.S. as generous but in need of limits), negative other-representation (framing migrants as criminals or economic burdens), and paradoxical logic (portraying migrants as both job stealers and welfare dependents), helped naturalize exclusion and make punitive policies appear necessary.

So how do negative portrayals of undocumented immigrants shape public perceptions and policy making? By deploying three interwoven narratives: the border security narrative, which framed unauthorized migration as an existential crisis requiring militarized enforcement; the public security narrative, which criminalized migrants by linking them to drug trafficking, violence, and terrorism; and the securing our values narrative which depicted migrants as cultural outsiders rendering them incompatible with American identity. These narratives worked in tandem to construct undocumented migration as a fundamental crisis requiring immediate action. As the following sections explore, these ideological foundations extended beyond IRCA, paving the way for increasingly punitive policies in the 1990s and beyond.

Border Security Narrative

The border security narrative constructs the undocumented as a threat by reinforcing the security/insecurity binary. It portrays illegal immigration as “out of control,” attributing this crisis to insufficient border enforcement. This narrative relies on several key framing strategies,

portraying the undocumented as: skirting the law and exploiting the system, causing financial strain, posing an invading force, excessive in their reproduction, a problem to be solved through surveillance policies (i.e., immigration reform).

The border security narrative frames illegal immigration as a problem that is “out of control,” violating border laws and abusing social programs. This framing shapes public perception by positioning immigration reform and policy programs as the primary deterrents against illegal immigration.

1. Re your Oct. 1 editorial "The Unending Wetback Saga." What is unending is your espousal of open borders. Immigration, illegal and otherwise, is out of control and is destroying the country's social fabric. While many come "in search of work," this is no excuse for violating our border. Many others come to engage in illegal and nefarious activities. Filipinos have been heavily involved in selling contraband military equipment to Iran, Balkan immigrants take out contracts on federal officials, Mexican youths return again and again after deportation for burglary in Los Angeles, Iranians riot in Beverly Hills, and assorted Latin Americans import drugs to hook our children.²⁷¹
2. The Senate is already on record as opposing illegals drawing benefits by including in its immigration reform bill a requirement that states and Federal agencies participate in a system which provides for verification of an alien's legal status before granting an entitlement benefit. . . . Most important, the verification system for benefits provides a deterrent to illegal immigration which is parallel to other deterrents of penalizing employers who hire illegals and strengthening border enforcement.

Although illegal aliens come to the United States primarily to obtain jobs, once here they get into welfare and entitlement programs at approximately the same rate as U.S. citizens. Providing benefits and encouraging their use by illegal aliens through the granting of eligibility or through failure to verify eligibility can only encourage greater unlawful immigration and add to a problem that is widely recognized as being out of control.²⁷²

Both statements use descriptive language to frame illegal immigration as “out of control” and as a negative force in everyday life, whether by harming “our children” or by exploiting welfare and entitlement programs. For example, statement one asserts that immigration directly threatens

²⁷¹ Donald F. Gluck, “Letters to the Editor: Migratory Fouls,” *Wall Street Journal*, Eastern edition, October 17, 1985.

²⁷² Alan C. Nelson (Commissioner, Immigration and Naturalization Service, Washington), “Letter: On Immigration; Illegal Aliens Are Not Entitled: [Letter],” *New York Times*, Late Edition (East Coast), September 18, 1986, sec. A.

the nation's social fabric. Specifically, it portrays immigrants as a criminal threat, claiming that "Latin Americans import drugs to hook our children." This framing strategy conflates all immigrants with organized crime, presenting them as security risks. This rhetoric operates on the assumption that insufficient border surveillance enables criminal activity. Statement two reinforces this argument by positioning deterrence strategies, such as employer sanctions and stricter verification systems, as necessary tools for restoring border control. To justify this approach, it frames undocumented immigrants as system abusers, establishing a causal link between unlawful immigration and entitlement programs. It then presents eligibility verification as the logical solution, equating it with employer sanctions and increased border enforcement as effective deterrents.

Another example linking an insecure border to financial insecurity is how public discourse portrayed immigrant women as a financial burden, one policymakers could eliminate through reform.

3. Your call for immigration reform expresses a view shared by millions of California taxpayers and workers.

Last year, Los Angeles County spent \$272 million on services for illegal aliens; \$130.5 million is being spent on welfare for children of illegal aliens under aid to families with dependent children - a 41 percent increase in just over a year.

Over 70 percent of the births at County U.S.C. General Hospital are to illegal alien mothers.

In 1965, only 6,000 illegals were apprehended along the San Diego sector of the border; in each of the last three years, the number has exceeded 400,000; the Immigration and Naturalization Service projects that 600,000 will be caught this year.

This upsurge makes it imperative for Congress to pass immigration reforms now, to strengthen our border patrol, impose sanctions on employers who willfully hire illegals,

implement a guest-worker program and reimburse local governments for expenses their taxpayers have unfairly borne too long.²⁷³

Statement three frames “illegal alien mothers” as a financial risk due to their use of public social programs. By appealing to logic through data, this statement suggests that past apprehension totals no longer reflect current migration patterns and are framed as outdated in light of the recent “upsurge.” It manipulates the audience by implying a causal link between the surge in apprehensions and the financial costs associated with “children of illegal aliens.” After identifying the problem, the statement proposes immigration reform and policy programs as the solution. This framing casts taxpayers and local governments as victims of the “unfair” burden attributed to “illegal alien mothers.” This contrast between virtuous taxpayers and undeserving immigrant mothers presents restrictive immigration policies as common sense, financially justified solutions. Beyond promoting restrictive policies, this discourse also suggests that motherhood is (de)valued and reserved for particular groups.

Appealing to logic and using metaphor is a strategic way to construct the image of an invasion. Commentators who employed these rhetorical techniques paired numerical data with metaphors to evoke a sense of being overwhelmed and an impending threat. When describing immigration patterns, they stated:

4. The answer is, of course, that nobody knows how many illegal aliens are here. However, we do know that apprehensions of illegals have increased 3,000 percent during the same period that border patrol personnel increased only 50 percent. We also know that the number of foreign visitors to this country has more than doubled over the last 15 years, and there is no reason to believe that the proportion who “overstay” and violate their visas is going down. Illegal immigrants who come are staying longer and bringing more family members. Most important is that the population in every major source country of migration is soaring.²⁷⁴

²⁷³ Michael D. Antonovich (County Supervisor, Fifth District, Los Angeles), “Put the Burden on the Borders, Not on Employers; Costs to Municipalities: [Letter],” *New York Times*, Late Edition (East Coast), March 10, 1986, sec. A.

²⁷⁴ Roger Conner (Executive Director, Federation for American Immigration Reform, Washington, DC), “Stop Debating Illegal-Immigrant Numbers: [Letter],” *New York Times*, Late Edition (East Coast), July 9, 1985, sec. A.

5. Our nation is beset by record numbers of illegal aliens. Approximately 1.5 million undocumented aliens enter each year, adding to the estimated six million to 12 million undocumented aliens already here.²⁷⁵
6. In the first 17 days of April, we are averaging 2,451 arrests a day, a rate that will lead to more than 70,000 arrests for the month. We're encountering an average of one illegal alien every 35 seconds here in San Diego County. We know that we're locating, at best, about half the flow of illegal entrants. The rest are making it past us, soon to join their compatriots throughout California and the rest of the country.²⁷⁶

These statements use descriptive language to negatively frame undocumented immigration as a problem. For example, metaphors such as “migration is soaring,” “our nation is beset by record numbers,” and “locating, at best, about half the flow” create a specific mental representation of the border as chaotic and unregulated. These statements construct a sense of invasion, reinforcing the perception that border security is inadequate. Interestingly, statement four includes a disclaimer before justifying its alarmist framing, acknowledging that no definitive figures exist on undocumented immigration while simultaneously declaring that “migration is soaring.” This rhetorical strategy demonstrates how, in the numbers game, the construction of a narrative often holds more weight than actual data in shaping public perception. Moreover, descriptive language invoking war metaphors (statement five) and water metaphors (statement six) frames undocumented immigrants as an ongoing and uncontrollable threat. This portrayal reinforces the perception that undocumented migration is not just a policy issue but a national crisis requiring immediate action.

²⁷⁵ James H. Scheuer (Democratic Representative from New York), “Let’s Firm Up the Borders,” *New York Times*, June 14, 1985, sec. A31.

²⁷⁶ Alan E. Eliason (Chief Patrol Agent, San Diego Sector, U.S. Border Patrol, San Ysidro), “One Illegal Alien Every 35 Seconds: [Letter],” *New York Times*, Late Edition (East Coast), April 29, 1986, sec. A26.

Similarly, the following statements invoke fear by linking undocumented immigration to unchecked population growth. This framing fosters anxiety about an uncertain future, warning that failure to enforce immigration controls will lead to national instability.

7. Your suggestion (editorial "Simpson-Doe," June 28) that immigration should be made easier is rather frightening when illegal entry into this country is already out of control. California is reaching 26 million in population and we are now in the dubious position of having more population than all of Canada. Our state is growing at a rate of one new person every 62 seconds. Approximately half of the growth rate comes from outdated policies and lack of immigration reform. In 1984, over 636,000 illegal entries were apprehended crossing just the small portion of our border which is California/Arizona/Mexico. The number of those who were able to enter and stay is unknown, but even those favoring an open border give figures in the millions.

There are starving, homeless, desperate people in many war-torn and overpopulated areas. The majority of these people want to come to the U.S. Does the U.S. have a carrying capacity? Can this nation take as permanent residents all the starving, hungry desperate people in the world? Or is it the sovereign right of every nation to control its borders?²⁷⁷

8. The world is overpopulated, including the United States, and all immigration must be drastically curtailed. Times have changed. We have too many unemployed citizens already. I suggest we reduce legal immigration to "immediate families" only, institute employer sanctions to stop illegal immigration, and enlarge the guest-worker program for agriculture only. Aliens compete with US workers in all areas except agriculture. . . . The most critical issue in the world is to help the developing world improve its own lands and check its population growth, and our own as well.²⁷⁸

These statements indirectly reinforce the border security narrative by framing overpopulation as both a global and national crisis. By rhetorically positioning overpopulation as an international issue, the argument shifts from individual migrants to the sovereign right of nations to control their borders. In statement seven, the appeal to logic justifies exclusion on the grounds that, despite widespread human suffering, the United States lacks the carrying capacity to accept all

²⁷⁷ Helen Graham (Zero Population Growth, California), "Letters to the Editor: Malignant Growth?," *Wall Street Journal*, Eastern Edition, July 19, 1985.

²⁷⁸ John Himmelwright (Belvedere, California), "Letters: Curtail Immigration," *Christian Science Monitor*, April 26, 1985, sec. Opinion.

who seek entry. Similarly, statement eight links concerns about population growth with illegal immigration, presenting policy as the necessary solution. Interestingly, statement eight naturalizes the idea that nations can control their environments by limiting population growth, both domestically and abroad. This savior complex frames developed nations positively while casting developing nations as needing intervention. Chock's research reminds us that population analysis is often used to legitimize immigration restrictions under the guise of environmental concerns.²⁷⁹ Yet, framing immigration through environmentalism fails to capture the broader realities of global inequality. What makes statement eight particularly revealing is its broader social implications: it suggests that managing the overpopulation crisis is really about reducing labor competition, except in agriculture. This framing positions undocumented immigrants as an economic threat, while reinforcing their utility as an exploitable labor force in agricultural industries.

The border security narrative during the immigration reform debates framed illegal immigration as a direct threat to national sovereignty, requiring immediate legislative action. In this framing, policymakers cast immigration reform not just as a policy issue but as a necessary tool to restore control and protect national security.

9. "Enactment of a comprehensive immigration reform bill which contains employer sanctions is essential if we are to be successful in regaining control over our borders."²⁸⁰
10. The President and the public want to regain control of the borders. It's within the power of House Republican members and Democratic leaders to reach that goal, and it's within the President's power to ask them to do it. Though the Congressional days dwindle down, there's enough time—if there's enough will.²⁸¹

²⁷⁹ Chock, "No New Women"; Chock, "Remaking and Unmaking 'Citizen.'"

²⁸⁰ Daniel E. Lungren (R., Calif., House of Representatives, Washington), "Letters to the Editor: Should We Demagnetize America?," *Wall Street Journal*, Eastern Edition, March 7, 1985.

²⁸¹ New York Times, "To Control Aliens, Control Partisans," editorial, September 29, 1986, Late Edition (East Coast), sec. A.

11. “One other aspect warrants attention: The US Border Patrol should be upgraded and enlarged. It is essential that Americans regain control over their own borders. An immigration control bill is long overdue.”²⁸²

Statements nine through eleven rhetorically position illegal immigration as a national crisis that requires immediate government intervention. Statement nine invokes the idea that the border is “out of control,” justifying stricter enforcement measures, particularly employer sanctions.

Statement ten portrays illegal immigration as a failure of political will, suggesting that without decisive action, the situation will continue to spiral. Statement eleven intensifies this narrative by calling for an expanded Border Patrol, reinforcing the perception that stricter enforcement is the only solution. By framing immigration as a matter of sovereignty and national security rather than an economic issue, these statements contributed to the growing urgency surrounding border control. The persistent rhetoric of border insecurity not only justified restrictive immigration policies but also normalized the notion that undocumented migration inherently destabilizes the nation.

Public Security Narrative

The public security narrative reinforced the criminalization of undocumented immigrants by framing them as threats to public safety. Through fear-based rhetoric, policymakers and media figures justified harsher enforcement measures under the guise of restoring law and order. This rhetoric amplified security concerns in the public imagination by portraying undocumented immigrants as a source of public harm and national insecurity. In doing so, the public security narrative framed immigration reform as a necessary measure to protect both public safety and national stability.

²⁸² Christian Science Monitor, “Fairness and Immigration Reform,” editorial, February 21, 1985.

Several institutional actors emphasized that this new wave of immigration posed a criminal threat, reinforcing the need for increased surveillance to protect public safety.

12. “We need the immigration reform legislation,” he said. “The best deterrent to illegal immigration is to remove the attraction of easy-to-obtain jobs. We remain hopeful that this legislation will become a reality this year. . . .” Mr. Nelson said that narcotics trafficking remained a growing problem for the Border Patrol. He released figures showing that the number of narcotics seizures at the borders had increased by more than 25 percent over the last two years. This immigration official suggested there was a growing “criminal element among those coming in, which can add to crime in many of our cities and communities.”²⁸³
13. That heightened sense is caused by anxiety over national security, and it is intensifying the already emotional debate over illegal immigration. The threat of terrorism in retaliation for the U.S. attack on Libya is only one of the security risks that now is being linked with the greatest flood of illegal immigrants in U.S. history. The Immigration and Naturalization Service -- and many border law-enforcement officers -- maintains that there is an ever larger "criminal element" among the immigrants that is causing a rise in theft and murder along the Mexican border. . . .Until now, concerns over jobs and racial discrimination have dominated the discourse over illegal immigration. But now, "The word 'security' is entering the debate," says Republican Sen. Alan Simpson of Wyoming, a leader in the effort to change the nation's immigration laws.²⁸⁴

Both statements rhetorically link illegal immigration with criminality, marking a shift in emphasis from job displacement to deviance. Statement twelve, for example, suggests that immigrant character itself is a cause for concern, reinforcing the need for increased surveillance through immigration reform. The public security narrative weaponizes fear, conflating job seekers with organized crime and portraying all immigrants as a uniform threat. Statement thirteen strategically juxtaposes national security concerns with public security fears, reinforcing the idea that illegal immigration and narcoterrorism are equally violent crimes. While terrorism

²⁸³ Alan C. Nelson, quoted in Philip Shenon, “‘Startling’ Surge Is Reported in Illegal Aliens from Mexico,” *New York Times*, February 21, 1986, A1.

²⁸⁴ Matt Moffett, "Guarding the Gates: Fear of Terrorists Directs New Attention to Illegal Immigrants—Border-Tightening Advocates Say Security Is at Stake, but Others Have Doubts—Submachine Guns in Texas," *Wall Street Journal*, May 14, 1986.

and drug trafficking are distinct offenses, linking them to undocumented immigrants rhetorically naturalizes the level of perceived threat, portraying them as equally dangerous.

Similarly, the public security narrative highlighted the insecurity that certain reform provisions might create. For example, critics perceived the amnesty provision as fueling the black market, particularly in fraudulent documentation.

14. Thus, the reaction to the bill is as complex and contradictory as the bill itself. There was wide agreement that the legislation was an imperfect answer to an impossible problem, but not on much else. Some said the legislation would have a devastating effect on hotel, restaurant, manufacturing and other industries in which large numbers of illegal aliens are employed. But others said it would be difficult to enforce, given the easy availability of bogus identification documents.²⁸⁵

15. The amnesty provisions of the bill contain some ironies. Aliens who can prove "continuous unlawful residence" in the U.S. since January 1982 can apply for legal status. But this means aliens who entered legally and have begun the hard trek to traditional citizenship, often enduring extreme deportation pressure from the Immigration and Naturalization Service, are not entitled to become citizens under the amnesty. Proving unlawful residence is going to be tricky for the illegals. They have avoided gringo officialdom, choosing not to run the risk of deportation by applying for drivers licenses or Social Security numbers. Therefore, we may now expect a healthy market in fake backdated rent receipts to prove illegal residency.²⁸⁶

Both statements evoke public insecurity by portraying immigration reform as contradictory.

Statement fourteen, for example, argues that reform is intended to address illegality yet will simultaneously encourage an outlaw culture of fraudulent documentation. Similarly, statement fifteen employs paradox as a discursive strategy to question the moral logic of the law. These statements reinforce a binary of "bad" versus "good" behavior, claiming that those who follow a "traditional" path to citizenship are excluded from amnesty, while those who "have avoided

²⁸⁵ Robert Reinhold, "Reaction to Immigration Bill Is Sharply Split," *New York Times*, Late Edition (East Coast), October 16, 1986, sec. B. 15.

²⁸⁶ "Review and Outlook (Editorial): The Immigration Nightmare," *Wall Street Journal*, Eastern Edition, November 10, 1986.

gringo officialdom” qualify more easily, supposedly due to a thriving market in fake backdated rent receipts. These statements are significant because they frame unlawful immigration as a problem of risk rather than a socioeconomic phenomenon. They fail to question how fear and systemic racism contribute to the persistence of undocumented status. By presenting immigration through paradox and appealing to fear, this strategy reduces people’s humanity to their legal status, casting them as public threats rather than individuals seeking opportunity.

Some commentators argued that the public, particularly undocumented immigrants and Hispanic Americans, would continue to suffer unless immigration reform restored law and order.

16. Still, even if the authors carry their arguments to extremes, they urge a remedy well within the liberal-conservative consensus that has formed in the last decade. It is called employer sanctions for short and constitutes the heart of effective immigration reform. It is illegal for you, the illegal alien, to work in this country but it is not illegal for me, the employer, to hire you. This historic inequity is especially odious because "to hire" often means to exploit. The reform bill by Senator Alan K. Simpson, the Wyoming Republican, pending in Congress would make the employer's behavior illegal also, restoring justice to the law, deter illegal employment and deter the alien tide in a reasonable way.

That's what Governor Lamm and Mr. Imhoff mean when they warmly endorse this remedy. They are epigrammatic, and right, when they conclude that "employer sanctions do not require employers to enforce the law. They require employers to obey the law."²⁸⁷

17. Regarding your editorial "A U.S. Pass Law?" (Oct.13), in which you express concern that employer sanctions will result in discrimination against Hispanic Americans, I would like to point out that nearly every national poll conducted in recent years shows U.S. Hispanics to be in favor of immigration reform in general and employer sanctions in particular. A 1983 Gallup poll found that 75% of Hispanic respondents supported a law prohibiting the hiring of illegal aliens. Hispanic Americans in El Paso, which you cite, strongly favor tighter border controls, according to a poll there a few months ago.

You are correct to point out that many Hispanic American activists oppose employer sanctions because of perceived drawbacks such as the potential for discrimination. Nevertheless, the preponderance of the evidence indicates their views are inconsistent

²⁸⁷ Jack Rosenthal, "A Flood Outside Our Door" [review of *The Immigration Time Bomb: The Fragmenting of America*, by Richard D. Lamm and Gary Imhoff], *New York Times*, Late Edition (East Coast), January 5, 1986, A14, quoting Governor Richard Lamm and Gary Imhoff.

with those of rank-and-file Hispanic Americans, who consistently express concern about the adverse labor-market impact of illegal aliens.²⁸⁸

Both statements suggest that passing immigration reform will restore law and order, reinforcing public security. Statement sixteen paradoxically highlights that the law prohibits unauthorized workers from working, yet it does not make it illegal for employers to hire them. Additionally, commentators frame reform as a protective measure for undocumented immigrants, aiming to prevent their exploitation by employers who disregard labor laws. Newton's narrative analysis highlights the "corrupt agriculturalist" as a dominant theme in congressional reform debates.²⁸⁹

While I agree, I argue that this debate can also be examined through the public security narrative, which frames reform as necessary to improve the public good and increase job security.

Statement seventeen reassures the public that while employers do not enforce the law, they must obey it, reinforcing the idea that immigration reform will resolve this legal contradiction.

Meanwhile, statement eighteen depicts Hispanic activists and the broader Hispanic public as being at odds. The author asserts that while activists oppose employer sanctions due to concerns about discrimination, the general public overwhelmingly supports them due to the "adverse labor-market impact of illegal aliens." By citing a Gallup Poll, the author appeals to logic, framing employer sanctions as a widely accepted and necessary reform.

Commentators frame immigration policy as the gateway to protecting both the public and the nation. For example, the following claim argues that immigration law functions as a filter for residency and that passing immigration reform will protect public jobs beyond "stoop labor."

18. Lawful immigrants, for example, are screened carefully to weed out criminals and other undesirables. They also have to demonstrate the means to support themselves so they do not become public charges. These are just a few of the criteria lawful immigrants must

²⁸⁸ Richard Estrada (Senior Fellow, Center for Immigration Studies), "Letters to the Editor: Hispanics' Views," *Wall Street Journal*, Eastern Edition, October 21, 1986.

²⁸⁹ Newton, *Illegal, Alien, or Immigrant*.

meet for residency.

On the other hand, illegal aliens run the gamut from criminals to family men to public charges. There is no way to control this type of influx, and they are coming in by the hundreds of thousands each year. For the past three years, apprehensions along our southern border have topped one million each year. . . . No longer are illegals down on the farm doing stoop labor. They have branched out into the manufacturing and the building trades as well as light manufacturing, where jobs run from \$10 to \$20 an hour. In many of our cities, wages have dropped because illegals will work for less than the going rate. . . . We need immigration-law reform which includes the proviso that it will be illegal for employers to knowingly hire illegal aliens.²⁹⁰

The public security narrative relies on reinforcing the social distinction between legal and illegal immigrants, portraying the latter as a threat. This statement creates a sense of danger by suggesting that undocumented immigrants are no longer confined to farm work but are now competing for higher-paying jobs. Additionally, it assumes that when properly enforced, the immigration bureaucracy functions as an effective filter that separates “good” immigrants from “bad” ones. Because one group currently enters without undergoing this filtration, commentators presume they pose a danger to society. In essence, the public security narrative argues that these “unknown” entrants are harmful because of their supposed predisposition to crime and their expansion into industries beyond agriculture. This framing naturalizes social constructions of difference by depicting undocumented immigrants as disruptors of job security.

As policymakers and media figures reinforced the narrative that undocumented immigrants posed a security risk, anxieties about cultural belonging and national identity also gained traction. While public security rhetoric focused on criminality and legal status, these concerns expanded to include fears about the preservation of “American values.” Immigration discourse no longer centered solely on law enforcement but also on cultural assimilation, linguistic shifts, and demographic change. This transition from policing bodies to policing

²⁹⁰ Harold W. Ezell (Commissioner, Western Region, U.S. Immigration Service, San Pedro, California), “Letters to the Editor: Migratory Fouls,” *Wall Street Journal*, Eastern Edition, October 17, 1985.

identity framed undocumented immigrants not only as legal violators but as cultural outsiders whose presence threatened the cohesion of the nation. The next section examines how the discourse of “securing our values” became central to debates over undocumented immigration, constructing a racialized boundary between those who belonged and those portrayed as incompatible with American identity.

Securing Our Values Narrative

In addition to concerns about legality and public safety, the 1980s immigration debate was shaped by anxieties over cultural assimilation. Politicians and media figures argued that undocumented immigrants were not only breaking the law but also resisting integration, thereby undermining national identity and social cohesion. The securing our values narrative manufactures danger by suggesting that incoming immigrants threaten American cultural traditions and whiteness. In doing so, this narrative functions as a policing tool, delineating which behaviors are deemed acceptable and unacceptable for undocumented immigrants. It emphasizes the need to “secure our values” by defining the limits of tolerance, re-examining moral values related to fairness, protecting the social distinction between legal and illegal immigrants, and prioritizing immigrant “quality” in immigration law to align with American ideals.

One common discursive strategy to evoke insecurity about U.S. values nearing their limits is using disclaimers to rationalize intolerance. In this framing, positioning the U.S. as compassionate serves as a disclaimer to argue that this tolerance has limits.

19. The Journal is only stating again its clear and longstanding preference for the status quo. I never seem to be able to penetrate the editorial staff with the kernel of information that we are talking about illegal immigration. I suggested to the Journal crew once that if they have some other alternative we would surely like to hear of it -- but no fair quoting from the Statue of Liberty. The statue does not have etched on it, "Send us everybody you've

got -- legally or illegally." Unless we correct these problems with illegal immigration -- where 1.2 million people apprehended at our border just last year from 92 different nations and we think we apprehend one out of every two -- then our historical compassion for legal immigration, indeed our very heritage, will become endangered.²⁹¹

20. Yes, we were all immigrants once, but we were never arrogantly sure of our "rights" and contemptuous of native Americans. We were absorbed, assimilated, and made into Americans -- we certainly were never greeted with bilingual classes, trilingual ballots, and, most galling of all, affirmative-action job preference for many nationalities.²⁹²

21. The U.S. should continue its historic respect for diversity and tolerance for difference. It should also emphasize what has always been U.S. law: that those who become U.S. citizens be competent in the English language. The need for bilingual ballots represents a failure of naturalization policy.²⁹³

These statements appeal to fear by invoking anxieties about the diminishing racial dominance of whiteness. Statement nineteen uses disclaimers to argue that restricting undocumented immigration is necessary to preserve the U.S.'s historical identity as a "nation of immigrants," but only for legal immigrants. By pushing back against the Statue of Liberty as a symbol of open immigration, the author reframes compassion for immigrants as conditional. This framing suggests that the state must protect legal immigration from the destabilizing effects of undocumented migration. In doing so, the argument reinforces the idea that maintaining historical compassion for legal immigrants requires stricter immigration enforcement. However, this popular discourse primarily refers to the legacy of European immigration. Protecting this history, therefore, requires the exclusion of current undocumented immigrants, reinforcing the idea that their presence disrupts both whiteness and broader societal compassion for legal migration. Statement twenty employs positive-self and negative-other representation to express frustration that previous generations of immigrants adapted and assimilated, unlike today's

²⁹¹ Alan K. Simpson (R., Wyo., U.S. Senate, Washington), "Letters to the Editor: Congress Must Act on Illegal Immigration," *Wall Street Journal*, Eastern Edition, October 23, 1985.

²⁹² Gluck, "Letters to the Editor: Migratory Fouls."

²⁹³ Annelise Anderson (Senior Research Fellow at the Hoover Institution), "Employer Sanctions Don't Work Elsewhere," *Wall Street Journal*, Eastern Edition, September 9, 1986.

immigrants, who are “greeted with special treatment.” This framing implies that integration through assimilation is more valuable than acculturation. This rhetoric asserts that American identity should not accommodate new immigrant needs, such as bilingual classes and multilingual ballots, but should instead uphold existing cultural norms. Ultimately, this argument seeks to shape American identity by using rhetoric to justify why things should remain unchanged. Similarly, statement twenty-one emphasizes the limits of U.S. generosity in respecting diversity and tolerance.

By arguing that bilingual ballots represent a failure of naturalization policy, this statement suggests that English proficiency is a core American value that all immigrants should adopt. In other words, this rhetoric reflects dominant cultural assumptions that newcomers must assimilate into mainstream society. At its core, this debate reflects anxieties over power and shifting national identity. To preserve existing hierarchies, policymakers and media figures define the “good” immigrant as one who fully assimilates, both culturally and socially, into white, middle-class America. Consequently, policymakers and public discourse measure what is considered “good” and “valued” against past immigrant waves and their perceived success in assimilating. This rhetorical policing frames the current wave of immigrants as failing to meet integration expectations, both legally and culturally. However, history reveals that full acceptance into white society has never been attainable for Mexican immigrants. Structural racism and exclusionary policies have always constrained their integration, exposing the impossibility of complete assimilation.

As discussions about amnesty circulated, some commentators invoked the moral unfairness of the policy, arguing that immigrants who had gained legal entry were not on a

streamlined path to citizenship. In this framing, commentators portrayed amnesty as a violation of core values surrounding law and order, since it rewarded those who had circumvented the law.

22. In "The Immigration Mess" (editorial, Oct. 22), you suggest that the "millions of illegal aliens" who have managed to beat the system for a long time be allowed to stay. But what about the thousands of legal aliens who have worked within the system? Why not let them be permanent residents, too?

These people - students, journalists, temporary workers, etc. - are staying "temporarily" in the country under nonimmigrant visas. Their "duration of stay" is restricted by their visas, even though some have lived in the country for 10 years or more. In some European countries (Sweden, for example), they would have been entitled to apply for citizenship. But here they don't even qualify to be permanent residents.

Couldn't the Simpson-Rodino-Mazzoli bill accommodate the aspirations of the legal aliens as much as it accommodates the needs of the illegal aliens and their employers? Why not change the present law so that those aliens who first arrived in the United States before June 30, 1977, can live here permanently? (The present cut-off date is June 30, 1948.)²⁹⁴

This statement invokes a sense of insecurity regarding moral values of fairness and justice by highlighting what the author perceives as a contradiction in immigration reform: rewarding those who "beat the system" over those who followed the rules. The author argues that nonimmigrant visa holders, despite being documented, do not have permanent residency, even after living in the U.S. for over a decade. Whether intentional or not, this rhetorical framing creates a boundary between nonimmigrant visa holders and the undocumented. This discursive strategy reaffirms the need to reassess moral values by suggesting that policymakers prioritize those who "beat the system" over those who "worked within it." The statement concludes with a proposed solution: to "protect our values" by broadening the scope of reform. Specifically, the author argues for updating the U.S. registry so that immigration reform benefits not just "illegal aliens and their employers" but also those who entered legally.

²⁹⁴ Henry De Silva (Washington), "Can We Do Something For Legal Aliens, Too?: [Letter]," *New York Times*, Late Edition (East Coast), November 7, 1985, sec. A34.

Despite the legal distinction between legal and illegal immigration, some commentators argued for the social preservation of this division. In doing so, they reinforced the idea that the legal/illegal binary is natural rather than a social construct.

23. Just as disturbing, however, is evidence that the public is becoming almost as averse to *legal* immigration as to illegal immigration. Many Americans would make legal immigration much harder than it is now. They would not grant priority to people fleeing to the US for political reasons. And they would require the deportation of illegal aliens, no matter how long they had lived in the US.

Granted, the immigration issue involves many tradeoffs. But the distinction between legal and illegal immigration should be preserved. Congress and the White House need to do a much better job than they have done in identifying that distinction.²⁹⁵

This statement is significant because it assumes a natural distinction between legal and illegal immigration, even though these categories are legally constructed and inherently flexible. Yet, the claim that these categories are becoming blurred implies that they were once clearly defined. In reality, this rhetoric is not about clarifying legal distinctions but about preserving and reinforcing the separation between legal and illegal immigrants to maintain social hierarchies. Additionally, this statement strategically presupposes that public opinion is being negatively influenced by the presence of undocumented immigrants, to the point that it has triggered hostility toward legal immigration as well. By framing this shift as a consequence of illegal immigration rather than shifting political rhetoric, the argument reinforces the need to narrowly define who is “good” and “valued” within the immigration system.

The following statement highlights how commentators frame discussions about immigrant “quality” as preserving the “American ideal.” However, what it truly suggests is a narrowing definition of who dominant discourse deems good and valued. For example, market

²⁹⁵ Christian Science Monitor, “Immigration: Legal Yes, Illegal No,” Editorial, April 16, 1985.

expectations often shape debates over who should be allowed to immigrate, reducing laboring bodies to desirable assets based on presumed productivity and profitability.

24. The debate on the hastily enacted Immigration Reform and Control Act of 1986 has seldom addressed one of the key immigration questions: What is the effect of immigration policy on the job skills of immigrants to the United States? Under our present, nepotistic policy, the workplace "quality" of immigrants is declining steadily, putting strong pressures on our already strained welfare system. Obviously, no one wants to return to the racist policies enacted in the 20's, and I want to emphasize strongly that talking about quality is not a racist smokescreen. What we need is a policy that encourages admission of immigrants from anywhere in the world who have the skills to prosper in a post-industrial society. . . .

. . . An emphasis on skills is absolutely not a back-door return to the racist, national-origins quota system. The small number of immigrants admitted on the basis of their skills or investor status during the past two decades have been disproportionately from third world countries. This pattern is likely to continue under the proposed immigration policy.

An immigration policy that favors productive applicants would have many beneficial effects. It would ease competition in the labor market between low-skilled natives and low-skilled immigrants, calming social tensions and lowering the proportion of the population below the poverty line. And a policy based on the applicant's own characteristics is closer to the American ideal.²⁹⁶

This statement employs a discursive strategy of disclaimer to justify its racialized framework. For instance, the author insists that discussing immigrant "quality" is not racist but rather a matter of aligning with American ideals, specifically, values tied to labor market productivity. Instead of viewing family-based immigration, a cornerstone of the 1965 Immigration Act, as consistent with American values of the nuclear family, this statement argues for a shift in priorities. In doing so, it reduces the criteria for a "good" and "valued" immigrant to presumed skills and economic potential, ignoring broader social and historical factors that shape migration patterns. Moreover, this logic fails to acknowledge how global inequality influences migration. It

²⁹⁶ Barry R. Chiswick (Visiting Professor at the University of Chicago's Center for the Study of the Economy and the State), "Business Forum; A Troubling Drop in Immigrant 'Quality,'" *New York Times*, Late Edition (East Coast), December 21, 1986, sec. A3.

also overlooks how race and racism shape perceptions of which immigrants society regards as valuable. By emphasizing market-driven selection over family reunification, the statement reinforces an exclusionary vision of immigration that prioritizes economic utility over human rights and social integration.

Manufacturing Possibility Through Narrative

The defense narratives surrounding immigration reform positioned undocumented Mexicans within a rhetorical boundary of exclusion and conditional inclusion. While some narratives portrayed undocumented immigrants in a more positive light, this inclusion was often limited by economic, legal, or moral considerations. In the following examples, those who framed undocumented immigrants positively relied on two key storytelling methods: beyond immigration reform and opportunity. These narratives encouraged broadening the discussion on immigration policy while still operating within the constraints of political and economic discourse. To construct inclusion, commentators shifted the debate away from criminality and security concerns and instead emphasized economic contributions, global interconnectedness, and shared working-class values. These narratives broadened inclusion while reinforcing restrictive ideas of “deserving” and belonging.

The following discourse and rhetorical analysis illustrates how these narratives positioned undocumented immigrants within limited frameworks of acceptance, reinforcing economic worth, victimhood, or assimilation as key conditions for inclusion. Examining these narratives reveals how commentators used discursive strategies such as framing, moral appeals, metaphor, disclaimers, and economic reasoning to both expand and constrain understandings of undocumented life. Broadly speaking, narratives that played on the possibility/exclusion binary did more than advocate for more inclusive policies; they shaped perceptions of immigrant

worthiness and belonging. When critically examined, these narratives reveal the ideological boundaries that continue to restrict full inclusion for undocumented immigrants in U.S. society.

Condemnation with Exception Narrative

Discussions surrounding immigration reform often differentiated between “the undocumented of today” and “the undocumented of tomorrow,” suggesting that immigration policy risks bifurcating these groups even when crafted with the intention to protect them. In the following example, this tension is apparent, as commentators frame undocumented immigrants in both positive and alarmist terms.

25. The principal problem is that we are dealing with human beings. As the Swiss novelist Max Frisch has remarked, reflecting on the European difficulties with guest workers: "We imported workers and got men." Our natural instincts make it hard to collaborate in efforts to seize and deport people, no matter what we think of illegal immigration in the abstract. . . . As for the amnesty program, the other pillar of the Simpson-Mazzoli architecture, it is also flawed. One can plausibly maintain that it could accelerate the influx, magnifying the total size of the illegal immigrants in the foreseeable future, while increasing their underclass status.²⁹⁷

This excerpt employs literary reference to affirm the humanity of undocumented workers, emphasizing that moral instincts make deportation difficult. At the same time, it frames amnesty as a flawed policy that could exacerbate undocumented migration, leading to an “influx” that increases their underclass status. The statement reveals the tension within legalization discourse, as it acknowledges the humanity of the undocumented while simultaneously invoking alarmist rhetoric. Commentators frame amnesty as both a necessary moral response and a potential catalyst for further exploitation. Additionally, the use of “influx” as a metaphor evokes a negative representation of undocumented immigrants, implying that migration is unruly and

²⁹⁷ Jagdish N. Bhagwati (Professor of Economics at Columbia University and Director of the University’s International Economics Research Center), “Control Immigration at the Border,” *Wall Street Journal*, February 1, 1985.

uncontrolled. This language suggests that while a more humane resolution may be needed, illegal immigration remains a “problem” rather than a structural phenomenon.

An example that naturalizes long-term undocumented immigrants as “good enough” while distinguishing those who “flout” the border as a separate and less deserving group is as follows:

26. Yet, there is no real inconsistency. The issue is not so much one of keeping people *out* as it is of defining the criteria by which people can legally be *admitted*. The current system, under which hundreds of thousands of people annually flout border laws to come to live in the United States, while thousands of others in countries around the world wait years to gain legal access—and are often turned away in their quest—is inherently unfair. . . .A “simplified” bill would make sense. At the least, the legislation should do two things: It should provide legal sanctions against employers who knowingly hire illegal aliens; and it should provide some form of amnesty for illegal aliens who have lived in the US for a long period of time. These “illegals,” in most cases, have already established roots in American communities. Their children are in schools. They tend to have steady jobs. Forcing them to go back to their homelands at this juncture would be unfair. The US, after all, is now their home.²⁹⁸

This excerpt condemns deportation for undocumented immigrants with established community ties while simultaneously framing those who repeatedly “flout” the border as deviant and undeserving. The condemnation with exception narrative operates here to reinforce a national security logic that legitimizes selective inclusion while upholding border enforcement. The metaphor “to flout” suggests that border crossings are reckless and defiant, reinforcing the idea that border enforcement is a national security issue. The commentators argue that the focus should not be on keeping people out entirely, but rather on determining who is worthy of entry, implying that those without deep community ties should be excluded. This selective framework of belonging obscures the structural forces driving migration, reducing it to an issue of individual merit rather than systemic inequality. It overlooks how undocumented migrants, both “long-

²⁹⁸ Christian Science Monitor, “Fairness and Immigration Reform.”

term” and “newcomers,” are often part of transnational communities, with ties that extend beyond U.S. borders. By treating some as deserving and others as disposable, this narrative reinforces hierarchies of belonging that obscure the systemic causes of migration.

When it came to immigrant reception, commentators framed the undocumented in both alarmist and positive terms, portraying them as both contributors to the economy while also blaming them for rising social tensions. Some viewed immigration reform as a solution to this backlash, suggesting that legalization could mitigate public resentment while benefiting the economy. In this framing, commentators condemn the undocumented as a problem, but one that legislation can “fix.”

27. A discussion of the economic impact of sanctions should also address counterbalancing factors. Many employers, for example, legally do not withhold Federal and state income taxes, and illegal aliens do not now contribute as much to the local economy as they might once fears of capture and deportation have been lifted through legalization. . . . But if we fail to act before the end of this year, in our judgment, we will be setting the stage for repressive legislation in the future. The American people will not long stand for ever-increasing numbers entering by land or sea. Public perception will lump legal immigrants and refugees with illegal entrants. If terrorism ever surfaces on our streets, or if competition for jobs creates a backlash against those with foreign accents and unusual names, we fear the losers will be the principle of family reunification and our traditional humanitarian response to those suffering persecution.²⁹⁹

28. The renewal work comes at an important political junction for the United States - against a backdrop of renewed legislative effort in Washington to enact a new immigration-control bill that would seek to restrict illegal immigration.

Such a measure has been long overdue; public disquiet about illegal immigration creates an unfair backlash against desirable and necessary legal immigration. . .

²⁹⁹ Daniel E. Lungren and Hamilton Fish Jr. (members of the House Judiciary Committee), “Employer Sanctions Are Key to Immigration Reform: [Letter],” *New York Times*, Late Edition (East Coast), February 11, 1986, sec. A30.

The restoration work also comes against a backdrop of rising assaults and abuses directed against immigrants in general, and particularly Asians, such as Cambodians and South Vietnamese, who have fled to the United States in search of sanctuary and freedom.³⁰⁰

Statements twenty-seven and twenty-eight use the condemnation with exception narrative to argue that while undocumented immigration contributes to public unrest, failure to enact reform will damage the core belief that the U.S. is a “nation of immigrants.” This framing presents legislation as a necessary tool to prevent further social division and hostility toward all immigrants. Statement twenty-seven suggests that inaction on immigration reform will escalate negative sentiment toward all immigration streams, not just the undocumented. It also frames undocumented immigrants in a contradictory way, depicting them negatively as tax burdens yet positively as potential economic assets if incorporated through reform.

This dual framing manages the impossibility of their status by acknowledging their contributions while reinforcing their marginalization. Statement twenty-eight employs symbolic rhetoric, invoking Miss Liberty to contrast different immigrant groups. It positively portrays refugees from Cambodia and Vietnam as seeking “sanctuary and freedom,” while framing those who enter illegally as contributing to nationwide backlash against legal immigration. In doing so, the statement reinforces a hierarchy of immigrant worthiness by favoring refugees while depicting undocumented migrants as a disruptive force.

Beyond Immigration Reform

The beyond immigration reform narrative challenges dominant portrayals of undocumented immigration as merely a domestic policy issue or security threat. Instead, it frames migration as a global phenomenon driven by economic forces, international labor

³⁰⁰ Christian Science Monitor, “Immigration—A Fair Reception.”

markets, and historical inequalities. The following examples suggest that debates surrounding immigration reform must move beyond restrictive policies to consider the broader factors that shape migration. This narrative challenges simplistic solutions by highlighting economic relationships, global labor dynamics, and the need for bilateral cooperation.

As such, this discourse emphasizes two key approaches: incorporating global perspectives and bilateral relationships as necessary components of immigration policy; and addressing the structural shortcomings of the Mexican economy that fuel migration. In doing so, this narrative complicates the way we understand migration, urging policymakers to recognize its economic and transnational dimensions rather than reducing it to an issue of legality or enforcement.

Some critics of immigration reform viewed migration as a global phenomenon shaped by economic forces, labor markets, and international trade, rather than solely a domestic policy issue. One commentator framed undocumented immigration within this broader economic context, arguing:

29. Undocumented labor immigration is a complex phenomenon in which the victim is the immigrant. Large numbers of foreign workers are imported by efficient rings of smugglers and crew leaders who profit from this traffic. The same forces that send jobs to Taiwan, Mexico, or the Philippines in an insatiable desire to find a more abundant labor reserve bring workers to US fields and the labor markets in cities.

Immigration law must be revised in the light of the reality of the economic forces at play in labor migration and the global relationships in which the United States must act as an equal, respectful partner.”³⁰¹

While this argument situates migration within a global labor dynamic, policymakers also debated the structural causes of migration from Latin America. Representative Robert Garcia (D-NY) was an outspoken critic of restrictive immigration policies and repeatedly emphasized that

³⁰¹ Aurora Camacho de Schmidt (American Friends Service Committee, Philadelphia), “Letters: Reforming Immigration Laws,” *Christian Science Monitor*, March 26, 1985, sec. Opinion.

hunger and economic hardship, not weak border enforcement, drove migration. In one statement, he argued:

30. “This bill as it stands today is not going to stop illegal immigrants from coming into the United States.” They come, he said, because they are hungry, and “where hunger is, it will try and find an escape.”³⁰²

In another statement, Garcia pushed back against claims that undocumented workers took jobs from U.S. citizens, stating:

31. The concern about job displacement by undocumented workers is exaggerated, and in many cases immigrants documented and undocumented - make positive contributions to their communities. . . . The whole issue of immigration reform is of great concern to many of our neighbors in Latin America, particularly Mexico, and their governments ought at least to be consulted while we consider this issue.

There are long-term development strategies that could be implemented that would help curb undocumented immigration from Latin America.³⁰³

Statements thirty and thirty-one, both from Representative Robert Garcia, argue that addressing undocumented migration requires looking beyond domestic policy to consider the structural forces that drive migration. These perspectives manufacture possibilities by shifting the debate away from security-based restrictions and toward economic realities, challenging dominant narratives that frame immigration primarily as a law enforcement issue. Garcia’s statements move beyond the binary representation of “positive self” and “negative other,” instead situating migration as a structural phenomenon shaped by global inequality and labor demand. Garcia’s first statement (thirty) frames migration as an unavoidable response to hunger, asserting that economic desperation, not policy, determines migration flows.

³⁰² Roberto Garcia (Democrat, Representative), quoted in Robert Pear, “House Approves Compromise Bill on Illegal Aliens,” *New York Times*, Late Edition (East Coast), October 16, 1986, sec. B15.

³⁰³ Robert Garcia (Member of Congress, 18th Dist., N.Y.), “Letter: On Immigration; Why the Simpson Bill Has No Cosponsor: [Letter],” *New York Times*, Late Edition (East Coast), June 5, 1985, sec. A26.

While this perspective promotes a more empathetic view of undocumented migrants, it risks reducing them to passive victims rather than active agents navigating constrained opportunities. A more critical question emerges: How have historical economic policies, such as the Bracero Program, shaped the structural conditions that link the U.S. and Mexico in an uneven labor exchange? This broader historical lens reveals how migration policies have long functioned to exploit precarious labor networks while legitimizing exclusionary frameworks. In his second statement (thirty-one), Garcia critiques alarmist narratives that frame undocumented immigrants as job stealers, highlighting that economic concerns about job displacement often overstate the threat undocumented workers pose. Drawing on GAO research, his argument exposes a contradiction in immigration rhetoric: while some claim that undocumented workers undercut U.S. labor markets, economic data suggests they actually make positive contributions to local economies. By challenging these assumptions, Garcia's statements reveal how dominant discourse obscures the structural reliance on undocumented labor while weaponizing economic insecurity to justify exclusionary policies.

Some critics argued that understanding the unique dynamics of Mexican immigration to the U.S. is key to resolving undocumented migration. They contended that economic factors, including Mexico's foreign debt, U.S. labor demand, and visa allocation policies, primarily drive instability.

32. Our biggest immigration problem is the monitoring of aliens after they enter the US so as to ensure their timely departure. It is almost impossible to monitor aliens who enter illegally. To discourage Mexicans from doing so, we need to devise a system that would allow short-term visits by those who cannot qualify for visas under our present policy.³⁰⁴

33. If laws could really alter market forces or curb the ups and downs of labor supply and demand, then the Immigration Reform and Control Act of 1986, signed last week by

³⁰⁴ E.M. Giles (San Antonio), "Letters: Mexico and Immigration Reform," *Christian Science Monitor*, September 30, 1985, sec. Letters.

President Reagan, might have worked. In reality, those flows cannot be easily toyed with, and the legislation will not be effective - although it may take time for this to become evident. . . . The reason is simple: the continued strong demand for low-wage, unskilled labor in the United States and the remaining large supply of young, unemployed Mexicans willing to satisfy that demand. This is the key issue, the one that the immigration act does not address and the Reagan Administration clearly does not want to face.

Mexico must create one million jobs per year between now and the year 2000 merely to keep up with the population growth of the 1960's and 1970's. . . . This leaves young Mexicans without jobs and facing only three options - delinquency, revolution or the United States.

The main reason for the slowed growth is Mexico's huge foreign debt. Since 1982, Mexico has become a net exporter of capital. Instead of supplementing domestic savings with resources from abroad, Mexico has been transferring out more resources than it takes in. This has occurred partly through capital flight and partly because of a generalized lack of confidence in the Mexican economy, but mainly because of debt service.³⁰⁵

34. We have argued all along that there are more important needs than "getting control of the border." People immigrate in response to the market for labor, which belongs to sellers in a growing economy. All the evidence shows that the illegals contribute more in taxes than they take out in welfare. Not least, there is a huge spiritual cost to shutting down the American dream and hammering No Trespassing signs everywhere.

But the immigration bill is now reality. Worried employers and persecuted Hispanic Americans are the first to feel its effects. Don't be surprised, however, if the 100th Congress soon finds itself reforming the mess the immigration reform bill creates.³⁰⁶

A commentator made statement thirty-two before Reagan signed IRCA; it manufactures possibility by advocating for a more flexible approach to Mexican immigration. It suggests that because many Mexicans do not qualify for standard visas, policymakers should design a new system that allows short-term visits with guaranteed reentry. This proposal challenges rigid enforcement policies and instead argues for a structured, temporary migration system.

³⁰⁵ Jorge G. Castaneda (Professor of Political Science at the National University of Mexico and Senior Associate at the Carnegie Endowment), "A Flawed Immigration Law: [OP-ED]," *New York Times*, Late Edition (East Coast), November 13, 1986, sec. A31.

³⁰⁶ "Review and Outlook (Editorial): The Immigration Nightmare," *Wall Street Journal*, Eastern Edition, November 10, 1986.

Commentators issued statements thirty-three and thirty-four after IRCA's passage, arguing that reform alone cannot solve the complexities of undocumented migration.

Instead, they suggest that lasting solutions require addressing deeper economic forces driving migration. Statement thirty-three reframes immigration not as a crisis but as a structural phenomenon that emerges from labor demand, debt service, and Mexico's growing unemployed population. It argues that as long as the U.S. economy depends on low-wage labor, undocumented migration will persist regardless of legislation. Statement thirty-four critiques the limits of policy making by asserting that economic markets, not immigration laws, determine migration patterns. It emphasizes that attempting to "control" the border fails to account for the reality that migration is a response to labor demand. This perspective challenges restrictive policies by highlighting their contradictions, particularly the tension between economic reliance on undocumented labor and legal exclusion.

In sum, immigration is a complex issue that resists simplistic explanations rooted in singular narratives. While these discourses expand inclusion by advocating for broader economic and global perspectives, they also impose limitations by reducing migration to simplified frameworks that make it more legible to the public. The examples above offered policy-driven solutions but did so through a top-down approach, prioritizing economic reasoning over a more holistic understanding of migration. While economic forces are undeniably central to migration, the undocumented experience is multifaceted and requires a broader lens that accounts for power dynamics, historical context, and social relationships. A more nuanced understanding includes a historical social lens that examines borderland economies and pre-militarization exchanges, along with the deep economic and political interconnections between Mexico and the U.S., connections formed through histories of violence and exploitation. By integrating these

perspectives, we can move beyond reductive economic arguments and toward a more comprehensive and humane debate on immigration policy, one that acknowledges the structural forces shaping migration while centering the lived experiences of the undocumented.

Opportunity Narrative

The Opportunity Narrative frames undocumented immigrants as embodying American values of hard work, perseverance, and the pursuit of opportunity. This narrative situates undocumented migration within the broader working-class struggle, reinforcing the idea that immigrants pursue economic opportunity just as many U.S. citizens do.

35. I am not proposing that you “open your borders” or to even minimize the relentlessness with which illegal immigrants are persecuted. Such decisions are for politicians. All I am asking for is to simply let those with the courage and perseverance try their luck. Aren’t these but two of the virtues Americans highly regard? After all, to quote a world-famous musician, “a working-class hero is something to be.” Leaving the hypocrisy of politics aside, most of us are simply that: working-class people with a dream.³⁰⁷

This excerpt responds to an editorial by challenging the limited understanding of undocumented migration, arguing that mainstream discourse often overlooks the lived realities of those who cross the border. The author strategically provides anecdotal evidence to illustrate the grit and determination of the undocumented. For example, Samuel shares his experience with detention, deportation, and re-entry, arguing that migration boils down to two key truths about America: the opportunity for employment and better pay, and the hardship of crossing the border. By framing immigration through these dual realities, the author recasts undocumented immigrants as individuals who pursue the same values that have historically defined the American working

³⁰⁷ Samuel Munoz (Bellflower), “Letters to The Times: Detention for Illegal Aliens,” *Los Angeles Times*, October 16, 1985, B14.

class. This framing is significant because it positions undocumented immigrants within a broader American mythos, one centered on opportunity and resilience.

The invocation of the “working-class hero” trope reinforces the idea that undocumented immigrants are not just economic actors but also part of a shared cultural and economic struggle. Additionally, the author critiques the hypocrisy of political discourse, highlighting how policy decisions often fail to acknowledge the realities of migration. By contrasting political decision-making with the lived experiences of the working class, the statement implicitly argues that restrictive policies disregard the perseverance and contributions of undocumented immigrants. In doing so, the narrative attempts to foster empathy and recognition, arguing that undocumented immigrants deserve inclusion not just on humanitarian grounds, but because they embody virtues that Americans already admire.

Conclusion

IRCA exemplifies how neoliberal governance restructures state power by balancing market expansion with intensified surveillance. It institutionalized a core paradox of immigration enforcement: maintaining a surplus labor supply while criminalizing the very workers whose labor sustained it. By shifting immigration from an economic to a security issue, IRCA entrenched exclusionary practices and ensured that the state rendered undocumented status a condition of permanent vulnerability. As this chapter demonstrates, IRCA was not merely a reform measure but a critical juncture in the evolution of restrictive immigration policies. It embedded racialized and economic anxieties into law and public discourse, laying the foundations for increased border militarization, workplace surveillance, and migrant criminalization. These discourses intensified throughout the 1990s, culminating in Proposition 187 and further restrictive policies that Chapter 5 analyzes.

Examining IRCA through the lens of discourse reveals how language and immigration law function as strategic tools of control. Rather than neutral policy mechanisms, these legal and rhetorical frameworks construct and discipline immigrant inclusion, producing categories of worthiness that reinforce racial hierarchies. This chapter's analysis of the border security, public security, and securing our values narratives shows how they did more than justify enforcement; they naturalized exclusion, making restrictive policies appear inevitable and common-sense. These discourses manufactured fear and shaped how policymakers, commentators and media perceived, categorized, and policed undocumented immigrants. Simultaneously, alternative narratives attempted to carve out limited forms of inclusion, yet remained constrained by dominant logics of economic utility and moral deservingness.

IRCA's contradictions, which framed undocumented workers as both essential and expendable, set the stage for a more overtly punitive turn in immigration policy. While IRCA introduced employer sanctions and surveillance, policymakers presented it as a compromise, a balance between enforcement and limited legalization. However, this perceived compromise failed to alleviate national anxieties about immigration. Instead, it reinforced the perception that society simultaneously needed and rejected undocumented immigrants. These unresolved tensions escalated in the 1990s, as immigration discourse shifted from an economic framework to a moralized crisis of national identity.

Chapter 5 traces this transformation, demonstrating how Proposition 187 weaponized neoliberal notions of economic self-sufficiency and cultural preservation to justify stripping undocumented immigrants of basic rights. Unlike IRCA's balancing act, Proposition 187 marked a shift toward outright exclusion, reinforcing the idea that undocumented immigrants did not simply burden the economy but posed an existential threat to the nation. These escalating

narratives show how immigration policy evolved, not only in terms of enforcement but also in its rhetorical scope, moving from workplace surveillance to the criminalization of public existence itself.

By tracing these discursive shifts, we see how policymakers and public discourse not only constructed the idea of Mexican illegality but also expanded, reshaped, and intensified it over time. Understanding this process is crucial for confronting the ways racialized exclusions continue to shape contemporary immigration debates, where policies that claim to manage migration instead reproduce hierarchies of belonging, ensuring that certain groups remain permanently on the margins of the nation.

Chapter 5: “Save Our State”: Race, Preservation, and the Rhetoric of Exclusion in the Proposition 187 Debate

Introduction

In the 1970s, anti-immigrant discourse intensified through policies like California’s employer sanctions, where undocumented Mexican labor was portrayed as economically threatening. During this decade, illegality was ideologically constructed (*idea*) as a racialized economic problem needing state management. By the 1980s, these ideas were institutionalized (*practice*) through neoliberal reforms, embedding exclusionary rhetoric into national immigration laws that criminalized undocumented migrants while still depending on their labor. By the 1990s, these accumulated tensions reached their full expression (*revelation*) in California’s Proposition 187. Proponents framed undocumented immigrants as existential threats to the state’s economy, cultural identity, and social order, deploying what I term the preservation narrative.

This chapter argues that Proposition 187 illustrates how the preservation narrative reinforces racial hierarchies through colorblind racism and neoliberalism. In doing so, I contend that immigration discourse not only racializes immigrants, but also constructs their worth through contested frameworks of inclusion. To investigate this process, I first contextualize Proposition 187 within broader scholarly debates on immigration, race, and neoliberalism. I then analyze how proponents manufactured danger by portraying immigrants as threats, followed by an examination of how opponents reframed inclusion through alternative narratives. Within these competing frameworks, six central themes emerge: economics, law and order, culture, morality, human rights, and community preservation.

Background

To fully understand the stakes of anti-immigrant discourse, it is essential to examine the rhetorical strategies deployed by both proponents and opponents of Proposition 187. I focus here on how the preservation narrative functioned to sustain domination, drawing from critical race scholars such as George Lipsitz, Cheryl Harris, and David Roediger, whose work allows me to theorize how narrative plays a central role in shaping power, exclusion, and social value.

Building on their insights, I argue that the preservation narrative operates in two key ways. First, it presents Proposition 187 as a measure to safeguard economic, cultural, and social stability. Second, it offers a race-neutral rationale for maintaining whiteness by invoking the logics of neoliberalism. This dual function is critical to understanding how the initiative legitimized exclusion under the guise of protection, thereby securing white, capitalist interests. By portraying undocumented immigrants as threats to state resources and identity, this framing upheld entrenched racial hierarchies and deflected attention from broader structural inequities.

While both sides of the debate drew on the language of preservation, they mobilized it in distinct ways. Opponents framed immigrants as integral to society, emphasizing their contributions and rights. Proponents, by contrast, constructed undocumented immigrants as disruptive and morally suspect, presenting their exclusion as necessary to maintain social order. Though differently positioned, both arguments hinged on who deserves to belong, ultimately reinforcing whiteness by regulating the terms of inclusion.

The invocation of law served to further protect racialized privilege. Proponents insisted their concern was with legality, but their rhetoric often underscored the defense of whiteness over actual legal principles. As Lipsitz has shown, exclusionary policies in housing, education,

and employment have long functioned to secure racial advantages.³⁰⁸ Harris similarly demonstrates how legal regimes historically converted racial subjugation into a form of property, giving whiteness material value.³⁰⁹ Their analyses help explain why marginalized groups have sought access to whiteness as a pathway to mobility, not because whiteness itself is neutral, but because it carries material and symbolic capital within U.S. society.

As a result, whiteness remains deeply embedded in our social structures yet often remains invisible. By examining how law functions both as practice and as rhetoric, we can better understand how racial power operates through everyday language. This social construction is not new, but deeply familiar. As Roediger argues, white class identity has long been shaped through the exclusion of racialized others. Immigration discourse, in particular, has served as a recurring mechanism through which such identity is forged and preserved.³¹⁰

While the labor movement outlined by Roediger played a significant role in this class formation, Proposition 187 emerged as another key vehicle for reinforcing whiteness in the late twentieth century.³¹¹ As Lipsitz argues, it allowed communities that identified as white to rally around a perceived threat, even as the real economic challenges they faced stemmed from policies like welfare reform.³¹² By redirecting blame toward immigrants, the initiative further dehumanized them and intensified their vulnerability. This dynamic reveals how a climate of fear, what Lipsitz calls “recreational hate,” fueled exclusionary sentiment under the guise of race-neutral logic.³¹³ By casting immigrants as inherently dangerous, these narratives activated longstanding anxieties and allowed white solidarity to solidify under the banner of law and order.

³⁰⁸ Lipsitz, *The Possessive Investment in Whiteness*.

³⁰⁹ Harris, “Whiteness as Property,” 1721.

³¹⁰ Roediger, *The Wages of Whiteness*.

³¹¹ Lipsitz, *The Possessive Investment in Whiteness*, 49.

³¹² Lipsitz, *The Possessive Investment in Whiteness*.

³¹³ Lipsitz, *The Possessive Investment in Whiteness*, 50.

Narrating A Problem: Colorblind Racism and Neoliberalism in Proposition 187

But if systems of domination remain largely invisible, how can inequality be reproduced without explicit forms of overt racism? One answer lies in the way language in the post-civil rights era gets deployed to occlude racism and social inequality. According to Eduardo Bonilla-Silva, colorblind racism describes how race-neutral language is deployed to mask racism, instead framing social inequality as a result of personal and or cultural deficiencies.³¹⁴ This ideology, as Bonilla-Silva explains, allows “many whites [to] subscribe to an ideology that ultimately helps preserve racial inequality” without explicit reference to race.³¹⁵ By relying on specific stylistic parameters, this ideology shifts the blame for racial inequality onto individual choices, obscuring the structural and institutional forces that perpetuate racism. What makes this new racism particularly dangerous is that it justifies policies that further marginalize minorities. But what makes this framing so effective, and what ideological forces sustain it?

Proposition 187

To answer this question, we must discuss the context in which Proposition 187 was proposed and passed. On November 8, 1994 California voters voted in favor of Proposition 187, also known as the “Save Our State” initiative, which sought to exclude undocumented immigrants from social services and establish a collaborative federal, state and local effort to report undocumented immigrants.³¹⁶ Composed of ten sections, the measure’s section one is particularly important for how it framed undocumented immigrants and their perceived impact,

³¹⁴ Bonilla-Silva, *Racism without Racists*.

³¹⁵ Bonilla-Silva, *Racism without Racists*, 24.

³¹⁶ *League of United Latin American Citizens v. Wilson*, 908 F. Supp. 755 (C.D. Cal. 1995).

SECTION 1. Findings and Declaration.

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 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.

Therefore, the People of California declare their intention to provide for cooperation between their agencies of state and local government with the federal government, and to establish a system of required notification by and between such agencies to prevent illegal aliens in the United States from receiving benefits or public services in the State of California.³¹⁷

As Cacho highlights, this sentiment frames white Americans as victims, robbed of resources that they are entitled to.³¹⁸ This strategic portrayal further polarized the issue of immigration by reinforcing the belief in scarcity of resources, leading even racialized minorities to become invested in this narrative of competition.³¹⁹ Although courts blocked many of its major provisions from being enacted, HoSang contends that the rhetoric surrounding Proposition 187 shaped policies across all fifty states, but most importantly the ideological link between liberal ideas and national identity created by this moment has been detrimental to advocates of immigration reform.³²⁰ Building on HoSang's claim that contemporary activists must confront the ideology of modern nativism, I argue that we must more deeply examine how the rhetoric produced during this moment (re)assigned worthiness to immigrants reinforcing cognitive racial hierarchies.

³¹⁷ See *LULAC v. Wilson*, 908 F. Supp. 755, Appendix A, Proposition 187 Text.

³¹⁸ Cacho, "The People of California Are Suffering."

³¹⁹ Lipsitz, *The Possessive Investment in Whiteness*.

³²⁰ HoSang, "The Ideological Alchemy of Contemporary Nativism," 81.

Racial and Economic Logic of Neoliberalism

Viewed from this perspective, immigrant policy does more than exclude, it reinforces a distorted reality as common sense. Proposition 187 achieved this by using neoliberal discourse to frame exclusion as a matter of fairness. In “The Spirit of Neoliberalism: From Racial Liberalism to Neoliberal Multiculturalism,” Jodi Melamed argues that this approach obscures systemic racism by using multicultural language to justify inequality. As she explains, “the new racism deploys economic, ideological, cultural, and religious distinctions to produce lesser personhoods, laying these new categories of privilege and stigma across conventional racial categories, fracturing them into differential status groups.”³²¹ Furthermore, neoliberal multiculturalism “sutures official antiracism to state policy in a manner that hinders the calling into question of global capitalism.”³²² In the case of Proposition 187, this logic reframes immigrants as threats to national stability while simultaneously portraying them as necessary for the economy, embodying both exclusion and economic exploitation.

This neoliberal logic relied on economic, cultural, and ideological language to devalue undocumented Mexicans, masking systemic inequalities and redefining racial categories in ways that neutralized and legitimized exclusion. Understanding how neoliberalism constructs these new racial subjects lays the foundation for examining its economic dimensions.

David Harvey expands this analysis by focusing on the economic logic of neoliberalism. He argues that neoliberalism redirects economic power to the upper class by portraying the market as the great equalizer and the primary vehicle for achieving “human dignity and individual freedom.”³²³ However, as Harvey explains, this ideology contradicts its practice. For

³²¹ Melamed, “The Spirit of Neoliberalism,” 14.

³²² Melamed, “The Spirit of Neoliberalism,” 14.

³²³ Harvey, *A Brief History of Neoliberalism*, 5.

instance, structural adjustment programs forced countries like Mexico to liberalize their economies, often at the expense of national sovereignty and social protections, ultimately surrendering “assets to foreign companies at fire-sale prices.”³²⁴ These reforms displaced communities and fueled migration, benefiting economic elites while producing the very conditions that neoliberal states later criminalized.

Proposition 187 exemplifies this theme of extraction. It primarily targets racialized minorities already harmed by global capitalist policies, framing them as threats to the nation while ignoring the structural causes of their vulnerability. Additionally, the debates around Proposition 187 reveal how neoliberal ideology manipulates ideas of freedom and opportunity in order to portray undocumented immigrants as deviant subjects for failing to conform to dominant notions of legality and responsibility. In this regard, discourse and citizenship come together to reinforce “exploitative social relations key to neoliberal economic arrangements.”³²⁵ Consequently, Proposition 187 underpins this theme of extraction through exploitation, legitimizing it under the guise of national security and economic stability. These racial and economic dynamics of neoliberalism shaped not only policy, but also the broader rhetorical strategies that framed the immigration debate of the 1990s.

The Rhetoric of Exclusion: Scholarly Perspectives on Proposition 187

Exploring this impact, I now turn to scholars who have more deeply engaged in this debate. While comprehensive research exists on the initiative’s rise, consequences and implications, I categorize this interdisciplinary debate into three theoretical camps: critical race

³²⁴ Harvey, *A Brief History of Neoliberalism*, 30-31.

³²⁵ Perry, “Overlooking/Looking Over Neoliberal Immigration,” 845.

theory, critical discourse analysis and immigrant studies. Collectively, they highlight how power and domination unravel through exclusionary rhetoric and policy.

First, critical race scholars such as Garcia, HoSang, and Cacho argue that policies like Proposition 187 arise because they strategically occlude racism while augmenting and preserving whiteness.³²⁶ Legal scholar Cooper suggests that Proposition 187 was not just about controlling immigration but about overturning legal precedent that expanded immigrant rights.³²⁷ Together, these scholars reveal how policy functions as a tool for ideological control, reinforcing a specific worldview rooted in racial exclusion.

Second, building on the theme of social inequality, other scholars have highlighted how colorblind discourse shapes public perception and policy. Scholars like Hasian, HoSang and Jacobson emphasize how immigration policies such as Proposition 187 play a significant role in meaning-making, particularly in how race and racism are reconstructed.³²⁸ Ono and Sloop further illustrate how this policy shifts the meaning of borders, while Calavita argues that Proposition 187 is both a symptom of and a lens through which to understand the shifting political and economic landscape.³²⁹ These scholars demonstrate how social inequality is legitimized through discursive strategies that racialize people and borders, reinforcing exclusion.

Third, complementing the previous perspectives, scholars who focus on the theme of domination highlight how Proposition 187 is a tool for immigrant management and control

³²⁶ Ruben J. Garcia, "Critical Race Theory and Proposition 187: The Racial Politics of Immigration Law," *Chicana/o Latina/o Law Review* 17, no. 1 (1995): 118-154; HoSang, "The Ideological Alchemy of Contemporary Nativism"; Cacho, "The People of California Are Suffering."

³²⁷ Phillip J. Cooper, "Plyler at the Core: Understanding the Proposition 187 Challenge," *Chicano-Latino Law Review* 17 (1995): 64-87.

³²⁸ Marouf Hasian Jr. and Fernando Delgado, "The Trials and Tribulations of Racialized Critical Rhetorical Theory: Understanding the Rhetorical Ambiguities of Proposition 187," *Communication Theory* 8, no. 3 (1998): 245-270; HoSang, *Racial Propositions*; Robin Dale Jacobson, *The New Nativism: Proposition 187 and the Debate over Immigration* (Minneapolis: University Of Minnesota Press, 2008).

³²⁹ Ono and Sloop, *Shifting Borders*; Calavita, "The New Politics of Immigration."

through various forms of violence. Rogelio focuses on symbolic violence, Cervantes et al., addresses material impacts, Santa Ana emphasizes rhetorical violence that dehumanizes immigrants, and Bobadilla underscores the structural violence that positions Proposition 187 within a long legacy of historical discrimination.³³⁰ This legacy extends beyond restriction and control; it centers on the management and exploitation of immigrant labor.

Mapping National Sentiment: Narratives in Newspapers on Proposition 187

Even though scholars have examined Proposition 187 through various theoretical lenses, such as ideological control, social inequality, and domination, the specific discursive strategies used by proponents and opponents to construct the human value of undocumented immigrants require further exploration. By analyzing editorials, letters, and articles from *The San Francisco Chronicle* and *The Fresno Bee*, I reveal how these narratives reflected and reinforced broader ideological tensions.

These newspapers were selected because they represent two distinct areas, a major metropolitan area and California's Central Valley. Field polls show that public sentiment shifts dramatically in the two weeks leading up to the election, therefore, I opted to analyze articles from October 1994 to capture the dominant views just before the vote.³³¹ The quotes that follow reflect a range of perspectives, from editorials to everyday citizens, journalists, politicians, and columnists. Rather than analyzing the newspapers themselves, my goal is to examine the diverse

³³⁰ Rogelio García, "'Well I've Reason to Believe, We All Have Been Deceived': Proposition 187, Racist Discourse, and Resistance," *Arizona Anthropologist* 12 (1996): 57–83; Nancy Cervantes, Sasha Khokha, and Bobbie Murray, "Hate Unleashed: Los Angeles in the Aftermath of Proposition 187," *Chicano-Latino Law Review* 17 (1995): 1–23; Otto Santa Ana, "'Like an Animal I Was Treated': Anti-Immigrant Metaphor in US Public Discourse," *Discourse & Society* 10, no. 2 (1999): 191–224; Eladio B. Bobadilla, "'For Us, There Are No More Back Doors': California's Proposition 187, the Paradoxes of Immigration Control, and the Long Struggle for Immigrants' Rights," *California History* 100, no. 3 (August 1, 2023): 2–23.

³³¹ Pamela Burdman, "Prop. 187's Lead Keeps Shrinking, Field Poll Finds," *The San Francisco Chronicle*, October 27, 1994.

voices used to construct the human value of undocumented immigrants and to preserve whiteness. Approximately one-hundred articles were analyzed, and the following quotes highlight the dominant narratives that emerged in the debate over Proposition 187.

Manufacturing Danger: Economic, Law and Order, and Cultural Narratives

I first investigated the defense narratives that framed undocumented immigrants as existential threats in the Proposition 187 debate. Broadly, these narratives constructed undocumented immigrants' human value and the extent of their belonging through a rhetorical border of danger and (im)possibility. Whether they were framed as economic drains, cultural invaders, or criminals, these narratives emphasized the perceived threat that undocumented immigration posed to California's resources, social fabric, and legal integrity. By analyzing these narratives, I show how discursive strategies justify exclusionary policies and reinforce dominant beliefs about race and illegality in U.S. thought.

In this regard, those in favor of Proposition 187 prioritized rhetorical strategies that amplified the "problem" of undocumented immigration, some of these strategies included, but were not limited to: framing, positive self-representation and negative other-representation, metaphor, paradox, emphasis, disclaimers, and descriptive language. Overall, these discursive strategies fit within the larger colorblind anti-immigrant discourse that reinforces racial hierarchies by dehumanizing undocumented immigrants, which in turn, as scholars have argued, increases their precariousness and protects existing power structures. Proposition 187 transformed economic anxieties into a full-scale moral crisis. Undocumented immigrants were no longer just framed as labor threats but as existential dangers to the nation. This shift from economic regulation to moralized exclusion reinforced the idea that preserving national identity

required restrictive policies. As a result, Proposition 187 was positioned as a necessary safeguard against a perceived demographic crisis.

Economic Preservation Narrative

The economic preservation narrative frames undocumented immigrants as a drain on California's resources, portraying them as a threat to the state's financial stability and integrity. Implicitly, proponents argued for the preservation of economic stability through exclusion. For example, proponents argued that resources should be preserved for "legitimate" citizens, constructing immigrants as unworthy and diminishing their social value in the process. What makes this narrative compelling is that it hinges on the belief that California taxpayers are victimized by immigrants who consume public goods without contributing to the economy.

In the examples below, one letter argued that taxpayers were burdened by the cost of incarcerating immigrants, and another extended this argument to education.

1. Your article "Federal Aid for Costs of Jailing Illegals" (October 7) reports how the state is getting less than 10 percent of the cost of jailing illegal immigrants, which is under 1 percent of the total cost of illegal immigration to California residents.

With this kind of commitment from Washington, it is not surprising that a courageous governor has confronted the issue and that the taxpayers of California have taken leadership into their own hands, by placing Proposition 187 on the ballot.³³²

2. I'm writing in response to the Fresno State students who are marching and protesting against Proposition 187. . . . If we have students at Fresno State who don't know the difference between legal and illegal, they aren't competent to be in college. On the other hand, if we have that many students who are illegal aliens, no wonder our citizens and legal aliens are being short-changed, because our education dollars are being spent, illegally, on illegal aliens.

³³² Pablo Wong (San Francisco), "Letters to the Editor: Costs of Immigration," *The San Francisco Chronicle*, October 12, 1994.

It's the illegal aliens who will be affected by this proposition and rightly so. There's not another country in the world that would educate and give social services to the citizens of another country who have come illegally, and we can't afford to do it either.³³³

These excerpts are from public letters submitted to the newspapers. In both statements, the writers use the economic preservation narrative to frame undocumented immigrants as a financial drain on California's resources. In statement one Proposition 187 is presented as a necessary solution to the financial burden inflicted by undocumented immigrants, particularly the costs associated with incarceration. Wong invalidates their presence by illustrating how the state will not cover the full cost of jailing them, as such they are viewed as outsiders, while California's "taxpayers" are portrayed as leaders fighting against this financial injustice. Statement two extends this economic argument to education, portraying undocumented students as taking away resources from legal residents. Motte uses urgency with phrases like "we can't afford to do it," to frame Proposition 187 as critical to preserving taxpayer-funded education.

By emphasizing how education dollars are "illegally" spent on undocumented students, the quote frames these students as economic threats to the state's financial stability. The negative other-representation of undocumented students as unworthy recipients of public resources is reinforced by the comparison to other countries that would not extend such benefits to undocumented immigrants. Both quotes use positive self-representation, taxpayers as leaders and negative other-representation, undocumented immigrants as economic drains to justify Proposition 187 as a means to preserve California's economic resources. By framing undocumented immigrants as a threat to state finances, the rhetoric diminishes their human value, portraying them as undeserving of public services, rather than as individuals who contribute to the state.

³³³ Lois Motte (Coalinga), "Letters: We Can't Afford It," *The Fresno Bee*, October 23, 1994.

In another instance, proponents of Proposition 187 portrayed undocumented immigrants as a threat to the nation's economic integrity, arguing that resources have been "gnawed to the bone."

3. Alan Nelson, a former Immigration and Naturalization Service commissioner and Proposition 187 co-author, defended the measure, saying, "When President Clinton indicates that 37 1/2 million Americans don't have health care — how can we go ahead and provide it to illegal aliens who don't have the right to be here in the first place?"³³⁴
4. Proposition 187 is worth passing. It gives voice to the many Americans who seem powerless to stop illegal aliens from skimming money and benefits, without contributing a dime. Our Congress has misplaced its priorities when it does not right the blatant injustices done against the hard-working men and women of this country.

Immigrants are expected to enhance a country, but we are overwhelmed by immigrants who heavily burden us. Americans are tired of having illegals who daily swarm over our walls for a wonderland of social services. America is extremely fair-minded, but the hand that feeds the world has been gnawed to the bone.³³⁵

Both of these statements frame undocumented immigrants as undermining the economic structure of the nation. In statement three, Nelson constructs undocumented immigrants as a threat to already scarce resources, particularly health care, which he implies should be allocated to citizens first. The statement devalues undocumented worth by positioning citizens as more deserving due to their legal status. The preservation narrative emphasizes that immigrants, by not being citizens, are a competitive threat to resources, thus contributing to economic anxiety and perceived fairness of resource allocation. In statement four, Aldene's letter frames undocumented immigrants as "skimming money and benefits" without contributing to the economy, reinforcing the idea that undocumented immigrants' value is seen as contingent on what they take, not what they contribute. This narrative exemplifies the belief that passing Proposition 187 would preserve economic integrity by ensuring resources are directed toward the

³³⁴ Alan Nelson as quoted in "Fear on 2 Sides of Immigration Issue Public Expresses Fears Around," *The San Francisco Chronicle*, October 13, 1994.

³³⁵ Berne Aldene (Tulare), "Letters: Giving a Voice," *The Fresno Bee*, October 28, 1994.

legitimate group. The statement relies on a positive self-representation, America as “fair-minded” and negative other representation, immigrants as exploitative. By portraying the nation’s generosity as being exploited by “illegal aliens,” the statement justifies the exclusionary policies advocated by Proposition 187.

In arguing that undocumented immigrants were an economic strain, proponents emphasized the need to preserve resources for citizens and send a strong message about the allocation of public services.

5. Simply by qualifying for the ballot, Proposition 187 has provided California taxpayers with the greatest catalyst for change in more than a decade. It has forced politicians to acknowledge the costs associated with illegal immigration and caused the opponents of the measure to support enforcement of employer sanctions and improved border security.

To stop illegal immigration, we must enforce employer sanctions and secure our borders, but we must also address the ever-increasing cost of benefits provided to illegal aliens. Most of our politicians have lacked the courage to meet this challenge.

Proposition 187 provides the driving force in the fight against illegal immigration. After its passage, its opponents may flip-flop again; but our resolve to stop illegal immigration and to deny benefits to illegal aliens will be evident.”³³⁶

6. But I also question how long our state, which is leaning toward bankruptcy, can continue to provide even basic services to its citizens.

Of one thing I am certain: If I chose to move my family to any other nation in the world without respecting the laws of that country, they would not provide me with welfare assistance, medical care nor educate my children. They certainly would not print voting materials in my native language. . . .

Proposition 187 is not about immigrants who have settled here legally or filed for amnesty a few years ago when it was available, it is about continuing to provide basic services to the citizens that live here. Our needs should come first!³³⁷

In these two separate letters, Proposition 187 is framed not just as a policy against undocumented immigration, but as a measure to ensure that economic resources are reserved for those deemed

³³⁶ Patrick Skain (San Francisco), “Letters to the Editor: Red Flag on Immigration,” *The San Francisco Chronicle*, October 19, 1994.

³³⁷ Diane Falge (Fresno), “Letters: We Come First,” *The Fresno Bee*, October 29, 1994.

deserving, particularly, those who are citizens or lawfully present. In statement five, Skain supports Proposition 187 by arguing that the campaign will send a clear message to politicians about addressing the high costs of illegal immigration. This framing casts undocumented immigrants as a drain on economic resources and challenges their human worth by asserting that they are not entitled to benefits. The narrative diminishes the value of undocumented immigrants by positioning them as takers rather than contributors, implying that they are a population that requires management and surveillance, particularly at the border. The rhetorical strategy here appeals to fear and morality, arguing that securing the borders is critical to protecting the financial interests of California taxpayers. In statement six, Falge further emphasizes the perceived economic threat of undocumented immigrants, suggesting that their presence contributes to California's financial instability. By framing undocumented immigrants as lawbreakers who take resources meant for citizens, this statement challenges their moral and economic worth. The narrative positions them as a burden on the state's economic system, justifying exclusionary policies like Proposition 187. It juxtaposes the needs of the nation with the claims of undocumented individuals, asserting that the law should prioritize those who adhere to the norms of legality.

Law and Order Narrative

This narrative depicts Proposition 187 as a necessary measure to curb the entry of undocumented immigrants, casting them as lawbreakers who pose a danger to the legal and social order of California and the United States. This rhetoric not only criminalizes their presence but also shifts the focus away from the systemic forces that perpetuate immigration inequalities. By portraying immigrants as inherently deviant, this narrative builds upon the preservation logic, where adherence to legal norms is falsely equated with moral worth, creating

a false dichotomy that undermines human dignity. By emphasizing societal norms surrounding accountability and the rule of law, this alarmist construction justifies the policy's exclusionary mandates.

The statements below illustrate this idea, arguing that law and order should be upheld by the government, with an emphasis on accountability regarding who should be responsible for providing services to citizens.

7. "I make no apology for putting California children first," he said. "And yes, those children who are in the country illegally deserve an education, but the government that owes it to them is not in Sacramento and not even in Washington but in the country from which they did come."³³⁸
8. I'm really having a problem understanding how some of our elected officials are calling Proposition 187 "immigrant bashing."

Do they fail to understand the word "illegal"? My dictionary reads: "Prohibited by law; against the law; unlawful; illicit; not authorized or sanctioned."

Shouldn't our elected representatives honor our laws, or are they above them?

Either enforce the law, or do away with it. Are you aware the majority of illegal immigrants are not farm workers? What grows in Los Angeles, besides welfare lines?³³⁹

Both of these statements illustrate how proponents of Proposition 187 use the narrative of law and order to frame undocumented immigrants as a challenge to national responsibility and accountability. In statement seven, chronicle political writers, Gunnison et al., quote Wilson who acknowledges that undocumented children are worthy of education but shifts the responsibility for providing it from the U.S. government to the nation of origin. This frames the educational right of these children in terms of citizenship, implying that their entitlement to public services is contingent on their legal status, not their humanity. The statement operates within the

³³⁸ Pete Wilson (Governor, California), quoted in Robert B. Gunnison and Edward Epstein (Chronicle Political Writers), "Brown Blasts Wilson on Crime Issue - They Meet in Only Scheduled TV Debate," *The San Francisco Chronicle*, October 15, 1994.

³³⁹ Victoria Gibson (Exeter), "Letters: By Definition," *The Fresno Bee*, October 31, 1994.

preservation narrative by reinforcing the idea that the U.S. must prioritize its citizens over undocumented individuals, asserting that national boundaries dictate the legitimacy of access to resources. Wilson's argument strategically ties the U.S.'s moral obligation to the rule of law, suggesting that immigrants should receive benefits from their own countries, reinforcing their dehumanization by situating their worth within the context of their nationality. In statement eight, Gibson's letter invokes a fixed interpretation of the law, positioning undocumented immigrants as deviants who violate clear legal boundaries. By framing undocumented immigrants through this dichotomy, this statement oversimplifies the complexity of immigration law and the various factors that influence one's legal status. Gibson rejects the idea that the rhetoric surrounding 187 is "immigrant bashing," rather viewing it as a measure that enforces accountability. This approach appeals to logic by claiming that the law is immutable and must be upheld, regardless of an individual's situational complexities of their case. This discursive strategy supports the idea that immigrants' legal status alone devalues their human worth, positioning them as lawbreakers rather than individuals deserving compassion.

The law and order narrative also framed Proposition 187 as a policy that would perform various roles such as enforcement and surveillance, and reinforcing societal boundaries between citizens and undocumented immigrants.

9. "If you are a legal resident, you have absolutely nothing to fear," the governor said. "This isn't going to make everybody an INS agent. . . . It has nothing whatsoever to do with eye or skin color. You are 'reasonably suspect' (according to the ballot measure) if you cannot provide documentation that you are in the country legally."

Wilson pointed to himself to illustrate what he says will occur if Proposition 187 passes:

"If you say to me, 'Pedro, you cannot work here; you are in the country illegally; I cannot hire you because if I do, they're going to penalize my butt good'. . . If I discover I cannot

work and my child cannot go to school, you know what I'm going to do? Go home. There will be self-deportation.”³⁴⁰

10. Somewhere along the line, people should be held accountable for at least some degree of responsibility. We hear that it is our “moral” responsibility to provide for illegal residents. Yet, how “moral” is it to encourage anyone to adopt and maintain an illegal status?

Those of us who are legal residents are expected to live by the laws, yet those against 187 would have us spend tax dollars in support of those who believe they have a right to live outside the law. This makes sense?³⁴¹

Both statements illustrate how the law and order narrative frames Proposition 187 as aiding in immigrant enforcement through the encouragement of self-deportation and social policing of right and wrong. In statement nine, Wilson is quoted once again, this time arguing that Proposition 187 will function to preserve other federal policies by making those who cannot prove their status “reasonably suspect.” His statement reduces undocumented immigrants’ value by arguing that their lack of status will encourage self-deportation. This narrative suggests that undocumented immigrants are knowingly violating the law, positioning them as outsiders who will willingly leave once they are unable to access jobs or resources. This quote appeals to logic, assuming that legal compliance will follow once immigrants face the consequences of their legal status.

In statement ten Campbell’s letter emphasizes the role of social responsibility in preserving moral integrity, asserting that undocumented immigrants represent a moral failing because they violate the law. This statement reduces their lack of legal status to a moral issue, framing it as a threat to the nation’s moral foundation. It appeals to emotion by invoking a sense of responsibility, positioning undocumented immigrants as deviants who should be held

³⁴⁰ Pete Wilson (Governor, California), quoted in Susan Yoachum, “Wilson Plan For ID Card If 187 Wins - It Would Be Proof of Legal Residency,” *The San Francisco Chronicle*, October 26, 1994, Chronicle Political Editor.

³⁴¹ Marie Campbell (North Fork), “Letters: Rights, Responsibility,” *The Fresno Bee*, October 26, 1994.

accountable for living outside the law. This argument oversimplifies the complexities of immigration status and frames it as a matter of personal responsibility, neglecting the broader systemic factors that contribute to an individual's undocumented status.

Cultural Preservation Narrative

This narrative frames undocumented immigrants as a threat to California's cultural identity and national values. In the context of Proposition 187, proponents argued that the influx of immigrants, particularly from Latin American countries failed to assimilate, thereby devaluing American cultural values and national unity. In the following excerpts, commentators framed Proposition 187 as the solution to the perceived threat to American identity posed by undocumented immigrants.

11. Proposition 187 "is an outrage. It is unconstitutional. It is nativist. It is racist" –AI Hunt, Capital Gang, CNN.

The outburst by my columnist colleague, about California's Proposition 187, which would cut off social welfare benefits to illegal aliens, suggests that this savage quarrel is about more than just money. Indeed, the roots of this dispute over Proposition 187 are grounded in the warring ideas that we Americans hold about the deepest, most divisive, issues of our time: ethnicity, nation, culture. . . . Ethnic militancy and solidarity are on the rise in the United States; the old institutions of assimilation are not doing their work as they once did; the Melting Pot is in need of repair. On campuses we hear demands for separate dorms, eating rooms, clubs, etc., by black, white, Hispanic and Asian students. If this is where the campus is headed, where are our cities *going*?

If America is to survive as "one nation, one people," we need to call a "time-out" on immigration, to assimilate the tens of millions who have lately arrived. We need to get to know one another, to live together, to learn together America's language, history, culture and traditions of tolerance, to become a new national family, before we add a hundred million more. And we need soon to bring down the curtain on this idea of hyphenated-Americanism.

If we lack the courage to make the decisions—as to what our country will look like in 2050—others will make those decisions for us, not all of whom share our love of the America that seems to be fading away.³⁴²

12. Estrada, whose group encourages minorities to join the Republican Party, said Prop. 187 boils down to a question of loyalty.

“Do we support our legal residents or people who are loyal to Mexico?” Estrada asked.³⁴³

In statement eleven, columnist Buchanan does not explicitly endorse Proposition 187, but his critique of AI Hunt’s opposition suggests he supports the idea that the nation is changing in undesirable ways. Buchanan constructs immigrants as a threat to the status quo, framing them as threats to cultural traditions rather than seeing culture as an evolving process shaped by diverse groups. He portrays the disruption of hegemonic culture as a problem, thus devaluing immigrants’ contributions. This framing appeals to fear, suggesting that the America of today is fading, which motivates public support for restrictive immigration policies. In statement twelve, leader of the Coalition for New Republicans, Estrada frames the law as a way to demonstrate support for legal residents over the undocumented. He depersonalizes immigrants by portraying them as having divided loyalties between their native country and the one they currently reside in.

This narrative positions Proposition 187 as critical for protecting national identity, suggesting that immigrants cannot be assimilated. This statement is polarizing, provoking an us versus them attitude, leaving little understanding of how immigrants actually integrate into society or experience their everyday lives. In sum, this narrative appealed to emotion by

³⁴² Patrick Buchanan (Columnist with Tribune Media Services), “Other Opinions: Prop. 187 Forces Us to Look at Face of Nation’s Future,” *The Fresno Bee*, October 31, 1994.

³⁴³ John Estrada (head of the Coalition for New Republicans), quoted in Robert Rodriguez, “Election ’94: Debate over SOS Generates Rancor,” *The Fresno Bee*, October 20, 1994.

invoking the feeling of danger of an eventual societal cultural collapse, mobilizing support through appeals to loyalty and tradition.

Manufacturing Possibility Through Narrative: Morality, Human Rights, and Community Cohesion

While proponents of Proposition 187 constructed the human worth of undocumented immigrants through narratives of danger, opponents reappropriated this narrative to challenge the exclusionary impact of this measure, arguing that it would affect us all. These counter-narratives, which reframed immigrants as deserving of dignity and respect, were often undermined by the prevailing neoliberal framework that devalued their human worth and confined their belonging to limited, economic terms. Though these activist counter-narratives were central in advocating for a more inclusive immigration policy, their effectiveness was constrained by the pervasive fear and racialized logic promoted by Proposition 187. These counter-narratives placed an emphasis on preserving morality, human rights, community safety, and cohesion, making it possible to broaden inclusion and affirming the human value of undocumented immigrants. At its core, these narratives are meant to invoke an emotional response that centers on the possibility of threat and personal harm if undocumented immigrants are not allowed to access essential services. That said, I am not suggesting that this is a liberating narrative, rather, these representations reveal other ways of thinking about race, illegality, and community in the U.S.

For instance, some examples below illustrate that while opponents rejected undocumented immigrants, they also opposed Proposition 187 because it threatened their material advantages. In this contradictory way, they challenged an exclusionary policy while simultaneously complicating the human value of undocumented immigrants, and at times, reaffirming existing power structures within the racialized legal system. Nonetheless, examining

the morality, human rights, and community aspects of the manufacturing possibility narrative is instructive, as these rhetorical strategies contested anti-immigrant discourses while implicitly affirming and humanizing the immigrant population as worthy of protection.

This framing aligns with the broader Manufacturing Possibility framework, where counter-narratives have historically sought to challenge exclusionary policies, though always within constrained terms. In the 1970s, labor organizers emphasized the economic necessity of undocumented workers to counter labor displacement rhetoric. By the 1980s, the limited amnesty provisions in IRCA reflected a conditional form of inclusion, granting status to some while reinforcing enforcement mechanisms against others. By the 1990s, the human rights discourse surrounding Proposition 187 reflected a strategic shift, as opponents increasingly framed undocumented immigrants as members of the social fabric whose rights and dignity should be protected. However, the persistence of Manufacturing Danger reveals the limits of these counter-narratives; while they contest exclusionary policies, they remain shaped by dominant ideological constraints that dictate who is deemed worthy of belonging.

Morality

The morality narrative framed Proposition 187 through a lens of right and wrong, arguing that it was immoral to deny essential services such as education and vaccines to children, and to force public service providers who have taken vows to do no harm would violate ethical obligations. As a result, Proposition 187 was criticized as an immoral policy, built on shaky moral grounds that would degrade our collective morals as a nation. In other words, this narrative frames undocumented immigrants as deserving of protection by challenging the ethics of those who would withhold essential services from children.

In the examples below, opponents argued that undocumented immigrants were being used as scapegoats in California election politics, and being duped by these lies was to call into question our moral integrity.

13. “Failure to oppose 187 is failure to support the federal constitution,” Dawson said. “Beyond that, it is a failure of leadership. . . . If you fail to oppose 187, from my perspective, you’re saying, I am willing to look straight in the eyes of 300,000 children and say to each one, ‘You don’t belong in school. Go away.’ ”³⁴⁴

14. The complete insanity of suggesting that we allow a class of illiterate people to grow up in our society was clear to Texans. Envision this: They’ve got about 1 million illegal immigrants in California, working as maids, gardeners, dishwashers and construction labor. The voters want to take these productive, taxpaying noncitizens and put ‘em in jail at a cost of \$23,000 a year for trying to send their kids to school. And they think they have budget problems now.

Send Mom to the hoosegow for \$23k a year for trying to get her kids educated; then, of course, the kids will end up on welfare. There is no upside to this mean-spirited folly. . . .

Now we’re all used to our politicians blamin’ “Messakins” when times get bad ‘cause politicians are just natural liars, hypocrites and fools. It’s fine to let them carry on, but who would have imagined the people of California would be dumb enough to believe them?³⁴⁵

Both of these excerpts use the morality narrative to argue that opposing Proposition 187 is not just about protecting the rule of law but also about preserving our moral integrity in the face of political manipulation. In statement thirteen, Superintendent Dawson is quoted arguing that failing to oppose Proposition 187 challenges the integrity of the Constitution. This approach elevates undocumented human value by arguing that undocumented immigrant children are under the purview of the federal government. This rhetorical strategy appeals to logic and emotion, asserting that it is immoral to deny children an education, and that it is ultimately the federal government’s decision, not the state’s. In statement fourteen, columnist Ivins uses satire

³⁴⁴ William (Dave) Dawson (Superintendent), quoted in Sabin Russell, Edward Epstein, and Ann Bancroft, “CAMPAIGN WATCH,” *The San Francisco Chronicle*, October 18, 1994.

³⁴⁵ Ivins (columnist with the Creators Syndicate), “Initiative Aimed at Illegal Immigrants.”

to highlight the lack of moral integrity in Proposition 187, particularly by depicting mothers being jailed for trying to get their children an education. Her column affirms that undocumented immigrants are valued as productive members of society and ought to be treated humanely.

While both statements imply that politicians scapegoat vulnerable populations, Ivins underscores the hypocrisy of U.S.-Mexico relations, suggesting that undocumented immigrants should be treated humanely, not only when it serves our agenda. This statement appeals to the lack of morality and common sense in Proposition 187, framing it as “insanity” and calling for its rejection as a “mean-spirited folly.” Furthermore, Ivins argues that the policy is “fiscal nonsense” that will create more harm to an already vulnerable population. In making this claim, she alludes that preserving our moral integrity requires allowing immigrants to continue contributing to society and supporting their families.

Opponents also claimed that Proposition 187 was a matter of justice, morality and dignity, augmenting the sentiment of ethical integrity.

15. “There are going to be a lot of people glaring at me and saying Catholic priests shouldn’t comment on political matters,” said the Rev. Howard Lincoln, a spokesman for the San Bernardino archdiocese. “But we’re in this because it’s a matter of justice and morals.”

. . . . “If Proposition 187 passes, the most heinous felon will be able to get an immunization shot, but a 6-month old baby won’t,” Lincoln said. . . .

“This is a matter that transcends religion,” Lincoln said. “It is totally a matter of morality and justice.” ³⁴⁶

16. She interrupted the generally optimistic tone of her half-hour talk to warn that Proposition 187, which would deny a public education to immigrant children residing illegally in California, will become an additional distraction from academics if voters pass the measure November 8.

“I am concerned that asking teachers and administrators to become part-time employees of the Border Patrol will only increase the erosion of the school day and burden teachers

³⁴⁶ Rev. Howard Lincoln (a spokesman for the San Bernardino archdiocese), John Wildermuth and Kenneth J. Garcia (Chronicle Staff Writers), “Religious Leaders Attack Prop. 187 - Growing Political Opposition to Anti-Immigration Measure,” *The San Francisco Chronicle*, October 24, 1994.

with endless paperwork when they should be teaching,” said Kunin, who is an immigrant herself.³⁴⁷

In statement fifteen, Reverend Howard Lincoln is quoted asserting that Proposition 187 is an issue about dignity and fairness. By contrasting the rights of a criminal with those of a newborn, Lincoln affirms the moral and ethical value of treating undocumented immigrants with dignity. By framing the baby through positive representation and the criminal as negative representation, the readers are left to question their own sense of right and wrong. Statement sixteen is another quote that appeals to morality, particularly in education. U.S. Deputy Education Secretary Madeleine Kunin is quoted arguing that Proposition 187 would derail the professional goals of teachers, “with endless paperwork when they should be teaching.” Kunin’s statement affirms that undocumented children ought to be protected from initiatives that fall outside the professional goals of teachers. In other words, her statement appeals to logic, emphasizing that to burden teachers with yet another task or another job responsibility which is outside of their job description is problematic.

In another instance, opponents of Proposition 187 portrayed the measure as immoral because it would lead to compromising ethical and professional responsibility.

17. “As physicians, we’re supposed to do no harm,” said Michael Rapaport, a second-year resident at San Francisco General Hospital, who has signed the pledge. “In denying people medical attention, we’re clearly doing harm, not just to those we’re not giving care to but to those we’re putting at risk by not treating them.”³⁴⁸

18. Wilson, for his part, wraps himself in the dubious theory that the case will lead the courts to force the federal government to pay its share of the state’s costs of providing services to illegal aliens.

³⁴⁷ Madeleine Kunin (U.S. Deputy Education Secretary), quoted in Nanette Asimov (Chronicle Staff Writer), “U.S. Education Official Criticizes Prop. 187, Vouchers,” *The San Francisco Chronicle*, October 29, 1994.

³⁴⁸ Michael Rapaport (a second-year resident at San Francisco General Hospital), quoted in Pamela Burdman, “NEWS ANALYSIS - Many Doctors Would Ignore Prop. 187,” *The San Francisco Chronicle*, October 19, 1994.

Which is to say that Wilson claims that the only reason he threatens to boot 300,000 kids out of school, play chicken with their future and further jeopardize the state's public health and safety is to win a battle with the feds. What a shabby dodge.³⁴⁹

In quote seventeen, chronicle staff writer Burdman, quotes second-year resident Michael Rapaport, who asserts that doctors have a duty to preserve their professional commitment when it comes to patient care despite legal status. In making this claim, he affirms that treating undocumented immigrants will protect the well-being of everyone. In other words, denying undocumented immigrants access to health care would not only undermine their professional integrity and oath to do no harm, but also put the public at risk for contagious diseases. By appealing to the moral and ethical obligation of this field, he affirms that treating undocumented immigrants will protect the wellbeing of everyone. In using this rhetorical strategy, Proposition 187 is critiqued as a harmful policy that puts everyone at risk. In statement eighteen, Peter Schrag asserts that Wilson lacks moral integrity by jeopardizing the future of undocumented children. Particularly, through the use of satire and emotional appeal this statement conveys that to “play chicken” with the life of kids will harm not just them but everyone. In this way, it implies a universal impact and sways the public to vote no on a law that is morally wrong and will endanger us all. Implicitly he affirms that undocumented children are worthy of being treated humanely and in doing so it will preserve our moral integrity.

Human Rights and Educational Preservation

The preservation of the human rights narrative deserves special consideration as it reframed Proposition 187 as a threat to everyone, by emphasizing that failing to protect the human rights of undocumented immigrants would inadvertently erode privacy and civil liberties

³⁴⁹ Peter Schrag, “Other Opinions - Wilson Lacks Courage to Answer Question on SOS Directly,” *The Fresno Bee*, October 20, 1994.

for all Californians. Examples portraying this danger relied on invoking the “big-brother” metaphor and illustrating the dangers of racial profiling. In doing so, opponents constructed a sense of shared humanity and mutual protection.

In the following instance, opponents argued that Proposition 187 would lead to racial profiling and an unwanted surveillance culture.

19. I think they [Latinos favoring Prop. 187] are on the wrong side, because the effects of Proposition 187, if passed, will not be felt by illegal aliens only. Just consider being pointed at and being called “wetback” at school or when applying for a job, or being embarrassed by a Border Patrol officer regardless of whether you are a legal resident or even an American citizen, only because you are Latin.

We Latins have a better chance by voting against Proposition 187.³⁵⁰

20. What’s not nearly as obvious is that Proposition 187 requires every person to show proof of citizenship or legal residency each time care is sought in a hospital or clinic. Parents of all children will have to show not only that their children are legal residents, but that they, the parents, are legal residents as well.

. . . . But this is a message based on a radical invasion of personal privacy and suspicion that will hit virtually every Californian, regardless of name, color or citizenship and that will poison our communities regardless of what the courts do.³⁵¹

In statement nineteen, Lopez’s letter argues that Proposition 187 will make all Latinos reasonably suspect of being outsiders. Using the preservation of human rights narrative, he frames the proposition as a threat to civil rights, urging Latinos to vote against it to protect themselves from racial profiling and surveillance. By appealing to emotion, specifically fear, this statement creates a climate of anxiety about constant surveillance. At the same time, this narrative makes it possible to position undocumented immigrants human value in a complex way and as deserving of access to essential social services. Similarly, excerpt twenty uses the preservation of civil rights narrative in a broader perspective. This editorial argues that

³⁵⁰ Lino Lopez (Sanger), “Letters: Effects of Prop. 187,” *The Fresno Bee*, October 16, 1994.

³⁵¹ “Editorials- The Poison of Prop 187,” *The Fresno Bee*, October 26, 1994.

Proposition 187 will affect us all by eroding our right to privacy. By appealing to fear through invoking the metaphor of “poison,” this statement elevates undocumented immigrants’ deservingness. While statement nineteen focused on the racialized impact of the law, and the editorial argued against this “big-brother” like system, they both suggest that failure to vote no risks infecting our communities.

In another instance, opponents of Proposition 187 framed the right to education as key for preserving human dignity, arguing that exclusionary policies not only dehumanize undocumented immigrants but also unfairly deny them the opportunity to succeed. In the first statement, Santiago recalls her haunting experience of being expelled from a U.S. school while living in Mexico.

21. “It was still dark,” Gloria recalled. “Then a man with a camera popped out. We thought, ‘Oh, no—they know what’s going on!’ We tried to hide our faces, but there was also a lady on the other side of the street. I felt like an animal.”

Soon the photos were printed in newspapers statewide, and the district cracked down. Legally, it made no difference that the students were Americans.

“We felt really, really scared,” Gloria said. “We knew we’d be kicked out of school.”

. . . . Although she graduated and now attends UC-Berkeley, Gloria remains angry. “There were a lot of opportunities for the district and Goldsmith to help us, but they didn’t,” she said. “We told them that housing was a problem, but they wouldn’t deal with it. They knew we were U.S. citizens and taxpayers, but they didn’t care.”

“Now I’m afraid that someone might find out I was kicked out of school. I don’t want anyone to be able to touch my education again.”³⁵²

22. “There are students who have worked so hard to get here, and now they will not be able to finish their education,” he said.³⁵³

³⁵² Gloria Santiago, quoted in Nanette Asimov (Chronicle Staff Writer), “Schoolchildren Mired in Immigration Debate - Families at Center of Furor Fear Education May Be Denied,” *The San Francisco Chronicle*, October 28, 1994.

³⁵³ Castaneda (sophomore majoring in international business), quoted in Robert Rodriguez, “FSU Club to Protest Prop 187,” *The Fresno Bee*, October 11, 1994.

In excerpt twenty-one, Santiago's personal story captures how exclusionary educational policies can have dehumanizing effects, even on U.S. citizens like herself. By using the metaphor "like an animal," Santiago reveals the impact of being viewed as subhuman. Her statement suggests that educational leaders should protect all students, regardless of their background.

By linking her personal story to systemic failures, Santiago affirms the value of immigrants by pointing out how policies fail to address the unique vulnerabilities of marginalized groups. In excerpt twenty-two, Jorge Castaneda, a sophomore majoring in international business, emphasizes the moral and emotional stakes of Proposition 187. He affirms the human value of undocumented immigrants by highlighting their identities as students, arguing that preserving access to education is critical to valuing their academic efforts. The phrase "worked so hard" is meant to invoke sympathy and a sense of moral responsibility, by encouraging the audience to reframe Proposition 187 as an unfair initiative that prevents undocumented students from succeeding.

Community Preservation and Safety

The community preservation narrative frames undocumented immigrants as subjects whose public health and safety matter because they are part of the broader community. This narrative has three key features: it portrays the lack of access to care as endangering public health and safety; it represents this measure as disrupting social unity; and it frames the measure as fracturing social-political relations. What these opponents conveyed through this narrative is that Proposition 187 is a dangerous policy that would affect us all. Consequently, these rhetorical strategies reinforced the idea that valuing undocumented immigrants was critical for protecting the broader social fabric.

Throughout the Proposition 187 debates, opponents argued that enforcing this policy would endanger public health. This discourse was a double-edged sword, while it affirmed undocumented immigrants as part of the larger community in need of medical care, it also framed them as carriers of threatening diseases. Nonetheless, this narrative offered the possibility of inclusion by emphasizing the public consequences of unchecked illness.

23. “To have people who have communicable diseases not be treated will in fact affect every one of us,” Steele said.³⁵⁴

24. Proposition 187 potentially threatens our quality of life, if illegal aliens are denied services. It would hide diseases that need to be stopped instantly. Most illegal aliens come to this country for jobs, not social services, but they will get sick or carry an unnoticed disease. An illegal alien with TB, AIDS, hepatitis, and other communicable diseases may continue to pick crops, work in restaurants, or in food processing plants, without medical treatment. When an illegal alien is denied public medical services, a disease will eventually spill into our community. The very things we are trying to protect, we will put in jeopardy. . . . Some employers knowingly hire illegal immigrants to do the menial jobs nobody else wants, but would deny them services.

If illegal aliens were not lured and hired they would not come. Maybe it is time to look into the “bracero” program and avoid the hypocrisy. Do not lure them here with menial jobs or sponsor them, and then have the community do your “police” work.³⁵⁵

25. Mr. Appleton claimed that the only reason for Proposition 187 was economic. It doesn’t take much intelligence to figure out that if you deny health care to these people, the diseases that they bring with them, e.g., TB, will spread to the general population thus causing increased medical expenses. If you deny education to these children, a permanent underclass will be created which will ultimately cost society. If these people lose their jobs, which no one else wants, more crime will result because there will be more idle people on the streets. Increased crime costs money.³⁵⁶

Statements twenty-three, twenty-four and twenty-five link public health concerns to undocumented immigrants’ access to care. In statement twenty-three, Alameda County Board of Supervisors, Gail Steele, appeals to emotion by implying that enforcing Proposition 187 would

³⁵⁴ Gail Steele (The Alameda County Board of Supervisors), quoted in “EAST BAY - Prop. 187 Opposed In Alameda County” *The San Francisco Chronicle*, October 5, 1994.

³⁵⁵ Nacho Compean (Los Banos), “Letters: Prop. 187’s Threat,” *The Fresno Bee*, October 21, 1994.

³⁵⁶ Marie Lambe (Fresno), “Letters: Plenty of Reasons,” *The Fresno Bee*, October 28, 1994.

create an imminent public health crisis. This statement implicitly affirms undocumented immigrants as deserving of medical care because they are part of the public health system and their well-being impacts us all. In excerpt twenty-four, Nacho Compean constructs undocumented immigrants through a dichotomy, being both vulnerable to disease and a potential risk to the broader community. Implicitly, Compean's statement complicates undocumented immigrants' human worth by highlighting that they immigrated "for jobs, not social services."

Additionally, his statement reveals the hypocrisy of employers who hire undocumented workers but deny them essential health services, that would place the entire community at risk of unchecked disease. By appealing to logic, his statement argues that the spread of disease does not discriminate based on citizenship, gender or race and protecting undocumented immigrants shields the entire population. Similarly, in statement twenty-five, Marie Lambe argues that Proposition 187 is a policy that would "sink our state instead of Save Our State," implying that excluding undocumented immigrants from essential services like education and health care will affect us all, not simply those directly affected by the initiative. By appealing to fear, she argues that Proposition 187 would diminish community safety rather than protect it, as such her statement affirms undocumented immigrants as a group deserving of protection to preserve social stability.

Even though some opponents affirmed the human value of undocumented immigrants, others complicated this position by viewing them as a problem while publicly opposing Proposition 187, arguing that it would negatively impact everyone.

26. It is a fact that illegal immigration must be stopped. There are better ways than the implementation of SOS to accomplish this. We need to stop the problem at its source and to remove the incentive for new illegal aliens. Citizenship must be based on birth to a citizen, legal resident, or through naturalization. Citizenship must no longer be conferred on someone whose mother crossed the border in time to give birth.

Prohibiting access to medical services and education to a very large population who is already here due to our existing policies is not befitting the character of the American voter.

As a PTA member I applaud the teachers' organizations for their stand against SOS. As a nurse I urge my colleagues to do likewise. The consequences of unattended juveniles, youths reaching adulthood without an education, and the unchecked spread of diseases, can only be human misery. Vote "no" on 187!³⁵⁷

In statement twenty-six, Yvonne Wright (de)values undocumented immigrants by arguing that they deserve access to care to protect public health, while simultaneously advocating for changes to *jus soli* citizenship laws. Her statement appeals to emotion, particularly fear, arguing that maintaining birthright citizenship to undocumented immigrant women will encourage unwanted and continued migration. In a contradictory way, she also argues that denying access to key services will create "human misery" for everyone. As a result, she argues against Proposition 187 in order to protect public health and safety.

Another variation of this narrative used by opponents was that Proposition 187 would disrupt social unity and harmony by invoking racial animosity and turning neighbor against neighbor. As such, undocumented immigrants were constructed as being part of extended communal networks.

27. The solution to the influx of illegal immigration should focus on enforcing current laws that have been ignored but at last are being enforced. Proposition 187 is a mean-spirited overreaction that would exacerbate racial animosity, punish children, imperil the health of Californians and impose terrible burdens on the state's taxpayers.³⁵⁸

28. In the case of Proposition 187, parts of which will almost certainly be blocked in the courts as unconstitutional, the most important effect will not be the money it will "save" in services to illegal aliens, or even the dangerous folly of shoving thousands of children from the schools on to the streets, but the cost it will impose in suspicion and ethnic division.

³⁵⁷ Yvonne Wright (Visalia), "Letters: SOS Not the Answer," *The Fresno Bee*, October 19, 1994.

³⁵⁸ "'SOS' Initiative - Costly, Mean and Wrong," *The San Francisco Chronicle*, October 16, 1994.

A law that requires all teachers, nurses and social workers to report anyone they merely suspect of being illegal can only help turn neighbor against neighbor and make institutions and people whose work depends on trust into objects of fear. Two years ago, services to illegal immigrants were hardly an issue in this state: Have things really become so bad so suddenly that we require something so harsh ill-considered and dangerous to the community?³⁵⁹

Excerpts twenty-seven and twenty-eight highlight the social consequences of Proposition 187, particularly its role in invoking unnecessary distrust and division. For example, excerpt twenty-seven argues that the solution to “illegal immigration” is not a “mean-spirited overaction,” that would fuel racial animosity. By framing Proposition 187 as divisive policy that undermines racial harmony, this statement implicitly portrays undocumented immigrants as valued community members and presents the initiative as a threat to social cohesion. In statement twenty-eight, immigrants are constructed as part of the community despite their legal status. This construction complicates their value by framing Proposition 187 as troubling the goal of community cohesion rather than reinforcing it. Additionally, this statement appeals to emotion by framing Proposition 187 as “dangerous to the community,” warning that it promotes surveillance, distrust, and the erosion of trust in key institutions. Consequently, this rhetorical strategy suggests that voting no on Proposition 187 is not just about opposing exclusionary policies, but also about resisting a culture of fear and policing among neighbors.

The sentiment of alienation was also addressed in political discourse against Proposition 187. The following examples detail the dangers of creating a police state.

29. “The Republican Party helped to create a Democratic base in many of America’s cities with its hostile stand toward the last generation of immigrants from Italy, Ireland and Central Europe,” Kemp and Bennett said in a joint statement. “Can anyone calculate the political cost of again turning away immigrants this time...Asians, Hispanics and others?”³⁶⁰

³⁵⁹ “Editorials: Shooting Ourselves in the Foot,” *The Fresno Bee*, October 20, 1994.

³⁶⁰ Jack Kemp and William Bennett (Republican conservatives and former cabinet members), quoted in “Kemp, Bennett Talk Sense,” *The San Francisco Chronicle*, October 21, 1994.

30. “If you don’t give the children health care, you can create health risks for the society generally,” the president said. “If you don’t give the children education, and they’re still in the country and you can’t get them out, then they’ll be on the street, and then the increased risks of crime and other anti-social behavior will go up. If you turn the teacher and other educators into instruments of a sort of a state police force, it’s like bringing a Big Brother into the schools.”

The president also took an oblique shot at Governor Wilson, saying that “if the people in California would be fully candid, they would have to say that leadership decisions made in the past in California have actually facilitated illegal immigrations, when they were called undocumented immigrants.”

. . . . The president added, however, that it is a “great mistake to be against immigration generally. We are a nation of immigrants. . . . In being against illegal immigration, we should not be against immigration and the incredible source of strength that immigrants bring to our borders.”³⁶¹

Both of these statements use the community preservation narrative in distinct ways. For example, in quote twenty-nine, Jack Kemp and William Bennet argue that alienating ethnic minorities today will have long-term political consequences for the Republican Party. Their argument complicates the human value of undocumented immigrants, by framing them not only as members of extended families with voting power, but also as a group that could assimilate, thus becoming integrated into our civic system similar to past European immigrant waves. Their joint statement appeals to emotion, suggesting that alienating this growing demographic could threaten the party’s future.

In a similar, but distinct way, President Clinton frames Proposition 187 as a broader societal threat. He argues that denying access to essential services would not only harm undocumented immigrants but could risk the nation into becoming a “Big Brother” surveillance society. His statement complicates the human value of undocumented immigrants by portraying them as both part of the community and potential victims of a repressive system. Additionally,

³⁶¹ President Bill Clinton, quoted in Susan Yoachum and Marc Sandalow, “Clinton Comes Out Against Prop. 187 - Feinstein Joins Opponents of Immigration-Control Measure,” *The San Francisco Chronicle*, October 22, 1994.

he advocates for the preservation of the national narrative that the U.S. is a nation of immigrants, highlighting the contradictory ways immigration policy has been selectively enforced. By pointing to Wilson's hypocrisy, Clinton reminds proponents of Proposition 187 that California's history of Mexican migration is deeply embedded in state labor policies. Additionally, he argues that previous leadership, including Wilson, once valued this labor stream under different terms. In doing so, Clinton appeals to historical logic, reminding Californians to recognize that immigrant labor was once seen as beneficial, yet is now being reframed as a threat. This rhetorical move highlights the shifting nature of immigration discourse and the contradictions in exclusionary policies.

Conclusion

By the 1990s, public debates over undocumented immigrants had evolved from concerns over security to a broader emphasis on national preservation. This rhetorical shift, reinforced by the militarization of the border, constructed undocumented immigrants as a material threat to the status quo. Building on the neoliberal logic outlined in previous chapters, the preservation narrative portrayed immigrants as economic and cultural liabilities, masking how global capitalism depends on their exploitation while denying them access to full inclusion in society. This ideological framework laid the groundwork for policies like Proposition 187, which justified exclusion under the guise of national protection. Through cultural, economic, and social narratives, these debates both constructed undocumented human values and reinforced racial hierarchies by increasing their structural vulnerabilities. On the other hand, counter-narratives challenged these exclusionary frameworks by reframing undocumented immigrants as important to our shared moral, legal, and community responsibilities.

So why is it important to revisit the discourses of the 1970s-1990s? These debates reveal the deep roots of how undocumented immigrants are constructed as both threats and possibilities, a tension that continues to shape immigration discourse today. As HoSang argues, “contemporary immigrants’ rights leaders. . . have faced significant difficulty in shaping public discourse. . . . restrictionist efforts have effectively incorporated claims about national identity and carrying capacity that have a long resonance with liberal ideals, while also continually racializing debates over border security and enforcement. . . . their opponents have largely drawn from a political discourse that has changed little since the 1920s.”³⁶² In this way, this chapter tried to understand how these rhetorical battles unfold, particularly by highlighting the enduring power of preservation narratives to reinforce systemic inequality while simultaneously creating spaces for contestation. However, as HoSang suggests, these counter-narratives remain limited in their ability to persuade. Consequently, inclusionary discourses have been less effective than exclusionary rhetoric, in cases such as Proposition 187.

This chapter demonstrates how the Manufacturing Danger / Manufacturing Possibility framework operates in its most intensified form, as exclusionary discourses shifted from economic concerns in the 1970s to security threats in the 1980s and, finally, to existential cultural and national anxieties in the 1990s. The counter-narratives that sought to contest these exclusions evolved in response: first through labor necessity, then through conditional amnesty, and finally through human rights arguments. Yet, they remained constrained by dominant ideological frames that continued to define undocumented immigrants’ value through narrow, often exclusionary, terms. This evolution reflects the persistent and adaptive nature of anti-

³⁶² HoSang, “The Ideological Alchemy of Contemporary Nativism,” 80-81.

immigrant discourse, which continues to shape the contemporary landscape of immigration policy and public debate.

I conclude by reflecting on what these historical debates reveal about how we continue to debate undocumented immigrants and belonging in the present day, particularly through what Lipsitz calls “recreational hate,” a discourse that fuels a climate of terror while justifying exclusion under the guise of neutrality.³⁶³ As history has shown, these debates do not remain in the past; rather, they continue to shape contemporary policies and public perceptions of immigration. The exclusionary rhetoric of the 1970s-1990s set the stage for today’s enforcement practices, where crisis narratives remain central to justifying mass deportations, border militarization, and citizenship restrictions. The following chapter examines how these historical patterns persist in contemporary immigration policy, revealing how the afterlives of these debates continue to shape exclusionary practices in the present.

³⁶³ Lipsitz, *The Possessive Investment in Whiteness*, 50.

Chapter 6: The Afterlives of Immigration Rhetoric and the Persistence of Exclusion

Introduction: Immigration Rhetoric, Crisis Narratives, and Resistance

On January 20, 2025, President Donald Trump issued an executive order revoking birthright citizenship for children born in the United States to undocumented immigrants and temporary residents. Within days, the administration launched a sweeping deportation initiative, expanding detention facilities and authorizing multi-agency enforcement operations.³⁶⁴ These actions mirror historical precedents such as Mexican Repatriation in the 1930s, Operation Wetback in 1954, and Japanese American Internment in the 1940s, where crisis narratives framed racialized groups as existential threats to justify exclusion and mass removal.³⁶⁵

This pattern is not new.³⁶⁶ Immigration policies have long been shaped by fear-driven rhetoric, presenting immigrants as economic burdens, security threats, or cultural outsiders. These narratives do not emerge in a vacuum; they are deliberately crafted to justify restrictive policies while maintaining racial and economic hierarchies. Understanding these historical patterns is important for challenging the ideological function of immigration rhetoric today.

While exclusionary immigration policies persist, so does resistance. Sanctuary cities, grassroots activists, and local governments have actively opposed federal enforcement measures, framing their defiance as a matter of human rights and public safety. Cities such as Chicago,

³⁶⁴ Donald J. Trump, *Protecting the Meaning and Value of American Citizenship*, Executive Order no. 14160, January 20, 2025; The White House, “Promises Made, Promises Kept: Border Security Achieved in Fewer than 100 days,” April 28, 2025, <https://www.whitehouse.gov/articles/2025/04/promises-made-promises-kept-border-security-achieved-in-fewer-than-100-days/>.

³⁶⁵ See Ngai, *Impossible Subjects* for historical immigration law; Balderrama and Rodríguez, *Decade of Betrayal*, for Mexican Repatriation; Hernández, *Migra!* for Operation Wetback; and Erika Lee, *America for Americans: A History of Xenophobia in the United States* (New York: Basic Books, 2019).

³⁶⁶ David Manuel Hernández, “Pursuant to Deportation: Latinos and Immigrant Detention,” *Latino Studies* 6, no. 1 (April 1, 2008): 35–63.

Denver, and Los Angeles have enacted policies limiting cooperation with federal immigration authorities, while protests nationwide have condemned these actions as an assault on immigrant communities. In some cases, demonstrators have invoked comparisons to “ethnic cleansing” and “concentration camps” to underscore the humanitarian stakes of such enforcement strategies.³⁶⁷

These competing narratives of immigrants as threats versus contributors, invaders versus neighbors, are recycled ideas. Historically, crisis rhetoric has justified restrictive policies, while resistance movements have reframed immigration as an issue of justice and inclusion. This ideological struggle over belonging and exclusion underscores how immigration rhetoric is not merely a reflection of reality but a tool that shapes public perception and policy outcomes.

Summary of Key Findings

This dissertation demonstrates that immigration policy is not a neutral response to migration patterns but a deliberate political project shaped by shifting ideologies, economic philosophies, and racialized narratives. Across decades, economic, security, and cultural anxieties have been strategically mobilized to construct “crisis” conditions that justify both exclusion and conditional inclusion. These manufactured crises rely upon political rhetoric, media amplification, and legislative actions intentionally designed to uphold systems of domination.³⁶⁸

Beginning with the historical foundations provided in Chapter 2, which traces the roots of Mexican racialization, displacement and labor exploitation, and continuing through the rhetorical shifts examined from the 1970s through the 1990s, this study reveals how undocumented

³⁶⁷ Chandelis Duster and Juliana Kim, “Thousands of People Protest in Washington D.C., and Across the U.S. on Presidents Day,” *NPR*, February 17, 2025, <https://www.npr.org/2025/02/17/nx-s1-5299915/dc-protests>; Brian Mann, “Local Governments Across U.S. Signal They Won't Aid Trump Migrant Crackdown,” *NPR*, January 24, 2025, <https://www.npr.org/2025/01/24/nx-s1-5273686/trump-immigration-crackdown-border-police-ice-deportation>.

³⁶⁸ Hernández, “Pursuant to Deportation.”

immigrants were reimagined as threats to the economy (Chapter 3), to national security (Chapter 4), and to cultural belonging and state resources (Chapter 5). Together, these chapters show how political rhetoric and public discourse turned undocumented immigrants into problems to be solved, framing them as threats in ways that justified harmful laws, expanded enforcement, and made their lives more unstable and vulnerable.

Crucially, the shifts in immigration rhetoric from the late 1970s onward became increasingly shaped by neoliberalism. As I show in Chapter 2, exclusionary practices long predate this moment. These include laws like the criminalization of undocumented entry in 1929, campaigns such as Operation Wetback, and medicalized narratives used to justify Mexican exclusion.³⁶⁹ What neoliberalism did was rework these older racial logics into more “neutral” market-based terms. Immigrants were now seen as both necessary for the economy and undeserving of rights or protection. This contradiction deepened in the 1980s and 1990s, enabling enforcement policies that expanded surveillance, limited social benefits, and kept immigrant labor cheap and precarious. In this context, neoliberalism became a new but familiar way to justify exclusion, not through explicit racial bans but through claims about efficiency, legality, and national interest. As earlier chapters show, this shift continued a longer pattern within racial capitalism that redefined and extracted value from Mexican communities. This began with land seizure, continued through labor exploitation, and increasingly relied on rhetorical constructions of value, devaluation and disposability under neoliberal governance.

³⁶⁹ Kelly Lytle Hernández, “How Crossing the US-Mexico Border Became a Crime.” *The Conversation*, 2017. <http://theconversation.com/how-crossing-the-us-mexico-border-became-a-crime-74604>; Ngai, *Impossible subjects*; Natalia Molina, *Fit to Be Citizens?: Public Health and Race in Los Angeles, 1879-1939*. Berkeley: University of California Press, 2006.

Together, these findings advance the argument introduced in Chapter 1: that illegality operates as an idea, a practice, and a revelation. It is imagined through discourse, implemented through policy, and revealed through its consequences. Immigration discourse renders undocumented immigrants as both wanted and unwanted, while also narrowing the very terms of inclusion. By framing belonging through utility, legality, and threat, these narratives restrict who counts as worthy of protection and participation. The belief that law is neutral is a myth that must be challenged, because it is the convergence of law, culture and discourse that make us complicit in reinforcing structures of power and privilege.

Theoretical and Methodological Contributions

This dissertation demonstrates that immigration policy is not shaped solely by legal or economic factors; it is fundamentally rhetorical, built through narratives that justify exclusion by portraying immigrants as threats. Using Critical Discourse Analysis (CDA) and my original theoretical framework, Manufacturing Danger / Manufacturing Possibility, I trace how political speeches, media representations, and legislative debates create and sustain these threat narratives over time. I reveal that repeated rhetorical appeals to fear, morality, and national identity do more than reflect public attitudes; they actively produce perceptions about who belongs, who threatens, and who can be excluded.

Applying CDA historically allows me to closely examine the language used in key policy debates and media moments. Guided by the Discourse-Historical Approach, I analyze recurring rhetorical strategies that construct the figure of the “illegal alien.” While the phrase “wetback invasion” is not always used explicitly, it reflects the metaphorical logic that shaped much of the 1970s discourse, where Mexican immigrants were portrayed as both culturally threatening and economically necessary. Chapter 4 turns to the 1986 Immigration Reform and Control Act

(IRCA), showing how calls to “crack down” on undocumented immigration drew on public safety and moral panic narratives to justify expanded enforcement. Chapter 5 examines the Proposition 187 campaign, where political and media rhetoric framed undocumented immigrants as threats to California’s economy, schools, and cultural identity, creating a sense of urgency to “save our state.” By anchoring CDA in these specific policy moments and narrative logics, I demonstrate how racialized language creates the very conditions that make exclusion appear necessary and legitimate.

To comprehensively understand how exclusionary narratives develop and circulate, this dissertation employs a multi-method approach, integrating legal history, media analysis, and rhetorical studies. Each chapter draws from distinct yet complementary sources linked to key policy moments. Chapter 3 incorporates state legislative hearings, Herman Baca’s personal archives, and the documentary *The Unwanted* to illustrate how immigrant labor was framed as indispensable yet threatening during the 1970s. Chapter 4 analyzes national newspaper coverage from the 1980s, extracting quotations from politicians, public figures, and journalists to track the rise of securitization narratives during the IRCA debates. Chapter 5 focuses on local California newspapers, specifically editorials, op-eds, and letters to the editor, to show how everyday discourse reinforced cultural and economic preservation rhetoric during Proposition 187. Importantly, my analysis foregrounds how newspapers featured the voices of activists, students, policymakers, and community members directly impacted by immigration debates. This interdisciplinary approach demonstrates that exclusionary policies gain legitimacy not only through legislation but through layered rhetorical processes embedded in public discourse.

A central theoretical contribution is my original Manufacturing Danger / Manufacturing Possibility framework, which clarifies how immigration rhetoric simultaneously generates

conditions for exclusion and opportunities for resistance. Manufacturing Danger refers to rhetorical strategies that portray undocumented immigrants as economic burdens, security threats, or cultural outsiders, thereby rationalizing restrictive immigration policies. Conversely, Manufacturing Possibility captures how alternative discourses reframe immigrants as neighbors, valued community members, or rights-bearing individuals deserving of inclusion. Each chapter applies this dual framework distinctly: Chapter 3 highlights labor-based threat narratives; Chapter 4 emphasizes security-based discourses; and Chapter 5 analyzes cultural and economic preservation rhetoric. Collectively, these chapters illustrate how immigrants are rhetorically constructed as both indispensable and disposable, highlighting the ideological tensions central to the political-economy.

Finally, this dissertation contributes to broader scholarly conversations in racial capitalism, neoliberal governance, and discourse analysis by centering rhetoric's formative role in shaping public acceptance of exclusionary immigration policies. Scholars such as Cedric Robinson, Lisa Marie Cacho, and Jodi Melamed emphasize that racial capitalism relies on racialized labor being simultaneously economically valued and socially devalued. Extending this work, my research identifies discourse as foundational, not merely reflective, in this dynamic. Through careful rhetorical analysis of political speeches, media representations, and legislative debates from the 1970s through the 1990s, I demonstrate that immigration narratives reinforce racial and economic hierarchies under the guise of neutrality, efficiency, or humanitarian concern. In doing so, I contribute directly to American Studies' interdisciplinary critique by linking immigration law, media discourse, and racial capitalism, and by emphasizing how rhetorical constructions shape broader structures of governance, legality, and belonging.

Future Research Directions

While this dissertation provides a historical analysis of immigration rhetoric from the 1970s to the 1990s, it also raises important questions for future research. Immigration discourse continues to evolve, shaped by shifting political landscapes, digital media, and global crises. Expanding on the Manufacturing Danger / Manufacturing Possibility framework, future studies should examine how contemporary immigration rhetoric extends beyond Mexican migration to impact other racialized groups, how digital media accelerates crisis narratives, and how emerging global challenges such as climate displacement influence immigration enforcement.

One key area for further exploration is the expansion of the Manufacturing Danger / Manufacturing Possibility framework to other migrant groups. While this study focuses on Mexican migration, exclusionary rhetoric has also been used to criminalize Central American refugees, Black immigrants from Haiti and Africa, and Asian and Pacific Islander migrants under post-9/11 surveillance policies. Future research should explore how racialized exclusions operate across different national and historical contexts, analyzing whether similar crisis narratives are deployed against various migrant populations.

Another critical avenue of research involves the role of digital media in shaping immigration narratives. This dissertation focuses on traditional media sources such as newspapers and political speeches, but digital platforms such as Twitter, TikTok, Facebook, YouTube, and WhatsApp now play a dominant role in spreading exclusionary rhetoric and misinformation. Future studies should examine how social media amplifies crisis narratives, fuels nativist anxieties, and mobilizes political action. Additionally, research should consider how immigrant rights activists use digital platforms to counter these narratives and reshape

public discourse. A potential approach could involve digital ethnography, analyzing viral political campaigns, misinformation campaigns, or activist-led storytelling efforts.

Climate change and displacement represent another critical area of research. As climate change displaces millions worldwide, immigration rhetoric is increasingly framing climate refugees as security threats rather than as individuals in need of humanitarian protection. This mirrors past criminalization of Latinx migrants and raises concerns about future border militarization and asylum restrictions. Future research should investigate whether climate-driven migration leads to the same enforcement strategies seen in the 1980s and 1990s, and how racialized climate migration discourse reinforces white nationalism and exclusionary policies. Applying the Manufacturing Danger / Manufacturing Possibility framework to political discourse on climate refugees would provide insights into how migration is framed, whether as a crisis demanding a militarized response or as an opportunity for inclusive policy.

Another area for expansion is the state vs. federal divide in immigration enforcement. Proposition 187 (1994) marked a turning point in state-led immigration restrictions, even though immigration enforcement is traditionally a federal responsibility. Today, states like Texas and Florida are implementing their own aggressive immigration laws, often in direct opposition to federal policies. Future research could examine how Republican-led state initiatives shape national border control debates and how sanctuary cities and legal protections challenge these policies. A comparative analysis of state-led immigration laws in the post-Proposition 187 era would help clarify how local and state actors influence federal enforcement strategies.

Finally, future research should explore immigrant resistance and coalition-building. While this study primarily focuses on exclusionary rhetoric, immigrant-led movements actively challenge these narratives through storytelling, protest, and legal advocacy. Future research

should examine how Latinx, Black, Asian and Indigenous activists build coalitions to contest enforcement policies, how legal defense campaigns shift public discourse, and how community-driven monitoring of ICE raids alters enforcement practices. Ethnographic research with immigrant-led activist groups could provide insights into how these movements resist dominant exclusionary narratives and create new possibilities for belonging.

In sum, this dissertation lays a foundation for studying how immigration rhetoric manufactures crisis narratives to justify exclusion. Future research should expand on these findings by applying the Manufacturing Danger / Manufacturing Possibility framework to other racialized immigrant groups, analyzing digital media's role in shaping immigration discourse, investigating climate-driven migration narratives, examining state-level immigration enforcement, and documenting immigrant-led resistance movements. Understanding these historical and contemporary shifts is essential for challenging exclusionary immigration policies and imagining more just and inclusive futures.

Final Thoughts: Rhetoric, Repetition, and the Work of Disruption

The repetition of exclusionary immigration narratives is not incidental; it is ideological. As this dissertation has shown, stories about undocumented immigrants as threats are not just old; they are endlessly reanimated, tailored to new political moments, and made to feel urgent again and again. What persists across decades is not simply the content of these narratives but the affective structure they rely on: fear, disgust, and, as George Lipsitz reminds us, the pleasures of “recreational hate.”³⁷⁰ These emotions do political work. They transform complex social and

³⁷⁰ Lipsitz, *The Possessive Investment in Whiteness*, 50.

economic questions into moral panic, channeling public frustration into scapegoating and justifying increasingly punitive policies.

But if repetition manufactures danger, then disruption must manufacture possibility. The Manufacturing Danger / Manufacturing Possibility framework offers one way to trace these dynamics and, crucially, to interrupt them. By centering discourse as a tool of governance and resistance, this framework shows how exclusion is never inevitable; it is constructed, circulated, and therefore, challengeable. Whether in law, media, or everyday speech, the terms we use to describe migration shape who gets to belong and who gets left out. Changing those terms is not just a matter of critique; it is a political and imaginative project.

The power of immigration rhetoric lies in its capacity to naturalize exclusion. The responsibility of scholars, activists, and communities is to denaturalize it: to reveal its roots, its stakes, and its alternatives. This dissertation is one contribution to that collective effort.

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