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CRIMINAL ALIENATION: ARIZONA PRISON EXPANSION
1993-2003

by

Zoe Hammer-Tomizuka

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2004
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DEDICATION

For Kathrin Morris, Jennifer Allen, and Caroline Isaacs
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ABSTRACT

Criminal Alienation: Arizona Prison Expansion 1993 - 2003 argues that border militarization and the criminalization of Latino immigrants has increasingly driven Arizona prison expansion between 1993 and 2003. It identifies four policy shifts that have reversed decarceration trends in the state’s prison growth over this ten year period, resulting in the emergence of an expanding “border-prison system”.

The project both enacts and argues in favor of a politically participatory cultural studies methodology, guided by a post-structuralist Marxist theoretical approach stressing interdependencies between political economic processes and subject formation. Criminal Alienation offers an intervention in the field of cultural studies, arguing for the foregrounding of state repression in the study of capital and social power relations. It also contributes to the field of prison studies with an analysis of the role of U.S. immigration policy, narratives of immigration, and the social production of “criminal alien” and “consenting citizen” identities in the expansion of the contemporary prison industrial complex.
The case studies in *Criminal Alienation* center on narratives and practices surrounding the emergence of immigrant-only prisons, both state and federal, in Arizona. The project analyzes a variety of repressive state practices and narratives, identifying the ways in which the effects of state coercion are manifested in the social reproduction and reiteration of the border-prison system as well as the ways that these effects shape networked abolitionists struggles in and beyond the region.

Finally, *Criminal Alienation* identifies the Arizona-Sonora border region as a significant front in the struggle for prison abolition by delineating historical and contemporary linkages between abolitionist resistance strategies and practices and the emergence of collaborative, socially transformative visions of community-based development, led by the communities most adversely affected by coercive state practices.
CHAPTER 1
INTRODUCTION

"Philosophers have only interpreted the world, in various ways; the point, however, is to change it."
--Karl Marx, Theses on Feuerbach

"Fighting the PIC means fighting mainstream ideas of public safety and challenging the idea that prisons make people who are not in power safer."
-- Critical Resistance website, 2004

The Project

Criminal Alienation maps and analyzes key conditions of prison expansion and prison abolition in southern Arizona and between 1993 and 2003. The goal of the participatory research that culminates in this dissertation is to support efforts to oppose contemporary practices of repressive social control, particularly criminalization and incarceration. Such carceral practices, my own and other critical analyses suggest, function to exacerbate the dire social inequalities that they are commonly understood to ameliorate.

Building from the insight that rural towns are a crucial front for fighting contemporary prison expansion in the United States (discussed further below), Criminal
Alienation analyzes the conditions of social relations in rural Arizona where practices are enacted that constitute and oppose the ongoing reproduction of a border/prison system.

The Problem

Prison Expansion

With 5% of the world's population and 25% of its prisoners, the United States has the planet's highest rate of incarceration (BJS). A 30-year prison building frenzy, accompanied by waves of regressive criminal legislation, vast increases in the numbers, surveillance capacities, and interpenetrating functions of police, border patrol, and other paramilitary-style law-enforcement units keep this rate of incarceration growing (Parenti, 2000). The contemporary U.S. prison boom is the effect of political economic crises, uneven development, the disproportionate political influence of corporate interests, and mass consent born of a national history of racist violence.

One thing the prison boom is not a result of is increasing crime rates. U.S. crime rates have not gone significantly up or down since the early 1970s (BJS). Policy shifts intentionally engineered to fill more prisons have done just that. Such policy shifts include: the increasing criminalization of everyday behaviors and of
whole segments of the U.S. population, as well as a radical increase in the duration of prison sentences wrought by mandatory minimums; the abolition of parole; and other "tough on crime" measures such as the infamous 3 and even 2 strikes laws (BJS).

A combination of racial profiling practices, racially and politically targeted surveillance, and the practice of "sweeping" which occurs primarily in communities of color, along with incredible racial disparities in sentencing (70% of arrests are white, 70% of prisoners are people of color) (BJS) means that U.S. incarceration practices are not only clearly racist, but that they are also racializing.

The fact that almost 90% of U.S. prisoners lived in poverty for at least one year prior to their incarceration (BJS) suggests that U.S. prisons function as a form of poverty management, also known as labor control (Currie, 1994, Gilmore, 1998/1999; Parenti, 2000). The children of people who have served time are 8 times more likely to go to prison than other kids (BJS). This escalation of prison expansion threatens to create what Mike Davis has called, "a permanently incarcerated class" (Davis, 1995).

In the year 2004, there are greater numbers of heavily armed police and border patrol agents, as well as domestic paramilitary units in the U.S. than there have been during
any previous era. Although many Arizonans and other U.S.
citizens continue to vote in favor of anti-crime
legislation, widespread popular support for ever-increasing
spending on the apparatus of state repression is recently
starting to dissolve in the face of organized opposition.

Representations of Crime

Over the past 30 years of corporate media ownership
consolidation, profit-driven reporting increasingly sells
"news" in the form of racist images of a dangerous society,
saturated with anti-social violence. Since the onset of 9-
11 and the subsequent invasions of Afghanistan and Iraq,
this tradition of popular representation has added
"terrorists" to the growing roster of "enemies" that, these
images encourage us to believe, require repressive control.

Popular entertainment genres compliment such stories
with images of violence as entertainment and stories of
heroic police officers, fighting to keep the streets of
America safe for law abiders. At the same time, public
affirmation for the importance of policing is encouraged
through ceremonies and shrines to fallen law enforcement
officers and through the rallying of mass consent for the
public funding of law enforcement labor, technology, and infrastructure.

**Prison as the Solution to All Problems**

In practice, incarceration has become the primary national strategy for managing what we are encouraged to see as an endemic social crisis of violence and disorder. The contemporary invasions of Afghanistan and Iraq and the concomitant stripping away of domestic civil liberties reiterate the repressive logics of prison expansion, with racist images of “savage dark others” who “threaten women”; most-wanted lists; justifications for ever expanding modes of surveillance; racial profiling; and significantly, the highly visible imprisonment of newly invented “enemy combatants” at Guantanamo Bay, where the prison is built in accordance with the specifications of U.S. supermax facilities for the purpose of torturing people (as young as 13 years old); people designated as so dangerous that following domestic and international laws regarding imprisonment (including charging the prisoners with specific crimes!) would, we are told, “endanger national security.”
The foremost effect of these strategies is that, today, roughly 2 million people live in cages in the U.S., and almost 6.5 million live under the direct control of the criminal justice system. As the state becomes increasingly dangerous to poor people of color in the U.S. and around the world, government, media, and popular discourses of safety and security continue to assert that more wars and more prisons are the answer to all of our problems. At the same time, an organized and growing prison abolition movement has risen up and insists that prison creates and exacerbates the problems it purports to solve. This dissertation asks questions about prison expansion in Arizona with the explicit aim of participating in that movement.

**In Order to Change This Problem, It Must Be Understood**

*Criminal Alienation* aims to be part of the larger project of analyzing the prison industrial complex (PIC) with the explicit intention of abolishing it; an analytical project that is an integral part of the larger social movement known as "prison abolition."
Contemporary abolitionist scholars have made a number of important arguments problematizing prison expansion, and the social practice of incarceration more generally.

**Contemporary U.S. Prison Studies**

Ruth Gilmore argues that contemporary U.S. prison expansion functions as a crisis management strategy; a response to post-Fordist surpluses of land, labor, finance capital, and state capacity.

This economic strategy is organized by the state as a repressive political response to social upheaval and rebellion in the 1960s and '70s (Gilmore, 1998/1999).

The flattening of U.S. corporate profits in the early 1970s stimulated capital flight and left the country with surpluses of land and labor. A wave of corporate tax rebellions, followed by home-owner tax revolts (such as proposition 13 in California) and the subsequent dismantling of the welfare state left public finance capitalists without the avenues of public investment that had sustained the growth of public capital during the Fordist era. At the same time, state governments were still able to collect tax revenues, but no longer able to
use them for the same services they had during the era of the welfare state.

These political economic shifts created surplus crises in which the state and the society were no longer able to reproduce themselves in the manner to which they were accustomed. Building many new prisons would provide a way to absorb all of these surpluses and enable the production of a reorganized, reproducible society. But many other substantially less violent practices could have absorbed the same surpluses. How is it that we chose prison?

Gilmore goes on to argue that the political upheavals of the Civil Rights and Black Power movements, the women’s movement, and the rising power of labor unions in the 1960s and 1970s created a social crisis in which the ability to reproduce social hierarchies of domination and subordination were substantively challenged. She argues that, starting with Nixon in the 1970s, concerted elite political effort was put into associating political rebellion with social disorder and crime, and associating this new form of threatening “criminality” with poor people of color, especially African Americans. Escalating strategies of criminalization, sold to the public using a racist rhetoric of fear (with deeply historical U.S.
roots), designated poor people of color as the surplused laborers of choice, and delivered them to new prisons.

Gilmore’s analysis of the prison boom in the U.S. allows an understanding of the ways in which prison expansion is implicated in social and political-economic reproduction; of how we have built ourselves into human history’s foremost prison nation without any escalation in “crime”; how crime is socially constructed to serve the needs of the powerful at the expense of the vulnerable; the ways in which prison expansion relies on, reproduces, and escalates U.S. practices of white supremacy. This analysis allows critical insights into how people might organize to oppose prison expansion, and incarceration in general by envisioning and enacting different ways to reorganize and reproduce our society.

Many contemporary scholars and activists point out that prison is an accumulation strategy: an industrial complex, that creates and involves clusters of capitalist enterprises that capture the state as a lucrative consumer market, thus developing vested interests in the continued expansion of prison (Davis, 1995; Evans & Goldberg, 1997; George, 1999). The prison boom has substantially expanded the reach of profit-driven enterprises into the “business
of corrections." New prison construction creates business opportunities for: the architecture and construction industries and their suppliers; building maintenance firms; weaponry, surveillance, and other carceral technology manufacturers; telephone companies (who charge prisoners and their families cruelly high rates for phone service); food service industries; investment banks; television, radio and hygiene supply companies; and many more.

A U.S.-based transnational private prison industry is now part of the PIC, with a powerful lobbying arm in Washington, D.C. that operates in the fifty states and a number of foreign countries.

And importantly, the PIC is increasingly tightly linked with other public "services", such as schools, public assistance agencies, and the health care system. Public schools in poorer communities are run like mini-prisons with random searches, metal detectors, and police officers patrolling the halls. "Zero tolerance" policies around issues like attendance deliver poor children of color directly to the juvenile justice system. Public assistance recipients and poor people in hospitals are surveilled and routinely delivered to the criminal justice system, as well. The same private companies that finance
and sell commodities to the PIC finance and sell commodities to schools and hospitals.

Analysis of the PIC as an accumulation strategy allows an understanding of how far the reach of prisons extends into our economic and social lives. This enables the understanding that new conceptions of community development and new understandings of needs, danger, and safety are required if prisons are to be replaced as the catch-all answer to social problems.

A number of scholars recognize the rise of the PIC as a reconfiguration of the welfare state--transmogrified into the crimefare state--in which federal funds are withdrawn from social services for the poor and redirected to the expansion of various forms of repressive domestic social control of the poor, such as prison, police, and border enforcement (Gilmore, 1998/1999; Goldberg, 2000; Marable, 2000; Negri, 1980). This critique allows an understanding of exactly what has happened to our disappeared social services, and provides a new understanding of "the success" of eliminating "debilitating" welfare programs, since prisoners are not counted in unemployment statistics.

In addition, rehabilitative programs once offered in U.S. prisons, especially educational opportunities have
been eliminated. Even outside of prison, former prisoners are now unable to receive federal grants to attend colleges and universities upon release. As welfare has become crimefare, rehabilitation has become dehabilitation, aimed explicitly at creating "disposable people."

Scholars and activists recognize prison as a "racial project" which ties the meaning of race in a racial state to the practices of incarcerating poor people of color (Curtin, 2000; Davis, 2000, 2003; Fierce, 1994; Hirsh, 1992; Mead, 2000). Individual understandings of this process depend on different scholar's interpretations of the relationship between meaning and practice, but abolitionists agree that the extremely disproportionate incarceration rates among African Americans, Latina/o's, and Native Americans exacerbate all the problems of U.S. racism, and carry on historical traditions of slavery, conquest, and colonialism.

Historically informed analysis allows the understanding that anti-prison work must necessarily involve a critique of white supremacy, and that anti-prison work is anti-racist work.

Abolitionists understand prison as a strategy for "disappearing" social problems; displacing accountability
for social inequity and injustice onto the bodies of "criminals" (Davis & Shaylor, 2001; Kupers, 2000). Instead of the effect of structural and historical inequalities, "criminals" come to be seen as the "cause" of social inequality and are understood and treated as "enemies of the state" and "outsiders to the community." Hence, imprisonment becomes understandable as the (sole) solution to the very social inequalities it both mystifies and exacerbates.

Abolitionist strategies thus involve the refusal to identify "enemies of the state" or to figure the disempowered and subordinated as community outsiders. Quite the opposite, abolitionists put the people most affected by the PIC, the most subordinated members of society and their needs, at the center of visions of community.

Finally, abolitionists see the rise of the PIC as a powerful impetus to organize for social change that has galvanized and transformed prison reform activism into a growing movement for prison abolition (CR Publications Collective, 2000; Davis, 2003).
Contemporary U.S. Prison Abolition

Criminal Alienation is grounded in and seeks to expand these contemporary analyses of prison expansion by accounting for some of the local particularities of new prison construction in the Mexico-U.S. border region of the southwest U.S.

A diffuse movement opposing the border/prison system, led by poor Mexican migrants and Latina/o U.S. border community residents, has been going on in southern Arizona since the border was imposed in 1848 (before there was an "Arizona"). However, the abolition movement that informs this dissertation is the contemporary U.S.-based movement organized primarily through loose coalitions of abolitionists connected via multiple networks enacted and extended through relationships among people working in progressive community and religious organizations, NGO’s, educational and social service institutions, and especially by people surviving the effects of U.S. prison expansion.

My participatory research for this project began in several sites. Since 1999, I have developed continuing relationships with two abolitionist organizations based in California: the California Prison Moratorium Project (CPMP) and Critical Resistance (CR). In addition, I have worked
locally in southern Arizona with the American Friends Service Committee's Criminal Justice Program (AFSC) and the with the Border Action Network (BAN). My involvement as a volunteer with these organizations has shaped my understanding of prison expansion in many ways, and my own relationship to each group has played a role in creating links among the California- and Arizona-based organizations. Through these experiences, it has become clear to me that relationships among abolitionists throughout and beyond the boundaries of the United States create the linkages that allow the continuing emergence of an abolitionist movement, as people share strategies, insights, and labor (as well as engage in fierce debates and compete over scarce resources) whenever we meet (on-line, or in person).

In contrast to traditional ethnographic research, I did not "study" these organizations or conceptualize their activities as "sites" of "fields" to be subjected to my systematic academic analysis. My aim, instead, was to learn and participate in activist modes of analysis and practice. I worked for, listened to, and talked with the people involved in each organization, and learned their approaches to analyzing power relations, defining social
justice, and strategizing social transformation. At the same time that I was a graduate student in the academy, becoming indoctrinated by trying to develop competency in scholarly analysis and methods as I worked for the university, I was also a student within these organizations, using my labor to further their agendas while striving to develop competency in their modes of analysis and action. While these educational sites are organized very differently, both simultaneously encourage reflexive critique at the same time that they produce disciplined subjects. This dissertation is an attempt, not to analyze either the academy or activist organizations, but rather, to set these differently disciplined subjectivities into a constructive dialog.

CPMP came into being in 1997-98 when California abolitionists entered into dialog with activists from New York City’s Prison Moratorium Project (PMP). PMP uses urban-based strategies to organize prisoner and prisoner families against prison expansion, seeing them as the communities most affected by prison expansion. PMP developed the idea of trying to impose a moratorium on new prison construction as a strategy for reversing the juggernaut of the exploding U.S. prison system. Combining
PMP's moratorium strategy with Ruth Gilmore's analysis of prison expansion in rural California, CPMP emerged in California with a new strategy of opposition, identifying rural towns sited for new prison construction as a second front in the fight against expansion, identifying poor people (most often of color) in rural communities as another group that is highly negatively impacted by prison expansion. CPMP works to forge abolitionist coalitions among diverse rural and urban communities who then work together to oppose new prison construction. In 2001, AFSC and BAN entered a CPMP-inspired urban-rural coalition in southern Arizona to fight the construction of a federal "criminal alien" prison at one of nine sites in the state (discussed at length in Chapter 5).

The identification of the rural as a significant front in the fight against prison expansion allows the insight that small southern Arizona border towns like Douglas and Benson are as important a site of prison expansion and abolition as the huge urban centers from which the majority of prisoners are captured, such as New York City, Los Angeles, or Phoenix, Arizona. CPMP's commitment to forging urban-rural abolitionist coalitions makes their analysis and tactics especially useful for urban and rural -based
community organizers in southern Arizona, such as BAN and AFSC who work with Latina/o migrants and border community residents and with prisoner families (respectively) in southern Arizona.

In 1998, the University of California at Berkeley hosted the first Critical Resistance conference which brought together over 5,000 prisoners, former prisoners, prisoner families, abolitionist academics, and justice system related activist organizations. This innovative conference launched the CR organization, and forged multiple relationships among participants that continue to invigorate a growing international network of abolitionists. Following the conference, CR entered a coalition with CPMP and launched an innovative campaign to fight the construction of a maximum security state prison in Delano, California. The Delano campaign, (which continues to this day) effectively mobilizes urban and rural communities most affected by prison expansion to oppose the construction of the new Delano prison using a variety of strategies. One of the most innovative abolitionist strategies the campaign initiated involves using an environmental justice framework to fight the construction of the new prison, arguing that prisons are
socio-environmental hazards for inmates as well as the communities that host prisons, and that the environmental costs of prison expansion are disproportionately imposed on poor people of color in both urban and rural settings. AFSC and BAN used this same argument in our campaign to oppose the construction of the "criminal alien" prison in Arizona.

Summary of Chapters

Criminal Alienation

The first purpose of Criminal Alienation is to call further attention to prison expansion in Arizona and to the militarized border as one (of many rural) fronts for fighting prison expansion, and to analyze some of the particular dynamics of expansion in this region, as a way to participate in the project of abolition. This document combines the insights and analysis of many different groups of people, working on the ground, participating in and opposing the reproduction of the border/prison system.

In addition to identifying Arizona and the militarized Mexico-U.S. border as important contemporary geographic sites of critical analysis and struggle, Criminal Alienation identifies historical and contemporary
repressive state practices in general as crucial sites of interrogation in the study of culture and capitalism. This project takes a cultural studies approach to analyzing prison expansion that emphasizes the centrality of identity production and narrative in the reproduction of the border/prison system. Rather than analyzing narrative and identity as distinct from public policy, state violence, and political-economy, my approach understands each of these inter-related sets of processes as inextricably interlinked, historically produced, mutually enabling and constraining, and interdependent. I argue, ultimately, that repressive state practices determine the conditions of the production of the narratives that in turn establish the conditions under which criminalized identities can be produced. In addition, narratives that interpret repressive state practices also determine the conditions under which consenting identities can be produced - identities literally defined through the performance of consent for uneven social practices of criminalization, exploitation, and punishment. Hence, repressive state practices, such as incarceration, policing, and border militarization, are crucial sites of intervention for social justice struggles.
The Border/Prison System

In Chapter 2, I lay out the complex, interwoven set of recent policy shifts that have enabled the emergence of what I call the "border/prison system." By delineating these policy changes and the social relations they promote, I am able to explain the shift that occurred between 1993 and 2003 in which Mexican national prisoners in state and federal prisons in Arizona, once viewed as an economic burden, came to be recognized and utilized as a key resource for accumulating capital and for transforming the rural Arizona landscape into a prime site for prison expansion. These shifts include: the implementation of NAFTA and the concomitant ramped up militarization of the Arizona-Sonora border; the dramatic increase, during this period, of the federal subsidies for immigrant detention and incarceration flowing into the state; the federal government's 1999 emergency corporate bail-out of the failing private prison industry; and the implementation of what is known as "the new penology" in Arizona state prisons which led to the segregation of all Mexican national prisoners incarcerated in the state.

This chapter provides an analysis of the conditions of contemporary prison expansion in Arizona and provides the
information necessary to understand the practices I analyze in subsequent chapters.

Repression Matters

In Chapter 3, based on my identification of the border/prison system in Arizona, I argue for a cultural studies approach to the analysis of repressive state practices that accounts for the role of narrative in the production of identity, and, at the same time, for the centrality of repressive state practices in the reproduction of cultural, identitarian, and capitalist social power relations. I identify a cultural studies canon that offers a precedent for the approach I recommend and develop. Included in the canon are select scholars whose work is paradigmatic in cultural studies, as well as scholars whose work adds crucial dimensions to cultural studies scholarship, further enabling understandings of the relationship between identity production and capital.

This chapter establishes the activist/theoretical tradition and approach to analyzing identity, culture, and capital that Criminal Alienation participates in.
Border/Prison Narratives

Chapter 4 begins with an explanation of the theoretical terms and assumptions I use to analyze national and local Arizona conditions of identity production in the second part of the chapter and global conditions of identity production and local practices of identity performance in Chapter 5.

I distinguish face-to-face repressive state practices from the repressive state narratives that interpret those practices and render them meaningful. I argue that repressive state practices organize repressive narratives, and that repressive narratives constitute the necessary conditions of production for performances of identities that reproduce or oppose the conditions of state coercion. Repressive state narratives thus link coercive practices organized by the state to practices of subject formation.

Using this analytical framework, I analyze three repressive state narratives of immigration that I identify as border/prison narratives. These narratives are produced and circulated nationally, but their effects are concentrated in the border/prison system. The narratives function to organize the conditions of identity production for the people who will imagine migrants as both disposable
workers and criminals. This work of imagining others produces the identities of the people who will consent to or oppose the reproduction of the border/prison system in Arizona.

Struggling For and Against Criminal Alien Prisons in Willcox, AZ

Chapter 5 turns its attention to very local conditions and practices of identity production, by looking at specific identity performances in the context of a Cochise County Board of Supervisor's meeting in which Supervisors voted to approve a zoning change to allow the construction of an immigrant prison in the town of Willcox. In addition to the border/prison narratives I identify in Chapter Four which play a significant role in manufacturing general consent for prison expansion, global discourses of citizenship shape the practices of the people who directly facilitate and oppose the construction of new prisons. The identity performances I discuss in this chapter are thus circumscribed and enabled simultaneously by multiple repressive state narratives, organized by multiple coercive regimes of production.
Conclusion

In the conclusion, I argue that organizing alliances to oppose repressive state practices begins to create alternatives to repressive methods of social control by starting to enact the work necessary to envision the development of communities without prisons. At the rural front of border/prison system expansion, I argue that visions of development are necessary to projects seeking social transformation, and that abolition demands creative re-visions of community development.

Abolition strategies also make clear that abolitionist visions of development must center the needs of people most affected by the PIC. My project has looked at the challenges that coercive practices of social reproduction pose to the project of abolition, and some of the unintended opportunities for opposition that the same practices engender. It has also mapped the emergence of an internationally networked abolition movement in Arizona.

In the epilogue, I identify what this project has enabled me to understand as an abolition movement, led by poor Mexican migrants and Latina/o U.S. border community residents, that has been going on in southern Arizona since the border was imposed in 1848. And I argue, finally, that
an alliance between this older, more local movement and the nascent abolition coalition might be the next productive move in the ongoing project of radically reorganizing the work of social reproduction.
CHAPTER 2

PRISON EXPANSION IN ARIZONA, 1993-2002:

CONVERGING STATE PRACTICES AND THE PRODUCTION OF FLEXIBLE PRISONER MARKETS

1993: "Returning 400 inmates to Mexico will amount to saving the Arizona taxpayers the cost of building and operating one entire prison." --Arizona Governor Fife Symington (Arizona Daily Star, August 29, 1993)

2003: "Arizona is the most solid market around for new prisons; what with the border and all, you can count on filling beds; you can convert beds from state prisoners, like DUI, to criminal aliens, to INS detainees ... it's a solid bet." --CEO, Management Training Corporation, a business that builds and operates private prisons (Personal interview, January 10, 2003)

Chapter Overview

This chapter argues that the development of Mexican nationals as a specific prisoner market has produced Arizona as a target site for prison expansion between 1993 and 2003. It identifies and describes the convergence of significant state practices that have facilitated and enabled the mass imprisonment of Mexican nationals in the state since the early 1990s. First, in conjunction with NAFTA, the ramped up criminalization of immigration in the early 1990s and the
intensifying militarization of the Sonora/Arizona border supplies a reliable flow of foreign national prisoners and detainees, especially concentrated in this state. Second, the relatively large number of incarcerated foreign nationals in Arizona has drawn increasing levels of federal subsidy for immigrant detention and incarceration. Third, the federal government’s emergency corporate bail-out of the failing private prison industry in 1999 led to the still-pending CAR-3 proposal to build a 4,500-bed immigrant-only private federal prison at one of nine sites in Arizona. And finally, following the federal government’s development of “criminal aliens” as the “most privatizable” prisoner population, the relationship between Arizona’s Director of Corrections and the private prison industry led the ADOC to isolate Mexican national prisoners by institution within the Arizona state prison system—a practice that encouraged the construction of private spec prisons in the state. Together, these multiscalar state practices, making flesh the exceptional legal status and social and political vulnerability of Mexican national prisoners and detainees, have played a significant role in producing Arizona as a particularly “flexible market” for the expanded incarceration of all prisoner populations in the state.
Introduction

In 1993, Governor Fife Symington, with the support of the US Department of Justice, worked to expel 400 Mexican national prisoners from the Arizona state prison system prior to the completion of their sentences (Symington, 1993). Taking place during a national wave of anti-immigrant sentiment, this highly politicized maneuver was grounded in claims that the costs of warehousing Mexicans exacted an unfair drain on the stressed Arizona economy of the early 1990s.

However, by 2002, the political urge to release or return prisoners to Mexico in order to "save the taxpayers money" has disappeared. Mexican national prisoners and INS detainees have become a coveted commodity for prison-related industries, whose incentive to expand has squeezed them into Arizona, where the militarized border, the concentration of undocumented immigration, a conservative political "law and order" climate, and hefty federal subsidies for immigrant

1 The transfer of Mexican prisoners back to Mexico took place in several states, including New York, Florida, and Arizona, on the heels of California’s Proposition 187. Proposition 187, though declared illegal almost immediately, both reflected and stimulated a surge of anti-immigrant—particularly anti-Mexican—sentiment in the US—especially in border states. Prop 187 attempted to deny all social services to non-citizens in California, based on the incorrect insistence that immigrants exacted an unfair drain on state resources and on the racist view that non-citizens do not deserve to be included as fully entitled
incarceration provide fertile ground for new prison construction. On December 14, 2003, in the midst of tense negotiations over how to manage a state budget deficit crisis, the Arizona legislature overwhelmingly passed a bipartisan plan allotting $51 million to install 2,000 new state prison beds and transfer an additional 2,100 inmates out of state. And it is rumored by legislators that there are five new state prisons "in the political pipe-line".

This chapter poses the questions: how has it come to pass that 10 years ago, Arizona legislators wanted Mexican national prisoners out of the country, blaming them for "draining state coffers," when today, the same prisoners are seen as a resource for attracting investment to the state? How has the fiscally conservative urge to avoid the costs of building and filling new prisons been replaced by the socially conservative view that expanding Arizona's prison system is a necessary expense?

Addressing this question requires an accounting of the conditions, policies, and practices that have produced this shift.

members of US society. The racist logic and national influence of Proposition 187 is discussed at length in chapter 4.

It is important to emphasize that my analysis is not premised on the suggestion that it is more unjust to incarcerate Mexican nationals than it is to imprison US citizens, nor is it predicated on the argument that private prisons are worse than public prisons. This study poses questions about immigrant incarceration in a way that problematizes incarceration generally, recognizing mass incarceration as an oppressive state practice that manages political economic crises and that fails to achieve the purported goal of keeping communities safe. (See Chapter 1 for a thorough discussion of prison abolition as an analytical lens.)

I argue that Mexican national prisoners in Arizona have been produced as a population, politically positioned, and manipulated as a category and as a “resource” in ways that drive general prison expansion in the state. Contemporary corporate strategies that promote the ongoing construction of new prisons in Arizona explicitly rely on the criminalization of immigration, openly celebrating Mexican national prisoners as a “guaranteed” population of “offenders.” The availability of so-called “criminal aliens” is viewed as a safety net for the corporations that require full prisons and continual expansion to turn profits. In 2004, profiling, detaining, and incarcerating
foreign nationals is increasingly defined politically (through the pernicious conflation of the dehumanizing terms “alien,” “criminal,” and “terrorist”) as a “security issue.” Contemporary U.S. prison expansion has been enabled by racist narratives of public safety (see previous chapter) and post 9-11 political rhetoric internationalizes the figure of the “dark-skinned menacing criminal,” casting “national security” as vastly more important than either progressive social justice issues or politically conservative concerns about extravagant expenditures of public resources.

Since I began this research in 1999, plans to build two new immigrant prisons (in 1999 and 2001) and the world’s largest women’s prison (in 2002) in the state have fallen through due to budgetary crises, opposition from lawmakers, and the organized efforts of a coalition of prisoners and prisoner advocates, rural residents, environmentalists, and immigrant and human rights groups. Yet in 2003, the state opened a new 1,400-bed DUI-only prison in Kingman, Arizona, housed in a set of buildings constructed in 2000 as a possible site for the Federal “Criminal Alien” facility that was accepting bids from prison corporations at that time. As mentioned above, emergency appropriations were approved in December 2003 to expand the state prison system by 4,100
beds, and legislators tell us that there are proposals for the construction of five additional state prisons circulating among lawmakers, behind closed doors. Today, (2004), despite massive political resistance and huge economic obstacles, Arizona has become one of the potentially fastest growing sites of prison expansion in the United States.  

The Border: Militarization and the Criminalization of Immigrants--The Expansion of Repressive State Capacities  

In Immigration Enforcement in an Age of Globalization, Joseph Nevins writes,  

"... There is nothing novel about ... boundary enforcement. What is new is the state's enhanced ability to police its boundaries and to formalize its rules and practices governing boundary enforcement. A host of laws regulating immigration, customs and immigration checkpoints at airports, ports of entry at the land boundaries of the United States, and the sheer numbers of police-type personnel in the Immigration and Naturalization Service (INS)--today the largest law enforcement agency of the federal government--are just some of the more obvious manifestations of this development. (Nevins, 2001, p. 133)"  

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3 Indeed, since 2003, prison expansion has slowed nationally as a response to organized resistance as well as widespread state budget crises. Some states, such as Michigan and Illinois, are even releasing prisoners early and seeking alternatives to incarceration. (See Yardley, 2003).  

4 See Yardley, 2003.
Nevin’s comments emphasize the enhanced repressive abilities of the state in the contemporary era. In *Lockdown America: Police and Prisons in the Age of Crisis*, Christian Parenti argues that the border serves as a “testing ground” for “militarized systems of social control” and discipline (Parenti, 1999, p. 154). His book documents the growth and the increased interpenetration and coordination of policing practices in the U.S. that, he argues, began in earnest in the early 1980s as “law and order” responses to social upheaval became politically ascendant. Since the 1980s, law enforcement agencies have grown exponentially, proliferated, and become more coordinated in ways that enable officers, using high tech surveillance equipment and ever-increasing arsenals, to arrest greater numbers of people, primarily poor people of color. Concomitant legal trends (“Zero Tolerance,” “Three Strikes,” “Truth in Sentencing, etc.), as well as a radical roll-back of judicial oversight by means of mandatory minimums) keep prisoners locked up for longer and longer periods of time. In combination with these regressive legal trends, and again, without any significant shifts in crime rates, expanded policing capacities have been key to the explosion of the U.S. prison population.

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1 New and expanded policing practices have thus also been key to the explosion of criminology departments and correctional officer training.
Nowhere is the intensification of policing practices more obvious than on the U.S.-Mexico border. Undocumented immigrants have become ensnared in an expanding web of state repression. Like poor people of color born in the U.S. who are routinely racially profiled, geographically positioned and targeted for arrest, and sentenced more harshly than their white and middle class counterparts (whose risk of arrest is far lower to start with), undocumented immigrants have been categorized as "illegal," in and of themselves. In fact, undocumented immigrants are often simply referred to as "illegals" in media, legal, political, and face-to-face discourse. Just as the collectively imagined "face of crime" has been constructed as black in the U.S. via these and other discursive practices (see Lubiano, 1992), the "illegal alien" has been constructed as brown (see Santa Ana, 2002; Sloop, 2002). (Racialization and criminalization processes are discussed in the context of Arizona at greater length in chapters that follow.) The selective geographic and demographic application of state force delivers poor brown and black people to U.S. prisons in massive numbers. Most significantly for undocumented Mexican immigrants, the "Comprehensive Southwest Border Enforcement Strategy" (U.S. programs in U.S. community colleges, not to mention the field of "prison studies" to which this dissertation hopes to contribute.
INS, 1996) has launched what Timothy Dunn identifies as an ongoing, militaristic "low-intensity conflict" (Dunn, 2001, p. 23); an ongoing, military-style war along the U.S.-Mexico boundary with the sole aim of capturing migrants (as opposed to territory). Dunn writes, "The border is a contemporary proving ground for the militarization of law enforcement" (2001, p. 23)

All of these practices mean that migrants who cross the U.S.-Mexico border run tremendous risk of arrest, detention, and long-term incarceration. In 1998, a study conducted by legal scholar Peter H. Schuck found that while immigrants (documented and undocumented combined) make up 9.3% of the U.S. population, they make up a vastly disproportionate 29% of the federal prison population (cited by Greene, 2001). Yet, violent crime rates among immigrants are among the lowest in the nation (Bureau of Justice Statistics). Schuck's study does not explain the disparity, but it is commonly understood to result from a combination of immigrants' increased risk of arrest, the fact that immigration crimes are federal crimes, and "Drug War" and "Border War" legislation mandating longer sentences for federal drug-related crimes and for offenses committed by foreign nationals.
IRAIRA

The harsh 1986 drug sentencing laws passed by Congress inaugurating the “War on Drugs” are commonly understood to have created a huge boom in federal prison populations. (Today, almost 60% of federal prisoners are serving lengthy drug-related sentences, up from 30% in 1984 [Bureau of Justice Statistics].) Similarly, the controversial 1996 Immigration Reform Act (IRAIRA) created the new legal category “aggravated felony” which applies solely to offenses committed by non-citizens. Judith Greene notes that this category “includes many offenses that are neither aggravated, nor even, in many other jurisdictions, felonies” (Greene, 2001, p. 5). She goes on to argue that,

. . . together, the statute (IRAIRA) and the political pressure (that congress began putting on federal officials to find and deport troublesome immigrants) have fueled an all-out law enforcement campaign to find crime-committing immigrants—even relatively small time offenders and those whose only “crime” is attempting to re-enter the country—and with that has come an explosion in the number of non-U.S. citizens in federal prison, the so-called “criminal alien” population.” (Greene, 2001, p. 5)

Among the more controversial aspects of IRAIRA is that it allows non-citizens convicted of crimes in the past, now re-categorized as “aggravated felonies,” to be incarcerated and deported for those crimes. Combined with the common racial profiling practices of police and border patrol
agents, this makes resident immigrants of color incredibly vulnerable to arrest and deportation. Combined with IRAIRA, the interpenetration of law enforcement data bases also means that non-citizens pulled over for, say, minor traffic violations are cross-checked via computer and hence more likely to be arrested for outstanding warrants, immigration violations, or even past criminal offenses for which they have already paid their "debt to society" (Greene, 2001, p. 5).

Gatekeeper, Hold-the-Line, and Safeguard

In 1994, the U.S. federal government extensively ramped up militarization processes along the U.S.-Mexico boundary, launching Operation Gatekeeper in California, Operation Hold-the-Line in Texas, and Operation Safeguard in Arizona. These measures, known officially as the "Comprehensive Southwest Border Enforcement Strategy," are generally understood as a response to an increase in illegal border crossings. According to official government accounts, these combined operations deter entry into the U.S. from Mexico by forcing migrants into increasingly remote and dangerous areas of the borderlands. Today, the stretches of the Sonoran Desert known as the Douglas/Naco, Nogales, and
Tucson Corridors are the primary routes through which migrants without immigration documents enter the U.S.

It is not incidental that this inhumane (and frankly homicidal) deterrence strategy was developed during (one of many) virulent episodes of anti-immigrant sentiment in U.S. history. In 1993 and 94, California's Proposition 187 was leading the nation in casting Mexican immigrants as social and economic parasites during a moment of increased economic anxiety as the North American Free Trade Agreement went into effect (more on these issues below.)

Gatekeeper, Hold-the-Line, and Safeguard have brought ever increasing numbers of Border Patrol agents, other special police and military forces, thousands of miles of corrugated steel wall, computers linked to data bases cross referenced with police and immigration data across the country, biometric and high-tech surveillance technology, and tremendous amounts of military weaponry and equipment to the border. These operations have succeeded in redirecting undocumented immigration into the Sonoran Desert so that, today, literally hundreds of migrants walk through southern Arizona border towns and communities every day. The most brutal effect of these deterrence policies has been the

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*There is plenty of competition for the title, "MOST VIRULENT EPISODE" of anti-immigrant sentiment in U.S. history.*
grizzly deaths--from thirst and exposure--of thousands of migrants attempting to cross the desert. The actual death toll is impossible to calculate, since only the bodies that are found can be counted.

**Intended Effects: Deterrence or Image Control?**

In *Border Games: Policing the U.S.-Mexico Divide*, political scientist Peter Andreas analyzes the political motivations driving the contemporary escalation of border militarization. He argues that the actual intended outcome of squeezing undocumented immigrants into remote and treacherous terrain was to push migration away from the eyes of the U.S. public in order to construct the image of a more secure and orderly border. Andreas points to the fact that the Southwest Strategy intentionally concentrates resources in the most urban and populated areas of the border. In contrast to the experience of people who live in San Diego or El Paso, people who spend time in rural southern Arizona are daily witnesses to the fact that militarization has not effectively deterred immigration. According to Tucson Sector Border Patrol agent Michael Agundez, "We're supposed

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7 For a detailed analysis of the political functions of border militarization, see Andreas (2000).
to be deterring them, but we just detour them" ("Border Enforcement," 2003, A1).

In addition to Andreas' (2002) findings, there are many indications that border militarization was never intended to deter immigration. For example, the Border Patrol measures the success of its deterrence strategies by recording the number of apprehensions it enacts. If the INS had chosen instead to measure undocumented immigration using demographic data available from U.S. and Mexican demographers', it would be clear that apprehension statistics are irrelevant. It seems likely that Border Patrol officials are aware of this. In 1997, the Military Analysis Network (1998) reports that:

In June of 1996, Members of the Border Patrol union publicly alleged that the Border Patrol supervisors were improperly manipulating data to create the false impression that the Gatekeeper initiative had successfully deterred illegal border crossings at the San Diego border. The agents claimed they were being instructed not to apprehend aliens so that the level of apprehensions would appear to have dropped, thereby implying that fewer aliens were coming across the border and illegal crossings had been deterred and Gatekeeper was a resounding success.

If the Southwest Strategy is, in fact, primarily a public relations event intended to create the general impression that the U.S. government is competently
controlling immigration, it is not clear whether it has worked. In July 2001, for example, The New York Times (known as the "paper of record" with a nation-wide circulation) reported that, "The strategy of building up federal law enforcement along the border has brought increases in drug seizures and in the arrests of illegal immigrants, but the flow of both is continuing" (Yardley, 2000).

On March 8, 2003, the Government Reform Committee's Subcommittee on Criminal Justice, Drug Policy, and Human Resources held a public hearing on the Tohono O'odham reservation in southern Arizona. The southern boundary of the reservation borders Mexico, but has not yet been included in the military build-up of Operation Safeguard.

The first group of people to testify were all in uniform, including members of the Border Patrol, local police, and Forest Service management. Each person in the first round of testimony declared that Operation Safeguard has been a resounding success, describing a set of orderly, accountable processes resulting in the capture and deterrence of thousands of migrants, and the apprehension and arrest of huge numbers of "smugglers."

Such as Peter Brownell in the U.S. and Jorge Bustamante in Mexico, both of whom study Mexico to U.S. immigration trends.
The second group invited to testify was made up of civilian community representatives, including two reservation residents, a Cochise County rancher representing border vigilante groups, a community organizer and border rights activist, and the leader of one of the religious, humanitarian groups who set up water stations in the desert in the hope of saving the lives of border crossers. Although no two members of this group shared the same political perspective, each testified passionately, describing daily border life under Operation Safeguard as chaotic, lawless, and conflict-ridden.

At the conclusion of the hearing, the Congressmen sitting on the committee concluded the event by repeating what they felt they had heard. Each of them re-counted their experience of the testimony with outpourings of congratulations to the uniformed officers who clearly, in their collective opinion, 'had the situation under control'.

After attending this hearing, I was struck by the lawmakers' ability to "hear" through the filter of their own political agendas. They were each delighted to recommend more resources for border enforcement activities.

Though it is impossible to measure the success of the Southwest Strategy in shaping public opinion regarding the effectiveness of U.S. border enforcement practices, it is
clear that it effectively convinces the people making the policies that they are successful.

**Lived Effects: More War, More Crime**

Arizona border community organizer and director of the Border Action Network, Jennifer Allen characterized the effects of border militarization in her testimony before the Government Reform Committee's Subcommittee on Criminal Justice, Drug Policy, and Human Resources on March 8, 2003. Allen testified that:

"The INS's Southwest Strategy has resulted in nothing more than funneling the trafficking of humans and drugs from one part of the region to another, and more recently into the most deadly and remote areas along the border. The goal of deterrence has failed. In fact, this approach has served to further sophisticate and professionalize smuggling networks." (Allen, 2003)

Allen's comments, based on years of experience in border communities, describe a region under siege. Her testimony suggests direct links between border policies and prison expansion.

The markets for drug and human trafficking have been enabled and expanded by border practices that create new opportunities to combine these entrepreneurial endeavors.

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Crossing the border has become so dangerous that migrants are forced to contract with professional smugglers to make it into the U.S. Organized crime in the border region has become professionalized at the expense of migrants and border residents, and to the advantage of companies who derive profit from mass incarceration. Trafficked migrants are routinely used, primarily without their knowledge and/or against their will, to transport profitable illegal drugs across the border. These "mules" are far more vulnerable to arrest than the people who organize and profit from their exploitation. Every drug arrest on the border fuels calls for increased border enforcement--the very practice that increases the profitability and the demand for trafficking.

As the resources poured into border enforcement increase (as they have every year since 1994--border enforcement appropriations are discussed in detail below) so do the numbers of drug and immigration indictments that have been swamping federal dockets with unmanageable caseloads in the five federal judicial districts that line the border from Texas to California. Under the headline, "Expanded Border Policing Clogs Courts and Jails," New York Times correspondent Jim Yardley reported in July of 2000 that these five judicial districts "now handle 26 percent of all
federal criminal filings in the United States. The remaining 74 percent is spread among the country's 89 other district courts." This overload results in more and more federal cases being handed over to state district attorneys, and more and more immigrant prisoners ending up in state prisons. (It has also resulted in more and more federal resources being funneled into border states. Arizona's slice of the militarization subsidy is discussed below.)

Combined, these "Border War" practices, laws, and policies shed some light on why the Arizona state prison system incarcerates foreign nationals--primarily Mexicans--at 1.5 times the national average. Most states' incarcerate rate for foreign nationals is 7%, where Arizona's topped 13% in 2003. Recall as well that foreign nationals make up 9% of the U.S. population, and 23% of federal prison populations.

It is clear, then, that the most direct and obvious way that the Southwest Strategy fuels prison expansion in Arizona is to reliably generate large numbers of foreign national prisoners and detainees who are and who will be, overwhelmingly, incarcerated within the territorial borders of this state.

10 See Julia Sudbury on "mules" and international prison expansion.
However, there are certainly states with higher incarceration rates and larger overall numbers of prisoners than Arizona, and industries that profit from prison expansion are already concentrated there\(^\text{11}\). Yet, organized opposition to mass incarceration in these states as well as the looming state and federal budget shortfalls that characterize the U.S. in the early 21st century have already started, in 2003, to erode the legitimacy of the harsh sentencing laws and the private prison lobby that have fueled expansion domestically. Today, when the market for new prisons is threatening to shrink nationally, Arizona is seen by prison industry managers as a relatively stable venue for expansion due to the availability of “criminal alien” prisoners\(^\text{11}\).

**Border Militarization and Capital**

In “Border Militarization and the Reproduction of Mexican Migrant Labor,” Brownell argues that U.S. border policy since 1994 has sought to address the economic

\(^{11}\) Prison expansion is especially rampant in the southeast, where incarceration rates can be higher than the rate of any nation, and African Americans are locked up at rates that rival the immediate post-Civil War south. It is also concentrated on the west coast, particularly California, which has led the nation in expansion (although Arizona was the first state to begin passing mandatory minimum and truth in sentencing laws and looks to be the last to consider repealing them).
concerns of the segments of the U.S. electorate who "perceive themselves to be harmed by the unhindered operation of capital" (Brownell, 2001, pp. 79-80). While Brownell's analysis is limited by failing to question this particular economic perception and by ignoring the profoundly racial, gendered, and nationalist overtones of such protectionist economic narratives, his argument reveals key ways the Border War functions to serve the interests of capital. His analysis opens the space for analyzing the relationship between criminalization and the interests of capital, and thus pointing to unexpected ways that capital is served by prison expansion—a practice that is dependent on ongoing processes of criminalization and upon which the processes of criminalization are dependent.

Migrant Settlement and the Value of Labor

Brownell's analysis is grounded in a combination of demographic research and Marxian analysis of shifts in the value of undocumented Mexican migrant labor in the U.S. since the 1993 implementation of NAFTA.

The North American Free Trade Agreement, implemented in 1993, made it easier for goods and capital to cross the

12 See Julia Sudbury for discussion of the PIC going international to solve the crisis of shrinking U.S. market for expansion.
U.S./Mexico border. Ramped up policies of border militarization and the intensified criminalization of immigration (discussed above) followed closely behind, making it harder and more dangerous to cross from Mexico into the U.S. than ever before. Neoliberal trade agreements have the effect of increasing economic instability and insecurity\(^{13}\)--both as perception and reality--albeit unevenly, within partner nations. Brownell argues that border militarization is a political response to popular anxieties about NAFTA in the United States; anxieties that, he speculates, centered on fears about increased economic instability for already suffering American workers. His research reveals an ironic contrast between this political response to economic fears and its economic effects.

Brownell argues that the Southwest Strategy focuses voter attention on the issue of competition from Mexican laborers within the US and away from the issue of U.S. jobs moving overseas\(^4\). He argues that Federal government claims that NAFTA-era border policies are designed to reduce the number of undocumented immigrants are what he calls

\(^{13}\) For a solid introduction to the vast literature dealing with the human effects of globalization, see Sassen (1998).

\(^4\) (Where Andreas' exclusively political analysis finds the Southwest Strategy cynical at best, Brownell's economic approach relies on a more critical approach to analyzing state practices, and is primarily concerned with the effects of border militarization.)
“functionally symbolic.” His claim is based on his own and other scholars’ findings that the volume of undocumented migrants crossing the Mexican border and entering the U.S. has not significantly decreased (and may even have increased) since 1994. What has significantly changed since 1994, Brownell’s research shows, is patterns of migrant settlement. Because it is now far more dangerous to cross the border, (with radically increased risks of death, sexual assault, and arrest) border crossers have become predominantly young and middle aged males.

Since 1994, the Southwest Strategy has influenced patterns of migrant settlement, with increasing numbers of migrant laborers leaving their families in Mexico and sending wages home, where the cost of living is significantly less expensive than it is in the United States (Brownell, 2001). Brownell offers a Marxian analysis of this shift, pointing out that the average social value of labor under capitalism necessarily includes the costs of reproducing labor power, as well as bearing and raising children to replace retiring workers. Citing Wilson, Brownell writes:

\[\text{For a thorough discussion of the increased and systematic use of rape to control women migrants crossing the border, see Falcon (2001).}\]
Only the costs of reconstitution of Mexican temporary labor migration must be paid in the U.S. All of the replacement costs, and much or all of the maintenance costs are paid in the cheaper Mexican economy. (Wilson, 2000, in Brownell, 2001, p. 82)

This means that the flow of undocumented migrant labor from Mexico, reconfigured by the Southwest Strategy in ways that discourage settlement in the U.S., enables a structural difference in what Marx calls "the minimum limit in the value of labour-power" (Marx, 1970, p. 173) between workers residing permanently in the U.S. and workers who's families reside in Mexico. Capitalist entrepreneurs organize and reorganize the production of commodities in ways that continually lower the costs of production, thus increasing rates of profit; this is typically achieved through increasing efficiency, through innovations in technology and work routines, and through minimizing the costs of labor power. Just as productive machines require routine maintenance and replacement, so does the labor force. This means that the minimum limit in the value of labor power has to include the expense of reconstituting (feeding, clothing, housing, and caring for the health of) labor, as well as

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16 For a broader account of the ways that this unintended shift in the general age and gender of migrant workers has aided the U.S. economy, see Huspek (2001).
17 See Braverman, Labor and Monopoly Capital, for a thorough explanation of the value of labor.
reproducing it (bearing and raising children). Since these costs are cheaper in Mexico, workers whose families live in Mexico, and who return to Mexico routinely, are always going to be able to afford to work for lower wages than workers who reside permanently in the U.S. And since the minimum limit in the value of labor power is greater in the U.S. than it is in Mexico, where, in addition, work does not guarantee the ability to feed ones family, workers are willing to risk death and prison to seek wages that wouldn't support a family residing in the U.S.

Hence, today, the criminalization of immigration means that the minimum limit of the value of migrant labor-power stays necessarily and reliably lower than the minimum limit of the value of resident labor-power (whether the worker whose family resides in the U.S. is a citizen or not). It is the criminalization of the immigrant that creates and enables this disparity in the value of the labor power of this constructed category of people of color, "illegal aliens," who are also positioned for an increased risk of arrest and imprisonment. In fact, it is this increased risk that deters settlement, thus driving down the minimum value of migrant labor. Hence, The Border War, a practice that produces a demand for prison expansion, makes Mexican immigrants available as the cheapest labor for U.S.
businesses at the same time that it makes them reliably available as a raw material for prison expansion in Arizona.

The Contradictions of Deterrence

Brownell's study reveals the contradictory role of a set of laws and criminalization practices that claim and/or appear to solve problems that they actually exacerbate. The logic of the Border War (a term that encompasses the laws, the guns, and the walls) is a logic of deterrence; a logic that represents coercive, repressive practices as after-the-fact responses to pre-given problems. The discourse of "deterrence" contends that the Border War is a response to undocumented migrants threatening American job security, when really, as Brownell shows, the militarization of the border further entrenches the structural disparity between the costs to capital of Mexican vs. U.S. labor; the discourse of deterrence contends that border militarization is a response to lawless immigration, when, as migrants, border residents and Arizona prison wardens explain, the Southwest Strategy has increased the reach and power of organized crime over the lives and futures of migrants and border communities; and the discourse of deterrence contends that harsh sentencing laws are a response to increases in
the danger to communities that criminal activity poses, when actually, such laws keep as many poor people of color in cages for as long as possible, creating great obstacles and dangers to communities that must contend with the devastating social and economic consequences of mass imprisonment. In fact, immigrants contribute far more value to the national economy than they receive in return for their contributions18; border militarization has slowed neither the rate nor the volume of undocumented immigration (see Brownell, 2001); and crime rates in the U.S. have remained steady throughout the prison building explosion that has increased our national prisoner population 10-fold (Bureau of Justice Statistics), locking millions into poverty.

As a strategy of deterrence, border militarization does not secure the economic and personal safety of communities in the U.S. What it does secure is a reliable flow of cheap labor for the U.S. economy and of immigrant prisoners for state and federal prisons in Arizona.

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18 A December 2002 study conducted by the Center for Labor Market Studies at Northeastern University finds: The US economy would have
As discussed at length in the first chapter, Gilmore (1993) argues that prison expansion in the U.S. is, in part, a response to economic reproduction crises linked to processes of neoliberal globalization, particularly post-Keynesian processes of state restructuring. Nevins explains that boundary enforcement as well is an effect of neoliberal globalization. His study points to larger political-economic trends that have supported the political and social ascendance of the logic of deterrence. He argues that the Border War is part and parcel of state practices of nationalism that accompany the economic developments of neoliberal globalization (some of which are discussed more specifically above). He writes:

The creation of boundaries between national and alien is one of the principal practices associated with nationalism. Maintaining and policing these social and territorial boundaries—especially those between rich and poor—is a task of security provision against real and imagined forces. This task can become more necessary due to the effects of a neoliberal form of globalization that intensifies competition between localities, weakens social safety nets, and generally increases socio-economic instability (see Peck & Tickell, 1994). A central component of the contemporary process of globalization is the

stumbled in the past decade without the new arrivals, and most immigrants contribute more in taxes than they use in services

Nevins is citing Peck & Tickell (1994).
disciplining or restraining of the state "by money capital and finance" to an unprecedented degree (Harvey, 1995, p. 10). As an ideological tool, globalization has become a useful weapon against those arguing for national-based alternatives such as socialism or welfare state (Ibid). Rather than fight the national-based sources of socioeconomic instability (largely corporate and financial interests that the state disproportionately represents), the state in this increasingly neoliberal world casts its gaze beyond the nation's social and territorial boundaries, focusing on the alien as a principal source of its social problems. The alien takes the form of the criminal, the poor, and the foreigner, who are often one and the same. It is thus not surprising that an important feature of the neoliberal state, especially in the contemporary United States, is the destruction of the state's social welfare functions and an increasing emphasis on "crimefare"—whether in the form of more prisons to incarcerate domestic criminals or a significant increase in state resources dedicated to boundary and immigration enforcement. (Nevins, 2001, p. 140)

In Arizona, more resources for boundary enforcement go hand in hand with building more prisons. These "important features of the neoliberal state" are especially concentrated here, as federal resources are poured into the border region to support both prisons and border enforcement.

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20 Nevins is citing Harvey (1995).
The Border as Magnet for Federal Crimefare Dollars

Eighth District Arizona Congressman Jim Kolbe, a Republican and a senior member of the House Appropriations Committee, posts a detailed listing of federal funding for border enforcement from 1999 to the present on his congressional website. The following is a list of border militarization funding, reproduced from Kolbe's Congressional website\(^{3}\), that highlights the escalating sums allotted for the incarceration of Mexican nationals in Arizona.

Fiscal Year 1999 Emergency Funding ($90 million)

Fiscal Year 2000 ($642.5 Million)
- $585 Million for State Criminal Alien Assistance Program (SCAAP), which reimburses state and local governments for the costs of incarcerating undocumented aliens $85 Million more than the President's request.

Fiscal Year 2001 ($678.63 Million)
- $2 Million for the state of Arizona in fiscal year 2001, to reimburse county and municipal governments only for Federal costs associated with the handling and processing of illegal immigration and drug and alien smuggling cases.
- $585 Million for the State Criminal Alien Assistance Program (SCAAP) which reimburses state and local governments for the costs of incarcerating undocumented aliens

Fiscal Year 2002 ($1.74 Billion)
- $50 Million for assistance to state and local prosecutors located along the Southwest Border,

\(^{3}\) Quoted from Representative Jim Kolbe's Congressional website: http://www.house.gov/kolbe/issue_immigration.htm
including the integration and automation of court management systems

- $565 Million is provided for state and localities to pay prison costs of undocumented aliens that cannot be held in federal detention centers due to overcapacity. The federal government must assist local law enforcement absorb the costs of incarcerating illegal immigrants.

On December 16, 2003, Congressman Kolbe posted an Issue Position statement titled "Illegal Immigration" on his website. He explains the increases in border enforcement appropriations that he has worked to bring to Arizona, as well as offering descriptions of possible appropriations he hopes to secure. Below, I site portions of his essay directly:

... Other important border funding in last year’s final appropriations bill includes $40 million for the Southwest Border prosecutor Initiative to reimburse state, county, tribal, or municipal governments for federal costs associated with the prosecution of criminal cases declined by local U.S. Attorney’s offices and $250 million for the State Criminal Alien Assistance Program (SCAAP) for state and localities to pay for prison costs of undocumented aliens that can not be held in federal detention centers due to lack of capacity. The Administration tried to eliminate this program and I am pleased Congress did not agree. In order to strengthen the SCAAP program, I have introduced a bill (HR 933) this year with strong bipartisan support to reauthorize the program at $750 million for fiscal year 2004, $850 million for fiscal year 2005, and $950 million for each of the fiscal years 2006-2010. (pp. 2-3)
So today, hundreds of millions of Crimefare dollars have provided the socially conservative solution to Governor Symington's 1993 fiscally conservative problem with prison expansion.

**Crimefare as Corporate Keynesianism: Criminal Alien Requirement 3 - Corporate Bail-Out**

On the federal side, there's an unprecedented new market—to the tune of approximately 20,000 beds that are expected to be set out for people to bid on over the next 24 months. —Steven Logan, CEO of Cornell Corrections (Greene, 2001)

Private prison corporations capture public monies and transform them into profit by reducing expenditures on prison facilities, prisoner programs, and labor costs. They also boost profits with full prisons by sub-contracting to warehouse out-of-state prisoners for states with overcrowding problems. This trend further exacerbates national dynamics of racialized displacement, creating bizarre demographic situations such as the hundreds of Native and Samoan Hawaiians and Alaskan Native Americans who live in cages in the Corrections Corporation of America's private facility in Florence, Arizona.

The private corporations that profit from the construction and management of new prisons and those who

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22 Quoted directly from Representative Jim Kolbe's Congressional
contract to supply prisons with goods and services—a cluster of businesses that prison abolitionists often refer to as "punishment profiteers"—rely on an ever-increasing pool of prisoners to keep their profits growing and their investors happy.

Corrections Corporation of America (CCA) is the largest private prison corporation in the world. (Their corporate motto is "If we build them, they will come."35) CCA and a corporation called Wackenhut, together, control over 75% of the U.S. private prison market. Like Halliburton today, these companies enjoy intimate connections with state and federal policy makers, contributing large sums of money yearly to the conservative lobbying consortium, ALEC, which has successfully promoted a range of conservative issues including the privatization of public services and tough-on-crime legislation for the past two decades. Michael J. Quinlan, the CEO of CCA, was the Director of the Federal Bureau of Prisons during the first Bush Administration. Norman Carlson, who held the same position during the Reagan administration, sits on the Wackenhut Board of Directors.

Though many public prisons have achieved the nations highest rates of violence, abuse, and medical neglect for a website: http://www.house.gov/kolbe/issue_immigration.htm
variety of reasons, anti-privatization campaigns have made private prisons internationally notorious, over the past 10 years, as particularly hazardous work and living environments due to industry-wide patterns of poorly paid, barely trained guards, high labor turnover rates, chronic understaffing, and negligible healthcare. Most of these problems can be directly attributed to cost-cutting measures intended to boost profits.

In the "tough-on-crime" and fiscally conservative days of the early and mid 1990s, private prison construction and management companies had success selling their services to state governments by claiming to save taxpayer money by lowering costs. However, as Greene (2001) explains:

... It's unlikely that the states will save much, if any, money by contracting with the private (prison) companies. Private prison cost-cutting primarily serves to boost company profits. As early as 1996, a report of the U.S. General Accounting office thoroughly reviewed a series of academic and state studies and concluded that there was no clear evidence about cost savings.

Greene goes on to explain that this privatization boom came to an abrupt slow down, not only because private prisons turned out not to significantly lower costs, but also because the private facilities were plagued with

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33 This appears on CCA's promotional brochures and web pages aimed at potential investors.
extraordinary tragedies (including record high numbers of murders and escapes) resulting from poor management. She writes:

Moreover, the financial advantage that may have been most attractive to state legislators—the private companies’ ability to construct prisons unhindered by public debt limits or by the need to get voter approval for bonds—has turned out to be the industry’s downfall. From 1991 to 1998, the growth in private adult prison beds averaged 36 percent per year. But with the states pulling back from the trouble-plagued facilities and Wall Street reacting even more strongly to deaths and scandals, the companies have found themselves overleveraged and undercapitalized—CCA in particular. It built new prisons “on spec,” assuming that contracts to fill them would follow, and by my estimate the company now has more than 8,500 prison beds standing empty. The firm last year came close to a financial meltdown: Its stock lost 93 percent of its value in 2000, and its accountants reported a fourth-quarter loss of more than a third of a billion dollars.

The Bailout

In November, 2000, the Federal Bureau of Prisons proposed the construction of three, private, 1,500-bed "criminal alien" prisons—for a total of 4500 new federal prison beds—to be built in 3 of 12 proposed locations in Arizona and Southern California. Each new prison would warehouse foreign nationals exclusively, the majority of which are expected to be Mexican. Nine of the proposed sites are small, depressed, rural towns in Arizona.
Known as "Criminal Alien Requirement," or "CAR"-3, this is only one of four private, "criminal alien" proposals around the United States. Two CAR-1 contracts were signed by Corrections Corporation of American (CCA) in June 2000; one to fill CCA's 2304-bed spec prison in California City, California, and the other for 1,012 available beds at CCA's Cibola facility in Milan, New Mexico. The 3-year contracts each include 7 one-year renewal options. Combined, the two CAR-1 contracts are worth $760 million over 10 years. (Greene, 2001) According to prison research specialist Judith Greene, "For CCA, which carried more than a $1 billion in outstanding indebtedness last year (2000) and was in violation of its credit agreements, the two (CAR-1) contracts are providing a virtual bailout."²⁴ (Greene, 2001, p. 6).

Why Immigrants?

It is significant that the Federal Government handed out this massive corporate bail-out in the form contracts to warehouse immigrants, considered within the industry to be the "lowest maintenance" prisoner population, with

²CCA and Wackenhut are the two largest private prison corporations in the United States (both also operate overseas). Combined, they control over 70% of the market for private prisons in the country.
relatively low rates of violent crime and few of the (very minimal) education and rehabilitation entitlements of citizens. As discussed above, under IRA-IRA, and now the USA PATRIOT Act, foreign nationals also tend to serve very lengthy sentences, even for minor offenses. In addition, as noted above, the militarization of the US/Mexico border, the war on drugs and immigrants being waged along that border, and NAFTA’s continual displacement of poor Mexicans to the border region means that Mexican national prisoners and detainees are a low-risk option for the private prison industry with its vested interest in keeping prison beds filled. Finally, without family able to visit and advocate for them and without voting rights, foreign national prisoners have very little political clout inside the United States.

It is not accidental that the federal criminal alien prisons that bailed out the private prison industry are located primarily in border states. It probably is accidental (as well as tragic and ironic) that the industry that may have gained the most from the dismantling of the welfare state has become such a direct and obvious recipient of corporate welfare—specifically, crimefare.
The "New Penology": Arizona State Prisons, Privatization, Segregation, and the Interchangeability of Mexican National Prisoners

Welch (2000) explains criminologists Feeley and Simon's analysis of the emergence of a "new penology." He writes:

. . . Traditional penology emphasized punishing and correcting individual offenders . . . the new penology assesses the risks of specific criminal subpopulations, and recommends strategies that attempt to control these aggregates . . . the new penology concentrates on maximizing social control and utilizing prediction tables and population predictions to streamline the criminal justice system. Because the new penology takes an actuarial approach, it emphasizes efficiency, management, and control rather than individualized justice and attempts at reform. Simply put, the criminal justice system recycles human beings from one form of custodial management to another . . . it pushes corrections even further toward a self-understanding based on the imperative of herding a specific population that cannot be disaggregated and transformed, but only maintained--a kind of waste management function. (p. 75)

The following account of collaborative corporate and ADC strategies for incarcerating Mexican nationals illustrates how this "new penology" drives expansion in the state. This approach takes groups, rather than individuals as its units of analysis, and emphasizes efficiency; it functions as a penological Taylorism\(^{25}\) that enables private

\(^{25}\) See Braverman, Labor and Monopoly Capital for a thorough discussion of the necessity of the interchangeability of labor and raw materials to the efficient production of commodities.
prison corporations to streamline their production processes by carefully defining, measuring, choosing, and controlling prisoner groups—the raw materials that they demand.

The new penology measures prisoner groups in terms of risk, and prison producers use this measurement in conjunction with other economic measurements (such as minimum prisoner maintenance costs vs. federal or state rates of remuneration) to compare prisoner populations and make decisions about which populations can be warehoused most profitably. Where federally sentenced "criminal aliens" are among the most coveted of "resources," federal reimbursement for state incarceration of immigrants makes immigrant prisoners in state prisons prizes, as well. Additionally, the reliability of the flow of immigrant prisoners is secured by immigration enforcement practices. However, there are profits to be made from caging other prisoner populations as well, most reliably if they are "low security" (requiring fewer guards/less labor-power), and expected, like Mexican nationals, to continue increasing their rates of incarceration.

Fin de Siecle Arizona

In 2001, in the midst of organized efforts to oppose the construction of the CAR-3 in Arizona or California
(discussed at length in later chapters) the proposal was officially postponed. However, the role that it played in identifying the privatization of immigrant incarceration as a means to stimulate further prison expansion has taken hold in the state of Arizona. Private prison corporations who were initially bidding on the CAR-3 contract (including: CCA, Wackenhut, Dominion, CSC, and Management Training Corporation (MTC)) have not given up hope of winning either the CAR-3 or some other contract. CCA and MTC have built spec prisons in the state, assuming that growing rates of immigrant incarceration will drive expansion sufficiently that they will eventually be able to capture some available, displaced prisoner population to warehouse. Corporations originally looking to build federal immigrant prisons are also continuing to negotiate with small towns, originally sited for the CAR-3, attempting to sell prison construction as economic development, and encouraging town residents to lobby for new prisons.

At the same time, former Arizona Department of Corrections Director, Terry Stewart spent 2001 and 2002 (before resigning and going to work for the private prison

26 CAR-1 alone, according to Judith Greene, provided a bail-out for CCA, immediately reviving their credit.
industry) lobbying intensively for the construction of private, Arizona state population-specific prisons.

Stewart understood that carefully categorizing and segregating prisoner populations and defining them as distinct, mobile, and institutionally interchangeable was an effective method for expanding the prison system. Stewart has a vested interest in expansion; he worked as a defacto lobbyist for the private prison industry when he was the Director of Corrections for the state, and then went to work for the industry after resigning, first in Texas, and later in Iraq.

**Arizona Private Prisoner Population Overview**

During Stewart’s tenure as ADOC Director, he oversaw the four private prisons in the state that house Arizona state inmates. These include: The Coconino County Jail in Flagstaff, AZ, a low security facility operated by the Cococino County Sheriff’s Office which warehouses adult male prisoners with one year or less to serve; the Marana Community Correctional Treatment Facility in Marana, AZ, a low security substance abuse treatment prison, operated and managed by the Management Training Corporation (based in Ogden, Utah); Arizona State Prison–Phoenix West in Phoenix, AZ, a low security DUI-only prison, operated by Correctional
Services Corporation (based in Sarasota, Florida); and Arizona State Prison-Florence West in Florence, AZ, operated by Correctional Services Corporation, a low security prison which warehouses 500 DUI offenders and 250 parole violators. The Cococino County jail in Flagstaff warehouses only U.S. citizens. However the other three facilities collectively average Mexican national prisoner populations of 15%: Marana has 10%, Florence West has 15%, and Phoenix West tops the list with 19%.

Corrections Corporation of America (the largest private prison corporation in the world—Crimefare recipient of most of the CAR contracts, discussed above) operates three private prisons in Arizona that all contract with the US Marshall’s Service, the Federal Bureau of Prisons, and the INS (now the DHS). (One also contracts with the state of Hawaii.) Statistics regarding the ethnic distribution of their prisoner populations are not available, however, it is likely that they warehouse substantially larger percentages of Mexican Nationals than the private state prisons, since their populations are federal offenders (nationally, 29% of

\[27\] Note that this facility is run by CSC: Sociologist Michael Welch reports that, “Correctional Services Corporation . . . has emerged as a dominant vendor in the detention of undocumented immigrants” (2000, p. 81).
federal prisoners are foreign national, over 60% of whom are Mexican) as well as INS/DHS detainees.

**Stewart's Progress**

In her article entitled "Terry's Dream" (2002), Arizona anti-prison organizer, Caroline Isaacs, Director of the American Friends Service Committee Criminal Justice Program in Tucson, Arizona, argues that Terry Stewart circulated largely trumped up stories about an "explosion of violence" between Mexican national and Mexican American prisoners in the state prison system in order to: (a) justify his institutional segregation of Mexican national prisoners (for "security reasons"); (b) use this story about "security needs" to promote the construction of a private, immigrant-only state prison in Tucson; and (c) that, when his proposal was rejected, Stewart developed another "population suitable for privatization"--DUI offenders--and successfully argued for the construction of the new DUI-only private state prison (that now houses 1,400 inmates in Kingman, Arizona).

Although Stewart wielded the tried and true tactic of alarming the public to the "dangers of violent, dark-skinned poor people" in order to justify any expense to control them, he also, at the same time, used the rhetoric of the
new penology to make his case for expansion. As it turned out, the latter tactic was more effective.

Isaacs cites Stewart in ways that make it absolutely clear that he intended to use the strategies of the "new penology" to gain new prison contracts for the private corporations for whom he subsequently went to work. She quotes an ADC press release that states:

"The Department intended this facility to incarcerate a 'one-way population', meaning inmates would be initially sent to, serve their time at, and be released from this private facility. . . . Compartmentalizing and privatizing this continually growing population would allow for greater efficiency and cost effectiveness in the management of the population by the Department and by all relevant governmental entities." (Italics mine.)

Isaacs uses this quote to point out that Stewart’s proposal is an exact replica of the CAR-3 proposal. She writes, "... A one-stop shop for incarcerating, processing, and deporting immigrants" (2002, p. 1) The "one-stop" model not only imitates the CAR-3 model, both models emphasize streamlining the management of a prisoner group. Stewart’s arguments for the institutional segregation of immigrant prisoners is openly based on "new penology" goals of "greater efficiency and cost effectiveness" in "managing" prisoner "populations."

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Isaacs quotes Stewart's Deputy Director testifying before the state legislature that "... a separate facility may help Arizona increase its federal reimbursement for incarcerating foreign inmates." This makes it clear that the plan for the efficient, private immigrant prison is intended to boost private prison profits, since reimbursements would, of course, go to the entity operating and managing the prison.

Stewart's proposal was ultimately quashed by the state legislature who approved funding for the facility with the caveat that no more than 50% of the prisoners in the facility could come from the same country. Since Mexican nationals constitute over 90% of the foreign national prisoner population, this would have proved impossible.

Opposition to the prison proposal was led by Mexican American state Senator Pete Rios. Isaacs quotes Rios' comments that, "Hispanics don't warrant their own college or university--anything that's positive--but we do warrant a prison for Mexican nationals." Stewart's racist tactics backfired when Rios exposed them.

Isaacs characterizes and explains Stewart's response, writing, "Director Stewart was clearly ticked off. The

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corporate executives he had been courting would most certainly be disappointed." In an ADC press release following the Legislature's rejection, Stewart was quoted as saying,

"I am concerned and I regret that the private prison companies have invested a great deal of time and money into this venture. . . . I will make a concerted effort to identify a new specialized population that will be appropriate for privatization."

(Italics mine.)

Stewart made explicit the direct connection between the categorization of prison populations, the measuring of their relative interchangeability, and the practices of prison profiteering.

**The More or Less "Solid Bet": Capturing DUI, Losing Women**

As Isaacs points out, Stewart did, in fact, identify two additional "populations appropriate for privatization," DUI offenders and women. Drunk drivers, it seems, have no uncloseted representation in the state legislature. The private DUI prison opened in Kingman, Arizona in 2003 in an MTC facility that was (as mentioned above) originally built in the attempt to win the CAR-3 federal contract. Plans to privately build and run the largest women's prison in the world in Marana, Arizona, however, fell through in late 2003
when Ms. Isaacs organized prisoner families, community residents, social justice activists, former prisoners, and several legislators to oppose its construction.

**Repression for Profit**

To reiterate the quote that opened this chapter, the CEO of Management Training Corporation, the company that built the new prison that became the Kingman DUI facility, explained to me over the phone: "Arizona is the most solid market around for new prisons; what with the border and all, you can count on filling beds; you can convert beds from state prisoners, like DUI, to criminal aliens, to INS detainees . . . it's a solid bet." He was confident, at the time, that his empty prison in Kingman, built originally to compete for the CAR-3 contract, would have 1,400 bodies to fill its beds by the end of the year. And it did. (He built it, and they came.)

The abstract measurements offered by the new penology are comparable to the calculations that go into any profit-driven industry regarding its materials. Welch makes the point, above, that this approach to managing incarceration practices treats prisoners as a form of social "waste." For

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prison corporations, the social "wasting" of these human beings is necessary to the establishment of incarceration as a business; an organized process of commodity production. The people who are socially defined and treated as waste are their "recyclable resources," "raw materials" of profit.

Hence, the new penology in conjunction with the privatization of prisons has played a role in marking Arizona as a desirable site for prison expansion, and public prisons generate corporate profits, as well, for the companies that supply goods and services to their "captive" markets.

Still, the apparatus of legitimate force belongs to the state. Private prisons have come and gone and come again, and may well go again, in the United States, without replacing the legitimacy of state-controlled policing, militarization, and incarceration practices. Certainly this wave of privatization has and will continue to effect social relations. Yet, the larger-scale social and political-economic effects of the mass incarceration of poor people of color cannot be reduced to providing raw materials for a select cluster of politically privileged corporations.
Conclusion

This analysis of the border/prison system in contemporary Arizona suggests that linked processes of border militarization and prison expansion in the context of the social relations of production produces more prisoners of every category. Looking at the mass imprisonment of Mexican national immigrants in 1990s Arizona underscores the synergy between regionally specific and broader national and transnational conditions and processes in the expansion of the border/prison system. It delineates the technologies through which Mexican migrants are produced and compelled to produce themselves (to survive, or not survive) among complimentary demands for waste and for value. The contradictions of repressive state practices of deterrence, articulated by the social relations of capitalism, produce poor people of color as multivalent resources for the extraction of surplus value at sites of exploitation (commodity production) as well as domination (state repression).

The social relations of repression, the organized capture and bureaucratic waste-management of millions of people’s lives via incarceration is taking place on a scale unrivaled in human history. This analysis of the border/prison system suggests, simply, that state repression
breeds more state repression. While it might seem like common sense, it is important to recognize that the top-down organizers of and bottom-up consenters to repressive state practices are assured that state repression protects us from "our enemies," and that the more repression we impose on "them," the safer "we" will indeed become.

So, the rather simple answer to the question posed at the beginning of this chapter is this: The shift that occurred between 1993, when the governor of Arizona proposed the deportation of immigrant prisoners for the purpose of saving money and 2003, when the state, in full-blown budget crisis, can't wait to build more and more prisons faster and faster, was an incredible escalation of repressive state practices along the Arizona-Sonora border.

Today in Arizona, I will argue, we all work hard every day to make prison expansion and border militarization happen. The rest of this dissertation explores some of the ways in which people are compelled to continue producing this escalation. How are we forced to name names? How do we identify "us" and "them"? Why don't we feel safe enough yet? Who is "we"?

In the next chapter, I argue that the struggle to understand the dynamics of this violent escalation requires a wider-angle theoretical lens; a lens that can see the
socially organizing force of commodity production and simultaneously capture the historical and spatial discursive practices that are organized to support those relations.
CHAPTER 3

"REPRESSION MATTERS"

"Capitalism is a white supremacist mode of production. We can say it. We can prove it."
--Ruth Gilmore, Opening comments for the panel entitled "Putting the 'Industrial' in Prison Industrial Complex" at the Critical Resistance South Conference, February 2003

Chapter Overview

Where Chapter 2 offers a description of the state practices implicated in contemporary Arizona prison expansion, Chapter 3 offers a map of the theoretical threads and the political commitments (implicit in my theoretical orientation) that inform my analysis of those practices in Chapters 4 and 5; essentially an analytical description of the canon within which I situate my work. The first part of this chapter discusses theoretical approaches to studying the state, some of which are paradigmatic in cultural studies, emphasizing insights that are central to the ways in which cultural studies scholars study the relationship between the state and subjectivity, and identifying key ways that this approach has been broadened to include a multiplicity of histories, geographies, and subject positions. Section two considers contemporary trends and arguments against studying the state, and based on my
readings in section one, argues for the foregrounding of practices of state repression in the study of culture and capital. The third section develops my theoretical approach to analyzing state repression through readings of critical theorists who offer key questions, sites of study, and useful terms of analysis for understanding dynamic relationships between capitalism and identity. In the fourth section, I analyze the work of scholar's whose methodological approach informs my own; Marxian and post- structuralist cultural studies work that make sense of identity in the context of the social relations of capitalism, that analyzes meaning from a materialist standpoint, and that expands the terms of Marxist analysis by applying them to the historical experiences of groups other than (and including) free wage laborers. I use the theoretical approaches and methodologies I identify in these critical readings to argue for an understanding of the border/prison system that is at once, Marxist, post- structuralist, historical, and spatial and that insists on accounting for the relationship between state repression and production.
Introduction

Chapter 2 describes and analyzes the border/prison system. The use of repressive practices to define and position certain human beings as the raw materials for this system has powerful social, economic, political, and cultural effects; effects that have serious implications for the organization of social relations of power and control. Such effects, examined further throughout this dissertation, suggest that practices of state repression demand greater attention from radical social theorists seeking to critically understand relations of identity and processes of exploitation and domination; culture and capital.

Having constructed a reading of these processes as a "system"--a patterned set of practices that partially, yet powerfully organize the contemporary social relations of captivity in this region--it is necessary to identify the most useful analytic approach for understanding the large and small-scale effects of repressive practices, and specifically, these regionally and historically distinct system of repression.

In the previous chapter, I introduced Criminal Alienation as part of the prison abolition movement; in this chapter I situate it as part of a particular intellectual
history within the loosely defined field of cultural studies.

Section 1: Why Study State Repression?

This section maps and critiques a tendency in Marxian thought to view repressive state practices as an "early" necessity for capitalist development that "fades into the background" once the relations of private property are firmly established. This narrative framework: (a) privileges the state in isolation as a unit of analysis; (b) encourages the notion that capitalist development repeats itself in a series of necessary stages that have or will occur in each territorial nation-state; and (c) allows social theorists to discount practices that, according to this developmentalist narrative, "do not belong" in the stage within which they are taking place, and therefore must be historical "remnants"; such ghosts, the logic goes, are no longer significant to the reproduction of society. It also encourages the belief that people who are subjected to historically unimportant processes are themselves historically unimportant, and merit no critical attention. This chapter identifies ways that a particular tradition in Marxian cultural studies has reversed this problematic trend by taking specificities of culture and history into account,
studying states in the context of global power relations, and accounting for the ways that different kinds of identities are socially organized.

**Marxist Cultural Studies and the State**

A great deal of Marxian scholarship in the field of cultural studies emphasizes the non-repressive ("hegemonic," "ideological," "representational," "cultural," "imaginative") practices of the state, analyzing the usefulness of such practices for the reproduction of uneven social power relations, and for possibilities of resistance to the relations of exploitation and domination. Gramsci, Althusser, Hall, and Spivak, all influential in the field of Marxist cultural studies, offer analyses that are especially useful for understanding the social production and mobilization of consciousness. In line with this tradition of looking at the state and identity in relation to capital, Gilmore (1993) offers a model for putting practices of state repression at the center of the analysis of webs of social relations of domination and subordination.

**Marx: "Primitive Accumulation"**

This development narrative goes back to Marx himself, who argues that practices of state repression imposed the
necessary conditions for capital accumulation in pre-capitalist England. Based on his reading of the bloody era of "primitive accumulation," Marx argues that, once private property becomes dominant, state repression becomes secondary to "the natural laws of production" (Marx, 1977, p. 899).

At the same time that Marx's narrative of primitive accumulation discounts state repression as an object of study in the present, it takes very seriously the historical effects of state repression during a distinct time period; the period during which these practices were being imposed on the groups of people Marx cares about studying; poor Europeans. He argues that it is through practices of state repression that European peasants were transformed into the European proletariat; a transmutation of identity imposed through terror, massacre, and theft.

Marx's historical account reveals that contemporary state practices of social cleansing, re-territorialization, criminalization, incarceration, deportation, and execution, share a pre-capitalist European history. According to Marx's narration of "primitive accumulation" in Capital, Volume I, the modern (liberal/capitalist) state of England emerged (during a 400 year period) as a monopoly on the power to deport, incarcerate, enslave, criminalize and
execute people through successive waves of legislation and "terrorism" (Marx's term). These practices were used to control the peasantry who were "cleared from the land" in a series of bourgeois land grabs that included the appropriation of Catholic lands during the Glorious Revolution, the transformation of agrarian northern Scotland into "deer parks" through the forcible relocation of the peasantry to the coast (which, once they developed as a fishing economy, was taken away from them as well), and the Enclosure Acts, which usurped the feudal commons, transforming them into private estates.

Such brutal practices both "freed" the feudal peasantry from their land and from control over the means of agrarian production, and it also absorbed the surplus of human productive capacity that it produced. It was thus organized practices of state repression that created the conditions that forced people to work for wages and transformed the English peasantry into a class of wage-laborers; the British state itself, was (and, I would argue, is) produced, in part, through these practices.

Marx, like Gramsci and Althusser after him, makes the claim that such repression was only necessary during the "rise of the bourgeoisie" (Marx, 1977, p. 899), and that, once the state-wide conditions of private property are
established, that repression becomes a secondary practice of social control. He writes:

The silent compulsion of economic relations sets the seal on the domination of the capitalist over the worker. Direct extra-economic force is still of course used, but only in exceptional cases. In the ordinary run of things, the worker can be left to the 'natural laws of production', i.e. it is possible to rely on his dependence on capital, which springs from the conditions of production themselves, and is guaranteed in perpetuity by them. (p. 899) {Italics mine.}

Here he defines the use of force as both "exceptional" and "extra-economic," theoretically rendering both "force" and the "forced" historically inert under the conditions of private property; not worth studying in the present. In contrast, the compliant relationship between the worker and the laws of production becomes a crucial site of analysis, defined in contradistinction to the non-worker and the laws of force.

As a site of analysis, the border/prison system significantly complicates these classical Marxian theoretical distinctions, and the historical development narrative that supports them. The transnational work of migration and the repressive control of migrants are clearly historical, as it literally shapes social relationships, the economy and the landscape of Arizona (among other places). Repressive state practices not only persist they continue to
escalate and are clearly implicated in "the natural law of production."

The United States has a bloody capitalist origin story of its own--including race-based practices of massacre, genocide, slavery, land-seizure--that is linked to an ongoing tradition of the unexceptional use of force to control the poor and especially poor people of color."'

Racial categories are partially historically produced via repressive state practices, and racial categorization is broadly integral to the production of the racially stratified social relations of labor in the U.S. In Racial Oppression in America, Blauner writes:

Like European overseas colonialism, America has used African, Mexican, and to a lesser degree Indian workers for the cheapest labor, concentrating people of color in the most unskilled jobs, the least advanced sectors of the economy, and the most industrially backward regions of the nation. In an historical sense, people of color provided much of the hard labor and the technical skills that built up the

\[32\] For example, following the U.S. Civil War, the state reorganized the institution of slavery as former slaves were criminalized and incarcerated in massive numbers, and then put to work in a convict-lease system that was even more violent than plantation slavery, since the risks and costs of ownership were parlayed to the state. (See One Dies, Get Another) Thus, this history of U.S. imprisonment, the convict-lease system--organized via cultural (white supremacist), capitalist (U.S. southern plantation capitalism), and state (incarceration) technologies—is a particularly racialized history, implicit in the historical development of world systemic capitalism, as well as the social production of race. And the radically disproportionate incarceration rate of African Americans today is a manifestation of that history; a history that, via human practice, is produced in the present and constrains and enables the future.
agricultural base and the mineral-transport-communication infrastructure necessary for industrialization and modernization, whereas the European worked primarily within the industrialized sectors. (1972, p. 62)

Today in the U.S., repressive state practices are not "pre-capitalist"; the practices of social cleansing, criminalization, incarceration, deportation and execution are not "clearing peasants from the land," not denying entire classes of people control over the means of production; but importantly, these practices are part of the social production of race, and racial categorization that, as Woods and Robinson demonstrate (below), is an historical condition of production in the ongoing expansion of racial capitalism. In the contemporary routines of the prison industrial complex, and more locally, the border/prison system, state repression is not exceptional; it is not secondary.

Gramsci and Althusser: State-Educated Subjects and the Reproduction of the Conditions of Production

Gramsci and Althusser theorize the role of the state in producing the subjects who will reproduce the conditions of capitalist production.
Gramsci: The State as Educator

In The Prison Notebooks, Gramsci (1971) develops his analysis of the role of the state in reproducing the conditions of capitalist production, which, he notes, importantly includes the reproduction of a 'civil society' that promotes bourgeois class interests, while appearing to be a politically neutral site offering opportunities for everyone to negotiate on their own behalf. His theory of hegemony emphasizes the "educative" function of the state, a function that extends broadly beyond schooling. In the note entitled "State and Civil Society" Gramsci states:

The revolution which the bourgeois class has brought into the conception of law, and hence into the function of the State, consists especially in the will to conform (hence ethnicity of the law and of the State). The previous ruling classes were essentially conservative in the sense that they did not tend to construct an organic passage from the other classes into their own, i.e. to enlarge their class sphere "technically" and ideologically: their conception was that of a closed caste. The bourgeois class poses itself as an organism in continuous movement, capable of absorbing the entire society, assimilating it to its own cultural and economic level. The entire function of the State has been transformed: the State has become an 'educator.' (Gramsci, 1971, p. 260) {Italics mine.}

This passage emphasizes that the "function of the state consists especially in the will to conform" or "assimilate," and that the state educates its subjects in this
assimilation process. Here, Gramsci (1971) links the will, or desire to belong to the community of the state with the sense that this belonging makes possible 'absorption into the bourgeois class'; this modern ruling class "poses itself" as capable of absorbing everyone, hiding the fact that it requires a working class in order to exist. Hence, the state participates in this "hiding." Gramsci also points out that such 'belonging', such 'assimilation', is cultural, as well as economic, so the state is, among other things, a cultural educator.

Though Gramsci emphasizes the role of negotiation and consent in the educative process, the insight that the state is a cultural educator is important to the project of analyzing the border/prison system, which, as a set of practices, could be considered culturally educative. Rather than extending a sense of belonging as a path to bourgeois social status, repressive practices define subjects, culturally, as unabsorbable and unassimilatable. A recent historical term names this abstract category of identity: "the underclass." This term interprets the poverty of poor Black and Latino people as a cultural characteristic that determines social immobility. The notion of "the underclass" defines poor people of color as "culturally inadequate" for absorption; the same groups of people
targeted for state repression. Representations of repressive state practices provide a cultural education for everyone; teaching all state subjects who is assimilable and who is not.

Gramsci's development of the concept of hegemony brings culture to the forefront in the struggle against capitalism. Critiquing the liberal distinction between political and civil society, he suggests that laissez-faire liberalism, which pretends to be a policy in which the state stays out of the "natural" operations of economic "law," is actually a form of economic, social and cultural regulation. Gramsci's notion of hegemony links cultural, social, and political practices and institutions through their collaborative roles in promoting the reproduction of unequal social relations. He argues that industrialized liberal states maintain power, grounded in capitalist social relations, not simply through their monopoly on the means of coercion, but primarily through their ability to secure and reproduce mass consent for an overall system of inequality and subordination.

But is the reproduction of mass consent divisible from the state's monopoly on coercion? Might repressive practices as well as the culturally targeted threat of repressive force also be considered forms of "economic, social, and cultural regulation"? Do repressive state
practices regulate a racial hierarchy of the economically disempowered?

Looking at state repression and the cultural divisions between who is routinely targeted for repression and who is not suggests that state coercion plays an educative role in assigning economic meanings to cultural identities. Considering the millions of people subjected to these practices and the educative role of dominant representations of repression implies that repressive practices are not necessarily secondary, and also that the state's role as a cultural educator involves, not only the circulation of the fantasy that the bourgeois class can absorb everyone, but also, at the same time, the circulation of the idea that not everyone will be assimilated. Those who will not be assimilated can be identified by their state-assigned cultural characteristics.

**Althusser: Interpellation**

Althusser (1971) argues that the workings of "ideological state apparatuses" are implicit in the formation of state subjects. Beginning with the observation that capitalism depends on the reproduction of the social relations of production, in "Ideology and the State," Althusser develops the analytic category "Ideological State
Apparatus." Distinguished from "Repressive State Apparatuses," such as prisons, the police, and the military which are centrally controlled directly by the state and function primarily by direct repression (violence) and secondarily by ideology, Ideological State Apparatuses, such as the family, religion, education and the media, are not centrally organized, are distinct from one another, are heterogeneous and relatively autonomous, and they function primarily through ideology and only secondarily by force.

He argues that practices pre-exist individuals (in the form of Ideological Apparatuses) who become subjects through the social process of "interpellation"; of coming into subjectivity within a dense web of ideological practices that activate subjects, or bring them into being, by naming, or "hailing" them. Once brought into subjectivity, individuals continually reenact these practices which appear to be spontaneous. 33 State subjects are thus ideological effects of the state that appear to have been organically grown. This appearance, Althusser suggests, is itself an

33 Althusser defines ideology as, "... a representation of the imaginary relationship of individuals to their real conditions of existence" (p. 162). Rejecting idealist notions of ideology as a false, empty, deluded representation of reality, Althusser suggests that ideology has a material existence within Ideological Apparatuses and the practices they compel. Subjectivity is the experience of having one's own, individual, conscious, speaking, self. Where modern human experience suggests that ideas arise from within individual consciousmesses and thus inspire action, the actual situation is just the reverse.
ideological effect. "Interpellation" is the process through which individuals become centered, speaking subjects who "work on their own" to reproduce the social relations of production.

Thus, "... the category of the subject is the constitutive category of all ideology" (Althusser, 1971, pp. 170-171). Ideology, the ultimate manifestation of selfhood, becomes so obvious that it is unrecognizable.

In what he calls "mature capitalist social formations," Althusser argues that Ideological State Apparatuses become the dominant tools of social control in the project of reproducing the social relations of production.

Althusser's explanation of interpellation is very useful for thinking about the role of subject formation in reproducing existing power relations through processes that make socially constructed hierarchies appear natural and pre-given. Yet, in insisting that Ideological State Apparatuses (ISA's), as opposed to Repressive State Apparatuses (RSA's), become the dominant tools of social control once the capitalist mode of production comes to dominate a given state, Althusser posits people living in "mature capitalist social formations" who are routinely subjected to RSA's as historically and socially irrelevant. The idea that RSA's "get the ball rolling" in imposing the
conditions of capitalism and then "fade into the distance" suggests that RSA's are no longer a significant part of social reproduction.

Again, this cannot account for the historical persistence of RSA's and the groups of people they target. It also cannot account for the work that targeted populations do in reproducing the conditions of production. Within the context of the border/prison system, people directly subjected to RSA's are central to the circulation of value. So, the idea that RSA's become secondary as IDA's, backed by the seldom-used power of RSA's, become the dominant form of social reproduction is grounded in implicitly race-based assumptions about whose reproductive work matters. This is not to suggest that IDA's and RSA's should not be understood as different technologies of social control, but rather that the dialectical relationship between them should not be understood as "primary" and "secondary."

*Spivak, Hall, and Gilmore: Shifting the Analytical Lens to "Other" Subjects, "Other" Places*

Spivak, Hall and Gilmore carry on and extend Gramsci and Althusser's project of analyzing the role of nation states in producing the subjects who reproduce the
conditions of capitalist production. Each of their bodies of work (still in progress) are exemplary of key shifts in the field of Marxist cultural studies; an emphasis on the centrality of race, gender, sexuality, and ethnicity in the reproduction of power relations. By casting their analytic gazes onto the identity politics of subject formation and representations of identity, these theorists demonstrate the need to stretch beyond both the white working class and the nation-state as singular units of analysis in the study of capital and subjectivity.

Moving away from the idea that all nation states share a uniform trajectory of capitalist development, Hall (1997) and Spivak (1988) foreground the history of colonialism and post-coloniality in the world historical development of capital and the implication of that history in the production of subjects. Gilmore (1993, 1998, 2004) looks at identity divisions within the state, situating the U.S. globally and historically in the context of the international dynamics of contemporary structural adjustment.

Though Hall and Spivak both emphasize subjectivity and discursive practice in much of their work, their analysis always necessarily rests within an acknowledged history of colonialism, and so leans toward practices of state
repression, specifically colonial conquest, but also, especially Hall, the role of racialization and criminalization in the strategic management of political economic reproduction crises. (Hall, 1978) Hall writes extensively about representational practices around wars, and around racializing strategies of criminalization and policing in contemporary Britain. Gilmore makes representations of state terror the center of her analysis, offering a map for analyzing representations of the border/prison system, as well as the role of state repression in organizing multiple state subjectivities.

Where many scholars who embrace the shift in cultural studies, from an exclusive emphasis on class analysis to the study of race/gender/sexuality/ethnicity, drop either the state, or Marxism, or both out of their critical methodologies, Spivak, Hall and Gilmore bridge this gap, offering methodological and analytical approaches that account for the key role of the nation-state in Marxist cultural studies of identity and capital.

**Spivak: Subjects and Non-Subjects**

Spivak's (1988a) essay, "Can the Subaltern Speak?" shifts the target of analysis from the "global north" to the "global south," while keeping both sites in view.
Foregrounding post-structuralist critiques of centered subjectivity in the context of the international division of labor, she poses the questions: What counts as subjectivity? What work does subaltern subjectivity do?

Applying the critical methodology of deconstruction to feminist and postcolonial questions of representation and power, she analyzes the discursive processes through which poor Indian women come to be positioned within language, experience, and society as "non-subjects" in that they become the projected other of British imperial, Indian patriarchal, and bourgeois assertions of centered subjectivity. This "becoming other," according to Spivak, includes the ways in which women perceive themselves as subjects as well as the ways in which they are and are not allowed to speak or be heard socially. Negotiating among these positivities, according to Spivak, poor Indian women can only speak defensively, strategically inserting their negative subject positions in relation to whichever positivity offers them the greater chance for survival.

Spivak's insights about subject formation are grounded in identities that are the effects of state repression--outwardly directed in the form of colonial conquest--and her analysis of the terms of subjectivity are relevant to the relationship between the border/prison system and subject
formation: looking beyond the "north" allows the understanding that the border/prison system has a vampiric relationship with Mexican migrants. This relationship is a condition under which the centered subject position of "free American whiteness" can be constructed against negative subject positions of "criminal foreign darkness."

Grounded in her critique of Foucault and Deleuze's erasure of production and of the subject, moves which implicitly reinscribe or "hold open the place of" the universal, centered subject, Spivak makes an argument for a theoretical approach to "the other as subject" based on her reading of class in Marx's (1914) *The Eighteenth Brumaire of Louis Bonaparte* and Gramsci's (1971) work on the subaltern classes and the political responsibility of the intellectual. Marx argues that, under capitalism, the bourgeois class is the only class that has a "consciousness" which is the recognition that their interests are served by the political economic system. Other classes are related to one another only through the situation that their interests are not served by the dominant system. To fetishize subaltern class consciousness as fixed and authentic is to obfuscate its constituitive contradictions, to fail to understand that all acts of categorical unification (whether positive or negative) are consolidations of power and thus,
in this context, serve the interests of the international division of labor.

Hence, the categorical unification of “dark foreign criminals” and the concomitant, implicit construction of “free white Americans” that the border/prison system enables consolidates, or “centers” dominant subjectivity in ways that serve the interests of capital. My analysis of the border/prison system in Chapter 2 reveals the flows of money, guns, and labor that support such categorical unifications. In Chapter 4, I analyze narratives of identity, community, and work that reproduce the conditions necessary to the ongoing, creative consolidation of centered “free white American” subjectivity.

Hall offers an analysis of contemporary reconfigurations of subjectivity, grounded in global political economic shifts, from “centered positive universal subjectivity” constructed against a multiplicity of contradictory negative strategies of survival (that Spivak identifies) to “placed ethnic subjectivities” constructed against a universalizing figure of a transethnic identity of boundless mobility.
Hall: Narratives and Subjectivities of Globalization

Taking ethnic identity into account, Stuart Hall (1997a, 1997b) in "The Local and the Global: Globalization and Ethnicity" and "Old and New Identities, Old and New Ethnicities" that the conditions for nation-state-based natural cultural identity are shifting as the core-periphery model of global capital accumulation becomes increasingly decentralized. He points to additional global shifts that he suggests are intensifying this transformation of global space: enormous, continuing migrations of labor; increasing international dependencies; and an acceleration of global ecological interdependence. He analyzes the confluence of interests involved in the seemingly opposed but actually quite mutually supportive rhetoric of "global cultural homogenization" and "the multicultural buffet" narrative in which the production, exchange, and consumption of ethnic difference is constructed as always, already pleasurable.

Against this backdrop of "post-national" (Hall's term) capitalist restructuring, he considers its implications for ethnic identity and subjectivity, defining ethnicity as "the necessary place from which people speak." The "unplaced identity that places its others," Hall argues, was once the basis for a universalizing "Englishness" which is now gradually becoming "placed" as England's global power has
receded and English people have become able to see themselves as ethnically particular.

He suggests that one surprising effect of modernity has been the production of the conditions that have enabled what he calls "the profound revolution of the margins coming into representation." Brought about, in part, through processes of colonial nationalism, this revolution has meant that marginal voices are not only placed by dominant discourses in the global public sphere, but that "the placed" have become able to set some of the terms of their own dominant representation through collective projects of recovering lost histories. Mentioning the rise in the fundamentalisms that modernity sought (and seeks) to quell, Hall notes that some of the new inability of dominant discourse to silence the marginal has been brought about through the powerful force of these movements.

Pointing out that, in fact, all speech is "placed," Hall suggests that the mark of privileged positionality is having the choice not to understand that your speech is placed. The contradictory nature of such privilege is that it leads to a form of unremitting monologue that mistakes itself for a universal language because it can only recognize or hear difference when it becomes translated into
its own dominant terms. Postmodern metaphors of unobstructed mobility have inherited this mode of privileged, solipsistic, compulsive talking-without-listening, (consuming without cooking), from Imperial Englishness. The universalizing image of England as the center of the world with its centrally placed subjectivity has been re-placed by the notion of a universalizing subject of unlimited mobility.

Thus, Hall's view of marginal speech as revolutionary in its challenges to monologue is complicated, both newly limited and newly enabled, by a changing set of global conditions. Dialogue between differently placed (and thus explicitly "ethnic") subjects requires the active acknowledgment of place, and thus, of history.

He closes with the question of whether or not, under the contradictory and contingent conditions of the globalizing present, speaking from an acknowledged place positions subjects as vulnerable to containment; makes them available for translation, absorption, and domination by the abstract, disembodied practices of monologue, which, most prominently include the commodification and exploitation of difference.
Gilmore considers the implications of "placed speech" in the context of the "Warrior State". Her analysis foregrounds practices and representations of state repression, (discussed below).

Hall's understanding of the relationship between the shifting global conditions of capital accumulation and subject formation historicizes ethnic identities at the same time that it identifies the force of dehistoricizing identity categories (universal: Englishness, whiteness, mobility) to organize power relations. Such identity categories are implicated in the reproduction of the conditions of capitalist production, so that challenging them, Hall contends, by historicizing, ethnicizing, or "placing" these universalizing categories poses a challenge to the ability of capital to organize and reproduce global racial hierarchies. His closing question asks: What work does "placed" ethnic subject formation do in reproducing and/or shifting the power of the state to control ethnic hierarchies?

Hall's worries about the commodification of ethnicity, about it's "absorption" by capital recalls Gramsci's explanation of state-organized representations of the bourgeois class that promise "absorption" into the ruling class. If the choice is between opportunities for "absorption" Vs. being cast as an "enemy of the state," campaigns for "absorption," like the Igbo struggle for "the right to be advertised to" that Joseph identifies, can be understood as survival strategies. However, when exploitation is taken into account, it becomes clear that they are survival strategies that rely on access to the power to dominate others.
This critical question allows an entry point for the analysis of state repression: Hall takes the relationship between subject formation and the conditions of capitalist production to be dialectical; accounting for this dialectic, I want to know how repressive state practices are implicated in the control of identity hierarchies. In Chapter 4, I pose the question, What work does state repression do in the service of subject formation? If challenging the universalizing monologue of whiteness/mobility by recovering lost histories poses a threat to capitalism's ability to reproduce racial hierarchy, might not challenging the universalizing monologue of repressive state practices also challenge capital? And finally, what needs to be recovered historically to pose this challenge?

The analytical approaches discussed above are influential in the field of cultural studies; perhaps because the insights they offer about subject formation and discourse resonate with non-Marxian and anti-Marxist methodologies, these theoretical projects have been elaborated largely in terms of subjectivity and representation, and the Marxist emphasis on the state, once ascendant in studies of capitalism, has been increasingly ignored and even maligned in cultural studies--sometimes in very useful ways. For example, Lowe and Lloyd point out
that Marxist Eurocentrism privileged the state as a unit of analysis which has led, historically, to liberation struggles aiming their revolutionary efforts at the capture of the state; a practice that has proved less than revolutionary in terms of transforming oppressive relations of race, gender, sexuality, caste, and class. While it is important to understand how social theory has been used in liberation struggles, this information does not convince me that the state doesn’t matter.

With a decreased emphasis on the state, even less critical attention has been directed toward practices of state repression than has been the case with scholars who see repression as "secondary." Gramsci, Althusser, Spivak, and Hall account for different ways that consciousness is shaped by the internal and/or international organization of the state and by state practices in ways that function to make compulsory participation in the social relations of capitalism appear and feel voluntary, chosen, individual and/or achieved through group struggles for audibility and visibility, empowering, and pleasurable. Yet, repressive state practices are not solely used by the state as a "quiet" threat, operating in the "background" to subtly enforce hegemonic state practices. Repressive state practices in the U.S. (inarguably a "fully developed"
capitalist state) target poor people of color (both inside and outside the territorial boundaries of the U.S.) for their most violent forms of coercion, that, in contradistinction to non-repressive ideological and representational practices, have the effects of creating relationships to the state that are involuntary, unchosen, radically uneven, impersonally meted out, struggled against, racially partial, and painful. Such relationships need to be analyzed concomitantly.

**Foucault: The "Soul" as Prisonhouse**

The obvious absence in this plea for studies of state repression, identity, and capital is Foucault, a scholar who's work is also highly paradigmatic in cultural studies. Foucault's (1977) study of the emergence of imprisonment as the primary state-sponsored form of punishment, *Discipline and Punish*, offers important and relevant insights into the relationship between the modern European state and the body. His historical account explains how the isolation, imprisonment and panoptic surveillance of the body produces docile state subjects, who come, through the experience of incarceration, to experience themselves as "cured" of their criminal impulses, reformed, improved: their "souls" restored. Foucault argues that prisoners are, in fact,
psychically re-"formed" in the image of the state, their desires redirected toward its interests. He famously remarks, "The soul is the prisonhouse of the body" (Foucault, 1977, p. 114).

This reading of the social effects of imprisonment is important and useful, but for the purposes of this study, it is limited in crucial ways. First, it is an analysis of carceral practices in 18th century France. In light of Stoler's (1995) critique of Foucault for failing to grasp the importance of racial categorization to European state formation by ignoring the colonies, my project emphasizes that incarceration in the United States has historically been largely about producing racialized others within the white supremacist U.S. state. Such racially organized practices function far more powerfully to exclude subjects from the privileges of citizenship (through the radical social alienation of incarceration, the national "othering" practice of criminalization, and direct disenfranchisement) and the privileges of whiteness than to incorporate

"Repressive state practices of incarceration in this country include (but are not limited to) the reservation of Native Americans, the convict-lease system that re-enslaved vast numbers of African Americans after the Civil War, the internment of Japanese Americans during World War II, and the rounding up of radicals of color in the 1960s and '70s to today's new penology that contains and controls poor people of color by the millions, the widespread disenfranchisement of African Americans resulting from felony convictions, and the warehousing of immigrants of color."
prisoners as compliant, interpellated subjects of the nation-state through the manipulation of consciousness and subjectivity (a practice sometimes referred to as "rehabilitation").

I am not arguing that desire, consciousness, subjectivity, and "structures of feeling" are not transformed through the social relations of captivity, or that prisoners and their families and communities are not interpellated by the practices of incarceration. They are. (Many formerly incarcerated people I have talked with about their prison experiences have explained to me that "prison saved my life.") The intellectuals who have written most radically about the political potential of the effects of incarceration on consciousness are prisoners themselves; those that have been engaged directly in resisting the effects of incarceration; intellectuals whose subjectivities and consciousnesses have been forged, in part, through experiences of incarceration; writers such as Malcolm X, George Jackson, Assata Shakur, Mumia Abu-Jamal, and many others.\(^\text{36}\)

I am arguing, from outside of prison walls, (as many have argued from within and without) that repressive state

\(^{36}\)See Dylan Rodriguez, 2000, for an excellent in depth study of U.S. prison intellectuals.
practices of mass, race-based incarceration are implicated in the organization of racialized social relations of power and production, and that hence, analysis of the political economic effects of such practices is key to understanding that, while decentralized state practices implicated in the production of consciousness and the formation of subjects are important sites of political struggle, that state repression, too, is a crucial practice and site of politics; a set of practices that manifest the racially uneven relations of power that are the conditions of the production of state subjects, as well commodities. Critical attention to the centrality of race to the historical, world-wide relations of production disallows a reading of repressive state practices as "secondary" to the advance of capital in so-called "developed" nations.

Section 2: Accounting for the State

There are other reasons that the state as an object of analysis, in recent years, has taken a back-seat to all sorts of other social formations--many subnational and/or transnational. The escalating power of transnational corporations to organize social relationships and the international trade agreements (such as NAFTA) that serve that power is the most obvious reason that globalization has
become a favored site of analysis. The exciting emergence of the international anti-globalization movement has likely played a key role in inspiring this shift, as well. Even when scholars are arguing against a myopic focus on globalization (as I am) a great deal of intellectual work is expended on the subject. Contemporary cultural studies and other theory-centered radical and progressive academic trends rightly privilege “neoliberal globalization” as a powerful force to be reckoned with. Whether one is insisting on “querying globalization,” (Harvey, 1995) on “resisting reproducing the relations one is criticizing” by refusing to “deploy” the term, or by looking away from “globalization” at local modes of production that are neither entirely global nor entirely capitalist (like J. K. Gibson-Graham, among others), or one is fixated on the contemporary dynamics of “global flows” (of people, capital, social movements, traditions, media, culture, corporate influence, etc.) zipping across national boundaries (like Appadurai, 1996; Lowe & Lloyd, 1997; and others), “globalization” has largely displaced “the state” as a key site of study for theory-centric radical scholars” interested in capitalism and/or identity. While early 1990s claims that the state was “withering away” have been widely

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37 I include myself in this category.
and successfully refuted, the glamour of neoliberalism has left the state as an object of radical interrogation slightly withered, over to the side of the critical spotlight fixed on globalization.

However, radical critical scholarship that takes groups defined by their subjection to state repression as objects of study is forced to consider the impacts of direct state violence on the organization of social relations. Both the nascent sub-fields of prison studies and border studies necessitate a consideration of the social effects of state repression in a way that scholarship that takes theory as its object of study does not. Yet, the majority of scholarship focused on such groups is highly disciplinary and far from radical or critical, aimed primarily at reforming, "humanizing," and improving state practices of social control. The bulk of research concerning prisoners and undocumented immigrants is conducted by liberal criminologists, political scientists, psychologists, social workers, and yes, liberal economists. Reading such scholarship highlights, dramatically, the conservative uses that the analysis of such groups is and can potentially be used for, from more "effective rehabilitation" to the development of "non-lethal technologies." As radical prison studies scholar Julia Sudbury points out, although prison
managers count prisoners by many categories, from race and ethnicity to crime and security risk rankings, they don’t count the number of lesbians in prison. Sudbury is thus as strategic as possible in constructing her analysis of interviews with lesbian prisoners, taking care not to produce information that would make the control of lesbians by prison managers more effective. Hence, the considered use of radical critical theory is crucial for studying state repression in ways that are intentionally strategically useful for supporting radical opposition to repression.

Section 3: Contingency, Performativity, History

This section explains the way I use the terms “contingent,” “performative,” and “historical” in my analysis of the border/prison system, and much of what these complex terms imply.

Spivak: Contingency

Gayatri Spivak is one of the most complex and influential germinators of the project of mixing Marxism with theories of social production that foreground identity (for Spivak, specifically, feminism, deconstruction, and subaltern studies). In "Scattered Speculations on the Question of Value" (1988b), she offers a critique of
theoretical methods that is useful for understanding the border/prison system as a set of operations implicated in multiple, interconnected domains of socially organized circulation, including, but not limited to, the circulation of use-value and exchange-value organized by the social relations of capital. Importantly, Spivak explains the political implications of conflating the circulation of capital with the circulation of other cultural flows, such as desire, which are cross-currents, feeding one another, but not identically organized; in her terms, not analogous.

Spivak addresses trends in two kinds of social theory: psychoanalytic attempts to analogize flows of capital and flows of desire and national-scale political economic analyses that posit the notion of the "post-industrial" first world.

As always, Spivak stresses the importance of framing any questions about local domination in the context of global exploitation. She is interested in foregrounding the relationship between representations of the global dynamics of capital accumulation and local, specific, lived conditions of everyday life. Representing the dynamics of the border/prison system in isolation, according to Spivak, would likely serve to veil power relations rather than reveal them.
She introduces the dimensions of domain, discontinuity, and contingency into her discussion of the circulation of value. In her critique of the use of analogies between circuits of desire and circuits of value, Spivak begins by noting a distinction between idealist and materialist predications of the subjects of history. The former predicates consciousness (in the form of intention), the latter labor-power (in the form of superadequation). She then proceeds to explain the reasons that would-be materialists render their work idealist through ignoring the role of use-value in the transformative circulation of value which allows them to construct idealist analogies (which imply continuous, rather than interrupted, circuits of flow) where Spivak would have them posit materialist discontinuities. (Flow can only be conceptualized as continuous if the material bodies it flows through are left out of the equation, which is to say, exchange value is abstract and thus endlessly interchangeable, where use values are messy, realized in the complicated and contingent relations of human beings.) Without the realization of the use-value of labor-power, there is no exchange-value.

By ignoring the presence of use-value within commodities (including the commodity of labor-power) theorists reduce value to a representation, instead of
recognizing its dual character as a representation and a differential. That is, commodities embody the differential between use-value (the value of the variable practical uses of an object realized in its consumption) and exchange-value (the abstractly quantifiable amount of labor-power congealed in the object realized in its representation). Use-value, in all of its context-dependent variability, is not quantifiable according to the same universal standards of abstraction that exchange-value is and thus cannot be understood as a representation until the moment when the process of its use is recorded. It is only through the erasure of this differential, and thus by means of an exclusive (if inadvertent) focus on representation, that structuralists are able to make analogies between value and the Lacanian "Phallic Order" (a complex system of representing a "lack" that value, according to Spivak and Marx, does not actually lack.) Analogies of this kind support the view that economies and bodies are closed domains, similar to one another in that they bound and contain continuous flows, of value in one case, desire in the other. These flows are seen as continuous because they never exit their given domain, according to the idealist model. Via analogy, these domains are constructed as reflections of one another, but are not recognized as
interdependent or mutually constitutive (as spilling over into each other) in any material sense. That capital uses bodies, in ways that go beyond reflecting them and that bodies use capital (in very uneven ways) is erased.

Spivak suggests that domains are not impenetrably bounded. She argues that the moments in the circulation of value, \( \text{LABOR} \rightarrow \text{VALUE} \rightarrow \text{MONEY} \rightarrow \text{CAPITAL} \), are not simply contradictory, a notion that makes for a complex, but still closed system of circulation, but that they are also discontinuous. Because of the differential between use and exchange value at each moment, the flow of value is continually interrupted, broken, divided, and diverted into alternative circuits of discontinuous flow. It is through these interruptions that domains are linked in complicitous, interdependent, and supportive ways. Thus, each moment in the circulation of value is contingent upon the sets of linkages, the specific social and cultural contexts, within which it takes place.\(^{38}\)

\(^{38}\)The example she offers is the desire to work. Without this contingent linkage into the circuit of desire, capital may not be able to increase itself at the moment of labor. This desire is thus an unquantifiable use-value for capital as well as a quantifiable source of the production of exchange value.

Spivak points out that this recognition eliminates the need to view Marxism and feminism as antagonistic, since it sets the stage for linking the economic, the domestic, and the gendered body in ways that do not erase the specificity and discontinuousness of any of these domains while simultaneously recognizing their interdependence. Spivak takes particular issue with theories of the post-industrial state,
Butler: Performativity

Starting with Nietzsche's critique of substance, Butler (1993) makes the argument, in *Bodies That Matter*, that it is through the discursive solidification of categories of embodiment that power is concentrated. "Discourse," according to her formulation, is much more than words uttered by individuals. Meaning, the range of possibilities for categorization, is built up and congealed through time in very material ways, with a deeply limiting effect on the possibilities for bodily self-production, which Butler calls "materialization." Her notion of the reiterative, ongoing discursive materialization of bodies resembles Marx's work on the implications of the labor theory of value in that both theorists refocus their analytical gaze onto the dynamics of the perpetual process of history, or, more accurately, the relationship between time and materiality as central to understanding the role of power in processes of production.

Where Marx points out that the productive power of bodies—labor-power—is organized by the historically produced organization of commodity production that predates insisting that this concept erases the necessary industrial labor power of third world workers (in both first and third world nations) that supports the "post-industrial" labor of the international bourgeois class.
and thus molds the bodies that drive it, Butler makes a similar claim about the molding forces of the historically embedded, power-saturated, material/discursive social dynamics of the production of gender and sexuality.

Combining Foucault's insights that bodies are the effects of power, and thus the locus at which power is imposed, with a feminist politics of difference that recognizes the ways in which difference has been socially imbued with inequality but also the productive power of difference, Butler recommends a politics of the body that interrogates the historical conditions and contingencies of processes of embodiment and, with this knowledge, seeks collective strategies for a re-embodiment that reorganizes the social conditions of signification with the understanding that these strategies will be necessarily limited by the discursive/material conditions at hand.

Butler's concept of performance offers a metaphorical explanation of human action that allows an understanding of power as a relationship; a relationship that is cooperative, productive, and reproductive of social relations of domination. Where Althusser's theory of interpolation stops at the point of human conscious thought, casting subjectivity as an intellectual process and agency as a one-way relationship in which the state completely dominates the
individual, Butler's social analysis broadens the definition of subjectivity in ways that reconfigure Althusserian models of agency. First, she analyzes certain aspects of the practices that produce hierarchies of sex and gender, rather than economic class. The production of sex and gender is necessary to the operation of capitalism as we know it, but, a) sex and gender predate capitalism, and b) as Spivak explains, the domain of the production of sex and gender is not analogous to the domain of commodity production, both processes are discontinuous, and linked at the moments when they interrupt each other. Second, by casting the body itself as productive of social relations, Butler allows an understanding of embodiment itself as an effect of power, and as a social process, rather than an inert biological circumstance.

Robinson: History

Cedric J. Robinson (2000) opens Black Marxism with the statement, "Programs for revolutionary change demand the realization of a history," a claim that dovetails with Stewart Hall's assertion that collective projects recovering lost histories produce revolutions in the practices of representation, Joseph's and Wright's concerns that Marx failed to account for all of the labor that matters in the
social production of capitalism, and with my suspicion that analyzing the historical and cultural specificity of exploitation and other technologies of domination is an important part of accounting for the relationships between culture, identity, and capital.

The first half of Robinson's book consists of a rewriting of Marx's account of the historical emergence of the capitalist world system. A rigorous intellectual and social historian, Robinson accounts in detail for the developments in Marx's thought that occurred throughout his writing career, noting that, toward the end of it, Marx reevaluated his celebrated claim that slavery is a "remnant of feudalism" that capitalism was destined to destroy. The theoretical and political significance of Marx's claim that slavery is a "remnant" is that it suggests that slave labor is not "historical," and thus that the productive power of slaves is not a site with the power to transform the social relations of production. (Put another way, it has been interpreted to the effect that, "race doesn't matter.""") The political consequences of this claim have included the perceptual reduction of race to a subset of class in Marxian theoretical and political movements that has historically divided Black radicals from white, especially in the United States.
Demonstrating that race does matter, Robinson analyzes the development of the "international" or "world" capitalist system, radically expanding Marx's geographic scope of analysis, and insisting on accounting for (some of) the specific historical cultural formations that circumscribed, limited, shaped, and profoundly enabled the processes through which capital advanced historically. He writes:

... It would be an error to ... assign slave labor to some "pre-capitalist" stage of history. For more than 300 years, slave labor persisted beyond the beginnings of modern capitalism, complimenting wage labor, peonage, serfdom, and other methods of labor coercion. Ultimately this meant that the interpretation of history in terms of the dialectic of capitalist class struggles would prove inadequate, a mistake ordained by the preoccupation of Marxism with the industrial and manufacturing centers of capitalism; a mistake founded on the presumptions that Europe itself had produced, that the motive and material forces that generated the capitalist system were to be wholly located in what was a fictive historical entity. From its very foundations, capitalism had never been--any more than Europe--a 'closed system.' (Robinson, 2000, p. 4)

This suggests that wage-labor is an historically culturally marked technology (European, white, male), existing, historically, side by side with other technologies of "labor coercion." It also suggests that Marx's claim that exploitation was destined to become the universal technology of social production (a) was a result of his own performances being circumscribed by the "universalist" ("unplaced," Western) discourses in which it was embedded
(and which he participated significantly in creating), and
(b) that the effect of such universalist Western (monologic)
cultural discourses (ironically) was to limit understandings
of the performativity of culture in the social production of
capitalism (even Western culture, since it was understood as
the non-cultural universal).

Asserting that "the tendency of European civilization
was . . . not to homogenize but to differentiate,"
(Robinson, 2000, p. 26), Robinson locates the cultural roots
of the discourse of race in feudal Europe, and traces the
development of this discourse as it became central to the
(non-teleological) development of capitalism. He writes:

The creation of the Negro was obviously at the cost of
immense expenditures of psychic and intellectual
energies in the West. The exercise was obligatory. It
was an effort commensurate with the importance Black
labor-power possessed for the world economy sculpted
and dominated by the ruling and mercantile classes of
Western Europe. (Robinson, 2000, p. 4)

In addition, he argues that Black revolutionary
consciousness is the historical product of the smashing
together of West African cultures and coercive regimes of
capitalist production in the Americas and Caribbean--
slavery. This is of particular concern to Robinson whose
central object of analysis is "the revolutionary subject of
history." He writes,
Marx's and Engels's theory of revolution was insufficient in scope: the European proletariat and its social allies did not constitute the revolutionary subject of history, nor was working class consciousness necessarily the negation of bourgeois culture. Out of what was in reality a rather more complex capitalist world system (and one to which Marx in his last decade paid closer attention), other revolutionary forces emerged as well. (Robinson, 2000, p. 4) {Italics mine.}

Robinson's work offers a model for enacting radical political analyses of relationships between culture, identity, and capital. His findings cannot be analogized with other axes of identity, such as particular formations of gender or sexuality, because it is an entirely historical account of the place that African slave labor and revolutionary subjectivity occupy in the development of U.S. and world capitalism. Yet it demonstrates the theoretical importance of accounting for such histories. At the same time, it critically deploys what Robinson calls "the precious insights of Marxism"; the Marxist terms of analysis and objects of study—including the materialist, radical predication of labor-power as the revolutionary subject of history.

Section 4: Valorization, Production, Alienation

I am concerned, in this section, to situate this dissertation in conversation with contemporary analyses of culture and capital, specifically projects analyzing power
and identity using Marxist categories in ways that specify, expand, and/or historicize these terms. I am interested in the work of contemporary scholars attempting to combine insights of post-structuralism that "account for the complexity of cultural processes" (Joseph, 2002) with insights of Marxism that account for the organizing force of the social relations of production for political and cultural social formations; specifically, Wright, Joseph, and Woods. These theorists are generally concerned to foreground relations of race, gender, sex, nationality, sexuality, and subalterity in analyses of the reproduction of capital. They see the uneven power relations of class as deeply implicated in the organization of identities of difference other than class, but resist always already reducing such identities to subsets of class.

Methodologically, each theorist considers key terms of Marxian analysis in contexts outside of wage-labor and reckons with the insights and limitations these terms offer.

My approach to reading the texts that are significant parts of the theoretical "conversation" I wish to participate in is grounded in my readings of Marx, Gramsci, Althusser, Spivak, Hall, Butler, and Robinson. Each of these scholars offer important theoretical insights, orientations, methods and approaches discussed above.
The next two chapters of this dissertation incorporate Joseph’s, Wright’s, and Wood’s insights on production, valorization, alienation, and work into my analysis of the border/prison system, applying these renewed terms to questions about the work that the border/prison system does to reproduce the relations of domination and subordination and also constrain and enable the transformation of those relations.

**Wright: Valorization**

In “The Dialectics of Still Life: Murder, Women, and Maquiladoras,” Melissa Wright (1999) explores relationships between exploitative and violent practices used to subordinate Mexican women. She argues that storytelling practices describing Mexican women who work in maquiladoras and explaining the deaths of Mexican girls who are murdered in vast numbers in Ciudad Juarez negotiate the value of these women; the value of their labor-power as well as their value as bearers of Mexican cultural identity. Her analytical approach emphasizes the cultural, representational practices through which, she demonstrates, exchange-value is negotiated. She writes:

Marx begins his analysis of capital with the commodity precisely to demonstrate that the things of capital cannot be understood without seeing their intimate
relationship to the people who make them. He, too, was extremely concerned with subjectivity even though he overdetermined the parameters for considering what sorts of subjects mattered in his analysis. . . .

Critical for Marx is an exploration of how value materializes as it does in capital, as we continually make abstract connections linking human energies with inanimate objects. Marx made this point clearly, but he failed to recognize how the many forms of labor abstraction that are categorized variably as degrees of skill complicate the relationship, linking the value perceived in laborers to the value perceived to be embodied in the commodities they make. (Wright, 1999, p. 461) {Italics mine.}

Wright finds that the exchange-value assigned to labor-power varies according to markers of cultural difference; in the maquiladoras she analyzes, “. . . training programs, combined with an emphasis on inculcating loyalty among workers, have created a two-tiered system within maquila firms for distinguishing between the ‘untrainable’ and ‘trainable’ workers. Gender is a critical marker for distinguishing between these worker brands” (Wright, 1999, p. 455). Women, pre-defined (or branded) as “untrainable,” are never trained, never promoted, and as a result, have a very high rate of turnover in maquiladoras. This turnover serves the interests of the manufacturers, who rely on high turnover rates in order to practice just-in-time production, which requires the ability to hire and fire workers, depending on the fluctuations of demand. Thus, stories about Mexican women’s “untrainability,” grounded in gendered
cultural stereotypes, pre-define these women as short-term disposable labor, and make profitable use of the disposability that not training them creates. This representational practice and the training it precludes facilitates the flow of value through the production process, removing the obstacle that cycles of overproduction present.

Wright links these tactical representational practices to factory managers' refusals to alter the work conditions that facilitate the serial murder of hundreds of young female maquila workers—especially night shifts assigned to young women who must travel long distances alone to their jobs. Taking their cues from police investigators who blame the murders on declining cultural values among girls, maquila managers displace accountability onto the girls who "shouldn't be out alone at night."

Wright's object of analysis is the racist, sexist language she seeks to link with two kinds of routine abuse of women in Ciudad Juarez: exploitation and murder. As she emphasizes, it is not insignificant that the routine torture and murder of girls and women is validated through the same discourses that set the terms for the negotiation of the exchange-value of their labor. She doesn't explore the historical production of this discourse (which would be a
separate project), but she reveals that the discourse produces the same meaning in two contexts; it identifies Mexican women as the cause of their own abuse. This discovery provides an opening for analyzing discursive genealogies of gender and culture that link the domain of commodity production to the domain of state repression.

Wright's analysis can be elaborated, using Spivak's speculations on the differential between use and exchange value, in ways that make it even more useful for analyzing the relationship between state repression and exploitation. Using Benjamin's notion of a dialectical image "whose apparent stillness obscures the tensions that actually hold it in suspension" (Wright, 1999, p. 454), she pursues a reading of representations of Mexican women's exchange-value as dialectical images that "still" women by representing them as frozen between their representation as the embodiment of value and the embodiment of value's opposite, "waste."

The claim that women are represented as "the embodiment of waste," rather than casting representations of their "wasted bodies" as culturally mediated abstract records of the realization of their use-value in consumption (as Spivak directs), leads Wright to construct her analysis using terms such as: "at some point, the accumulation of waste within
her will offset the value of her labor . . .” (Wright, 1999, p. 456); and “... the materialization of turnover is a culturally driven and waste-ridden phenomenon . . . .” (Wright, 1999, p. 456); and “... the worker is overcome with waste . . . .” (p. 460). She provides plenty of evidence that maquila managers view women’s bodies in ways that construct their labor-power as perishable and diminishing against images of men’s labor-power as reliable and augmentable, and women as categorically untrainable, and thus, usefully expendable; but her interpretation of these remarks as “negotiating the exchange-value of women by representing them as waste”—of constructing women as producing and being “overcome by” and/or “producing” “waste” is a reading that stretches to impose Benjamin instead of starting with a commitment to what the speakers words intend; a stretch that erases the participation (or “agency”) of the women in producing themselves as racialized gendered disposable labor, and in so doing, producing the large-scale social relations of race, class, and gender. Far from “blaming” women for their own oppression, this move situates the power to produce social change within the labor-power of the women.

That maquilas are clearly “wasting” Mexican women’s potential for having continuous careers in skilled
manufacturing", and that they are using this wasting process to their own advantage while blaming it on "the culture" is clear. But it is also important to note that the realization of use-value is a cooperative performance, and that the realization of exchange-value is the abstract record of that performance that allows it to be measured, and thus exploited. The work of the women is key to the process. Without this acknowledgment, the productive powers of these women are erased. This is problematic since one cannot have labor-power without laborers or murders without bodies.

Joseph: Production

In "The Performance of Production and Consumption", Miranda Joseph develops a "general theory of social formations" (Joseph, 2002, p. 30), specifically, "contemporary identity-based communities" (Joseph, 2002, p. 30), through a Butlerian reading of Marx that effectively sets the groundwork for her critique of theories that (implicitly) cast Butlerian performativity as incompatible with Marxian readings of commodity production, and

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39 Which would be a different way of wasting them...  
46 The version of this essay that I am discussing appears as the second chapter of her book (Joseph, 2002).
explicitly "... locate freedom and liberation (from production) in an exterior space, a representational excess frequently named performance" (Joseph, 2002, p. 30). Joseph argues that there is no liberation from production, and that anyway, it is through the performance of production that social change (including liberation) is manifested. This work provides an argument for the importance (for scholars interested in social change, liberation struggles) of analyzing relationships between identity formations and capital, which I will extend to link state repression, specifically as it is inseparable from the lived power relations of identity, to capital.

Joseph’s post-structuralist reading of Marx offers a convincing argument that the economic activities of commodity production, exchange, and consumption are all discursive, socially constructed practices, and as such, limited and enabled by historically produced social discourses and norms. This is the basis of her argument that all social performances (for example, performances that produce commodities as well as performances that produce identities) are productive, by which she means, both, that performances create all sorts of things in addition to commodities (such as styles, the gay community, and babies) and, that these productions are implicated in the realm of
the production of surplus value. All kinds of products can be (and are) commodified: "the gay community" is a niche market; Mexican women in Ciudad, Juarez are a labor market; childhood and love are accumulation strategies, etc.

Her focused emphasis on the discursivity of production and of products is specifically constructed against understandings of Marx as economically deterministic and also against understandings (grounded in misreadings of Butler) of identity and community as "authentic," "unconstructed," "transhistorical" or "liberatory," and as such, existing outside the realm of the relations of production, and thus offering both respite from capitalism as well as resources for effective opposition to it.

In constructing the theoretical basis for her narration of the mutually constitutive relationship between identity and capital, Joseph likens Marx's conceptualization of commodity production to Butler's conceptualization of the performance of sex and gender. She does this by closely reading Marx's arguments about the relationship between production and social relations and his analysis of the multivalence of the commodity. Her reading draws out the complexity of his arguments, especially his emphasis on the ongoing social production of society, and the ways that the organization of this overall productive process represents
the social relations it produces as fair and equal, even while the relations of production produce vast social inequalities.

Joseph's focus on the processes through which a variety of identities are organized through capital emphasizes Butler's claims that identities are produced in performance, a useful formulation, but one that does not account for the distinct histories of domination that produce specific identities. Lumping all identities together because they are all enabled by and enabling of capital without accounting for the different ways (in addition to the collective ways) that distinct identity formations are circumscribed replaces Marx's radical predication of labor-power as the subject of history with Butler's politically ambivalent predication of "the audience" as the subject of history.

The following reading of Joseph attempts to open her narration of the performativity of production in ways that allow it to account for the organization of state repression, which her post-structuralist reading of Marx encourages me to understand as a "productive performance."

Citing Butler's works, Bodies That Matter, "Performative Acts," and Human Condition, Joseph offers a precise explanation of Butler's argument that "gender and
bodily sex itself are performative constructions” (Joseph, 2002, p. 33). Joseph emphasizes that performances “constitute meanings through actions,” but also that the meanings constituted “can only be constructed by others,” and, significantly, that the enactment of gender roles and of the sexed body is punitively circumscribed. We also learn that the meanings produced are not pre-existing, that performances necessarily use the materials of pre-existing meanings to realize meaning, but that the meaning itself is constituted in practice.

Joseph’s account of Butler’s description of the performance of sex and gender is very close in bodily dynamics to Marx’s description of commodity production; the use-value of labor-power is realized in the performance of laboring i.e. “constituted through actions” (that are interactions with pre-existing materials) and exchange-value is the story of that performance, i.e. the abstract record of that action, “constructed” and so controlled by others; the “audience.”

A glaring difference between Butler and Marx is that Butler does not explicate how this set of interactions is socially and historically organized (at the scale of the historical social) to the same degree that Marx does; that is, she doesn’t identify the audience. She explains the
immediate productive power relations between the performer and the audience (the performer makes meanings that the audience controls), but she doesn’t map the larger social relations that structure that relationship (so, we don’t know who benefits and who suffers from the way in which meanings are controlled). Put another way, Butler does not elaborate a theory of the conditions of gender/sex production, where Marx’s formulation of the historical emergence of the large-scale social conditions of commodity production is key to his analysis of uneven social power relations as the effects of the historical organization of the relations of production. For Marx, the specific performance of commodity production, in the capitalist era, is the history of social production; more specifically, the social production of wage labor is the social production that matters (to Marx). The political importance of this formulation is that it posits the productive powers of the working class as the thing that produces (not controls) the organization of power in capitalist society, and so, it is also the thing that has the power to transform those power relations (within the shifting perimeters of external control).

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4 Marx’s project of analyzing the historical social conditions of commodity production, in Europe (especially England and France), is
Joseph’s project offers a way to account for the power of other oppressed groups (that Marx mostly ignores, or openly discounts) to transform social power relations, also. By insisting that “performance” in the Butlerian sense is “productive” in the Marxian sense, she is opening the space needed to account for the world-historical existence of more than just the wage-laborer.

By looking at national, sexual, gender, and race identities in the context of commodity production, both Joseph and Wright are usefully situating Butler’s performative body within the conditions of social production, as Marx figures them. Joseph discusses feminist arguments that women’s unpaid domestic labor is necessary to the larger social relations of capital accumulation; in Joseph’s terms, the performance of their labor is productive. Based on these insights, she argues for expanding the definition of exploitation to include all forms of work, all performances, instead of only wage-labor.

I would argue, instead, that figuring women’s (and other) labor as productive (labor other than free wage labor) does not require the loss of the historical

vastly more circumscribed than the project of analyzing the historical social conditions of the production of sex and gender, and it took Marx a lifetime of concentration to do it. My point being, I am not suggesting that Butler should or could take on such a project.
specificity of the term "exploitation," that, as Joseph notes for different reasons, connotes a particular organization of labor (free wage labor, to be exact).

Insisting that women’s unpaid work is productive does not require the added insistence that it is exploited to link it to the relations of commodity production. It insists, instead, that it is not "merely reproductive," that it is, rather, "performative" in the Butlerian sense that it "does not reenact preexisting meanings but instead constitutes meanings through action". In Marxian terms, this makes women’s work "historical" by figuring women’s labor power a subject of history. Joseph has already accounted for the ways that women’s identities are multiply implicated in capital accumulation, and thus, for the ways that the performance of gender (implicit in the production, exchange, and consumption of commodities) contributes to the social production of economic class. The important question to ask next, I think, is how is the performance of gender organized to produce the social hierarchy of gender (as well as class)? What are those specific histories? What is specific and historical about the ways in which gender production is organized? (Since it is organized differently by culture, class, race, and sexuality, etc.) And how do those specific organizations position gender production as a
sight of gender transformation, and so class (race and sex) transformation?

Joseph supports the idea that all performances that expand capital are exploitative by arguing that commodity consumption is exploitative. She writes:

In consumption, exploitation occurs insofar as by freely choosing, the consumer who is free of, short of, the means to meet her needs without choosing a commodity contributes to the accumulation of capital - and thus to the power of the owners of the means of production - and enacts the cultural and social formations in which her choices are embedded but which she does not control. The consumers free choice is constrained and productive of further constraints. (Joseph, 2002, pp. 43-44)

This highlights Marx’s point that, under advanced capitalism, “needs” have been so socially engineered through the advancement of capital, in the form of commodities, into every aspect of social life (the need, for example, for a car) that no consumer could possibly produce everything that they require. In flat material terms, we are free to buy, but are not free not to buy, which Joseph is likening to worker’s freedom to sell their labor power and their lack of freedom not to sell it (both practices cede control, both appear uncoerced). This situation forces us to buy commodities to survive, and thus “contribute to the accumulation of capital.” In addition, our choices are embedded in “cultural and social formations” that we do not
control, so we are also forced to contribute to the production of the unequal social relations of identity.

The problem with the argument that commodity consumption is exploitative is that, in line with Butler, it does not account for the specificity (and historicity) of the conditions of commodity consumption; it does not account for the class position of the consumer, and it can't account for it, because people who occupy every identity category have to buy commodities; white people and people of color, women and men, working class laborers and the very wealthy. And, although no individual consumer controls either the historical "stage" of capitalist development into which they are born, or the cultural and social formations in which our commodity choices are embedded, the consumption of commodities practiced by all continues to divide the planet into richer and richer and poorer and poorer. Exploited people produce their own individual and class impoverishment (which makes their labor-power the subject of the history of capitalist class relations), where shoppers--though they, too, are producing the social relations of economic class--might be producing themselves as rich or poor (among other things) depending on their social position in relation to the social relations of commodity production. The technology of exploitation, in contrast, specifically
divides the interest of the worker from the general interest.

The point (both Marxian and Butlerian) that power is a relationship, does not account for the different ways in which such relationships are organized historically. History is reconfigured in each performance, and performances under the social conditions of capitalism produce and reconfigure capital, but the performative historical transfiguration of capital does not erase all other histories; the assumption that it does led Marx to the incorrect hypothesis that the escalating development of world capitalism would erase all identity distinctions. As Joseph notes, this is obviously not the case.

Nothing in this critique contradicts Joseph's reading of commodity production as socially determined. However, that discourse is implicated in the organization of power relations does not make all power relations identically organized. Marx emphasizes that the social relations of commodity production produce two social classes by bifurcating productive power (into a division of labor) and assigning different roles to different classes. The purchasers of labor power control the means of production (in no small measure through a monopoly on the power to
Joseph's formulation of performance as productive is key to reading the mutually supportive performances of commodity production and state repression. It allows repressive practices to be understood as contradictory power relationships, and thus a site of resistance and opposition. The person with their head between the baton and the pavement does not receive money in exchange for ceding control over the productive capacities of their body that are realized in this interaction, yet those productive capacities are consumed in ways that both produce identity and produce the overall social relations of identity.

What Joseph is arguing is that both Marx and Butler make it clear that the production of human life is profoundly social and historical. Class and gender identities, and even bodies are not preformed in some "natural" realm outside of human relations. Both theorists are concerned with different hierarchies of power, class and gender, and Joseph makes the crucial argument that these hierarchies, and others, are interdependent because they are embedded in the relations of capital accumulation.
Woods: Alienation

In Development Arrested, Clyde Woods (1998) uses a methodological and theoretical approach that is along the same lines as Robinson’s to look very closely at labor, race, and revolutionary Black consciousness manifested in struggles for and against practices of economic development that took place in the rural Mississippi Delta from the last decades of slavery through the mid 20th century.

He argues, against orthodox Marxist accounts that insist (based on the “Feudal remnant” formulation) that the U.S. slavery-driven plantation economy was not capitalism, and was thus “destined” to wither. Woods demonstrates instead, that the southern agricultural economy, fueled by the labor power of African slaves, produced the social relations of capital, drove the westward expansion of U.S. capitalism, and in fact, did not “wither”—the southern planter bloc has continued to be and is, today, one of the most powerful political and economic classes in the U.S.

Most significant to the theoretical questions raised above, Woods takes a close look at both the cultural and technological aspects of slave-labor. Slaves weren’t, obviously, “free” laborers (a category of labor-power, the above analysis suggests, that is historically developed in a specific geographical place, under culturally particular
conditions, that has the historical racial specificity of unmarked whiteness, and significantly "appears voluntary") but their labor-power produced capital. Woods writes:

There is a strong tendency within the historiography of Southern slavery which views the plantation regime as a decaying and dying system by the mid-nineteenth century. This theory rests upon several pillars. Planters are viewed as semi-feudal overlords who governed a non-capitalist complex. Extending the argument further, since capitalism was penetrating all regions of the world, it was just a matter of time before the anachronism of slavery and its fake aristocracy would be overthrown by capitalism, that is, Northern industrial, manufacturing, trade and political forms.

The modernization theory is more prescriptive than descriptive . . . since free labor is considered to be a prerequisite for capitalism, it is argued that enslaved laborers could not be part of the working class. This theory ignores the fact that enslaved Africans had been "freed" or alienated from their land, tools, communal rights, hereditary privileges, and subsidies of nature. They were subsistence wage laborers and the largest section of the U.S. working class. The mere fact that major rural Southern planters did not talk or dress like urban Northern manufacturers does not change the fact that both were capitalists. Neither does it change the reality that capitalism in every period, including the present, can exist and thrive based on slavery and other forms of unfree labor. (Woods, 1998, p. 46) {Italics mine.}

{I would add, here that it can and does also thrive on other forms of "productivity" [Joseph] and "work" [Gilmore].}

It is especially interesting to me, in this passage, that Wood's description of what the slaves were alienated or
"freed" from included not only land and tools, "but communal rights, hereditary privileges, and subsidies of nature."

This describes an alienation from the material conditions of community--an effort to rob workers not only of land and tools, but of the social resources of belonging, of living in one's own cultural environment--that is reiterated in the contemporary conditions of incarceration, and in a different way, the conditions of Mexican migrant labor in the U.S. And incarcerated "criminal aliens" are yet doubly "freed" of anything left to lose. I take up the subject of this "feedom"/alienation in Chapter 5, asking the question, what work does this form of alienation do to establish the conditions of communal belonging that are necessary to social reproduction?

Woods' larger argument in Development Arrested is that competing visions of development are important, historically contested sites of struggle. In Chapter 5, I look at a campaign to stop the construction of a new prison as a collaborative practice of imagining more just forms of development. The work of abolition in this context involves imagining and representing visions of development that are alternatives to new prison construction, and also, developing relationships, across identity categories, in the attempt to realize new modes of development in alliance with
all kinds of people, whose identities are organized around different kinds of work, who are thus differently affected by the border/prison system.

Launching Point: Considerations Regarding the History and Technology of State Repression

In accounting for the insights of all the theories above, one (of the many) things that seems significant to analyzing the border/prison system is the fact that state repression has commonly been a racially-targeted practice in the U.S. (and is thus a technology of racial categorization). For example: slavery in the United States was a race-based technology (as wage labor was, invisibly, as well) organized through severe practices of coercion. In the case of slavery, the practice was regulated by the state insofar as the state declared it legal or not, but the coercive practices were culturally organized, performed by the capitalist planters who “owned” the slaves.

In order to predicate human beings as the subjects of history², it is necessary to look at the historical

²Roseberry (1989) points out that, in the self-conscious attempt to avoid reproducing the political implications and theoretical shortcomings of voluntarism and humanism (i.e. imagining individuals as the choosers or producers of their own histories and conditions of existence and thus obfuscating the real power relations inherent to the social production of people and classes as effects), structural Marxists (like Althusser) completely erase human beings and classes as the active
development of capitalism in a way that does not pre-figure identity groups and people as always-already fully pre-absorbed by the relations of capital. It is necessary to recognize that history exerts pressure on capital in the present in ways that circumscribe and enable its advance, and its transformation. Joseph's reading of the performance of production can be extended to suggest that we perform the conditions of production. We may be overdetermined by capital, history, discourse; but as Butler argues, we are not pre-determined. History continues. We perform it in the present, collectively performing/producing the conditions of production, products, and society. Larger scales of social organization involve the organized control...
of larger numbers of productive people, not abstract "structures" with agency of their own.

Combining the recognition that we perform the conditions of production with the realizations that (a) capitalism as we perform it is racial capitalism, (b) U.S. practices of state repression produce racial hierarchy, (c) state repression may have receded as a primary control experience of white, first world free-laborers⁴, but it has never receded for working people of color⁴, suggests that the organized practice of state repression may be an ongoing requirement for continuously performing the discursive historical white-supremacist conditions of capital.

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⁴ And this is certainly not always true!!!!
⁴⁺ Both U.S. citizens of color and people of color who are the targets of U.S. foreign and immigration policy
CHAPTER 4

PARASITIC WORKERS, CRIMINAL ALIENS, IMMIGRATION REFORM:
REPRODUCING THE CONDITIONS OF RACIAL CAPITALISM

Chapter Overview

In the previous chapter, I argue, based on my description of the border/prison system, that repressive state practices are implicated in the production, exchange and consumption of commodities, and in the production of the identity hierarchies that the capitalist mode of production requires. So, what can be made of the "natural laws of production" that Marx identifies? How is state coercion implicated in the voluntary, uncoerced relations of production? In this chapter, I argue that repressive state practices and repressive state narratives are implicated in the social reproduction of the conditions of racial capitalism.

The border/prison system is imposed from above in acts of state repression, but it is also reproduced from below, in identity performances that produce the critical mass of people who will consent to, and even demand the use of state force as a means of social control. This chapter looks at the conditions required to encourage people to perform subjectivities supportive of the border/prison system, and
argues that border prison practices play a controlling role in producing those conditions.

**Terms of Analysis**

Gilmore's consideration of state terror in "Terror Austerity, Race Gender Excess Theater" (1993) combines a Butlerian analysis of performativity with a Marxian analysis of the state, subjectivity, and identity directly with an analysis of state repression. In so doing, she expands the cultural studies project I map in Chapter 3. Her work interprets and combines paradigmatic cultural studies insights about subject formation and the state, linking both directly (not secondarily) with the apparatus of state terror. Her Butlerian conception of subject formation broadens definitions of work and identity to offer a classically Marxian politics that locates agency in the co-operative realization of labor power.

My definitions of repressive state narrative and practice provide the foundation for my analysis of border/prison narratives (local repressive state narratives) in this chapter. My understanding of how these practices and narratives work together is grounded in my analysis and extrapolated from my understanding of Gilmore who writes:
The "static reproduction of class relations" is a complicated enterprise. It is hardly accomplished simply from the top down, even with the might of the state's coercive apparatus. A significant proportion of the people whose relations are reproduced must concretely consent to the arrangement, however displaced their understanding. In the U.S., where real and imagined social relations are expressed most rigidly in race/gender hierarchies, the "reproduction" is in fact a production, and its by-products, fear and fury, are in service of a "changing same": the apartheid local of American nationalism. (1993, p. 25)

She goes on to explain that "... hierarchical divides of who performs what work define cultural tendencies of gender, race, sexuality, authority" (Gilmore, 1993, p. 28).

Gilmore's comments provide a map for the theories of social relations I grapple with in the first section of this chapter: the reproduction of complex (not simply binary) social relations of domination and subordination; the bottom-up effects of state coercion on the directly and indirectly coerced; how to understand the difference between "real and imagined social relations" and the work that interpretive representations (and representational displacements) of those relations accomplish.

The second part of this chapter applies these concepts to three narratives of immigration, that, I argue, interpret prison/border practices: the border/prison narrative of economic parasitism, the border/prison narrative of the criminal alien, and the border/prison narrative of
immigration reform. What work do these narratives, in dialogue with one another, do?

Introduction

Foucault (1977) argues that the modern state is characterized by the development of "Biopower"--the state's ability to intervene in, control, and support life--which entails ongoing processes of racial categorization as the basis for identifying internal enemies and rendering them disposable (Stoler, 2000). No population in Arizona is more consistently framed as a threat to the state than undocumented Mexican national immigrants. The state practices and resources that go into "controlling their life processes" include: categorization, surveillance, incarceration and social cleansing. Such practices constitute the border/prison system: from the criminalization of immigration and the costs of low-intensity warfare on the border, to the apparatus of deportations and the costs of warehousing the fastest

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45 According to Stoler, Foucault makes the claim that all state forms must produce and hunt internal enemies; capitalist, socialist, communist, and fascist states, alike.

46 The representation of "terrorists" as the largest threat to the state is gaining tremendous momentum, especially in federal governmental narrative, but "illegals" are a much more immediate concern to Arizona residents (perhaps because the labor of migration far outstrips the labor of terrorism in the state).
growing prisoner population in the nation. Border/prison practices identify and control "internal enemies" in ways that enable capital accumulation at multiple scales: at the scale of the nation, by resolving overproduction crises (Gilmore, 1997/1998); at the scale of industries, by expanding the scope of profit generating opportunities (Davis, 2000); and at the scale of the body by controlling the value and supply of Mexican migrant labor (Brownell, 2001), and by delivering bodies for cages. The border/prison system is thus one regionally specific manifestation of repressive processes of state formation that link the intensified production of racialized internal enemies with the crisis management strategies and expansion of contemporary transnational capitalism.

This linkage is realized in interdependent performances of cooperative labor: first and foremost the work of migration as well as treacherous performances of direct repression and powerful acts of survival (without which none of these processes could exist). Such performances are both circumscribed and enabled by narratives that figure group identities in ways that render them recognizable and thus controllable via repressive state practices (among others).

Narratives or "interpretive recordings" of these labors negotiate the multiple meanings of mass migration that
circulate socially. Tangled and competing narratives of migration produce meanings that circulate across various domains of identity production, from organized technologies of kinship that produce white U.S. masculinity as the embodiment of threatened economic entitlement (Ono & Sloop, 2002) to the cultural politics of exploitation necessary to the production of commodities that realizes and controls the value of migrant labor-power as cheap, low-skilled, and disposable (Wright, 1999).

Reproducing the Conditions of Production:

How Do We Make the "Changing Same"?

Structures or Practices?

To analyze the social production of the "criminal alien" it is necessary to consider discursive activity in relation to the Marxian term "conditions of production." Where structuralists have been critiqued for analyzing the conditions of production as static "structures," ostensibly removing human activity from the processes of history (Butler, 1990; Derrida, 1976; Giddens, 1984, 1990; Roseberry, 1989) post-structuralist theories of identity formation have meaningfully replaced the abstract notion of "structure" with lived human relationships in the analysis of power, culture, and society (most eminently, Butler).
Sometimes post-structuralist analysis erases understandings of the tremendous organizing force of the large-scale conditions of power relations, notably, the social relations of commodity production (Harvey, 1989; Joseph, 2002; Spivak, 1988).

Marx himself bridges this dichotomy, analyzing both the conditions of social production as well as the lived social relationships that materialize these conditions (Roseberry, 1989). He explains that, as exploited workers labor throughout a capitalist society, their collective work produces the conditions of capitalist production. Thus, the conditions of production, the "large scale structures" of power that organize human activity and distribute power in a given social formation, are realized in human activity; the orchestrated activities of an entire class of humans, working under the same socially organized conditions of production to produce those very conditions anew.

But Marx's scope of analysis was limited, both by his own privileging of the labor-power of the European working class as the sole subject of history (DuBois, 1915; Lowe & Lloyd, 1997; Robinson, 1983; Woods, 1998), and by his necessary containment within his own life-span. Wage laborers in Europe do not only produce their own class domination, they also work in other domains to produce
divisions of labor that disempower other groups of people; people who's disempowerment is also necessary to the social reproduction of capitalism, such as European women, workers in the colonies, and slaves.

Reproduction

In analyzing the work of contemporary scholars, discussed in Chapter 3, who take on the challenges of mapping tangled webs of power and identity, scholars who are "going beyond Marx, with Marx," the previous chapter established that, (a) the social production of heterogeneous and uneven identity formations, including and in addition to class identity, is a reiterative performance necessary to regimes of capital accumulation (Joseph, 2002); (b) such heterogeneous social formations are also necessary to other historically organized regimes of social hierarchy which are also implicated in capital (Wright, 1999); and (c) analyzing its historical development demonstrates that world historical capitalism is a white supremacist mode of production (Gilmore, 1993; Robinson, 1983; Woods, 1998;). Utilizing the concept of the reiterative performance of identity in the context of racial capitalism, then, requires a working analysis of the conditions of racial capitalism.
In Capital, Volume I, Marx (1977) defines commodity production as "productive." He also defines "labor engaged on articles essential to (the) reproduction" of the worker (as labor-power) as 'reproductive' (Marx, 1977, p. 1046). This terminology does not reflect the broadest social dynamics of contemporary capitalism which, as Robinson argues, depend on the social production of racial hierarchies, and, as Joseph emphasizes, are increasingly implicated in every form of productive human activity, from the development of personal relationships to the organization of social justice movements. But significantly, Marx defines 'reproduction' as the production of divisions of labor—the production of the worker as wage-labor and the capitalist as the purchaser of labor-power—and also argues that this reproduction is the necessary condition of the capitalist mode of production. The reproductive process thus produces identities; identities defined by and productive of the work that people do; identities that are defined by and enact divisions of labor to reproduce social relationships of domination and

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47 He also defines "labor concerned purely with luxuries" (p. 1046)—items unnecessary for the reproduction of labor-power—as 'unproductive' . . . a formulation that is unproductive for my purposes here.
subordination; and the reproduction of these identity-and-work-based social power relations is the necessary condition—set of practices—that allows the social relations of capital to persist. Marx writes:

The capitalist process of production, therefore, seen as a total, connected process, i.e. a process of reproduction, produces not only commodities, not only surplus value, but it also produces and reproduces the capital-relation itself; on the one hand the capitalist, on the other the wage laborer (Marx, 1977, p. 724).

So, reproduction (in the Marxian sense) means the continued production of an overall social regime of power and control (manifested as a division of labor) across lifetimes and generations. Such regimes control what work is done by whom, and through these mechanisms of control, compel the work of social reproduction. The specific workings of the regime are historically dynamic (since, as Hall reads Marx, capitalism "advances on the terrain of contradiction" (Hall, 97;14)) but the large-scale division of the society into a dominant class of people who benefit at the expense of a subordinate class of people is reproduced. This process

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48 For Marx, this continues until the internal contradictions of capitalism produce revolution, sometime in the future . . . an assumption that this analysis rejects. Roseberry notes that there are many places in Marx where he explains that the collective oppositional actions of the working class push the resolution of internal contradictions in one way or another, suggesting that he did not see anti-capitalist revolution as pre-determined, but rather something that human action shapes in one way or another.
necessarily involves the reproduction of socially constructed identities with socially produced work assignments.

Marx's term "reproduction" hones in on the mechanism that enables persistence in time of class identities and of large-scale social relations of domination and subordination. As Butler emphasizes, the reproduction of identity is never total, it is, rather, reiteration. The reiterative performance of identity is always shifting identity in radically historically circumscribed ways. Combined with Robinson's and Joseph's insights regarding identity and capital, it is clear that the work of performing all identities is key to the reproduction of the "the conditions of production" historically understood.


Real and Imagined Social Relations

Narrative theorists across disciplines define and analyze narrative very differently⁴⁵, and the field of cultural studies is a site of debate over how and why the

⁴⁵ For an excellent overview of different disciplinary approaches to narrative analysis, see Schram and Neisser (1997, pp. 1-16).
analysis of narrative should be approached. This analysis takes the view that narratives are interpretations of lived histories of power relations and that these interpretations are the necessary conditions that organize performances of identity. Performances of identity thus reiterate the power relations that narratives interpret. Such performances are the bottom-up enactment of power that is organized (in part) in top-down practices of coercive control (also realized in identity performances)--when organized by the state, such practices can be defined as repressive state practices.

Hence, the distinction between repressive state practices and performances of identity is the distinction between kinds of work, organized differently (according to different work assignments), that realize one another.

In line with materialism, this definition predicates human activity as the subject of history, without which, regimes of control cannot be productive (or exist). This approach bridges two political strategies. First, in line with Robinson, it refuses the radical erasure of history implicit in totalizing theories of domination. “Lost” histories of the oppressed, such as the history of U.S. slavery (in process of recovery), are implicated in strategies of living, creating, surviving, resisting domination, and struggling for liberation. Lost and/or
recovered histories are dominated, they are reconfigured and transformed (as are dominant histories) but not erased by domination. (Power is a relationship.) Second, it recognizes that, though dominated histories are enacted in the performance of identity, (a) such histories were always already circumscribed by power, and (b) top-down power relations in the present organize the discursive practices through which all histories (dominant and subordinant) are realized in performance.

Materialist approaches recognize that all narratives are sustained by power relationships which are realized in human practice. Thus, repressive state narratives are effects of the historical practices of world historical racial capitalism (Robinson, 1986).

Repressive state narratives are both prescriptive and descriptive. They naturalize hierarchies of domination and subordination, figuring as "common sense" the power relations that they interpret. Repressive state narratives displace understandings of real power relations by positing the effects of domination as the causes of domination and imagining a "common interest" by identifying enemies defined as outside and threatening to the community. Repressive state narratives interpret the relations of coercion they represent by telling stories about identity and work.
Hence, repressive state narrative interprets coercive power, not "facts" or "truth," "right" and "wrong" as it commonly appears, because it asserts the truth of domination as factual common sense. Repressive state narrative is both a condition and an effect of the reproduction of dominant power relations. The performance of identity realizes the productive consumption of historically produced narrative, the condition of the production of dominant and subordinate identities; and hence, realizes the reproduction of the conditions of racial capitalism (among other regimes of identity hierarchy). An embodied practice, the performance of identity materializes multiple histories of domination that circumscribe and enable the transformative reiteration of identity. As a practice organized by repressive state practices and capital (among other regimes productive of identity), the performance of identity is (imperfectly) socially reproductive.

Marx identified wage labor as a special kind of human activity, not because its products are material (in the idealist "mind vs matter" sense), but because its most important effect is the reproduction of a society-wide division of labor, organized so that one class works to disempower itself by producing the other class as
controllers of labor, that persists across generations, and continually expands.

The distinction between repressive state practice and repressive state narrative establishes the distinction between "real" and "imagined" social relations. Real relations are the relations of power—who does what work and how that work distributes power. Repressive practices are real, top-down power relations; the performance of identity is a real, bottom-up practice of power relations; repressive state narratives interpret repressive practices in ways that establish the conditions of identity production and are thus, imagined social relations. Imagined social relations may be identical to real social relations, but they do different work; they are organized differently. Real social relations are organized, dialectically, to control and enact power relations. Imagined social relations tie top-down and bottom-up practices together, and thus determine the conditions under which bottom-up practices can support or oppose top-down practices. Real social relations are the way power is organized; imagined social relations are how we imagine power is organized.
Displacement

Gilmore uses the term "displacement" to describe the ways that narratives—which interpret real power relations—can displace comprehensions of the way real relations are organized by displacing understandings of certain power relationships in the narrative, and replacing them with understandings that mystify the organized interdependencies of social reproduction. Displacements mystify real interdependencies; interdependencies of who does what work in who's interest. Such displacements are crucial to the ways in which narratives tie bottom-up practices of production to top-down practices of control, because people are able to organize themselves in ways that reproduce or reorganize the conditions of top-down control based on their understandings of how power is organized; survival of, collusion with, and opposition to domination depends on understandings of who benefits from what work at who's expense.

Many displacements involve identity-based interpretations of who does what work, which in turn interprets who is "us," who is "them," who deserves protection, and who requires control. In repressive state narrative, the relations of power that are interpreted, and
often displaced, are the social relations of state repression.

**State Narratives Displace Hierarchy**

If repressive state practices and identity performances take place on the ground, at the site of the body, where and what is the state? In *The German Ideology*, Marx (1978) defines the state itself similarly to the way I have described "repressive state narrative"—as a regime of imagined social relations: he describes it as 'the appearance of the general interest' and as an 'illusory communal life', grounded in multiple social hierarchies. He writes:

> [O]ut of this . . . contradiction between the interest of the individual and that of the community the latter takes an independent form as the State, divorced from the real interests of individual and community, and at the same time an illusory communal life, always based, however, on the real ties existing in every family and tribal conglomeration--such as flesh and blood, language, division of labor on a larger scale, and other interests--and especially . . . on the classes, already determined by the division of labor, which in every such mass of men separate out, and of which one dominates all the others. (Tucker, 1978, p. 160)

So, it is not that the state is simply an "illusion," it is a contradictory expression of contradictory social relationships that functions to mystify the contradictions. Like repressive state narrative generally, it names
particular interests that are backed up by and realized through the forces of repression and the organization of production (and, interestingly, he includes linguistic, tribal and kinship relations among the power relations upon which the state rests). At the same time that the state represents the power relations of domination and subordination in which it is grounded, it interprets them as communal interests. What is illusory, according to Marx, is that the state is (a) divorced from those material relations of domination and exploitation; and (b) that it represents the interests of individuals, or subordinate classes.

The state appears as the communal interest, and at the same time repressive state practices organize the production of racial hierarchies. In so doing, repressive state narratives figure the national "community" as white, in addition to bourgeois; as a middle class white community.

Some would argue that this combination of the power to control and to name power relationships literally imposes the interests of dominant power as the common interest (Neitzsche, Wittig) and Marx himself makes a version of this claim at times, suggesting that the advancement of social productivity will eventually liberate everyone from exploitation (i.e., when the bloodbath is over, it will all have been worth it). But in the passage above, Marx complicates that teleological construction of history.

It is important to note that Marx goes on, in the German Ideology, to point out that the state is the only possible site of struggle for dominated classes in the existing world, and that the struggles that dominated groups must take on through the state consist in insisting that their own interests represent the common interest.
threatened by poor people of color. (In a move that is in no way new,) the criminalization of poor immigrants of color extends the state's interpretation of community (as white) to include nationality, excluding non-citizens, as well, from this mystified construction of "communal interest."

**Spatial Effects of the State**

The state is not only a mystified narrative of community, it is also realized in embodied practices, including by not limited to practices of repression. Embodied practices are identity performances (Butler, 1990); identity performances are identity-based work assignments (Gilmore, 1993); performance is productive (Joseph, 2002). The products we produce circumscribe and enable in whose interest we can and cannot continue to produce ourselves. Coercion is a top-down strategy of control that functions to organize identity performances that reiterate historical hierarchies of work. The things we reiteratively produce, under conditions of coercion, circumscribe the potential of bottom-up performances to re-work the organization of work. Take, for example, the production of prisons and borders.

The historical social products most relevant to this study are prisons and borders. Understanding both as state organized practices that control socio-spatial relations
allows an understanding of how embodied discursive practices in the past exert force in the present. Co-operative practices of wage labor produce the prisons that organize the relations of racial capitalism that unevenly disempower wage-laborers. Prisons and the border are manifestations of collective repressive and resisting labors across time and space. They exert tremendous top-down control over who does what work in whose interest.

If the "natural laws of production" were all that was necessary to compel entire classes to work in other people's interest and against their own, prisons and borders would no longer exist: the state really would have "fallen away."

Who suffers abuse crossing the border without papers and who is in prison is not accidental; identity matters. In terms of "who threatens whom," the real, lived relations of racial capitalism are quite the opposite of those imagined in repressive state narrative in the contemporary U.S., where poor people of color are significantly threatened and endangered by white supremacist practices of repression organized by the state. As Gilmore points out, it is precisely because people of color are figured as threatening to the state that they are targeted for state violence.
Identities as Divisions of Labor

Foucault defines the body as "an effect of power" (Foucault, 1977), and argues that historically constructed narratives of the body "act upon it." Butler does not directly disagree, but re-animates this (prostrate, "docile") body, arguing that the body comes into being as it performs discursive identities--identities that, like Marx's description of the performance of wage-labor, realize the social power relations--the divisions of labor--that narratives of identity name (such as "worker," "woman," "Mexican," etc.). The social production of identity, according to Butler, is a co-operative, dialectical process in which the audience controls the meaning of identity performance; and audience interpretations are circumscribed by narratives of identity that name power relations, as well. According to this formulation, narrative is the necessary condition of identity production, and discursive practice is thus reproductive; it renews the necessary social conditions of identity production.

Reorganizing Identity-Based Work Assignments

Although the work of reproduction works from the top down in the form of repressive practices, and from the bottom up, in terms of subject formation (Gilmore, 1993),
creative productive power—the work of producing the world—can be organized in bottom-up strategies of social transformation. Though repressive state narratives of race are interpretations of the vulgar social relations of racial hierarchy, racial identities are not reducible to these relations. As Gilmore argues, identities are tendencies, not unbreakable codes, of who does what work. All identities are multiply defined by hierarchies of race, gender, nation, sexuality, and myriad other distinctions. In addition, racial and other identity categories and experiences vary within and across cultures and have certainly shifted over time within those cultures. Complex lived relations of racial particularity (have historically and continue to) engender, enable, and invigorate resistance and effective opposition to racial oppression in significant ways. The top-down power to control the organization of production is dependent on bottom-up compliance with and/or survival of the work assignments issued; such work assignments are not all the same, they are socially divisive. As Gilmore argues, productive power, recognized as work, can be reorganized, collectively, from the bottom

52 Attacking processes of racial categorization does not necessarily, and does not here, imply a political call for colorblindness.
up. Hence, oppositional movements are a key site of analysis.

A galvanizing theoretical insight common to many anti-racist movements is that white supremacy is system-wide regime of uneven power and control; the tendency of regimes of white supremacy is to disproportionately privilege white people in ways that burden people of color (Goldberg, 1995). It is significant that regimes of white supremacy persist across lifetimes, across generations, and significantly, throughout the history of capitalist development to which they have been key, even as specific racial categories have shifted. Thus, the productive regimes that organize the reproduction of white supremacy are necessary conditions of the social production of racial capitalism.

Acts of state repression organize bodies in ways that make them available for exploitation and other related regimes of domination.

Since repressive state practices assign identity-based work assignments, and since identity is a part of each moment in the circulation of value (as Joseph, Wright, and Woods argue), the relationship between the domain of
commodity production and the domain of state repression is contingent.

To contextualize, in contemporary Arizona, migrants are exploited as workers and locked up to expand the prison system. According to my analysis, the border/prison system organizes, first, the identification of human beings as “undocumented immigrants” as border patrol agents survey the border, identifying who they will capture, and then capturing them; and second, border prison practices assign sets of tasks (working for low wages, being deported, or surviving incarceration) to individual migrants, by catching or not catching them. Hence, the exploitation of migrant workers and the expansion of the PIC today are both contingent upon the border/prison system. This contingency suggests that contemporary, local repressive practices that support the border/prison system are necessary to the contemporary local reproduction of race-based, historically produced, hierarchies of identity, hierarchies that are based on different kinds of work.

The historical persistence of such practices suggest that race-based repression reproduces the necessary (though

53 Part of white supremacy is that white people are not forced to understand this. White supremacy is commonly represented as contained in the individual acts of undereducated poor white people.
not sufficient) conditions of white supremacist modes of production.

Organizing Power of Identity Performance:

Competitive Versus Collaborative Identity Politics

Understanding the contingencies, discussed above, among domains of identity-production, allows the understanding that the real relations of identity production are radically interdependent. Domains of production are not sealed off from one another; they are mutually constitutive.

Gilmore suggests that, precisely because of these interdependencies, bottom-up processes of identity production are re-organizable from the bottom-up. She discusses the implications of "identity politics," which she calls "identity chat," and suggests that, when identity-based social movements are organized competitively, they reproduce the social relations of domination and subordination they are attempting to subvert. Competition assumes that domains of identity production are independent. But when social justice movements are organized around understandings of the interdependent contingencies of identity production,
identity politics can become strategically collaborative through collaborative projects of working differently.

Gilmore writes:

The divides {of identity-based work assignments} also enforce multiple and competing economies of being. When all this identity chat is en route somewhere beyond "self," toward subjectivity, in motion from object to agency, its politics are about these competitions and their possible outcomes. (1993, pp. 26-27)

She goes on to explain that the specific identity espoused in the narrative of white supremacist American nationalism is one such competitor and that the "theater of operations" (Gilmore, 1993, p. 27) for this competition is what she calls "the warrior state" (p. 27). Hence, the competition is rigged.

She explains that, organizing collectively against such a state requires, among other things, "starting where we're at" Gilmore, 1993, p. 35), which involves, "organiz[ing] in and for work, conceived in the fullness of our imaginative powers" (p. 35). She suggests that understanding the history of identity and work, not only wage-labor, but every kind of productive work and the divisions of labor that render that work reproductive of social relations of domination and subordination, is a key point of entry into
working collectively to undo tangled historical divisions of labor.

Based on this reading of identity and the state, I would argue that these collective projects of reorganizing work might be most effective if they are aimed at dismantling the repressive apparatus of the state that issues these identity-based work assignments. A description of this process, in nascent form, appears at the end of Chapter 5.

David Harvey concluded two lectures I attended by imploring the audience to "stop dwelling on our differences and start concentrating on our similarities," as a starting point for organizing collectively to challenge dominant power relations. Harvey’s urgent concern is that dwelling on identity differences divides potential allies. However, I think Harvey would agree that acknowledging the differences in the work done by capitalists and workers is a very important starting point in organizing to challenge capital; yet no one is simply a "worker" or a "capitalist." Real divisions of labor among other identity categories are socially mystified, and need to be named as well. It is not acknowledging the differences--the real relations of
production—that divides allies, but, as Gilmore explains, it is setting them in competition. Her analysis also calls for a politics of alliance, but makes clear that organizing across identities requires an acute reading of the terrain of power one inhabits and the work that one does to reproduce that terrain, not to participate in the "identity chat" that becomes a competition, but to strategize practices of "rearticulation of the 'complex skein of relatedness'" (Gilmore, 1993, p. 35). Understanding "where we’re at" requires an accounting of "the work that we all do, in whose service, and to what end?" (Gilmore, 1993, p. 35).

Repressive State Narratives

The power relations that I am analyzing in this study are the repressive social relations, organized in enactments of state repression, that constitute the prison/border system. The narratives of identity I discuss below are interpretations of the border/prison regime that controls the social relations of white supremacy implicit in the categorization of Mexican migrants as "workers" and as "criminals. White supremacy is reproduced by myriad

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51 At the University of Arizona Geography Graduate Student Conference in 1998, and at the Marxism 2000 conference at the University of
practices, state repression is only one set. And repressive practices produce myriad identities, not only racial. So this analysis is quite partial, but, I hope, useful for analyzing the collaborative, interdependent relations of social production more broadly.

Methodological Note

The next part of this chapter identifies three repressive state narratives exemplified in a variety of kinds of texts. Some of the texts come from hearings and meetings I have personally attended, some come from newspapers, records of testimony, Congressional websites, and some come from other scholars' analysis of aspects of the narratives I am putting together. The descriptions of the individual texts and larger narratives are both lengthy and sketchy; the particular analysis of each text is not consistent; I develop certain points using a particular texts and, in an attempt to limit monotony, I don’t always reiterate each point in each reading. My purpose is not to show consistency among texts, or argue anything about exactly how and where meanings are consumed. I offer a reading of the narratives that attempts to identify the work these narratives can and cannot do; the ways in which the

Massachusetts. Both talks were keynote addresses.
repressive practices that organize them shape the meanings they can and cannot produce, the worlds they imagine, and the opportunities they provide for identity production; for identification with and/or against dominant power relations. Since identity production is a necessary condition of production, integral to the reproduction of racial capitalism, I ask the question, how do these narratives expand the reach or scope of repressive state practices? Of the border/prison system?

Contemporary Narratives of Undocumented Immigration
from Mexico, Historically Produced

The border/prison narratives of undocumented immigration that I discuss below interpret, and are thus organized by, border/prison system practices. These particular narratives have been circulating at the scale of the nation since the early 1990s, enabling identity performances all over the U.S. and beyond, though the effects of the narratives are most directly (unevenly) experienced by people living in the border region.

Each border/prison narrative discussed below constructs the racialized dual figure of the worker and the criminal by emphasizing a particular characterization of Mexican migrants; "the economic parasite," "the dangerous criminal,"
and the "hardworking, family-bound, niche market." Most narratives mystify the border/prison system as a response to a pre-existing crisis that threatens the communal interest.

The crisis is imagined to originate in the body of the migrant in the form of both cheap labor-power (creating a crisis of competition) and dangerous criminality (creating a crisis of community safety). The repressive state narrative of migration circulates a web of negative identity categories that imagine "citizens" by interpreting the identities of "non-citizens": not white, not "American," not middle-class, not legal, not productive, without documents, enemies of the state. It is an abstraction that tells the story of what "Americans" are: white, middle class, legal, productive, documented, loyal to the state. This logic of identity allows the common-sense perception among those who identify with the "American" that the state is on "our" side; that the sibling apparatuses of state repression and capitalist exploitation are responses to situations caused by migrants.

This state-sponsored cultural education provides a defacto explanation of U.S. citizens and residents of color as "others" of the figure of the "American." This effect is manifested in the intensive racial profiling of border residents of color in Arizona.
This construction mystifies the understanding that practices of repression and exploitation produce "illegal aliens," "suspicious citizens," and "criminals," just as the storytelling practices that Wright (1999) documents allow the perception that maquila managers don’t train women workers because the women are untrainable, not that they are untrained because the managers refuse to train them.

Organized by the border/prison practices through which migrants are divided into workers and prisoners, (and people of color in U.S.-side border communities as "suspects") the following narratives offer complimentary explanations of identity and communal interests.

Narrative of Race and Work: Immigration as "Parasitism,"

White Nationalism, and Free-Wage Ideology

The repressive state narrative that figures the undocumented Mexican/Latino immigrant as an unproductive economic "parasite," most prominently represented by California’s 1994 Proposition 187, spans a political continuum that ranges from mainstream environmental protectionism to the white nationalism of the neo-fascist militia movement. It’s historical genealogy is traceable to the popular demonization of the welfare system expressed in the racist narrative of the African American "Welfare Queen"
that emerged concomitantly with the downsizing of social services for the poor and the replacement of these services with the prison industrial complex (Cruikshank, 1002; Gilmore, 1998/1999; Lubiano, 1990). It is also traceable to an older but more local, southwestern/Californian narrative of "free-wage labor," that linked "productive work" explicitly with white male identity and "threats to that productivity" with Latino, African American, Native American, and Asian identity. This western U.S. narrative of "free wage labor" accompanied the capitalist development of the California and other territorial economies and the concomitant racial segmentation of the labor market that was integral to westward expansion and western reconfiguration of racial capitalism (Almaguer, 1994). And in the early 1990s, at the same moment that Proposition 187 was at its height of publicity and popularity in California, shifts in immigration law specifically criminalized the identities of poor immigrants of color, defining them as "economic" rather than "political" refugees in a move that overtly (re)linked the labor-power of poor people of color with criminality (Miller, 2002).

This partial genealogy of the narrative of economic parasitism (discussed further below) accounts for dynamic reconfigurations in white supremacist economic narrative as
well as its continuity across generations grounded in the social relations of state repression and racial capitalism. It also maps the extension of the reach of racializing state repression from the local organization of labor markets, to the control of immigration, and the racial organization of social services specifically engaged in the reproduction and replacement of labor markets.

**Economic Parasite Narrative--Erasing Labor, Establishing the Enemy: Proposition 187**

Proposition 187—passed by California voters in November 1994, its major provisions overturned in March 1998—sought to deny public health, welfare, and education provisions to undocumented immigrants. Debates surrounding this issue were widely reported in the national corporate media, making California politics a national issue and inspiring similar proposals in other states, including Arizona, which today is poised to pass the PAN initiative (Protect Arizona Now). PAN is designed on the model of

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55California's Proposition 187 is characteristic of early 1990s U.S. political narratives of immigration that include, on the federal level, the Republican's 1994 'Contract With America' (which proposed the denial of welfare benefits to immigrants) and the federal Personal Responsibility and Work Opportunity Reconciliation Act that President Clinton signed in 1996 (which placed federal restrictions on immigration welfare benefits relieving individual states of the "need" to pass such laws individually).
Proposition 187 with all of its unconstitutional provisions removed or reworded.

In debates surrounding the measure, supporters claimed that undocumented immigrants were “draining” the California economy by using costly social services; that undocumented immigrants were not entitled to such benefits because they did not “pay for them” via state income tax; and that undocumented immigrants’ use of schools, hospitals, and welfare benefits was effectively depriving “legal” Californians of the services in question.

Proposition 187 wields racial logics of labor and community to construct undocumented Mexican identities as threatening, and in need of control. The same logics figure “communal” identities in terms of economic interests, reproducing the iconic representation of “American” identity as implicitly white, explicitly productive. The large-scale circulation of these representations, their reiterative consumption, encourages and enables identification with communal, productive, white American-ness, whether the consumer supports or opposes 187. Such interpretive understandings displace social interdependencies of

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56 The term "legal Californians" is my own. It was not used in the rhetoric surrounding 187. I use it here to reference the fact that 187 was specifically NOT aimed at DOCUMENTED immigrants, who were routinely
production, and do the work of extending the social exclusion of poor people of color, producing a feeling of community under siege that demands protection; protection in the form of repressive state practices—the very same practices that organize the conditions of production of white supremacy, of racial capitalism.

In 187's construction of social reality, the collective wealth of California is understood to be finite (hence, "drainable"), and to belong only to payers of California income taxes. California's state budget stands in as a representation of the "communal interest," figured as surplus value collectively owned. It is selectively defined as the proceeds of income taxation (conveniently ignoring the state's very regressive sales tax revenues) which suggests that people who do not pay this particular type of tax do not count as members of the community. Undocumented immigrants are, in fact, not entitled to pay income tax, because it is illegal for them to work. The low-wage labor that immigrants perform in California, including agricultural, construction, and domestic work, is erased in the reductive conflation of tax-paying and the production of surplus value. Entitlement to steward and consume

included in explanations of who is victimized by undocumented immigration.
collective social resources is constructed as the result of paying income tax. Hence, the logic goes, the more money an individual or group has, the more they obviously "contribute" to society as a whole. Likewise, the less money an individual or social group has, the more they are "supported" by the contributions of people who make more money than they do.

The economic component of this logic is grounded in the erasure of poor people's labor from the discursive construction of collective social wealth. People are either "tax payers," or they are "parasites." The dynamic process of wealth production, the creation of surplus value realized in wage and other forms of labor, is replaced by a fixed figure; a pot of finite tax revenue that "tax spenders" draw from while "tax payers" pour cash into the collective kitty.

The economic logic of Proposition 187 is the spawn of elite class narrative, born with the welfare state, and subsequently adopted by the state itself and popularized in the post-Keynesian destruction of social services for the poor. It effectively reverses the liberal economic logic of the welfare state, suggesting that redistribution of wealth in the form of progressive income taxation and social safety nets for the poor creates, rather than mitigates the effects of social inequality. In Proposition 187, this is combined
with a narrative of community that asserts "tax payer" interests as "communal interests" and "service user" interests as a threat to that community. Together, these race and class-based, labor-blind narratives of identity and community construct the logic that asserts that people who are excluded from the rights and responsibilities of citizenship are uniquely and unfairly positioned to profit from this mechanism of inequality, from which they are (so privileged to be) exempt. And it is not just anybody without citizenship that poses this threat, undocumented Mexican immigrants are cast as enemies of the state.

Aimed specifically at Mexican immigrants, and grounded in mystified interpretations of the criminalization of migration into the U.S. from Mexico, Proposition 187 is far from racially neutral. (Nothing is racially neutral, but most post-Civil Rights Era U.S. legislative narratives make aggressive claims to color-blindness, construed as "racial neutrality" in an effort to brand "color-aware" narrative "racist." Omi and Winant (1994) explain that such tactics of representation are "racial projects," discussed further below.) According to this formulation, the wealthier one is, the more one is victimized by the social presence of poor people of color, as wealthy Americans become "victims"
of the "inherent economic depravity" of poor brown foreigners."

Erasing the historical and contemporary reality--poor people of color's labor--this representation of community and identity reiterates and renews the "changing same" implicit whiteness of the abstract "highly productive American." The reproduction of racial and economic inequities within the U.S. and between the U.S. and Mexico makes this narrative coherent, when "productivity" displaces the power relations of race and class privilege, and "parasitism" stands in for wage-labor enacted at the bottom of the racial hierarchy of class.

Yet, the acknowledgement of migrant productivity alone cannot counteract the white supremacist conditions of identity production that pro-Prop 187 rhetoric interprets. The veracity of pro-proposition 187 rhetoric (or more accurately, the total lack thereof) is not the object of this analysis. In *Shifting Borders: Rhetoric, immigration and California's Proposition 187*, Ono and Sloop point out that arguments both for and against Proposition 187 figure

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"Many scholars suggest that these "state enemies" are, in fact, standing in for popular anxieties resulting from structural adjustment in the U.S. and the diminished economic opportunities it has wrought. See Gilmore (1992) and Brownell (2001). Ono and Sloop (2002) suggest that "enemy immigrants" are standing in for Soviets in the wake of the Cold War."
migrants as economic units; hence, debates over the numbers remain squarely within the terms of dominant narrative, grounded in the assumption that migrants "count" only as human capital, making opposing arguments that they are either a "drain" or an "economic necessity" for the state of California. They write, "Both (sides of the argument) see economic enterprise as a social good and undocumented migrant laborers as expendable; they simply differ on which position, for or against, leads to the greatest economic advantage for the state" (Ono & Sloop, 2002, p. 31). I would argue, here, that it is not representing identity in terms of economy that makes Proposition 187 do the work of reproducing white supremacy. It is representing only racially-defined migrants, and not implicitly white, racially-opaque U.S. citizens, in terms of economic value at the same time that the capitalist mode of production is cast as a color-blind, common good. That is the combination of displacements that allows a specific understanding of Mexican workers as disposable; their disposability displaces the disposability of all workers onto one group that is blamed for their own disposability, in order to understand capitalism as fair, just, anti-racist, socially good; a mode of production in which "we" all share a common interest.
Again, repressive state practices organize migrants as cheap labor and prisoners, positioning them at the bottom of a racially segmented, white supremacist system of surplus value production. Both "sides" of Prop 187 narrative are interpretations of state repression and are thus repressive state narratives. The mutual construction of "economic enterprise as a social good" figures those who benefit from economic enterprise as "the community," maintaining affluent racially opaque (white) American interests as "common," while each "side" of the 187 "debate" figures Mexican migrants as outsiders to this community, and validates either the use of migrants as workers, or the use of migrants as criminals.

The theme of this economic repressive state narrative has a number of variations. Mainstream environmental organizations (such as the Sierra Club) support anti-immigration measures on the grounds that migration damages "the environment," \(^{39}\) figured as a communal resource that is threatened by poor immigrants of color whose interests don't count as "communal." The disposability of migrants that works to mystify the socially destructive force of capitalism is, here, constructed against a romantic (white feminine) figure of ultimate non-disposability, mother earth.
in dire danger; the apocalyptic threat of environmental destruction--brought about largely through capitalist development--is displaced, via racializing logic of identity, onto migrants, who are cast as more than disposable, more than economy-threatening, into the role of "enemies of the planet."

Liberal political opponents of Proposition 187 ran TV ads depicting large groups of Latino youth accompanied by the voice-over, "One Eighty-Seven kicks three hundred thousand kids out of school and onto the street. That means more crime." (ABC News 1994). This menacing advertisement associates the bodies of undocumented immigrants (racially construed) with criminality to argue that social services are a more effective and protective form of social control than repression. This tactic challenges proposition 187's view that social exclusion is the most effective technology for controlling the threat that poor people of color supposedly pose to the "communal" interest, yet, deploying the specter of the prison industrial complex effusively reinforces and actually escalates the idea that such menace exists and requires control--"crime," the logic goes, is even more dangerous to the community than taxes; the bodies

58 1994--nationally circulated Sierra Club brochure.
59 This appears in Ono and Sloop (2002).
of prisoners—disproportionately people of color—exemplify myriad “threats” to white communal interests, interests that are named, very specifically, as racial interests in this political advertisement.

The most extreme variation of the economic repressive state narrative surrounding Proposition 187 is white nationalism. Neo-fascist militia groups\(^6\) practicing racist vigilantism on the Arizona-Sonora border literally imitate border/prison practices in theatrical performances of “apprehension and arrest” staged, in repressive state drag shows, for the media who cover border vigilantes from Sydney to Des Moines\(^6\). These armed groups dress in fatigues and wear home-made badges while “hunting” migrants whom they subsequently turn over to Border Patrol agents. One group offers vigilante tours, bringing people from all over the U.S., Canada, and Europe for “hunting expeditions.”

White nationalist vigilantes frame immigration as an “invasion” from Mexico, aimed at the destruction of white majority status in the U.S., which, many groups assert, would ostensibly turn the southwestern U.S. “back over to Mexico.” This narrative is exemplified in the “Reconquista”

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\(^6\) For an extended account of neo-fascist militias on the Arizona-Mexico border, see the BAN report in the Appendix: Hammer-Tomizuka and Allen (2002), *Hate or Heroism: Vigilantes on the Arizona-Mexico Border.*

\(^6\) Note media searches on vigilantes
theory, which claims migrants are fleeing the "Marxist\textsuperscript{62} Mexican government" in order to take advantage of the thriving capitalist economy built by the hard work of white settlers.

Although they take great care to represent themselves as a localgrass-roots movement, Arizona's border vigilantes are connected to small but organized nation-wide networks of white nationalists whose broader agendas range from lobbying for English-only laws throughout the U.S. (one of which passed in Arizona in 2000) to supporting neo-nazi militias. One of the groups operating in Arizona today was active in the campaign to pass Proposition 187 in California in 1994.

Like 187, white nationalism erases the labor of people of color; this time in the same explicitly racial terms it uses to demand the complete evacuation of all people of color from the United States. White nationalist narrative interprets the history of capitalist development in the U.S.; it erases the work of poor people of color from U.S. history altogether. Gilmore writes,

\begin{quote}
For the new American nationalist, hierarchy is naturally a result of specific work, the glory of constructing world power . . . in the empty yet threatening wilderness of continental North America. In this formulation, the U.S. is a muscular achievement of ideological simplicity: "White men built this
\end{quote}

\textsuperscript{62} They must be talking about the neoliberal wing of the party.
nation! White men are this nation!” (Gilmore, 1993, p. 26)

(Her closing quotation in this passage cites a White Aryan Resistance flyer found on her windshield in California in 1992.) Reconquista theorists on the Arizona-Mexico border feel strongly that the mere presence of people of color on U.S. soil is a form of theft; "they" are consuming the historical achievement that white men built and to which people of color are therefore not entitled; by extension, this logic figures immigration from Mexico as "an invasion." (See Appendix C for a detailed account of vigilante groups and activities on the Arizona/Sonora border, as well as information on Border Action Network's anti-vigilante campaign.)

Such narrative and the violent performances of identity it inspires (and which the Arizona Attorney General tolerates, and so passively condones and encourages), with its deep historical American roots, is clearly organized by the social cleansing practices of the border/prison system. Though it might be written off as a "fringe" narrative because it is seen as a niche viewpoint, southwestern-style white nationalism has been reconfigured yet sustained in multiple practices of violence against Mexican immigrants crossing the border at least since the Treaty of Guadalupe
Hidalgo in 1848, when, as now, widespread violence against Mexicans was not uncommon along the new border. Such practices of terror can be directly organized by the state, such as the mass forcible deportations of Mexican agricultural and mine workers from Arizona in the 1930s; in addition, the long and continuing history of state inaction against racially targeted practices such as lynching and vigilantism constitutes defacto sanction, passively organizing coercion.

In a public meeting in Tombstone, Arizona (very close to the U.S.-Mexico border) organized to address the issue of vigilantes, vigilante-opponents were accused, by vigilante boosters, of class-based elitism: "You're not the ones with anything to lose!" The accuser was suggesting that only wealthier border residents oppose vigilantes (which is not actually true) because they do not have to compete for jobs with migrants. Border residents from diverse ethnic, racial, and economic backgrounds have voiced opposition to

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63 See Appendix C: BAN Report Hate or Heroism for an account of waves of anti-immigrants violence in Arizona throughout the 20th century, both enacted directly by the state (such as mass forcible deportations of Mexican mine and agricultural workers in the 1930s) and condoned by the state via inaction, (such as the Hannigan Brothers who, in the 1970s captured and tortured Mexican migrants. It took community activists the better part of a decade to bring them to trial, where they were finally convicted on charges of "impeding commerce," rather than kidnapping and assault).

64 Meeting held in Tombstone, March 8, 2003. The quotation is from a local women who declined to give me her name.
vigilante activity." But the woman being accused had been explaining "how embarrassing" the vigilantes are, and expressing worry that "people will think we're all armed red-necks."

When white nationalism is viewed with disgust on elitist grounds of class-hatred, it does the work of mystifying the historical conditions of white supremacy, locating "racism" and "ignorance" exclusively in the bodies of "red-necks"; displacing ethnically marked whiteness onto those with fewer economic class privileges, and exonerating middle-class, educated white people from the vulgarity of race hierarchy. Such moves make poor whiteness visible in the service of keeping middle class whiteness invisible. Hence, the logic goes, racism is a dreadful problem, and poor white people are the cause of it; if I (white person) am not wearing a white hood, I am "innocent" of racism, not the beneficiary of white privilege. This displaces the interdependent divisions of labor implicit in white supremacy with a class-based interpretation of identity that mystifies the empowerment that white supremacy affords white people; an empowerment that is relatively enabled and/or constrained by other divisions of labor.

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65 For a detailed account of resident's opposition to vigilantes, see the penultimate chapter of Hate or Heroism in Appendix C.
The white woman making the accusation was referencing class divisions within whiteness by talking about work ("we have to work and you don’t"), but also made the move of setting identities in competition, fixing opposed racial identities (with contingent, interrelated class positions) by refusing the possibility of collaboration between wage-laboring Mexican migrants and poor white border residents. By "consolidating categories" (here, by imagining them in competition), as Spivak argues, her representation of race and class relations serves the interests of dominant power.

The more affluent white woman in this conversation--the anti-vigilante--responded to this, saying, "My concern is that tourism will suffer, and that's not good for any of us." Her anxiety over border communities being considered "red neck" thus also expresses regional (rural southwestern) class anxieties; she worried that unattractive vigilante identities could deter tourism, harming an already suffering border economy, a concern that moves beyond the desire to claim a position of innocence. (Apparently white nationalism is not the most appetizing item available at Stewart Hall's multi-cultural buffet.) This representation of whiteness does a number of things. It valorizes ethnic whiteness (negatively), setting it apart from normative
whiteness, cast as "innocence" at the same time that it defines capitalist and wage-labor interests as one in the same, hence mystifying white-supremacy and wage-labor simultaneously—a complex reproductive performance of the white supremacist conditions of production.

Most border residents, however, are not vigilante boosters, and share a variety of concerns about vigilante activities, from worries about escalating white supremacist violence to indignation over the abuse of migrants. Responding to violent white nationalist practices by ignoring them (as has been the response of Arizona legislators) makes the same mystifying move of imagining one's self apart; "innocent" of profiting from the large-scale social relations of race and capital that support the cultural practice of hunting brown people.

Today, the neo-fascist militias of southern Arizona are feared locally by pretty much everyone—Anglo and Latino neighbors and Mexican border crossers combined. Yet border vigilante notoriety is international, and, despite the fact that their (generally socially unacceptable? I thought?) white nationalism is plastered all over their web-sites, they have been covered in sympathetic terms by media sources from "Sixty Minutes" to The New York Times who have
represented them as "concerned local community activists" and even as "interesting hobbyists." This mainstream corporate practice of providing free PR for fascism is a move that, like Proposition 187, identifies enemies of the state for anyone who may not have yet heard that the U.S. is "under attack." The social shunning of openly fascist white supremacy in the U.S. is complicated. As noted above, one of the things it accomplishes is to imagine "racism" as a problem confined to "red necks"; an interpretation of race relations in the U.S. that discourages white people from understanding the ways in which racialized divisions of labor serve the interests of white people at the expense of people of color. However, the mainstream championing of fascist white supremacy identifies people of color as the cause of social inequality—as enemies of the state—and advocates their control by means of state repression. Since repressive state narratives are organized by repressive state practices, the escalation of the border/prison system seems to be reorganizing mainstream interpretations of state

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^Much to the dismay of concerned local community activists—the only other groups that get international and national media coverage are the white Christian groups who provide water stations for migrants crossing the border so they won’t die before the same groups turn them in to the border patrol—it seems that only crazy white "heroes" in the desert merit national scale attention.

repression. Hence, Glen Spencer of "American Patrol"—the border vigilante imported from the Proposition 187 wars in California—can now be represented in the New York Times as a quaint hobbyist; a man whose quirky retirement activities in Arizona "may actually be useful." (New York Times, June 8, 2003).

The state organizes racial violence on the border in ways that not only implicitly construct the communal interest as white, and white interests as reasonably protected through acts of violence, but also explicitly represent Mexican migrant lives as disposable. An example of the latter took place in the 1970s, when the Hannigan brother’s kidnapped and tortured Mexican migrants just after they had crossed from Sonora Mexico into Cochise, County, Arizona. It took the better part of a decade for community organizers to bring the case to trial, where one Hannigan brother was finally convicted of "obstructing commerce," rather than kidnapping and assault.

The relationship between state repression and racial violence on the border, since its inception, has persistently (if not consistently) reproduced the social relations of white supremacy. Such repressive practices organize repressive state narratives constructing the communal interest as bourgeois white economic privilege,
Mexican migrants as expendable economic units, and capitalism as race-blind (and even anti-racist).

**Free Wage Ideology**

The racialization and economic scapegoating of Mexican and other immigrants and of workers of color is a US practice that became institutionalized (as a system of racist labor, sex, and immigration laws, racist public health policies, and the repressive practices enacted upon the people criminalized in these laws) in the context of capitalist expansion into the American territories seized from Mexico in the Treaty of Guadalupe-Hidalgo in 1848, at the end of the Mexican American War.

In his book, *Racial Fault Lines*, Tomas Almaguer (1994) argues that, historically in the western U.S., racial categories themselves have structured processes of class formation in which racially differentiated groups struggle for access to land, skills, and placement within differentially "free" wage labor markets. These processes

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The analysis in this chapter focuses specifically on racialized class categories in the western United States, without suggesting that race and class are analogous, reducible to totally racial or economic identities, or separable from other modes of categorization such as gender, sexuality, and nationality. It has been argued repeatedly that such categories are mutually constitutive (see the previous chapter for a developed discussion) and must be read in context. Almaguer's
include, but are not limited to legislation, state repression, and corporate control. Workers define themselves racially, as well (Almaguer, 1994, p. 11).

According to Almaguer, the "free-wage ideology" that saturated mid 19th century capitalist development in California and the southwest associated white maleness with wage labor and thus with vigorous capitalist development and associated other identities with other historical technologies of production which were seen as less productive and inferior, such as Native Americans with "savagery" (subsistence), African Americans with slavery, and Mexican Americans with pastoral agrarianism.

Free wage ideology held that hard working white male wage laborers would all eventually become wealthy because capitalism is so productive, and, in its productivity, is morally superior to all other economic systems. (God rewards the good with success.) The overt racial content of this assertion erases the labor that built a great deal of the U.S. economy, associates people of color with morally wrong modes of production, and suggests that more successful people, white people, by definition work harder, produce more, and so deserve more wealth, power, and authority than analysis argues explicitly against the reduction of race to a subset of class.
everyone else. This white supremacist ideology locates the virtue of expansionist productivity exclusively in the bodies of white men, a narrative of racial identity that interprets the active exclusion of men of color from access to the most highly skilled wage-labor markets as a "natural condition"; thus erasing the labor of state repression, as well.

This aspect of free-wage ideology is reiterated in Proposition 187's assertion that the wealthy contribute the most value to society. Where 187 achieves this by erasing free-wage labor altogether and associating capitalism with accumulation, not labor, free-wage ideology insists that only the labor power of white male bodies produces value. 187's erasure of labor reflects the history of global capitalism since the mid-19th century, during which time the welfare state has come and gone in the U.S. and commodity production has since become associated with the racialized global south. "Productivity" is still associated with white male American-ness, but now it is cast in terms of trade and consumption, both of which are now popularly associated with the production of value (Jameson, 1996).

Almaguer also explains that, since free-wage ideology insists that all value is produced through wage labor, it constructs other work regimes as both unproductive and thus
threatening to wage labor. Proposition 187, with its "color-blind" erasure of labor discussed above, also posits the presence of undocumented Mexican immigrants as threatening to communal economic interests, but does so by constructing the replacement of Mexican labor-power as an unfair social drain.

With the redrawing of the U.S.-Mexico boundary, itself an effect of aggressive U.S. militarism, the white male economic privileges codified in free-wage ideology were imposed via repressive state practices that disenfranchised, enslaved, criminalized, and socially cleansed poor people of color. In addition, white supremacist vigilantism and lynchings were (and are) organized by the state insofar as they were ignored, tolerated, condoned⁶⁶. The repressive state narratives of identity and economy exemplified in Proposition 187 have their roots in the southwestern U.S. history of racial violence, political exclusion, and labor market hierarchy that characterized the expansion of capital in the mid 19th century. Many of these practices persist, historically reconfigured as the border/prison system, and with them the repressive state narratives that are necessary

⁶⁶ See BAN report *Hate or Heroism*, Appendix 3, for an account of Arizona's contemporary tolerance of racist vigilantism on the border.
to the reproduction of white supremacy, which persists as well.

In both free-wage ideology and prop. 187 narrative, the socially destructive effects of capitalism are displaced onto the bodies of poor people of color, figured as "natural" physical proclivities, not the effects of uneven power relations.

**The Welfare Queen**

In addition to the legacy of 19th century free-wage ideology, 187's discursive construction of poor people of color as "economic parasites" draws on the narrative of the "welfare queen," made famous by President Reagan in 1984. Reagan invented a fictional anecdote, represented as fact, in which single African American women receiving welfare benefits routinely cheated the system by having many children and filing for benefits in multiple municipalities, therefore drawing huge checks without working, ostensibly "living it up" on hardworking taxpayer dollars. His anecdote marks the birth of "the queen." Characteristic of Reagan-era representational practice, this pernicious characterization of imaginary women is drawn directly from the larger 1980s concept of the so-called "underclass," which Parenti sums up as the "ideologically charged notion
of . . . a culturally damaged, mostly Black and Latino stratum of loafers" (Parenti, 1999, p. 55).

Waneema Lubiano (1992) argues that “the queen” is an ideological scapegoat for the escalating class war of the 1980s; that she is purely fictional; and that she is a racial formation, engineered to blame the harsh effects of economic downsizing in the U.S. on poor African American women. Barbara Cruikshank (1997) agrees with Lubiano’s political assessment of welfare queen narrative, but argues that Lubiano’s emphasis on the “facts” of the situation (that “the queen” does not exist) and her explanation of “the queen” as a racist strategy for masking, or “covering” those “facts” misses the point. Cruikshank identifies the origin of policies designed to seek and weed out welfare fraud within the Carter administration, noting that Carter advocated eliminating fraud while acknowledging that fraud was quite rare in the system and cost very little relative to other budgetary excesses of the era. He felt it was a moral issue. Cruikshank’s point is that Reagan did not initiate the era of welfare fraud witch hunts, hence he did not actually invent “the queen.”

Cruikshank argues, against the idea that “the queen” functions to hide the real facts of racism and poverty, that actually, “administrative decisions based on numbers do not
simply mask the expansion of power to legitimate stereotypes. Rather, administrative practices constitute the very 'realities' they supposedly count" (Cruikshank, 1997, p. 118). Hence, "the queen" is a regime of bureaucratic power, a regime that extends the reach of bureaucratic control deeply into the private lives of poor women. Because of fraud surveillance, welfare recipients are forced to give up their rights to privacy (or lose benefits) and submit to random searches to determine the bureaucratic correctness of their living conditions. If found in violation, they are presumed guilty in non-judicial hearings and fined. This regime supports the dominant ideological construction of welfare as the cause of inequality, just as 187's reiteration of the narrative of economic parasitism 10 years later casts a wider range of social services--healthcare, education, and welfare--as the cause of social inequality.

However, while Cruikshank's analysis is useful for identifying one site where state practices "touch" the bodies of poor women in ways that "extend the reach" of state power, her exclusive focus on practices of abstract measurement, on narrative, discounts Lubiano's important emphasis on the ways in which "the queen" is a racial project.
Omi and Winant explain that:

A racial project is simultaneously an interpretation, representation, or explanation of racial dynamics, and an effort to reorganize and redistribute resources along particular racial lines. Racial projects connect what race means in a particular discursive practice and the ways in which both social structures and everyday experiences are racially organized, based upon that meaning. (1994, p. 56)

I would argue, based on this definition, that the border/prison system is a racial project. Border/prison narratives interpret border/prison practices, which control the distribution of resources along racial (and other) lines by organizing the identity-based work assignments that realize the reproduction of racial capitalism. And “the queen” can be understood as a repressive state narrative, as well. Reducing “the queen” to an interpretation of bureaucratic practices displaces the organizing force of prison expansion that “the queen” interprets.

“The body of the queen” may well exist, as Cruikshank argues, as an ideological effect of bureaucratic abstractions, but she is also an interpretive, explanatory representation of poor Black women’s lives which are routinely racially organized through repressive state practices. “The queen” is a representation that figures poor African American women as the perpetrators of social inequality, and as such, a group of people who’s interests contradict communal social interests; she is a racialized
enemy of the state. And while she is not “factual,” “the queen” mystifies regimes of white supremacy that poor women of color are compelled to perform as they live non-abstract lives that are the effects of multiple regimes of power. What Cruikshank’s argument cannot explain is the timing of the emergence of “the queen” as a racialized enemy of the state, because welfare regimes produce her as an infantilized semi-citizen, not a parasitic dark menace. That is the job of the repressive apparatus of the state.

What Cruikshank’s analysis does suggest is that the more abstract that interpretations of identity become, the more that repressive state narratives that use such abstractions to displace understandings of real power relations encourage the violent repression of the actual people that the abstract category interprets. Such practices of identity “measurement” are ubiquitous in prisons; especially as a central practice of the new penology (discussed in Chapter 2) that is a part of the contemporary expansion of the prison/border system.

It is not incidental that “the queen” emerges, not during the Carter administration, when the beaurocratic processes for eliminating welfare fraud are established out of “moral concern” for respecting taxpayers’ imagined work ethics, but during the Reagan years, when Ed Meese is overseeing the invention and development of supermax
prisons, draconian racially-targeted drug laws, the 1986 Crime Bill, the institutionalization of racially-targeted police procedures including neighborhood "sweeps," and the incremental whittling away of defendants rights and judicial oversight, and so forth—in short, the consolidation of federal justice practices that facilitates an explosive prison expansion that continues throughout the 1990s. And the incarceration rate of poor women of color during this same period has accelerated more quickly and far more steeply than it has for any other prisoner population in the United States.

It is also not incidental that Proposition 187 is being reiterated as PAN in Arizona in 2004, as we become a privileged target site for prison expansion, grounded (in part) in the increasing incarceration of Mexican migrants.

Economic Versus Political Refugees

Teresa Miller (2002) argues that: U.S. immigration policy changes in the 1990s were highly impacted by policies and practices of mass incarceration. She suggests that the intersection of mass incarceration and immigration policy is a site at which the unadorned criminalization of the identities of people of color is at its most stark, and that
the treatment of so-called "criminal aliens"—who make up fully one-half of non-citizen removals from the U.S. in the late 1990s—particularly illustrates her thesis (Miller, 2002).

Miller's thesis, applied to the border/prison system, reveals the dialectic of expanding state repression: mass incarceration practices in Arizona have been highly impacted by the U.S. immigration policy changes that were highly impacted by contemporary U.S. prison expansion. The militarized border dividing Arizona from Sonora provides huge numbers of bodies for the system of INS detention as well as an increased number of Mexican prisoners for the Arizona state prison system, and for federal prisons in Arizona.

In her analysis of the impact of mass incarceration on immigration policy in the United States in the 1990s, Miller explains that early 1990s immigration policy established unprecedented carceral and racializing practices when Cuban and Haitian refugees were politically distinguished from one another, effectively establishing the legal frameworks that encourage the criminalization and incarceration of poorer, darker skinned immigrants generally in the United States.

70 "Criminal aliens" is the legal term for foreign nationals who have been convicted of a felony.
Poorer, darker Haitians were associated with poverty and low-wage labor, where lighter, more affluent Cuban refugees were associated with political rights. She writes:

The construction of Haitians as low-wage labor migrants provided political support for a dubious legal distinction . . . because Cuban and Haitian refugees were treated as groups, notwithstanding their individual motives for seeking asylum in the United States, Cubans received generous assistance for resettlement as "political" refugees while Haitians were excluded and detained as "economic" refugees. In light of the flagrant human rights abuses in Haiti, the United States played up the dire poverty and low standard of living in Haiti while downplaying the viscous political repression. At a time when Californians passed a state referendum divesting illegal immigrants of public benefits such as education and health care, politicians easily sold the message to the American public that Haitians constituted a major threat to an already weakened economy. Within the context of a conservative Republican administration and a weakened economy, this strategy had the intended effect. (Miller, 2002, p. 231) (Italics mine.)

Like Proposition 187, this policy is an interpretation of increasing border militarization and the global racial segmentation of labor markets, organized via repressive practices.

The international division of labor is a racially segmented, globally organized labor market. Thus, the poorest immigrants of color seeking to enter the U.S. are most likely to be people of color. Like the race-based economism of Proposition 187, this interpretive representation of immigrants of color from poor countries as
"economically" as opposed to "politically" motivated marks them very specifically as disposable workers. "Politically" motivated refugees, in contrast, are associated with political motivations, and thus with citizenship and democracy; they are assumed to be seeking "rights" rather than jobs and are seen by the law as more worthy of citizenship than "economic" refugees, who, as supposedly job-seeking people of color, are cast as dangerous outsiders and threats to an economy seen as belonging to (white) American citizens.

This economically framed racist policy distinction that, in part, interprets the prison boom of the early 1990s, encourages the repressive state practice of locking poor immigrants of color into prison-like warehouses, as well as prisons. Today in the U.S., this is the norm for poor immigrants of color.

This mystified interpretation of the international relations of race and class, embedded in the laws that are part of the border/prison system, is reiterated in the repressive state narrative of Proposition 187. It provides the final piece, added to free-labor ideology formulations of white economic entitlement combed with the welfare queen demonization of social services for the poor, it characterizes immigrants of color exclusively in terms of
the utility or dangers they bring to domestic economic interests, rendering them "outsiders" who are "inessential" to the production of value, and so "disposable" as it simultaneously erases the value of their work, excluding them from constructions of citizenship that figure the bodies of people with rights as part of the communal interest; part of the state.

Narrative of Race & Crime--"Illegal Aliens,"
"Smugglers," "Criminal Aliens"

The juxtaposition of whiteness, specifically of white(r) American citizens, as a legitimate political identity against darkness/foreignness as an illegitimate economic identity links repressive state narratives of race and productivity with repressive state narratives of criminality. The political status that undocumented Mexican immigrants are assigned is "alien"--hence the coherence of the term "illegal" commonly used as a noun in US media and political rhetoric.

In fact, the narrative of immigrant criminality has many sources. The racist narrative of economic parasitism overlaps significantly with the racist narrative of crime. This most recent wave of anti-immigrant practice in the U.S. directed toward Mexican migrants reiterates racist
stereotypes associating people of color (especially African Americans and Latinos) with criminality and welfare fraud (Cruikshank, 1997; Gilmore, 1997/1998; Lubiano, 1992; Miller, 2002); dominant narratives organized by state practices including the concomitant downsizing of welfare for the poor and the upsizing of the prison industrial complex.

Ono and Sloop document the ubiquitous images and stories of "violent Mexican youth" and "pregnant Mexican women" circulated vigorously in the California media during the early 1990s (Ono & Sloop, 2002, p. 33). They point out that such texts augment racist, anti-immigrant economic interpretations of social reality with ageist and sexist images calling for extreme measures of social control aimed at so-called "criminal" children and "illegitimately breeding" women.\(^1\) Within the frame of Proposition 187, for Mexican women, childbirth itself is understood as crime\(^2\)—a form of social theft that also brings, by means of a series of criminal acts (illegal immigration followed by illegal

\(^1\) For a broader and very detailed discussion on the images of Mexicans circulated during the campaign to promote Proposition 187 in California, see Ono and Sloop (2002).

\(^2\) Ironically, this construction of childbirth as crime when performed by poor women of color contrasts markedly with late 1990s legislation making harming a fetus during a crime into felony.
consumption of medical care), yet more parasite cum criminals into the country.

Narratives of immigrants of as enemies of the state and criminals predates both welfare reform and the rise of the prison industrial complex. "Illegal" has been a noun in dominant U.S. narratives of undocumented immigration from Mexico, at least since I was a child growing up in the southwest. Connoting an identity defined by violating immigration law, this discursive construction is supported by the violent exclusion of Mexican migrants from U.S. society. In a characteristic sampling, the noun "illegals" appears 114 times in Section A of The Arizona Republic between January 1st and February 27th, 1993.

**Migrant Criminals**

Since the passage of IRAIRA, "criminal aliens" have become the fastest growing prisoner population in the U.S., which, as noted in Chapter 2, has been particularly significant for expanding crimefare, the Arizona state prison system, and the border/prison system more generally. As the repressive state practices that organize Mexican migrants as criminals continue to escalate, the repressive state narratives that interpret this escalation have become more multivalent in their characterizations of Mexicans as

As the practice of incarcerating immigrants for immigration violations and "aggravated felonies" expands, this chain of increasingly menacing signifiers moves beyond the discursive construction of migrants as 'burdensome/dangerous to the economy', and moves into the territory of prison industrial complex-style and now homeland-security-style criminalization, casting a racialized group as commonly violent, dangerous, and even menacingly savage. Terms that have effectively mobilized fear in the service of manufacturing consent for prison expansion such as "sexual predator," are matched in the criminalization of immigration by the creation and repetitive use of terms such as "aggravated felon," "human trafficker," and "possible terrorist." Stopping such brutal activities by removing such dangerous people is clearly, according to this formulation, in the common interest.

On March 8, 2003, during the Arizona hearing conducted by the Government Reform Committee's Subcommittee on Criminal Justice, Drug Policy, and Human Resources
(discussed in Chapter 2), speakers routinely deployed such terms to describe border crossers. This discursive practice reconfigured constructions of migration as 'a prelude to economic parasitism' and 'a threat to (white) U.S. economic entitlement' into more heightened images of 'environmental vandalism', 'drug smuggling', 'human trafficking', and 'terrorism'. This shift was explicitly used at the hearing to celebrate the expansion of border militarization.

Legislators and law-enforcement officers did the vast majority of the speaking at this hearing, referring to migrants almost exclusively as "smugglers," and continually using examples of drug busts, implying that a "typical" apprehension involved the seizure of illegal drugs (when records indicate that less than 5% of apprehensions involve drugs). A woman from the Tohono O'Odham Reservation testified that "these people are bringing drugs to our children" (p. 116) in support of her argument that not extending militarization to the Reservation-Mexico border would constitute racism. A law enforcement officer testified that it is "unfair" that migrants cross environmentally protected lands, because "it's our land and we can't even ride our RV's on it, while these smugglers are camping out there and using it all up" (p. 57). A U.S. Forest Service officer asserted that "smugglers are damaging
fragile environments, leaving trash and excrement all over the place" (p. 89). A Border Patrol officer testified that “we need more medical type equipment for when they come across with the women, the ones that sell the women (p. 201).” And a representative for the border vigilante groups claimed, “these criminals are trampling all over our property rights . . . the property rights of Americans” (p. 123).

In this testimony, none of which comes from anyone who has migrated across the border, criminality adheres to the bodies of undocumented immigrants, they “bring it with them”; the socially produced policies and practices that squeeze migration into the Sonoran Desert are mystified as unquestionable conditions of life, and as an impressive and desirable response to crisis. Migrants, like “the queen,” become abstract characatures; depraved, dangerous, threats to a set of communities, communities that they are not part of. They are imagined as violating the rights of community members; rights that migrants themselves do not have.

Attending the hearing, I was amazed by this amalgam of theatrical depictions of immigrants coming from people who witness the real enactment of migration every day--poor, exhausted Mexican men and women walking quietly in the desert, looking generally frightened. Some of the people
who produced this narrative have lived in transborder communities their entire lives.

Jennifer Allen, director of the Border Action Network (quoted in Chapter 2) offered the only intervention at this hearing, using her testimony to strategically reorganize the interpretation of social relations espoused in the dominant narrative. She began her comments calling attention to already excessive funding for militarization, simultaneously indexing the fear of taxes common in pro-Prop 187 narrative, pointing out the hugeness of the apparatus of militarization, and calling attention to the fact that the social relations of migration are highly coercive: “On a federal level, there has been no distinction between drug enforcement, immigration enforcement, and border enforcement; drug war funds have blended almost seamlessly into border enforcement and immigration efforts.” Working against characterizations of migrants as outsiders, as threats to the community, especially children, and as disorderly violent “savages,” she figures migrants as hard working, productive, family supporting human beings; introduces “border residents” into the conversation as victims and political subjects of the U.S. Constitution, rather than champions of border enforcement; and effectively reverses the terms of criminality, accusing Federal border
policy of creating lawlessness and violating the Constitution, and describing crimes committed against migrants by Border patrol agents. "As a result [of border policy] migrants looking to improve their lives or unite with family as well as U.S. citizens and legal residents who live on the border are subjected to what has become an essentially lawless and de-Constitutionalized zone where our rights and civil liberties have been undermined." Later in her testimony she describes the rape of a migrant woman by a Border Patrol agent who was convicted, but sentenced only to 36 months of probation, with an option to have the conviction reduced to a misdemeanor upon completion of his sentence.

Allen's testimony, interpretively imagining the power relations of undocumented immigration into the U.S. from Mexico, using the same common framework and elements that other people testifying at the hearing used to describe these relationships—the immensity of state power, images of rights being violated, descriptions of chaotic lawlessness and violent crimes insufficiently punished—reverses the terms of identification by reworking the metaphors of embodiment and community, locating authorship of the crisis in both federal policy and the bodies of Border Patrol agents, and community membership in the bodies of migrants,
hard working, productive, family members; possessors of political rights, victims of abuse. This is clearly a border/prison narrative, reiterating the terms of community identity organized by repressive state power: community insiders, according to interpretations of repressive state practices, are members of families, have rights, and are the victims, not the perpetrators, of crimes.

Her words met silence. The legislators thanked her, moved on, and never referenced her presence again, though her words appear in the official transcript of the hearing.

The repressive state narrative of criminality performed in this hearing spun an image of violent people, fecklessly stomping on endangered plants, marauding through Native lands handing out drugs to children, stealing the entitlement (lost to "Americans") to recreate on environmentally protected lands, aggressively throwing trash and emptying their bowels upon rare cacti while vandalizing private property and individual property rights on their way to sell drugs and women in Tucson and Phoenix. This representation of identity, in all of its projected irrational carnivalesque brutality, fully satisfied the agendas of the legislators who made lavish, on-the-spot promises of more funding for militarization in Arizona. In fact, one Congressman went on to explain that the border
must be "sealed against terrorism" (p. 263), adding yet
another vivid dimension, imported from Washington, for
imagining the threatening brown bodies of migrants.

This repressive state narrative of migrants as
criminals encourages the understanding of (white) "American"
people as both victims and heroes. Local "property owners"
are victims of vandalism, "Arizonans," especially children,
are potential victims of drug crimes, "our environment" is
both the victim of "criminal aliens" and is also figured as
a coveted commodity that is being consumed by "aliens" at
the same time that "Americans" are being unfairly deprived
of consuming a landscape that "belongs to us."

The Tohono O’Odham woman who testified cast Native
American children as the victims of 'foreign brown criminal
drug dealers'. This effectively associates the children
with (white) American-ness by casting them as victims
sharing in the common interest of controlling poor brown
migrants. This strategy--demanding that white supremacist
institutions solve the problems of racism--mirrors prison-
industrial-complex narratives of criminals as threats to
vulnerable families, especially "innocent"73 children74, as

73 In *The Queen of America Goes to Washington City*, Lauren Berlant
argues that American citizenship has been transfigured from the abstract
construction of the implicitly straight white male middle class liberal
subject with public agency, to the figure of the young child, and even
well as PIC narratives that encourage communities of color to work to extend the reach of state repression by pointing out that people of color are most often the victims of crime. (Are you a potential victim? Can you make your self count by convincing us you may become a victim? Not just anyone can be a victim, you know.) The narrative of victim citizenship is discussed at greater length in Chapter 5.

(You can also be part of the community if you have the power to protect us from poor people of color--if you have what it takes--white skin and a y chromosome, or the ability to fake it--to be a hero.)

Vigilantes are encouraged, by the reconquista version of repressive state narrative (that displaces the real relations of race, class, and nation with images of white male super productivity juxtaposed with brutal brown alien marauders), to imagine themselves as brave, white heroes, willing to risk danger and use violence to protect their own

the fetus, which has transformed our notion of citizenship from a public to a private identity, and reconfigured active, independent civic “agency” into a dependent need for protection from menacing social outsiders. (Berlant is not suggesting that the older figure of the citizens is better.)

For an excellent analysis of the use of children’s constructed vulnerability in the expansion of prison, see Michael Moore’s documentary on Polly Klass. Her murder was used to promote California’s draconian three-strikes law. Pete Wilson, Diane Feinstein, and Barbara Boxer all attended Klass’s funeral which was broadcast as a defacto political rally. Klass’s father and grandfather both opposed three-strikes, but were unable to get any significant media coverage of their views.
and, generously, their neighbors' property also (whether they like it or not).

Hence, the escalating repression of immigrants organizes progressively more dramatic representations of immigrants as violent criminals. The exacerbation of a general public fear of crime through this expansion in the popular racist vocabulary of criminality manufactured legislative consent for increasingly expensive ADC segregation policies. Grounded in displaced understandings of "security," these policies locate "racism" and "racially motivated violence" not in the practices of incarceration, not in related practices of state repression, but in the bodies of prisoners themselves, who, it is insisted, must be kept racially segregated at all times. (In fact, we probably need separate, new prisons for each dangerous group--to protect them all from themselves, you understand.)

Narrative of Immigration Reform

In Chapter 2, I discussed Arizona Senator Jim Kolbe's "Border Initiative Issue Statement" in which he decries the need for ever-increasing border militarization and describes the skill with which he has secured the funding to ensure the continued escalation of "border enforcement," almost half of which is earmarked for incarceration expenses.
Interestingly, in conjunction with this detailed laundry list of excessive funding for the border/prison system that, the Congressman assures us, should last throughout the decade, Kolbe closes his Issue Position statement with an acknowledgment that the U.S. economy is served by, and in fact demands labor migration from Mexico.

Brownell points out that border militarization functions to manage the flow of migrant labor in ways that are advantageous to capitalist interests in the U.S. Kolbe seeks to further rationalize this management by distinguishing migrant "workers" from "criminals and terrorists" (p. 2). This rationalization can only be achieved without destroying or undermining the perceived need for the border/prison economy in an act of reform; by partially decriminalizing immigration across the U.S.-Mexico border in a way that functions to hypercriminalize undocumented migration that isn’t subjected to beaurocratic control. Kolbe seeks to do this by creating what he imagines as "an immigration policy that reflects reality" (p. 2) by distinguishing between "workers" and "criminals."

Kolbe writes:

But these reforms and funding programs are not the complete answer to a long-term problem. We need an immigration policy that reflects reality. The reality is that we continue to attract workers in several sectors of the U.S. economy where jobs are not filled
by American citizens. We also must recognize that those workers will keep coming—legally or illegally. That is the underlying problem we must solve. (p. 2)

Here, Kolbe skirts the contradictions inherent to the U.S.'s criminalization-based immigration policy; he is careful to describe militarization as an incomplete policy, rather than a failing policy, or a policy that produces the problem it purports to solve. Yet he is clear that militarization does not (completely) reflect (or efficiently manage) the value that Mexican migrant labor holds for capitalist interests in the U.S.—specifically, business sectors that “attract” Mexican workers, and whose jobs “are not filled” by U.S. citizens. (This “reality” is stated as if it were a law of nature, rather than an accumulation strategy.)

He goes on to explain, “We also must recognize that those workers will keep coming—legally or illegally” (p. 2). This sentence suddenly allows “criminals”—people who cross the border in a manner that has been criminalized—to retain their use-value as “workers.”

Kolbe continues:

A comprehensive temporary worker program that allows nonimmigrant workers to enter the country through our ports of entry and not through the backyards of Arizona would allow us to manage this cross border traffic and focus our border security efforts on criminals and terrorists. (p. 2)
Kolbe constructs an entirely new category of person in this final sentence; the "nonimmigrant worker." A policy that institutionalizes this category would further legally formalize the inability of Mexican workers to settle in the U.S., which, as Brownell (2001) shows, is key to reducing the value of their labor-power. Such a policy seems orchestrated to allow greater control over how many and what kind of workers enter the country at a given moment, further enabling the profitability of "just-in-time" production processes that rely on the disposability of workers.

Further, the creation of the category "nonimmigrant worker," and the legalization of this "working without belonging" status, goes hand in hand with solidifying the category "criminal alien," and more closely associating "alien," "criminal," "illegal," and "terrorist" by removing "worker" from the string of associations. "Workers" can now be controlled through recategorization as "nonimmigrants," and border enforcement can concentrate more vigorously on illegalcriminalalienterrorists--by definition, any non-nonimmigrants crossing the border without documents. This population can be sent directly to prison; fulfilling demands for the raw materials of prison expansion without interfering with demands for disposable labor. In this way, the decriminalized category of the legal "nonimmigrant"
further criminalizes the "illegal alien," while characterizing both groups of people as, still, "not us."

This repressive state narrative of reform, in combining the essential elements of the parasite and the criminal narratives, interprets both of the identity-based work assignments that the border/prison system issues, and creates the conditions for extending the reach of the border/prison system. The "nonimmigrant," an outsider to the community legally entitled to work and pay income taxes in the U.S., is easily distinguishable from an "illegalcriminalterrorist enemy." The repressive state narrative of reform interprets the contradictions of the border/prison system and establishes the conditions for the escalating expansion of border militarization.

Conclusion: What Is the Work That These Narratives Do?

It is hardly accomplished simply from the top-down, even with the might of the state's coercive apparatus. A significant proportion of the people whose relations are reproduced must concretely consent to the arrangement, however displaced their understanding. Ruth Gilmore (reiterated from opening quote)

Repressive practices and repressive narratives are dialectically related. Together, they produce the necessary conditions under which people work to survive repression and
consent to carry out the work of reproducing the conditions of repression.

In this chapter, I have argued and attempted to demonstrate that these three repressive state narratives, grounded in the relations of the border/prison system, work in service of "the static reproduction of class relations" by interpreting the border/prison system in ways that displace understandings of the work that the system accomplishes. The identity performances border/prison narratives circumscribe and enable, include flexible identities of implicitly white American-ness constructed against flexible abstract constructions of parasitic/criminal/disposable/nonimmigrant Mexican migrants. The reach of these repressive practices is extended through the productive consumption of contradictory representations of immigration from Mexico into the U.S. that alternately displaces the work of the border/prison system with white supremacist understandings of community, identity, work, crime, and race.

The work, displaced in discursive practice, that the border/prison system accomplishes (in addition to these displacements) includes the production of racial hierarchies that organize the delivery of bodies to the prison industrial complex and to a racially segmented U.S. labor
market. Interpretations of this work produce understandings of power as control, creating an imagined world in which migrants and other poor people of color are seen to produce, not surplus value, but instead, social crises and inequalities. White supremacist constructions of identity and community position migrants as enemies of the state requiring repressive control.

In the next chapter, I flesh out the ways in which these repressive narratives are grounded in globally organized neoliberal practices of repression and capitalist development that circumscribe and enable understandings of citizenship, race, and work. I have suggested that these narratives produce the conditions of identity production and argued in support of Gilmore's understanding of identity as a socially organized work assignment. In an attempt to explore the ways in which people carry out these work assignments, I identify a local site at which global discourses of neoliberal development are negotiated by prison abolitionists fighting the CAR-3 and local southern Arizona community residents, attempting to improve their economy and social mobility by allowing the construction of an immigrant-only federal prison in their small border town.

I analyze ways that repressive state narratives organize the conditions of identity production and argue,
according to my understanding of Gilmore’s construction of identity as a tendency and as a socially organized work assignment, that repressive practices assign the work of social reproduction. Repressive practices are top-down tactics of social control, monopolized by the state; they include the direct, physical, violent control of human bodies as well as representations of those practices. Repressive narratives interpret these tactics of social control; they are reiterative, historically produced narrative constructions that render repressive practices meaningful in ways that encourage people to reproduce the conditions of top-down, violent power relations in practices of bottom-up subject formation. In Butlerian terms, these practices of subject formation are realized in embodied performances that materialize our identities. Repressive state practices thus organize these performances (in part), which reproduce (and produce) the social relations of coercion, implicated in the social relations of production. So, bottom-up and top-down practices of social production are (a) mediated via narratives that interpret the relationship between the two, and (b) dialectical, in the sense that the substance of the relation (between these distinct modes of practice) is the realization of social
reproduction. Hence, I argue, the social relations of production are coercively produced.
CHAPTER 5
THE BORDER PRISON SYSTEM AS DEVELOPMENT:
VICTIMS, WORKERS, CITIZENSHIP, GLOBALIZATION AND PRISON
ABOLITION IN WILLCOX, ARIZONA

Is globalization about 'eradication of world poverty', or is it a mutant variety of colonialism, remote-controlled and digitally operated? -- Arundhati Roy. (2001)

Organizing against the PIC is as much about building something as it is about fighting what is destructive in our communities. Our organizing is also an ongoing effort to create alternatives, not only to imprisonment, but to the culture of punishment we've become so used to. Author

Critical Resistance

Chapter Overview

In the previous chapter, I argue that repressive narratives interpret repressive state tactics of social control; they are reiterative, historically produced narrative constructions that render repressive practices meaningful in ways that encourage people to reproduce the conditions of top-down, violent power relations in practices of bottom-up subject formation. In Butler's terms, these bottom-up practices of subject formation are realized in embodied performances that materialize our identities. In Gilmore's terms, repressive narratives produce identities as
work assignments. In this chapter, I explore the ways in which people carry out these coercively controlled work assignments in the context of the prison/border system.

Specifically, I discuss a meeting of the Cochise County Board of Supervisors called to approve a rezoning measure in order to enable construction of a CAR-3 immigrant-only prison in the small rural town of Willcox, Arizona. Like the struggles over development that Woods analyzes, the meeting involved competing visions of development. In heated debates among county Supervisors, local elites, and community organizers, narratives of citizenship circumscribed and enabled negotiations over who counts as community and what work serves communal interests.

In the previous chapter, I analyze a range of interpretations of the border prison/system by reading border prison narratives that portray undocumented migrants as “enemies of the state” requiring coercive control, as well as “workers,” requiring repressive and/or economic discipline. Each of these narratives imagines migrants as non-citizen outsiders to the community, and each constructs an understanding of an “American economy,” in relation to which non-citizens are understood to be “disposable.”

National scale border/prison narratives (that, since the early 1990s, have encouraged demand for the
border/prison system) are instances of larger-scale, older narratives of citizenship. In this chapter, I argue that (a) U.S. colonial and contemporary narratives of citizenship are repressive state narratives; (b) these U.S. narratives have become "global narratives"; and (c) U.S.-based global narratives of citizenship resonate with border/prison narratives in Willcox as both organize the multi-scalar conditions of production that circumscribe the identities that are performed in the re-zoning meeting.

The elements of border/prison and global citizenship narratives that resonate to compel varied performances of collaboration with and rebellion against the border/prison system include: the coherence of whiteness; various mystifications of social interdependence; and the disposability of Mexican migrants.

Thus, on route to the meeting, I identify U.S.-based global narratives of republican and victim citizenship materialized that afternoon in Willcox. Combined, these historically produced narratives construct global citizenship as a goal for people in Willcox seeking the imagined "economic independence" of the republican citizen, and as a need for people, imagining themselves as victims, requiring rescue to survive the devastating effects of capitalism. Some of the people in Willcox also need to
imagine themselves as the "equals" of their powerful rescuers. The latter need, in this context, allows white men (in this instance) to remain blind to the real social relations of exploitation; a blindness which facilitates the persistence of the mystified understanding that poor people of color are the cause of economic inequality.

My readings of U.S.-based global citizenship are based on the work of Kaan (2001) and Berlant (1997). Kaan argues that the invention of the penitentiary was crucial to colonial U.S. constructions of heterosexual "manliness" that shape the U.S. Constitution. My reading of Kaan emphasizes that the narratives of republican citizenship interprets the coercive political economic relations of the colonial era. I argue that the construction of citizenship he identifies has both persisted and been reconfigured by political economic shifts.

Berlant (1997) identifies a shift from the metaphor of the independent self-controlling republican citizen to contemporary metaphors of vulnerable dependent citizens, potential "victims" in need of state protection. Looking at the contradictions of contemporary neoliberal globalization—the contention that capitalism is the cure for global poverty in conjunction with the escalating and open use of force to control the poor—I argue that the metaphor of the
republican citizen persists, reconfigured as "global citizenship," and works in combination with the "victim citizen," organized at the scale of the state, to interpret and mystify contemporary identity-based hierarchies organized at multiple scales.

Based on my readings of two politically disparate texts, I analyze ways that the narratives of "global citizenship" interprets the needs of global subjects of state coercion; prisoners and refugees, in the texts I analyze. Both groups are identified in this narratives as debilitatingly socially dependent potential citizens. Both are imagined to become independent global citizens through the performance of wage labor.

In the narratives of victim citizenship, state subjects struggling for full citizenship in the form of "equal rights" are assigned the task of identifying state enemies. If this work is successful, these subjects move a rung up on the hierarchy of dependent citizenship, and receive coercive state protection from those enemies. They may then survive "enemy status" by becoming exploitable.

Hence, both narratives assign insider or outsider status to people based on interpretations of their social dependence; if dependence is defined as economic, people are figured outside of citizenship status and encouraged to
become independent through the practice of wage labor; if dependence is figured as the need for protection, people are figured as vulnerable children of the community, worth any expenditure of coercion necessary to secure their protection. Together, these contradictory narratives of citizenship, grounded in repressive practices, organize the identity hierarchies that determine the conditions of the performance of work. As people displaced by practices of state coercion (like prisoners and refugees) are "offered opportunities" to be exploited, people subjected to the inequalities imposed by exploitation and other coercively produced divisions of labor are encouraged to struggle for the right to identify more enemies of the state.

In Willcox, local residents seeking economic development position themselves between these narratives, seeking global citizenship, which they imagine as economic independence, on the basis of their identities as victim citizens—threatened by the migrant "enemies" they hope to cage locally. They blame the state for their victimization, and call on the state to rescue them, all the while figuring this rescue as an opportunity to make themselves upwardly mobile by entering into a "partnership" with global capital. But this is only one of the complex discursive identity formations performed in Willcox.
The practice of building prisons as a strategy of economic development brings several contradictory narratives into dialogue, including the narratives of abolition (that I attempted to perform with my co-collaborators at the meeting, and I continue to attempt to perform here). The meeting in Willcox is a site at which repressive narratives of citizenship are negotiated; via this negotiative performance, people materialize themselves as part of the border/prison system working for and against the practices through which capitalism advances on the terrain of this development/repression contradiction. All of the sundry people participating in the meeting enact the set of practices through which new prison construction comes to be understood and contested as a strategy of local community development. The multivalent repressive narratives of citizenship reiterated in this negotiation interpret the expansion of the social relations of coercion as a process through which global capital rescues rural U.S. economies and transforms entire communities into upwardly mobile global citizens.

Finally, I argue that this contradiction allows prison abolitionists a space in which to work through identities to reorganize the work of the border/prison system. Discursive practices that disrupt the terms of repressive state
practices reorganize some of the identity-based social alliances upon which these narratives are predicated.

Republican Citizenship: How Prisons Make Men Free

Kaan argues that in the U.S. American context, incarceration and citizenship are mutually defining practices that literally make each other meaningful and are intimately linked to a persistent figure of national identity. Citizenship is represented in the U.S. Constitution as a form of social equality and individual liberty; a freedom from the dictates of aristocratic systems of governance and social hierarchy, in a context of theoretical equality under laws which applied equally to every citizen.

Recall, from Chapter 2, Gramsci's (1971) argument that the bourgeois class poses itself, against aristocratic models of static class identity, as an "organism" capable of absorbing everyone, hence mystifying the division of labor necessary to produce the bourgeois class. I argue that this posture is also grounded on an implicitly racialized definition of "everyone," casting the citizen and his community as white. Kaan (2001) takes these arguments further, identifying this representation of an "organism," in the U.S. context, as a specific metaphor of embodiment: the figure of the "manly republican citizen."
As many have argued, the idea of the citizen is constructed in relation to a very specific, cultural and historical identity formation. The history and practice of US citizenship (and hence, of "the citizen" as a dominant, visible, national identity) is raced, classed, gendered and sexed in fundamental ways that reiterate the power hierarchies of colonial American life.

Further, Kaan (2001) argues that the invention of the penitentiary and the historical practice of incarceration is fundamental to the production of the complex identity formation we know as "the citizen." The figure of "the citizen" is, in part, an interpretation of the practice of incarceration; a repressive state narratives.

In "Penitence for the Privileged: Manhood, Race, and Penitentiaries in Early America," Kaan explains the ways in which the "American founders" linked a specific notion of manhood to liberty; a key component of republican citizenship, and crafted this linkage using state-force to police the "manhood" of the "free." He writes,

In general, the founders defined "manhood" as a combination of individual independence and family responsibility. They saw this mix as a positive source of social order and stable citizenship. They also relied on it to deter white men from engaging in criminal conduct and to punish and rehabilitate white convicts. Prison reformers in the early republic threatened to deprive lawbreakers of their manly freedom and dignity by incarcerating them and isolating them from their families in newly conceived penitentiaries. Men who were actually convicted of
crimes and imprisoned were encouraged to use their isolation as an opportunity to repent and reform in order to regain their manhood and liberty. (Kann, 2001, p. 21)

Thus, incarceration in the form of the rehabilitative penitentiary came into being with republican statehood as the American notion of liberty was produced in conjunction with institutions designed to impose its opposite. "Manly liberty" served as a grounding metaphor for the republican state; an embodied metaphor that valorizes the work assignments that incarceration and its threat organize. Patriarchal, heterosexual, white, male, bourgeois identity was policed and enforced among white men through the innovative practice of rehabilitative, solitary, incarceration.

We have already discussed the history of convict-leasing following the Civil War—a state-organized racial strategy to reinstate race-based slavery in the southern U.S. Convict-leasing was never intended to produce citizens. Quite the opposite: it reorganized and enforced the conditions under which formerly enslaved African Americans could be re-enslaved and systematically worked to death. The northern invention of the penitentiary (created by the Quakers) was specifically designed to police the identities of citizens; other people were imprisoned, but they also were subjected to multiple identity-based divisions of labor, controlled predominantly through
coercion and its threat by white property-owning men (such regimes included slavery, indentured servitude, domestic labor, marriage, etc.) In this context, only white men were granted citizenship and suffrage and were thus the only people able to embody, as well as to lose, republican liberty.

"Manliness was declared to consist of a combination of property ownership and the freedom to control one's own productive labor" (Kaan, 2001, p. 27). This repressive-state masculinity is a thus socio-economic work assignment—"manly" republicans were required to control their own labor, which requires owning other people's labor. Through policing practices, republican citizens were assigned to the privileged side of multiple divisions of labor: class, gender, race, sexuality. Through the liberal, individualist erasure of the hierarchical interdependencies of production, "manliness"—here the power to control the work of others—was, importantly, cast as economic "independence."

Added to this "independence," was the social responsibility to restrain one's sexual impulses (Kaan, 2001, p. 22), as well as the imperative of controlling a heteronormative, privatized family unit. The responsibilities of privilege (discursively constructed as "equality")—of having the state organized to promote the
reproduction of white male bourgeois interests—required the coercive disciplining of white male bourgeois identity.

According to Kaan, criminality was defined, for white men, primarily as "licentious" behavior and policed through the threat and practice of imprisonment. Such behavior included sexual promiscuity, homosexuality, and adultery, as well as gambling and excessive drinking. Kaan writes, "Men’s sexual transgressions were seen as indicators of their potential for moral, social, economic, and political subversion" (Kaan, 2001, p. 22). This identity-specific interpretation of "crime" is grounded in an identity-specific understanding that self-control, for republican citizens, is synonymous with social control. Manly republicans were assigned to control the work of so many other people that their adherence to this regime of self-control was seen as a necessary condition of the social order. Republican state practices of incarceration thus assigned the work of self-control to citizens, and this work assignment (partially) reproduced republican citizens as a ruling class. The repressive narratives that interpret this repressive practice include the narratives of manliness, patriarchy, independence, self-control, and liberty.

The free, manly, sexually restrained citizen, enjoying public and private mobility, political representation and social visibility, as well as control over property,
workers, women, slaves, children, and servants, is the mirror image of the unmanned, penitent prisoner, cut off from social relationships, family, and any mobility at all, and working under the control of the warden.

The relationship between free citizens and unfree prisoners was, then, monoracial, homosocial, and exclusively among socio-economic peers. This homosocial construction of identity is dependent on the identities it does not represent. Slaves, workers, servants, women, and children are absent from this formulation of a liberty-unfreedom system of citizenship because they were all considered to be inherently "unmanly" due to their multiply subordinate positions within the system of social divisions of labor, relative to citizens.

Kaan's historicization of republican citizenship foregrounds practices of state repression in the social production of identity as work assignment. He reveals that the abstract figure of the liberal "citizen-subject" is not only raced, classed, gendered, and assigned a sexuality (as many have argued), he is also issued his identity-specific work assignment via practices of incarceration.

Importantly, the coercive work assignment is, in part,

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75 A significant percentage of adult slaves were male. However, "... the founders did not attribute to black males a clear gender identity. They were seen as outsiders who lacked the manly ability to discipline their passions and the manly freedom to govern, provision, and protect their families" (Kaan, 2001, p. 29).
economic. I imagine/interpret the work assignment of republican citizenship as individual white property owning patriarchs, sitting on the shoulders of their wives and children, who are sitting on the shoulders of their laborers, servants and slaves. The folks at the bottom of the pyramid transport their dependent/controlling white men into the republican public sphere, where the patriarchs debate and discuss their control over everyone else's work assignments. If these citizen-subjects stray from their culturally specific work assignments by seeming to resemble non-citizens in any way, their fellow citizens pull them from their pyramids, lock them into cages, and make them do other people's work assignments until they come to appreciate the value of their "equality."

Prison in the United States, it seems, has always been a sexed and gendered heteronormative racial strategy of static class reproduction.

Republican Citizens and "Criminal Alien" Enemies of the State

The narratives of republican citizenship resonates with the narratives of "criminal alien" "enemies of the state," discussed in the previous chapter. Recall that repressive state narratives, grounded in the coerced social inequality
of "aliens," cast non-U.S.-citizen migrant as the cause of economic inequality among citizens.

Narratives of republican citizenship and criminal alienation produce and displace understandings of identity-based social divisions of labor; the ways that work is organized to reproduce identity hierarchies. The logics are not analogous, but rather, contingent: the republican citizen is imprisoned to protect the community of equals from within—from the citizen's own tendency to undermine the class privileges (construed as "equality") of his peers; the enemy of the state is imprisoned to protect the citizenry from outside threats to their "equality."

Historical republican "equality" means political equality among the groups of people who control their own labor and who control the identity-based work of other people so that it serves the interests of the controllers. In the narratives of criminal alienation, discussed in Chapter 4 equality means the imagined equality of a citizenry divided in multiple, hierarchically-organized divisions of labor. Together these mystifying narratives of equality construct the conflated image of a single domain of citizenship; an image that displaces the hierarchies among citizens and so implies the following: 'everyone inside the domain is equal'; 'everyone outside the domain poses a threat to equality and must be excluded'; 'anyone inside who
threatens equality must also be excluded'; 'such exclusions protect equality'. This logical construction allows the real relations of production - identity hierarchies manifested in divisions of labor - to be interpreted on the basis that no such hierarchies exist other than the hierarchy of inside vs. outside. Understandings of real inequalities are displaced, and state coercion is interpreted as the protector of equality rather than the cause of inequality.

Equal Rights

The practice of citizenship is a multi-layered regime of gendered, sexualized, and nationalized race and class hierarchy organized by repressive state practices. Hence, struggles for citizenship, for fully equal rights, are, in part, group struggles to escape being positioned as the targeted subjects of coercion, to escape being defined as an enemy, as disposable. Hard-won entry into the domain of full U.S. citizenship increases chances for survival. Such struggles reorganize identity-based work assignments while at the same time extending the reach of the coercive apparatus of citizenship.

So how do struggles for citizenship work in terms of reorganizing identity-based work assignments?
Citizenship as the Right to Be a Victim, Not an "Equal"

Duggan argues that struggles for equal rights in the U.S. are often organized in terms of privacy and publicity. Rights of privacy consist in the ability to keep the state out of your decisions such as the right to abort pregnancies and have sex with any consenting adult. Rights of publicity enable the ability to participate in state practices such as the right to vote or marry.

I would add that privacy and publicity are repressive state narratives, interpreting and authorizing identity-based coercive practices, organized by the state. Republican patriarchs were the only members of their society with the public right to wield the coercive powers of the state in order to issue identity-based work assignments and to dispose of their "enemies," or by extension, enemies of their property. At the same time, they had the private right, protected by the state, to personally coerce the non-citizens that they controlled directly, such as slaves, wives, children and servants (some of whom they literally had the right to kill), and also against non-citizens they perceived as threats to their person, such as trespassers, homosexuals, Native Americans, and so forth. Thus, the narratives of publicity and privacy, like exploitation, are
historically produced socio-spatial technologies, policed, enforced, and realized in acts of coercion and complicity, that organize who is allowed to force whom to work in whose interest. Publicity and privacy organized citizenship so that republican citizens were entitled to control the work of non-citizens through state-organized coercive practices. Because republican citizen identities are public, defined by property ownership, and because private identities are defined as private property, to-be-controlled, any act of self-control on the part of human private property is interpreted as an attack on the socially sanctioned authority and the legally sanctioned property rights of the republican citizen. In such instances, republican citizens are understood to be victims. They are thus considered "innocent" in all acts of private coercion involving "their" property. If they physically victimize a fellow citizen, or, by extension, the private property belonging to that citizen, they are considered innocent until proven guilty.

This mystifying construction of the powerful as victimized by the powerless has incredibly viscous effects; enforced by and grounded in state-coercion, it allows the terrorized to be perceived as "deserving of" and even "requiring" abusive control. The reasoning of Proposition 187 (discussed at length in Chapter 4 that posits affluent
Californians as the victims of highly exploited undocumented Mexican immigrants is an example of this mystifying logic of 'victimhood as innocence', and as the grounds for justifying the use of state coercion against the "perpetrators." It is the logic that allows rape victims to be understood as having provoked their own assaults, cheering crowds to experience lynchings as "justice," and Rodney King to be read as "dangerous" in the video that records his assault. Spending any amount of time talking with U.S. prisoners about their lives makes it clear the people in our country who are most routinely abused, are the same people targeted by the state for coercion.

So, how does the historical construction of republican citizens as innocent victims of the people they are assigned to abuse affect popular struggles for citizenship?

In *The Queen of America Goes to Washington City*, Berlant (1997) identifies a transformation in the organization, representation, and nationalized politics of publicity and privacy in the United States. Citizenship, she argues, has been transformed in the national imaginary from a form of public political participation and struggle predicated on the abstract, generalized figure of an adult, straight white, middle-class, "self-sufficient" American man (the Republican citizen) to a form of voluntarism and
privacy, grounded in images of fetuses, children, and defenseless immigrants, all of whom are defined by their vulnerabilities and family membership (Berlant, 1997).

Where the older, republican image participates in state practices by competing with fellow citizens on a "level" public playing field ("leveled" through social exclusion), the newer images need to be sheltered, protected, and represented by stronger parties (the state). An implicitly vulnerable privacy becomes the very criteria for citizenship, as public engagement in political debate becomes suspect.

Arguing that the body, as it is both represented and, more complexly, lived, is the location of citizenship, Berlant maps the implications of this shift in embodied tropes of the generalized citizen, suggesting that consumer citizenship has come to replace public dialogue as the ideal in American nationalist politics.

I would extend her argument, agreeing that the republican citizen has been re-placed, and suggesting that his new placement has jumped scale, and become "the globe." While it is clear that political debate has become generally suspect among the U.S. electorate and that consumption has become the dominant mode of identity-based work in this
country, the image of the victim citizen depends on the figure of the protective patriarch.

At this historical moment, when the work of producing commodities has been assigned to labor markets in the "global south" and the work of consuming commodities is disproportionately assigned to people in the United States (or at least, this is a dominant representation of global work assignments), the work assignments of the victim citizen that are reproductive of static class relations involve commodity consumption. Berlant's argument partially accounts for the contingent relationship between the global reorganization of capitalist commodity production because it considers representations/experiences of citizenship implicated in local U.S. subject formation. Yet, subjectivity is not completely organized at the scale of the state. The social relations of U.S. consumption are globally organized.

Perhaps the republican patriarchs have slipped out of the domain of representation within which embodied metaphors of U.S. citizenship circulate because, in part, they have become global corporate citizens, coordinating production and consumption at a planetary scale. Politicians are understood to be their laughable handmaidens, obnoxiously arguing over things they do not actually control. The
privileged invisibility of republican whiteness has been reconfigured as the privileges global mobility of the corporate elite, whose capacities to organize global practices are unrepresentable in the domain of state citizenship.

In this formulation of citizenship, the right to be figured as a victim—not as property, but as a property owner—(a right that republican citizens enjoyed and denied to the people they controlled) without the right to control one's own identity-based work assignments becomes understood and institutionalized as the enactment of "equal rights."

The narratives of equal rights is a condition of the materialization of identities that work to reproduce and extend the domain of state repression by ceding control to the state; identities that are rendered subordinate in top-down practices of state repression and that realize the necessary conditions of that repression in bottom-up practices of identity production.

If citizenship narratives make sense of incarceration in ways that circumscribe and enable the possible range of identity-based work assignments, then, as Gilmore argues (1993), these work assignments are the practices through which these conditions can be reconfigured.
What range of work, then, is assigned by these tangled citizenship narratives?

Where, republican citizenship mystifies identity-based divisions of labor, victim citizenship allows an understanding of social hierarchy among citizens and assigns victim citizens to seek state protection from their "enemies." Once identified, their enemies are understood to be enemies of the state. For example, men who beat their wives can now be imprisoned. Wives are understood to have gained "equal rights" on the basis of becoming identifiable as victims in the eyes of the state. This narratives interprets the hierarchies it represents in a way that mystifies the system of coercive control that produces those hierarchies, placing sole blame for social inequality onto "enemies of the state," who are thus subjected to coercive state control.

The social organization of citizenship thus involves three general domains: the dominant and subordinate domains within citizenship (which are multiple) and the dominant and subordinate domains that divide citizens from enemies of the state. Representations of the latter domain tend to mystify hierarchies among citizens.
So What Do We Do With People Who Beat Their Wives?

Fighting for the right to identify enemies who will then be subjected to state coercion reorganizes publicity and privacy in a way that bolsters the power of state coercion to organize identity hierarchy. When the state organizes private coercion passively, by allowing republican citizens the right to practice it, private coercers control their own labors of coercion (like Arizona’s border vigilantes—as non-citizens, as “illegals” and “criminal aliens,” migrants do not have the right to identify vigilantes as enemies of the state). When abusing one’s wife, kids, and employees becomes illegal, that coercive control over the work assignments of those identities is handed over to the state. For example, women, in a move that repositions us from private property to private victims, can now sue our husbands for rape, enacting our “equal right” to protection from our enemies through the coercive force of the state, the same state, in fact, that invented republican citizenship. Tendencies of who rapes who, organized by a tradition of state coercion that positions men as innocent controllers and glorifies the organization of control via domination, are reinforced. Meanwhile, the identity-based work assignment of women is transfigured from “surviving assault and stigma” (when she is guilty of obstructing her husband’s right to the sexual
access he has purchased) to "surviving victimization" (she is now an innocent "victim" citizen). The changing same here is this: the same is that she is still subjected to identity-based work assignments issued in acts and representations of coercion; the change is that she has extended the domain in which the state practices coercive control.

I do not mean to suggest that life is better for women when it is not illegal for their husbands to rape them, nor is it my intention to diminish the collective struggles that won the right to be defined as a public citizen instead of a privately owned object of personal property. State protection is a top-down strategy of survival; collective organizing is a bottom-up strategy; and the strategies are dialectical. But perhaps the dialectic might be reorganized in a way that cedes some control to subordinated identities, instead of handing it from patriarch to state.

An example of bottom-up organizing to reorganize coercively produced, identity-based work assignments comes from the contemporary prison abolition movement. After participating in organizing the first Critical Resistance conference, Andrea Smith organized an abolitionist conference that launched InSite: Women of Color Against Violence Against Women of Color. Predicated on the real relations of coercion--the fact that people of color in the
U.S. are disproportionately targeted for practices of state coercion as well as the fact that women of color are disproportionately targeted for violent abuse--Smith, in collaboration with fellow abolitionist women of color, began organizing to combat violence in their communities without relying on the state for the "protection" that so devastates poor communities of color in this country. In one successful campaign, young women of color who were being routinely sexually harassed and assaulted by white police officers in their neighborhood, caught the events on film, went to the chief of police, and threatened to go to the press with the images. Their work worked. The abuse stopped.

This reworking of the organization of the relations of coercion was made coherent, in part, by the victim citizenship narratives that figures women as undeserving, innocent victims of sexual harassment and abuse. These young women were enabled by the threat of incarceration or legal sanction that the assaulting police officers may have faced had the images been released. Their tactics were grounded in state protection, yet at the same time, their work was significant in two ways: (a) it put some direct control over the relations of coercion into the hands of young women of color, who are normally assigned to perform identities that preclude such control, either enemies of the
state requiring imprisonment or victim citizens requiring state protection; and (b) they used this control to attack coercive practices, rather than to hand control over them back to the state. There is no outside of the top-down relations of coercion, but directing the power of bottom-up (re)organizing directly at the organization of those relations starts to rearrange them.

Gilmore (1971) elucidates the pitfalls of competitive identity politics. Competitive strategies to achieve victim citizenship are equally limited when people organize for "equal rights" on the basis of competitive oppression. One example is the white nationalist movement to end affirmative action, predicated on the feeling that recognizing the effects of regimes of white supremacy victimizes white people. InSite's tactics side-step this pitfall by organizing on the basis of interdependent regimes of state-sponsored victimization rather than competitive claims to "innocence."

In the United States, the local narratives of victim citizenship works in tandem with a neoliberal narratives of "global citizenship," which still deploys the mystifying promise of the universal "equality" of republican citizenship while victim citizenship encourages those who already enjoy nominal U.S. citizenship to practice their
placed "equal rights" by identifying new enemies of the state.

In *Global Ethnography*, Michael Burawoy argues that one effect of contemporary globalization, especially the intensification of migration and media flows, is the emergence of "global narratives"; narratives that circulate globally, but are necessarily consumed "on the ground," in specific places with particular local conditions and histories of their own (Burawoy, 2000).

The narrative of universal republican citizenship can be identified as a global narrative because it universalizes historically specific constructions of U.S. democracy and "equality" that inform development programs administered by the World Bank, IMF, and other powerful global institutions. It is also grounded in global practices of state repression controlled predominantly by the United States. Global narratives spread the common sense of dominant regimes; today, specifically, the neoliberal narratives of "global citizenship" displaces understandings that the U.S. is wealthy and powerful because of our global monopoly on force76, insisting, instead, that the "free market" is the

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76 In his July 2002 essay, "Endless Military Superiority," Michael Klare writes, "Ever since the end of the cold war, policy-makers have sought to convert America's sole-superpower status into an immutable fact of life. In the most explicit expression of this outlook, the Pentagon's draft 'Defense Planning Guidance' for fiscal years 1994-1999, drawn up in February 1992, called for a concerted U.S. effort to preserve its sole-superpower status into the foreseeable future. "Our first objective," the highly classified document stated, "is to prevent the
universal cure for poverty. This narrative also displaces understandings that millions of people inside the U.S. live in poverty. Global citizenship thus enacts the same (or similar) displacements as republican citizenship, in a new context on a larger scale.

Neoliberalism: The Force/Development Contradiction

Noam Chomsky identifies the central contradiction of neoliberalism in these terms: on the one hand, U.S. economic imperialism is promoted as a free-market solution to "third world" poverty that both aims and functions to promote global democracy as it "raises all ships"; and on the other hand, the explicit goal of U.S. militarism (both foreign and domestic, from outer space to the bottom of the oceans) is to protect the interests of the wealthy from the demands of the world's poor. I argue above that publicity and privacy, central to struggles for "equal rights," are narratives that organize identity, unevenly, in relation to state practices of coercion, and that state coercion organizes identity-based work assignments that set us laboring to reproduce the conditions of racial capitalism. It is via this organization of identity, work, and coercion, represented as citizenship, equality, and freedom, that we are able to re-emergence of a new rival, either on the territory of the former Soviet Union or elsewhere, that poses a threat on the order of that posed formerly by the Soviet Union" (Klare, 2002, p. 12).
understand citizenship as social equality and wage-labor and/or consumerism as freedom at the same time that we are subjected to identity-based, hierarchalizing practices of U.S. militarism, which we (reconfigured republican citizens) are encouraged to identify as the noble protector of our freedom and equality.

The following two readings of negotiations over citizenship suggest that, while top-down strategies of "granting" citizenship to non-citizens function to reproduce the static relations of racial capitalism, bottom-up strategies of prison abolition have the potential to disrupt the narratives of citizenship—a discursive condition of production necessary to racial capitalism.

**Top-Down Social Justice: Citizenship as Wage-Labor**

The following comparative textual reading argues that this neoliberal dialectic of force and development, that is simultaneously a contradiction and a condition of production, supports and enforces top-down strategies for constraining and enabling neoliberal identities that work to reproduce the static, international conditions of gendered and sexed race and class hierarchy.

This section offers an analysis of two institutional documents: *Gender Training: A Sourcebook*, published by the international aid organization Oxfam, and a promotional
brochure for the California Department of Corrections' Joint Venture Program. Gender Training is an institutionally generated feminist analysis that suggests that failing to account for women's interests inhibits the viability of projects designed to promote economic development. The Joint Venture Program facilitates the construction of for-profit factories behind prison walls in the state of California and promotes these efforts as a free market solution to the need for prisoner rehabilitation. A comparative reading reveals similarities between these arguments. Setting the terms for top-down projects in which the powerful define and address the needs of the disempowered, each text represents an impoverished population as underproductive and in need of rescue. Individuals are imagined as untapped sites for the extraction of surplus value. The measurement of labor power in accordance with global standards of abstract equivalence is posited as necessary to the social rehabilitation of populations (largely poor people of color) subjected to displacement and containment through military coercion.

Interestingly, these two unrelated documents, propose identical solutions to very different problems: the solution each poses is wage labor. How is it that wage labor solves the supposed problem of prisoner's economic parasitism and the problem of women's social subordination to men in so-
called "underdeveloped third world"—i.e., post-colonial—nations?

Feminists have analyzed a number of ways that socially hidden labor places a greater overall burden of work on women, people of color, and the poor, while simultaneously casting them as more socially dependent, draining and demanding than people with greater earning power. Identity-based labor hierarchies are made coherent through the reproduction and circulation of identity categories such as "mother," "woman," "wife," "criminal," "alien," and so forth.

In her article "Housewifization International: Women and the New International Division of Labor," Maria Mies writes:

Women are the optimal labor force because they are now being universally defined as 'housewives,' not as workers; this means their work, whether in use value or in commodity production, is obscured, does not appear as free wage labor, is defined as an 'income generating activity,' and can hence be bought at a much cheaper price than male labor. (1998, p. 87)

Hence, the ways that identities are imagined in relation to economies matters. In the JVP brochure and in Gender Training, conservative and feminist elites imagine the identities of people subjected to state repression in relation to exploitative regimes of economic production. The people described in each document are framed as "unable to work productively" until they are offered the opportunity
to become subjects of the global economy. Such subjection, the argument goes, readies them for citizenship, equality, freedom. While the administrators of the JVP are primarily concerned with the freedom of businesses to exploit prisoners, the Oxfam feminists care about the politics of work and gender. Yet, in both cases, elites are interpreting the effects of global practices of coercion and production that position poor people of color for repression and exploitation, and, these ideologically opposed policy makers construct identical work assignments for the people they are (more or less sincerely) trying to empower.

The readings I offer here juxtapose the classical U.S. Republican notion that labor is the best cure for the idleness and vice of prisoners (discussed above) with the materialist feminist notion that international women’s liberation is dependent on making women’s hidden, unwaged labor socially visible.

The identities of prisoners and “third world” women in these texts are translated into abstract standards of universal equivalence in two senses. As wage laborers, the value they produce becomes measurable in terms of dollars, and, miraculously, as a result of this translation process, their identities become quantifiable in terms of liberal democratic citizenship.
The Joint Venture Program

The Joint Venture Program is California's version of an anachronistic development in U.S. law; the renewed legality of exploiting inmate labor for profit. The convict-leasing system was eventually outlawed in the U.S., in part because inmate labor was seen as overly-competitive scab labor by U.S. labor unions. (See Chapter 4 for an extended discussion of "free wage ideology.") Today's convict leasing laws generally insist that firms pay inmates wages that they would have to pay to workers in the "free world," in theory to appease such concerns. Although inmates take "home" only a tiny fraction of what they are paid (since certain percentages of their paychecks go to "reimbursing" the state for room and board, to "victim compensation" funds, and often to support families on the outside) prisoners I have spoken with claim that these rare jobs are coveted and appreciated privileges within the context of prison work more generally. Such programs haven't, so far, taken off in ways that extend the scope of the prison industrial complex very significantly into the domain of new slave-labor market creation. However, the following reading suggests that circulating the idea of an inmate labor market works to extend consent for the identity hierarchies of racial capitalism. The aim of this section is not to evaluate the political economic effects of for-profit prison
labor, but instead to look at the work that a Joint Venture Program brochure does in terms of interpreting the coercive relations of citizenship in the service of reproducing the contemporary conditions of racial capitalism.

The brochure I describe here is carefully constructed against popular understandings of prison life. In sharp contrast to ways in which media and popular culture consumers are encouraged and directed to imagine prison, the glossy California Department of Corrections brochure promoting the "Joint Venture Program" is filled with beautiful glossy images of orderly vigorous productivity. In the book, *The Celling of America* (1998) incarcerated prisoners' rights activists Adrian Lomax and Paul Wright analyze conflicting popular representations of prisoners that construct them on the one hand as lazy, idle, unemployed social parasites lying about all day in front of televisions, and on the other hand as disorderly, violent brutes, thrashing their way through a chaotic, dangerous world of gang fights and sexual violence. These images construct a dominant trope of criminality that promotes both resentment towards and fear of prisoners. Like the narratives discussed in Chapter 4, they simultaneously figure prisoners as "savage" enemies of the "civilized" community and blame them for social inequalities among members of the "civilized" community. As I argue in Chapter
4, these contradictory and abstract representations of prisoner identity are dialectically related to the coercive practices of racial capitalism that assign the work of surviving imprisonment to particular people.

Page 1 explains that the JVP is the result of Proposition 139, the "inmate labor initiative," passed by California voters in 1990, that allows for-profit industries to build factories inside California prisons and employ incarcerated workers. Many prison activist/scholars, pointing out that the Constitution outlaws slavery 'except under conditions of incarceration', have argued that the function of the JVP and similar programs around the U.S. is to revive the convict-leasing system (that it so loudly echoes) and create a new class of slave laborers. This may well be the intention of such projects. The web-page of the FBOP even bragged, in 2001, that "inmate labor provides an innovative and patriotic solution to the problems of manufacturing American goods overseas."

However, continually expanding police forces and constructing brand new, extremely expensive, high-tech prisons and weaponry to control a new class of "slaves," a growing number of them living in permanent lockdown, is a far more inefficient strategy for creating a cheap disposable labor market than the practices of the convict-lease system in which prison laborers were controlled using
whips, chains, and dogs and barely fed or housed. After the Civil War, the planter bloc desperately needed to replace the slave labor they had lost, and convict-leasing (partially) did the violent work of fixing that labor shortage. Today, U.S. labor markets have been surplused. As Gilmore argues, prisons have played a key role in absorbing those surpluses (Gilmore, 1998/1999, 2004). And U.S. and multinational corporations don’t need to lease U.S. convicts; they have their pick of cheaper coerced labor markets in other countries.

The discussions above analyzing repressive state narratives of citizenship suggest that repressive state practices have other ways of aiding and abetting racial capitalism. The following reading of the JVP promotional brochure (that was enthusiastically mailed to me along with a video) argues that the work that the JVP accomplishes is the reproduction of the conditions of coercive-identity-based citizenship.

Before explaining what the brochure says, I will explain how it looks. Every photograph in the Joint Venture Program brochure offers an image of skill, discipline, and productivity. The diverse group of inmate laborers depicted are focused intently on their work, and the kinds of work the prisoners are doing both invoke high tech contemporary industries and hearken back to the heyday of U.S.
manufacturing. None of the activities the prisoners are engaged in are explained—we do not know what they are making or for whom—leaving the reader to fill in the gaps, and impose historically constructed understandings of work, history, community and identity to create a visual narrative to accompany the text.

On the cover is a close cropped image of a strapping Latino(?) man welding a shining silver cylinder that appears to be about 4 to 5 feet high: it looks to be part of a large, sparkling new, Fordist-era manufacturing machine. A striking spray of glowing orange sparks divide the image diagonally, emphasizing the activity of the pose; bent knees and elbows tight against his torso, head bowed as he controls the power tool. The man’s pose and the composition of the photograph invoke the style of 1930s progressive artwork depicting the glory of labor.

Smaller images arranged on a single page depict white men and Latina women assembling what look like high tech parts; circuit boards and molded plastic components. These photographs emphasize the technical intricacy of the products; one depicts simply a pair of hands manipulating a tiny tool across the face of circuit board. On the same page there is a small photograph of an African American man attaching handles onto luxurious-looking gold-colored sink faucets. All of these images depict tidy, calm, modestly
but neatly dressed workers looking away from the camera in a way that draws the viewers attention to the commodities that the brochure displays enticingly, in the style of a glossy catalogue.

The last image depicts a muscular, bearded African American man, working in a nursery, crouching gently over flats of orange California poppies with his left hand extended into the flat and his right hand behind his hip holding a bucket, he looks to be harvesting or weeding the attractive crop of flowers. It is also a close-cropped photograph, the image of the worker flanked by a row of green-houses stretching into the distance beyond the frame--the modernized image of a “slave in the field,” productive, benign, under control, working peacefully in the service of others.

In combination, these photographs interpret the coercive relations of production through visual references to multiple regimes of racially segmented wage and slave labor and select historical moments of booming economic productivity.

Subjection to labor discipline is posited in these images as the antidote to a disorganized underproductivity that is framed as a threat, and a drain on the social order in the text that accompanies the images. Rationalized
productivity, the Joint Venture Program (JVP) assures us, is the building material of the ideal, free market state.

The cover of the brochure explains that the JVP is a neoliberal project, "An innovative public-private partnership that makes good business sense." As discussed above, all public-private partnerships organize identity in relation to state practices of coercion in ways that "make good business sense."

The first page explains how the JVP works for firms who can "set up operations inside California State prisons and hire highly motivated inmate employees at competitive wages." It also explains that, "through participation in this program, inmates receive 'real world' employment experience . . ." (directly implying that "highly motivated inmate employees" have never before worked for wages) "...and develop a strong work ethic that enables them to become productive and responsible citizens of our community." Take note, this is "our" community, not "their" community; "our" community is the community of "citizens" who are both productive and responsible. And it is subjection to the regimes of wage-labor through which anyone, any one of the diverse inmates depicted, are enabled to become one of us. Again, the images that accompany this qualified invitation to citizenship aestheticize multiple racial labor hierarchies assuring their audience--business
executives—that inmates will become citizens in accordance with their historically determined identity-based work assignments.

Page 1 informs us that "at the same time, inmates pay restitution, family support, and room and board, making their incarceration less costly to the citizens of California." This "public-private partnership" thus offers inmates the "opportunity" to do the work of funding the institution that coercively positions them at the bottom of the identity hierarchy of racial capitalism, and to "pay back" California citizens, whose "equality" is seen to be encroached upon by the costs of controlling these inmates.

The "communal interest" in this text is posited as increased profitability for businesses and decreased tax burdens for citizens. Bodies of prisoners, who are very clearly other than citizens, are proposed as the perfect resource for producing such benefits.

This text specifies and interprets the identity-based work assignments of non-citizens, citizens, and business people alike, reproducing the discursive conditions for the reproduction of the hierarchy of citizenship discussed above. The divisions of labor are clearly delineated: non-citizens are assigned to enact wage-labor under conditions of containment; businesses are assigned the controlling tasks of organizing that labor and accumulating the surplus
value that non-citizens produce; and citizens (conflated with businesses) are partially relieved of the collective burden of paying for prison. Working for wages is the assignment that will allow non-citizens to become citizens by participating in the work that compels them to pay for the continual expansion of the prison system; a set of practices that continues to produce hierarchies of citizenship.

This view of appropriate social relationships between rich and poor openly advocates social hierarchies, barely mystifying the coercive social relations of racial capitalism through the narratives of citizenship. Though the world view of the authors of the JVP brochure contrast sharply with the egalitarian, feminist vision of social justice represented in Gender Training, both documents participate in the repressive state narratives of citizenship. Top-down strategies for the rationalized measurement of productive capacities are even more explicitly proposed as the solution to disempowerment in this feminist policy document.

**Gender Training**

The term "gender training" refers to a variety of policies aimed at promoting "gender-aware" social change that are practiced by various sorts of socially progressive
economic development agencies (such as Oxfam) and other NGO's around the world. The book Gender Training describes different kinds of institutional gender training programs and analyzes them in terms of their effectiveness and in terms of their different understandings of the goals of development. The feminist authors of this analysis make a top-down argument for gender training practices aimed at overall social transformations of gender relations that promote what the authors define as women’s social equality.

Their analysis is an attempt to ally themselves with women in the global south, and against practices that they understand to be obstructing women’s social equality, specifically, gender-blind development policies. Gender Training offers examples of economic development projects that have failed miserably due to the fact that women’s work was never factored into calculations of overall community productivity. They propose economic development strategies that center around the calculation and measurement of women’s work in accordance with the same universal standards of abstract value that are used to quantify men’s productivity.

Gender Training identifies and evaluates several different visions of gender-aware development, including "gender-ameliorative training" and "gender-transformative training."
Unlike "gender-transformative training" which aims at overall social transformation and which was developed and originally advocated by the international women's movement, "gender-ameliorative training" is favored by more strictly economic development agencies, such as the World Bank. "Gender-ameliorative training" emphasized the economic advantages of measuring and rationalizing women's labor in the service of greater overall economic efficiency and production of value. The authors of this book are critical of this approach because, although it increases community recognition for women's contributions to social productivity, it leaves issues of women's subordination unaddressed. The abstract unit of value that interests the World Bank is the dollar; these feminists suggest that the more just unit of measurement would be citizenship and argue that equal citizenship for women should be the primary goal of NGO-driven development.

The aim of the "gender-transformative training" the authors recommend is to promote gender equality by increasing women's access to broader forms of visibility, access and agency, defined in terms of "equality" and "citizenship." These forms of societal recognition are seen to be dependent on the social recognition of women as productive social actors; thus, the processes recommended for promoting broader social gender equality are the same as
the processes recommended by "gender-ameliorative training"—the translation of women's productive capacities, as well as their political, social and cultural identities into abstract terms of equal citizenship.

The strategy of seeking democratic empowerment through the rationalizing processes of economic and political abstraction—that is, seeking citizenship on the basis of performing wage-labor—fails to account for the social inequities that are produced in the international division of labor. Given that most of the people receiving international aid in the form of development projects live in highly indebted nations that are increasingly subjected to externally imposed policies of structural adjustment, this approach seems particularly problematic.

*Gender Training* argues that women will never gain social equality as long as their productive contributions to their communities and their economic and social needs remain unaccounted for—both by the elite engineers of economic development projects and by the members of their own societies. But their only suggestion for producing this visibility is through wage-labor; this assumes that work cannot be made visible or socially valued through any practice outside of exploitation, a practice with a raced and gendered history discussed above. This assertion figures the needs of women in the global south according to
the terms of feminists in the global north. Even if the abstract "women" they are discussing were to agree with the feminists from Oxfam, it is still important to analyze who controls the narrative that controls the work assignments of others, because top-down control is reproduced in the enactment of those assignments.

This said, development strategies from the north are, as Robinson would argue, translated into local terms, and local communities subjected to the global market may well find materials for resisting, opposing, or surviving this subjection in these development strategies, just as the narratives of victim citizenship enabled the young women of InSite to reorganize their labor and oppose the coercive relations of citizenship. Oxfam’s critique of solely economic development strategies insists that women’s enfranchisement accompany their subjection to wage-labor, which, on one hand, hands their labor-power to capital and the (hypothetical) local repressive powers of men in their communities to the repressive state. On the other hand, if communities are already subjected to liberal state systems of exploitation and repression, citizenship would be a less disempowering option for women than non-citizenship.

At the same time, the narratives of citizenship in which women from the global north demand and facilitate the measurement of the labor-power of women in the global south
as a basis for republican/victim models of citizenship a) mystifies the coercive relations of capitalist production that produce raced and gendered labor hierarchies, b) reproduces and extends the reach of repressive regimes of racial capitalism into localities where the options for empowerment and survival may well be quite a bit broader, and c) reiterates the north/south division of labor and control. I am not arguing that women in the north and south cannot become effective allies, but rather, that, if such collaborations are to reorganize identity-based work assignments and thus the social relations of coercive production, alliances across divisions of labor require an accounting of the multiplicity of those divisions, an understanding of how they are reproduced, and the will to work to reverse them.

This comparative reading suggests that an uncritical focus on wage labor as a process that promotes social empowerment functions as a distraction from the larger scale socio-spatial processes of domination that require the imposition of universal standards of abstract equivalence as a condition of their continued reproduction.

Narratives of citizenship that posit wage-labor as a process that promotes social independence--from personal parasitism or local oppressions--fetishize the citizens as "individual" and mystify the interdependence of the
feminist alliances and empowering poor women. An analysis, discussed above, that begins with the relations of social interdependence and the power dynamics of identity-based divisions of labor avoids such problematic mystifications. At the moment, global regimes of social control are incredibly monopolized in top-down regimes of violent repression, "remote controlled and digitally operated," hence bottom-up strategies of opposition are particularly necessary.

In the next section, I analyze the identity performances of people working to promote and oppose the prison/border system. The global narratives of republican citizenship and the national narratives of victim citizenship circumscribe these performances, which articulate globally, nationally, regionally, and locally organized regimes of coercive production in face-to-face practices of subject formation. The border/prison narratives delineated in Chapter 4 organize the work assignments, concentrated in the border region that made the meeting in Willcox possible. They both frame and resonate with the larger-scale narratives of citizenship reiterated in the meeting. Participants in the negotiations over the rezoning realized Willcox as a local, regional, national, and global site of productive reproduction.
Border/Prison Practices and the Fight for In(ter)dependence

Willcox is a part of Cochise County, Arizona, which borders the state of Sonora, Mexico. It is a site of border/prison practices in several respects: it is located within the immigration “corridor” into which the Southwest Strategy has squeezed undocumented immigration into the U.S. (discussed in Chapter 2) and Willcox elites have been competing to attract a new prison in their town since 1999.

In Willcox, access to wage labor has diminished steadily in the wake of cycles of decline in local extractive industries, such as mining and ranching. Mexican migrants live in temporary camps and labor in the tomato fields seasonally. For settled, qualified, U.S. citizen residents, year-round employment is available with the Border Patrol. The neighboring town of Bisbee, built up in the early 1900s around copper mining, has been gentrified and become an “artists community” and home to a small tourist economy.

Immigration is the most visible and contentious issue in the region, and local residents span the political gamut from immigrant rights activists, through apolitical complacency, to the white nationalist vigilantes, decked out in repressive state drag, who rally against and hunt down migrants crossing the border.
The narratives of immigration discussed in Chapter 4 circulate in Cochise county everyday, where visitors are guaranteed to encounter virulent anti-immigrant posters in shop windows and on billboards, making claims of foreign invasion and economic parasitism. At the same time, the migrant community in Willcox recently launched one of the most successful labor strikes in local memory, and anti-border militarization and immigrants rights groups are visible and active around the county, where flyers demanding amnesty and an end to Operation Safeguard can be found in different shop windows.

It is in this context that (some) Willcox residents seek the "economic independence" that they imagine wage-labor within immigrant prisons will produce.

**Bottom-Up Development: Prison Abolition as the Reorganization of Work**

Proposing prisons as economic development highlights the complimentarity of neo-liberal trends: the glorification of global/local development strategies as the expansion of democratic equality and the increasing use of repressive force to manage the poor globally. Much contemporary analysis of global/local relations coming from NGO's as well as the social sciences defines the global-scale mobility of capital as the central threat to local economic independence
and self-governance, and thus posits "sustainable" development as a way to shelter local communities from the devastation of "abandonment" by "highly mobile" global capital.

This analytic model of globalization reiterates the image of "endless mobility," discussed above, that mystifies the uneven interdependencies of global capitalism. It characterizes global "capital" as large amounts of money, circulating at a global scale, passing "over" and sometimes "through" local economies, but not accumulating there. This globally mobile, cybernetic cash, the argument goes, needs to be captured and "placed" or "planted" in order to become regenerated, circulated, and accumulated at the local scale. The fetishistic use of the term "capital" in this equation effectively disguises the inequitable local conditions that are required for capitalist development to work. Capital is not simply money: it is a social relation; an economic relationship in which a class that does not own the means of production is exploited by a class that does. The organization of the relations of capitalist production, as I argue above, is reproduced in the enactment of identity-based work hierarchies, enforced through state repression.

Examining local elites in a rural Arizona town engaged in a "race to the bottom" as they attempt to attract jobs in the form of immigrant prisons, demonstrates that the social
relations of capital are implicated in highly repressive state practices including, displacement, incarceration & detention, and deportation. Mass incarceration threatens the mobility, autonomy, bottom-up social interdependencies, and thus the survival of geographically and economically displaced people; in Cochise County, these are the very same people who hold the majority of low-wage jobs that keep local economies limping along. By positioning caged people of color as a "resource" available for local community development, the transnational prison industry exposes the larger repressive economic relations that capitalist development requires in order to offer "capital"—framed as "job stability" through the implicit operation of the neoliberal world view—in discreet locations.

Neoliberal champions of globalization offer multiple optimistic claims about transformations in the relationship between capitalism and the state that are too extensive to delineate here, but, with an historical understanding of the role of repressive state and state-condoned practices in the continual production of an identity-based hierarchy of alienated classes (delineated above), the disavowals involved in neoliberal visions of a "stateless global economy" become clear. Such visions are often utopian, celebrating cultural diversity as a cherished resource for capital (in need of protection from above) and projecting a
"borderless world market" in the making, destined to ultimately create, through "free and fair trade," the global conditions necessary for racism, sexism, ethnic violence, religious intolerance, and (sometimes even) homophobia (but never class) to "fall away."

The neoliberal world view is grounded in these messianic, elite views of "free trade" that equate racism with the state (see Joseph, 2002; Lowe & Lloyd, 1997) (imagined to be distinct from the economy) and with "ancient tribal hatreds" (Appadurai, 1996), and assert that both are obsolete and unnecessary to capitalism (Joseph, 2002). In this framework, local community development is imagined as the harmonious, communal activity of "global citizens."

This narrative implies that, like capitalism, development can be practiced by small communities anywhere. It is framed as an activity that creates a universal relationship between small communities and a beneficent, enabling "global citizenry"—mystifying the extractive, top-down relationship between global corporations and poor communities as well as all of the interdependent relations that occur at the many scales in between.

These claims rely on the assertion that capital has "exceeded the bounds" of nation-states and that the state is now "falling away"; an assertion that disavows (a) the apparatus of repression, organized at the scale of the
state, and (b) the necessary relation between racial-state repression and capital accumulation. This understanding of the world economy as independently "global" rests on a conceptual framework that casts states as territorial containers for nationally bounded political-economic practices, rather than a set of repressive social relationships that materialize the conditions of social hierarchy implicit in capitalist production. As this representation activates common sense understandings of the state as a transparent, knowable territory and an "imagined community" containing a peaceful system of political negotiation and economic exchange and consumption, it displaces the centrality of racial state violence to the transnational reach and world-systemic development of capital.

This messianic view of capital as the anti-racist, state-smashing liberator of the oppressed is also predicated on the glorification of commodities; job-creation through manufacturing and global access to Burger King as social justice.

What happens when 'caging of poor people of color' replaces 'jobs making commodities' and/or 'stores selling commodities' as the desirable industry to attract; the great hope for an engine of local economic sustainability, growth, and vigor?
New prisons are overwhelmingly sited in depressed, deindustrialized, rural towns and predominantly populated by people from depressed urban centers with rapidly growing percentages of women, children, immigrants.

Bureaus of Prisons, federal and state, pitch prisons as a beneficial form of economic development. This requires narratives of community and development that posit a reconfigured economic relationship between urban and rural U.S. towns in which urban convicts, mostly people of color, are imagined and desired as an external, capturable raw material available for rural economic development. This narrative interprets repressive state practices of incarceration as economically beneficial to poor communities. This chilling interpretation of the social necessity of prisons organizes the conditions of identity production, pitting poor surplused populations against poor surplused populations, encouraging the rural poor to do whatever it takes to have a prison built in their town. The multi-scalar materializations of identity realized in this work extend the muscular apparatus of US state repression at the same time that the world system of capital accumulation becomes increasingly organized, unevenly, across nations.

As Julia Sudbury explains, U.S.-style prison expansion is already becoming a global practice, as US-based private
prison corporations are opening prisons in Europe, Mexico, Australia, South Africa, and elsewhere (Sudbury, 2004). As the following analysis illustrates, globalization is not an abstract, all-powerful force, mowing down everything in its path; it is a social relationship, organized at multiple scales, produced through everyday practices, in specific places. Although it is a highly uneven relationship, it is always negotiated. Like all global narratives, this new interpretation of development requires localization within the specific places it seeks to plant itself.

In November, 2000, the Federal BOP proposed the CAR-3; the construction of three, private, 1500-bed "criminal alien" prisons to be built in 3 of 12 proposed locations in Arizona and Southern California. It would warehouse foreign nationals, exclusively, the majority of whom are expected to be Mexican. Nine of the proposed sites are small, depressed, rural towns in Arizona, including Willcox.

In response to this proposal, a coalition of southern Arizona organizers, the Arizona Prison Moratorium Coalition (APMC), launched a statewide prison abolition campaign, aimed at stopping the CAR-3. The APMC was formed in January of 2001 following a December 2000 immigrant rights conference that brought over 600 social justice organizers, predominantly organizers of color, from across the U.S. and Mexico together to develop coordinated campaigns to fight
border militarization. One of the issues that emerged during the conference was the CAR-3 proposal. The January meeting planted the seeds for an abolitionist coalition organized primarily by the American Friends Service Committee Criminal Justice Project (AFSC), a Quaker-led, international human rights organization that organizes prisoner families and opposes prison expansion, coordinated locally by Caroline Isaacs, and the Border Action Network (BAN), a local Latino/a-led anti-border militarization organization, based in Tucson, Douglas, and Nogales and coordinated by Jennifer Allen. In attendance were members of the California Prison Moratorium Project and people from the national office of Critical Resistance (discussed in the introduction), who encouraged our campaign and advised us on strategies for fighting new prison construction.

The coalition was predicated on an understanding that immigration and prison issues are inter-related, that migrant and prisoner rights can’t effectively be won when they are imagined in competition, and thus, that opposing the CAR-3 can only be effective using strategies that support the abolition of all border militarization and all prisons. Coming to this understanding was not easy.

Prisoner families in Tucson were devastated when the ADC cleared their inmate family members out of Tucson in order to concentrate Mexican national prisoners in two wings
of the Tucson facility. Many families had moved to Tucson specifically to be near imprisoned loved ones, and the sudden, unannounced moves created new hardships for already struggling families. People showed up for visitation one Saturday and were told that their family members had been moved to other Arizona prisons (it took them weeks to find out where). The explanation offered by prison officials was that the new segregation policy was a response to dangerous gang warfare: a "security" issue. (See Chapter 2 for an explanation of this re-segregation as a strategy of expansion.) Many of the AFSC-organized Tucson-based prisoner families aimed their anger at Mexican national prisoners, just as the ADC had encouraged them to do. Many felt that "protecting" Mexican national prisoners at the expense of prisoner families with U.S. citizenship was a violation of their rights. An attitude of identity-based competition was thus established, especially among some of the stronger personalities in the group.

At the same time, a number of immigrant rights organizations insisted on differentiating immigrant prisoners from U.S. prisoners on the grounds that "the immigrants are innocent!" Again, these advocates imagined their constituency in isolation and migrants' unjust subjugation to imprisonment as independent from the larger
culture of punishment. Both groups initially imagined one another as their "enemy."

Allen and Isaacs called a large meeting in Tucson specifically for prisoner families, Latino youth from Tucson, ex-prisoners, immigrants, and immigrant advocates to talk through these issues. Almost everyone who walked into the El Rio Community Center was surprised by the huge number of people who had chosen to attend the meeting--about 60, including people who had driven all the way from Bisbee. (People had to share pizza.) The good turnout engendered a drive for cooperation among meeting attendees I spoke with, because most people felt that not many people cared about their particular issues, and were excited to see so many faces. Isaacs explained the CAR-3 proposal, and Allen facilitated conversation, asking people to talk about what they thought was most important about fighting the construction of the prison. A BAN volunteer wrote everything each person said on large pieces of paper, so that by the end, the paper encircled the room. People's concerns kept building upon one another. "They're never going to change immigration policy if they keep building immigrant prisons and filling them up." "My school counselor is already sure that I'll end up in prison. It's like a plan." "Why is it legal to build private prisons? That's sick." "They're building prisons for immigrants
because they know they can get away with it." "Oh, they can get away with anything! Trust me." By the close of the meeting there was a unanimous vote to work together to fight the CAR-3, and one of the young men from high school said, "We should tear down all the prisons," and the room erupted in agreement. Two groups of people, both highly affected by prison expansion, who had previously imagined themselves as enemies, started to imagine themselves and their struggles as interdependent. A coalition had been enacted; through a bottom-up reorganization of work, a competition became an alliance.

By the time the Supervisors met in Willcox, the anti-CAR-3 campaign, created in Tucson, had begun to network with immigrant prisoners and develop relationships and alliances with a variety of local groups in most of the nine towns competing for CAR-3 prisons.

On May 8th, 2001, the Cochise County Board of Supervisors met to approve the rezoning of 58 acres of land just southeast of the Willcox City limits in order to make it available to build the immigrant prison should their town become one of the chosen sites.

People representing a diversity of interests participated in the meeting, including: the Mayor of Willcox and the three Cochise County Supervisors; representatives from the Willcox Chamber of Commerce; a representative
speaking on behalf of Cornell Corrections; members of Citizens for Border Solutions, an immigrant rights activist group from Bisbee; and five members of the Arizona Prison Moratorium Coalition, including myself.

Meeting Participants

Before the CAR-3 was proposed, the Mayor of Willcox had traveled to the FBOP in Washington, D.C. to inquire about the possibility of having a prison built in Willcox. He is not ideologically committed to prisons; his political career has focused primarily on trying to develop the struggling economy of his town by attracting investment of any kind. He had visited prison towns in rural Texas, and decided that a new prison was the form of industry Willcox seemed most likely to be able to attract.

The chief Supervisor of Cochise County, in charge of running the meeting, is a member of Concerned Citizens of Cochise County (CCCC). The CCCC is reminiscent of (and possibly linked to) the White Citizens Councils that were popular in the southeastern U.S. before desegregation (when they became Concerned Citizens Councils) who acted as boosters for the activities of the Ku Klux Klan. The CCCC holds anti-immigrant rallies in support of white nationalist vigilante activity on the border.
Five members of the Willcox Chamber of Commerce, all white male small business owners, attended the meeting expecting to support the proposal, but not yet committed to the idea of competing with other towns for the construction of a new prison. They support anything that will invigorate the local economy, but are not convinced that all development schemes will necessarily work to the advantage of local commerce.

A young man from the Mayor's office opened the meeting by giving a presentation based on his communications with Cornell Corrections. Though he was not from the corporation, he conveyed their arguments in favor of prison expansion as economic development. He had questioned Cornell extensively, but not researched the company or any information about prison as development offered by sources outside the corrections industry.

Five Anglo members of the Bisbee-based organization Citizens for Border Solutions attended the meeting. Their group is involved with developing transborder relationships between U.S. and Mexican citizens, fighting local racism against undocumented migrants, and promoting non-violent solutions to the problems associated with migration. They attended the meeting to protest the construction of immigrant-only prisons, and private prison construction on the basis that both practices are morally aberrant because
they promote racism and the subordination of human rights to the dictates of profit.

I attended the meeting with three fellow members of the Arizona Prison Moratorium Coalition (APMC); Isaacs, a white political activist and co-coordinator of the APMC; Allen, a Latina political activist and co-coordinator of the APMC; Lozano; a Mexicano immigrant and political activist/artist with permanent residency who, along with myself, a white graduate student, was an active volunteer in the CAR-3 campaign. We heard about the meeting at the last minute, and were the only people available to drive to Bisbee that day.

This selective contextualization sets the stage for analyzing negotiations in which the forces of national prison expansion, networked community organizing, and various local groups seeking sustainable community development came together for several hours one afternoon. The meeting became a site of conflict and collaboration among people, wielding various narratives of human need, seeking to promote and oppose the mutually constitutive practices of community and nation building and capitalist development involved in prison expansion. Framing these negotiations is the unspoken assumption that the supply of immigrants to be locked up is unending.
My friends and I had spent the morning deciding who should say what: we knew we needed to expand the definition of who is part of the community in order to make ourselves heard, and also in order to listen to potential allies. Knowing that we were likely to be discredited as 'professional activist' outsiders to the community, we decided to divide up the points we wanted to make. Defining ourselves as partial community insiders on the grounds that we are Arizona residents, regional inhabitants of the NAFTA economic "free zone," organizers representing border communities and migrants, US dwellers, and subjects of the world economic system with clear stakes in the further expansion of the prison industrial complex. Further, Jen and Gustavo, Latina Tucsonan and Mexicano immigrant respectively, intended to assert the voices of people of color into a meeting we (correctly) assumed would consist almost entirely of white people making decisions that would have significant impacts on local communities of color and migrants.

By questioning the legitimacy of local/global relationships that fail to account for diverse inter-regional, transnational, and multi-scalar relationships, we hoped to realign narratives of community belonging in ways that might reinterpret the narrative of prison as development, recasting it as the development of
underdevelopment. In not so many words\textsuperscript{77}, we hoped our work might begin to obstruct the social reproduction of the necessary conditions of coercive production.

From working with the California Prison Moratorium Project (the organization founded on the insight that depressed rural towns are the primary front for fighting prison expansion, as discussed in the introduction), we learned that local people attending this meeting would most likely be predominantly concerned with building their local economies, and not necessarily delighted with the idea of a prison. Based on their experiences building diverse rural and urban-rural coalitions, CPMP insists that abolition is about building alternatives, not only to incarceration, but to the social problems that prison perpetuates, such as poverty, racism, sexism, and homophobia. And visions of development are crucial to this project of building. We planned to participate in the project of imagining development.

We were concerned that the anti-immigrant sentiment in the region and local Anglo traditions of socially conservative libertarian populism might make people more supportive of an immigrant-only prison. We didn't want to lose any chances to develop local alliances (since we were

\textsuperscript{77}The words we used were less likely to be "reproducing the coercive conditions of production," and more likely to be, "this stupid prison is going to fuck things up for everybody, worse than they already are!"
trying to organize in nine towns simultaneously) and we were also committed to avoiding any arguments that relied on encouraging people to fear prisoners, since such fears manufacture popular demands for more prisons.

Jen planned to assert the interests of Latino/a border community residents, emphasizing human rights and environmental justice issues and the need not to exacerbate the already formidable racial and cultural tensions and inequities of the border region. Caroline, emphasizing AFSC’s affiliation with the Quaker faith, would delineate the concerns of southern Arizona’s progressive religious community, as well as the negative economic and human rights track records of private prison corporations, especially Cornell Corrections, the corporation bidding on the CAR-3 and planning to build in Willcox. Asserting the presence of Mexican nationals in the community, Gustavo identified himself as a Mexican citizen and permanent US resident, speaking entirely in Spanish to a room filled almost exclusively with Anglos. He emphasized issues of the changing global economy and the socio-economic problems these changes are causing in the border region, suggesting that immigrant-only prisons would only intensify the transnational economic inequities that drive undocumented immigration and further impoverish poor workers in the U.S. (None of Gustavo’s comments appear in the minutes from the
meeting.) I identified myself as a graduate student studying prison expansion in Arizona, and cited recent studies on new prison towns in California to counter the idea that this prison will bring prosperity to Willcox.

The Meeting

After approval of the previous meeting's minutes and some brief agenda items, a young white man in khakis and a tidy shirt gave a power point presentation on the rezoning and on the projected economic benefits the prison would bring to Willcox. A member of the Mayor's staff, he had met with Cornell Corrections executives, asking their opinion of what the prison would offer the community. He assured the audience that the prison would be outside of town, very safe, and barely noticeable except that it would bring $18 to $20/hour jobs to Willcox residents and that the local circulation of this income might stimulate further economic growth.

His emphasis on the community's safety and on the social and geographical invisibility of the prison foregrounds the extreme outsider status of prisoners in his description of community development; a group whose interests, according to his narrative, do not figure into the equation of the town's future in any way. The interests of people figured as enemies of the state and as disposable
community resources framed, but did not enter his vision of community development.

This opening presentation introduced the terms of the larger discussion by offering a vision of Willcox's economically invigorated future that is fully commensurate with the global narratives of neoliberal development. It simultaneously celebrates the socially liberating potential of locally capturable capital, framed as money, while it makes local collusion with the apparatus of repression that ensures the money sound safe, sanitary, and socially invisible.

Following this presentation, the mayor stood up and explained that he and his administration had been working hard for a number of years to bring economic development and jobs to Willcox. Casting himself as a humble, entrepreneurial 'community patriarch', Mayor Marlin Easthouse spun a narrative of sustainable community development that was much less generic, drawing from local traditions of self-representation. He told three stories.

First, he described his trip to the FBOP in Washington, D.C. Having researched the development possibilities available to Willcox, he had determined that a prison was the most attainable possibility. The BOP representatives he met with told him how impressed they were that he had come so far, in person, to ask for a prison. His description of
the federal administrator's admiration of his entrepreneurial initiative evoked the image of a humble yet determined, small town man, willing to travel great distance and approach intimidating power brokers for the well being of his community; a hard working protector. Standing before the meeting with his large white cowboy hat held against his chest, the story of his journey to Washington activated local structures of feeling--particularly among, but not limited to rural Anglo southwesterners--including frustration with regional invisibility, resentment over urban condescension, and white nationalist frontier pride.

This combination of available feelings is organized, in part, by the repressive state narratives of republican citizenship expressed in local terms, with its white men wielding repressive force against 'enemy others to the community' for the good of 'victim others within the community'; the Mayor subtly invokes the white-supremacist world view that patriarchal republican citizens are still working to subdue the threatening natives out here (on the frontier) for protection of vulnerable citizens. Similar to centuries-old white supremacist narratives celebrating practices of frontier genocide that remain enshrined throughout the southwestern US, the repressive apparatus central to the development agenda is once again interpreted through the glow of regional pride in this narrative of
heroic community rescue, brought about through the brave entrepreneurship of republican patriarchs in cowboy gear—culturally acceptable leaders telling familiar historical stories to their fellow citizens.

This narrative disavows any link between the coercive relations of production that impoverish the residents of Willcox and displace and immobilize Mexican migrants. The disavowal is achieved through the discursive construction of community that invokes an implicitly racialized (white) public sphere of equal citizenship in which repressive practices affect only the enemies of equality and characterizes white male patriarchs as the appropriate people to protect the community from such threats.

At the same time, the logic goes, in contrast to FBOP administrators in D.C., the Mayor is "one of us," who, by allying himself with the powerful, raises the local "community of equals" to a new, more powerful level of "equality" with bigger patriarchs. Such alliances with the agents of top-down practices of hierarchy mystified as "equality" might ensure the exploitation mystified as "independence" of Willcox citizens, as they work to cage migrants, characterized as dependent parasites; enemies of the state.
Next, he told the story of visiting a small town in west Texas to tour the five private prisons that provide the bulk of employment for the town's residents. He emphasized that the prisons were very, "... modern, clean, and quiet. Not like what you hear about. The prisoners had clean cells and activities. It was a nice place. A good place to work" (Mayor Marlin Easthouse, Willcox, May 8, 2001). His emphasis on the calmness of the prisons and the activity of the prisoners echoes the orderliness and discipline communicated by the JVP brochure; an interpretation of imprisonment as the cure for the "economic parasitism" that border/prison narratives assigns to migrants.

In the border/prison version however, the exploitation of the guards is the path to their equality, independence, and community membership (echoing republican citizenship), rather than the exploitation of the prisoners. The business that will be profiting from this exploitation (framed as rescuing people) is the prison corporation itself. In this context, like in Gender Training, the dependent community in need of rescue are framed as victim-citizens, not parasitic enemies: exploitative businesses are here to "empower" victims, the logic goes, enabling their political-economic
"independence." Again, interdependence is displaced by the image of white male labor as independently productive.\(^\text{78}\)

This story was followed by his comments that, ", . . . we would all like to live in a town with good enough jobs and wages that our children might choose to stay here and raise families of their own . . ." (Mayor Marlin Easthouse, Willcox, May 8, 2001). The Mayor's concern is with the reproduction of the Willcox citizenry, an unevenly organized system of identity-based work assignments which cannot be reproduced as the changing same, or possibly even survive, without wage-labor. His assurances make clear the expectation that a healthy supply of raw materials (of "criminal aliens") will be available to Willcox for generations to come.

Following the mayor's performance, the Executive Director of the Willcox Chamber of Commerce and two other prominent Willcox businessmen took turns at the microphone describing their meetings with Cornell Companies. They wore professional looking suits and ties with their white cowboy hats. Where the mayor's masculinity read as primarily protective, the businessmen were more interested in the

\(^{78}\)The image captures only the bootstraps and the person pulling himself up by them. Unpictured are the people who make and shine the boots, the people kicked over and robbed by the person wearing the boots, or the percentage of the loot handed over to the person who stole them and gave them to him in the first place.
possibilities for personal partnerships with successful corporations.

"They are good corporate citizens, they give back to communities. They may offer scholarships to our kids," (meeting attendee, Willcox, May 8, 2001) declared one of the businessmen, the term "corporate citizens" invoking a global public sphere that Willcox is hoping to enter with all of its expected benefits, such as college educated children who might become global corporate citizens themselves, and right here in Willcox. Cornell Companies' business credentials were established only with the phrase, "... they are the third largest company operating private prisons," (meeting attendee, Willcox, May 8, 2001) suggesting that "big" guarantees successful; again referencing a distant world of cybernetic cash flows—big money and big corporate citizens that Willcox's business leaders might join through this association.

Following this show of support for the immigrant prison by Willcox's economic developers, five white residents of Bisbee spoke against the prison. All members of Citizens for Border Solutions, their arguments centered on humanitarian concerns for the plight of poor Mexicans and Central Americans crossing the border, many of whom die in crossing every year, and the ethical problems from profiting from their economic desperation. Each Anglo speaker, all
from Bisbee, described the misery of crossing, offering horror story after horror story. The speakers characterized migrants similarly to Oxfam’s characterization of “Third World” women; as victimized people in need of rescue from undeserved and debilitating injustice. They characterized themselves as the powerful northern allies, poised to enact the rescue.

None of them referenced the tattered state of the Willcox economy or suggested any alternatives to prison as development. These narratives were met with stony silence except when references to “our brethren across the border” provoked hostility from the white nationalist Supervisor.

This strategy created a narrative of competing oppressions, (asking, ‘which group of poor folks are most worthy of our help?’) in which Willcox’s Mayor and developers were encouraged to turn their attention to the plight of migrants crossing the border instead of struggling Willcox residents. This competing narratives of white paternalism mystifies the interdependencies of social hierarchies and reflects the class differences between white Bisbeens and white Willcoxians. It also reiterates repressive state narratives of republican citizenship by predating white people as top-down rescuers of less powerful others, and making distinctions between “victim
citizens" (worthy of protection) and "equal citizens" (whose work assignment is to protect others).

In this liberal version, migrants get to be the victims, the state is the enemy of the transnational community, and poor white people in Willcox receive top-down orders to stop whining; they are displaced as the group of victims under consideration. This construction interprets white people as an undivided class formation, unaffected by the coercive relations of production, and therefore positioned to rescue worthy others. It displaces the role of racial capitalism in producing an identity-based hierarchy of exploited workers. As white people, the logic goes, Willcoxians are obviously independent, equal citizens, occupying the white public sphere, and merit no special protection—their identity-based work assignment, according to their neighbors, is to protect real victims.

The interpretation of community implied in the comments of Citizens for Border Solutions succeeded in alienating people concerned about development in Willcox by setting migrant suffering in competition with a locally popular white nationalist border/prison narratives of economic victimization (echoes of free wage ideology). Border/prison narratives of migration displace regimes of economic exploitation as the cause of class disempowerment; this enables the interpretation of white male unemployment as an
effect of "unfair competition" with migrants. Both narratives are predicated on an imagined white public sphere that obfuscates divisions of labor among white people.

An interpretation of the interdependence of migrant suffering and the depressed economy of Willcox might have had a less alienating effect. Most people in the room appeared to be quite familiar with interpretations of economic globalization.

The last of the speakers from Bisbee switched tactics, and read news articles about violent episodes in Cornell prisons, concluding with the question of whether or not people wanted their sons and daughters working for the corporation. While this tactic disrupted his fellow human rights activist’s strategies of distracting Willcox residents from their own less urgent problems, his narrative reiterated repressive state narratives that construct citizenship against dangerous dark savage enemies requiring control.

"You're not from my district, and I don't want to hear this. The prison's not going to be in Bisbee" (Supervisor Call, Willcox, May 8, 2001) was the response from the very hostile Chairman of the Board of Supervisors.

The chairman’s constant dismissal of anyone opposed to the prison as “outsiders” cast the town of Willcox as an Anglo island, disconnected from neighboring towns and
cities, and distinct from its own Latino/a, migrant, Native American and any other non-white residents.

His description of the community as a discreet, monoracial, geographic space shut down any vision of development that might acknowledge and grow out of potential and existing regional economic and social interdependencies, and that might address local, regional patterns of inequity. In this view, the local economy can only be rescued by what is imagined as "global capital," effectively disconnecting Willcox from any regional allegiances, alliances, or responsibilities. Disavowed in this representation of the town is the diversity and porosity of the community, the potential for any locally-based, bottom-up reorganization of the conditions of production, and the uneven interdependencies among people and communities in the region.

He had similar responses to the comments of the Tucson speakers, emphasizing our "outside agitator" status. When Jennifer Allen suggested that the Latino immigrant population of Willcox might be less comfortable with an immigrant-only prison than the town residents sitting in this particular meeting, the chairman blew up, interrupting her speech with the statement, "... the residents of the City of Douglas--which are mostly Hispanics--are very much
in favor of the prisons which are in or near Douglas" 
(Supervisor Call, Willcox, May 8, 2001).

Douglas is a small, majority-Latino border town very close to Willcox, and, on the grounds that he is a Willcox resident, the Supervisor asserted that he had more authority to speak on behalf of southern Arizona "Hispanics" than Allen, a border community activist who organizes in Douglas. The identity-based job assignment of the Supervisor, in his view, was very much that of the republican citizen; to control the identity-based work assignments of all of his "subordinates." He did not recognize the authority of anyone in the room other than the Mayor, the men from the Chamber of Commerce, and his two fellow Supervisors.

Allen calmly pointed out that prisons are built in poor communities of color for the same reasons that toxic waste is dumped there: because other communities have the political power to keep environmental liabilities out of their back yards. She then discussed some of the environmental problems that new prisons create, emphasizing heavy water use; a particularly important issue in arid southern Arizona. In an inversion of the tactics of the Citizens for Border Solutions, she interpreted new prison construction as a practice that victimizes the communities in which prisons are built, aligning Willcox and Douglas
residents across racial lines, instead of setting them in competition with migrants over entitlement to victim-status.

"I don’t see that that has anything to do with this’’ responded the Supervisor, again distancing “his” community from Douglas.

Isaacs began her comments with a description of AFSC as a faith-based organization and then launched into a laundry list of Cornell’s multiple conflicts with local communities involving overcharging for incarceration “services,” raising suspicions about the corporation’s intentions to suggest that local economic development might not be their first priority. She concluded with a description of Florence, Arizona, home to five prisons—a town with no grocery store—offering it up as evidence that prisons do not grow local economies, aligning the interests of rural Arizonans against the interests of corporations.

“Well we’ve already got a grocery store here,” replied the Supervisor, “and, aren’t you from Tucson? Aren’t you a professional activist?”

In the Supervisor’s construction of the issues, the “community” needed to protect itself from uninvited outsiders, particularly anyone reorganizing his construction of community boundaries. Our very presence at the meeting, in his view, defined us as enemies. He also referred to us as “girls” at one point, and to the women from Citizens for
Border Solutions as "those women from Bisbee," suggesting that our gender identities in combination with our speaking may also have made us appear to be "enemies" in his construction of his own authority. In his view, the "community" has a right to invite global capital in, on its own terms, and outsiders should not have authority in the negotiations.

This is a twisted version, grounded in the absolute authority of the republican citizen patriarch, of arguments in favor of local empowerment, such as Laura Pulido's argument that outside activists need to respect local sovereignty issues in her discussion of tribal rights of self-determination in choosing to accept money in exchange for toxic dumping on reservation lands. The chairman's white nationalist articulation of this critique reproduces, rather than challenges social relations of domination and subordination; it substitutes local elite, white, patriarchal autonomy for anti-racist configurations of local control, reiterating local race and gender hierarchies rather than challenging them.

Further, while prisons may in fact be toxic, prisoners themselves are not waste. Not only did most Willcox residents have no input during this fast and quiet zoning hearing, prisoners have no possibility for a voice in the chairman's republican narratives of authority. In fact,
Mexican national prisoners are assigned to invisibility by the border/prison system. It was never possible, during the campaign, for former immigrant prisoners to speak at this kind of meeting, because they are all immediately deported upon release. BAN, however, spent months interviewing recently released immigrant prisoners in homeless shelters in Nogales, Mexico with the intention of bringing their experiences, in their own words, into such negotiations. (See Appendix B).

I spoke last, using arguments developed by the California Prison Moratorium Project and Critical Resistance. I reiterated Jen, Gustavo, and Caroline’s reconfiguration of the Supervisor’s construction of a closed, individual community into a more interdependent image of an “us,” differentiated from an exploitative corporate “them.” I repeated Caroline Isaacs’ (2002) research on Cornell Companies’ bad economic performance and record of overcharging for their services in the towns where they operate. I pointed out that new prisons must hire the vast majority of their staff from their national pool of trained and seasoned employees, raising doubts about Cornell’s promises, and ended with an argument borrowed from environmental justice organizers: if prisons were really an unobtrusive yet lucrative form of community development,
they would be sited in the wealthy areas of Scottsdale and east Tucson, not in poor rural towns like Willcox and Eloy.

The chairman shouted me down, as well, yelling, "... It doesn't matter what you say. This community wants this" (Supervisor Call, Willcox, May 8, 2001).

However, when I returned to my seat, next to Caroline, Jen and Gustavo, the two men who had spoken glowingly of Cornell as a good corporate citizen had turned around in their chairs and were asking Caroline and Jen about their research. The mayor also approached us, and thanked us for coming to the meeting. We gave them all the documentation we had with us, the phone numbers and email addresses of BAN and AFSC, and directed them to various websites. The businessmen asked for Caroline and Jen’s cards.

When the vote on the rezoning took place, the County Supervisor from Bisbee voted against it. He stated that he had entered this meeting planning to vote in favor of the proposal, but that the comments of his constituents from Bisbee (the folks from Citizens for Border Solutions) at the meeting had opened his eyes to the ethical and human rights problems involved in turning to prison construction as a strategy for economic development. Although he wanted very much to support economic development in Willcox, he felt that building an immigrant was “not the right thing to do.”
The other two Supervisors voted in favor of the rezoning, and it was passed.

After the meeting, the people from Citizens for Border Solutions came over to us and thanked us for coming to the meeting. They knew Jen from organizing on the border, and they said they were interested in working with us on the campaign to fight the CAR-3.

In March of 2002, the FBOP withdrew the CAR-3 proposal. The people involved in the nationally networked, trans-Arizona and trans-border APMC coalition celebrated the cancellation (that the FBOP later called a "postponement"). Work done during the CAR-3 campaign eventually enabled AFSC, in 2003, to mobilize members of the coalition against the construction of what would have been the world's largest women's prison in Marana, Arizona. The campaign was successful. The prison was canceled.

The coalition is now working to repeal mandatory minimum sentencing in the State, and gearing up to fight the five new prison proposals under consideration behind closed doors in the Arizona legislature. The Border Action Network is campaigning against racial profiling in border communities, escalating border militarization, and the state's tolerance of vigilante activities in Cochise County.
Conclusion: Abolition as Development--

Disposable Parasite Enemies, Victim Citizen Fetuses, Global Corporate Citizens

The meeting in Willcox was the first public meeting APMC attended. In our follow-up meeting (on the drive home) we discussed the politics of our alliance, and of speaking at a public hearing in a county outside of our own, a much poorer county. In not so many words, we talked about working to reverse the power dynamics of various divisions of labor, including divides between urban growth and rural decline; elite visions of development and the exploitation of the poor; white authority and the silencing of people of color. Jen and Caroline thought it would have been better if we had developed more local contacts ahead of time and worked with local allies. It was difficult for young members of BAN and overworked prisoner families to spend entire days of travel to rural towns, so those of us with the privileges of mobility were doing more of the talking. I was concerned about the politics of asserting academic authority; Gustavo thought it was appropriate for the venue. "The people making the decisions are only listening to Cornell. You might as well talk to them about studies." Jen pointed out that the Chairman of the board of Supervisors had spoken at an anti-immigrant rally the week before. "Exposing that might get some local folks
concerned. We need to get in touch with the tomato growers.” I commented, “It sucks that this prison seems like their only option for economic development.” “But it’s not their only option,” Jen pointed out, “if they got the community involved they could come up with better options than that.”

We had not achieved our goal at the meeting, but we felt that we had made progress toward developing some new alliances. The task ahead of us involved really working to develop a trans-state community of people, and especially of people most directly affected by prison expansion.

The work of the CAR-3 campaign could have been more effective. We were tossed into what seemed like a frenzy of work, in nine towns, with little time to achieve our goal, learning as we went. When the FBOP suddenly canceled the proposal, we felt almost as if they were plotting to stop the coalition that the CAR-3 had inspired. We had been making progress toward improving our tactics, getting more former prisoners and young people of color involved in leading the campaign, and had made alliances across the region with migrant labor unions, a state-wide anti-Walmart campaign, ranchers, former U.S. prisoners in Mexico, LGBT organizations, and student groups (Young Democratic Socialists, Students Against Sweatshops, Blackcross Anarchist Network, Young Uprising Radicals) to name a few,
in addition to developing contacts with abolitionist organizations around the U.S.

We had started to experience the fact that that visions of development and the politics of our alliances were intertwined and inseparable from abolition work.

This analysis of the ways in which people carry out coercively controlled work assignments in the context of the prison/border system is very partial and particular. It suggests that, while the project of reorganizing these work assignments is highly challenging and takes place in the context of extremely unbalanced relations of power, the reorganization of identity-based work assignments is enacted through alliances with the potential to challenge the coercive conditions of production.

Prison abolition is, importantly, aimed at the apparatus of state coercion. Practices of state repression organize work in the service of violent social relations in which we are compelled to reproduce a web of hierarchies so vast that people at the bottom are severely abused so that people at the top can have a great deal more than they need. In this situation, the social apparatus of "protection" becomes the "protection" of the privileges of the few who feel endangered by the extensive, unmet needs of the many. In the work of opposing the expansion of repression is an insight about the real relations of social transformation.
The work of imagining and reorganizing community and economy—of imagining community development organized to address real human needs—is the work of reorganizing the changing same from the bottom-up.

Such imaginative work requires the acknowledgment of social interdependencies, as they really exist—as modes of production organized by socially divisive divisions of labor—and as they might be reorganized.

Localities are not discreet, and communities are not solely local. People inside and passing through all work to reproduce them anew, enacting historically circumscribed identities.

This chapter suggests that one way regimes of domination and subordination persist in time is through the reproduction of repressive state narratives that mystify social interdependencies, such as: the republican citizen and its others, reconfigured as victim citizens and their enemies, economic parasites and criminal aliens. These historically produced narratives mystify the coercively organized power relations they interpret, and encourage people to direct struggles for justice and survival at one another, instead of the divisions of labor that produce dire inequities and threaten survival.
CHAPTER 6
CRIMINAL ALIENATION:
ARIZONA PRISON EXPANSION 1993-2003

Conclusion

This dissertation analyzes prison expansion in Arizona from an abolitionist perspective. The aims of this project include: (a) to bring attention to the Mexico-U.S. boundary as a site of intensified prison expansion; (b) to analyze the local, regional, national, and global conditions of expansion in Arizona; c) to analyze the coercive conditions of subject formation, identity hierarchy, and the work of performance in the context of the prison/border system, and d) to argue for and participate in a Marxist Cultural Studies approach to analyzing identity, capital and the state. I argue that state repression is integral to the contemporary reproduction of racial capitalism, and thus that repressive state practices should be foregrounded in studies of identity and capital. I also argue for the reinvigoration of participatory social justice organizing as a defining methodology in cultural studies.

My research suggests that prison expansion in contemporary Arizona is one part of a border/prison system that involves escalating practices of state repression, multivalent interpretations of those practices, performative
local visions of community development, and global regimes of neoliberal capitalism. Looking at the border/prison system demonstrates that regimes of state repression are contingent upon regimes of commodity production, and that regimes of commodity production are contingent upon regimes of state repression; that repressive state practices organize identity hierarchies that are the conditions of the bottom-up social re-production of historical regimes of domination and subordination implicit in the moments of production, (both commodity production and social production more generally).

I argue that repressive state practices are top-down enactments of power relations that organize identity-based work assignments and that repressive state narratives interpret repressive practices in ways that create the conditions for identity production, and that identity performances re-produce (and thus have the power to reorganize) the conditions of repression and coercive regimes of production.

I do not make claims about lived subjectivities (outside my own) but rather make the argument that monopolized practices of coercion partially control the conditions of subject formation and the reproduction of identity hierarchies. After Gilmore, I am concerned with identities in so far as they are socially organized as
"tendencies of who does what work," (Gilmore, 1993) in whose interests. I am not suggesting that any of the processes I identify are totalized systems of control. In fact, such claims participate in the solidification, or fetishization of identity that does the work of mystifying interdependent relations of social production. My concern is with identity hierarchies as divisions of labor; because history persists—in all products, including narratives—subjectivities are multivalent and discursive, not fully containable and not fully organized through the coercive assignment of work. Subjectivities are realized in work, yet, as Gilmore argues, work is reorganizable through work.

I have also argued that narratives of community development interpret the relations of community and economy in ways that create the conditions for the re-production of communities. I demonstrate that repressive state narratives are part and parcel of narratives of community development in Arizona. Specifically, the repressive state narrative of global citizenship interprets and mystifies the real interdependencies and thus the real power relations of community and economy. In combination with border/prison narratives, the historically reconfigured narrative of citizenship creates the mystified web of meanings that encourage rural Arizona elites to seek immigrant prisons as a form of community development.
The trend of extending the racial segregation of prisoners by institution is a chilling development (anywhere, but especially) in a state targeted for prison expansion. While it may well not have been intentional, it is significant that an immigrant-only prison was proposed in a region that is a stronghold of anti-immigrant white nationalism. Would the Chairman of the Cochise County Board of Supervisors have felt the same enthusiasm for imprisoning, say, vigilante militias? Will different rural communities start competing to cage specified prisoner populations? Will Eloy campaign to imprison African Americans? Will Bisbee agree to host a lockdown unit for white supremacist gang members?

Yet, the CAR-3 proposal had unintended effects. It brought immigrant rights, anti-border militarization, prisoner families, ex-prisoners, environmentalists, and youth of color together to launch a campaign that would eventually draw migrant unions, ranchers, formerly imprisoned immigrants, local chambers of commerce, university and high school students, young anarchists, and anti-Walmart activists together in opposition to prison expansion. It fostered the conditions under which the contemporary abolition movement extended its reach into the southwest U.S. and northern Mexico, and under which a state proposal to build the world's largest women's prison in
Marana was stopped. And it produced a loose alliance of people newly able to start imagining community economies without prisons. As Critical Resistance emphasizes, abolition of anything requires the building of something in its place. Prisons claim to control the violences they exacerbate, but abuse and violence are rampant in our society, and eliminating the "need" for prisons requires addressing these problems in ways that do not depend on prisons. The CR webpage states, "If our vision is to eliminate the need for prisons, policing, and surveillance, we must have a clear idea of what we need to make our communities safe and secure." As CPMP's innovative (and APMC's after and in collaboration with CPMP) rural organizing work demonstrates, one of the things needed to achieve a world without prisons is alliances across complex identities coming together to enact the collaborative, creative, bottom-up work of opposing top-down regimes of coercive control. This makes people a little safer from competing against each other at the bottom, and allows new narratives of human need to emerge; new interpretations of the real relations of coercive production that organize understandings of identity-based work assignments—interpretations that allow people to imagine how the domination and subordination implicit in divisions of labor can be reorganized.
My experiences participating in the anti-CAR-3 campaign suggest that the working practice of organizing against prisons itself begins to realize the (partial) reorganization of identity-based work assignments that are the basis of abolitionist development.

**Epilogue**

At the Activist Collaboration Conference, a project of LGBT Studies at the University of Arizona, activist and scholar Gudalupe Castillo discussed the racial politics of activist work in Arizona. She pointed out that white male organizers in Tucson get the vast majority of credit for a social movement that has been Latino and Native American led since the border came into being. The Sanctuary Movement, named as such and made famous by white male ministers in Tucson in the 1980s, involved civil disobedience in the act of providing shelter for migrants and refusing to hand them over to authorities. It also involved smuggling migrants, underground-railroad style, across the then less militarized Arizona-Sonora border. Some of its leaders spent time in prison.

Castillo (2002) points out that Latino and Native American border residents have been aiding, abetting, feeding and sheltering migrants and hiding them from state
authorities and racist vigilantes since the border, dividing so many families and communities, was imposed in 1848.

Castillo is not arguing that the Sanctuary movement was a bad thing, she instead emphasizes the ways in which the work of people of color gets mystified in leftist interpretations (narratives) of anti-racist work. She goes on to suggest that migration across the border, in collaboration with local practices of providing sanctuary, is itself an under-recognized, yet extremely powerful and important social movement.

Her definition of “social movement” in this formulation raises questions about the assumptions and absences embedded in my project. I suggest that abolitionist social movements (a) target state repression, (b) reorganize identity-based work assignments, and (c) produce new visions of community and economy. Mass undocumented immigration is organized by repressive practices but also directly challenges, defies, and opposes state repression. Sanctuary practices in border communities reorganize identity-based work assignments issued in acts of state repression regarding where particular bodies can and cannot be. Migrants collaborating with border community members come to control the mobility of migrant bodies within circumscribed limits. They collaborate to exert bottom-up control. Sanctuary practices led by white men also challenge the top-down repressive
power of the state. Yet such movements do not reverse the
division of power that exists between white U.S. people and
poor people of color from Mexico. And in addition, their
white male work, the work of protection, comes to displace
the work of poor people of color in narratives of social
transformation, hence, reproducing mystified understandings
of white male productivity and reiterating mystified
understandings of interdependence and identity-based
divisions of labor. So my question is: how do the people of
color in border communities enacting this abolitionist
social movement envision community and economy? How does
the history and contemporary practice of this movement
enable anti-repressive visions of community development?

At the end of this project, it has become clear to me
that it is radically incomplete. I have juxtaposed anti-
racist, feminist, Marxist academic theories (narratives) of
social relations against repressive state narratives,
enacting the transformed Marxism I believe offers useful
tools to the project of abolition. But I have not
identified or included any historical analysis of
oppositional local visions of community development that
most radically participate in the interdependent, communal
production (and partial transformation) of the conditions of
coercive production.
Castillo's comments make clear that abolition has been practiced within communities of color along the southern Arizona-northern Sonora border for at least 156 years.

As the special forces of BORTAC arrive in Cochise County (last week, with orders to "SEAL THE BORDER!") to initiate yet another escalation of repression directed toward migrants and the governor has publicized efforts to forge a "public-private partnership" to facilitate the buy-now, pay-later construction of new prisons in the state, the time seems crucial to develop new alliances among abolitionists, and get behind a border-community-led effort to expand Arizona abolition.
APPENDIX A
KOLBE'S WEB PAGE

Fiscal Year 1999 Emergency Funding ($90 million)

• $80 Million for Customs inspection technology to improve its ability to screen cargo and passengers along the Southwest border (FY 1999 Emergency Drug Supplemental).

• $10 million for Integrated Surveillance Information Systems, including sensors, motion detectors, remote video surveillance cameras, and infra-red optics (FY 1999 Emergency Drug Supplemental).

Fiscal Year 2000 ($642.5 Million)

• $25 Million for Customs to hire new inspectors, agents, or acquire new detection technology for use along the Southwest border

• $4 Million for Land Border Automation Equipment (such as license readers)

• $9 Million for non-intrusive inspection technology - this will help to avoid strip searches and other similar inspections
• $5.4 Million for the International Trade data system -- a multi-agency effort to develop and international trade data system. Fifty-three agencies that collect, use, and disseminate data on international trade have cooperated through an interagency project office to define the concepts for an integrated government-wide information program.

• $585 Million for State Criminal Alien Assistance Program (SCAAP), which reimburses state and local governments for the costs of incarcerating undocumented aliens $85 Million more than the President's request.

• $300,000 to Border Counties Coalition for study of fiscal impact of illegal immigration on border counties.

• $6.8 Million for new Douglas Border Patrol station.

• $7 Million for 1,000 new Border Patrol agents

**Fiscal Year 2001 ($678.63 Million)**

• $2 Million for the state of Arizona in fiscal year 2001, to reimburse county and municipal governments only for Federal costs associated with the handling and processing of illegal immigration and drug and alien smuggling cases.
$2 million for Arizona border counties to help them meet emergency funding needs resulting from illegal immigration

$13.7 Million for Customs to hire new inspectors, agents, or acquire new detection technology for use along the Southwest border

$8 Million to complete construction of a new Douglas, Arizona Border Patrol Station

$520,000 for the planning, site acquisition, and design of the Tucson, Arizona Border Sector Headquarters

$5.133 Million for construction for the Yuma, Arizona Border Patrol Station

$4 Million for the construction of the Yuma, Arizona Border Sector Headquarters

$52 Million to hire an additional 430 Border patrol Agents, providing enough funding to hire 4,430 new Border Patrol Agents since 1997

$6.277 Million to hire additional INS inspectors at land border Ports of Entry

$585 Million for the State Criminal Alien Assistance Program (SCAAP) which reimburses state and local
governments for the costs of incarcerating undocumented aliens

Fiscal Year 2002 ($1.74 Billion)

• $1.56 Million for three border hospitals that are facing considerable strain on their budgets due to the uncompensated, everyday care they provide to illegal immigrants

• $750,000 for the four border counties to assist in uncompensated, everyday care hospitals provide to illegal immigrants

• $50 Million for assistance to state and local prosecutors located along the Southwest Border, including the integration and automation of court management systems

• $565 Million is provided for state and localities to pay prison costs of undocumented aliens that cannot be held in federal detention centers due to overcapacity. The federal government must assist local law enforcement absorb the costs of incarcerating illegal immigrants.

• $56.3 Million is provided for border infrastructure improvements
• $18 Million provided for Arizona, California, New Mexico, and Texas to hire border truck safety inspectors
• $399.7 Million for the Customs Service for increased border inspections and other counter-terror activities, which includes not less than $10 Million for the Southwest border
• $33.151 Million for Customs border inspection technology
• $549.4 Million for the Immigration and Naturalization Service for an increased border presence at the Northern and Southwestern borders and counter-terrorism initiatives
• $67 Million to support 570 additional Border Patrol Agents.

Interestingly, in conjunction with this detailed laundry list of excessive funding for the border/prison system that, the Congressman assures us, should last throughout the decade, Kolbe closes his Issue Position statement with an acknowledgment that the U.S. economy is served by, and in fact demands labor migration from Mexico. Brownell points out that border militarization functions to manage the flow of migrant labor in ways that are advantageous to capitalist interests in the U.S. Kolbe
seeks to further rationalize this management by distinguishing migrant "workers" from "criminals and terrorists" (2). This rationalization can only be achieved without destroying or undermining the perceived need for the border/prison economy by partially decriminalizing immigration across the U.S.-Mexico border. Kolbe seeks to do this by creating what he imagines as "an immigration policy that reflects reality" (2) by distinguishing between "workers" and "criminals." Of course, it is the law itself that defines migrants as "workers" or "criminals," since today, crossing the border without documents in order to find work is, in fact, a criminal act. Kolbe writes:

"But these reforms and funding programs are not the complete answer to a long-term problem. We need an immigration policy that reflects reality. The reality is that we continue to attract workers in several sectors of the U.S. economy where jobs are not filled by American citizens. We also must recognize that those workers will keep coming - legally or illegally. That is the underlying problem we must solve." (2)

Here, Kolbe skirts the contradictions inherent to the U.S.'s criminalization-based immigration policy; he is careful to describe militarization as an incomplete policy, rather than a failing policy, or a policy that produces the problem it purports to solve. Yet he is clear that
militarization does not (completely) reflect (or efficiently manage) the value that Mexican migrant labor holds for capitalist interests in the U.S. -- specifically, business sectors that "attract" Mexican workers, and whose jobs "are not filled" by U.S. citizens. (This "reality" is stated as a law of physics --attraction -- rather than an accumulation strategy.)

He goes on to explain, "We also must recognize that those workers will keep coming -- legally or illegally."

(2) This sentence suddenly allows "criminals" -- people who cross the border in a manner that has been criminalized --to retain their status as "workers."

Kolbe continues:

A comprehensive temporary worker program that allows nonimmigrant workers to enter the country through our ports of entry and not through the backyards of Arizona would allow us to manage this cross border traffic and focus our border security efforts on criminals and terrorists. (2)

Kolbe constructs an entirely new category of person in this final sentence; the "nonimmigrant worker." A policy that institutionalizes this category would further legally formalize the inability of Mexican workers to settle in the U.S., which, as Brownell shows, is key to reducing the value of their labor-power. Such a policy seems
orchestrated to allow greater control over how many and what kind of workers enter the country at a given moment, further enabling the profitability of "just-in-time" production processes that rely on the disposability of workers.

Further, the creation of the category "nonimmigrant worker", and the legalization of this "working without belonging" status, goes hand in hand with solidifying the category "criminal alien", and more closely associating "alien", "criminal", "illegal", and "terrorist" by removing "worker" from the string of associations. "Workers" can now be controlled through recategorization as "nonimmigrants", and border enforcement can concentrate more vigorously on illegalcriminalalienterrorists -- by definition, any non-nonimmigrants crossing the border without documents. This population can be sent directly to prison; fulfilling demands for the raw materials of prison expansion without interfering with demands for disposable labor. In this way, the decriminalized category of the legal "nonimmigrant" further criminalizes the "illegal alien."
APPENDIX B

LIBERATING THE VOICES:

FIGHTING IMMIGRANT PRISONS IN THE SOUTHWEST
Liberating the Voices:
Fighting Immigrant Prisons in the Southwest

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In March 2002 the Border Action Network (BAN) celebrated the cancellation of up to four private prisons that would have been built in Arizona to house immigrants. After one and a half years of monitoring the Bureau of Prisons, exposing the myths of prisons as economic development, building broad coalitions and challenging the scapegoating of immigrants, we can finally claim a victory. This report combines the stories and faces of immigrants who are targeted by the criminal justice system, some of the people involved in the campaign and the organizing strategies that we used.

The Border Action Network formed in 1999 to expose the increasing militarization of the US-Mexico border and to lift the veil off the Border Patrol and Pentagon operations that continue without public debate or adherence to environmental, civil liberties or human rights protections and policies. In 2001, we broadened our mission to include the chain of injustice that follows the immigrants beyond the border into the prison system.
INTRODUCTION

Beginning in the mid-1990’s, immigrants crossing the Arizona-Mexico border have tragically become the targets of hyper-surveillance and intense racial scapegoating. Conservative property owners near the border have demanded that Governor Jane Hull and legislators deploy, in mass, the Arizona National Guard to "seal the border."

With the passage of the USA Patriot Act, the Border Security Bill and other counter-terrorism measures in 2002, criminalization of immigrants and military build-up along the border is on the rise. One industry in particular, the private prison industry, was gearing up to fulfill the newest demand: incarceration of immigrants.

Despite the press reports of gross deficiencies and abuses in private prisons, numerous lawsuits, plummeting stock prices, and million-dollar fines, the federal government considered throwing the private prison industry a giant bail-out. Beginning in 1998, the Bureau of Prisons issued four separate requests for proposals from private contractors to provide approximately 20,000 beds for immigrant prisoners. The prisons were referred to as Criminal Alien Requirements, or CAR's. Each of these contracts were for 3 years, followed by seven one-year renewable options. They would be worth about $760 million over the 10 years.

These numbers point to the reasons the Bureau of Prisons looked to private contractors to build and run prisons for immigrants: 1) they are a relatively lower security population; 2) there are few education and counseling requirements since immigrants will be deported after they serve their sentence; and lastly, 3) the immigrant population has little, if any, political clout.

But political clout is exactly what the private prison corporations have. According to "The Prison Payoff" a report by the Western Prison Project, in 1998 Arizona legislators received thousands of dollars in campaign contributions from prison corporations. The industry's lobby arm, the American Legislative Exchange Council (ALEC), a Washington-based public policy organization that supports conservative legislators and receives funding from Wackenhutt and Corrections Corporation of America, drafted legislation for Arizona legislators to prop up the private prison industry. Both measures were voted down in the Senate in 1999. However, with the current anti-immigrant and "homeland security" fervor and George W. Bush in the leadership (the state of Texas tops the nation as home to over 40 private prisons), the private prison industry can easily absorb setbacks on the state level.

By June 2001, there were 35,629 non-citizens serving criminal sentences in federal prisons; in 1994, the total was 18,929. In 1998, Peter Schuck, professor of Yale Law School found that while immigrants (legal and undocumented) make up 9.3% of the US population and a comparable 7.6% of inmates in state prisons, they made up a disproportionate 29% of the population in federal prisons. According to Federal Bureau of Justice Statistics, about 1/3 of non-citizen prisoners were sentenced for immigration violations and only 1.5% for violent offenses (compared with 15% of the US citizens in federal prison.)

IMMIGRANT PRISONS WERE PROPOSED IN
NEW MEXICO,
ARIZONA, CALIFORNIA,
ALABAMA, FLORIDA,
MISSISSIPPI, GEORGIA,
DELAWARE, KENTUCKY,
OHIO, VIRGINIA, AND
WEST VIRGINIA.
The Campaign Takes Off: A Regional Coalition Forms

In December of 2000, BAN helped organize a border conference bringing together over 600 people from across the U.S. and Mexico. Representatives from border communities, prison abolition, immigrant rights, environmental, and immigration law groups came together to discuss strategies to prevent the siting of private prisons for immigrants. Emerging from this first meeting was a commitment to fight all nineteen proposed prison sites.

Developing Community Strategies

Our first step was to facilitate a strategizing meeting with border community residents, immigrant advocates, lawyers, family and friends of prisoners, and other community activists. The session resulted in a plan of action to 1) Protect the Environment by monitoring and challenging the Bureau of Prisons and private contractors' compliance with environmental regulations; 2) Build Community Leadership by developing a base of community opposition to the proposed prisons; 3) Expose Immigrant Scapegoating by documenting the stories and experiences of men and women immigrants who have spent time in US prisons; and 4) Build on the National Agenda by connecting with other communities nationally, such as the Prison Moratorium Project, Somos un Pueblo Unido, and Critical Resistance, that are working on prison issues to ensure the inclusion of immigrants and the 1996 immigration laws in the discussions and organizing around criminal justice policies and populations. From this initial session, we formed the Arizona Prison Moratorium Coalition to develop an Arizona prison abolition movement.
Our research revealed who the power-brokers are in the communities, and proponents' and opponents' perspectives on the immigrant prison proposal. BAN also enlisted the DataCenter to research the private prison corporations—Alternative Programs, Cornell Corrections, Corrections Corporation of America, Dominion and Wackenhut. Their results enabled us to give concrete examples of inmate abuses and escapes, prisons draining local economies and resources, and companies that are nearly bankrupt.

"JOINING FORCES"

In February 2001, members of our coalition attended the "Joining Forces: Environmental Justice and the Fight Against Prison Expansion" conference hosted by Critical Resistance in Fresno, California. The meeting, conducted in four languages, brought together groups as diverse as indigenous migrant farm workers, members of the Environmental Protection Agency, local labor unions, families of California inmates, and environmental justice activists to oppose the construction of a second maximum-security prison in Delano, California. We have sought guidance and resources from these and other national and regional organizations. Several of them have indicated that they have learned valuable tactics from watching our campaign against the immigrant prisons and will use it as a model for future efforts on the grassroots level to address larger issues of injustice.
COMMUNITY EDUCATION

In February 2001, we held our first community teach-in on prison expansion and the criminalization of immigrants with communities most affected by prison expansion, such as family members of prisoners, students, immigrant advocates and representatives from other organizations. Presenters explained sentencing guidelines, the 1996 immigration laws, patterns of civil and human rights abuses and race segregation in Arizona prisons. BAN members talked about how prisons are linked to the law enforcement buildup on the border.

In April of 2001 we held a strategy session with members of Critical Resistance and Prison Moratorium Project, two California-based groups that are leading efforts to resist prison expansion. In March 2002, the APMC participated in a meeting of prison moratorium groups from California, Colorado, Arizona, and New York that officially established a multi-regional network of prison moratorium activists.

Challenging Rezoning

In May 2001, the Cochise County Board of Supervisors met to vote on the rezoning of a piece of land in Willcox, Arizona targeted for one of the immigrant-only prisons. Members of BAN and other community groups testified at the hearing that a prison for immigrants would not bring promised economic development, could exacerbate racism in the agricultural community, and draw too much water from the town's limited supply. Coalition members distributed a fact sheet detailing the train of financial mismanagement and civil rights abuses of Cornell. After an hour of impassioned testimonies, we succeeded in changing the vote of one County Supervisor (although the rezoning passed 2-1), and caught the attention of Willcox town leaders.

Monitoring the Bureau of Prisons

When federal agencies announce new projects, they are required by the National Environmental Policy Act to hold public hearings and release environmental impact reports. From the outset, BAN monitored the Bureau of Prisons' public hearing process, pressuring them to hold additional public meetings and challenging the effectiveness of their public notification.
SEX, RACE & PRISON

IN DECEMBER 2001, BAN LED A WORKSHOP for southern Arizona community organizers, foundations, and academic activists as part of the "Sex, Race, and Prison" conference. The conference, hosted by the Sex, Race, and Globalization Project at the University of Arizona, was designed to call attention to the national crisis of prison expansion. The aim of the project was to inform local activist communities already involved in social justice work about the disproportionate affects of incarceration on minority communities such as immigrants and citizens of color, women, lesbians, gays, and transgender people.

WILL YOU BE MY VALENTINE?

ON FEBRUARY 14TH, 2002 ALL 90 ARIZONA STATE LEGISLATORS received a Valentine's request-stop prison expansion. Each pink heart valentine included a handful of candy hearts that read "No more prisons." We celebrated the mailing of the valentines with a press conference at the post office where a dozen members from BAN and other community groups hold a 3 foot, heart-shaped piñata, and heart cut-outs reading "No more prisons for immigrants", "Build schools, not jails" and "No more prisons."

PRISON STORIES PROJECT

IN JANUARY 2002, BAN LAUNCHED A PROJECT TO bring out the stories and faces of the immigrants in prisons. With current immigration and sentencing policies, undocumented immigrants are sentenced to prison, detention AND deportation for committing crimes such as entering the US illegally multiple times, failing to pay a traffic ticket, lying about their immigration status and other minor infractions.

BAN trained a group of 12 bi-lingual volunteers to conduct interviews and provide "Know Your Rights" information at shelters in Nogales, Mexico. From March-July, volunteers met with and recorded over 25 stories from recently-deported immigrants at the Sol de Justicia, a Presbyterian church that provides dinners three nights a week to deported immigrants. On any given night, up to 90% of the men we talked with had recently spent time in US prisons for immigration-related violations.

We documented numerous examples of physical abuse, denial of medical attention, racist insults and intimidation. They talked about their wives, children and parents that were still in the U.S. or in Mexico and their fears of not seeing them again. They told of walking for up to eight days in the searing Arizona desert in search of higher paying jobs to better the lives of their family and community. They talked of their double-edge sword -- they can't return to their homes in Mexico and be perceived as failures for not getting work in the US; nor do they want to return to the US where they would face longer prison sentences if they are picked up for illegally re-entering the country. Torn between pride and prison, most of the immigrants at the shelter were cleaning windows, selling popsicles and doing other odd jobs in order to save enough money to pay a coyote to guide them through the Arizona desert again.
Marcos Luna Alvarez is a 34 year old man from Culiacan, Sinaloa.

Marcos crossed the border near Nogales, Arizona and walked through the desert towards Tucson. He was found by Border Patrol agents who threw him to the ground before they arrested him and put him in a detention in Florence, AZ.

"Estaba asustado y a la vez triste porque no logre establecerme allá y encontrar un trabajo. Como ya había pasado anteriormente, pase tres meses en prisión. Si hubiera cruzado, hubiera sido muy diferente, porque hubiera encontrado trabajo, hubiera ayudado a mi familia y no anduviera sufriendo como ahora; y estar sufriendo aquí en la frontera...Voy a volver a ir para allá. Espero que no me agarre la migra. Porque me dieron tiempo pa' que no fuera pa' tras, me castigaron por las veces que he cruzado. Pero yo no le hago daño a nadie. Yo voy a trabajar pa' ayudar a mi familia aquí en México y a mis hermanos."

"I was scared and at times sad because I didn't establish myself and find work in the US. And now I've spent three months in prison. If I'd been able to cross it would've been really different—I'd have found a job, been able to help my family and I wouldn't have suffered like I did. And now, here in the border, I am suffering...I'm going to cross again. I hope the Border Patrol doesn't catch me. They've given me a deportation order that says I can't cross again for a certain amount of time and they've punished me for the times that I've crossed. But I'm not going there to hurt anyone. I'm going there to work to support my family here in Mexico."

I wanted to record these stories so that others can understand why one would risk dying of exposure in the desert, having their money stolen or being raped and beaten by coyotes and bandits; being shot by vigilante ranchers, being physically abused by the Border Patrol or military, and facing federal prosecution and imprisonment to come to the U.S. I want others to fear the voices of those our government works so hard to silence.

Debbie Becher, BAN member

The best way to communicate the real impact of (1996 Immigration laws) is through the voices of the people whose lives have been destroyed by it...you wouldn't guess that on any given night, about 3/4 of them have recently spent time in US prisons or detention centers. How fortunate we were to get to listen to, record, and share their stories.

Debbie Becher, BAN member

I'm going to cross again. I hope the Border Patrol doesn't catch me. They've given me a deportation order that says I can't cross again for a certain amount of time and they've punished me for the times that I've crossed. But I'm not going there to hurt anyone. I'm going there to work to support my family here in Mexico.

Abby Lowe, BAN intern

My understanding of what the some migrants go through is so much stronger, now that I have eaten dinner with a handful of them and lain an ear. In this way, the project accomplished exactly what I think it set out to do: put a "human face" on a group of people who are normally forgotten about, or on which we project a lot of prejudices.

Gustavo Lozano, BAN board member
ROBERTO VALDEZ MARTINEZ, FROM MEXICO CITY

"...buscar otro horizonte, a ver si agarro algo de dinero, no solo para mi pues yo tengo mi familia que me esta este esperando alla. Lo bueno es que no ven en las condiciones en que estoy ahora, pues si mi mama o mi esposa me vieran asi, le rompo el alma. Si mis hijos me vieran asi como ando, dirian 'chale a poco ese es mi apa'. Por eso me tengo que poner las pilas, cuando no hablo por telefono para alla, ellos piensan que estoy bien. Pero la realidad es que ahorita no tengo ni para una pincha tarjeta telefónica, andamos limpiando parabrisas en la línea pa' sacar una lana, si eso es lo que me orilia a ir para los E. U. aunque yo se que esta bien dificil. Yo se que a la mejor escogi' el peor momento de mi vida, o el peor momento de la vida, esa que se esta llevando a cabo ahora para cruzar al otro lado, por eso se que ahora si que me la tengo que jugar."

Jorge walked for eight days through the desert until he reached Phoenix. On the last day of his trek, when he finally reached Phoenix, he was detained by the Border Patrol.

"Nosotros no vamos a hacer daño alla. Vamos a trabajar aunque nos paguen mas poco que a los americanos pero nosotros ofrecemos nuestro trabajo."

"We aren't going to the US to harm anyone. We go to work there despite the fact that they pay us far less than citizens, but still, we offer our work."

There are a lot of people (immigrants) arrested in the streets that are put in jail, for whatever reason. For a small thing, the INS arrests you and when they have you ,they say: 'Off to Mexico. I don't want to see you coming back for ten, fifteen, twenty, thirty years; you are banned for life.' I don't know why the bans are so long. Yes, there are people that do bad things, things that they shouldn't do. But there are many people that come to work and end up suffering for this and are seen as a criminal. Because of that, many people have lost their families, their children, their wives."
VICTORY!
THE PRISONS ARE CANCELLED

On March 15, 2002, the Bureau of Prisons announced that they were retracting their "call for bids." All immigrant prisons in the southwest were cancelled. The Bureau points to a decline in immigrant prison populations as the primary impetus. However, declining inmate populations rarely stop prison construction elsewhere in the country. In fact, an "if we build it, they will come" ideology pervades prison planning. We are confident that our organizing and resistance in Arizona and California was a large factor in the $760 million project's cancellation.

PRISONS ARE NOT THE SOLUTION

The massive and unprecedented rate of contemporary prison expansion in the United States is the tragic result of the criminalization of poverty, of unfair criminal justice and immigration policies, ramped up domestic militarization, and accelerated dismantling of the national system of public services, including education, welfare, and healthcare, through policies of privatization as well as outright elimination.

Incarceration has come to symbolize the catch-all answer to virtually every social problem the United States faces, from a 500 year history of racism and expansionism to the economic disparities wrought by contemporary globalization. Locking people in cages does nothing to alleviate, and in fact, exacerbates these problems. Successfully fighting new prison construction on the local level will force state, national, and international policy makers into dealing with problems of social and environmental need in ways that address, rather than ignore, the root causes of social injustice.

For more information about BAN's other campaigns and projects on the Arizona-Mexico border, contact us at:
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Look for more Prison Stories on BAN's web page and our upcoming radio program.

THE MOVEMENT CONTINUES

Even though the prisons were cancelled in Arizona, other communities were not as fortunate. In May 2002, Corrections Corporation of America was awarded a contract to build an immigrant prison in McRae, Georgia. With Attorney General Ashcroft pushing for police enforcement of immigration laws and other means of criminal prosecutions for immigration violations, it is projected that the Immigration and Naturalization Service will be requesting privatized detention centers, particularly in the southwest. It is our hope that our campaign strategies and projects will inform the next struggle. Better yet, as we continue to build our communities and call for just border and immigration policies, we will prevent the next "struggle" from happening.

Credits:
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APPENDIX C

HATE OR HEROISM:

VIGILANTES ON THE ARIZONA-MEXICO BORDER
Hate or Heroism
Vigilantes on the Arizona-Mexico Border
December 2002
Border Action Network was founded in 1999 to organize for human rights, civil liberties and environmental protection on the Arizona-Mexico border. We are a grassroots, membership-based organization that works with southern Arizona and northern Sonora border communities. Relying on education, community organizing, direct action and litigation, Border Action Network is building a movement demanding dignity, rights and healthy environment on the US-Mexico border.

"Hate or Heroism" is one of the first reports produced by Border Action Network. Through our border community organizing efforts with residents in Douglas, Pirtleville and Naco, Arizona, it became clear that the voices of people who live in Cochise County were not being heard. In December 2002, Border Action Network concluded weekly door-knocking in Douglas. After talking with over one hundred and fifty residents, we had not found a single person who supported the actions of Roger Barnett, Ranch Rescue or the other groups that were moving in to the area. Yet, community members were afraid of possible repercussions for speaking out. "Hate or Heroism" is our attempt to bring the widespread community opposition to forefront and to propose some concrete recommendations that Governor Janet Napolitano and Attorney General Terry Goddard can implement as they take office in January 2003 to stop the spread of hate in southern Arizona. Our voices will not be silenced. Dignity and rights go beyond national borders—we must take a stand to protect them before the situation worsens.

Credits

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Thanks to all the residents of Cochise County who "speak out" in different ways and speak up for the dignity, equality and rights of border communities and immigrants. Additional thanks to all Border Action Network volunteers and to Theresa Thomas, Dan Krehbiel, Chris Ford, Dan Kehbii, Political Research Associates, Salomon Baldenegro, and Lupe Castillo for the suggestions, work and insights.

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I. Introduction

Clad in camouflage fatigues with home-made "badges", using high-tech equipment and operating out of secret "headquarters", anti-immigrant vigilante groups in southern Arizona are taking the law into their own hands. Heavily armed, these groups are rounding up undocumented border crossers at gunpoint, and turning them in to the federal authorities. In some cases, immigrants have been injured and brutally killed.

Among the core vigilante groups operating in Southern Arizona are the Texas-based "Ranch Rescue"; Sierra Vista/Douglas businessman Roger Barnett, the "American Border Patrol", lead by California-based radio talk show host and self-proclaimed "immigration control" Sierra Vista/Douglas businessman Roger Barnett, the "American Border Patrol", lead by California-based radio talk show host and self-proclaimed "immigration control activist" Glenn Spencer; and the newly forming "Civilian Homeland Defense", called to arms by the recently transplanted Californian and Tombstone newspaper owner, Chris Simcox.

In a post-September 11th climate and with an Administration that has supported secret detentions of immigrants, military tribunals, and neighbors reporting on the activities of neighbors, border vigilantes have been attempting to fuel anxieties about terrorism and national security. These groups are broadcasting the message that the U.S. is literally "under siege" by immigrants and that federal law enforcement agencies have failed to protect citizens from this perceived threat. Arizona vigilantes have created a climate of fear and anxiety that further justifies the aggressive and forceful tactics they claim are necessary to "protect our borders".

While some of these groups refer to private property rights as cause for their paramilitary tactics, "Hate or Heroism" shows that in all cases, the groups thinly veil their racism and in some cases are connected to national agendas that attack all people of color. The American Border Patrol's Glenn Spencer, for example, can be traced to the Council of Conservative Citizens and to neo-Nazi organizations such as the National Alliance.

The media coverage of vigilante activities tends to grant the greatest amount of air time to their charismatic leaders, offering a small amount of counter-point coverage to human rights groups protesting the widespread abuse of immigrants along the border. The voices of southern Arizona community members, however, are barely register and immigrant voices are silenced altogether. For these reasons, the vigilantes are able to cast their actions as both mainstream and patriotic, and the real human costs of these activities are left unknown to outsiders.

"Hate or Heroism" calls for immediate action on a state and federal level. Our research reveals incidence of financial misconduct, a possible violation of state land leases, violations of Arizona's laws, and numerous incidences involving immigrants that warrant further investigation.

Although law enforcement officials have expressed concern about vigilante activities, there has been little action to stop the spread of these groups. On a number of occasions, vigilante leaders have openly challenged the legitimacy of law enforcement agencies, yet, much vigilante group membership consists of retired military, INS, and police officers. The result: law enforcement inaction, which becomes tacit approval of vigilantism and anti-immigrant activities.

Because of increased border militarization, immigration routes have been compressed into rural southern Arizona. This has created a situation in Cochise County that is untenable for immigrants, local residents, human rights advocates, and for anti-immigration advocates alike. In response, vigilantes call for varying degrees of further militarization of the border as a solution. While our report does not include discussion of Immigration and border policies or militarization, it does point out that further militarization of the border is not a solution to immigration's impacts on rural communities nor will it affect the numbers of immigrants crossing the U.S.-Mexico border. The report argues that militarization has actually contributed to the growth of vigilantism and that "more of the same" will only exacerbate the violence, anxiety and fear that the vigilante groups are fomenting.

The report concludes with several concrete recommendations to Governor-elect Napolitano. She must step in and put an end to the immigration of hate groups into southern Arizona.

And lastly, we make the point that as a community, we must also step up and speak out. "Hate or Heroism" shows that these groups target all racial and ethnic minorities and not only immigrants or Mexicans. We need to stand together to demand an end to the violence on the border before it escalates.

Border Action Network
II. Hate Groups in Southern Arizona – Past and Present

The stretch of Cochise County running parallel to the Mexican border has become a staging ground. A variety of inter-related groups have staked out this territory, much of it leased public lands, as an arena for acting out their fearful and aggressive feelings about US border policy and Mexican immigrants. Borrowing both rhetoric and imagery from Arizona's history of vigilantism, they surveil, harass, intimidate, and stalk immigrants. The groups' messages vary from overt racism to veiled language about sovereignty and terrorism; their image ranges from appearing as individual throwbacks to the Wild West to organized national networks with radical right-wing agendas. What they all have in common is that they have moved into the area, taken the law into their own hands and have turned southern Arizona into a dangerous, lawless battle zone.

**Ranch Rescue**

Ranch Rescue, a border vigilante group organized by Texan rancher Jack Foote, describes itself as a volunteer organization that "helps private landowners with the repair of private property destroyed by the mass numbers of criminal trespassers and provide(s) volunteer security for these landowners, their homes and their private property."\(^1\)

They are a membership organization that claims to receive no money from any governmental or private organization. They are "private citizens" who believe in private property rights above all else. The group claims to have chapters in Washington, Oregon, Arkansas, Illinois, Georgia, New Mexico, Arizona, Texas, California and an international branch.\(^2\) Ranch Rescue says its members include former Border Patrol agents, military personnel, law enforcement officers and members of Soldier of Fortune magazine. This may explain why Ranch Rescue operates with impunity.

The group refers to the men, women and children crossing the border as "drug smugglers, criminal gang members, bandits, thugs and international terrorists" that ignore private property rights and victimize rural landowners. Playing on xenophobia and paranoia, the group recruits vigilante sympathizers to participate in paramilitary "missions" and "operations" on the border.

In summer 2000, Ranch Rescue came into the spotlight when they circulated a flier calling for recruits to "come have fun in the sun!" in Cochise County where volunteers could hunt the "hordes of criminal aliens." Recruits were encouraged to bring their RVs, night-vision equipment, guard dogs. Ranch Rescue preferred those to come with military and weapons training. Instructions for volunteers warn of intense and daily physical threats and encouraged people to bring their weapons and whatever else was deemed necessary for their protection.\(^3\)

The Border Patrol's response to Ranch Rescue has been ambivalently ineffective. An internal INS Intelligence Analysis Branch bulletin released in October 2000 expressed concerns about Ranch Rescue and other anti-immigrant and racial hate groups that could be moving into Arizona. The bulletin was circulated to alert Border Patrol offices of a Ranch Rescue operation over the weekend of October 27-29. However, a month later at the ribbon-cutting ceremony for the new Border Patrol station in Douglas, the Border Patrol, in a surprising reversal, apologized to the citizen groups of Cochise County. David Aguilar, Tucson Sector Border Patrol chief went on to say that some of the local people referred to in the bulletin are some of the Border Patrol's best supporters.\(^4\)

![Vigilantes on duty with Ranch Rescue's October 2002 Operation Hawk.](image-url)
In mid-October, 13 members of Ranch Rescue, armed with automatic weapons, dressed in camouflage and accompanied by a correspondent from Soldier of Fortune magazine, are said to have scared off a group of drug smugglers and captured 279 pounds of marijuana near Lochiel, a border hamlet about 65 miles southeast of Tucson.

The Santa Cruz County sheriff criticized Ranch Rescue for not reporting the seizure until 18 hours later, after the group had called the media. The Nature Conservancy, which owns the property on which Ranch Rescue was operating, also denied the group had permission to be on its land and asked them to leave. Nevertheless, Foote says his group continues to operate patrols on a rotating basis at the request of private landowners along the border.10

In an interview with the Tucson Weekly, Aguilar went even further: “No one in the (Tucson) Sector had anything to do with this. You can see this bulletin was not done by anyone working here on the border. Someone in Washington, with limited knowledge of our situation here, wrote this thing. And they got it all wrong. I know these groups (the CCCC, AIR and FAIR). And I know many of the people in these groups. Some of my friends are in these groups. These people are not anti-immigrant, and (these) are not hate groups.”11

In October 2002, Ranch Rescue coordinated Operation Hawk in Cochise County. Armed volunteers dressed in tan or camouflage fatigues patrolled undisclosed lands. The group’s web page claims that volunteers came from Canada, China, Alabama, Arizona, California, Colorado, Georgia, Louisiana, Maryland, Mississippi, Texas, and Washington.7

Roger Barnett

Sierra Vista businessman and ranch owner Roger Barnett, his brothers Brent and Don, and ranch employee, Roger Abbey are known as “The Barnett Boys” in Cochise County. For the past 4 years, they have spent a great deal of time patrolling Barnett’s 22,000 acre “Cross Rail Ranch” outside Douglas (14,000 acres of which are leased state lands9), searching for undocumented immigrants crossing the border. Armed with loaded weapons, a Colt .45 and an M16, they claim to have captured more than 5,000 undocumented immigrants and more than 1 ton of marijuana. Barnett tracks people on his ranch using skills he says he learned from the US Border Patrol.10 (See Legal Issues section for incidents of abuse)

Barnett has been become the national poster-child for Arizona’s anti-immigrant and vigilante groups. From 1999 to the present, he has been profiled on CBS News, in Time Magazine, and USA Today, to mention only a few. Although Barnett has become a movement figurehead, the breadth of his activities are not widely known. He has started up several small groups, none of which have received significant press coverage. On March 10th, 1999, Barnett was one of 20 local ranchers to sign a proclamation warning, “if the government refuses to provide security, then the only recourse is to provide it ourselves.”11 Later the same year, Barnett organized the Arizona Ranchers Alliance.12 And then, in May 2000 he became the spokesperson for the new “Shadow Border Patrol” formed by Glenn Spencer’s California-based American Patrol and Concerned Citizens of Cochise County.13
"I'm prepared to take a life if I have to," Roger Barnett told USA Today. According to this same article, the Mexican Consulate claims to be aware of 2 incidents in which Barnett acted illegally when he detained immigrants on state highways, off of his property. 19

As Barnett gains notoriety, his connections with national white supremacy and anti-immigrant groups continues to expand. Time Magazine reports: "On May 15, 2000, Barnett attended a meeting at the Windermere Hotel in Sierra Vista, AZ, sponsored by Cochise County Concerned Citizens, American Patrol, and Arizonaans for Immigration Reform called 'Illegal Immigration: What Can Citizens Do?' (American Patrol's) Glenn Spencer broadcast the meeting on his internet radio program. Also attending, supposedly unbeknownst to the event organizers, were two representatives from David Duke's NOFAR (National Organization for European American Rights) and unrobed members of an Arkansas Klan group.14 On May 14, 2000, after the Sierra Vista meeting, Barnett held a rally on his ranch for the meeting attendees."15

Just because Barnett is a local, as opposed to the California transplants leading other border vigilante groups, it can not be assumed that Barnett enjoys widespread community support. Residents of Douglas and Pirtleville who were interviewed were afraid to speak out publicly for fear of retribution.16 Residents explained that Barnett and his family is powerful and wealthy-Roger Barnett was a sheriff's deputy, his brother was county sheriff, they own a large tow truck company and the propane company. Residents told stories of Barnett profiting off immigrants and profiting off the apprehension of immigrants (more apprehensions means more impounded vehicles to which Barnett Towing can gain title and sell).

Barnett portrays himself as a victim of "criminal aliens" who is fighting back. He is now working side-by-side with other anti-immigrant groups like American Border Patrol, that have clear racist agendas.18 With this new stardom, it doesn't look like Barnett is going to bow down. As Barnett told a Reuters reporter in May 2000, "It's my property and I can do what I want."19

**Cochise County Concerned Citizens**

Not technically a vigilante posse, CCCC, was founded in 1999 by its current chairman Larry Vance. The groups is "dedicated to the restoration and preservation of national autonomy and sovereignty."20 The group appears to provide more a support-role to vigilantes by attending their meetings and rallies, writing letters to politicians and talking to media and by networking with anti-immigrant groups around the country.

In 2000, CCCC joined with Glenn Spencer's American Patrol in California to announce a "shadow Border Patrol" group that would keep track of the Border Patrol's activities.21 Despite claims of being non-racially biased22 the group consistently uses a racially charged language of "invasions" when describing immigration. Members of CCCC feel that the federal government has failed to protect its citizens from "foreign invasion", and that this justifies their support and promotion of vigilante activities. The group is calling for the government to step in with National Guard or military troops along the border.23

Vance claims, "we hate violence and vigilantism but we recognize that state and federal laws entitle citizens to use reasonable force when necessary to protect persons and property."24

**American Border Patrol**

Glenn Spencer, president and founder of the virulently anti-immigrant organization, Voices of Citizens Together/American Patrol in California, moved his operations to Cochise County in September of 2002 and founded the American Border Patrol (ABP). He has opened up a secret office near Hereford. All of Spencer's organizations are part of a national network of strategically coordinated anti-immigrant organizations including a lobbying arm in Washington, D.C. (see Homegrown Hate in this report)
"The Mexican government has threatened the United States with hostilities. How on earth could this two-bit gangster-run country threaten the United States with hostilities? Easy -- their weapon would be civil war -- in the United States! ... The Mexican government has openly admitted that it is working to organize Mexicans in the United States into a force against America ... We are facing the greatest direct threat in the history of the United States! Mexico, which has been hostile toward the US for over 100 years, is invading us with the intent of conquering the American Southwest. There is no question of this." — Glenn Spencer, Letter to the Editor, Los Angeles Times, May 20, 1996.

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Groups like the Federation for American Immigration Reform, the New Century Foundation, and others depend on people like Spencer to create the image of a grassroots, anti-immigrant base that the national groups can point to. Spencer's recent move to Arizona is a timely effort to capitalize on two unrelated factors: the current concentration of immigration through Arizona, and post 9-11 anxieties about terrorism.

Spencer espouses a conspiracy theory known as the "Reconquista" or the "Plan de Aztlan"— an alleged secret plot to reconquer the southwest US for the Mexican government. He attributes this alleged conspiracy to Mexican citizens and Chicanos alike. Using tactics reminiscent of McCarthyism, Spencer takes every opportunity to question the national loyalties of US citizens who find his theories questionable.

American Border Patrol, like the other groups, has enjoyed impunity from law enforcement agencies as well. The Sierra Vista Herald reports that, "Although American Border Patrol is not associated with the US Border Patrol, Spencer said two of the corporations officers are former US Border Patrol employees -- Ron Sanders of Tucson who once headed the agency's Tucson sector, and Bill King, who lives in Big Bear City, California, was a sector chief in another part of the country. US Border Patrol Tucson sector spokesman Ryan Scudder said the agency has no comment on Spencer's plan."  

Longtime Arizona immigrant rights activist Isabel Garcia of Coalicion de Derechos Humanos has been targeted for harassment by the American Border Patrol. Photos, personal attacks, and accusations of treason directed at Isabel appear on the ABP website with announcements of and directions to her speaking engagements. Posted maps mark the locations of her scheduled appearances with target-like X's. Despite organized attempts to intimidate her, Isabel Garcia continues to speak out publicly, calling for justice on the border.

The stated 3-year goals of the ABP involve the use of $40,000 worth of high tech surveillance and communications equipment that Spencer has installed along the border. Spencer plans to use digital video cameras, mobile computers with GPS technology, and aircraft to broadcast on the internet the "invasion" and conquest of the southwest by Mexicans.

His volunteers, known as "hawkeyes" dress in military-style fatigues and are armed, though he claims they carry guns only to protect themselves from mountain lions. Like Ranch Rescue and several other groups, the "hawkeyes" will search for immigrants. Spencer says that they will only detain immigrants in the event of border emergencies when he will call in his "citizen response unit" to handle violations.

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"Look, I made it clear on the front page of this paper from now on when you read of a call to arms and organizing a militia, please take it literally and seriously. It means exactly that. Political discussions are over. Writing letters and protesting, whining, and years of endless complaining are over. A year has passed since 9/11. Our Government is paralyzed about the issues on the border. The Citizenry has the right; the Constitution gives us the latitude to do what is necessary. The militia is free from constraining jurisdiction and is less controlled by the laws that create the paralysis in our Government agencies that are sworn to protect us! Wake up American, we cannot rely on law enforcement to enforce the laws, even if they wanted to."  

Chris Simcox, October 31, 2002.

**Civilian Homeland Defense**

Chris Simcox, a former California elementary school teacher, moved to Tombstone in November 2001. According to an interview with Simcox by the Arizona Daily Star, Simcox's life fell apart after September 11th. He lost his job, lost his family and was devastated by the attacks on the World Trade Center. Four divisions of the military turned him down, in addition to the Border Patrol refusing to hire him. He wandered the Arizona desert for several weeks where he claims to have tracked a smuggling operation. Upon arriving in Tombstone, he purchased the Tombstone Tumbleweed, became its editor and now uses the paper as his as soap-box calling for an armed citizen militia.\(^2\)

In October 2002, Chris Simcox made a plea to the public "Enough is enough! A public call to arms! Citizens border patrol militia now forming! Concerned citizens turn off the T.V. Join together to protect your country in a time of war!"\(^3\) Simcox is asking people to commit to 24-hour shifts patrolling the border at various intervals. He began holding meetings at the newspaper's office, although the meetings are reported to be sparsely attended.\(^2\)

Unlike Glenn Spencer and Roger Barnett, Simcox does not appear to be associated with national anti-immigrant or white supremacist groups. While Ranch Rescue brings volunteers from across the country, Simcox's goal is to form a militia that is comprised only of Cochise County residents. (Even though Simcox moved to Arizona from California only a year ago.\(^4\) He makes little effort to appear "mainstream": he proudly calls his group a militia and defines himself as a vigilante. He is highly critical of law enforcement agencies, yet he speaks about his militia patrolling the border until the government steps in to replace them or to deputize them.\(^5\)

More than any other group, Simcox derives his "call to action" from the tragedy of September 11th and the Bush administration's call for vigilance and impending war. Fear of terrorists coming through the border is mixed with racist stereotypes against Latinos and Arabs and Muslims. In his newspaper Simcox writes "The American border is a perfect ingress point because: ...physical characteristics match those of Mexican/Latin American illegals...and Latin American and Mexico offer conventional staging sites to learn sufficient Spanish to adopt a "Latin cover".\(^6\)

Simcox denies that he is racist, but in the same breath likens immigrants to a swarm of insects, referring to Mexico and immigrants as "a swarm of uncontrolled refugees fleeing a marxist structured government that refuses to take care of its own citizens needs."\(^7\) Within this and other statements, Simcox displays what community members and law enforcement officers alike are afraid of: armed vigilante groups taking it upon themselves to create and enact national immigration policy. Citizen groups do not have the training, procedures or even the right to be determining who should and should not be entering the country. Let alone peoples' countries of origin. Despite claims of patriotism and national loyalty, Chris Simcox's approach to political participation is far from democratic.

Beyond poor judgement, in a tone that suggests emotional instability, Simcox suggests several times in his newspaper articles that he may be killed for his actions. Similarily he threatens violence and a 'by any means necessary' approach to stopping immigration. In a letter to George W. Bush, Simcox writes: "I do not like having to go to such extremes, nor do the others involved in these security guard groups...This is the scariest situation I have found myself part of in all my life...I never thought it would come to this...You can stop me by throwing me in jail, killing me or otherwise...no matter, what you cannot change is my passion; my patriotic
duty and convictions will follow me through, and help the cause...people are thinking and that is gratifying to me." 39

He continues, "Mr. President, use American troops and American technology to protect American citizens...or, we will continue to use common sense in our continued efforts to protect our people...with restraint...but ultimately...by any means necessary! Speak up America!" 40

Dis-honorable mentions

* Arizona for Immigration Reform—Based in Tucson, this group is led by Wes Bramhall. The group is says they support reducing legal immigration and eliminating illegal immigration. Members also have demonstrated in support of the Border Patrol.41 They mobilize other anti-immigrant seniors to counter-demonstrate at human rights events, to call in when there are reader surveys in the newspaper about the border, and to write letters to the editor. The group has also filed a complaint against a Tucson faith-based effort, Samaritan Patrol, arguing that the humanitarian group is violating the Immigration and Nationality Act by providing assistance to immigrants.42

Most notable among their members is Ron Sanders, the former Chief Patrol Agent of the Tucson Sector of the Border Patrol. Since retiring from the patrol in July of 1999, Sanders has been a consistent critic of INS policy, which he claims is directly responsible for the deaths of over 2,000 immigrants attempting to cross into the U.S. since 1994.43 Where Sanders differs from human rights groups who also blame the INS for migrant deaths, is that Sanders calls for more militarization and strengthened interior enforcement.

* Desert Invasion—This group hosts an extensive webpage at www.desertinvasion.us that argues against immigration on grounds of environmental destruction within Arizona national parks and monuments. It is unclear whether the group is more than a webpage. Their links page directs the viewer to the well-established and local anti-immigrant and hate groups across the country.

* Border Defense Coalition—Bob Park, a former Border Patrol agent who now resides in Prescott, Arizona formed the Border Defense coalition in 2000. The group is described as an "Article 4 Section 4" organization that is a project of U.S. Inc. out of Petoskey, Michigan. Park is responsible for painting and delivering the small billboards that litter the roads near Highway 80. His signs include: "If This Were Scottsdale the National Guard Would Be Here;" "Cochise Co: Doormat for illegals and Mexican Drugs. Stop it Now!"; and "Cocaine—From Mexico to Kids in Your Hometown USA."45

False claims of Constitutional Protections

"The second amendment right of the citizenry to bear arms is generally accepted said University of Arizona law professor Roy Spece, but no respectable authority on the Constitution accepts the proposition that you also have a right to form a vigilante group and nobody has contended there is a right to have your own militia. At the Cato Institute, where gun rights are among the bulwarks of this Libertarian think-tank, the notion that the Constitution allows private citizens to raise a militia is dismissed as utterly fanciful nonsense. 'I don't know where this right is supposed to come from that they can take the law into their own hands certainly not the Constitution.' said Robert A. Levy, senior fellow for constitutional law at the Washington DC Institute. 'Even the right to self-defense is not provided for in the Constitution,' Levy said. 'They can't affirmatively take it upon themselves and go out proactively become a law enforcement officer', Levy said. 'I can't image what kind of society that would lead to. This is not the Wild West.'46
Arizona's History of Border Vigilantism

While the groups researched for this report have all come into being in recent years, the existence of vigilantes in our region is not unprecedented. Anti-Mexican vigilantism is a symptom of historical conditions in southern Arizona where systemic racial divisions and tensions have existed between Anglos and Latinos since the end of the Mexican-American war in 1848.47

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
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<tbody>
<tr>
<td>Early 1900's</td>
<td>In a reversal of historic events, the notion of an “invading brown horde” from Mexico emerges along with segregation and lynching of Mexicans.</td>
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<tr>
<td>1930's</td>
<td>Terror continues with lynching incidents and other violence against Mexicans.</td>
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<tr>
<td>1940's-60's</td>
<td>During the Great Depression, the US government forcibly repatriated Mexicans in repressive and unconstitutional ways; rounding people up in their places of work, loading them onto trains and deporting them deep into central Mexico.</td>
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<tr>
<td>1970's</td>
<td>Vigilante practices surged and died down in successive waves, often in relation to the strength or weakness of the local economy. Throughout this period and into the present day, Anglo-American fear and hatred of Mexicans existed in the region at the same time that agriculture industries have relied on Mexican immigrant labor.</td>
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<tr>
<td>1981</td>
<td>Members of the Hanigan family from Cochise County were accused of imprisoning and torturing Mexicans on their property. Four years of activist struggle to bring them to trial resulted in the Hanigan's 1980 acquittal on all criminal charges.48</td>
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<tr>
<td>1980's</td>
<td>Patrick Hanigan was sentenced to 3 years in prison, due to a violation of interstate commerce laws, not human rights abuse charges. Underscoring racist, instrumental views of Mexican laborers, the court ruled that Patrick Hanigan's torture and robbery of Mexican agricultural workers violated the Hobbes Act by impeding commerce.49</td>
</tr>
<tr>
<td>2000's</td>
<td>Following the Hanigan family acquittal, a white supremacist group known as Civilian Material Assistance relocated to Cochise county in order to set up &quot;sniper nests&quot; from which to shoot at Mexican immigrants. Local human rights groups eventually drove them out of state — without the aid of local law enforcement. Glenn Spencer's anti-immigrant hate group American Patrol targets southern Arizona as a staging ground to create the impression that anti-immigrant groups are &quot;grassroots&quot; organizations, born spontaneously in rural areas around the nation. (See the section on John Tanton in this report.)</td>
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While vigilantism in southern Arizona is not a new phenomenon, it is re-emerging at a particularly politically opportune moment. Western vigilantes on horseback have been popularly represented as heroes in an ethnocentric history of the American southwest that fails to account for the legacies of white racist aggression in the region. Riding on the wave of this sanitized, heroic image, these groups have combined historical advantage with contemporary political opportunity. Anti-immigrant sentiment is running at a fevered pitch after the events of 9-11, and groups like the American Border Patrol, Ranch Rescue, and most obviously, Civilian Homeland Defense are working hard to capture public attention and set the terms of public debate on immigration. They have arrived wielding myths, intimidation tactics, guns, surveillance equipment, and factually incorrect analysis of the impacts of immigration and of their own Constitutional rights. Their dramatic performances are garnering a great deal of media attention.

"In the 1980s, there were isolated incidents of armed groups patrolling the border in Cochise County, as well as of ranchers capturing and abusing illegal immigrants. But the recent anti-illegal-immigrant wave, which includes Simcox's militia and such organizations as American Border Patrol and Ranch Rescue, heralds a marked increase in this type of activity."
III. Homegrown Hate? -Connections to National Anti-Immigrant Agendas

Despite selective claims to racial inclusiveness, our research shows that the majority of southern Arizona vigilante groups are part of a national network of interconnected lobbyists and non-profit organizations that preach white supremacy and promote an emerging movement known as "white nationalism".

White nationalism holds that authentic American identity is and should remain exclusively white, and that this identity is under siege and must be defended. This larger movement shares the spirit of border vigilantism, but goes beyond an exclusive focus on non-white immigration to encompass a deeply racist vision of a white America, imperiled by the very presence of people of color within our national boundaries.

John Tanton's Network

A recent Intelligence Report investigation reveals that John Tanton is the key link that is funding, directing, and coordinating a network of US-based anti-immigrant organizations. His funding arm has supported Glenn Spencer's American Patrol since 1992. Although most of his organizations represent themselves as autonomous, grass-roots groups funded by a broad membership base, in fact, they are a strategically coordinated political machine, primarily funded by a handful of conservative foundations and several wealthy individuals.51

Altogether, the 13 non-profit organizations that Tanton has personally founded and/or funded span a wide spectrum of political approaches to promoting his racist, anti-immigration agenda. They include, among others: the Federation for American Immigration Reform (FAIR) which attempts to ally with organized labor by promoting drastically inaccurate arguments about immigrants usurping US jobs and resources; US Inc. which channels funds into all of his various organizations; US English which promotes English-only legislation around the US; and the Center for Immigration Studies which presents itself as an impartial policy think tank and has been called to testify in congressional hearings.52

The Tanton network enjoyed a number of political successes during the early 1990's, from the passage of English-only legislation and further criminalizing immigration, to the forging of alliances with mainstream environmental organizations. Starting in 1998, however, the network as a whole experienced tremendous setbacks. Proposition 187 was declared unconstitutional; Congress began dismantling the most extreme aspects of IRA-IRA; and the general mood of the US government and the mainstream corporate lobby tipped decidedly in favor of easing restrictions on immigration from the south.

List of groups that Tanton is connected to:

- American Immigration Control Foundation, 1983, funded
- American Patrol/Voices of Citizens Together, 1992, funded
- California Coalition for Immigration Reform, 1994, funded
- Californians for Population Stabilization, 1996, funded
- Center for Immigration Studies, 1985, founded and funded
- Federation for American Immigration Reform, 1979, founded and funded
- NumbersUSA, 1996, founded and funded
- Pro English, 1994, founded and funded
- ProjectUSA, 1999, funded
- The Social Contract Press, 1990, founded and funded
- U.S. English, 1983, founded and funded
- U.S. Inc., 1982, founded and funded
On February 22, 2002, Glenn Spencer appeared as a keynote speaker during the fifth, biennial American Renaissance conference titled, "In Defense of Western Man" where attendees spanned the ideological spectrum of white nationalism, from committed atheists to devoted Christians, from Jews to neo-Nazis, from tenured academics to former Klansmen like Don Black, whose popular Stormfront Web site includes his son’s “kid’s page”, which offers students help in writing negative reports on Martin Luther King, Jr.

American Border Patrol’s Glenn Spencer

Glenn Spencer founded a white-nationalist, anti-immigrant organization in California in 1992 with the help of a hefty grant from John Tanton’s funding organization, US Inc. Spencer’s non-profit, American Patrol/Voices of Citizens Together, which agitated for English-only legislation, supported Proposition 187 in California, and broadcasts virulent anti-Mexican/anti-immigrant messages on the radio and the web, is listed as a hate group by the Southern Poverty Law Center.

Spencer, fleeing a federal investigation into the financial affairs of American Patrol (see Taking the Law Into Their Hands-Legal Issues section) arrived in Cochise County this summer, armed with weapons, surveillance equipment, and media attention, and promptly created a new vigilante group, the American Border Patrol. The connections between his organization and John Tanton’s network of anti-immigration organizations and lobbyists is key to understanding Spencer’s reasons for coming to Arizona.
IV. Challenging the Myths and Distortions of the Anti-immigrant Movement

A number of false assumptions drive anti-immigrant sentiment in southern Arizona (and the US more generally) today. They include: the belief that Mexicans are using US social services without paying into the system; the stereotype that Mexican immigrants bring violent crime and drugs into US communities; the notion that Mexican workers are “taking” American jobs; and, the far less widespread belief in a conspiracy theory which claims that immigration from Mexico is really a clandestine plot to reclaim the southwestern United States for the Mexican government.

Economics

Anti-immigrant groups argue that immigration strains the U.S. economy. Not only is this argument flawed, as noted below, but it further dehumanizes immigrants by defining their value and contributions to the U.S. in terms of dollars and cents. The myths of immigrants draining the U.S. economy is based on a fundamental misunderstanding of how labor creates surplus value within capitalist economies, and that the burden of taxation falls predominantly on the working poor in the contemporary US.

- Based on the difference between the total cost of services used and the amount of taxes paid, US Federal Reserve Chairman Alan Greenspan calculates that immigrants contribute 27 billion dollars per year to the US economy. The many immigrants that are deported or return home never claim or use the money that have paid into the U.S. system. Greenspan averages that amount to be $80,000 per worker.

- A recent study finds that immigration has generated tens of thousands of jobs in the US since the 1980’s, and that the vigorous economic growth of the 1990’s would not have been possible without immigration, both legal and undocumented. (See sidebar.)

- Greenspan also notes that, without the money that is paid into the false social security accounts of undocumented immigrant workers, the US social security system would already be bankrupt.

Immigrant Workers Play Major Role in US Economic Health

A December 2002 study conducted by the Center for Labor Market Studies at Northeastern University finds:

- “The US economy would have stumbled in the past decade without the new arrivals, and most immigrants contribute more in taxes than they use in services.”

- According to Susan Traiman, director of the Business Roundtable’s workforce education program, “We would not have been able to have this economic growth without the growth in the workforce that was supplied by immigrants.”

- According to Anirban Basu, chief economist of the Regional Economic Studies Institute at Towson University, immigrants “helped fill in some gaps that would have otherwise persisted in the labor force...[Without immigration,] the nation’s entire male labor force would have grown only marginally over the past decade, and male labor shortages would likely have been widespread in many areas of the country.”
Criminality
Proponents of the myth of extraordinary immigrant criminality back up their beliefs with statistics on the numbers of foreign nationals in Arizona prisons. They link incarceration rates to crime rates—a false connection considering US crime rates have remained steady for the past two decades while incarceration rates have leapt over 400%. In addition, incarceration rates for immigrants are misleading. Foreign nationals have the lowest rate of violent crime among all US prisoner populations, and serve dramatically longer sentences than citizens due to provisions and definitions in the 1996 immigration reform laws. Longer prison terms mean higher rates of imprisonment, not a greater number of crimes. 67

La Reconquista
As far as evidence of the so-called “Reconquista”, the alleged secret plot to reclaim the southwest US for the Mexican government, the American Border Patrol’s web page offers media quotations attributed to a variety of Chicanos as well as Mexicans. Each quotation references either to “Aztlán” the ancient birthplace of the Aztecs or “La Reconquista”, an historical reference to the Christians retaking Iberia from the Muslims in 11th century Europe.

All of the language cited by American Border Patrol (ABP) involves figurative uses of these two cultural references. Examples include an article about a Santa Barbara County high school textbook that discusses the social and cultural “liberation of Aztlán” and a California politician referring to the increasing Latino population in his state as a “Reconquista”. Far from being the declarations of war, it appears that the American Border Patrol’s conspiracy theorists tend to misinterpret metaphors.

The MEChA Conspiracy
The American Border Patrol goes so far as to interpret the mainstream Chicano student organization, MEChA, as a radical revolutionary sect, poised to reclaim Aztlán by force. Anyone familiar with MEChA would not only find this unlikely, but also understand it as solid evidence that these anti-immigrant groups are seriously misinterpreting their data.

American Border Patrol manipulates the MEChA logo on their web page.

The impression that immigrants use up social services and threaten communities in the US is irrefutably false. But the issues here are much more significant than factual inaccuracy. The racist ideologies that drive vigilantism insist that the peaceful coexistence of diverse communities is a form of cultural loss rather than social growth and economic health. Racist fears have fueled violence against people of color throughout US history. Poor immigrants of color are already experiencing the effects of the hostile racial atmosphere that is growing on the border. Many residents of the southern Arizona and northern Sonora borderlands, Latino and Anglo alike, are gravely concerned about anti-immigrant violence and deeply distressed by the atmosphere of aggression and opportunism that is encroaching on their daily lives.
V. Voices of Opposition in Cochise County

National media accounts of Cochise County vigilantes focus primarily on the personalities of vigilante leaders whose dramatic claims serve the aim of drawing national audiences. This has the unfortunate effect of misrepresenting the concerns and the diverse viewpoints of borderlands residents. As the following comments illustrate, the views of vigilante leaders - most of who come from out of state -- are not at all representative of the communities to which they are drawing national attention.

In the Arizona Daily Star, Tom Beal and Ignacio Ibarra report that, "Most of his fellow townfolk interviewed this week said they shared Simcox’s frustration with the federal government’s failure to control the border with Mexico, but they opposed armed citizen patrols and predicted a tragic ending to their town’s latest melodrama." They go on to write, "Cochise County Board of Supervisors Chairman, Pat Call, wants the world to know that most residents of Cochise County aren’t in favor of taking the law into their own hands."

Call is quoted as saying, "If we’re viewed that way, it’ll be a lot easier for the folks back in Washington to just dismiss us."

"You are looking at people who were barely making it in ranching and rural industries when the federal border policy pushed them over the limit. Now these militia people from outside the area are looking to exploit that desperation, just as the coyotes exploit the desperation of the UDAs [Un-Documented Aliens]. It’s messed up."

Anonymous Cochise County resident

"Cochise County is a wonderful place. I would not exchange it for Tucson or anywhere else in the country. But right now we’re up shit creek without a paddle. Damned if we do and damned if we don’t. The illegals have it worse than anyone, but it ain’t that far up the ladder ‘til you get to the average resident out in the county. There’s plenty of people here who are barely making it. Forget health insurance, we’re just talking able to eat every day."

Anonymous Cochise County resident

“I don’t like Californians coming to Cochise County and telling the residents what to do.”

Helen Hoffman of Double Adobe

“One California-led group’s plans for a modern-day, high-tech vigilante posse are misguided and perilous. Any good the American Border Patrol could hope to do is eclipsed by the dangers it poses.”

“We don’t need scare tactics appealing to our primitive fears. We don’t need rumors of foreign invasion - economic or factual. We don’t need people from California moving here to save us.”

“We all have a responsibility to watch our border and report problems. It is the same obligation we have in everyday life to obey the law and promote peace and safety in our community. That does not mean driving up and down the street looking for misdeeds. That does not mean turning every citizen into a policeman. It does not mean our citizenry should head for the border wilderness, erect cameras and patrol the frontier.”

From the Cochise Guardian editorial staff
“Immigrants, migrants, refugees and other newcomers represent - in my personal, professional and faith life - a metaphor or analogy for all of us and the human condition (pilgrims, travelers, seekers). "We" are "them," and "they" are "us." We're all members of the human race and we can behave just so.”

Charles J. Fisher of Sierra Vista, Arizona

“Unfortunately, this kind of circumstance and these kinds of cries for forming posses invite fringe associations and agendas we don't need. They think it's a game or a sport.”

Cochise County Sheriff Larry Dever

“The majority of people who live out in the valleys in Cochise County have always opened their homes to illegals. The situation has gotten more and more dangerous as crossing [the border] has gotten more and more difficult, and yet people continue to cross and local people continue to provide food and comfort, although less and less.”

Anonymous Cochise County resident

“Americans benefit from our work, and Mexicans benefit from what we make. It's not much but it helps...They're [the Border Patrol] looking at us like Mexican animals.”

Rafael Duran of Durango

“We want the citizens of Tombstone, Cochise County, and Arizona to know that the city of Tombstone doesn't agree with the vigilante approach he's taking.”

“It can't end in a good situation ... It's gonna get somebody hurt or killed.”

Tombstone Mayor Dusty Escapule

“These [American Patrol] guys are wackos. They are anti-government, which includes law enforcement. In other places such vigilante groups have ended up attacking police officers, and I don't think that day is too long off if we let this continue. They have a national agenda that has nothing to do with the situation here. I do believe that once locals realize the real nature of this group, we will slowly pull back from them.”

Anonymous Cochise County resident

“History shows that no vigilante organization has ever been successful.”

Arizona Senator John McCain

“There is no place in our society for private vigilantes.”

Arizona Representative Jim Kolbe

“Economic development is key. That and real federal responsibility - money.”

Anonymous Cochise County resident
"If it isn't stopped, this is going to attract any group that has any animosity toward immigrants to the area, and we just don't want it in this community."

"Douglas is a Hispanic community. If you've got militia types running around claiming to be enforcing immigration laws, how are they going to tell who's who?"

Douglas Mayor Ray Borane

"To this end, a new guest worker program and providing economic help in Mexico will be better than having US citizens monitoring the border."

"The United States cannot have it both ways - good economy and treating immigrants improperly."

"Spencer and those who support him are vigilantes who pretend to use the law as a way to interfere with legal procedures."

Representative Bobby Lugo of Cochise County

"[the state's lease to Barnett is] a playground that these vigilantes use for their dark, unAmerican hobbies..."

"Barnett and other supporters of the American Border Patrol will end up in a deadly confrontation with people crossing the border."

Pamphlet created by Cochise County residents

"I think it's a big accident waiting to happen. Somebody's gonna get 'cowboy crazy' and shoot somebody."

Tombstone pawnshop employee, Pete Tiscia
VI. Taking the Law Into Their Hands—Legal Issues

In the process of researching active vigilantism in Cochise County, Border Action Network has discovered evidence of a number of incidents, contradictions, and vigilante claims that warrant further investigation by Arizona’s legal authorities. They include:

Violations of State Land Permits

Roger Barnett, Ranch Rescue, the newly formed Civilian Homeland Defense and American Border Patrol all coordinate volunteers patrolling the southern Arizona desert for immigrants. Land in Cochise County is primarily private, interspersed with state trust lands. In fact, Roger Barnett’s 22,000 acre ranch includes 14,000 acres of state trust land, only 4,000 acres of private lands and 4,000 acres that we presume to be leased.

The lessee of state trust lands does not have the same rights as a private property holder. In fact the Arizona State Land Department (ASLD) is very clear in what the lessee can and can not do, what constitutes trespassing and who can be on state lands.76

- No person other than the grazing lessee may be present on state trust land without specific permit from the AZ State Land Department.
- A grazing lessee has no authority to permit other persons to be present on state land for any purpose other than ranching.
- A lessee may authorize their employees or other persons engaged in ranching activities such as fence or tank maintenance to be present on state trust lands, but they should normally provide them with written authority to be present and notify the ASLD in advance.
- A grazing lessee has the obligation to secure the leased lands against trespass and unauthorized use by other persons. If he finds a trespasser he has the authority to ask the person to leave as if it were his own property. If they do not leave he may only report to ASLD or to relevant law enforcement authorities.

Trespass as defined by statute does not mean presence; it means active removal of natural resources such as mining, grazing, or cutting timber. Strictly speaking, a person merely walking on state land is not trespassing in the sense of the statute.

Within the lease terms, there is no authorization for persons other than the lessee to enter state land to apprehend other persons, regardless of whether the lessee invites them or not. However, so long as they don't cut anything down or run cattle, they are not trespassing in the sense of statute.

According to the statutes, if groups of vigilantes are operating on, walking through or even repairing fences (as Ranch Rescue claims) on state trust lands they must have notified the ASLD or have received a recreation permit from the state. The statutes also draw into question whether Roger Barnett or others can consider immigrants as “trespassers” and therefore, have no cause for stopping and arresting them.

Arizona Law Explicitly Prohibits Militias

According to Arizona Revised Statute 26-123 “No person, partnership or corporation shall maintain troops under arms, but this section shall not be deemed to prohibit a business, plant or firm from maintaining armed guards for protection of their property from damage or loss, or formation of a state police or highway patrol or the existence of county and municipal police forces and sheriffs posses. Any person violating this section is guilty of a class 5 felony.” The vigilante groups are neither businesses, plants nor firms. By training and organizing armed groups, the vigilantes should be charged with felonies according to Arizona law.
Illegal Civilian Arrests

Arizona statutes permits private persons arrests, however, Arizona Revised Statute Section 13-3884 reads:

"A private person may make an arrest: 1) when the person to be arrested has in his presence committed a misdemeanor amounting to a breach of the peace; or a felony. 2) When a felony has been in fact committed and he has reasonable ground to believe that the person to be arrested has committed it."

According to the statute, vigilante groups must witness immigrants crossing the border illegally before they can perform a citizen's arrest. Civilian arrests miles away from the border with no eye-witness account of the crime being committed is not supported by Arizona law. Furthermore, illegal entry is a misdemeanor, not a felony; a vigilante would have no basis for knowing whether the people they are apprehending have committed a felony and therefore would have no basis for arresting immigrants.

Violations of International Human Rights Standards

In 1999, the American Civil Liberties Union (ACLU) filed international human rights complaints before the United National Human Rights Commission and the Organization of the American States Inter-American Commission on Human Rights. Both complaints point to U.S. immigration and border policies that are resulting in the deaths of hundreds of immigrants who make the treacherous trek across the US-Mexico border.

American Border Patrol Illegally Solicits Funds

American Border Patrol received their temporary ruling from the IRS on October 24, 2002 granting them tax-exempt status. According to Arizona Charities Law and a communication with the AZ Business Services, registration of a charitable organization should be filed with the Secretary of State after the IRS approval and before soliciting the public for funds. Failure to comply may result in a twenty-five dollar fee with the Secretary of State or a class 1 misdemeanor with the state Attorney General's office. Solicitation is defined as "a request for any kind of contribution or request for the purchase of goods, tickets or services for a charitable purpose."

As of December 2, 2002 American Border Patrol had not filed any documentation with the Arizona Secretary of State's office. Nonetheless, on December 1, 2002 Border Action Network received a funding request from American Border Patrol titled “Saving on taxes with ABP donations”. In his fundraising appeal, Glenn Spencer encourages people to make tax-deductible donations as well as in-kind contributions including off road vehicles, GPS units, aircraft, field communications and other equipment. According to the state statutes, American Border Patrol is illegally soliciting funds.

Suspended Non-profit License in California

Glenn Spencer had intended for his California-based group American Patrol to begin the work of his new organization, American Border Patrol. But after a series of financial investigations into his California organizations, he was forced to move his operations to another state. Voices of Citizens Together's corporation status in California was suspended, the California non-profit license of American Patrol has been officially suspended and the group is under investigation by the California Franchise Tax board for failure to file American Patrol tax returns.

Violations of USA Patriot Act

Under the new anti-terrorism law, anyone committing or threatening acts of violence against civilians for the purpose of changing government policy is committing an act of terrorism. Chris Simcox of the Civil Homeland Defense could potentially be charged with terrorism since he has threatened to use violence ("by any means necessary") against immigrants as a means to force the U.S. government to send troops to the Arizona-Mexico border.
Impersonating Law Enforcement or Military Officers

Members of Ranch Rescue dress in tan, camouflage or other military-issued clothing when on an operation. A Douglas resident reported seeing what appeared to be a Border Patrol agent's vehicle on the side of a road; in fact, the vehicle belonged to one of the Barnett's. Immigrants have reported to the Mexican consulate that when civilians apprehended them, they believed that the men were Border Patrol agents or law enforcement officers. Members of these vigilante groups could potentially be charged with impersonating law enforcement or military officers.

Cases of attacks on immigrants that need to be investigated:

- **December 6, 2002** Six men burst into a trailer near Willcox, AZ demanding money and opened fire on eight Mexican men after they said they didn't have any money. The eight men were not injured, but were turned over to the INS after the Cochise County sheriffs found out the men did not have proper documentation to be in the United States. Three men were seen fleeing the area, but a ground and air search did not locate them. It is not clear whether the attackers were vigilantes.

- **October 27, 2002** Roger Barnett, his brother Don and an unidentified woman and two dogs surprised a group of 26 migrants as they were walking through the desert near Highway 80. Both Barnetts, pistols at their belts, got out of their truck and with the help of the two dogs, rounded up the group of migrants, ordering them to keep quiet and to sit on the ground. Two of the migrants didn't respond quickly enough to the orders, so one of the Barnetts “roughed them up and forcibly made them sit.” A while later two other armed civilians arrived with a video camera and started filming the group and the Barnett's. They continued filming the group as they were marched towards the waiting Border Patrol agents.

- **October 16, 2002** Twelve immigrants were waiting near a pond in Red Rock, AZ when two men in camouflage fatigues descended on the group, firing an automatic rifle and a pistol. One man escaped to notify authorities. Police found two bodies riddled with bullets and no sign of the other nine people.

- **October 9, 2002** A Mexican migrant was detained by a U.S. citizen by the name of Richard Gere. The migrant man was walking near Highway 92 when the driver of the pickup spotted him. Gere pulled over and asked him if he was “illegal.” The migrant answered affirmatively and Richard Gere, who had his arm resting in the open window of his pick-up, pulled a handgun and pointed it at him. Gere, with the gun wrestling on his left arm, ordered the migrant to lie on the ground, speaking to him in foul language. Gere used a cellular phone to call the Border Patrol who took the man into custody.

- **June-September 2002** Eight men, assumed to be from Mexico and one from Ecuador, were killed execution style in Maricopa County, Arizona. Discovered in different parts of the county, the victim's bodies were found gagged, with their hands bound by tape, telephone wires or handcuffs. Seven of the victims were killed by large-caliber bullet shots to the head or body and one was beaten to death. The victims were between eighteen and forty-five years of age. Investigators were looking into the possibility that smugglers had killed them for money, or that they were involved in drug trafficking. A Maricopa sheriff's department spokesman said that hate groups or vigilantes might also be to blame. Joe Arpaio, Maricopa county sheriff, a former DEA agent, stated that there is little evidence pointing to a drug link. While Arpaio recognized that he had no leads in the case, he said he would “go door to door if necessary to find the vicious killers.”

- **March 24, 2001** A group of thirty-six migrants were resting near Highway 80 when they saw aggressive-looking dogs approach them. Behind the dogs followed Roger and Don Barnett in camouflage fatigues and carrying holstered side arms. The group was ordered to remain still. Members of the group reported that they believed the men were Border Patrol agents and that they felt threatened by the dogs and the armed men. Actual Border Patrol agents arrived and took the group.

- **April 9, 2000** For the second time in two months, a member of the Barnett family apprehended Mexican nationals on a public road. The sixteen migrants, including one woman and three minors, stated they were traveling in two vehicles on Highway 80, when they saw a truck parked on the side of the road with a tubular structure with two large reflectors over the truck cabin. The truck pulled up behind them and flashed its lights. As the drivers of the two vehicles realized the truck had no law enforcement markings, they conti-
ued driving. Don Barnett and an unidentified woman passed the two vehicles and forced them off the road. Barnett ordered everyone out of the vehicles. Barnett was carrying a holstered pistol and the woman, followed by two dogs, carried a gun in the front of her waist which she had pulled out. At Barnett's instructions, the woman photographed the group and the vehicles with Barnett. The Border Patrol was called and took the group.

March 27, 2000 A group of nine migrants guided by a “coyote” was walking near Highway 80 when suddenly an individual, Mr. Morrison, appeared. Morrison ordered the group to stop. When the group tried to run away, they heard six or seven shots and threw themselves to the ground and huddled together. The group stated emphatically that the shots were fired at them, although Morrison claims to have fired his weapon as a warning when we found the group on his private property.

February 25, 2000 Thirty-one migrants, twenty-nine from El Salvador and Guatemala and two from Mexico were detained by Mr. Andreas Mueller. Mueller rounded up the migrants with is shotgun out, cussing and roughly shoving them. He hit a couple Salvadoran men with a flashlight and he stuck another one in the forehead with the butt of his shotgun. To keep the group from running away, Mueller fired his gun in the air. In the meantime, Mrs. Mueller called the Border Patrol who arrived and took the group.
VII. Militarization is Not the Answer

The vigilante and anti-immigrant groups mentioned in this report are calling for the deployment of troops on the border and in some cases, more Border Patrol agents, and increased infrastructure (walls, surveillance, lighting, etc.). While these groups say that they are responding to the Border Patrol's failures, their solution of increased militarization, will only serve to exacerbate immigration problems, violence, and anxiety and add additional stress on Arizona border communities. It is beyond the confines of this report to document the failures of the INS's border militarization strategy. Suffice it to say that human rights advocates, anti-immigrant groups and former Border Patrol agents themselves have all agreed that current border enforcement efforts are a failure. Where we differ is in the analysis of why the enforcement is failing and what should be done instead.

Migration is a growing, global phenomenon, and there are over 175 million migrants living, working, and building communities in places outside their country of origin. U.S. immigration policies have unsuccessfully emphasized criminalizing immigrants and deterring immigration in spite of the real and growing, global migration trends.

It has been well documented that the INS's Southwest Strategy which emphasizes building up border enforcement in the urban areas and intentionally pushing immigration to isolated and dangerous desert regions has had disastrous impacts and has been unsuccessful in the stated goal of “deterring” immigration.

If troops were deployed on the border in Cochise County, we would witness the funneling of immigration into yet another area that is potentially even more difficult that the rugged Arizona desert. We should not continue to employ the same failing strategies. Rather, if anti-immigrant and vigilante groups were really interested in finding resolution and solutions that are meaningful in the long term, they should be supporting the expansion of mechanisms whereby people can immigrate into the U.S. through legal channels and that uphold the civil and human rights of all people.

“As labor shortages become a real issue for the Midwest, our immigration policies have to recognize that immigrants are key to economic stability in the U.S. Furthermore, a legalization program and a guest worker program that enable immigrants to freely work in the U.S., to reunite with family members and to enjoy equal rights and freedoms is an essential ingredient to resolving the stress placed on Arizona border communities,” explains Jennifer Allen, Border Action Network's Co-director.
VIII. Border Patrol Complicity

The examples of border vigilantes and anti-immigrant's groups violence and hatred are substantial. Yet it is important to point out that this current wave has been operating for the last two years and has faced little opposition from state or federal authorities. When we criticize law enforcement for not upholding basic laws against border vigilantes, we can not underscore enough the connections that these groups have with the Border Patrol and law enforcement. As David Aguilar stated when he was confronted by the national office of the INS labeling of Ranch Rescue and other groups based in Arizona as potential threats: "I know these groups (the Cochise County Concerned Citizens, Arizonans for Immigration Reform and FAIR). And I know many of the people in these groups. Some of my friends are in these groups. These people are not anti-immigrant, and (these) are not hate groups."^94

Doris Meissner, former Commissioner of the Immigration and Naturalization Service has made statements that essentially minimize the violent actions of border vigilantes as mere expressions of their freedom of speech: "What is really going on here is political, and during my experience as commissioner, we treated it as exactly that—a political statement."^95 However, these "political statements" have resulted in deaths, law-breaking, and have terrorized citizens and immigrants alike.

The INS and the Border Patrol have been quietly supportive of border vigilantes because these groups are essentially doing the Border Patrol's job and there is a documented sharing back and forth between them. American Border Patrol's database and technology will be shared with the Border Patrol. Roger Barnett claims that Border Patrol trained him in tracking footprints. Ex-Border Patrol agents are involved in Ranch Rescue, American Border Patrol, and Arizonans for Immigration Reform. Roger Barnett has a cozy financial relationship as the person who tows away vehicles that have been impounded by Border Patrol and other law enforcement in Cochise County.
IX. Conclusion – Recommendations to the Attorney General and Governor-Elect

We make the following recommendations to the Governor of Arizona and the Attorney General. Action must be taken at the state and federal level, and it must begin here in Arizona. It is critical that elected officials send a strong statement that violence against any and all members of our community, immigrants and citizens alike, will not be tolerated. Below are several concrete steps that we ask Arizona's Governor and the Attorney General to investigate immediately.

1. The Arizona Attorney General and the Arizona State Land Department should investigate whether Roger Barnett and other state land lease holders have violated the terms of their leases. If lease terms have been violated, leases should be revoked.

2. The Mexican consulate and human rights groups have called for investigations of several incidents involving civilian apprehending immigrants. The Consulate has met with both the Office of the Inspector General and the Attorney General's office, to no avail. Immediate funding should be made available for an independent investigator who would be responsible for ensuring that complaints and incidents involving civilians apprehending immigrants is thoroughly and expeditiously investigated.

3. The Arizona Corporation Commission and the Internal Revenue Service should revoke American Border Patrol's incorporation and non-profit status on the basis of the organization being a “hate group”, other anti-discrimination violations and the pending investigations into Spencer's California-based groups.

4. The Attorney General should investigate whether civilian vigilante groups have violated the state's anti-militia, impersonation of law enforcement or military, civilian arrests statutes, and other potential legal violations.

5. The state of Arizona should support and encourage an expeditious review of the American Civil Liberties Union's human rights complaints before the United Nations and the Organization of American States.

6. The U.S. Attorney General's office should investigate whether Chris Simcox and other civilian groups have violated the USA PATRIOT Act.

7. The Secretary of State should fine and/or charge American Border Patrol with a misdemeanor for failure to register with the State prior to soliciting funds.

8. Congressional hearings should be held in southern Arizona that investigates the actions and threats of violence made by individuals and civilian groups patrolling the border.
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8. Sierra Vista Herald, July 27, 2002
10. La Voz de Aztlan www.aztlan.net
14. In conjunction with Border Action Network’s regular community outreach during the month of November 2002, author also talked with people about their opinions with vigilantes. Everyone she talked with was concerned and fearful of Roger Barnett and his patrols. People did not want their names associated with their comments however. Because the Barnett family has had and continues to be close with law enforcement agencies, as well as maintains two successful businesses, people were fearful of the repercussions of speaking against the Barnett.
15. See sections on American Border Patrol and John Tanton in “Hate or Heroism”.
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