

RESEARCH ARTICLE

Crossing the immigration and race border: A critical race theory approach to immigration studies

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In this essay I discuss the conceptual and practical benefits of employing critical race theory to the field of immigration studies. It is widely acknowledged, and regrettable, that sociological research on immigration has not departed much from its original conceptual beginnings established by the Chicago School of Sociology during the 1920s and 1930s. The Chicago sociologists distinguished between newly arrived ‘immigrants’ and their children, who were identified as ‘ethnic groups.’ Research questions are still being developed that rely on the Chicagoans’ theoretical categories of race, ethnicity, and immigration – categories that are treated as being mutually exclusive. While researchers focusing on the globalization of immigration have now formulated new analyses of race, social exclusion, and social inequality, research on immigration to the United States remains confined to questions concerning assimilation, acculturation, generational conflict, and social mobility. It is unfortunate that mainstream sociological research has completely ignored the groundbreaking work of critical race theory (CRT), which addresses more relevant issues, such as racial profiling, anti-immigration sentiment, the increased militarization of the US–Mexico border, and the high number of immigrant deaths on the border. As such, CRT has much to offer sociologists in their work on immigration.

Keywords: critical race theory; immigration; race; LatCrit; Latina/os; ethnicity

Introduction

Largely in response to the civil rights movement of the 1960s and 1970s, scholarship in the sociology of race abandoned the conceptual framework of Robert E. Park, Ernest W. Burgess, and others who, during the 1920 and 1930s, had developed urban sociology at the University of Chicago. Using the city of Chicago as a ‘natural laboratory’ for conducting urban social research, members of the Chicago School (Park, 1922; Park, Burgess, McKenzie, & Wirth, 1925; Thomas & Znaniecki, 1958; Wirth, 1956) focused their work on immigrants who settled in locales that recruited their labor. Adopting Simmel’s social type of ‘the stranger’ as a heuristic in their detached role as researchers, they studied immigrant populations moving into Chicago’s ‘natural areas.’ Building on theories of social organization and conflict, Park and Burgess described immigrants’ social experiences as being those of competition, conflict, or accommodation. Indeed, they saw these experiences as steps toward the inevitable process of assimilation.

One of the first major critiques of the Chicago School’s theoretical framework on immigration was made by Blauner (1972), who criticized: (1) its failure to recognize that race and ethnic groups persist as central entities in modern society; (2) its reduction of racism and racial oppression to economic, psychological, and other determining factors; (3) its focus on White prejudice while ignoring structural and institutional racism; and (4) its blanket application of the analogy

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of European immigrants to all racial minorities. At the same time, the mainstream sociology of race and immigration continued to rely on the White–Black binary.

However, outside of sociology, leading scholars in the humanities and social sciences attended to the larger significance of W.E.B. Du Bois's (1903/2003, p. 15) predication: "The problem of the Twentieth Century is the problem of the color-line—the relation of the darker to the lighter races of men in Asia and Africa, in America and the islands of the sea." Openly embracing interdisciplinary approaches, some sociologists began reconceptualizing the sociology of race. Sociologists of color, in particular, were instrumental in developing new interdisciplinary programs, such as Chicana/o, Asian Pacific American, and African American studies. As race scholars moved towards analyzing the racialization process (e.g., Omi & Winant, 1986; Steinberg, 1981; Takaki, 1979), conceptual frameworks were developed to include groups identified in terms of ethnicity rather than race. Importantly, as 'Whiteness' became recognized as a social construct, other ways of racializing groups were also implemented (Ignatiev, 1995; Roediger, 1991). The assimilationist bias that framed previous, Chicago-inspired research into ethnic and racial groups in the US was challenged, and White middle-class assumptions were critiqued.

While the immigrant analogy has not been entirely abandoned in sociology and research into racial attitudes, assimilation and levels of intermarriage continue to flourish, and an increasing number of race scholars in sociology are particularly interested in analyzing the everyday practices of racism in face-to-face interaction (e.g., Bonilla-Silva, 2003; Bush, 2004), as well as in institutional settings (e.g., Oliver & Shapiro, 1995; Shapiro, 2004). In essence, many have heeded Derrick Bell's (1992, p. 5) call "to 'get real' about race and the persistence of racism in America."

Critical race theory (CRT) has provided an important conceptual framework and methodology for moving forward Bell's mandate. Sociologists concerned about race in the field of the sociology of crime, law, and deviance (e.g., Romero, 2001, 2006; Romero & Serag, 2005; Russell, 1998, 2004, 2006; Schneider, 2004) and the sociology of education (e.g., Aguirre, 2000, 2005; Bernal, 2002; Ladson-Billings, 1999; Parker, 2002; Solózano & Bernal, 2001) are particularly noted for their scholarship in CRT. These scholars have extended the concepts of micro- and macro-aggressions (Davis, 1989) and intersectionality (Caldwell, 1991; Crenshaw, 1989, 1991) and have theorized narratives and counterstories (Bell, 1992; Delgado, 1989; T. Ross, 1996; Williams, 1991; Yamamoto, 1999). Furthermore, using a CRT framework involves a commitment to anticolonial research agendas, social justice, and activism (Guinier & Torres, 2002; Matsuda, 1991; Valdéz, 1999; Valdéz, Culp, & Harris, 2002). CRT in sociology does not treat race merely as 'a variable that can be controlled'; rather, it examines 'the real impact that racism has had and continues to have within American society' (Yosso & Solózano, 2005, p. 119).

In what follows I examine how critical race scholars have used interdisciplinary approaches in immigration research, to conceptualize race and ethnicity not as inherent qualities, but as categories that have been socially constructed by law, public policy, and people's everyday practices. Rather than simply treating it as one variable among many, they place race at the center of immigration analysis. In addition, CRT scholars provide a model for using the sociological imagination in studying immigration that does not take the status quo for granted. Mari Matsuda (1991, p. 331) describes this work as that of

progressive legal scholars of color who are attempting to develop a jurisprudence that accounts for the role of racism in American law and that works toward the elimination of racism as part of a larger goal of eliminating all forms of subordination.

Furthermore, CRT's focus on theory, praxis, and coalition building (Cameron, 2000; Cho & Westley, 2000; Guinier & Torres, 2002; Martínez, 1998; Romero, 2000; Yamamoto, 1999) offers crucial models for bridging the growing antagonism and increasing anti-immigration sentiment that impacts citizens and non-citizens in the global context.

In the next section I offer an overview of several mainstream approaches in the sociology of immigration and contrast them to CRT, and in particular to the newly emerging scholarship in Latina/Latino critical race theory, or LatCrit. Using my own research into immigration raids, I then demonstrate the potential of CRT's contributions to the sociology of immigration, especially as regards its significance in keeping race (and its intersectionality with other forms of subordination) central to its analysis.

Master narrative of immigration in the US

In response to the increased immigration of the 1960s, mainstream sociologists returned to the Chicago School approach and reinstated the sharp division between ethnicity and race. Attention focused on questions concerning assimilation, acculturation, inter-marriage, and social mobility (usually based on cultural attributes rather than on legal, economic, or educational barriers or opportunities). Today, the field remains dominated by interest in the people who migrated to the US before their early teens, or the 1.5 generation, segmented assimilation, social mobility, and other phenomena that perpetuate the myth of meritocracy and that distinguish among immigrants on the basis of Whiteness (e.g., Alba & Nee, 1997; Portes, 1996; Portes & Rumbaut, 2001a, 2001b; Zhou & Bankston, 1998). The preoccupation with assimilation results in accepting White, middle-class standards as the norm and in regarding racialized groups as departing from the norm – that is, as deviant. Wildman and Davis (1995, p. 574) explain how White privilege is concretely manifested:

When we look at privilege we see several things. First, the characteristics of the privileged groups define the societal norm, often benefitting those in the privileged group. Second, privileged group members can rely on their privilege and avoid objecting to oppression. And third, privilege is rarely seen by the holder of the privilege.

Focusing on assimilation not only conceals White privilege; it also frames research questions away from examining racial, economic, and political privilege among Whites, ethnic Americans, and native and foreign-born groups of color. Consequently, policy recommendations generated from the focus on assimilation maintain the status quo, ignore White privilege, and set the agenda to disadvantage racialized groups further.

Much recent literature on immigration has been dominated by the work of Alejandro Portes and Rubén G. Rumbaut and their colleagues. It is telling that, in their massive book *Legacies: The Story of the Immigrant Second Generation*, Portes and Rumbaut (2001b) devote only about four pages to 'the race question' and a paltry eight pages to the determinants of ethnic and racial identities. Throughout most of the book they limit their discussion to more banal issues such as discrimination, acculturation, adaptation, ambition, countercultures, interaction effects, language acculturation, psychological well-being, and self-esteem.

This overly narrow perspective on acculturation and adaptation is consistent with Fordham and Ogbu's (1986) assertion that racial and ethnic minority students perform poorly in school because to do otherwise is 'to act White.' While other educational scholars examine the ways that youth of color resist oppression (e.g., Bernal, 2002; Carter, 2005; Villenas & Deyhle, 1999), Fordham and Ogbu argue that resistance to White, middle-class culture (equated with educational success) is a form of oppositional culture. Portes and Rumbaut's conceptual framework restricts research questions by recognizing only one factor: the degree to which immigrants and their children embrace White, middle-class culture. An underlining assumption is that racial pride (which does not embrace Whiteness) and cultural identification with communities of color are the causes of low academic achievement and lack of social mobility. Prudence L. Carter's (2005, p. 8) recent study of student academic achievement points out that such research posits

a position about these [minority] groups' perspectives on education that is not supported by many nationally representative surveys and other ethnographic studies. Not only has research shown that African Americans, for example, subscribe to the basic values of education as much as Whites do, or in some instances even more so than Whites do, but also there is insufficient evidence that a culture equating academic and socioeconomic mobility with Whiteness among Blacks and other so-called 'involuntary minorities' exists.

Analytic distinctions between race and ethnicity inherent in mainstream sociology's conceptualizations of immigration emerge even when immigrants' legal restrictions and economic circumstances are considered. For example, in their chapter on Nicaraguan children in Rumbaut and Portes's aforementioned volume, Patricia Fernández-Kelly and Sara Curran (2001, pp. 128–129) equate academic and economic failure with race and ethnicity: 'Little over a decade after their arrival, Nicaraguan youngsters were already showing symptoms of decline—a *social darkening of sorts*' (emphasis added). Nicaraguan children who identify with Black and Latino children are automatically seen as 'emulating' an 'adversarial culture.' Not surprisingly, assimilationist researchers like Rumbaut and Portes, and Fernández-Kelly and Curran, do not call for structural changes, or even for collective action like the 2003 Immigrant Workers' Freedom Ride to Washington, DC. Instead, their recommendations are focused on individual choices. Indeed, these studies support conservative policies such as advocating charter and private schools over public schools in order to avoid the racialization of second-generation youth. The underlying negative assumption that immigrants of color who identify with communities of color in the US are doomed to fail reinforces racist stereotypes.

There is an enormous ideological and theoretical gulf between immigration research and the sociology of race. While mainstream sociology of race continues to dialogue with important interdisciplinary scholarship on racialization, examining how the 'color-line' is maintained, reinforced, and transformed by everyday practices, immigration sociologists constrict their analyses by ignoring path-breaking scholarship that engages both race and immigration. It is regrettable that sociologists have disregarded the significant scholarship on immigration by critical race theorists. Indeed, it is rare to find any discussion of human rights or civil rights in the field. One outstanding exception is the research conducted into the increasing loss of human lives as failed immigration policies force migrants from Latin America to cross the border in the most desolate areas of the desert in the American Southwest (e.g., Cornelius, 2001). In contrast, immigration scholarship that draws on CRT identifies immigration as a key civil rights issue of the twenty-first century in the US and a human rights issue worldwide. While working in the areas of CRT and LatCrit for several years, I became acutely aware of race as a glaring omission in immigration studies in sociology.

In the research on immigration raids by law enforcement agencies and other policing organizations, one is confronted with a literature that not only ignores but actually opposes racial politics and discourse. Recent research into crime and immigration neglects the issue of racial profiling, focusing instead on studies of geographical location; suspects' characteristics, such as level of education, behavior, and demeanor; and other police–citizen interactions and organizational concerns. Thus, in their research on the use of force in the arrest of immigrants in the US, sociologists Scott Phillips, Nestor Rodriguez, and Jacqueline Hagan (2003) ignore issues of race and focus instead on changes in immigration legislation that require an increase of arrests and the police use of force against all citizens. They do not consider institutional racism and factors like the number of police officers of color. Moreover, they make no attempt to engage with the immense sociological literature on race and crime.

I contend that a middle-class bias inhabits mainstream research as it validates survey methodologies that are sensitive to only one population (e.g., illegal immigrants) and that fail to consider interactions between persons with different citizenship statuses. There is an unexamined

assumption that poor, working-class, and lower-middle-class communities of color are segregated by citizenship status, and that these citizenship-status populations do not share the same homes and neighborhoods. The fact is that immigrants with different citizenship statuses frequently live in the same neighborhoods, share common employers, and patronize the same stores, restaurants, and nightclubs as other African Americans, Puerto Ricans, Chicanos/as, and Latinos who have been citizens all their lives. It is impossible to understand the effects immigration policies have on poor and working-class communities of color without the immigration scholarship of critical race theorists. Rather than dividing populations of color into immigrants and citizens, concepts such as racial profiling emphasize connections in the treatment of all racialized groups and recognize citizenship status as a social construct.

CRT, LatCrit, and outsider scholars

CRT immigration researchers recognize that various forms of citizenship status stem from the delineation of rights, privileges, and penalties relative to property, taxes, welfare, and the freedom of movement across nation states. The invention of passports, 'green cards,' and other identification documents was a crucial step in regulating people's movement, including their right to leave or return to their homeland as well as their ability to travel within their own country (Torpey, 2000). CRT reveals how racialized immigration laws and citizenship distinctions allow physical appearance to serve as a way of controlling certain racial and ethnic groups. Indeed, the simultaneous social construction of race and of the immigrant has been particularly noted by critical race legal scholars (Chang, 1999; Haney López, 1996; Hing, 1997; K. Johnson, 2004). In his widely read book, *White by Law: The Legal Construction of Race* (1996), Ian Haney-López aptly captures the legal history of the construction of racial categories that specified citizenship privileges and restrictions. To his credit, he does not ignore immigration. Indeed, he regards the racial restrictions in the law of citizenship as an additional narrative, and does not just treat race as an aspect of African Americans and other groups classified as minorities. Michael A. Olivas (1995, p. 11) points to a few historical events that illustrate this shared racialized experience among people of color:

Consider the immigration history and political economy of three groups whose United States history predates the prophecy for the year 2000: Cherokee removal and the Trail of Tears; Chinese laborers and the Chinese Exclusion Laws; and Mexicans in the Bracero Program and Operation Wetback. These three racial groups share different histories of conquest, exploitation, and legal disadvantage; but even a brief summary of their treatment of United States law shows commonalities of racial animus, legal infirmity, and majority domination of legal institutions.

Over the last two decades, the growing body of CRT literature has shown that racism in the US can be fully comprehended only by studying the ways in which immigration laws have detrimental consequences for all racial minorities. LatCrit theorists, in particular, have begun to explore the transnational effects of domestic subordination (K. Johnson, 2002, p. 187). In their review of US immigration laws, cases, and trials, CRT and LatCrit scholars have analyzed the social construction of immigration status as well as the significance that race plays in maintaining and controlling immigrants and other minority citizens (Chang, 1999; Hing, 1997; K. Johnson, 2004). Among the most commonly cited are the 1882 Chinese Exclusion Act, the Gentleman's Agreement of 1907 between the US and Japan, the 1923 US Supreme Court case *United States v. Thind* (whereby immigrants from India were ruled to be ineligible for naturalization because they are not White), the 1924 national origins quota system, and the Immigration Act of 1965 (which limited the number of migrants from the western hemisphere). In his analysis of immigration laws, Kevin Johnson (2004, p. 154) makes the connection between the legal construction and the social construction of 'aliens' as the other:

Fabricated out of whole cloth, the ‘alien’ represents a body of rules passed by Congress and reinforced by popular culture. It is society, with the assistance of the law, that defines who is an ‘alien,’ an institutionalized ‘other,’ and who is not. It is a society, through Congress and the courts, that determines which rights to afford ‘aliens.’ ... Like the social construction of race, which helps to legitimize racial subordination, the construction of the ‘alien’ has helped justify the limitation on non-citizen rights imposed by our legal system.

Robert Chang (1999, p. 29) argues, ‘Examination of the immigrant allows us to observe the dynamics of racial formation as immigrants enter the political/cultural/legal space of the United States and “become” differentially racialized as Asian American, Black, Latina/Latino, and White.’ The treatment of persons identified as ‘alien,’ particularly those regarded as non-European, corresponds to the treatment of citizens of color in the US. Under this paradigm, immigration law-enforcement campaigns – such as Operation Wetback, Operation Blockade, Operation Hold the Line, and Operation Gatekeeper – are inextricably related to society’s view of citizens of, in this case, Mexican ancestry. Concern over immigration to the US is inseparable from stereotyping Mexicans as ‘illegal aliens’ and socially constructing Mexicans as criminal, foreign, and the other. Although the law institutionalizes who is ‘alien,’ the social construction of immigrant status is not complete without policing and surveillance. The ‘show me your papers’ inspection of passports, identification cards, and other forms of documentation, once associated with totalitarian regimes, is now routinely used in the US to control access to social services, to authorize and regulate movement, and to single out specific racial groups for additional citizenship inspection (Caplan & Torpey, 2001).

While branding and tattooing, or other forms of ‘writing on the body,’ are not used to distinguish between ‘aliens’ and citizens, the practice of racial profiling demonstrates that citizenship status is inscribed on the body.¹ For instance, the US Supreme Court decision in *United States v. Brignoni-Ponce* (1975) that ‘Mexican appearance’ ‘constitutes a legitimate consideration under the Fourth Amendment for making an immigration stop’ (K. Johnson, 2000, p. 676) sanctions the immigration law enforcement use of racial profiling. Stigmatized as ‘aliens,’ Latinas/os and Asian Pacific Americans carry a bodily ‘figurative border’ (Chang, 1999). Racialized immigration law-enforcement practices allow a person’s appearance to serve as ‘reasonable suspicion’ or ‘probable cause.’ This process of surveillance and citizenship inspection involves racial profiling; persons are identified on the basis of their social identity – e.g., ‘Mexicanness’ – rather than on the basis of specific behavior (Benitez, 1994; K. Johnson, 1996, 2000; Romero, 2006). Consequently, working-class Latinos are frequently the targets of racially motivated detentions and searches, and thus far are more likely than middle-class Whites to encounter abuse by the Immigration and Naturalization Service (INS) (Arriola, 1996; Benitez, 1994; Lazos, 2002; Vargas, 2001). The likelihood of mistreatment of Mexican immigrants and Mexican Americans increases with the routine use of racial profiling in citizenship inspections. As Kevin Johnson (1996, p. 268) cautions, ‘Alien terminology helps rationalize harsh, perhaps inhumane, treatment of persons from other countries.’ This is consistent with Dunn’s (1996) finding that the ‘low intensity conflict doctrine,’ developed by United States military theoreticians during the 1980s, has been applied to the US–Mexico border region. Nevins’s (2002) account of hardships and the increasing control over human resources depicts the significant harms and diminished opportunities that communities along the border experience under Operation Gatekeeper.

My own work on immigration has been informed by CRT research into racialized law-enforcement practices, particularly by the theoretical work of Katheryn Russell (1998, 2004, 2006). Building on Peggy Davis’s (1989) conceptualization of micro- and macro-aggressions and the law, Russell (1998, p. 139) maintains that whereas micro-aggressions are racial assaults carried out on a personal level, macro-aggressions are ‘face group affronts’ that are ‘not directed

toward a particular Black person, but at Blackness in general' and may be made either 'by a private individual or official authority.' Repeated micro- and macro-aggressions against a particular group not only routinize demeaning treatment, but simultaneously reinforce a racial hierarchy and minimize the extent to which injuries are experienced. Offended parties are denied their achieved status and they experience 'limit[ed] access to equal opportunities and fair dealings before the law' (Milovanovic & Russell, 2001 p. xvi).

In their edited volume on petit apartheid, Milovanovic and Russell (2001, p. x) incorporate Georges-Abeyie's paradigm of grand and petit apartheid along with micro- and macro-aggressions, to create a continuum of current practices of racial profiling with other 'negative social factors and discretionary decision-making by both criminal justice agents and criminal justice agencies.' Racial profiling, legitimated by the courts or official immigration campaigns, is an example of an overt and formal form of discrimination under petit apartheid. The continuum depicts petit apartheid as a system of legal control that ranges from covert and informal to overt and formal discriminatory practices. Russell (2004, p. 13) identifies four characteristics of petit apartheid practices: (1) they occur largely outside of public view; (2) even when they take place within plain view, they are typically minimized or ignored; (3) they are likely to 'proliferate where criminal justice personnel have high levels of unchecked discretion'; and (4) they 'reflect and reinforce the racialized images of deviance that exist within society at large.'

As a theoretical construct, petit apartheid has been used to explain racial profiling in the war against drugs (Campbell, 2001; Covington, 2001), the regulation and policing of public space (Bass, 2001; Ferrell, 2001), the underrepresentation of persons of color in law enforcement (L. Ross, 2001), and the use of racial derogation in prosecutors' closing arguments in court (S. Johnson, 2001). These practices of petit apartheid demonstrate how non-verbal gestures, postures, and mannerisms are the most covert and informal forms of discrimination.

The four distinguishing features of petit apartheid practices are also evident in immigration law enforcement. Increased militarization along the US-Mexico border occurs largely outside of the public view, and US Border Patrol agents operate with a high level of unchecked discretion (Dunn, 1996; Massey, Durand, & Malone, 2002). Highly ritualized immigration inspection at border crossings and airports, particularly since 9/11, obscures the heightened levels of scrutiny and mistreatment of the racialized poor and working-class Latinos. Physical appearance as Latino, association with a work crew, inability to speak English or preference to speak Spanish, and proximity to the border are used as reasonable suspicion to justify investigatory stops. These practices select persons for citizenship inspection based on perceived 'Mexicanness,' and they reinforce the idea that Mexicans are foreigners, criminals, and inferior. Citizenship inspection targets racialized bodies and directs heavy surveillance at Mexican-American neighborhoods. Thus, the 'police practice known as "field investigations," in which police interrogate persons who appear not to "belong" to a given place' (Marx, 2001, p. 323) is used against Latinos in immigration law enforcement. As suspected aliens become a physically identifiable 'type,' immigration surveillance reinforces the exclusionary use of urban public spaces and limits freedom of movement (Heyman, 1995; Weissinger, 1996).

Obviously, law enforcement agencies do not systematically record discriminatory practices because many such practices are legitimized, occur outside public view, and are not employed against the general White middle-class population. However, a source of rich data on micro- and macro-aggressions in immigration law enforcement can be found in witness narratives. In the section that follows I analyze three witness accounts collected by the Arizona State Attorney's office in its investigation of a series of immigration raids that targeted the Latino neighborhood in Chandler, Arizona, in 1997 (Romero, 2006; Romero & Serag, 2005).

Researching the color of immigration enforcement: witness narratives

In response to community protest and accusations of civil rights violations, the Arizona Attorney General's office investigated a joint operation, conducted in the summer of 1997, by the Chandler Police Department and the Tucson Border Patrol Sector. Evidence collected by the local media and community leaders indicated that the joint operation was targeted at the predominately Mexican neighborhood within the Chandler city limits at work sites employing working-class Mexican men and at shops catering to a Spanish-speaking population. Detailed descriptions of micro- and macro-aggressions used in police field operations are interspersed throughout the witness accounts.

Racial profiling that encompasses cultural attributes does not merely target individual Mexicans and Mexican Americans, but rather 'Mexicanness' in general. The computer-printed 'Record of Deportable Alien' forms that were used during the law-enforcement operation and that were included in the final report of the investigation provide further evidence of the assumed profile that directed officers' use of discretionary citizenship inspection. Prior to being used in the field operation and filled out by the arresting officers, certain information had been typed in. For example, in the space requesting 'Country of Citizenship,' 'Mexico and/or Mexican' was typed in beforehand; 'BLK' was typed in for hair color, 'BRN' for eye color, 'MED' for complexion, 'Laborer' for occupation, 'MEX' for 'Nationality of Minor Children,' and 'At Entry' was typed in the box requesting information on the 'Length of Time Illegally in the U.S.' These narratives reveal the 'subtle, stunning, often automatic, and non-verbal exchanges that are "put downs"' (Davis, 1989) resulting from using the amorphous designation 'Mexicanness' as a basis of reasonable suspicion or probable cause.

Building on the work of LatCrit immigration theorists (e.g., Benitez, 1994; Chang & Aoki, 1997; K. Johnson, 2000, 2002, 2004; Vargas, 2001), I coded the narratives into five patterns of immigration law enforcement that placed persons of Mexican or other Latino ancestry at risk before the law as follows: (1) making discretionary stops based on ethnicity and class; (2) using intimidation and other tactics intended to demean and subordinate the persons stopped; (3) restricting the freedom of movement of Mexicans but not of others in the same vicinity; (4) reinforcing stereotypes of Mexican as 'alien,' 'foreign,' inferior, and criminal; and (5) limiting access to fair and impartial treatment before the law.

In order to illustrate the importance of placing race at the center of immigration research, I present here three narratives by and about outsiders who 'resist the subordinate messages of the dominant culture by challenging stereotypes and presenting and representing people of color as complex and heterogeneous' (Montoya, 2002, p. 244). The first narrative is drawn from an interview with Mr. Marlor, manager of the Southwest Supermarket located in the Chandler area. His store was targeted for citizenship inspection. He began by recounting the strategy that officers used in his store to separate his customers of Mexican ancestry by legal status. Officers requested his assistant manager, Nancy Rodriguez, to announce over the store's loudspeaker that all illegal aliens who were shopping should turn themselves over to law enforcement officers in the parking lot. Rodriguez, however, refused to make the announcement. Subsequently, the Chandler Police and US Border Patrol set up a command center in the parking lot near the store and began stopping all customers who appeared Mexican. Customers who appeared White were not followed, asked for identification, or required to show proof of citizenship. Marlor was particularly upset about the following incident he observed:

A man with two small children, about three to four years of age, was contacted by officers as he walked out of the store. The man talked to the officers as he walked to his truck. He opened the door on the passenger side of the truck and placed his children in the vehicle. He then walked around the truck to the driver's side. At this time a Border Patrol officer approached the passenger door and placed the wheel of his bicycle behind the door to prevent it from being closed. A Chandler police

officer placed his bicycle wheel behind the driver's door in a similar fashion. The Chandler officer talked to the man for a few minutes, then began to try to pull him from the truck cab. The Border Patrol officer then rounded the cab and helped the Chandler officer. They pulled him from the cab, handcuffed him and placed him in a police van. The children were crying and very upset. An officer returned to the truck in about five minutes, stayed there for some time, then made a phone call. Later, another officer arrived and removed the children. In the meantime, a woman customer went to the truck and tried to comfort the children. They were left in the truck for a total of 15 or 20 minutes.

Because no robbery or other crime had been reported, the officers were clearly using this man's perceived 'Mexicanness' as grounds for reasonable suspicion or probable cause. The officers' actions were not in response to any violent actions by the man, and yet he was humiliated and demeaned in front of his children and other customers in the parking lot. His children witnessed that their father's physical appearance placed him at risk before the law, and caused him to be treated as though he were inferior to the White customers who were allowed to go about their business without citizenship inspection. Although citizens who leave children in cars in the summer can be prosecuted for child endangerment, this man's children were left by the officers in July's triple-digit temperature without apparent concern for their safety or fear of legal action against them.

Major immigration enforcement targets of the Chandler Police–US Border Patrol joint operation were apartment complexes and trailer courts occupied by low-income Mexican Americans and Mexican immigrants. Police radio dispatch tapes indicate that vehicles leaving specific housing areas between 4:00 a.m. and 6:00 a.m. with persons identified as possibly migrant workers, landscapers, or construction workers were targeted for traffic enforcement by a spotter. (This is the only time officers recall using this strategy outside of special Driving Under the Influence enforcement.) Forced entry into people's homes highlighted the level of intimidation and the limited access to fair and impartial treatment before the law that low-income Latinos experienced during the immigration raids. These incidents were particularly traumatic for children. In most cases, the house searches were the children's first encounter with law enforcement agents. Their first-hand observations involved witnessing their parents, grandparents, and other family elders humiliated and treated as criminals. The second narrative describes one of these house-to-house searches.

On July 28, 1997, at approximately 11 p.m., B. and his family were sound asleep in a trailer owned by his brother-in-law. ... The family was wakened by a loud banging on the front door and bright lights shining through the windows. When B. looked around, he saw two Chandler police officers, with an INS/Border Patrol agent behind them. All officers were bicycle officers. The officers demanded to be allowed into the trailer and when B. asked if they had the right to come in, he was told 'We can do whatever we want, we are the Chandler Police Department. You have people who are here illegally.' Although B. denied that there were any undocumented aliens there, the officers insisted on entering the trailer, rousing everyone from bed. The family members were all in their sleep clothes, but the officers refused to allow them to dress. None of the children were United States citizens, and except for the brother-in-law, all the rest were legal aliens; the brother-in-law had entered the country legally but his visa had expired and he was in the process of getting it renewed. When the officers discovered that the brother-in-law did not have proper papers, they called a Chandler Police Department back-up vehicle and took him away in a patrol car. B. attempted to give his brother-in-law street clothes when the officers were taking him away, but the officers would not allow this and took him away in his sleep clothes. He was later readmitted to the United States with the renewed visa he had been awaiting. The others were detained in the trailer for approximately ninety minutes; they were not searched but they were questioned even after they showed the papers demonstrating that they were legally in the United States. The police told B. that they had spoken with the park manager and he had given them permission to search the trailers, had given them a map, and had marked on the map where Hispanic residents lived. The four children involved in this incident are still fearful when someone knocks at the door of the trailer, and continue to be nervous when they see police officers on the street. ... Most of the police visits occurred between 10 p.m. and 11 p.m. and were precipitated by police banging on doors and windows and shining lights through the windows. ... Every night someone else was taken away.

The manner in which family elders were belittled, demeaned, and subordinated serves as a reminder that Latinos, whether US citizens or not, are at constant risk before the law. Powerful messages involving their lack of rights and the unequal legal status of family members were delivered to the children. House searches teach children that association with loved ones who are not US citizens may endanger their own safety.

The narrative above depicts forced entry into a home without a search warrant, reasonable suspicion, or probable cause based on observed illegal behavior of any of the persons residing in the trailer. Instead, the forced entry was based solely on the park manager's identification of the occupants as Mexican. Officers' unorthodox strategy for gaining entrance to homes, the process and length of time family members were questioned, and the refusal to allow them to get dressed are indicative of the various methods that law enforcement agents use with high levels of unchecked discretion. The possibility of officers restraining their behavior when making discretionary stops in parking lots, shopping areas, and other public places does not exist in these night-time searches of private residents.

In the third narrative, F., the mother of three young children, presented a response to racial profiling and citizenship inspection that reveals how these law-enforcement techniques produce discord within the community and also weaken family ties. Having been publicly humiliated and rendered helpless in front of her children as she faced an officer's relentless citizenship inspection, F. is determined to protect her children from the same demeaning treatment.

The narrative gives an account of F. walking to her parked car outside the grocery store with her three daughters. Prior to being stopped and questioned about her citizenship status by an officer, she had been speaking in Spanish to her children. As do US citizens who are requested by an officer to show identification, F. assumed her driver's license was an appropriate response. The officer, however, refused to accept it as adequate proof of citizenship and demanded another form of ID. Consequently she was forced into a desperate search in her car for a different document of identification. Completely subordinated to the officer's discretion, F. and her daughters were detained in the July heat intensified by the parking lot's blacktop and the increasing sense of mortification as shoppers watched these suspected criminals. Her encounter with the officer became a public spectacle serving as a symbol of the over-zealous and draconian immigration law-enforcement practices adopted to stop illegal immigration into the US from Mexico. Reflecting on the degradation to which persons of Mexican ancestry who were caught in the dragnet of immigration raids were subjected, F. realized that her American roots, that reach back to before the Mexican-American War of 1846–1848, did not protect her from second-class citizenship – a citizenship status whose rights and privileges are violated at the whim of public policy and officers' unchecked discretionary use of power.

F. feels that she has to watch what she wears and that she cannot look unkempt. The officer made her feel stereotyped on the basis of what she was wearing. She felt that she did not belong. A number of people were going in and out of the store and one couple looked at her. F. did not see anyone else stopped. The only time she has gone back to Chandler has been for the meeting [protesting the immigration raid] at the church. She has not gone back to the store because she does not feel welcome; she feels violated. This has also affected her plans to have her children spend some time with relatives in Mexico. She canceled their trip because she does not want to risk her children picking up a Spanish accent.

Prior to this traumatic encounter, F., like many middle-class Mexican Americans, believed that immigration raids did not directly hamper the freedom of movement of their targets or place them at risk before the law. However, F. now realizes that the use of racial profiling places her family at constant risk if they cannot cover their stigma, their 'Mexicanness.' As a dark-complexioned Mexican American, her physical appearance renders her vulnerable to the stereotype of 'dirty Mexican' and 'illegal immigrant.' F. now makes conscious decisions about how to display clear

visual signs of her middle-class status and avoids communities, shops, churches, and even relatives who might place her in danger of being treated as an immigrant or second-class citizen. Wanting to protect her children from the public spectacle of the degradation ritual performed in discretionary stops for citizenship inspection, F. is determined to eliminate any signs of their 'Mexicanness.' Quite probably, she will dissuade her children from playing outside in the sun and tanning darkly, from learning to speak Spanish to communicate with their grandparents and other family elders, or from gaining the cultural competence to participate in two cultures. Is it any wonder, then, that F. will probably place assimilation at the top of her list of mothering responsibilities?

Conclusion

My case study of the Chandler immigration raid demonstrates the importance of earnestly considering the concept of race in immigration research and recognizing the racialization of constructing citizenship in everyday practices. In this particular case, the racialization of 'Mexicanness' was reinforced by selecting persons for citizenship inspection on the basis of their appearance, Spanish-speaking abilities, and location of residence. The use of racial profiling in immigration law enforcement mirrors similar questionable policing practices aimed at targeting Blacks and Latinos in the policing of public spaces and in the war against drugs, as well as the targeting of Arab Americans in the war against terrorism. Like African Americans and Latinos, Mexican immigrants' physical appearance unfairly subjects them to reasonable suspicion or probable cause before the law.

Exemplified in the three narratives from the Arizona Attorney General's report are instances of racial animus and legal infirmity commonalities in law enforcement practice that people of color experience in the US, regardless of citizenship status. Like African Americans, as documented by the research, Latinos experience discretionary stops, intimidation, and restriction of movement that place them at risk before the law and reinforce a racial hierarchy. Public spectacles produced by racially profiling shoppers and motorists for citizenship inspection reflect and reinforce racialized images of deviance.

A CRT analysis of immigration leads one to consider several issues that are crucial to understanding the position of racialized groups. Within this framework, researchers can begin to explore the 1.5 generation's incentive to detach themselves from families and community and to erase any characteristics of their immigrant past in an effort to eliminate the likelihood that they will be humiliated, demeaned, and deprived of their civil rights by being racially profiled by police, teachers, and employers. Instead of recognizing experiences that shape racialized immigrants' identification with other racialized groups and the importance of their coalition building, an assimilation framework assumes that racial minorities are an adversarial culture and subordinates Blacks, Chicano/as, and Puerto Ricans. However, CRT explains the ways in which the 1.5 generation's fate and their parents' fates are tied to other racialized groups. The Americanization process cannot be fully comprehended without identifying the construction of the 'alien' and the ways we act upon all groups identified as 'ethnic,' 'foreign,' or 'non-White.' Race, ethnicity, and immigrant status are not mutually exclusive categories. Intersectionality becomes crucial in theorizing about the immigrant experience in a nation that has a history of social exclusion by race, class, gender, and citizenship.

Presenting a racialized immigrant counterstory to the master narrative of the assimilated immigrant not only challenges the myth of meritocracy, it also exposes White privilege. Rather than accepting the majority domination of the legal, education, and media institutions and perpetuating cultural deficit models, research agendas that examine the consequences of this domination need to be established. Rather than proposing solutions that drive a wedge further into the gap between immigrants and US racial minorities, counternarratives propose solutions aimed at

eradicating racism and all forms of subordination. Sociologists of immigration must therefore abandon a research agenda narrowly focused on assimilation, acculturation, generational conflict, and social mobility, and actively broaden their analyses to include issues of social justice. However, this cannot be achieved without acknowledging the growing antagonism and anti-racist and anti-immigration sentiments that impact all persons of color residing in the US, regardless of their citizenship status.

CRT and LatCrit's conceptualization of how political economy impacts both immigrants and citizens of color makes for a more comprehensive and nuanced understanding of racial antagonisms and of differences and similarities between immigrant groups, and it identifies barriers that influence their individual choices. CRT and LatCrit scholars have studied the relationship between civil rights and immigration laws and have identified the mirrored patterns of exclusion and deportation within the racial history of our country. As K. Johnson (2004, p. 172) points out, 'U.S. immigration law represents a national Rorschach test of the nation's civil rights sensibilities.' CRT scholars have written on the significance of immigrants' organizing efforts around issues of racial and economic justice based on civil rights discourse and strategies. By placing race at the center of their analysis and moving away from paradigms that hold Whiteness as the norm, critical race theorists identify research agendas that incorporate collective actions taken by immigrant workers to improve their economic conditions and legislative proposals that support their struggle for economic justice. Instead of proposing recommendations and solutions that focus on individual choices, CRT has focused on both civil rights and human rights agendas. Consequently, communities of color, regardless of citizenship status, are not pitted against each other in proposed solutions but rather are seen as allies in the struggle to eradicate all forms of racism and all forms of subordination. CRT and LatCrit offer an ideal model for bridging the gap between immigration and race research in sociology.

Note

1. However, some critics have noted that nascent technologies like finger printing, retinal imaging, and facial recognition programs are coming very close to the practice of identifying the 'other' by branding and tattooing.

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