

39C Immigration Theme: Potential Readings

A disclaimer: this list is by no means comprehensive when addressing contemporary issues related to immigration, either domestic or global. Rather, it is a list of recommended readings that pertain specifically to the criminalization of immigration in the United States. It's important to keep in mind that 39C is a composition course, and as such does not aim to survey even this narrowed topic in the comprehensive manner one might expect in a sociology, criminology, history, or Chicana/Latina studies class.

We recommend that you choose from the texts below with an eye not only to content (aiming to maximize coherence while minimizing unproductive redundancy), but also to generic and discursive variety. Doing so means selecting some journalism, scholarly articles (from different disciplines, preferably), policy reports, etc. The titles below are arranged and annotated to help make the selection process as user-friendly as possible.

Please resist the urge to aim for comprehensiveness—if you assign every text listed here, your students will not have time to conduct their own independent research for their project. Try to aim for a total in the range of 200-250 pages of assigned readings over the course of your syllabus. If you find other helpful texts on your own, send them to Brian Fonken (bfonken@uci.edu) so this list can be updated. Also feel free to get in touch with questions while developing your syllabus.

How to talk about immigration/general audience/journalism

Jose Antonio Vargas, “The Problem with the Word *Illegal*.” *Time* (2012)
<http://ideas.time.com/2012/09/21/immigration-debate-the-problem-with-the-word-illegal/>
---, “My Life As an Undocumented Immigrant.” *The New York Times* (2011)
https://www.nytimes.com/2011/06/26/magazine/my-life-as-an-undocumented-immigrant.html?_r=3&ref=magazine&pagewanted=all

Vargas's piece for *Time* is a short and accessible introduction to questions about the appropriate language to use when discussing undocumented immigrants. It's worth pointing out to your students that the UC system includes 4000+ DACA recipients as well as Dreamers who didn't apply for the program, so students' language choices in the classroom should be rhetorically sensitive to the communities they are addressing. The “Undocumented Immigrant” piece is a compelling story of undocumented life that could be a good Week 1 read.

Emily Bazelon, “The Unwelcome Return of ‘Illegals’.” *The New York Times* (2015)
<https://www.nytimes.com/2015/08/23/magazine/the-unwelcome-return-of-illegals.html?module=inline>

This pairs well with Vargas's piece for *Time*, offering more historical context for the word “illegal.” It's a piece that includes a lot of anti-immigrant and racist language (even if doing so in the service of critiquing it), so heads up.

Mike Flynn and Shikha Dalmia, “What Part of Legal Immigration Don’t You Understand?” (2008)

<https://reason.org/wp-content/uploads/files/a87d1550853898a9b306ef458f116079.pdf>

Some of your students may come in with the idea that undocumented immigrants need to go home and then immigrate “the right way.” This piece shows how most potential immigrants stand no real chance of being admitted to the United States and that the “get in line” idea is specious.

Aviva Chomsky, *Undocumented*; recommended chapter: “What About ‘Illegal’ Do You Understand?” (2014)

This chapter complicates the idea of the “illegal immigrant” and provides a concise and clear overview of ways that the lifestyle of undocumented people in the U.S. is criminalized—i.e. driving, working, getting married, etc. Could be useful in Week 1 or 2 as you’re introducing the course topic.

Various Sarah Stillman pieces on family separation and detention from the *New Yorker* (a good one: “The Five-Year-Old Who Was Detained at the Border and Persuaded to Sign Away Her Rights”)

<https://www.newyorker.com/contributors/sarah-stillman>

The criminalization of immigration intersects with the asylum crisis at the point of family separation, as parents are arrested for the crime of illegal entry. Stillman’s pieces are accessible and engaging, and would make good discussion material early on (again, this could be a Week 1 reading).

Scholarly sources

Sociology

Patrisa Macías-Rojas, *From Deportation to Prison: The Politics of Immigration Enforcement in Post-Civil Rights America* (2016)

Macías-Rojas approaches the criminalization of immigration as a sociologist and historian. As such, her book is based on ethnographic and historical/archival research. I personally find her work a bit disorganized—the narrative thread within and between chapters can be really difficult to follow—but it would be interesting to pair a chapter from this book with a popular source like Chomsky’s book or a legal one (see below) to discuss generic or disciplinary distinctions in terms of types of evidence, audience, argumentation, etc.

Ana Raquel Minian, *Undocumented Lives: The Untold Story of Mexican Migration* (2018)

A chapter from Minian's book might be used similarly to Macías-Rojas's; for example, Ch. 7, "A Law to Curtail Undocumented Migration," covers the 1986 Immigration Reform and Control Act and could be paired with another history of that piece of legislation.

Cecilia Menjívar, "The expansion of 'crimmigration,' mass detention, and deportation." *Sociology Compass* (2018)

This is a short and fairly accessible introduction to the concept of the criminalization of immigration. It's worth checking out for the Notes section alone, which offers a fantastic overview of the literature on the topic.

Law

"Policing Immigrant Communities." *Harvard Law Review* (2015)

This "chapter" comes from a special issue of the *Harvard Law Review* on developments in the law and policing. It's an excellent and surprisingly readable survey of programs that blur the lines between national immigration enforcement and local policing such as Secure Communities and the 287(g) program. It would pair well with a chapter from one of the sociologists listed above, or a more general-audience history such as Chomsky's.

Jennifer M. Chacón, "Unsecured Borders: Immigration Restrictions, Crime Control and National Security." *Connecticut Law Review*; especially Section II, "The Rhetoric of Removal: Or How the Alien Became a National Security Threat" (2007)

---, "Overcriminalizing Immigration." *Journal of Criminal Law & Criminology* (2012)

Chacón, whom UCI recently lost to UCLA, is one of the foremost authorities on the criminalization of immigration. "Unsecured Borders" is a bit older than most texts listed here, but still relevant, and I find the section on the rhetoric of removal to be especially helpful in the context of the 39 series, with its own focus on rhetorical reading and argumentation. The second piece, "Overcriminalizing Immigration," is also useful (and more recent). I suggest reading both and assigning the excerpts you find the most helpful from one or both.

---, "Immigration and the Bully Pulpit." *Harvard Law Review* (2017)

A useful piece for contextualizing the Trump era with earlier immigration enforcement. Yes, Obama was nicknamed "Deporter in Chief." No, the continuity in immigration policy is not seamless between the two administrations. This might help students think more complexly about continuity and change between historical moments.

Policy reports/think tanks/advocacy groups

Walter A. Ewing, Daniel E. Martínez, and Rubén G. Rumbaut, *The Criminalization of Immigration in the United States* (2015)

https://www.americanimmigrationcouncil.org/sites/default/files/research/the_criminalization_of_immigration_in_the_united_states.pdf

From the American Immigration Council. This is another text that works well as a general introduction to the topic. Ewing and company debunk the idea that immigration increases crime and systematically work through the ways that various forms of migration have been recast as criminal in the past few decades.

Maria Jimenez, *Humanitarian Crisis: Migrant Deaths at the U.S.-Mexico Border* (2009)

<https://www.aclu.org/sites/default/files/pdfs/immigrants/humanitariancrisisreport.pdf>

From the ACLU. This piece is a bit of an outlier, in terms of topic and year of publication. Jimenez focuses on the crisis of migrant deaths caused by so-called “prevention through deterrence” policies enacted principally under the Clinton administration. It powerfully shows how criminalizing immigration and preventing safe crossing for migrants leads not to reduced unauthorized migration, but increased suffering and death. An excellent model for the Research Project as a whole, as it’s a multimodal text that both describes a problem in detail and offers a variety of policy solutions.

For general reference

#ImmigrationSyllabus from the Immigration History Research Center at the University of Minnesota and the Immigration and Ethnic History Society

<http://editions.lib.umn.edu/immigrationsyllabus/>

The Immigration Syllabus offers a ton of primary and secondary sources for all sorts of immigration-related topics, including undocumented immigration, asylum, border policing, and deportation. A resource for you and/or your students to explore.