

# On the Labyrinths Of SB 1070

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“Nothing important can come from the South.”  
HENRY KISSINGER<sup>1</sup>

Beyond debating whether the key for harmonious interaction among the different groups in U.S. society, including ethnic, racial, or religious minorities, is to be found in the economic variables, the labor market has proved itself an arena for conflict and ideological competition there. Here, we can note the recurrence of exclusionary laws and positions that marked even the first workers’ organizations in the nineteenth century, all the way up to the racial prejudices that speak to how U.S. capitalism is anchored in individualism and the meritocracy, but also in the institutionalized exercise of discrimination.

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What this means is that, even today, simply being born white in the United States makes for advantages over people from other minorities, and that, despite many Americans considering themselves anti-racist, their society has not completely gotten away from explicit or implicit patterns of behavior that perpetuate the stereotypes of inferiority that many groups are assigned for reasons of differences in creed, national identity, ethnicity, etc. This forces us to understand that racism and discrimination are not fixed and that every culture, being essentially ethnocentric, will seek to surpass others or even subject or exclude the “others” it considers “different.”

## THE POLITICAL SCENARIO

A concrete example of this is SB 1070, which came into effect with the limitations that U.S. District Court Judge Su-

san Bolton stipulated to lessen its impact without violating the sovereignty of the state of Arizona and at the same time safeguard the federation. Putting to one side the openly discretionary, racist measures the law contains, clearly all political forces in the United States have agreed that the path forward for any discussion about the scope of a migration reform must start with safeguarding border security.

Based on this, to understand the political polarization this law has unleashed, we must begin by probing Arizona's conservatives, who are betting on what they expect to be victories in November's midterm elections.

The Arizona strategy, which has combined the legitimate use of self-defense with a media campaign using numbers to demonstrate that it has fulfilled the citizenry's demand for protection, has already had a national impact regardless of Bolton's decision, given that more than 20 states are now exploring similar bills (among them Alabama and Colorado) promoted by activists and lobbyists identified with the Republican Party (GOP).

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Examples are cited like University of Arizona experts' figures showing that between 1990 and 2008, the Tucson-area Border Patrol has increased the number of detentions of undocumented migrants from one out of every 20.6 to one out of every 2.2. At the same time, estimates of undocumented crossings into Arizona have dropped 49 percent since 2004. It is also said that in the last seven years, homicide figures have dropped 50 percent in Phoenix. These figures are a dual paradox for analysts: they can be interpreted in the sense of promoting the belief that "Yes, we can completely seal the southern border," or they can make us reflect about why the decreasing crime rate does not directly correlate to reality, since the fear of being the target of violence at the hands of an undocumented migrant has permeated many people's thinking.

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avoidable for getting the increased attention that should be paid to undocumented migration, previously just one topic among many, and which has now come to be considered an important problem that has even turned critical.

As rational actors, in the United States, not only influential individuals, but also interest groups, political candidates, public officials, and particularly opinion leaders are perfectly familiar with the strategies of getting their interests included in the sphere of decision making, and the steps needed for them to become visible in the public eye on different levels: local, state, and national.

In the midst of clear political antagonism, President Obama has firmly ratified his commitments and convictions about the defense of civil rights by joining the rejection by progressives in the United States who fight against any indication of racism. However, his political opponents have denounced his stance against SB 1070 and more recently, his emphatic support for the construction of an Islamic cultural center and mosque in New York's Ground Zero, as supposed signs of his anti-U.S. position.

While for conservative reactionaries, the enforcement of SB 1070 is necessary—and for the Tea Party movement, it is patriotic—since it simply protects law-abiding citizens and legal residents, in mid-August, news reports began circulating alleging that Governor Jan Brewer has interests beyond a simple vocation for attending to the demands of her state: they link her to the business of privatizing the prisons.<sup>2</sup> It has been pointed out that a year ago, the state of Arizona intended to privatize its entire penitentiary system, setting a very polemical precedent in the United States, which for that reason was discarded. It is also interesting to note that in the rest of the country, the number of private prisons has actually dropped.

In the United States, private companies interested in running detention centers are engaged in one of the country's most powerful lobbying efforts. Analysts insist that Brewer is very closely linked to political consultant Chuck Coughlin, who in turn works for the most important company in this field, Corrections Corporation of America. The firm currently has an US\$11-million-a-month federal contract, but, with the impact of SB 1070, it foresees a spike in the number of undocumented detainees and, as a result, in its profits. It is to be expected, then, that as the midterm elections approach, these kinds of reports will probably increase, in order to have an impact in the political arena.

In the pluralist model of democracy identified with the United States, the capability to effectively and efficiently link

up different interests around issues like the migration control is a result not only of the political will or conviction of individual and collective stakeholders, but above all to their ability to mobilize the financial and material resources that allow them to promote and profile the specificities the debate of an eventual migratory reform should include. Selective amnesty? Temporary guest workers? Obligatory English? Overturning the 14<sup>th</sup> Amendment to end “birthright citizenship?” Etcetera. This kind of horizon is very difficult to predict.

#### THE VIEW FROM THE SOUTH

In Mexico, SB 1070 has caused generalized indignation. But we should point out that for most of us, it is difficult to understand the degree of anxiety many Americans experience because of the deterioration of the economy and lowered expectations. Our starting point should be that our reference points are generally opposed to each other, as demonstrated in recent data from the Jus Semper Global Alliance: “In Mexico, the State policy that deliberately pauperizes Mexican workers has imposed for three decades on manufacturing sector production-line workers the endurance of the worst real wages, in PPP terms...with an abysmal living-wage gap with the U.S. of 83 percent.”<sup>3</sup>

On the other hand, even though absolute control of the U.S.-Mexico border has proven illusory, the degree of social tension along it has increased for different reasons, like the existence of greater socio-spatial, economic, and cultural interdependence. Anchored in the growing asymmetry that we already pointed out, this tension is exponential on the Mexican side, given the ominous inequality between the “haves” and the “have-nots.”

It may be worthwhile reminding ourselves that the Mexico-U.S. border is unique worldwide because, with globalization, it stopped being a point of contact between two traditional communities. It was harder hit by this opening to the world of the free market when it became the center of attraction for new, more diverse stakeholders (migrants from Mexico’s interior, from Central America, from Asia, women alone and single mothers, businessmen, multinational firms, illicit businesses, new religious cults, sects, etc.). As a result of this mosaic, the social interaction among a wide gamut of groups each with its own perceptions, expectations, and values became fragmented and until now has not found com-

mon aims or objectives to give it cohesion, leaving it at the mercy of violence and organized crime. We could even consider the effects on their socialization of the fact that most of them arrived at Mexico’s northern border only to get to the United States, or to remain a short time and make the most of it.

It is precisely in the framework of all these tensions between our two countries that joint reflection about the underlying determining factors becomes imperative. The cultural variable is one of them, although for the most part it is unexplored. Dealing with this area, considering that it is an active component of any identity, might allow us to glimpse the reasons why the links between the two nations end up marked by ambiguity time and again.

In another sense, we Mexicans are obliged to remember the Obama administration’s limitations for articulating consensus domestically on particularly sensitive issues like migration. The president’s margins for action were clear when he presented his first State of the Union address, mention-

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ing that the country is facing a deficit of internal and external trust and the challenge of leaving behind fear and division.

It is true that the United States is going through a time when what is at stake is rebuilding social trust, since it is proportionately facing similar challenges to those of the world’s other nations: globalization, inequality, and now, significantly, intolerance. However, for us, it is imperative to remember that on a local level in the United States, innumerable norms exist that have favored immigrants and their families.

#### FINAL THOUGHTS

It is undeniable that the reactions to SB 1070 show that social equilibrium in the United States can be upset. Even though an important part of the citizenry remains optimistic,

the first African-American taking office as president did not mean the automatic emergence of a new social paradigm based on inclusion.

If the objective of politics is order, and that of the state is to suppress the division of its members, Barack Obama will have to show signs very soon that his youth is not an impediment to redirecting his leadership. Getting through this trial period is perhaps more difficult than winning the election in 2008: between June and August 2010, his approval rating has remained at 49 percent.

So, in U.S. political culture, it can be seen that the public's trust is not centered on the government as an institution in general, but on the performance of the individual actors with whom people identify their own interests. If we remember then that countering the overwhelming majority of approximately 67 million voters who cast their ballots for Obama in 2008 are the 58 million voters who chose his rival,

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we can appreciate the climate of challenges that he has to overcome if he wants to become a true statesman.

In politics, losing to your adversary means you did not perceive the slivers of pessimism taken over by the opposition forces who want to win power. One of these is the melding of undocumented migration and security very ably achieved by emissaries from the past who remind us that the conservative logic is in essence not thinking, but unthinking reaction.

In this context, their liberal counterpart is exemplified by Beth F. Merenstein, when she writes, "The idea that the United States is still 'the land of opportunity' has not dissipated much in the last two hundred years."<sup>4</sup> However, we would even go further, saying that the economic, social, and cultural influence on the United States represented by the labor of Mexican immigrants—documented or not—cannot be erased by decree.

Nevertheless, it is worthwhile asking ourselves: what is it that generates greater consensus in the United States in

the light of the current characteristics of its society *vis-à-vis* the size of the undocumented population, taking into account the specificities of each region or locale? Is the step forward or backward that SB 1070 exemplifies now a medium- and long-term trend? What are the perceptions about this and what mediations could reverse them?

On the other hand, Mexico's greatest responsibility is building a future with dignity for all its nationals, since despair, violence, and fear have now been added to the lack of opportunities. Our society has low levels of trust—perhaps even enormous mistrust—and weak or even non-existent institutions. This means that our problems can no longer be addressed with isolated—much less improvised—responses.

The lucidity of Alexis de Tocqueville, who warned that substantive differences in people's living conditions are a barrier that impedes social empathy, now offers us the way forward for both countries to talk together. We think that our interaction is not only increasing, but is absolutely irreversible and cannot be abandoned. Therefore, there is no way to promote the material success of either of our countries if it is preceded by the social failure of one of them.

The obligatory question is: Can we contribute from our side? Some ideas for this are

- recognizing the socio-cultural gap between the two nations, seeking alternatives to narrow it;
- strengthening bi-national alliances to study the phenomenon in depth and come up with short-, medium-, and long-term goals; and
- adding anthropological and psychosocial variables to traditional economic, political, and sociological variables. **MM**

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## NOTES

<sup>1</sup> Former Secretary of State Kissinger said this to Chilean Minister of Foreign Affairs Gabriel Valdés during the Eduardo Frei administration after Valdés disagreed with statistical data Richard Nixon had cited on Latin America at a meeting headed by Kissinger in June 1969. [Editor's Note.]

<sup>2</sup> "The Rachel Maddow Show," <http://www.msnbc.msn.com/id/3096434/#38685023>, August 12, 2010.

<sup>3</sup> <http://www.jussempor.org/contactus.html>, accessed August 20, 2010.

<sup>4</sup> Beth Frankel Merenstein, *Immigrants and Modern Racism. Reproducing Inequality* (Boulder, Colorado: Lynne Rienner, 2008), p.78.