

Brian Cope
The College of Wooster

Recent documentaries on illegal immigration to the United States from Latin America often articulate—intentionally or unintentionally—one of two competing visions with respect to illegal immigration. One vision frames illegal immigration as a human rights issue and the other as a law enforcement issue. Those who subscribe to the first argue that more must be done to integrate undocumented people into American society, ensure their civil liberties and protect them from economic exploitation. Those who adhere to the second tend to ignore the root causes of illegal immigration and demand only that America's immigration laws be rigorously enforced at the federal, state, and local levels. In what follows, I examine a selection of recent documentaries about illegal immigration from the standpoint of these two competing visions and offer a critique of the arguments contained therein.¹

Very few documentaries on illegal immigration were made before the 1990s, and nearly all focused on the plight of migrant farm workers. *Harvest of Shame*, narrated by Edward R. Murrow and airing on CBS in 1960, is an early—and likely the first—documentary to examine the life of undocumented immigrants from Mexico. More than twenty years would pass before more documentaries would appear on the subject. *The Trail North* (1983), *Welcome to Watsonville* (1985), and *The Other Side of the Border* (1988) share *Harvest of Shame's* expository style and intense focus on the living conditions and the individual circumstances of the immigrants profiled. In the 1990s, documentaries continued to appear that examined illegal immigration from a humanitarian standpoint in an expository style. Noteworthy examples include *Oaxacalifornia* (1994), *Displaced in the New South* (1995), and *Voices from the Fields* (1995).²

The terrorist attacks of 9/11 usher in a new era of documentaries on illegal immigration to the U.S. from Latin America. These documentaries often are more polemical, more ideological, and more unsettling than their predecessors. The majority of the documentaries continue in the humanitarian vein of the earlier documentaries but also very subtly—or very explicitly—bring a human rights perspective to bear on the specific subject matter. Others, for the first time, deliberately frame illegal immigration as a national security issue and interpret the illegal immigration phenomenon through a conservative lens. While the post 9/11 documentaries on illegal immigration ostensibly lend themselves to conservative or liberal causes related to illegal immigration, the corpus of illegal immigration documentaries, in its entirety, exhibits an expository style that informs, constructs arguments, and contrasts competing points of view in verbally provocative and visually poetic ways, thereby exploiting much more fully the range of stylistic modes associated with the documentary medium.³

Cochise County, USA: Cries from the Border (2005) and *Border War: The Battle over Illegal Immigration* (2006) defend and promote the conservative vision of illegal immigration. *Cochise County* details the impact of illegal immigration on Cochise County, Arizona since the implementation of Operation Gatekeeper during the Clinton Administration. In contrast, *Border War* profiles various individuals whose lives have been negatively impacted by illegal immigration or whose work gives them a unique perspective on the issue. Both documentaries prominently feature advocates for the construction of a border wall, and both documentaries promote the aggressive enforcement of existing immigration laws as the most viable solution to the perceived immigration crisis.

In *Cochise County*, numerous residents come before the camera to give their candid testimony on how their lives and community have been impacted by the numerous undocumented immigrants passing through their towns en route to faraway destinations in the United States. The interviewees attest to horrific crimes committed by transient peoples and share their fears of living in isolated areas not easily reached by police. Once a general context regarding the types of crimes taking place in Cochise County is established, the documentary focuses on Chris Simcox, co-founder of The Minuteman Project. Simcox passionately and persuasively argues that the Border Patrol is overwhelmed by the recent influx of illegal immigrants into Cochise County and needs the help of a civilian militia operating in a supportive capacity. The camera accompanies Simcox on a training session for new recruits where we see him eloquently explain to volunteers that their purpose is to take note of the location of illegal immigrants and call the Border Patrol. The emotional testimony of various militia volunteers as they discuss their desire to protect their property, families, and livelihood lend credibility to Simcox's sensible and earnest message that the Border Patrol desperately needs the aid

offered by Cochise County citizens. After the meeting, in an unguarded impromptu rant before the camera, Simcox again expresses his indignation at the blatant disrespect shown for the law by illegal immigrants, but says nothing offensive or politically incorrect. Although the documentary devotes some attention to the viewpoint of those who work on behalf of undocumented immigrants, it makes little effort to make sense of the humanitarian vision that underscores their work. Instead, these fragmented segments register as incoherent and at times even nonsensical, thereby detracting little from the film's central message that enforcement of the law is paramount.⁴

In a similar vein, *Border War* explicitly argues the same enforcement-first position by opening with an interview with Arizona Republican Congressman, J.D. Hayworth, author of the Enforcement First Immigration Reform Act, legislation that although died in committee mandated a crackdown on employers who hire undocumented immigrants as well as the construction of a wall along the entire U.S. border with Mexico. After the introductory sequence that presents Congressman Hayworth at a moment when expectations for his bill still ran high, the film quickly leaves the congressman to profile two people whose lives have been touched by illegal immigration in tragic ways. First we meet Teri March, whose husband, a southern California police officer, was brutally murdered by an illegal immigrant. Next we meet Lupe Moreno, a Mexican-American who as a child was molested by wayward undocumented immigrants living in her parents' garage in Santa Ana, California. Lupe now devotes much of her time to supporting Jim Gilchrist, the other co-founder of the Minuteman Project, in what would be his failed bid for Congress. On the other hand, the film balances these horrific examples meant to exemplify the criminality of illegal immigrants with profiles of two valiant Mexican-American men whose work puts them on the front lines of illegal immigration. One is a border patrol agent who leads a special operations team to catch smugglers; the other is a dual citizen of Mexico and the United States whose group, Border Angels, provides food and water to undocumented immigrants passing through the desert. In this way, the documentary effectively balances the profiles of two women victimized by criminal undocumented immigrants with the profiles of two noble Americans of Hispanic descent who contribute in meaningful ways to American society.

These four contrasting profiles amount to a seemingly arbitrary prelude to the series of later segments that detail Congressman Hayworth's campaign to enact the Enforcement First Immigration Reform Act. In the first segment, we see the congressman riding in the passenger seat of a car through the Arizona desert as he speaks to his father on a cell phone and telling him that, as a country of immigrants and laws, the laws pertaining to immigration simply need to be enforced. In the next segment, the camera finds Hayworth in his office on Capitol Hill surrounded by his aides and advisors, one of whom describes to him a newly published report by the Federation for American Immigration Reform (FAIR) that alleges that if the competing Kennedy-McCain bill passes, within eight years the number of undocumented immigrants from Latin America will increase from 11 million to 38 million. In subsequent sequences of the documentary, we find out that the committee vote on the bill was delayed indefinitely. After returning and giving closure to the four incongruous profiles developed earlier in the documentary in a probable effort to show that no racist motivations underscore the documentary's intense bias against undocumented immigrants (so carefully portrayed as smugglers, child molesters and murderers), the film ends with dramatic footage of the 2005 march in downtown Los Angeles by undocumented immigrants and their supporters in demand of comprehensive immigration reform. Offering no context for the magnificent scene of mass protest, the documentary ends with a clear insinuation, vis-à-vis the visual language, that without aggressive enforcement of the law the population of undocumented immigrants will continue to multiply as foretold by the FAIR report so urgently communicated to Congressman Hayworth on the day that his enforcement bill died.

While only two documentaries made since 9/11 articulate the enforcement vision of illegal immigration, numerous others communicate the humanitarian vision. Perhaps the most sophisticated and provocative of these are *Wetback: The Undocumented Documentary* (2005) and *Which Way Home* (2009). Aired by the National Geographic channel, *Wetback* follows various Central American and Mexican immigrants on their journey to the United States and includes interviews with numerous individuals who offer a unique perspective on the issue of illegal immigration. In contrast, *Which Way Home*—nominated for an Academy Award—attempts to follow four teenagers as they travel unaccompanied from Central America to the United States and includes, like *Wetback*, various interviews with individuals whose work lends them a unique perspective on the issue.⁵ Both documentaries focus intensely on individual immigrants, their circumstances, and the insurmountable obstacles that they face on their journey north. Furthermore, both contain

implicit cautionary messages for those intending to undertake the journey, which contrast sharply with their explicit humanitarian messages directed toward their American audiences.

Whereas *Which Way Home* concerns itself only with the child immigrants it profiles and their family situations, *Wetback* attempts to negotiate the two competing visions of illegal immigration, resulting in a non-linear and disjunctive narrative that nonetheless privileges the humanitarian perspective. The opening scene articulates the enforcement position sardonically by way of a stiff, almost cartoonish Border Patrol agent who affirms that because crossing the Rio Grande is breaking the law, those who do so are, in point of fact, criminals. In the next scene, the camera takes us to Chinandega, Nicaragua, a city that sends a disproportionate number of its residents to the United States. As the camera moves through the streets, those who appear before it speak candidly about the common motivations for abandoning Nicaragua and forging the long journey to the United States. Various interviewees attest that the living conditions in Chinandega are intolerable, and one man in particular declares that for many it comes down to making a choice between immigrating to the U.S. in search of honest work or resorting to robbing and killing in order to survive in Chinandega. At the end of the sequence, a caption appears telling the viewer that 3,000 Central Americans leave for the U.S. everyday, and of those only 300 successfully make it across the border.

Next, the documentary presents a couple in their early 50s who run an immigrant safe house in Fort Erie, Canada. Sitting together at the kitchen table in their home, Lynn and Pat Hannigan ask how it can be that North Americans can purchase bananas at the super market for 29 cents a pound when harvesting them requires such extensive human capital. Their comment speaks to the exploitative practices of multi-national corporations operating in Central America and the harsh economic effects of CAFTA on the working poor. Curiously, Fort Erie projects a weighty symbolism that goes unexplored by the documentary. Sitting on the northeast point of Lake Erie, on the Canadian side of the Niagara River, Fort Erie was an important final destination on the Underground Railroad. Thus the documentary (inadvertently or intentionally) establishes a conceptual parallel between those who in the nineteenth century gave refuge to escaped slaves heading to Canada and those who today give material help to displaced undocumented immigrants in search of a better life.

The three contrasting sequences that transpire in the first ten minutes of the documentary establish a triangular thematic framework that undergoes intense exploration over the course of the film's remaining time. As viewers, we learn about the issue of illegal immigration from the perspective of undocumented immigrants, from the perspective of enforcement advocates, and from the perspective of humanitarian workers who assist and advocate on behalf of undocumented immigrants. Although the perspectives of both nativists and humanitarians receive ample attention, the documentary focuses most intensely on the undocumented Central American immigrants and the challenges facing them as they move their way through Mexico to the U.S. border. As such, *Wetback* spends a significant amount of time following Nayo and Milton from Chinandega to the Mexican border immediately after the introductory sequences. Once in Mexico, however, the camera loses them and takes us instead to an immigration detention center where those about to be returned to their Central American country of origin give candid reports about their treatment by Mexican authorities and the circumstances of their deportation. We are then told by way of a large central caption that 75% of the abuses endured by Central American undocumented immigrants passing through Mexico occur at the hands of Mexican authorities. Next, the documentary discusses the pervasive victimization of undocumented Central American immigrants at the hands of Mara Salvatrucha gang members who, operating in southern Mexico, target Central American undocumented immigrants riding on northbound freight trains. Finally, the documentary reports on the dangers of riding the north bound freight trains and the numerous deaths and mutilations that occur on a regular basis.

After this rather long journalistic digression, the camera catches up to Nayo and Milton who in the interlude were detained and robbed by Mexican police before being escorted to the Suchiate River, on the border with Guatemala, and made to swim to the other side, where, as luck would have it, they found a safe house and made arrangements to return to Chinandega. The camera now begins to follow a new set of protagonists—Hondurans Luis Gerardo and his adolescent daughter, Ana—northward from the same geographical point along the Suchiate River. As Luis and Ana approach northern Mexico, more new faces begin to populate the documentary, all expressing the desire only to find work in the United States in order to support their families.

As we learn about the various motivations of the new set of protagonists to pursue the American dream, the sequences are interrupted by a series of contrasting segments that expose the intense prejudice and hatred on which at

least part of the nativist perspective hinges. We meet the same Chris Simcox that figures so prominently in *Cochise County*. However, unlike in *Cochise County*, where in describing the Minuteman Project he projects professionalism, tact, and resolve, in *Wetback* he gives the impression of being intolerant, xenophobic, and fanatical. In one rather revealing scene where he encounters a recently abandoned camp of undocumented immigrants in the desert, he makes insensitive, belittling, and sarcastic remarks about the group based on the things they left behind. He shows no empathy for the undocumented immigrants or any understanding of their situation whatsoever. Even the obstinate Border Patrol who in the opening scene of the documentary obtusely describes undocumented immigrants as *de facto* criminals acknowledges in a later scene that most who enter the United States illegally do so in search of work and a better life. Simcox, in contrast, remains dogmatically firm in his characterization of undocumented immigrants as a threat to America's security and the American way of life.

Also woven into these contrasting sequences are segments that explore the views of various humanitarian workers who offer assistance to undocumented immigrants at different stages of their journey to the United States. In contrast to the myopic and alarmist rhetoric promulgated by Simcox, these humanitarian workers convey much more complex and nuanced positions on the topic of illegal immigration. One man in particular, Ademar Barilli, cites the CIA's intervention in El Salvador and Nicaragua, as well as the economic effects of CAFTA and globalization, as factors that have prompted large numbers of Central Americans to abandon Central America. These defenders of undocumented immigrants possess the moral authority and are better informed, which lend them a higher degree of credibility within the framework of the documentary. By the same token, in *Cochise County*, Simcox and the Minuteman volunteers appear to have the moral authority and more enlightened perspective, whereas those with humanitarian motivations appear to be the zealous extremists. The polar difference in these characterizations is likely the result of evidentiary editing, a practice common in expository documentary wherein the director selects and edits footage for the final cut in keeping with the vision—or message—that he or she wishes to convey (Nichols 169).

Wetback conveys to its American audience a humanitarian and global perspective on illegal immigration that in the process ridicules the nativist vision that so ardently defends the enforcement stance. To its Central American audience, *Wetback* articulates a poignant message that the American dream is further out of reach than most seem to imagine and that securing it entails surviving a hellish nightmare. Likewise the title of the documentary pays homage to a classic of Mexican cinema, *Espaldas mojadas* (1955), which tells a cautionary tale about the unsettling realities of the American dream and was made one year after the Eisenhower Administration's oppressive Operation Wetback. The second part of the title, "the undocumented documentary," may allude to the film's reliance on non-expert sources for its humanitarian position, thus constituting a clever and subtle acknowledgement of its own limitations as an expository documentary. Thus *Wetback*'s effort to discredit the enforcement rhetoric by linking it to overtly intolerant individuals and by drawing attention to the United States' culpability in creating the economic conditions that have led to increased immigration from Mexico and Central America is largely undermined by the documentary's reliance on unsubstantiated allegations spoken by non-experts who happen to seem well informed. What resonates most fervently throughout the film and elicits the strongest emotional reaction, then, are the human rights abuses endured by Central American undocumented immigrants in Mexico and the Mexican government's complicity in these abuses. Conversely, the accusations regarding American foreign policy and American imperialism lack sufficient development and documentation in the film to leave a profound impact on viewers unfamiliar with the narrative of American dystopia.

Like *Wetback*, *Which Way Home* serves as a cautionary tale for its Central American audience in so far as it details the numerous dangers that lie in store for those daring enough to make the journey to the United States through Mexico riding atop the northbound freight trains. Unlike *Wetback*, *Which Way Home* films its subjects during various legs of the extremely dangerous journey. The opening scene dramatically announces the documentary's central theme of failed passage to the United States with the image of a corpse of an adult male floating in the Rio Grande. Like *Wetback*, *Which Way Home* provides various statistics to put the various stories of struggle and survival detailed in the film into perspective. The most important statistic offered—which represents the pretext on which the film develops—is that five percent of those who attempt to make the journey from Central America to the United States are minors travelling alone. After introducing a few of the numerous children who will populate the documentary, a digression occurs in the form of an interview with an American border patrol agent who makes the unbelievable claim that nearly 100,000 unaccompanied minors are intercepted every year along the border. As the agent describes finding dead children in the

desert, and his indignation at the parents who would leave their children in the care of strangers or coyotes, photographs of mangled corpses of dead children flash across the screen. *Which Way Home* thereby informs its viewers of the tragic consequences that befall so many of the children who, accompanied or unaccompanied, attempt to cross into the United States in remote areas of the border. In this way, the documentary draws attention to the risks assumed by child immigrants and plants the suspicion that harm might befall one of the children featured in the documentary (which, thankfully, never materializes).

Perhaps the most charismatic and charming of the children profiled in the documentary is a fourteen-year-old Honduran boy named Kevin. The camera encounters him in Tapachula, Mexico, near the border with Guatemala, and follows him on freight trains nearly all the way to Mexico City. In the first interview with Kevin, he calls his mother on a cell phone loaned to him by an unidentified adult. The conversation is short, and his mother inquires as to his whereabouts. Although his plan is to go to the United States, Kevin's mother expresses consternation that he is not yet working and suggests that he is playing around. Kevin is travelling with his friend Fito, who never informed his mother that he was leaving. Both kids hope to find work in the United States in order to send money home to their families, a projection that registers as utterly naïve and wholly untenable.

During the early segments where the camera follows Kevin and Fito, we see Kevin politely asking for scraps of food from adults and sharing his take with Fito and the various other boys travelling with them. During the first segments of the documentary, all appear to be having a romantically picaresque adventure in ways vaguely reminiscent of Mark Twain's *Huckleberry Finn*. Day after day, they ride atop the trains against majestic backdrops of nature, play childish games, smoke cigarettes, and eat whatever they can manage to obtain for free. Soon, however, the romantic narrative ends, and as the landscape becomes more desolate and more impoverished, the sorrowful personal histories of the boys come to light. One had been living on the streets and was taking drugs when he decided to make the journey; others had been separated from parents now living in the United States. As these painful personal stories come to light, the camera crosses paths with two nine-year-old children travelling alone to Minnesota from Honduras in hopes of finding their parents. Perhaps the lowest point of the documentary, Olga and Freddy are visibly malnourished and project both vulnerability and resilience as they coexist with the sea of anonymous and indigent adult faces that surround them.

The camera ceases to follow the children as they approach Mexico City, and before attempting to catch up with them in northern Mexico, the documentary once again embarks on a series of journalistic interludes that, like *Wetback*, provide the viewer with a broader context of the tragedies that beset immigrants attempting to enter the United States through the desert. As it turns out, the camera is later unable to catch up with the children in northern Mexico because all were intercepted by Mexican or American authorities and returned to their country of origin. Kevin was the only one to make it to the American border, but turned himself over to a Border Patrol agent instead of attempting to cross the desert on foot. The documentary ends with a series of concluding interviews conducted with the children after having returned to their homes. Kevin's parents, while happy that he returned safely, consider him a burden and wish that he would once again set out on his own. Disturbingly, the destiny of Olga and Freddy is left unresolved, their whereabouts unknown.

The strength of *Wetback* and *Which Way Home* is that each bears witness to the impossible challenges and unfathomable degradation faced by Central American and Mexican immigrants on their way to the United States. By the same token, the strength of *Cochise County* and *Border War* is that each dispels the myth perpetrated by films like *Wetback* and *Which Way Home* that all those who cross the border illegally are humble and innocent people in search of the American Dream. With that said, all four documentaries share one and the same defect: all offer nothing in the way of historical context on illegal immigration and therefore fail to situate their respective visions into a relevant social and political framework. A brief overview of the history of U.S. immigration policy will allow us to better understand the deficiencies of both types of documentaries on immigration represented by these four films.

The U.S. Constitution makes no explicit mention of immigration, and it was only in the 1880s that Congress even began to enact immigration laws. These laws at first restricted, then prohibited, the entry of Chinese immigrant laborers who had begun to populate California during the Gold Rush and who, in the subsequent decades, became instrumental in the construction of the transcontinental railroads. In 1889, lawyers hired by the Chinese Consulate in San Francisco challenged the constitutionality of the new immigration laws barring entry of Chinese nationals.

However, the Supreme Court avoided the controversy by asserting that Congress held “plenary power” to regulate immigration to the United States. This precedent, known as the Plenary Powers Doctrine, has endured ever since, and consequently no immigration law ever passed by Congress has ever been overturned by the Supreme Court. In *Harisiades v. Shaughnessy* (1952), in which a legal resident of the U.S. challenged deportation based on his Communist affiliations, the Supreme Court reaffirmed its adherence to the plenary power doctrine, crudely articulating its position in the following way: “But whether immigration laws have been crude and cruel, whether they may have reflected xenophobia in general or anti-Semitism or anti-Catholicism, the responsibility belongs to Congress.”

Because immigration law has never been submitted to the system of checks and balances that so uniquely characterizes U.S. democracy, Congress has gotten away with implementing heavily punitive and discriminatory laws toward immigrants at various points throughout U.S. history. For example, in the 1920s, federal laws were passed that established a quota system that gave highest priority to Northern European white Caucasians and severely limited the entry of southern Europeans. Twice in U.S. history, once in 1935 and again in 1954, the Executive Branch ordered the mass deportation of Mexicans, some of whom turned out to be American citizens, even though at the time there were no laws actually prohibiting Mexicans from residing in the United States. After World War II, Congress made it permissible to deport foreign nationals suspected of Communist sympathies without due process. Finally, for nearly a century, the Chinese were barred from entering the U.S., even despite the fact that China was a strategic ally during World War II. Each of these examples, according to immigration law expert Kevin Johnson, can be attributed to the Supreme Court’s refusal to review laws regulating immigration and deportation. Or, as he puts it:

The judiciary has rolled over time and time again to the whims of Congress and has posed no obstacle to Congress’s passing of discriminatory immigration laws.... The lack of any judicial check on the excesses of Congress left the issue of immigration, and the fate of noncitizens, firmly in the hands of the political process, where immigrants were not represented and not infrequently were demonized and punished. (53)

The year 1965 represents a watershed in the history of American immigration law. The Immigration and Nationality Act passes Congress at the end of a series of legislation regarding civil rights and abolishes the quota system favoring northern Europeans, allows immigration from every corner of the world, and eliminates all discriminatory and racist language from federal law. While the explicitly racist years of immigration law ended in 1965, a new era of systemic discrimination began with the creation of a rigid bureaucracy of controlling visa allocations by severely limiting the number allotted to the sending countries with the highest volume of applicants.⁶

While the enforcement argument appeals to common sense and has some degree of merit, the lack of independent judicial review makes any such argument highly problematic.⁷ Therefore the defect of *Cochise County* and *Border War* is their strict adherence to what amounts to an overly simplistic ideological position. Conversely, the defect of *Wetback* is the lack of a serious attempt to deconstruct the vision of the enforcement argument despite the enormous attention given to it throughout the documentary, or, in the case of *Which Way Home*, to even address the conservative vision directly despite implicitly standing against it. Thus if *Cochise County* and *Border War* fail to acknowledge and address the flawed logic that underscores the enforcement argument, then *Wetback* and *Which Way Home* do something equally ingenuous: they fail to spell out with precision and clarity the United States’ role in creating and feeding the humanitarian crisis in Mexico and Latin America; and, they fail to make a pragmatic (as opposed to emotional) case for why Americans should care about the wellbeing of their southern neighbors. Since the strength of *Wetback* and *Which Way Home* lies in their ability to humanize and elicit sympathy for a socially anonymous and politically powerless caste of people, dehumanized by their situation and stigmatized by their status as alien or illegal, it stands to reason that they should also articulate a rational argument for welcoming to the U.S. a higher number of displaced people from Latin America. Similarly, since the strength of *Cochise County* and *Border War* lies in their effort to dispel the myth that all who cross the border illegally are honest laborers in search of the American Dream, they too should devise a more modest and more realistic argument for increased enforcement that takes into account the existence of systemic discrimination in American immigration law. For as much as the documentaries discussed herein raise awareness about illegal immigration and articulate a particular vision on the issue, all could do more to exploit existing arguments that give their

vision credibility, thereby better informing their viewing public and preparing them—to at least some small degree—to participate in the public conversation on the issue.

In *Borderlands / La frontera*, Gloria Anzaldúa writes that “The U.S.-Mexican border *es una herida abierta* where the Third World grates against the first and bleeds” (3). The four documentaries discussed in this study perceptively illustrate Anzaldúa’s characterization. Each focalizes the wound from a particular angle, and from there, articulates or conveys a particular vision of the wound’s impact on the national body (be it the United States, Mexico, or the Central American countries discussed in the documentaries). None offers the full range of perspectives necessary to gain an informed outlook on the illegal immigration issue or reach a rational conclusion with respect to a humane and sensible solution. At best, these documentaries challenge our assumptions and prompt further inquiry. At worst, they reinforce our biases and leave us even more impervious to contrary viewpoints. “Borders are set up to define the places that are safe and unsafe, to distinguish *us* from *them*” (3), writes Anzaldúa. The four documentaries examined herein reinforce an us-versus-them mentality with respect to illegal immigration to the U.S. from Latin America, explicitly in the case of *Cochise County* and *Border War*, and inadvertently in the case of *Wetback* and *Which Way Home*. The latter two may effectively appeal to the viewers’ humanity, but in the end give no compelling rationale to lead us to see our complicity in the situation or to sacrifice in order to do something about it. In other words, *Wetback* and *Which Way Home* do a poor job of framing the humanitarian crisis they each portray as a matter of national interest or personal self-interest. *Cochise County* and *Border War* do, which may provide an essential clue as to why the enforcement argument tends to more effectively persuade voters despite its inherent flaws.⁸

Works Cited

- Anzaldúa, Gloria. *Borderlands/La Frontera: The New Mestiza*. San Francisco: Spinsters / Aunt Lute, 1987.
- Bacon, David. *Illegal People: How Globalization Creates Migration and Criminalizes Immigrants*. Boston: Beacon Press, 2008.
- Balseros. Dir. Josep M. Domenech and Carles Bosch. Docurama Films, 2003.
- Beirich, Heidi. “The Anti-Immigrant Movement.” *The Southern Poverty Law Center*. Web. 1 June 2012. < <http://www.splcenter.org/>>.
- Border War: The Battle Over Illegal Immigration*. Dir. Kevin Knoblock. Genius Products, 2006.
- Carens, Joseph H. *Immigrants and the Right to Stay*. Cambridge: The MIT Press, 2010.
- Cochise County, USA: Cries from the Border*. Dir. Mercedes Maharis. Nonfiction Films, 2005.
- DeParle, Jason. “The Anti-Immigration Crusader.” *New York Times* 17 April 2011. Web. 1 June 2012. < <http://www.nytimes.com/2011/04/17/us/17immig.html?pagewanted=all>>.
- Espaldas Mojadas*. Dir. Alejandro Galindo. Optima Films, 1955.
- “Federation for American Immigration Reform.” *Southern Poverty Law Center*. Web. 1 June 2012. < <http://www.splcenter.org/>>.
- Galston, William, Noah Pickus and Peter Skerry. “From Deep Disagreements to Constructive Proposals: A Report from the Brookings-Duke Immigration Roundtable.” *Society* 47.2 (2010): 85-101.
- Hale, Michael. “Teaching the Immigration Debate in Freshman Composition.” *Radical Teacher* 84 (2009): 18-30.
- Harrisades v. Shaughnessy, 342 U.S. 580 (1952).
- Johnson, Kevin R. *Opening the Floodgates: Why America Needs to Rethink its Borders and Immigration Laws*. New York: NYU Press, 2007.
- “John Tanton.” *Southern Poverty Law Center*. 1 June 2012. < <http://www.splcenter.org/>>.
- Legomsky, Stephen H. “Fear and Loathing in Congress and the Courts: Immigration and Judicial Review.” *Texas Law Review* 78.7 (2000): 1615-1632.

- Mehan, Hugh. "The Discourse of the Illegal Immigration Debate: A Case Study in the Politics of Representation." *Discourse and Society* 8.2 (1997): 249-270.
- Nichols, Bill. *Introduction to Documentary*. Bloomington: Indiana UP, 2001.
- Schrag, Peter. *Not Fit for Our Society: Immigration and Nativism in America*. Berkeley: U of California Press, 2010.
- Verdeja, Ernesto. "Law, Terrorism, and the Plenary Power Doctrine: Limiting Alien Rights." *Constellations* 9.1 (2002): 89-97.
- Wetback: The Undocumented Documentary*. Dir. Arturo Pérez Torres. Warner Home Video, 2004.
- Which Way Home*. Dir. Rebecca Camissa. Docurama Films, 2009.

Notes

¹ An abundance of scholarly research exists in the areas of migration studies, U.S. immigration law, and illegal immigration as a human rights issue. See especially Johnson, Bacon, and Carens. On the other hand, the intellectual engine of the enforcement argument stems from the work of three special interest groups that study the negative aspects of illegal immigration to the U.S. from Latin America and attempt to use the findings to influence legislation and public opinion: the Federation for American Immigration Reform (FAIR), the Center for Immigration Studies (CIS), and Numbers USA. For a detailed and compelling proposal for comprehensive immigration reform that does much to reconcile the two competing visions on immigration, see Galston (et.al.).

² For an extensive list of documentaries on Latin American immigration to the U.S., see the special collections page of the UCSD library: <<http://libraries.ucsd.edu/locations/sshl/resources/featured-collections/index.html>>. For insight and suggestions on using illegal immigration documentaries in the classroom, see Hale.

³ In discussing the expository, poetic, observational, reflexive, and performative modes of documentary, Bill Nichols maintains that "[t]he modes do not constitute a genealogy of documentary film so much as a pool of resources available to all" (159). Thus a given documentary may display one or more of the traditional modes, although one specific mode will likely predominate over the others. For a detailed overview of the various stylistic modes of documentary, see Nichols (142-171).

⁴ The Southern Poverty Law Center offers the following insight about the Minuteman Project in its report, "The Anti-Immigrant Movement": "A whole new sector of the anti-immigrant movement opened up in April 2005 when the first Minuteman Project border watch was held. Organized by Jim Gilchrist and Chris Simcox, a kindergarten teacher-turned-Wild West gunfight re-enactor, the original meeting in Cochise County consisted of a month-long "civilian border patrol" operation. It mustered a few hundred volunteers, garnered international media hype and inspired a slew of ragtag imitators whose militant rhetoric and confrontational methods rapidly exceeded Gilchrist's original vision of retirees in lawn chairs keeping a leisurely eye on the border. In ensuing years, more than 300 new Minuteman-type groups would appear around the nation." The report gives a detailed overview of the resurgence of the anti-immigration debate in recent years and discusses the anti-immigrant movement's unique appeal to hate groups. Although the Minuteman Project has been tainted by the efforts of hate groups to infiltrate it and create spin off groups, the attention it received in the press did much to renew and invigorate the enforcement vision of illegal immigration. The credence that the enforcement position still enjoys in conservative circles may be seen as ample evidence of the argument's continued strength and broad appeal.

⁵ Only two documentaries on illegal immigration have ever been nominated for an Academy Award in the category of Best Documentary. The other was *Balseros* (2003), which intermittently follows various Cuban citizens as they plan and execute their trip from Cuba to the United States on makeshift rafts and their subsequent life in the United States. *Balseros* prefigures, in various ways, the narrative formula followed in *Wetback* and *Which Way Home*.

⁶ For a detailed overview of the history of immigration policy and informative discussion on nativism in American culture, see Schrag. For further background on the plenary powers doctrine, see Legomsky and Verdeja.

⁷ The architect and most forceful advocate of the enforcement argument is the Federation for American Immigration Reform (FAIR). The credibility of FAIR and its allied associations, Center for Immigration Studies (CIS) and Numbers USA, were called into question by a report published by the Southern Poverty Law Center in 2007, part of which reads as follows: "The Federation for American Immigration Reform (FAIR) is a group with one mission: to severely limit immigration into the

United States. Although FAIR maintains a veneer of legitimacy that has allowed its principals to testify in Congress and lobby the federal government, this veneer hides much ugliness. FAIR leaders have ties to white supremacist groups and eugenicists and have made many racist statements. Its advertisements have been rejected because of racist content. FAIR's founder, John Tanton, has expressed his wish that America remain a majority-white population: a goal to be achieved, presumably, by limiting the number of nonwhites who enter the country. One of the group's main goals is upending the Immigration and Nationality Act of 1965, which ended a decades-long, racist quota system that limited immigration mostly to northern Europeans. FAIR President Dan Stein has called the Act a 'mistake'" ("Federation for American Immigration Reform"). In 2011, the New York Times published a lengthy article on FAIR's founder, John Tanton, referred to by the Southern Poverty Law Center in another report as "the racist architect of the modern anti-immigrant movement" ("John Tanton"). The Times article ("The Anti-Immigration Crusader") discusses Tanton's influence on the tenor of the illegal immigration debate and the success of his three organizations in crafting federal and state legislation on immigration during the past thirty years. At the time of the writing of this article, the Supreme Court is deliberating on the fate of Arizona's immigration law. The ruling could give more power to the states to determine immigration policy, which has been the exclusive terrain of Congress since the late nineteenth century.

⁸ See Mehan for a cogent and suggestive analysis of the role of rhetoric in the public debates on Proposition 187. The implications of his conclusion extend much further than the scope of his inquiry and bode portentously for those who favor initiatives to better integrate and normalize the status of undocumented immigrants.