POROUS BORDERS, INVISIBLE BOUNDARIES? 
Ethnographic Perspectives on the Vicissitudes of Contemporary Migration

Edited by: 
Jayne Howell 
Deborah R. Altamirano 
Faedah M. Totah 
Fethi Keles

A publication of the Committee on Refugees and Immigrants 
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This essay is based on my participation since 2005 as an ally supporting the Tennessee Immigrant and Refugee Rights Coalition (TIRRC) and groups in Knoxville, which has included attending meetings, assisting immigrants, doing outreach, helping organize marches and vigils, and lobbying public officials. TIRRC was founded in 2001 following a successful campaign to pass a state law permitting people who could not present a Social Security card to obtain a driver’s license. In 2007 the state withdrew that permission. Since 2002 approximately twenty anti-immigrant laws have passed in Tennessee, a trend being repeated in other states. This apparently has been orchestrated through the American Legislative Economic Council with the goal of making the lives of immigrants so miserable they will self-deport. Immigrant rights advocates have countered: “aquí estamos, y no nos vamos,” or “we are here, and we aren’t leaving.” As this essay describes, since 2001 immigrant rights groups in Tennessee have contested anti-immigrant and/or anti-Mexican/Latino policies and discourse and have promoted alternatives that acknowledge the contributions of unauthorized immigrants and enable them to regularize their status. In 2005 I felt compelled to support these efforts through activism. If misinformation and racist stereotypes seemed to be driving policymaking then, it has become even more urgent for anthropologists to use their research and writing skills to offer alternatives to the proposals being generated by the Trump administration and the well-funded anti-migrant bloc supplying them with ideas (Gonzales 2014).

Over time, a shift occurred in internal enforcement directed at unauthorized immigrants: from high-profile raids of employers under the Bush administration to individual detentions under the Obama administration. We witnessed and responded to the effects of this shift in Tennessee. The groundwork for the shift can be traced back to federal reforms in 1986 and 1996 that did not address the need for future migration of “unskilled” workers (Massey and Sánchez R. 2008). After 9/11, lawmakers increased “security” at the border and internally. The 2005 Real ID Act and circulation of anti-immigrant proposals prompted state legislatures (including Tennessee) to restrict access to drivers’ licenses. The 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) has a 287(g) clause that encourages state and local police to collaborate with federal immigration enforcement. Under 287(g) programs, patrol and/or jail officials are trained and deputized as immigration enforcement agents. States and counties pay the salaries. Participation is voluntary. After 2001, some states and counties began enrolling. By 2008 Immigration and Customs Enforcement (ICE) also instituted “Secure Communities,” which asked enrolled county jails to run fingerprints through FBI and ICE data bases, and ICE would decide whether to hold an arrestee (Conley 2013:64-69,72-79). All this meant that unauthorized immigrants (many of whom had been living and/or working in the United States for years) could be stopped for traffic violations and arrested
for driving without a license (a misdemeanor) or arrested for other crimes and be placed in deportation proceedings. Under the Trump administration ICE has hired more agents for internal enforcement, invited county sheriffs to enroll in 287(g), and conducted workplace and other raids. One raid took place in April 2018 in a meat-packing plant near Knoxville. The anguish of family members reminded me of what we saw in Chattanooga in 2008 after a raid at a chicken processing plant. Back then only three of over one hundred people detained obtained relief from deportation. Several people in the recent raid are fighting their deportations.

STATE-LEVEL IMMIGRATION POLICIES EMERGING IN “NEW DESTINATIONS” LIKE TENNESSEE

Since the mid-1980s, immigrants have been moving to Tennessee and now comprise about 5 percent of the population. In 2012, an estimated 130,000 were unauthorized, comprising 2% of the population and 2.8% of the labor force; about 59% having migrated from Mexico (Migration Policy Institute 2015, Pew Hispanic Research Center 2016). Knoxville has immigrants from Mexico, Central and South America, Africa, the Middle East, and Asia.

In 2005-2007, Congress considered reforms that would have created more felony charges for unauthorized immigrants and people who aided them. Immigrant rights groups organized protests, and thousands turned out around the country, including in Nashville and Knoxville, Tennessee. Sustaining the momenta of the marches was difficult, but activists continued to foster organizing among immigrants (Conley 2013, Gonzales 2014).

During the early 2000s some states passed inclusionary policies, but exclusionary proposals escalated in 2006. In Tennessee there were 20 anti-immigrant proposals in 2006, 44 in 2007, 66 in 2008, 35 in 2009, and about 40 in 2011 and 2012. TIRRC’s lobbying efforts helped prevent some from passing and provided language to lessen the negative effects of some bills. From 2002 to 2012, the legislature passed 17 exclusionary bills. None passed from 2013 to 2015. By 2016 more exclusions were being considered. In 2018 the legislature voted to oblige state and local law enforcement to collaborate with ICE.

Several states passed omnibus immigration acts, including Georgia (2006 and 2011), Arizona (2010), Alabama, South Carolina, Utah, and Indiana (2011). Tennessee’s proposed acts in 2008 and 2011 did not pass due to fiscal notes, but legislators introduced elements of these acts as separate bills. Some were anti-Muslim and anti-refugee. Others restricted services, reiterated federal laws but added state fines, required employers to use E-Verify (which is voluntary under IIRIRA), authorized state troopers to be trained as ICE agents, and eliminated access to licenses (Pendry 2011, Conley 2013, TIRRC 2012, 2015, 2018).

IMMIGRANT RIGHTS CAMPAIGNS

In response to these trends, groups such as the National Day Laborers began campaigns to end deportations: “Ni una más, not one more” and “Stop separating families.” Immigrants and allies in Tennessee held vigils, created online petitions, and visited ICE officials to ask them to use their discretion to not deport specific individuals. Immigrants
and their families told their stories, posted family photos, and stressed their family life and contributions. Not everyone obtained relief from deportation, but several did, and people learned how to defend their rights. Groups in Tennessee also help immigrants obtain legal assistance and raise funds to appeal deportations.

The sheriff in Nashville participated in 287(g) from 2007 to 2012. He apparently thought it would generate revenue, but 287(g) only covers the training and a few computers. The county paid officials’ salaries, and ICE did not reimburse for detention prior to the ICE hold, and rapidly moved immigrants to other facilities. During those five years, over 10,000 people were placed in deportation proceedings. An estimated 85 percent were detained for misdemeanors, such as driving without a license (ACLU 2012:6).

TIRRC organized protests and documented abuses. Juana Villegas was nine months pregnant when she was jailed for a traffic violation and driving without a license. She went into labor. At the county hospital they kept her shackled to the bed until right before the baby was born. She was not allowed to see her husband and did not know who picked up the child, because county officials immediately took her back to jail, where she experienced breast milk complications. Lawyers sued and won a large settlement, and Juana obtained a U-Visa, which entitled her to apply for permanent residence.

In 2012 after activists had demonstrated abuses associated with several 287(g) programs, ICE announced they were considering signing new agreements with Knox County, Tennessee and Horry County, South Carolina. Immigrants and allies in Knoxville repeatedly requested meetings with our sheriff, but he never met with us. We delivered petitions and cupcakes to his office and organized protests. The county mayor said he had no control over the sheriff. County commissioners determine his total budget, but not how he spends it. Nevertheless, we provided data about the problems and costs in other counties. We organized events to inform the public. Juana Villegas and others came to Knoxville to give testimonies. We sent letters to the editor, wrote to ICE asking them to withdraw, and made Freedom of Information requests for records.

In 2013 the “Undocubus” filled with immigrants organized by the National Day Laborers journeyed throughout the South. In Knoxville, the Undocubus riders and local immigrants and allies accompanied four people who sat on a banner in an intersection, pumping fists in the air and chanting “no papers, no fear” and “no to 287(g)”. They were arrested after 15 minutes. Lawyers were ready to help get them released. We held a rally and march downtown, contacted the press, and posted photographs and videos on the Internet.

In July 2013 the sheriff was not moved when over 200 community members at a public hearing expressed concerns about 287(g) and racial profiling. In August he received a letter from ICE explaining, that due to sequestering of federal funding, no new 287(g) programs would be initiated. He publicly responded that with or without their help, he was planning “to stack up violators in his jail like cordwood.” The next day we rallied to stack up cordwood and people outside his office.

However, after Donald Trump took office in January 2017, by February ICE had invited our sheriff and 17 other sheriffs to enroll in 287(g). By May our sheriff had signed the agreement, and by September thirteen jail officials had been trained. We had to submit information requests to learn about this and are continuing to monitor the effects.

In addition to operating in a defensive mode, immigrants and allies in Tennessee advocated for federal immigration reform, the DREAM [Development, Relief and Education
for Alien Minors] Act, Deferred Action for Childhood Arrivals (DACA), and the DACA extension and Deferred Action for Parental Authority. In 2012 we started lobbying for in-state college tuition. In 2015, a bill passed in committees and the Senate. The House voted 49 yes, 47 no, 3 absent, but it needed 50 votes to become law. Several Republicans voted for this bill, but in the wake of Trump’s presidential campaign, it was not put up for vote in 2016. Advocates continued to work on this in 2017 and 2018.

CONCLUSIONS

These campaigns lifted up immigrant stories to counter anti-immigrant discourse and policies and promote inclusionary policies. I have heard some politicians in Tennessee respond negatively to immigrants, some are polite but non-committal, others have been moved, and some express open support. Anthropologists have highlighted immigrant stories in ethnographies that are accessible to general audiences, and as happened to me, many have engaged in activism. When doing outreach to non-immigrant community groups, I have learned that even people who are inclined to support immigrants do not know much about the history of immigration laws or how the current system has operated. Freedom of Information requests provide data and remind officials that researchers and other members of the public are paying attention to their practices. Anthropologists have written and continue to write letters to the editor, white papers for policy makers, and blogs and other social media posts that reach broader audiences. We need to continue to share ideas about what more can be done to promote social justice and human dignity.

REFERENCES

Immigration policies have been debated in the United States for the last thirty years but have become more significant with Donald Trump’s rhetoric of zero tolerance towards undocumented migrants. This essay focuses on analyzing how Miskitu migrants in Port Arthur, Texas experienced changes in migration policies from 1980 to 2004, and also will discuss developments since then.

Miskitu migration from Nicaragua to the United States was significant during the 1980s, due to the war with the Sandinista government, when Miskitus were claiming their historical rights to autonomy. Approximately 20,000 Miskitus abandoned their communities. Most fled to Honduras and Costa Rica as refugees, and the rest emigrated to different countries, principally to the U.S. as undocumented migrants traveling through Guatemala and Mexico. When Miskitus arrived, they were given asylum because the U.S. government viewed them as fleeing the political persecution of a communist regime. That privilege ended up being temporary. When Violeta Chamorro defeated the Sandinista government in 1990, the special attention given to Miskitus collapsed.

During the post-war period Nicaraguans began to live in peace but were dealing with the economic crisis left by the war. People were experiencing growing insecurity, narco-trafficker violence, and natural disasters such as Hurricane Mitch in 1998. Consequently, Miskitu migration to Port Arthur continued. In the late 1980s and throughout the 1990s, the U.S. pressured the Mexican government to help control migration from Central America, and Mexican authorities intensified surveillance of their southern border, deporting Central Americans before they ever arrived in the U.S. Despite these controls, it was during the 1990s that the majority of Miskitus entered the U.S. Many were undocumented, and coyotes raised their prices. After the attack on September 11, 2001, surveillance increased, and the costs of migrating rose so much that it became difficult to help relatives or friends migrate. Hence the number of migrants going to the U.S. began to decline. More recently Miskitus have been migrating instead to destinations such as Costa Rica, Panama, and Spain. Currently, an estimated, 5-6,000 Miskitus live in the United States, a principal destination being Florida, where they live in several cities. Smaller numbers live in other states.

My research began in July 2004, with six months of intensive participant observation in Port Arthur, followed by periodic visits and phone calls through 2018. In 2005 I conducted a census of Miskitus in Port Arthur and gathered demographic information concerning 320 residents. One community leader estimated there were 100-200 more Miskitus living in Port Arthur. By that time Miskitus constituted a visible ethnic enclave.
NEW LIFE IN PORT ARTHUR

Port Arthur had 53,818 residents in 2010. Historically it was predominantly white and African American, however, from the mid-1970s on, Port Arthur began receiving immigrants: first, Vietnamese refugees, then Miskitus, and later Latino immigrants including Mexicans and Central Americans. Port Arthur was becoming multicultural. Migration was not new for Miskitus. Before the war men migrated within Nicaragua to work in fishing, mining, and the lumber industry. During the war migration shifted to urban areas and abroad. In my census in Port Arthur, I talked to the heads of 47 families, representing about 320 people. 25 families arrived in the 1980s and the rest (and likely most of the families I was unable to survey) migrated in the postwar years. Eight families confirmed they arrived with a tourist visa, while the rest arrived without visas. Miskitus describe the latter as munhtak buswi balri (“I arrived as a wetback from the west,” the location of the border relative to Port Arthur). Miskitus quickly adapted to their new environment. They established their own Moravian church. Men began working in fishing and later as welders in the petroleum industry, while women typically worked in elder care and hotel housekeeping.

The journey to the U.S. included travelling to Guatemala and obtaining a coyote there who guided them through Mexico to enter the U.S. According to my interviewees, at the beginning of the 1980s there was not much surveillance on the road or at the borders, but the migration of people displaced by the conflicts in Nicaragua, El Salvador and Guatemala was just beginning. If the border patrol picked them up after they crossed the river they would declare, “yang miskitu” (I am Miskitu), and were classified as being exempt from deportation. Officials would analyze their case and require them to confirm their identity by showing they could speak the language. The Border Patrol called Miskitu interpreters (retired Moravian missionaries who had worked in Nicaragua) to speak with the immigrants by telephone. After their identity was verified, the officials granted Miskitus permission to remain in the country and continue their journey to Port Arthur or other places.

Several Miskitus related having experiences like the one I recorded in 2004 in Port Arthur:

“I arrived in Port Arthur in 1983. I crossed the Guatemala border with no problem. I took a bus to Mexico City. There I took another bus to Brownsville. The same, I crossed with no problems. When I stepped into North American territory, la migra grabbed me. They took me to their office. They treated me well when I told them that I was Miskitu. In the office the official dialed a number on the phone and told me: ‘Someone is going to speak to you.’ He asked me in Miskitu, ‘What is your name? What community are you from?’ Later he translated everything to the official in English. Then the official gave me my permission and took me to the bus terminal.”

SUBSEQUENT CHALLENGES

The U.S. government favored Miskitu refugees by granting permission to remain in the country, although without benefits such as the right to work. To apply for asylum and the work permit, officials told them they had to wait until the migration office called them, with no guarantee of when; it could take as long as 6 months to 2 years. Without a work
permit it was difficult to find a job and the United States was experiencing an economic recession. Initially many Miskitus were unable to find permanent jobs. Instead they did temporary work in shrimp fishing, and in extreme cases, relied on artisanal fishing in the river and gulf for family consumption. In Florida there was more support for Nicaraguan immigrants, which was coordinated by mestizos from the Pacific, with the help of Cuban Americans and social service and church organizations. This enabled Nicaraguans, including Miskitus, to obtain asylum and work permits. Some Miskitus in Port Arthur found out about this, and as one put it: “Ten of us men travelled to Miami seeking work permits.” They told me “Thank God” they obtained the work permits. They returned to Port Arthur and two weeks later received the work permits, which cost $150.

A small group benefited from the amnesty that was part of the Immigration Reform and Control Act (IRCA) (See Mahler 1995:10; Hagan 1994). To qualify, people had to prove they had entered the country before January 1, 1982. Those who qualified were offered lawful permanent residency. About two thirds of the 5 million undocumented immigrants at that time managed to qualify. Only a few Miskitus qualified, because most had arrived after 1983.

“THERE IS NO WAR IN YOUR COUNTRY”

In the 1990s, the Miskitus in Port Arthur knew their special treatment had ended. They warned others who wanted to come to the U.S. about the risks of being caught and of living in Port Arthur as an undocumented immigrant. One of these immigrants described his trip:

“My cousin paid for my trip. I left my country in 1991. The way here, very difficult. Crossing Mexico, three hard weeks. We finally crossed at Brownsville. Thank God we entered without problems. My cousin took me to Houston to see a lawyer, and he told us that there were no options for me other than to remain undocumented. I said, ‘Well, what can you do?’ Besides, at that time there was not much persecution by ICE in Port Arthur. With NACARA [Law of Adjustment for Nicaraguans and Relief for Central Americans] they gave me a green card and now I am a citizen.”

NACARA was passed in 1997, and through 2000 when it expired, opened the door to obtaining a green card and citizenship. A requirement was that beneficiaries must have arrived in the U.S. before December 1995.² Miskitus who entered during that time were able to adjust their status, while other Miskitus remained undocumented. Towards the end of the 1990s and in the early 2000s, Port Arthur stopped being an isolated safe refuge for Miskitus. More Latino migrants were arriving and, since 2001, it has become common for ICE to pursue immigrants. One case mentioned by several Miskitus was a young single mother, who migrated undocumented in 1990. Her mother, who had become a citizen, was trying to petition for her daughter. However, when the young woman went to the ICE office to enquire about her case, the officials detained her and deported her to Nicaragua.

Following Hurricane Mitch in 1998 in Nicaragua and Honduras, the U.S. government granted Temporary Protected Status (TPS) to about 2,500 Nicaraguans. TPS is granted when there are safety risks. To qualify Nicaraguans had to have lived in the U.S. continuously since December 30, 1998. This benefited some Miskitus in Texas and other states. In Port Arthur, about 30 families were granted TPS. Some changed their status to

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permanent resident through a spouse or another relative, but others continued under TPS. In 2017 the Trump administration announced that TPS for Nicaraguans would be cancelled because there was no longer any danger there, and they would be given a 12-month extension from January 2018 to January 2019.

This has provoked desperation among those affected. Undocumented Miskitus are also nervous. Some have paid thousands of dollars to lawyers to stop their deportations but have not had a response. Others who feel they have no options are just waiting. Nevertheless, harmony among Miskitus remains firm. Just as this news broke out, Nicaragua again has drawn the world’s attention after its people began to protest against the dictatorship of Daniel Ortega and his wife. Protests have called for a free and democratic Nicaragua. The price for these protests has been death, persecution, jail, and forced migration. However, for the aforementioned reasons, Costa Rica rather than the United States has been the principal destination. On July 29, 2018, eight senators sent a letter to President Trump asking him to reconsider renewing TPS for Nicaraguans. At this writing their future is uncertain, as is the future of Miskitus and other migrants who are undocumented under the administration’s zero tolerance initiatives.

CONCLUSION

Several Miskitus affirmed: “Port Arthur is not the same as it was before, now la migra comes to look for people at work.” It is increasingly difficult to obtain work without papers. The first generation of Miskitu migrants benefited from being regarded as persecuted by communists, while those who migrated after 1990 had to struggle like other undocumented migrants. One group managed to become a lawful part of society through NACARA. Others started benefiting from TPS in 1998, but with President Trump’s announcement, unless something changes, they too will be added to the list of undocumented migrants. The senators’ letter has given them some hope. One Miskitu told me, referring to zero tolerance, that God does not forget about the poor. Miskitus also will continue the solidarity they have always practiced. This case study illustrates that, as Saskia Sassen (2003) asserted, “international migration is a function of the dynamics of geopolitical and economic systems.”

ENDNOTES

1 Translated by De Ann Pendry.
2 This is similar to benefits offered to Cubans and certain countries from the former Soviet Union.

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