

# PRODUCTO DE LA LEY

## Immigration Policy and Literature

### SURF Conference Panel Number 3A

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*Diary of an Undocumented Immigrant* by Ramón “Tianguis” Pérez brings to light an intimate moment between two immigrants after an unsuccessful first attempt into the United States:

“What are you going to do, Juan?” I ask, because he’s the most experienced among us. He turns toward me, looking at my shoulders with his tired eyes and with an air of certainty he says, “Well, what else? Cross again!”<sup>1</sup>

Juan and the narrator are fully developed personas by this point in the memoir. So, when these undocumented individuals come into contact with immigration policy, more specifically border policy, Pérez has created a situation in which immigrants must be regarded as people, not simply a problem that the Department of State has failed to address. The determined “keep out” efforts of immigration policy are met with a defiant “cross again” mentality from the immigrants. This defiance is further developed within works of literature written by undocumented immigrants. I will refer to this corpus of books as the Literature of the Undocumented<sup>2</sup>—a body of literature that aims to give a name and make real those immigrants who have previously been reduced to mere statistics.

#### I. Purpose

The purpose of my project is to understand the relationship between immigration policy and the Literature of the Undocumented, exploring the political potential within anecdotes such as

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<sup>1</sup> Ramón Pérez, *Diary of an Undocumented Immigrant* (Houston: TX: Arte Público, 1991), 47.

<sup>2</sup> In spring 2009, Javier Huerta taught a course in the English Department at UC Berkeley entitled, “The Literature of the Undocumented.” The reading list for this course had only one criterion: the authors had to be undocumented at some point in their lives. During our conversation he also spoke about the intent of the authors to write “literature”; that is to say that the author had to have the intention of participating in the art of literature to be considered an author for the course. I follow Huerta’s same parameters with the addition of a final criterion: the need for the authors to have published at least one book.

the previously mentioned. One major obstacle in accomplishing this task is the lack of a clear definition of the Literature of the Undocumented as its own school of literature. The books in this discussion have certainly been studied in academia before, but separately, for they have simply been considered Chicano texts. So, in identifying and synthesizing these texts, I will also differentiate them from Chicano literature.

## II. Identifying the Literature of the Undocumented

The literature analyzed for this paper includes *Diary of an Undocumented Immigrant* by Ramón “Tianguis” Pérez, *Across a Hundred Mountains: A Novel* by Reyna Grande, *Por amor al dólar* by J.M. Servín, *Some Clarifications: y otros poemas* and *American Copia* by Javier O. Huerta, *Nueve años inmigrantes* by Javier Zamora, and *Al norte* by León Salvatierra. All of these books were written by someone who is or was an undocumented immigrant from Mexico, El Salvador, or Nicaragua. *Crónica de Aztlán* and *Between the Lines* are also included in this discussion, not as part of the Literature of the Undocumented, but as points of comparison.

*Crónica de Aztlán: A Migrant’s Tale* by Arturo Rocha Alvarado is a self-consciously Chicano book. This book was published by a major Chicano publishing house, employs the theme of migration, and is written in Spanish like the Literature of the Undocumented.<sup>3</sup> What excludes *Crónica de Aztlán* from the Literature of the Undocumented is Alvarado’s identity as Chicano as opposed to an undocumented immigrant. The second book, *Between the Lines: Letters Between Undocumented Immigrants and Their Families*, is a collection of letters written by undocumented immigrants in the United States back to their home countries. These letters were not written to be published; neither the language nor the content were refined by editors or publishing houses. It was important and reassuring to see that the books by undocumented immigrants do in fact maintain the authenticity of the immigrant experience and language.

## III. Calling for a Differentiation from Chicano/a Literature

For Huerta, one of the purposes of his first poetry book was to respond to Chicano literature that wrote about undocumented immigrants.<sup>4</sup> Huerta wanted to make sure that the experience of the undocumented immigrant was “properly imagined”: a task that only an undocumented immigrant could accomplish. There are two major differences between the schools of literature on which I will focus: the author’s personal identification within the parameters of their literature and their language.

Authors of the Literature of the Undocumented clearly identify themselves in their literature: “mojado,” “Mexicana,” “Salvadoran,” “nica,” and “nadiense.” When looking for aid as an unemployed individual in the United States, Pérez, in his memoir *Diary of an Undocumented Immigrant*, was corrected after introducing himself as a “un mojado” while seeking aid to transition into the United States at a local church. “The correct term is undocumented worker,”<sup>5</sup> he was told.

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3 About half of the literature is written in Spanish and the other half in English. Some books are written entirely in one language or the other; other books alternate between both languages (such as in the case of *Some Clarification: y otros poemas* where exactly half of the poems are written in Spanish and the other half in English).

4 Javier O. Huerta in discussion with the author, May 2013.

5 Ramón “Tianguis” Pérez, *Diario de un mojado* (Houston, TX: Arte Público, 2003), 89.

This correction from slang to the politically correct term communicates the inescapability of the legal status of undocumented immigrants. It is a reality that all the authors convey either in the style or content of their works.

In *Crónica de Aztlán*, not only does Alvarado explicitly identify himself as Chicano, he refers to other characters as undocumented immigrants. If the authors themselves create an us/them dichotomy within their literature, why should we as readers consider literature by Chicanos and by undocumented immigrants as part of the same school of literature? Furthermore, a difference in personal identification leads to changes in the language, the second major difference between the two schools of literature. Although it is true that both write in Spanish and English, the Chicano Spanish is influenced by English and in turn, the English of the Literature of the Undocumented is influenced by Spanish. These influences can be detected in the vocabulary, syntax, and grammar of the authors. For Alvarado, learning and writing in Spanish was a cultural inheritance from his parents. For the undocumented authors, Spanish is the present in which they operate. More specifically, it is Spanish specific to their homeland.

Central American immigrants are trained to suppress their native dialects and accents in favor of using of a Mexican accent when crossing the border. If a border patrol agent were to deport them, being identified as Mexican as opposed to Central American could save them thousands of miles in travel in their next attempt to cross the border.<sup>6</sup> In other words, there is a documented and studied relationship between language and physical movement for immigrants. By staying true to the dialects of their country in their literature, the undocumented authors accomplish a figurative return to the homeland via language. Wrapped in every dialectic word is a defiantly expressed desire to return and a nationalistic pride. Furthermore, for all authors in the Literature of the Undocumented regardless of nationality, “el Norte” is both a place and a direction. Immigrants travel north to the “Land of Opportunity,” but even when they have arrived, the United States remains the figurative/symbolic “el Norte” in their literature. It is a linguistic expression that positions the authors south of the border even when they are physically above it. This geographic association with the country is one that those born in the United States do not make and consequently do not express linguistically.

The reality of the undocumented is made present in the following words: “coyote,” someone who smuggles you into the United States; “patero,” someone who walks you to the border and shows you an indicated entry point; “chivos,” immigrants waiting to be smuggled into the United States by their “coyote”; and “la migra,” the Border Control that is a constant fear of the undocumented. These are fears and people that Chicanos may know of, but not words that they personally experience. Every text from the Literature of the Undocumented pulls from this collection of words, making them the jargon of the undocumented immigrants.

Linguists have continually asserted that language is integral to identity.<sup>7</sup> Any body of literature is an entity with an identity. By differentiating the language of Chicano literature and the Literature of the Undocumented, their identity is simultaneously differentiated.

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6 Magaly Lavandez, “Como Hablar En Silencio (Like Speaking in Silence): Issues of Language, Culture, and Identity of Central Americans in Los Angeles,” in *Building on Strength: Language and Literacy in Latino Families and Communities*, ed. Ana Celia Zentella (New York: Teachers College, 2005) 93-109.

7 Mary Bucholtz and Kira Hall, “Language and identity,” *A companion to linguistic anthropology* 1 (2004): 369-394, accessed August 8, 2013, [http://gik.univie.ac.at/fileadmin/user\\_upload/ik\\_gender/Mary\\_Bucholtz\\_and\\_Kira\\_Hall.pdf](http://gik.univie.ac.at/fileadmin/user_upload/ik_gender/Mary_Bucholtz_and_Kira_Hall.pdf).

#### IV. Relationship to Policy

For the remainder of this paper, I will first highlight how the dates of publication for the Literature of the Undocumented coincide with major legislative developments regarding immigration. Second, I will show how literature communicates the immigrants' response to legislature. Finally, and most importantly, I will suggest that by taking the lives of the undocumented out of the shadows and documenting their existence, the authors are participating in the politics of immigration.

The publication of both Grande's and Servín's novels coincided with the "Day Without Immigrants" manifestations that swept the nation on May 1, 2006 in response to the Border Protection, Anti-terrorism and Illegal Immigration Control Act of 2005 (H.R. 4437). Huerta published his first book soon after in 2007. Zamora's book was published the year Obama declared immigration reform to be his priority. Huerta's second book, along with Salvatierra's first, came out while SB1070, Arizona's senate bill aimed at facilitating the deportation of undocumented immigrants within the state, was being contested in the Supreme Court in 2012. These dates suggest a positive correlation between political manifestations regarding immigration and opportunities for undocumented immigrants to publish. The content of the Literature of the Undocumented demonstrates that the authors are not ignorant of the political reality that surrounds them.

Servín plays with his legal status in his book *Por amor al dólar*. He includes scans of paystubs, images of American currency, pictures of himself and of others, and anything and everything that he encountered in the United States, taking it upon himself to document his existence in a country that legally refuses to recognize it. This act of political defiance is one that all the authors share because in publishing books, printed pages filled with their stories and those of people like them, they are literally documenting their existence.

A similar defiance can be traced to Huerta's second book, *American Copia: An Immigrant Epic*. The following passage refers to the day of his citizenship test:

By the time of my INS interview, I was an English major at the University of Houston. So I felt ready to pass any exam on or about the English language. And 'Today I'm going to the grocery store' was my sentence?! I wanted to tell the INS agent that I could do things with the English language that she could never imagine. Instead I settled for showing her that the sentence scans as iambic pentameter...

'One day,' I told her, 'I will write an epic starting with that line.'<sup>8</sup>

Huerta dedicated his second poetry book to fulfilling that promise. *American Copia: An Immigrant Epic* is a book about going to the grocery store. It answers to the process of citizenship that Huerta portrays as dehumanizing and an insult to his intellect. The Immigration Reform and Control Act (IRCA) was the specific piece of legislature that allowed for Huerta to gain citizenship. It primarily focused on benefiting laborers<sup>9</sup> and came about upon the United States's recognition that immigrants were a necessary *labor resource*. Through his literature, Huerta shows how the seemingly positive intention of IRCA was lost on the actual immigrants.

*Al norte* by Salvatierra describes a more positive path to legalization. In his poem "Noticia

8 Javier O. Huerta, *American Copia: An Immigrant Epic* (Houston, TX: Arte Público, 2012), xiii.

9 Julie A. Phillips and Douglas S. Massey, "The new labor market: Immigrants and wages after IRCA," *Demography* 36, no. 2 (1999): 233-246, accessed August 13, 2013, <http://www.jstor.org/stable/2648111>.

de Navidad,” Salvatierra discusses Ley NACARA that granted *nicaragüenses* like him legal residency. Salvatierra writes, “Ley Nacara se llama mi nueva fe de bautismo” or “Ley Nacara is the name of my new baptismal faith.”<sup>10</sup> Here, legalization becomes a renewed identity and a gain of freedom, not an insult. This stems from one fundamental difference in NACARA and IRCA. NACARA granted immigrants legality on the basis of political turmoil and the persecution that people suffered in Nicaragua.<sup>11</sup> It acknowledged the strife of immigrants as people. IRCA, on the other hand, was only preoccupied with American interest and reduced the immigrants to a labor resource. From literature it can be understood that something as simple as acknowledging the history of suffering of immigrants can elicit a positive response.

Returning to Pérez’s failed first attempt at crossing the border, it is possible to address another major political debate regarding immigration: the border itself.

“Well, what else? Cross again!” says Pérez’s comrade after being deported.<sup>12</sup> This attitude demonstrates how a militarized border will not keep immigrants from coming in. It will only increase the risk for immigrants when crossing, ending *cyclical* migration but not *immigration*. There was a border-crossing study published March 2013 stating, “Scholars have long asserted that border controls lead to more permanent settlement, keeping people in the United States much more effectively than keeping them out.”<sup>13</sup> This same outcome was predicted 22 years ago when Ramón “Tianguis” Pérez shared his anecdote. The fact that undocumented immigrants themselves are making their responses to immigration policy known is a necessary and useful resource for the study of immigration. These narratives provide a depth and insight that numbers cannot.

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10 León Salvatierra, *Al norte* (León: Editorial Universitaria-UNAN León, 2012), 44-46.

11 Carlos González Gutiérrez, “Los latinos y la política exterior de Estados Unidos,” *Foreign Affairs en español* 2, no. 3 (2002): 113-122, accessed August 20, 2013, [http://www.ime.gob.mx/investigaciones/bibliografias/pcme\\_latinos\\_eu.pdf](http://www.ime.gob.mx/investigaciones/bibliografias/pcme_latinos_eu.pdf).

12 Ramón Pérez, *Diary of an Undocumented Immigrant* (Houston: TX: Arte Público, 1991), 47.

13 “Border Crossing Study,” *The Center for Latin American Studies: University of Arizona* (March 2013): 19, accessed May 5, 2013, [http://las.arizona.edu/sites/las.arizona.edu/files/UA\\_Immigration\\_Report2013web.pdf](http://las.arizona.edu/sites/las.arizona.edu/files/UA_Immigration_Report2013web.pdf).

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