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"BROKEN HEARTS, BROKEN FAMILIES": The Political Use of Families in the Fight Against Deportation (new)

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In the course of my involvement in the immigrant rights movement since it was reenergized in 2006, when documented and undocumented migrants poured out on the streets of cities across the United States to protest anti-immigrant federal legislation, I joined an anti-deportation rally in Manhattan at the invitation of Families for Families in the summer of 2009. I was in New York for a few weeks to learn about migrant organizing, and was curious about Families for Freedom (FFF), which had been formed in 2002 in the wake of escalating deportations post-9/11. From its inception, it has been made up entirely of deportees and their loved ones. Those not directly affected by deportation are allies but not members. The organization represents migrants from the Caribbean, Latin America, Asia and Africa. The members have a range of immigration status—some are undocumented, others legal permanent residents (LPRs), and still others asylum seekers. Many of them live in mixed-status families with members who are US citizens.

The rally that day in front of the Federal Plaza, which houses the immigration court, was for a FFF organizer, the then fifty-two-year-old Brooklyn resident, Roxroy Salmon, a Jamaican national and a LPR. He was appearing before an immigration judge for a hearing on his deportation case. Many of us who had gathered that morning held signs that read "Broken Hearts, Broken Families. Stop Deportation Now," "Help Keep Children Safe. Stop Deportation," and "A Family United Is a Happy Family." During the several hours we waited for Roxroy, we sang and chanted about the attentiveness with which Roxroy cared for his mother and his children, three of whom lived with him; we communicated to all those who passed us on that busy street that we were standing up against a state practice that separated children from their parents. Hours later, Roxroy, who had been building the campaign against his deportation for two years, emerged to tell us that the judge had ordered his deportation for two minor drug convictions over twenty years ago.

As I examined FFF's representational strategies, I wondered what would make criminalized men of color, like Roxroy, sympathetic figures. Reading member testimonies on its older website,¹ I found that the emphasis on Roxroy's caregiving in his family was not exceptional. It was a theme that ran through the narratives of and about other men who had been deported or were in deportation proceedings. Was the portrayal of these men as loving and caring fathers a move on their part to represent themselves in the public eye as migrants deserving of reprieve? As a feminist, I wanted to find out how the organization mobilized families, the public appeal to which made me wary because "the family" and family values have been appropriated by the Right to push a conservative white heteropatriarchal agenda to promote sexual, economic, and political control over women, measures that are particularly punitive for poor women.

What set FFF apart from many others, which appealed to normative ideas of the family in fighting deportation, was its unwavering commitment to publicly advocating the rights of criminalized members, most of whom, mirroring the prison population, were men of color. Its entry point—the role of deportation in tearing apart families—helps us piece together how deportation, working hand in hand with mass incarceration, reorganizes kinship arrangements as well as the division of labor within families. The testimonies that were carried on its older website and my interviews with organizers reveal the ways in which the state intrudes in the lives of migrants of color to put not only their economic viability at risk but also their ability to do carework in the private sphere. This type of state violence, feminist theorists of color have reminded us, have historically shaped communities of color, which are not allowed to shield their private lives from state intervention (Cohen).

Migrants, who often share the same inner-city neighborhoods with African Americans and Chicanos, are subject to heavy policing and racial profiling, which have led to the mass incarceration of the minoritized citizenry in the United States. But for noncitizens the consequences of encounters with the

criminal legal system are somewhat different from those suffered by citizens. Under current law, they are barred for their lifetime from returning to the United States regardless of the lives they built and of their intimate ties to US-born spouses, children, and siblings.

The legal grounds for the permanent removal of lawfully present immigrants and undocumented migrants with criminal convictions had been consolidated in 1996. With the passage of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) in 1996, immigration judges lost the discretion they had exercised from 1976 onward to waive the removal of long-term LPRs with criminal records by taking into account the hardship to US-born or LPR family members (Hing 58–64). The IIRIRA expanded the definition of aggravated felony to misdemeanors and low-level offenses for noncitizens. Those with such convictions are subject to mandatory detention and removal. The changes to the law have been applied zealously in the twenty-first century. In this period, several federal programs authorized local police to find out whether arrested noncitizens had immigration (civil) violations. This federal–local law enforcement cooperation enhanced the ability of immigration authorities to identify deportable migrants. In 2014, the Immigration and Customs Enforcement removed 315,943 people and reported that 85 percent of the 102,224 individuals removed from the interior (i.e., not at the border) had criminal convictions (United States). These numbers show that the criminal legal system has become a key partner in the business of deporting migrants who lived in the United States.

The removal of "criminal aliens" as an immigration priority has broad public support fed by racialized discourses about criminality and the need for law and order. The division this discourse creates between "good" migrants, who deserve legalization, and "bad" criminal migrants, who need to be expelled permanently, is so powerful that it has also entrenched itself in immigrant activism. A FFF organizer at the time, Manisha Vaze, pointed out the pervasiveness of this divisive argument in the movement when she observed, "I hear it all over—we

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want to keep the hardworking undocumented family-oriented immigrants in this country. But those criminals should be deported. And there is no real analysis of what it means to be a criminal for immigration purposes" (Vaze). The importance of FFF's work lies in offering an analysis of how criminalization works in the lives of migrants of color and in situating the deportation crisis in the daily struggles of these migrants.

The FFF members, many of whom had criminal convictions, faced a difficult task, akin to that shouldered by those who advocate prisoners' rights, because the public perceives them as lawbreakers and deadbeat dads who are unable to financially and emotionally support their families. These racialized expectations about normative fatherhood were codified into law in 1996 as part of restructuring welfare and reducing public assistance for single mothers, whose benefits were tied to stringent child support collection and paternity establishment requirements (Curran and Abrams). The FFF men's accounts as well as those of their partners and children directly counter the stereotypical casting of men who have criminal convictions as uncaring and irresponsible (see Pallares on the emergence of the family as a political subjectivity and site of racial resistance in the immigrant rights movement). They present in loving detail the work they did in caring not only for their biological children but also stepchildren from their partners' previous marriages as well as elderly parents. They eloquently express the ways in which their indefinite separation from their children or their constant fear of deportation interfered with their ability to be good fathers.

Howard, a FFF member deported to Jamaica for not complying with a prior deportation order, described his feelings on being separated from his US citizen wife, who sponsored him for residency, and three children: "Even though I'm not locked up, it feels like prison. I worry about time I used to spend with kids. We spent precious time together. I don't want my kids to grow up without a father" ("Barbara and Howard"). From his wife's testimony, we learn that Howard used to "pick up the children from school; take them to the library,

park and McDonalds." After Howard's deportation, his wife, who worked at a drug store, had difficulty picking up one of their children from school on time because of her work schedule and was told that the school would notify the Office of Children and Family Services for neglect if she were repeatedly late. Like Howard's wife, who remarked, "Life has turned upside down since our husbands were taken away," Carol, whose Guyanese husband was arrested for marijuana possession, expressed her frustration with her new role as a single mother as a result of her husband's nine-month-long incarceration at an immigration detention center. In her testimony, she confessed, "Raising a daughter without any help is a struggle. . . . Natasha got sick last week. . . . No matter how much it hurt, I had to send her to school and go to work as a home health aide" ("Carol and Linden"). Carol's narrative points to an irony that is typical of a society where commodified and paid carework is done by women of color for other, better-off families while struggling to take care of their own. In this racialized and gendered division of labor, families that lose a caregiver to deportation do not have the resources to replace the emotional and physical labor. Jani, an African American woman, in asking for sanctuary for her Haitian husband, Jean, who had a criminal record, recounted the crucial role he played in her life by taking care of their children so that she could attend college and earn her bachelor's degree.

Joe, an asylum seeker from China, in his testimony to the congregants of St. Paul of the Apostle Church, expressed his and his wife's constant anxiety of being separated from their small children. He said, "As parents facing deportation, we feel helpless to protect our own children. . . . We love our children's smiles. We want to see them grow. We want to be in their daily life. . . . I have been working in a restaurant for 10 years. . . . Today I am 28. I am a young father. I want to be a good father. . . . My daughter here—she is the oldest child. She is 2 now. I take her to the playground, even if I am tired. She has a lot of energy. She deserves the best." Both Howard and Joe articulate what they consider to be the qualities of good fatherhood; both emphasize time spent

with their children and focus on everyday tasks of taking care of them and the daily, mundane pleasures of fatherhood. Similarly, when testifying with her nine-year-old son, Joshua, to the United Nations Special Rapporteur, Kathy McArdle, who continues to sit on FFF's board, shared an ordinary but tender domestic moment while recounting the horrors of Calvin's arrest at their home early one morning by eight armed immigration agents. Recalling the interactions Calvin had with their son, she said, "Their greatest joy was probably the tickle fights they used to have, and just quiet moments together that can never be duplicated by phone calls." In the magazine *Colorlines*, an older Joshua is quoted as remembering his father's cooking: "I miss his cooking. I really liked his rice that he used to make. It had coconut milk in it" (Wessler). Calvin, a LPR, had lived in the United States for thirty-three years at the time of his arrest and deportation in 2004.

Janis Rosheuvel, former executive director of FFF, attributes the focus on men's caregiving in their households to the lived experience of these families. Fathers struggling to find work often become the primary caretakers, cooking their children dinner, taking them to the park, and helping them with their homework. FFF, she noted, represents men and women who jointly care for their children and elderly to survive in decaying urban areas while working low-paying jobs without adequate benefits (Rosheuvel). These inner city men of color have few prospects of gainful employment, especially if they have a criminal record or are undocumented. Roxroy, for example, could not financially support his family. Instead, he took on the role of the person who took care of his children, his mother, who suffered from Alzheimer's disease, and his infant grandchild. This work ensured that his eighteen-year-old daughter could attend a local university. His life story, Rosheuvel points out, is not an exception when it comes to members of the organization.

The testimonies from FFF members challenge us to apply the feminist insights about kinship arrangements in communities of color where men's place in their families cannot be read straightforwardly

through the hegemonic scripts about masculinity that is contingent on breadwinning. The emotional content of the testimonies of FFF members sheds light on the reorganization of kinship and the everyday caregiving tasks in migrant and mixed-status families through immigration enforcement. Deportation not only serves to deprive migrants of their livelihood, discipline them for their activism, and target their biological reproduction (Chavez; Buff) but also impacts their ability to care for their family members and households.

In the application of deportation policy, we can discern a set of codes that appeal to morality to devalue the relationships of criminalized migrants to their loved ones. The folding together of law enforcement, national security, and immigration enforcement constantly remind FFF that their members and their loved ones are under attack because they fall outside of nationally and racially marked familial arrangements considered normative. In this context, Rosheuvel's insistence that "Our *family* is valuable; our family deserves justice; our family should have access to relief and justice like any other family" rests on the recognition that deportees' kinship ties are devalued because they do not conform to dominant ideologies that govern the family as an institution (Rosheuvel). The revaluation renders visible the emotional and material labor of migrant men in their households. The stories of domesticity, intimacy, and tenderness under social and economic circumstances that strain heteronormative versions of these affective states counteract the dehumanizing portrayals of these men as dangerous criminals, terrorists, and men who flout the "rule of law," a concept that reifies the state's sovereignty exercised through its right to deport. Deportation practices that mandate lifetime separation of family members themselves create new configurations of nonnormative kinship, desire, and intimacy. These split families may signal a restructuring of heterosexuality by unmooring it from heteronormativity, as feminist scholar Jasbir Puar suggests (146). The long-distance arrangements raise afresh questions about what it means to negotiate heterosexuality as well

as affective and caregiving structures in an era of deportation.

Simply put, FFF's narratives of good fathering are not just a strategic choice to cast these men as respectable, domesticated, and deserving of public sympathy. They confront us with the ways in which deportation becomes an instrument through which the state continues to define "the family." However, in the immigrant rights movement, discussions about the relationship between immigration regulation and the regulation of gender and sexuality

are rare outside of feminist and queer spaces. As an immigrant feminist who is involved in the movement, the process of interrogating my skepticism about FFF's mobilization of "families" and attending to FFF's analysis of the intersection between the criminal legal system and immigration enforcement underlines the importance of recognizing that the organization of gender and sexuality lies at the heart of immigration policy and, thus, addressing state control over our intimate lives needs to be central to visions of justice for migrants and their loved ones.

NOTES

1. The older version of the FFF Web page is archived at wayback.archive.org/ and can be accessed by searching for www.familiesforfreedom.org/index.htm. Some of the personal narratives quoted here can be accessed by clicking on the Truth Commission link. The testimonies of

Jean and Jani, Joe and Mei, and Josh and Kathy used here are no longer online, but the stories about Joe and Mei and Josh and Kathy can be accessed at familiesforfreedom.org/families/kathy-josh-calvin and familiesforfreedom.org/families/chen-family.

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ADDITIONAL RESOURCES

- Detention Watch Network. www.detentionwatchnetwork.org/.
- Families for Freedom. familiesforfreedom.org/.