



Migrant illegalization and transnational precarities in Maya's Toronto

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ABSTRACT This paper draws on the poem Toronto, by Jesús Maya, to analyze the production of migrant illegalization for Latin Americans migrating to el Norte. I argue that Toronto allows us to see the complicated workings of migrant illegalization, some of which are transnational in nature. In addition, Toronto demonstrates the fact that migration and immigration status trajectories are not clear cut or linear. Finally, Toronto depicts the ways in which migrants negotiate processes of illegalization by drawing on their personal, affective and transnational connections in search for the ever elusive dream of stability.

Toronto by Jesús Maya

Ayer soñé que
Pintábamos con
Pintura acrílica
Azul marino.

Soñé que pintábamos,
Hacíamos los cortes
Rolábamos.

Y limpiamos con Windex,
Unas gotas que
Habían caído al piso
De goma.

El aroma
Me recordó a ti,
El letargo del trabajo...

Soñaba que ya no estamos en México
Y no éramos
Ninguno de los 72 asesinados, asesinadas
En Tamaulipas.

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Que nos tocábamos nuestras carnes
No éramos parte de los 72,
Ni de los 400 que caen todos los años,
Ni de los miles que son puntos en el mar,
Arizona es sólo una noticia.

Soñé que tú y yo cabíamos aquí
Que no fuimos plantados en Toronto.

Tenemos sangre
Lágrimas.
Mucho miedo
Y también sentimos dolor

De ese que no se quita
Nunca.

.....

Last night I dreamed
that we were painting
with navy blue Acrylic paint

I dreamed that we were painting
cutting in around the edges
using a roller to fill in the walls

With Windex we cleaned
A few drops
that had fallen on
the rubber floor.

The aroma
reminded me of you,
the exhaustion of the job...

I dreamed that we were no longer in Mexico
and that we were not among
the 72 murdered men and women
in Tamaulipas.

We searched our bodies for any wounds,
relieved
That we were not part of those 72
Or the 400 that collapse on the way every year

Nor those thousands who are now just specks on the sea.
Arizona is only a news story.

I dreamed that you and I might actually fit in here,
That we weren't just plopped down in Toronto.

We carry this blood wherever we go,
These tears
All this dread
We feel so much pain
The kind that doesn't go away
Ever

Toronto, by Jesús Maya, maps the physical and emotional experiences that some migrants face when they cross borders. This paper draws on Toronto to discuss one aspect of the migration trajectories of Latin Americans to el Norte: migrant illegalization. I define migrant illegalization as the ensemble of processes that produce migrant subjects as “illegal” in the country of migration (Coutin, 2003; De Genova, 2004; Villegas, 2012a). This involves not only being at risk of deportation, but also having little access to social goods in the country of migration. The processes that lead to migrant illegalization are therefore not only legal in form, although legalities are an important factor. They include other formal and informal mechanisms associated with institutions, state practices, as well as the day-to-day interactions among migrants and non-migrants. These different processes make migrant illegalization an extensive system that is further substantiated by “popular” discourses about migrants. In fact, what we hear in the media, in speeches, and in conversations about “illegal” migrants has the power to influence how we think about migrants. This is the reason why I use the term migrant illegalization. I want to point to the processes that produce ideas (and actions) about migrants with precarious immigration status (Goldring, Berinstein, & Bernhard, 2009) and challenge our use of pejorative and criminalizing terms to describe them.

In addition, as I have argued elsewhere (Villegas, 2012a), it is important to also analyze processes of illegalization through a transnational lens. The conditions of insecurity, displacement, and outright violence that lead migrants to emigrate, and to have precarious immigration status in the country of migration, operate across borders. While national processes are important and should not be ignored, I propose that in order to understand migrant illegalization we need to go beyond the perspective of the “host” nation. One reason for this approach is that the conditions that lead people to emigrate, affect their experiences in the country of migration. Toronto alludes to these transnational processes of securitization and illegalization through an eloquent depiction of what it means to live with precarious immigration status in Toronto, and what it means to travel to el Norte for many Latin American migrants.

Another important point involves the question of teleology (Villegas, 2012b). We often think of migration processes as unidirectional or permanent, leading to improved conditions in the country of migration. In fact, migration processes for a number of us are messy and do not always follow clear spatial and temporal trajectories (Bailey, 2001). Therefore, emigration does

not always lead to immigration and precarious immigration status does not always (or often) lead to more stable forms of status. This means that a number of migrants experience what Bailey et al., (2002) refer to as “permanent temporariness,” or the condition of having precarious immigration status for long periods of time.

Toronto begins in the context of arrival, Toronto, Canada, with a dream. In the dream, the narrator works in the construction industry, a common occupation for men (and sometimes women) with precarious status in Canada (Magalhaes, Carrasco, & Gastaldo, 2010). Due to his detailed account of the work, for instance, wiping the paint drops on the floor with Windex, we can deduce that the narrator is familiar with the task and has experience working in this industry when he is awake. In this case, we can see how precarious working conditions invade not only a person’s working hours, but also their time of rest. When we add in immigration status, the situation becomes more complex because of the difficulty migrants with precarious status have in exerting their labor rights in a context where the loss of a job and deportation are ever present possibilities. De Genova (2002) frames this through the concept of deportability, which not only includes the reality of deportation, but also its ever present threat, a threat that allows for the exploitation of migrants with precarious status in the labor force and other arenas. We see the emotional effects of the threat of deportation in the line, “Tenemos sangre / Lágrimas /Mucho Miedo.”²

The poem then makes its first transnational linkage. The narrator is still dreaming, but his dreams shift to news of the precarious conditions migrants experience while they are in transit. More specifically, the poem refers to an incident in 2010 in San Fernando, Tamaulipas, Mexico, when the first 72 of a total of 193 bodies of assassinated migrants were found (“Migrantes”, 2010). This example demonstrates that migration trajectories are not straightforward. For the 193 migrants, as well as those who die in the desert between Mexico and the U.S. and in transit from Central and South America to el Norte every year, the trajectory is preempted by multiple borders and layers of violence. While some eventually “make it,” some do not.

The poem makes a clear link between the events in Tamaulipas and that of the construction worker/narrator. The line, “Que nos tocábamos nuestras carnes,”³ signifies the physical act of making sure “we” are still here and that “it” (the violence) did not happen to us. However, as the poem reminds us, having to literally check our corporeal integrity means there is a fine line between precarious status migrants, who may be deported at any time, and migrants in transit. This line points to the extent of the precarities migrants experience both in their travels and once they “arrive” to the country of migration. Thus, even though “we were not them” this time, “we could have been them” and “we could still be them.”

The poem returns to Toronto and provides one reason why “we could still be them,” and why the violence migrants experience does not only occur during transit. The line, “Arizona es sólo una noticia”⁴ points to how although in our dreams we can downplay the effects of immigration policy, however we cannot do so when we are awake. “Arizona” here refers to the passage of SB 1070 in 2010. The law exemplifies one approach in the U.S. in relation to “undocumented” immigration, that of enforcement, deportation and racial profiling. The law has been

2 We carry this blood wherever we go/ These tears /All this dread

3 We searched our bodies for any wounds, relieved

4 Arizona is only a news story.

heavily criticized because part of its mandate would require police officers to “investigate individuals’ legal status whenever they have ‘reasonable suspicion’ to believe a person who has been stopped, detained or arrested is undocumented” (Johnson, 2012). Returning to the poem, it is important to think about the ways in which racial profiling of migrants operate in other spaces, perhaps in a more subtle way. The situation in Toronto is a lot like Arizona, only without the media attention that surrounded the latter. In Toronto, the police have the right to ask a person about their immigration status and to relay that information to immigration authorities. Police officers are only required not to ask immigration status for victims and witnesses of crimes, and even then, they may ask if they have a “bonafide reason” (Mukherjee, 2008).

Toronto therefore alludes to some of the ways in which migrant illegalization is mobilized in Canada: through work, transit and the relationship between the police and immigration enforcement. However, despite these conditions, the poem also speaks of a need for belonging and laying down roots, however precarious. And, this is a painful process. The lines “Y también sentimos dolor/De ese que no se quita nunca” point to the effects that deportability and permanent temporariness have on precarious status migrants. They also point to the ways in which processes of illegalization permeate our feelings, hopes and aspirations. Yet, Toronto reminds us “Que no fuimos plantados en Toronto.” Migrants are not uprooted and re-rooted haphazardly. They often maintain their transnational relationships while also participating in building a life in the country of migration (Basch, Glick Schiller, & Szanton Blanc, 1994). Therefore, the fact that migrants’ roots, histories and knowledges cross borders is also an important contribution of Toronto. It demonstrates a strategy migrants use to pursue the dream of stability.

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