

## Epilogue

### **“Human Mobility is a Right, not a Crime” Catholic Social Justice**

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On May 12, 2008, Immigration and Customs Enforcement (ICE) conducted what at the time was hailed as the largest single site immigration raid in U.S. history at the Agriprocessors meatpacking plant in Postville, Iowa. After a nearly one-year investigation into Agriprocessors, approximately 500 ICE agents moved on Postville at 10:00 a.m. outfitted with machine guns and in full combat gear. Helicopters circled overhead while ICE agents entered the meatpacking plant with warrants for 607 undocumented workers. 390 individuals were arrested. The rest were either not working that shift or escaped. Later people described to me how they had avoided being detained. One woman related how she and several others had hidden in the trash for more the 24 hours. Because they were too scared to come out they had had to relieve themselves while hiding in the dumpster. Another worker described how she and 11 others jumped into a hole, huddled together for 18 hours and had to climb on each other's shoulders to get out. Others hid in the blood pools. 290 Guatemalans, 93 Mexicans, 3 Israelis and 4 Ukrainians were arrested all of whom were immigrants working in the plant. None of the management at Agriprocessors were detained despite the fact that authorities had evidence that they knowingly hired undocumented immigrants. Approximately 70 people, the majority of whom were women, were released to care for their children and given electronic monitoring ankle bracelets. Some, however - perhaps because they did not know or understand their rights - were not released and their children were left with

relatives or, in at least one case that I observed, with neighbors. The women detained in the raid were sent to Hardin County Jail in Eldora, Iowa, approximately two and half hours from Postville. The men were detained at the National Cattle Congress in Waterloo, Iowa. The charges the immigrants faced included the use of false documents, fraudulent use of a social security number also considered identity theft, false representation of documents in order to gain employment and unlawful reentry into the United States. Agriprocessors is being investigated for knowingly hiring undocumented workers, exploitation, bribery and sexual abuse of workers (Appendix A).

### **Field Notes**

Wednesday May 14, 2008

I arrived in Postville Wednesday morning 48 hours after the start of the raid. I drove through downtown and was greeted with nearly empty streets. There were no Latinos to be seen. The Mexican and Guatemalan shops were closed and the town exuded a solemn silence. Vickie, an established resident who taught Middle School Spanish, asked me to come to the school as soon as I got into town and I found her in her Spanish class giving the students a creative arts project to keep their minds off the status of their friends and families. Vickie pulled me aside and said “You need to hear this.” She picked up the phone and dialed her voicemail. We huddled close to the receiver and the first message was from a woman. There was a lot of noise in the background and I could hear the panic in her voice as she shrieked “Vickie, we are being arrested! Please take care of our children!” The next message was a man who said “Vickie, immigration

is here, please take care of my wife and children.” She looked at me and said “I stopped listening after 20 messages.” She explained that everyone was at the Catholic Church but she wasn’t sure who was left. I told her I would meet her there after school and I left for the church. Approximately 300 people sought refuge at St. Bridget’s Catholic Church at the time of the raid and had been living there since Monday morning. Others were hiding in their houses too afraid to even go out to buy groceries. Some members of the Postville community came to help with donations of clothes, food, blankets and diapers, but many believed the immigrants got what they were asking for. The pews in the church became makeshift beds and the community room was filled with cots. There were only two bathrooms for 300 people to share. The immigrants did not dare stray more than a few yards from the doors of the church. The air was filled with the smell of fear and sadness. I spotted a family I knew and went to them relieved they were ok. Marta looked at me with tears running down her face and simply asked “Why are they doing this to us?” There was nothing I could say. In my wildest imagination I never would have thought that our society and our government would treat people like this.

As I sat with Marta and her family word spread that ICE was preparing to raid the church at 5:00p.m. As a precaution, the priest, lay minister and Sister Mary moved everyone inside and locked the doors. People huddled together fearful of what would happen. Marta asked me if ICE could get them in the church. “I don’t think so,” I responded. I later learned that churches can be considered sanctuaries in the United States but the government can enter a church with a warrant. It is unusual for enforcement agencies to do so because of the negative publicity such a move would

attract. At 7:00 that night an immigrant living in Decorah, Iowa, called the church to warn people not to travel because she said she had encountered what she believed to be roadblocks between Decorah and Postville. Vickie and I drove out only to find that the lights she had seen were from the tractors. Farmers were working well into the night because they were three weeks behind in their planting.

I spent most of Wednesday helping with translation, directing volunteers and mostly trying to provide comfort to the families of the detained. Two days after the raid there was a lack of communication between the government and the families of the detained. There were lists of names of the detained and their lawyers but little other information. Whether it was a matter of bureaucracy or miscommunications the immigrants believed the government was attempting to block any chance of getting aid or lawyers to their families. No one knew how their loved ones were doing, when they would have their trials, or even where they were.

Friday May 16, 2008

Yesterday, the Guatemalan Consulate visited the church to help individuals obtain passports or photo identification. The representative claimed he had visited the detainees and that all were being treated fairly and were being held in good conditions. The Mexican consulate had a different story. Today, a representative from the Mexican consulate arrived and reported on interviews he had with several of the detainees being held at the National Cattle Congress. He stated that most were denied their right to a phone call and given only one small blanket. Many complained of being cold the first

two nights because the temperature plunged to the low forties. The workers who were removed from the plant were left to wear their blood soaked clothes for two days.

Despite the poor conditions the representative from the Mexican consulate said that he could not interfere in the operations of ICE.

### **Detainment Camps**

There are approximately 33,000 people in detainment camps in the United States on any given day. In the years following the September 11<sup>th</sup> attacks the concern over immigration and national security has risen to its highest level since World War II when 120,000 Japanese residents and their American relatives were placed in internment camps. Shortly after George W. Bush reorganized the Immigration and Naturalization Service under the newly developed Homeland Security crackdowns on immigration violations skyrocketed. The number of undocumented immigrants arrested and detained has increased 65% since 2003. The detainment camps become a liminal space for the detainees where they live between the United States and their homelands, between imprisonment and freedom as a *communitas* without social, economic or ethnic boundaries. The camps are located far away from the public eye usually in the deserts, industrial warehouse districts, near prisons or airports. The detainees are often denied clothes, access to lawyers or proper medical treatment. According to the *Washington Post*, 83 people have died in detainment camps since 2003. While immigration policies have become stricter, preparation and training to enforce those policies has lagged. Living in the United States without documentation has always been a civil violation. Those who are admitted legally into the country and overstay their visas or whose status

changes may be subject to deportation in civil proceedings. As such, the raids on work sites allow immigration officials to charge undocumented immigrants with criminal charges rather than immigration charges which generally carry no jail time. Because of the criminalization of undocumented immigrants they are treated as felons despite not having committed any violent crimes.

Saturday May 17, 2008

The first few days after the raid were chaotic as people tried to find out about their loved ones and talked with lawyers who volunteered their time to consult with the families of the detained. Volunteers cooked and ran errands for those too afraid to go home. The immigrants asked those of us who had time to put gas in their cars, go to Wal Mart in Decorah for phone cards and cell phone chargers and, if they were feeling brave, to drive them to their homes to take showers and change clothes. Some families snuck home at 1:00 in the morning to sleep in their own beds but the majority stayed in the church. By Friday night the rumors had begun to die down and people began returning to their homes.

After the Mexican Consulate left, those who were not caught in the raid began to ask about receiving their paychecks for the previous week they had worked. Sholom Rubashkin offered to send a lawyer to the church with the paychecks but the lay minister refused. Sholom finally agreed to send over the checks and a system was created that people could claim the checks of their spouses or relatives and a local bank agreed they would cash checks for family members of the detained. Saturday morning Sholom Rubashkin arrived and declared that he had not brought the checks. A mob began to form

around him and he stated that they could come to the plant to pick them up. Many feared he was cooperating with ICE in exchange for lighter charges and that he was setting them up for another raid. He then offered to mail them to the workers. When asked how many people did not have P.O. boxes everyone in the crowd raised their hand and began chanting “We live here in the church.” As of Wednesday the following week the majority of the workers had not received their pay.

On Saturday the archbishop came to deliver the homily at a Saturday afternoon Mass. The church was filled beyond capacity and folding chairs were set out to accommodate the overflow. The Mass, given almost exclusively in Spanish, offered reassurances to the immigrants that they had support from God and community. This was one event where ethnic and religious backgrounds took a back seat to the larger injustices people felt their friends and families had been subjected to. By the time of the raid, approximately three years after my initial fieldwork, the majority of the community was Guatemalan. Many of the Mexicans had moved on to other towns or other lines of work. The Guatemalan community was overwhelmingly Born Again Christian but turned to the Catholic Church for help, safety and guidance.

Sunday May 18, 2008

Sunday a march was planned in Waterloo and although only 60 people (mostly women who wore ankle monitoring bracelets) were expected to attend nearly ninety people showed up at the church Sunday morning. Because only one bus had been chartered many of the immigrants rode with volunteers or others who had legal status in

the U.S. Mass was given at Queen of Peace Catholic Church in Waterloo and members of the Postville community gave accounts of their experiences in the aftermath of the raid. Among the stories were accounts of established resident children (who do not distinguish legal from illegal among their friends) were having nightmares that their own parents would be taken by ICE. More than 300 people marched 2 ½ miles to the National Cattle Congress for a peaceful protest. ICE agents stood behind the chain link fence and photographed the protestors. Children carried homemade signs decrying the actions of ICE and immigration policies and posters were distributed declaring “No Human Being is Illegal.” Several of the immigrants began pleading with the ICE agents to let their families go. One man, whose wife and sister had been detained and was taking care of their small children cried out “Don’t you have families? Aren’t you Christian? We only came to work and live without fear! Look at us. We are not criminals we only want to work and live.”

After the protest a woman who I had known during my original fieldwork and had been arrested and released with an ankle bracelet approached me with a worried look on her face. “I am worried about Chely’s children” she stated. Chely is a friend of mine from Mexico who came to the United States illegally in 2002. She was detained in the raid and was incarcerated in Hardin County jail. Her two children, ages 4 and 6, were left in the custody of her husband. “What’s wrong?” I inquired. “It is hard for the men to take care of the children. And last night when I talked with him he and his brother had been drinking.” Chely’s husband had been hiding with his brother and his brother’s five



children since both of their wives had been detained. The stress and depression following the raid had taken its toll on this family as it has on many others.

Tuesday May 20, 2008

Today I drove to Hardin County to visit Chely in jail. My efforts were nearly fruitless as ICE had recorded either the wrong names or incorrectly spelled the names of the detained. I asked to see my friend and when the receptionist could not find her name she simply stated “well, we’ll bring this one down and see if it’s the right one.” The depersonalization of the inmates would further be revealed at the hearings I attended on Thursday. Luckily, “the one” they brought down was my friend and upon seeing me she burst into tears. We picked up our handsets on either side of the glass that separated us and placed our other hands on the glass in a symbolic attempt to grasp hands. A voice came over the handset and informed us that our conversation may be recorded. I asked Chely how she was and if there was anything I could do. “Help my children,” she replied. “I am hoping to be deported quickly so I can see my children. It hurts so much not seeing them.” Fernando, her six year old had been hospitalized with encephalitis when he was 2 ½ years old. He had spent a month in a coma in LaCrosse, Wisconsin, and had had to learn how to walk and talk again. Chely had made a *promesa* that if Fernando recovered she would take him to their church in Mexico. In February, When Chely’s father passed away she and the children traveled to Mexico to go to the funeral and fulfill her *promesa*. While they were there Fernando had suffered a seizure and had spent a week in a clinic. Chely’s children are American citizens. She had crossed the

border the first time when she was 8 months pregnant. This time she left her sick son and 4 year old daughter in the care of someone who had papers while she braved the border again. Her children were flown back to the states in the care of a friend. I reassured her that I had checked on the children and they were safe. She told me that Fernando had an appointment with a specialist in LaCrosse on Tuesday and asked if I could take him since her husband had neither a job nor a car since the raid. I told her I would make sure he made his appointment and not to worry. A voice came on the phone to announce that we had one minute. "Tell my family I love them and miss them very much" she said her eyes once again filling with tears. I told Chely to take care, that she was in my heart and my thoughts and that I would try to give her my address so that she could write me when she got back to Mexico to let me know she was safe. And then the phone went dead. We placed our hands on the glass one last time and I said *cuidate mi amiga*, take care my friend.

Wednesday May 21, 2008

If an illegal immigrant has lived and worked in the United States for ten years or more and does not have a criminal record they can petition for themselves and their families to remain in the U.S.. Today, Raquel, an undocumented immigrant from Mexico asked if I would help her find paperwork proving that she and her husband - whose hearing was set for the next day - had been in the United States since at least 1998. One issue human rights advocates are concerned about is the rapidity by which the immigrants were being pushed through the judicial system. It gave little time for the families of the

detained to prepare or discuss options with their attorneys. Raquel and I first tried the City of Postville to procure evidence of trash and water service. Unfortunately, they had changed systems five years ago and could not access records previous to 2003. Next stop was the childcare center. They too had changed systems and had no record of their oldest child attending preschool there. We spoke with a woman who was willing to write a letter confirming that Raquel and her family had been in the United States for 10 years but it was unlikely we could get it before his hearing the next day. I apologized to Raquel and told her if there was anything else I could do to help she should not hesitate to call. I never heard from her again.

Wednesday evening I received a call from Vickie that Chely's son Fernando had suffered another seizure and was being taken by ambulance to the West Union hospital 18 miles from Postville. I went to the hospital to find Fernando in the emergency room crying out for his mother. Chely had been in jail for eight days. After three hours the doctors decided he was well enough to go home. I drove Fernando and his father Juve back to Postville and we decided we should see if Chely could be released on a voluntary deportation so that she could return to Postville and travel back to Mexico with her children. It was not clear if Fernando would be well enough to fly and Juve did not want to send his children to Mexico on a bus with a stranger. That evening I left messages with the public defender's office explaining the situation. I held little hope of hearing from her as I knew she was representing about 50 immigrants. Chely's hearing was scheduled for 10:00 a.m. the next day.

Thursday May 22, 2008

Unfortunately, the breakdown of communication continued a week and a half after the raid and while we knew the bulk of the hearings were today we had no idea where. As this was a federal case for the Northern District of Iowa I assumed that her hearing would be held in Cedar Rapids. I was on the road by 7:00a.m. and stopped halfway there to call the Hardin County Correctional center to find out where she had been taken. I was told that they could not release that information even after I insisted it was a matter of public record. I then called the public defender's office who informed me that they had set up makeshift courtrooms at the National Cattle Congress in Waterloo. I arrived in Waterloo and informed Homeland Security that I needed to speak with attorney Jane Kelly who was pleading Chely's case. Homeland Security asked who I was and as I handed them my driver's license I reminded them that the hearings were open to the public. The Homeland Security officials were polite older men who were gracious enough to point out Chely's attorney. I managed to steal a minute with her and asked what Chely's options were. She said if she wanted to go to immigration court she may sit in jail for weeks until they hear her case. She assured me it was in Chely's best interest to plead guilty to the charges and ask the court for rapid deportation.

One aspect human rights groups have been concerned about in the treatment of immigrants detained in raids is their access to lawyers and their understanding of their rights and options. The Postville raid was a test case for a new system of rapid judicial process and it was no coincidence they chose the isolated town of Postville. The United States government drafted a blanket plea agreement that if signed would sentence the

immigrants to five months in prison with immediate deportation at the end of their sentence. The plea agreement also waived their right to appeal. The defense lawyers who were brought in were criminal lawyers with little experience with immigration law. There was approximately one lawyer for every 30 detainees. The lawyers told the immigrants that the plea agreement was a good deal and while they could take their chance in immigration court they would likely spend weeks awaiting a trial and they would not have the right to free counsel. Had the immigrants refused to sign they would have gone to immigration court where there was a chance that some of them could have avoided prison and even deportation. However, every individual detained in the raid signed the plea agreement.

The detainees were brought into the courtroom ten at a time with their hands and feet shackled. They were allowed to ask questions or make statements. Some pleaded for less jail time because they were the only source of income for their families but most declined to speak. By the end of the day 270 immigrants were sentenced to 5 months in prison followed by deportation and about 20 received 5 years probation with immediate judicial removal from the United States. Of the 100 immigrants left approximately 70 have ankle bracelets and their cases were to be heard within the next six weeks, about 30 were juveniles and their cases were dismissed.

Chely was one who bravely spoke up and pleaded with the judge to send her home because her son was sick and she missed her children. She was sentenced to probation with immediate deportation. Chely remained in jail for three weeks awaiting deportation while her children stayed in Postville with their father. Six weeks after the

raid I received a call from Chely in Mexico. She was frantic and said that her husband was in jail in Iowa. “Caitlin, someone needs to bring my kids to Mexico.” She asked me how close Ohio was to the border and if I could drive her children to her. I told her I would call the Mexican Consulate and make sure her children got to Mexico safely. The representative from the Mexican Consulate had offered to pay to send the families of the detained back to Mexico. It was a one time deal and if they were caught in the United States again they would not receive another offer. The Guatemalan Consulate made no such offer. After calling the Mexican Consulate and the minister at St. Bridget’s we finally arranged to have Fernando and Dariela transported to Mexico to be with their mother. It took two more weeks during which time the children lived without either parent. Both Fernando and Dariela are dual citizens of Mexico and the United States.

### **The Case Against Agriprocessors**

Agriprocessors has a history of violations beyond issues with immigration. In 2007 officials within Agriprocessors admitted in federal court that they knew some of their employees had used fraudulent social security numbers. This admission was made during a labor dispute before the National Labor Relations Board between employees, the United Food Commercial Workers union and one of Agriprocessors’ plants. The dispute revolved around a vote over whether or not to unionize. 20 employees had voted; 15 voting for the union and 5 against. After the election, management at Agriprocessors

checked social security numbers of those involved in the election and found that a number of them were using false documents. In this case, Agriprocessors argued that illegal immigrants “don’t count.” An appeal was denied by the District Court of Columbia stating that “while undocumented aliens may face penalties for violating immigration laws, they receive the same wages and benefits of legal workers, face the same working conditions, answer to the same supervisors and possess the same skills and duties.” The National Labor Relations Act extended collective bargaining protections to all workers regardless of legal status.

Although during the course of my fieldwork I was told many stories of worker abuse in the meatpacking plant, organizers had found it impossible to get the workers to unite against the plant managers. Threats of termination and deportation overrode concerns for their own exploitation. The immigration raid may have finally united the workers but for them it is too late. Their cooperation will hinge on the promise of lighter sentences and justice served to their exploiters.

Nearly a year before the raid Immigration and Customs Enforcement along with the Federal Bureau of Investigations and local authorities such as Iowa Workforce Development began investigating the alleged abuses against workers and alleged criminal activities taking place in the Agriprocessors meatpacking plant. The immigration offenses cited in the search warrant and affidavit against employees include harboring illegal aliens, engaging in a pattern or practice of hiring or continuing to employ undocumented aliens, document fraud, the misuse of social security numbers and aggravated identity theft. 697 criminal complaints and arrest warrants were issued

against employees. ICE worked with a number of sources including several undocumented immigrants who were questioned after being arrested on unrelated charges about abuses and one documented immigrant who worked undercover wearing a wire tap within the plant.

The allegations against Agriprocessors were first brought to the attention of the Department of Homeland Security and ICE by a former supervisor who claimed that the company was knowingly hiring illegal immigrants. This supervisor claimed that of the approximately 3,000 workers employed in the plant, on the farms and in other businesses owned by Agriprocessors approximately 80% were in the United States illegally. This included nationals from Mexico, Guatemala and Eastern Europe. The supervisor also claimed that there was a methamphetamine lab within the plant in Postville and that workers were carrying weapons into work. Interviews conducted after the raid did not substantiate these claims and several thought the latter allegations were made to ensure DHS/ICE would conduct an investigation. Further allegations that workers at the plant had shared during the course of my original fieldwork were also brought to light by the supervisor cited in the affidavit. One claim was that the employees' taxes that were deducted from their paychecks were being deposited into the personal bank accounts of Agriprocessors' management.

The fact that Agriprocessors was knowingly hiring undocumented immigrants is undisputed. The testimony of the undercover source revealed that when they tried to procure a job at the plant human resources told them that their identification did not match and they would have to come back with better documents. The undercover source



contacted a supervisor who was rumored to hire people in the turkey processing area who lacked papers and was paying them in cash. According to informants those in the turkey processing plant who were paid under the table wore orange hats and those who provided proof of lawful employment wore green hats. Furthermore, those who did not have valid documents were issued different colored paychecks that did not bear the name Agriprocessors in the corner as did the other checks issued to legal employees.

Agriprocessors received a dozen letters from the Social Security Administration in 2005 and 2006 stating that nearly 78 percent of their laborers provided social security information that did not match government records. The letter which is entitled Employer Correction Request is most commonly known as a “no-match” letter. A “no-match” letter could work to a company’s advantage. When a company receives notification that employee’s social security numbers did not match their names they can do one of three things. They can fire those whose papers were not valid. This is often not a realistic option because, as was the case with Agriprocessors, the majority of the workforce in the plant was undocumented. They can pay their employees under the table. But this is risky because not only does it draw attention to their plant as the number of employees will have appeared to have dramatically dropped but they also lose workers’ compensation insurance which leaves the owners vulnerable to lawsuits. If the employers choose this option they generally pay much less. The undocumented Guatemalans working in the chicken processing area illustrate this point. They were generally paid \$5.00/hr rather than the going rate for those with papers of \$6.50/hr. The third option is they can tell those who received “no-match” letters that they need to find

new paperwork. Those who fall in this category must, then, essentially start over. If the employee has worked at the plant for 5 years and is now earning \$8.50/hr and has earned vacation time, by getting new papers they are, technically, beginning work as a new person. Employers can consider them new employees and the worker is relegated back to starting pay and no vacation time. If the employee receives “no-match” documents every year he or she is trapped in a continuous cycle of repression. Employers who choose this option often actively participate in the procurement of false documents as was alleged with the managers of Agriprocessors.

The rabbis working in the plant have also been accused by many workers of being abusive towards their employees. Accounts of supervisors calling the workers derogatory names and throwing meat at them are just two examples. In addition, the apartments rented by many of the workers were owned by the supervisors of the meatpacking plant and it was not uncommon for them to frequently and unexpectedly raise their rent. The starting wages for undocumented workers was often as low as \$5.00/hr. \$2.50 below minimum wage. Further exploitation of workers was done by a supervisor who had a connection with a car dealership in Cedar Rapids. For years workers have complained that the supervisor threatened to fire them if they did not buy a car from him.

Furthermore, the supervisor would promise to transfer them to a less difficult place on the line or to hire family members if they bought a car. Those who refused risked physical and verbal abuse as well as termination. The United States Postal Inspection Service along with the Federal Bureau of Investigations and Iowa Department of Transportation conducted an investigation into alleged document fraud concerning the titles and

registrations of vehicles used by Agriprocessors employees. In 2005 more than 50 vehicles were sold by the Agriprocessors supervisor to people in Postville. The sales to Postville inhabitants make up 90% of all sales for the dealership in Cedar Rapids, Iowa.

According to the United Food and Commercial Workers union, The working conditions in the plant are abysmal. Agriprocessors accounted for more than one half of slaughterhouse complaints submitted to OSHA in 2006. In 2008 Agriprocessors was issued 39 citations with proposed penalties of \$182,000 by the Division of Labor Services for the State of Iowa. These citations addressed issues of workplace safety as well as health standards. A health inspection conducted on February 11, 2008 identified 13 serious health violations. Agriprocessors was cited during a testimony before the U.S. Senate Committee on Health, Labor, Education and Pensions as one of the three packing plants with a history of safety violations. According to the “OSHA 300” logs there have been five amputations, as well as broken bones, eye injuries and hearing loss among the employees of Agriprocessors. The numbers published are most likely low as many injuries go unreported.

## **Discourse**

I conducted an analysis of the discourse about the raid through various forms of media including newspaper articles and letters to the editor, web blogs, television stories and a local radio program. News of the raid caught national media attention but only in a

few publications and only briefly. The New York Times reported it on Tuesday and then the story disappeared. This was surprising to many in Postville especially since it was first hailed as the largest raid in Iowa and then declared the largest single site raid in U.S. history.

The media discourse surrounding the raid in Postville was predictable. People tended to lie on one of two sides of the debate with few who did not have an opinion. Supporters of the immigrants spoke mostly of the welfare of the families while opponents cited the popular rhetoric about legal citizens having to support “illegals” while they were here only to take our jobs. In one letter to the editor a woman from Vinton, Iowa, cited Theodore Roosevelt speaking about immigration over 100 years ago. “In the first place, we should insist that if the immigrant comes here in good faith becomes an American and assimilates himself to us, he shall be treated on an exact equality with everyone else for it is an outrage to discriminate against such a man because of creed, or birthplace, or origin. But this is predicated upon the person’s becoming in every facet an America... there can be no divided allegiance here. Any man who says he is an American, but something else also, isn’t American at all. We have room for but one flag, the American flag... We have room but for one language here, and that is the English language... And we have room for but one sole loyalty, and that is loyalty to the American people.”

Nation builders promoted the idea that the United States was a land of immigrants where all had equal opportunity to find life, liberty and the pursuit of happiness. The current and historical reality paints a very different picture. Full participatory citizenship in the United States varied historically according to the social and political climates.

Blacks in the U.S. were variously defined according to state laws about what constituted a race. In some  $\frac{1}{4}$  was enough to be designated black, in others  $\frac{1}{2}$  and still others all that was needed was one drop of African blood. This meant that one could cross state lines and legally change one's race. Although this may have afforded certain legal benefits the social atmosphere often remained the same. As Japanese and Eastern Indians challenged the definitions of white in the courts it became abundantly clear that the definition of ones race was ultimately subjective. Irish and Italians faced similar discriminations and led, as with most immigrant communities, to the establishment of ethnic neighborhoods and ethnic based support systems. Today, the cultural aspects of an immigrant community are valued while the racialized aspects are demeaned. Americans are comfortable visiting ethnicity in the form of patronizing ethnic restaurants and witnessing public displays of ethnic celebrations. There is an allure associated with visiting Chinatown, Little Italy and Little Mexico as long as one can leave. The support for ethnic attributes however, is overridden by the belief in assimilation.

The sentiments of the woman from Vinton mirrored the feelings of most established residents in Postville. The expectations of immigrants to become "American" by learning the language, participating in American pop culture and dressing and behaving like Americans was prevalent in Postville. The difficulties established residents had in defining themselves - even in the backdrop of cultural diversity - illustrates that these expectations are not only hard to fulfill but are hindered by the ability of immigrants to maintain transnational ties to their homelands.

Perhaps more interesting was the language used by both journalists and the general public in describing immigration law and the immigrants themselves. Three themes emerged in my analysis of the media discourse: animals, disease and crime. Whether by chance or design there is no missing the irony in the fact that the detainees were “rounded up” like cattle to be held at the National Cattle Congress in Waterloo.

It was not just the media that referred to the immigrants as animals but the ICE agents themselves. In an interview with the Cedar Rapids Gazette, Humberto Nava from Guatemala described how the ICE agents stormed Agriprocessors and pointed their guns in the faces of the people. “They said ‘don’t run because we are going to hunt you like rats.’” According to Nava, the ICE agents called them donkeys and rats and it was as if the agents were hunting them.

More pervasive was language referring to the situation as a disease. Illegal immigration is described as an “epidemic” or a “plague.” The undocumented immigrants are referred to as a cancer that cripples our nation’s economy and social welfare. Newspaper, media and popular discourse discuss raids and increased border security as the cure to stemming the tide of illegal immigration.

The final theme that was reinforced by the images newspapers and television portrayed was the criminalization of the immigrants. This idea has deeper and far reaching consequences. By referring to undocumented immigrants as “illegals” and associating them almost exclusively with Mexico, our society has criminalized what have come to be seen as a race of people. One cannot tell simply by the color of one’s skin, the clothes they wear, the language they speak or the food they eat if they have legal

status in the United States. A criminal is one who breaks the law. And by definition immigrants who enter the country without proper documentation are criminals. Yet in popular discourse a criminal is most often referred to as one who is violent and poses a physical threat to others in the society. The undocumented workers from Postville will serve time in federal prisons among murderers, rapists and gang members. The majority of immigrants detained in the Postville raid were, outside of entering the United States without permission, law abiding citizens. The term illegal alien has taken on a significant amount of baggage in the last decade or more. The children of immigrants are referred to as anchor babies, as if in this context, raising a family is in some way a criminal act. This type of discourse is used as a means of dehumanizing those who have become so pervasively the other.

In the Post 9/11 era fear over the protection of our country's borders has increased dramatically. The construction of a wall along our southern border is little more than a symbolic illustration of power and sentiment. Popular support for these actions can be seen in the rhetoric of politicians and in popular media. Movies such as "A Day Without A Mexican" depict images of American citizens protesting at the border carrying signs that say "This is our nation." An interesting choice of words since a nation is, as Benedict Anderson defined "an imagined political community." The signs held in the movie aim not to protect our country which is a geographical and political distinction of topography but our nation which is an identity. It is cultural insecurity in the age of globalization that has driven many in society to criminalize and dehumanize immigrants today.

## Surveillance

“The plague is met with order; its function is to sort out every possible confusion: that of disease, which is transmitted when bodies are mixed together; that of evil, which is increased when fear and death overcome prohibitions. It lays down for each individual his place, his body, his disease and his death, his well-being, by means of an omnipresent and omniscient power that subdivides itself in a regular, uninterrupted way even to the ultimate determination of the individual, of what characterized him, of what belongs to him, of what happens to him” (Foucault 1977:197).

The aftermath of the raid transformed the classification of Latinos within the Postville community. Previously seen largely as a workforce to be mostly tolerated the Latinos suddenly became “illegals.” Stripped of status and relegated to the confines of the Catholic Church the Latinos, like Foucault’s lepers in the plague are assigned their place and their future by an omnipotent and omnipresent force. The Latinos were the disorder of the community which commanded the implementation of rules and regulations. The families of the detained were sent into an exile, exclusion and enclosure. The detainees were referred to as Jane or John Does or by their criminal case numbers. The result for the established residents was a return to the pure community. A community of order and comfortable predictability. The plague was the movement of people across the border without permission to cross. The leper was the illegal immigrant. Foucault defined the binary division and branding of society as “mad/sane; dangerous/harmless; normal/abnormal” (Foucault 1977:199). In the United States we can now add legal/illegal to Foucault’s classification.

The panopticon was ever present within the confines of the plant. Status was portrayed and treatment afforded by the color of one’s hard hat. Floor workers wore



white hats and cleaning and trash workers wore brown hats. The long hours and rapidity by which the line moved helped to maintain order and discipline among their workers. To further control the workers in both their productivity and prospective demands the “No Match” letters issued by the government to workers were a reminder of their vulnerability. Their undocumented status was used as a means to prevent the formation of a union as well as to quell any complaints a worker may have. An example of this type of control perpetuated by the popular discourse among the meatpacking plant workers comes from an undocumented Guatemalan working on the line. According to a co-worker the Guatemalan had his eyes duct taped by a supervisor and was beaten with a meat hook. When asked why he did not report the incident the Guatemalan replied “it would not do any good and could jeopardize my job.”

The panopticon so pervasively obvious within the confines of the meatpacking plant now takes a new form in the open air of the community in the form of Homeland Security and ICE agents. The Mexican and Guatemalan communities felt relatively safe in Postville because of the size and location of the town. In a town of 2500 outsiders are immediately identified. When outsiders arrive, stories circulate in the coffee shops about the new presence in town. The small town gossip helped to insulate Postville and, in many ways, protect its residents. The raid was the evidence that Postville was never insulated from the outside world. Postville was always under surveillance. Whether by the media or the government Postville was never alone.

The continued presence of ICE agents and stories of such as that told by Mari-Cruz a woman detained and released with an electronic monitoring ankle bracelet were

reminders to all residents that they were being watched. Nearly two weeks after the raid Mari-Cruz walked to the school to speak with an administrator. On her way she spotted a van driven by ICE agents and, although already awaiting her own trial, she became gripped with fear and abruptly turned to return home. The van followed her to her apartment and the agents asked her for her documents. Having had enough of the fear and suspicion that permeated her community she looked the agent in the eye and said “Don’t you remember you grabbed me once on Monday and now I have this thing on my ankle like an animal.” In a further demonstration of their power the agent demanded she lift her pant leg so he could see the bracelet himself. Humiliated, she obliged. She never made it to her appointment that day.

The issue of surveillance was not, however, relegated to the undocumented community. Many established residents I interviewed discussed the feeling that they were being watched and, as such, monitored or altered their behavior. One account came from Vickie, an established resident who received a phone call from a friend who was working in the plant at the time of the raid. Janeth was from Mexico but was a documented immigrant who had the legal right to live and work in the United States. During the raid, Janeth called Vickie and left her a voicemail asking her to please bring her documents to the plant. Approximately 20 seconds into the phone call an ICE agent demanded that Janeth hand over the phone. His voice came through clearly and he demanded to know who Janeth was calling and scolding her to “*no seas mala*” don’t be bad. Janeth’s phone was confiscated at the raid. Two days later Vickie received a phone call from ICE agents who demanded to know who she was. She explained she was the

middle school Spanish teacher and left it at that. For weeks after the raid, Vickie was convinced her phone was tapped.

Another example is illustrated through a letter written by Elise Martins the Postville High School social studies and special education teacher. This letter, which Elise initially sent to her friends and family circulated throughout the United States in a matter of days.

I know some of you have called or emailed the past day...so here is an update from Postville (with Big Brother watching). Yesterday, our town was raided by 400 FBI agents, ICE agents (formally known as INS), state troopers, and a variety of other agencies. We had helicopters flying overhead for hours, all roads were blocked coming into and going out of Postville, media crews and cameras EVERYWHERE, and basically mass chaos... I get to my classroom, to find out that our entire computer network crashed at 10 am (the same time ICE came to Postville). It also has been running off and on today, with an entire computer tech team unable to find out what is wrong. Call me a conspiracy theorist, but I do believe our accounts are being scanned. (Big Brother) ... ICE is today, doing house to house searches of every home and apartment that has a hispanic name attached to it. It is rather scary to see search teams go from place to place, looking for immigrants. We had agencies at the school a month ago with a subpoena to seize all student and employee files. Any name that sounded remotely Hispanic was flagged. I find this to be a form of racial profiling, and I know that it is happening, because I was already asked three weeks ago to bring in a copy of my birth certificate due to the fact that my maiden name was 'Hispanic' sounding. (de Julio) (Appendix B).

While the community of Postville felt invisible from the larger society of the United States, they were now made visible by the actions of the raid. Other than the imprisonment and deportation of 400 out of 11 million immigrants, the purpose of the raid was clear. It was a message to the undocumented immigrants in the United States that they are objects of surveillance in an attempt to instill order. For the community of Postville it worked. Soccer fields are empty and the Latinos and Eastern Europeans are gone.

The social impact on not only the families of the detained but also the Postville community as a whole cannot be underestimated. For the families, many were left with no means of support to pay their rent or buy groceries. Those released with electronic monitoring bracelets were still awaiting their trials more than six weeks after the raid. They were not able to work or leave the state and relied on the churches and established residents to feed, clothe and house them. Most of the immigrants who were not detained have already left the Postville area. Some have gone back to their homelands because as one woman told me “they would rather live a bad life back home than to live in fear here.” Others have moved on to other towns in the United States in search of work or because they fear for their lives in their homelands. They will most likely have no contact with their husbands, wives, or children who were detained. Because Iowa has no federal prisons the immigrants arrested in the raid will be moved out of state.

The news of the raid sent a ripple effect throughout Iowa. Companies in West Union and Decorah reported that the day after the raid employees did not show up for work and children were absent from school. Within Postville itself some established residents sympathized with the families left without incomes or support but most felt the immigrants got what was coming to them. Many feared that Postville might once again be under threat of becoming a ghost town. Most touted defiantly that Postville was not dependent on the meat packing plant to remain an economically viable community but, in reality, if Agriprocessors closes its plant there is little chance Postville could survive. In the days following the raid Postville has already seen dramatic changes in demographics and population. Outside of the 390 detained in the raid, the majority of the Latino

population has either moved, returned to their home countries, or are preparing to move. Supervisors at the Agriprocessors meatpacking plant began attempting to recruit back workers as early as a week after the raid but it is unlikely the Guatemalans will stay. Because Agriprocessors is one of the largest kosher factories in the country there is little worry that the plant will close. However, despite having nearly half of its workforce arrested and another quarter or more afraid to return to the plant Agriprocessors was up and running at, albeit, lower capacity by Tuesday morning the day after the raid. One way this was handled was by bringing in workers from other Agriprocessors plants. Another was to recruit Native Americans from the Pine Ridge Reservation in Nebraska. These workers, unlike the Guatemalans who earned between \$5.00-7.50 an hour, were offered \$11.00 an hour to keep the line running. Despite the devastation and upheaval caused by the raid the cycle of discrimination continued in Postville. In the first few days following the raid I was already hearing whispers and complaints about the Native Americans. "I hear they drink more than the Mexicans" remarked one established resident. "They play their music even louder than us" remarked one Mexican. The Native Americans quit within a week because of the atrocious working conditions. The management of Agriprocessors hired a temporary agency to help them keep the line running. The temp agency pulled its workers after 10 days for health and safety concerns within the plant. Next, Agriprocessors recruited homeless people from Texas to work in the plant. They promised them housing and fair wages. When the workers arrived they were placed in apartments that had been recently vacated by the victims of the raid and had neither been cleaned nor emptied. The homeless people who sought economic

opportunities in Postville also quit shortly after their arrival for the poor treatment, wages and working conditions. When I returned to Postville in September Somalian refugees were now working in the plant. I imagine the Somalian community offers new challenges to Postville. They are not only black but they are Muslim.