

Wake Forest University

Narratives of Deportation:
Examining U.S. Immigration Enforcement in Practice and on the Screen

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Honors Defense

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April 25, 2025 - 9:30 AM

Carswell 305

Abstract

This paper critically examines the historical, political, and racialized dynamics of U.S. immigration enforcement, integrating scholarly analyses with film narratives that humanize the immigrant experience. Tracing the evolution of exclusionary immigration policies from the late nineteenth century to the present, this study demonstrates how legal frameworks have systematically marginalized immigrants, particularly along the lines of race, class, and perceived moral fitness. Drawing on the theoretical work of scholars such as Giorgio Agamben, Cecilia Menjívar, and Bill Ong Hing, the paper argues that immigration enforcement in the United States increasingly operates through a "state of exception," thereby normalizing sovereign violence against vulnerable populations. Through close analysis of films including *The Immigrant* (2014), *A Better Life* (2011), *The Visitor* (2007), *Blue Bayou* (2021), and *Journey of Hope* (1990), this paper explores how cinematic narratives challenge dominant portrayals of immigrants as threats and instead reveal the emotional, psychological, and material harms inflicted by deportation policies. It highlights the critical work of nonprofit organizations in resisting structural violence and advocating for the rights of immigrants amidst growing political hostility. Ultimately, this paper contends that reconciling U.S. immigration policy with democratic ideals necessitates confronting the moral contradictions inherent in current enforcement regimes and reasserting dignity, justice, and belonging as foundational principles. By synthesizing scholarship and film, the paper advocates for a reimagining of immigration policy grounded in empathy, equity, and human rights.

Introduction

Immigration refers to the transnational movement of individuals, frequently motivated by economic hardship, political instability, or hope for a better life. The motivations driving

immigration extend beyond theoretical constructs as they reflect deeply personal needs determined by geographic and individual circumstances. People immigrate in pursuit of better livelihoods, safety from violence or persecution, family reunification, or freedom. In the United States, immigration has played a critical role in defining the economy, culture, and national identity. The U.S. maintains its reputation as a “nation of immigrants,” yet throughout its history, this identity has coexisted with systematic attempts to restrict and exclude groups that are deemed undesirable. A fundamental distinction remains between immigrants who have legal status and undocumented immigrants. U.S. immigration policy is predicated on this legal division that determines whether immigrants face detention and deportation or receive a route to citizenship.¹ An individual’s legal status, along with their race and socioeconomic class, continues to determine if they will be accepted, marginalized, or face complete exclusion.

The American system for enforcing immigration enacts exclusion practices based on racial profiling and ideological discrimination. Crucially, the foundation of U.S. immigration policy rests on the legal distinction between “authorized” and “unauthorized” migration. This distinction determines an individual’s access to rights, legal protections, and potential routes to citizenship. Bill Ong Hing argues that this dichotomy often functions as a moral judgment rather than a neutral legal classification: “The very concept of ‘illegal alien’ has become a moral judgment masquerading as a legal classification.”² Social perceptions related to race, class, and culture determine which individuals face criminalization and which receive a welcoming reception. Scholars assert that immigration laws are used to shape societal perceptions about U.S. membership and construct prevailing notions of who belongs in the United States. Deportation policies, as articulated by Deirdre Moloney, “serve as a social filter, by defining eligibility for

¹ Hing, Bill Ong, p.5.

² Hing, Bill Ong, p. 67.

citizenship” and “fundamentally shaping the subsequent composition of the American population.”³ This “social filter” carries significant implications that often result in the exclusion of individuals from the full rights granted to citizens. Immigration enforcement has historically targeted marginalized groups, including minorities and impoverished immigrants, under the guise of preserving public order or protecting American values.

Theoretical frameworks help us better understand these dynamics. The political theorist Giorgio Agamben developed the *Homo Sacer* theory. Exclusion and deprivation of rights combined with vulnerability to state violence are the means through which the *Homo Sacer* finds inclusion in society. The “state of exception” refers to circumstances in which standard legal protections are suspended in the name of a crisis or a sovereign need. In their study, Pope and Garrett apply this theory to U.S. deportation hearings, noting that migrants often occupy a state of exception.⁴ Forcing a state of exception onto migrants becomes routine, producing a system in which it is normalized for undocumented immigrants to be physically present but legally invisible.

This analysis examines the function of American immigration policy as an instrument for exclusion, racial control, and moral regulation. It draws from narratives in the scholarship and employs the analysis of films that depict deportation, such as *The Immigrant* (2014), *A Better Life* (2011), *The Visitor* (2007), and *Blue Bayou* (2021). Through powerful visual storytelling, the films discussed illuminate the moral paradoxes present in the history of U.S. immigration enforcement and serve as counter-narratives to dominant policy discourse. This paper examines the U.S. government’s use of its sovereign power to marginalize and deport immigrants using a combination of academic narratives and film analyses.

³ Moloney, Deirdre M., p. 13.

⁴ Pope, P. J., & Garrett, T. M. (2012).

Historical Context of Immigration Policy

The history of immigration policy in the United States demonstrates contradiction through alternating declarations of national inclusion with the implementation of racialized exclusion legislation and practices. As Moloney observes, from the late 19th century onward, immigration enforcement increasingly defined national identity through racial and moral parameters.⁵ The earliest major exclusion laws, such as the Chinese Exclusion Act of 1882 and the Page Act of 1875, primarily reflected racial anxieties rather than labor market concerns in that Chinese people were viewed as culturally incompatible with American society.⁶ These laws exemplified a trend in which immigration policy established racial boundaries and delineated the constituents of American national identity. Racial ideologies were ingrained in national origin quotas during the early twentieth century. The Immigration Act of 1924, influenced by eugenicist ideology, was designed to preserve what legislators saw as America's "ethnic purity." This legislation significantly restricted immigration from Southern and Eastern Europe and barred entry from nearly all Asian countries, reflecting the racial hierarchies that influenced immigration policy decisions during that period. These laws also served as a foundation for state-sanctioned exclusion and deportation.

Political ideology rapidly emerged as another justification for deportation. In the aftermath of World War I, the U.S. government increased deportations targeting immigrants suspected of holding anarchist or communist political views. During the Red Scare period, notable figures like Emma Goldman from the women's rights movement faced deportation based on their ideologies instead of any crime they committed. According to Moloney, political affiliation is used to justify exclusion in that "Deportation became a critical mechanism used to

⁵ Moloney, Deirdre M., p. 13.

⁶ Moloney, Deirdre M., p. 112.

control and discourage political dissent”⁷ and “Higher levels of deportations have tended to occur following national crisis and insecurity.”⁸ The precedent of ideological policing through deportation continued throughout the Cold War, as McCarthy-era policies further expanded deportation authority under the guise of national security. Although the Immigration and Nationality Act of 1965 abolished the overtly racist national-origin quotas, it instituted numerical limits on migration from the Western Hemisphere for the first time. This legislation effectively criminalized Mexican migration, which had previously been less regulated. Blue contends that this change made it easier to reframe unauthorized Mexican immigrants as “illegal aliens” and associate them with criminality: “So-called ‘undesirable aliens’—disdained for their poverty, political radicalism, criminal conviction, or insanity, perceptions compounded by maligned national and ethnoracial difference—and conveyed them to ports and borders for exile overseas.”

⁹ Similarly, Hing critiques the moral contradictions in these policy developments, declaring that “dehumanization allows the public to ignore their faces. Dehumanization allows the powers that be to categorize the immigrant at will, allowing them to ignore the idealism, the goals, the aspirations, and the dreams of the immigrant and the images of the Statue of Liberty”.¹⁰

In the 1990s, U.S. immigration policy underwent an expansion of deportation legislation, leading to a significant shift toward punitive enforcement measures. The Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 resulted in increased deportations, restricted access to judicial relief, and imposed mandatory detention for minor offenses. As Blue describes, IIRIRA was a “turning point in the militarization of deportation,” as enforcement infrastructure was expanded and discretion was replaced with automatic removals.¹¹ This

⁷ Moloney, Deirdre M., p. 133.

⁸ Moloney, Deirdre M., p. 133.

⁹ Blue, Ethan, p. 4.

¹⁰ Hing, Bill Ong, p. 210.

¹¹ Blue, Ethan, p. 119.

transition gave rise to “crimmigration,” the fusion of criminal and immigration law.¹² Hing warns that this convergence is both legally perilous and a grave moral failure: “The conflation of immigration and criminality erodes our collective values of fairness, compassion, and due process.” The policies implemented in 1996 laid the groundwork for an even more aggressive system for enforcing immigration post-9/11. Immigration became intricately tied to national security, and with the establishment of the Department of Homeland Security, immigration enforcement was increasingly regarded as a counterterrorism measure. The Department of Homeland Security assumed control of immigration agencies, and programs like Secure Communities and NSEERS expanded the surveillance and detention capacity. Racial profiling, particularly concerning Muslim individuals, became institutionalized, along with indefinite detention under the powerful pretext of counterterrorism. This normalization maintains a state of perpetual exception, where immigrants are indefinitely subject to arrest and deportation.

Patler and Golash-Boza highlight how detention and deportation policies have inflicted economic instability, the separation of families, and mental health distress across immigrant communities. Their research demonstrates how “the painful and disintegrating impacts of detention and deportation go far beyond the individual to produce and reproduce inequality in immigrant communities.”¹³ The researchers argue that the harm stems not only from the outcomes of enforcement but also from the system's very design, which includes its presumption of guilt, limits on legal recourse, and disproportionate impacts on marginalized populations. Immigration enforcement has never been a neutral application of law; instead, it is a political process influenced and informed by historical legislation steeped in racial, economic, and ideological motives.

¹² Stumpf, Juliet.

¹³ Patler, Caitlin, and Tanya Maria Golash-Boza, 2017.

Public Opinion and Immigration Policy

Public opinion plays a pivotal role in shaping U.S. immigration policy, and it tends to oscillate between more welcoming attitudes and demands for restriction depending on the current political climate and national anxieties. Moloney observes that public sentiment has frequently actuated restrictive legislation in times of perceived national crisis and uncertainty.¹⁴ Economic recessions, war, and concerns about cultural change have historically incited opposition to immigration stemming from anxieties surrounding “outsiders” and resulted in progressively restrictive laws. These anxieties were central to the passage of the Chinese Exclusion Act and the 1924 Immigration Act, both driven by racialized perceptions that depicted immigrants as a threat to American values and the established social order. As Hing explains, many of the same fears persist today—only now they’re often recast in terms of legality and security: “The deep-rooted fear of ‘the other’ has persisted, reframed not just around race but around legality and security.”¹⁵ Political rhetoric continues to perpetuate these ideas, often simplifying immigration into simplistic binaries, portraying immigrants as either “safe” or “dangerous” based on their documentation status. These narratives have had far-reaching consequences, especially when politicians use racially charged and fear-inducing rhetoric. A 2019 survey by the Pew Research Center found that, although a majority of Americans continue to support legal immigration, opinions on undocumented immigrants remain sharply divided along partisan lines, accompanied by a marked increase in fear-based rhetoric among conservative voters.¹⁶ As Hing argues, this dualism represents more than political messaging, noting that “the very concept of ‘illegal alien’ has become a moral judgment masquerading as a legal classification—invoking criminality

¹⁴ Moloney, Deirdre M., p. 133.

¹⁵ Hing, Bill Ong, p. 49.

¹⁶ Pew Research Center (2025).

where there is none.”¹⁷ This framing feeds public support for punitive policies by conflating immigration status with criminal behavior. Pew Research Center studies confirm the polarization in attitudes toward immigration. While a majority of Americans support legal immigration, views on undocumented immigrants remain starkly divided along partisan lines. Conservative voters, in particular, have adopted increasingly fear-based narratives that associate immigration with crime and national insecurity.¹⁸

A study by Miguel Pinedo and Christian Escobar demonstrates how the constant threat of deportation has created a climate of fear among Latino communities, including U.S.-born citizens. Their research found that having a parent deported during childhood doubled the odds of developing symptoms of post-traumatic stress disorder (PTSD) in adulthood—a sobering reminder that deportation policies have lasting intergenerational effects.¹⁹ Moreover, sanitized or decontextualized language often succeeds in maintaining public support for these policies. As Hing also observes, the language used by immigration agencies—phrases like “removal proceedings” or “voluntary departure”—obscures the brutality and deeply emotional human consequences of deportation: “What the government calls ‘removal’ families experience as exile, rupture, and abandonment”²⁰. Similarly, Patler and Golash-Boza emphasize that this sanitized language obscures the structural violence of deportation systems and masks the extent to which they inflict harm under the guise of legal necessity.²¹

Mainstream media narratives can reinforce this disconnect by presenting immigration enforcement as a necessary legal mechanism, overlooking its profound human consequences. Moloney highlights the role of media and public discourse in shaping the perceptions of

¹⁷ Hing, Bill Ong, p. 67.

¹⁸ Pew Research Center (2025).

¹⁹ Pinedo, Miguel, and Christian Escobar, p. 98.

²⁰ Hing, Bill Ong, p. 73.

²¹ Patler, Caitlin, and Tanya Maria Golash-Boza, 2017.

immigrants. She points out that mass deportation campaigns, such as the Palmer Raids during the Red Scare, were justified through anti-immigrant political rhetoric and sensationalist media narratives that associated immigrants with criminality without regard for due process.²² This legacy continues today, with Latino communities disproportionately subjected to ICE raids and racial profiling despite studies showing that undocumented immigrants commit crimes at lower rates than U.S.-born citizens²³. When fear, racialized narratives, and political messaging shape public opinion, it often results in the passage of exclusionary policies. These trends illustrate what Agamben termed the normalization of the state of exception—a scenario where legal protections are suspended indefinitely in the name of emergency or security.²⁴ Agamben warns that the state of exception is normalized when the public consents to it. Pope and Garrett underscore this point in arguing that immigration enforcement in the U.S. increasingly operates through “sovereign exception,” where normal due process is bypassed and racialized subjects are reduced to legal nonentities.²⁵ Ultimately, public opinion—shaped by fear, racial narratives, and political rhetoric—has helped maintain and even expand a system of immigration enforcement that disproportionately targets and harms marginalized groups. Hing warns that the real challenge lies in shifting the discourse: “We must interrogate who we are becoming as a nation—not merely in law, but in conscience.”²⁶ The interplay between public discourse and policy reproduces historical patterns of exclusion, as portrayed in early twentieth-century narratives like James Gray’s *The Immigrant* (2014).

²² Moloney, Deirdre M., p. 147-148.

²³ Light, Michael T., and Ty Miller.

²⁴ Agamben, Giorgio.

²⁵ Pope, P. J., & Garrett, T. M. (2012).

²⁶ Hing, Bill Ong, p. 91.

***The Immigrant* (2014): Historical Precedents of Exclusion**

The Immigrant (2014)²⁷ illustrates early twentieth-century immigration while demonstrating how moral judgment and exclusion influenced American immigration policy. The film, set in 1921, tells the story of Ewa Cybulska, a Polish Catholic woman who arrives at Ellis Island with her sister. She is immediately labeled a “woman of questionable morals” and is threatened with deportation because of an incident in which she is sexually assaulted on her ship to America. Immigration enforcement takes her beloved sister away once they discover that she has an illness. Desperate and alone, Ewa falls under the control and exploitation of Bruno, a manipulative vaudeville manager who coerces her into sex work. The narrative of this film showcases how the intersections of gender, race, and class have historically determined who is considered “worthy” of inclusion in America. This narrative parallels Deirdre Moloney’s exploration of the scrutiny centered around sexual “morality” that migrant women face.²⁸ Moloney details how migrant women were often excluded based on assumptions about their sexual histories: “In deportation hearings, women usually declined legal representation, and as a result, their sexual histories were often recounted in detail.”²⁹ Immigration officers had the power to exclude women by judging them based on assumed sexual behavior. In a historically accurate visual portrayal, Ewa’s interrogation and classification as a moral threat reflect the structural biases of immigration law in the U.S.

Ewa’s potential inclusion is contingent on her perceived sexual purity and suitability for domestic work. Ewa is quickly classified as immoral and, therefore, excludable. Furthermore, her vulnerability within the system and subjection to sexual exploitation exemplify Giorgio

²⁷ *The Immigrant*. Directed by James Gray, performances by Marion Cotillard, Joaquin Phoenix, and Jeremy Renner, The Weinstein Company, 2014.

²⁸ Moloney, Deirdre M., p. 31-70.

²⁹ Moloney, Deirdre M., p. 43.

Agamben's notion of the *Homo sacer*. Although she stays within U.S. territory, she is reduced to "bare life," and excluded from the protection of the law. Her existence becomes dispensable almost as soon as she steps foot in the country that is her new home, and her fate is destined by arbitrary assessments rather than due process. This scenario is reminiscent of Pope and Garrett's analysis of U.S. deportation hearings, in which immigrants subjected to the deportation process are relegated to a state of exception where ordinary legal protections are suspended"³⁰. Pope and Garrett's analysis demonstrates how the deportation system operates outside standard legal norms to essentially marginalize certain populations. Ewa depends on Bruno, a man who has money and power over her but has promised to help her reunite with her sister. He ends up exploiting her for sex work, which further degrades her dignity and mental state in her vulnerable circumstances. The dehumanization and surveillance of Ewa demonstrate how immigrants are rendered politically invisible and legally disposable. Hing's work supports this interpretation by emphasizing that immigration enforcement tends to operate partly on moral assessments rather than impartial legal standards. Hing writes, "Immigration enforcement is never just about legality; it is always about values—the values of the nation deciding who is worthy enough to belong."³¹ In *The Immigrant*, the state's treatment of Ewa revolves around how she is perceived both morally and sexually. Her position as a woman amplifies her vulnerability as a result of gendered dynamics within immigration enforcement. Her body, virtue, and worth are scrutinized, and she is essentially commodified in a system set up against her with little power or protection. With limited autonomy and few resources, Ewa faces sexual exploitation due to the system's faulty design that has failed countless migrant women like her.

³⁰ Pope, P. J., & Garrett, T. M. (2012).

³¹ Hing, Bill Ong, p. 47.

The film also reframes Ellis Island, traditionally romanticized as a symbol of opportunity and the “American Dream,” as a liminal space for judgment and systemic exclusion that turns many hopeful migrants’ dreams into despair. As Ethan Blue notes in *The Deportation Express*, immigrant ports of entry typically functioned as “sites of bureaucratic triage, where the bodies of newcomers were measured against evolving criteria of racial fitness, economic utility, and moral acceptability.”³² Ewa’s experience at Ellis Island exemplifies this process of selection and rejection, where her admission is based on subjective and, therefore, arbitrary assessments by inspectors.

The Immigrant delivers compelling commentary on immigrant exclusion and hardship through its exploration of gender-based discrimination and exploitation. Ewa’s entrapment in sex work under Bruno’s control demonstrates how immigrant women throughout history have suffered from social stigma, shame, abusive exploitation, and moral regulation. In this way, the film transcends a typical period drama narrative by producing a critique of a powerful system of control that devalues particular immigrant lives as unworthy or criminalized by default. *The Immigrant* challenges viewers to consider how legal systems devalue certain lives and portrays exclusionary violence through immigration enforcement and survival under coercion. Ewa’s story encourages viewers to confront how gender, subjective policing, and morality intersect in constructing the immigrant experience.

***A Better Life* (2011): Family Separation and Economic Exploitation**

A Better Life (2011)³³, directed by Christ Weitz, provides a poignant examination of the economic exploitation of undocumented immigrants and the devastating consequences of deportation on families. The film follows Carlos Galindo, a Mexican immigrant working as a

³² Blue, Ethan, p. 56.

³³ *A Better Life*. Directed by Chris Weitz, performances by Demián Bichir and José Julián, Summit Entertainment, 2011.

gardener in Los Angeles, and his teenage son, Luis. Carlos struggles to provide for his family in an economy that relies on the labor of undocumented immigrants while simultaneously denying them stability and security. When Carlos' work truck is stolen by a worker named Santiago, he sets out with Luis to find him and get the truck back. They discover that Santiago has sold the truck to a black-market garage, where they go to retrieve the truck but are stopped by the police. Carlos is arrested as an undocumented immigrant and then deported, which marks a devastating forced separation from his son. *A Better Life* highlights the cruel paradox inherent in U.S.

immigration enforcement: the nation depends on immigrant labor yet criminalizes the individuals who sustain its industries. Additionally, the film humanizes a demographic that is often reduced to political talking points and challenges representations of undocumented migrants as criminals. The film reflects what scholar Alicia Schmidt Camacho argues, that contemporary immigration policy in the U.S. functions through a framework of "lawful violence," in which the very act of survival for undocumented workers is criminalized by the state.³⁴ *A Better Life* demonstrates this tension through Carlos's resilience in the face of systemic obstacles that hinder his efforts at building a stable life for his son.

A Better Life also portrays the racial and economic hierarchies that sustain the exploitation of immigrant labor in the United States. In the film, Carlos is depicted performing arduous labor in affluent neighborhoods, working unnoticed in a society that relies on his contributions while criminalizing his existence. This demonstrates the broader structural dependence on undocumented immigrant labor in a system that both demands this labor and punishes those who provide it. However, this punishment is not evenly distributed. As sociologist Golash-Boza states, "Though mass deportation has risen extensively, it is unevenly

³⁴ Camacho, Alicia Schmidt, p. 3.

distributed in both implementation and consequences.”³⁵ Immigration enforcement disproportionately targets low-income Latino and Black immigrants, which demonstrates how deportation policy operates as a racialized system of exclusion. Carlos, though a man, occupies a racialized position as a Latino immigrant and is therefore more vulnerable to surveillance, detention, and deportation than white and/or more affluent immigrants. As Golash-Boza and Hondagneu-Sotelo explain, “This stratification in the implementation of deportation also means that the families of those who are deported—most commonly Latina and Black women and their children—are disproportionately more likely to bear the burden of deportation than other groups.”³⁶ These disproportionate consequences leave lasting emotional scars on individuals like Carlos and Luis and the broader communities they come from. *A Better Life* reminds viewers that the human costs of deportation are not abstract policy issues—they are lived and felt in immigrants’ daily struggles for dignity, survival, and belonging.

Furthermore, the film demonstrates how deportation results in the disintegration of family life. When Carlos is detained and subsequently deported, his son Luis is left without familial support—a scenario mirrored in thousands of real-life cases each year. The trauma resulting from such separation is not incidental but a structural consequence of the U.S. immigration enforcement system. In their national study of U.S.-born Latino adults, Pinedo and Escobar (2024) found that having a parent deported during childhood was associated with more than twice the odds of meeting the criteria for PTSD symptoms in adulthood.³⁷ The researchers contend that this form of state-enacted family separation has lingering effects on psychological health, extending well into adulthood. Their findings emphasize how immigration enforcement policies inflict lasting intergenerational harm on families and the broader social networks they

³⁵ Patler, Caitlin, and Tanya Maria Golash-Boza, 2017.

³⁶ Golash-Boza, Tanya, and Pierrette Hondagneu-Sotelo (2013).

³⁷ Pinedo, Miguel, and Christian Escobar, p. 98.

are a part of. This phenomenon is also supported by Arbona et al. (2010), which found that acculturative stress among undocumented immigrants is exacerbated by family separation and fear of deportation. The study finds that undocumented immigrants report high levels of the challenges of separation from family similar levels of fear of deportation.³⁸ The researchers find that this fear is not only an emotional burden but also a contributor to tangible psychological distress that dramatically affects immigrants' lives. In this context, the film's portrayal of Carlos's sudden removal serves as a representation of the structural harm that targets minority immigrant families in the United States. The forced separation of Carlos from his son, Luis, dramatizes the devastating emotional toll of a system that destabilizes families and fractures the social bonds that are crucial for psychological well-being. Ultimately, *A Better Life* provides a counter-narrative to the criminalization and scapegoating of undocumented immigrants in a portrayal defined by deep empathy. By portraying Carlos as a father, a worker, and a neighbor, the film challenges the moral legitimacy of a system that punishes individuals for seeking belonging and stability in order to care for their families. Through this nuanced portrayal, the film effectively reclaims the dignity and humanity of those most often marginalized by this system.

***The Visitor* (2007): Post-9/11 Immigration Policies and the Criminalization of**

Undocumented Migrants

Tom McCarthy's *The Visitor* (2007)³⁹ provides a nuanced exploration of post-9/11 immigration enforcement and its devastating impact on undocumented immigrants, particularly those from Muslim-majority countries. The film follows Walter, a lonely college professor who has lost his passion, as he meets a young Syrian musician named Tarek and his Senegalese

³⁸ Arbona, Consuelo., et al. (2010).

³⁹ *The Visitor*. Directed by Tom McCarthy, performances by Richard Jenkins, Haaz Sleiman, and Danai Gurira, Overture Films, 2007.

partner, Zainab, living in his vacant New York City apartment. When Tarek is arrested for a minor offense in the subway and taken into immigration detention, the film reveals the abruptness and cruelty of the post-9/11 immigration enforcement system. A story of unlikely friendship becomes a powerful critique of the dehumanizing implementation of immigration law.

The Visitor portrays the expansion of detention infrastructure and surveillance programs introduced in the wake of 9/11 in 2001. Following the terrorist attacks, the U.S. government introduced new policies framing immigration as a national security threat and promptly restructured its immigration system, placing immigration enforcement under the newly established Department of Homeland Security. The government also implemented sweeping policies, including the USA PATRIOT Act, which expanded surveillance and investigative powers, and the NSEERS registration program. Although these regulations were intended as counterterrorism initiatives, they disproportionately targeted immigrants of color from Muslim-majority countries. The NSEERS program subjected non-citizens from specific countries to invasive registration, tracking, and potential deportation. The state expanded its authority to detain and deport immigrants without constitutional protections, which is a critical example of Agamben's *State of Exception*. This transformation led to widespread acceptance of mass surveillance and detention practices while diminishing public concern for the human costs of punitive immigration enforcement. As Patler and Golash-Boza argue, the post-9/11 period brought about "enforcement policies treat immigrants as threats, often using invasive and punitive methods that carry long-term social and psychological consequences."⁴⁰ These consequences include family separation, economic instability, mental health deterioration, and lasting trauma, especially in communities already marginalized by race and class.

⁴⁰ Patler, Caitlin, and Tanya Maria Golash-Boza, 2017.

In *The Visitor*, Tarek's immediate detention, despite his clean criminal record, exemplifies the system's disproportionate response to minor offenses, an outcome that reflects real-world patterns of racialized enforcement. The film reflects the logic of a system that preemptively criminalizes based on race. As Cecilia Menjivar and Leisy J. Abrego argue, immigration laws and policies themselves can generate forms of legal violence that systematically harm immigrants and their families, even when they have not violated criminal laws.⁴¹ This "legal violence" manifests in the sudden detention and dehumanization of individuals like Tarek, whose presence is rendered suspect solely by his race. Although Walter attempts to intervene, immigration enforcement is indifferent to individual morality or circumstances. *The Visitor* thus reveals how post-9/11 immigration policy constructs vulnerability through systemic prejudice embedded in the law. Tarek's detention provides a sobering representation of how the state strips migrants of agency and subjects them to a system of institutionalized control, where their legal rights are suspended, and their humanity is rendered invisible.

The psychological toll of immigration enforcement, including detention and deportation, is portrayed by the characters' emotional deterioration throughout the film. Zainab, who lives in fear of being detained and deported, grows increasingly isolated and afraid. Walter becomes deeply frustrated and disillusioned by the government's disregard for Tarek's humanity. Arbona et al. (2010) found that the constant threat of detention and deportation induces heightened acculturative stress, with undocumented immigrants reporting "significantly higher levels of psychological distress and separation-related anxiety compared to documented immigrants."⁴²

⁴¹ Menjivar, Cecilia, and Leisy J. Abrego, p. 1396.

⁴² Arbona, Consuelo, et al. (2010).

These findings reinforce the film's message that the repercussions of immigration enforcement extend beyond the incarcerated individual by destabilizing their families and communities.

Ultimately, *The Visitor* critiques the bureaucratic callousness and racial profiling inherent in immigration policy. Tarek's detention demonstrates how immigration enforcement functions less as a system for addressing crime and more as a way to target and police individuals based on race, religion, and perceived foreignness. Scholars have emphasized how the post-9/11 era marked a shift in immigration enforcement toward the preemptive control of marginalized populations. As Menjívar and Abrego (2012) find, immigrants are rendered vulnerable to exploitation and harm even when they have broken no laws.⁴³ The film portrays this legal violence through Tarek's abrupt incarceration and the systemic indifference he encounters that reveals how immigration law strips noncitizens of their dignity. In this way, *The Visitor* contributes to a deeper understanding of how post-9/11 immigration policy constructs immigrants as threats, erodes due process, and undermines principles of justice. By depicting the infliction of emotional trauma from institutional apathy and racial profiling, the film forces viewers to reckon with the human consequences of a system that is more invested in exclusion and control than in equity or empathy.

***Blue Bayou* (2021): The Deportation of Legal Permanent Residents and the Expansion of the State of Exception**

Justin Chon's film *Blue Bayou* (2021)⁴⁴ offers a harrowing portrayal of the deportation of a legal permanent resident and portrays how immigration enforcement extends beyond targeting undocumented migrants to those who have lived in the U.S. for most of their lives. The film follows the protagonist, Antonio LeBlanc, a Korean-American adoptee raised in Louisiana who

⁴³ Menjívar, Cecilia, and Leisy J. Abrego, p. 1395.

⁴⁴ *Blue Bayou*. Directed by Justin Chon, performances by Justin Chon, Alicia Vikander, and Sydney Kowalske, Focus Features, 2021.

is suddenly subjected to deportation procedures due to a decades-old criminal conviction despite being married to an American citizen and raising a family. The film serves as a critique of the cruelty in the immigration enforcement system and reveals the fragility of legal status in a system that conflates criminality with removability.

Blue Bayou demonstrates the instability of legal categories and their susceptibility to manipulation for exclusionary purposes. Despite being a lawful permanent resident who was adopted from Korea as a child, Antonio's status is jeopardized under the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), which expanded the list of deplorable offenses and imposed immigration repercussions on past convictions. Scholar Daniel Martínez observes that these legal reforms "have disproportionately affected non-white immigrants," particularly through the racialization of legal status and the criminalization of past conduct.⁴⁵ Antonio's case parallels this phenomenon: although he has served his sentence and reintegrated into his community, he is nonetheless subjected to double punishment and faces his deportation. The film also reveals the psychological toll of such policies on families by showing that Antonio's deportation also impacts and threatens the well-being of his pregnant wife, stepdaughter, and unborn child. This highlights what Menjívar and Abrego call "legal violence"—the systemic harm that immigration law inflicts upon immigrant families. They write that immigration laws "produce suffering, injury, and death" through indifference and institutionalized cruelty.⁴⁶ In line with this narrative, Antonio's forced removal from his own family is an act of legal violence that ruptures familial bonds and completely destabilizes families indefinitely.

⁴⁵ Martínez, Daniel E. (2022).

⁴⁶ Menjívar, Cecilia, and Leisy J. Abrego, p. 1381.

Blue Bayou also interrogates the limits of belonging and the racialized boundaries of citizenship. Although Antonio was adopted into an American family as a child, he is still perceived and ultimately treated as a foreigner by the state. His race and immigration status render him perpetually suspect, regardless of his cultural assimilation or familial ties. As Alicia Schmidt Camacho argues, contemporary immigration enforcement is characterized by “lawful violence,” in which migrants are incorporated into labor markets and families while remaining perpetually vulnerable to expulsion.⁴⁷ Antonio is socially integrated but legally disposable, which reveals a contradiction that lies at the heart of immigration enforcement in the United States. Moreover, the film critiques the arbitrary nature of removal proceedings, which offer minimal procedural protections. Antonio’s deportation hearing consists of limited access to legal representation, a lack of due process, and a judicial system that is largely indifferent to his case. This reflects the broader erosion of immigration rights under what Agamben describes as the “state of exception,” where standard legal protections are suspended in the name of sovereignty. Immigration law becomes a tool of expulsion that reinforces inclusion contingent on legal categorization.

Ultimately, *Blue Bayou* functions as a cinematic counter-narrative that exposes the systemic cruelty of U.S. immigration policy. Through Antonio’s story, the film critiques the U.S. immigration enforcement system for its prejudices, indifferent cruelty, and implementation of grave injustice. His story demonstrates how deportation undermines the security of naturalized and long-term residents, especially those who are non-white. As Martínez concludes, contemporary immigration enforcement functions less to protect public safety than to uphold a racialized and class-based social order.⁴⁸ In challenging contemporary structures of immigration

⁴⁷ Camacho, Alicia Schmidt, p. 6.

⁴⁸ Martínez, Daniel E.

enforcement, *Blue Bayou* compels viewers to confront the moral costs of exclusion and the fragile nature of belonging in a society influenced by racialized notions of legality.

***Journey of Hope* (1990): Migration, Smuggling, and the Perils of Irregular Immigration**

Xavier Koller's *Journey of Hope* (1990)⁴⁹ portrays the harrowing journey of a Turkish family striving to relocate to Switzerland in search of a better life. Motivated by their destitution and dreams of economic opportunity, Haydar and his family are exploited by a network of smugglers who promise safe passage but ultimately abandon them in perilous circumstances. The film depicts the desperation that drives irregular migration and illuminates the profound human consequences of restrictive immigration policies. Although the story takes place in Turkey and Europe, it reflects American scholarly concerns about how structural inequalities and policy restrictions push migrants to undertake dangerous crossings. As Patler and Golash-Boza argue, "Restrictive policies have not stopped unauthorized migration but instead have rerouted migrants through more dangerous and remote terrain, increasing the likelihood of death or serious injury." The film's stark visual narrative conveys how the criminalization of formerly legal entry routes forces many to risk their lives by turning to smugglers. In this way, *Journey of Hope* reveals how border enforcement is a driving force behind humanitarian crises.

Journey of Hope also engages with Agamben's theory of the *Homo Sacer*, a figure excluded from legal protections and vulnerable to state violence. Migrants who undertake irregular crossings often exist in this legal gray zone, where their humanity is recognized only in the context of death or suffering. As Blue writes, "Migrants were not considered full citizens in their country of origin, nor welcomed as citizens elsewhere."⁵⁰ Haydar and his family become such marginalized figures by both the Turkish and Swiss governments and are only rendered

⁴⁹ *Journey of Hope*. Directed by Xavier Koller, performances by Necmettin Çobanoğlu and Nur Sürer, 1990.

⁵⁰ Blue, Ethan, p. 102.

visible as victims of a failed system. The family's tragic fate exemplifies the structural violence inherent in Swiss border enforcement systems and demonstrates this issue's prevalence outside the United States. However, not all scholars agree with the liberal humanitarian framing of migration tragedies. Political theorist David Miller opposes open-border perspectives, asserting that states have the right to prioritize the well-being of their citizens and control the flow of immigrants. Miller writes, "If states are to pursue policies that reflect the interests and values of their citizens, they must be able to regulate immigration."⁵¹ While *Journey of Hope* focuses on the suffering of migrants, Miller's perspective complicates the film's ethical appeal by challenging the assumption that humanitarianism should take precedence over government power. The conflict between moral obligation and state sovereignty is central to contemporary immigration debates.

The narrative arc of *Journey of Hope* finds an antecedent in Ella Kazan's *America, America* (1963), which recounts the arduous migration of a young Greek man from the Ottoman Empire to the United States at the turn of the twentieth century. Like Haydar, Kazan's protagonist, Stavros, is driven by aspiration and necessity. Yet *America, America* portrays the U.S. as a gateway to opportunities—a perspective that *Journey of Hope* ultimately undermines with its bleak conclusion. While Kazan's film captures the emotional struggles and hardships of migration, it ends with a triumphant arrival, reinforcing a conventional immigrant success narrative. The juxtaposition of these films highlights the deterioration of that ideal due to contemporary immigration policies that increasingly criminalize mobility and deny legal protections to migrants. As Menjívar and Abrego explain, "Contemporary immigration regimes increasingly use law to designate migrants as 'illegal,' excluding them from basic protections

⁵¹ Miller, David, p. 31.

and portraying them as threats to the national community.”⁵² While *America, America* celebrates individual perseverance, *Journey of Hope* reveals the limitations of perseverance under policies that systematically exclude and endanger migrants.

Likewise, Charlie Chaplin’s silent film *The Immigrant* (1917) presents a comedic critique of the immigrant experience at Ellis Island. In a memorable scene, an immigration officer pokes Chaplin’s character with a stick to get him to move, treating him more like livestock than a human being. This moment demonstrates the dehumanizing treatment of immigrants. Despite the film’s creation before the formalized legal exclusion systems of the 1920s, it foreshadows how bureaucracy and xenophobia render immigrants vulnerable. In a contemporary context, Chaplin’s satire can be read as a cultural critique of enforcement practices that strip migrants of dignity upon arrival. The continuity between these films across decades reveals that exclusion has remained in immigration enforcement despite shifting government policies.

Nonprofit organizations are working to mitigate the harm inflicted by deportation, detention, incarceration, and policy exclusion. Nonprofits counter state violence by prioritizing immigrant dignity and rights through legal advocacy, asylum representation, public education, and community engagement.⁵³ For instance, the American Immigration Council states that it “strives to strengthen the United States by shaping immigration policies and practices through innovative programs, cutting-edge research, and strategic legal and advocacy efforts grounded in evidence, compassion, justice, and fairness.”⁵⁴ Many nonprofits also work to reshape public narratives concerning immigration by highlighting lived experiences and elevating the voices of those directly affected. This intervention is essential in a policy environment where immigrants are often dehumanized or reduced to statistics. Scholars have noted that nonprofit organizations

⁵² Menjivar, Cecilia, and Leisy J. Abrego, p. 1390.

⁵³ AIR Legal (Advocates for Immigrant Rights).

⁵⁴ AIC (American Immigration Council).

encounter significant structural obstacles. As the ACLU observed in response to the Trump administration's harsh immigration agenda, "Trump has made the demonization of people seeking asylum at the southern border a key element of his campaign this year... In particular, we anticipate Trump will attack the right of people to request asylum when they arrive at the border—both through executive action and legislation."⁵⁵ In such a climate, nonprofit resistance becomes a form of advocacy by challenging systems of exclusion and humanizing the individuals most impacted by them. Nonprofit organizations are indispensable for their capacity to provide immediate relief and long-term resistance against exclusionary policies. As enforcement becomes more punitive, the work of these organizations grows increasingly vital in supporting migrants and refugees and challenging the moral legitimacy of the immigration enforcement system.

Summary

This analysis demonstrates how U.S. immigration policy functions as a tool for exclusion. In contemporary practice, immigration enforcement perpetuates racial inequalities, moral judgments, and ideological biases behind the pretense of legality. The intersection of race, law, and economic vulnerability continues to determine who is welcomed, who is criminalized, and who is rendered invisible. Films such as *The Immigrant*, *A Better Life*, *The Visitor*, *Blue Bayou*, and *Journey of Hope* provide critical counter-narratives that challenge representations of immigrants in public discourse. By focusing on the stories of marginalized migrants, these cinematic works expose the contradictions and injustices inherent in immigration systems and bring visibility to individuals who are often silenced or misrepresented.

Giorgio Agamben's theory of the "state of exception" provides a sobering warning about the risks posed by a government's expansion of extralegal powers. A state of exception arises

⁵⁵ ACLU (American Civil Liberties Union).

when authorities suspend the normal rule of law out of crisis or necessity, creating zones where individuals exist outside normal legal protection. In the context of U.S. immigration enforcement, we see troubling parallels in that expansive border enforcement measures have normalized exceptions to constitutional protections. The exclusion of migrants from legal and moral considerations undermines the fundamental basis of human rights. Expanding the state's authority to exclude, detain, and deport without accountability endangers the normalization of sovereign violence that transcends immigration law. Humanizing immigrants through public discourse—through narratives, scholarship, and media—emerges as an essential form of resistance. Recognizing the humanity, dignity, and aspirations of migrants is a political imperative.

Moving forward, the United States must enact policies that expand legal protections for undocumented immigrants and challenge racialized immigration enforcement. This includes restoring pathways to citizenship, protecting mixed-status families from separation, and abolishing policies that punish migration. The state should also develop humane and compassionate alternatives to detention and deportation that address the structural causes of migration rather than depending on punitive measures and exclusion. As scholars Menjívar and Abrego argue, reform must begin with a moral reckoning that recognizes the built-in violence of current enforcement regimes and then seeks to uphold principles of equity and justice.⁵⁶

Final Thoughts

Immigration has always been a fundamental aspect of American identity. However, the historical treatment of immigrants reveals an ongoing struggle between enforcement practices and the nation's professed values. Nonprofit organizations are essential in challenging this disconnect. Despite barriers imposed by restrictive policies, particularly those introduced during

⁵⁶ Menjívar, Cecilia, and Leisy J. Abrego, p. 1390.

the Trump administration, these groups persist in advocating for immigrant rights, providing legal aid, and fostering community resilience. Their work demonstrates a broader commitment to ethical accountability in immigration enforcement. Film remains a powerful tool in shaping public understanding, cultural beliefs, and policy discussions. By revealing the lived experiences underlying political discourse, they urge us to confront the moral contradictions of a system that engages in targeted exclusion under the pretext of security and counterterrorism. When films, literature, and academic works illuminate migrants' lived experiences, they encourage the public to see undocumented immigrants not as anonymous "illegals" but as neighbors, workers, and families deserving of rights and respect. Curtailing the "state of exception" in U.S. immigration enforcement is essential for the health of American democracy. Upholding constitutional protections and human dignity for noncitizens strengthens the rule of law for all. Rehumanizing those who have been cast as "exceptions" is an essential step in combating the erosion of democracy from within. If the U.S. is to reconcile its immigration policies with its democratic ideals, it must begin by asserting that dignity, empathy, and justice are not privileges—but rights owed to all.

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