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When Borders Cross People: Whose [Who's] Poor, or The Spirit of Immigration

Emily Albrink Hartigan

This didn't start out as a joke, but this article was originally given as a paper the week of the absurd 700-Mile Fence, a legal barrier that desperate Republicans turned into the most unintentionally farcical act of Congress this millennium.¹ Acknowledged to be for political posturing only,² the unfunded fencing created a new metaphorical apotheosis that, when connected by the comic continuum from the Emperor's New Clothes, reveals the 21st century to be flagrantly Postmodern. Thus, although I often begin articles with a bridge between the still-dominant modern and the "pomo" as it is often not so affectionately called, I will let the farcical fence be the bridge. Rationality's posturing has deconstructed itself in the United States Senate and House of Representatives in full view of the Others who would be on the Other side of the mythical Fence.³ You and I, gentle reader, are on this side.

Thus, as a citizen allegedly to be "protected" by the Fence, I am called to participate in the "joke work" named by Freud and explicated by

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¹ Secure Fence Act of 2006, Pub. L. No. 109-367, 120 Stat. 2638 (2006); *Summary of the Secure Fence Act of 2006, Passed by the House on September 14, 2006*, AILA InfoNet Doc. No. 06091368 (posted September 13, 2006).

² Commentator Ruben Navarrette, Jr. characterized it as "Immigration Reform for Dummies" in *Commentary: House GOP Pushes "Reform for Dummies"* (Sept. 2006), available at <http://www.cnn.com/2006/US/09/25.navarrette/index.html> ("immigration reform" is itself contested language: George Lakoff prefers the phrase "Immigration Problem" as "immigration reform" evokes an issue-defining conceptual frame." For a discussion of Lakoff's views see George Lakoff and Sam Ferguson, *The Framing of Immigration* (2006), available at www.rockridgeinstitute.org/research/rockridge/immigration/.

³ The patent use of the Fence as election-time posturing is detailed in articles such as Stephen Dinan, *Border-Fence Bill Awaits Signing*, THE WASHINGTON TIMES, Oct. 18, 2006 and Jonathan Weisman, *With Senate Vote, Congress Passes Border Fence Bill: Barrier Trumps Immigration Overhaul*, WASHINGTON POST, Sept. 30, 2006, at A01.

Homi Bhabha;⁴ the work of grabbing onto the stereotypes that have been used against us, and admitting what comic purchase they have, in order perhaps to own and disarm them. In the face of a 700-Mile Fence, the move to comedy may seem too easy, but the lot of those whom Professor Twomey has identified as the “preachers, prophets and poets” is not so simple as it might seem.⁵ Despite Richard Rorty’s interesting “pragmatic” selection of poets as our greatest public necessity, Rorty himself and most other academics rarely venture outside of the “reasoned” discourse of the academy. True postmodern writing courts adjectives like “crazy” and “religious” and “irrational”—not to mention “mystical”—adjectives in relation to which mere prophecy might seem to gain some respectability. David Tracy, a wonderful transitional writer, whose redoubtable reputation may lend credibility to writings like mine through such eminently useful Postmodern straddling phrases as “mystical prophetic” and “explosive fragments”, will help me with the translation into respectability, or something approaching it.⁶ Tracy warns the dominant discourse that such outlaw writing is necessary and inherently, well, decentering. It’s good for us—Professor/Reverend David Tracy of the University of Chicago, giver of the Gifford Lectures, says so.

“World” Perspectives

When, in *The Once & Future King*, Merlyn-as-bird carries the young Wart (Arthur-to-be) aloft, it takes Wart some time to figure out what Merlyn wants him to see: what he does not see.⁷ He does not see lines, because boundaries are things that humans make up, artificial and fragile constructions of political alliances and power, not natural delineations of our beautiful, perplexed⁸ globe. We now have, from space, even more breath-taking views than the mythical Merlyn’s of the world available to us, and such vast world-perspectives renders fences particularly problematic. Yet just as the Great Wall of China is partially visible from space, perhaps also 700 miles of fencing often through desert, might make this particular venture visible on the globe. To

⁴ Homi K. Bhabha, *On Cultural Choice*, in *THE TURN TO ETHICS* 181, 187 (Marjorie Garber et al. eds., 2000).

⁵ Gerald S. Twomey, ‘*The Preferential Option for the Poor*,’ *National Health Care Reform and America’s Uninsured: Why the ‘Option’ isn’t ‘Optional in Catholic Social Thought*,’ 5 *VILL. J. OF CATHOLIC SOCIAL THOUGHT* 111 (2008).

⁶ See David Tracy, Professor, Divinity School of the University of Chicago, Address Before at the Center of Theological Inquiry: *Form & Fragment: The Recovery of the Hidden and Incomprehensible God*, (1999) in *CTI Reflections*, Vol. 3 at 74. [hereinafter Tracy, *Form & Fragment*].

⁷ See T.H. WHITE, *THE ONCE & FUTURE KING* 19 (1939).

⁸ Human self-consciousness is a part of nature.

mark the world with such grand barriers calls to mind three images of fences and walls, each with its own seed of ludic wisdom, each with a reflective possibility for our own 700-Mile Joke.

The first image is the Rabbit-Proof Fence in Australia, highlighted in the movie of the same name.⁹ This fence transcends its predictably futile purpose to become a way home. The second is the wall in Israel that one confronts if traveling to Bethlehem and other Palestinian areas; this second fence has become a canvas of revelation. The third is the Freedom Wall of separation we have been constructing around the United States, which folksinger Freebo conjures in song, a Wall that is becoming our redded and whited and blued sepulcher, as we entomb our spirit in the Culture of Death.¹⁰

With each fence/wall, there are particular persons. For the fence as a way home, there are the three Australian-aboriginal children, and Eulogia Nino of Alulco, Mexico. The second, Bethlehem wall's canvas of revelation contains Annette, a Palestinian Christian with the children she helps, and Urrea's vivid portrait of the Borderlands of the *Devil's Highway*.¹¹ And the Freedom Wall has its prisoners too: you and me.¹²

Pomo and the Globe

In the words of Catholic theologian David Tracy, the Postmodern is the turn to the Other, including "God's shattering otherness and the neighbor's irreducible otherness."¹³ The divisiveness of fences and walls invokes the core of the threat of the other. Thus, we have in the Postmodern the right lingo to tap the preferential option for the poor, the quintessentially Other (even within our selves). One of the finest inversions of postmodernism is in the work of Virgilio Elizondo, Chi-

⁹ See RABBIT-PROOF FENCE (Miramax Home Entertainment 2002).

¹⁰ FREEBO, THE FREEDOM WALL (Poppabo Music 2005). A sample of the song can be heard at <http://www.freebo.com/BeforeTheSeparation.html>.

¹¹ LUIS ALBERTO URREA, THE DEVIL'S HIGHWAY: A TRUE STORY (2004).

¹² One of the rich ironies is that the current location of such a fence marks where the border crossed many people; they did not cross the border. Where I live, most folks were Mexican until the Republic of Texas was founded, and only several years later did that Republic decide to join the republic of the United States of America. Thus, in moving from St. Mary's in San Antonio to the University of Denver, my former colleague Beto Juarez finally decided to move long-term into what was at least not Mexico proper when his ancestors lived in Astlan/Mexico/Texas.

¹³ David Tracy, *The Divine Other: the Hidden God of Revelation*, 46 CROSS CURRENTS 1, Spring 1996, at 5 [hereinafter Tracy, *The Divine Other*].

cano theologian,¹⁴ who reminds us that those the 700-Mile Silliness is supposed to keep out are, as courageous immigrants, our great gift.¹⁵ As Aurora Camacho de Schmidt writes, we are graced to be "In Their Presence" and to have their subversive stories of resolve, survival and hope among us.¹⁶

The reality that "law-breakers" who traverse the border from Mexico bring us salvation follows the non-linear non-logic of the postmodern. As Tracy reminds us, "transgression is often an entry-point into this unsettling new reality where sameness dissolves into a whirlwind of sheer differences."¹⁷

One of the first to transgress borders, to make us the global community we are, was commerce. When I reach the place—never predictable—in the semester where the reality of our interpenetrated economic web's contribution to our wealth and others' poverty must be demonstrated, I ask someone in the class to look at the label in my coat or shirt collar. It has never read "Made in the USA" but always someplace where, as I comment, some 12 year old is making clothes for us at pennies an hour so we may enjoy our disproportionate lifestyle. I am implicated in that post-colonial stream of commerce that gives such children, who work much harder than I did in Sr. Marian Edward's class, virtually no chance to reach the seventh grade. I am not where I am primarily because of my moral effort or dessert. Commerce and its correlative—power—assure that the primary predictor of our wealth is location, location, location. But the considerable weight of economic and social constructions does not exhaust human potential in God's strange world. The main source of change is not we humans—it is the unfathomable realm of God's grace, where revelation is "the event-gift of the Other's self-manifestation."¹⁸ Without such revelation, we are forever poor.

The preferential option for the poor is an inversion of the expected—like Postmodernism, it turns the Order of Things on its head, and places

¹⁴ See generally Virgilio Elizondo, in *BEYOND BORDERS: WRITING OF VIRGILIO ELIZONDO AND FRIENDS* (Timothy Matovina, ed. 2000) and the included bibliography.

¹⁵ See VIRGILIO ELIZONDO, *A GOD OF INCREDIBLE SURPRISES: JESUS OF NAZARETH* 53 (2003).

¹⁶ See Aurora Camacho de Schmidt, *In Their Presence: Reflections on the Transforming Power of Undocumented Immigrants in the United States*, American Friends Service Committee (1991).

¹⁷ Tracy, *The Divine Other*, *supra* note 13.

¹⁸ *Id.* at 6.

the least entitled at its center. Conventions are overturned into the expectation of the unexpected, the Other, the poor. Like most of what Jesus said and did, the Option's reversal of status and power is a parabolic interruption of the usual story, the dominant discourse. Such disruption is not Horatio Alger's stellar climb to the top, not the atomistic individual's triumph over all the odds—it is a matter of sheer gift. “‘Gift’ transgresses the present economy and calls the whole of that all-too-ordered economy into question.”¹⁹

This is why the Postmodern, particularly as portrayed by Tracy, strikes me as the only way I can talk truly about the Option and immigration. Yet my discussion is immediately compromised because the primacy of the dispossessed requires that their voices be heard first—yet they are, like Tracy's God, inherently hidden. Their voices are silenced—by death in the desert, fear of *la Migra*,²⁰ the Powers that be,²¹ and rampant *analfabetismo* (illiteracy).

Thus, although I will present what I can of their narrative in their voices,²² I can more authentically speak for us, the Anglo citizens with our privilege (and those less than two steps away from that privilege, like me, a woman but US, white and class-advantaged). This is because we have recently made the “joke work” that Bhabha exhorts easier by legislation that is inherently self-parody: we will exclude the Other through an unfunded, entirely rhetorical (and ultimately unsuccessful, electorally) 700-Mile Fence.

¹⁹ See generally, *id.*; and then especially VIRGILIO ELIZONDO, *A GOD OF INCREDIBLE SURPRISES: JESUS OF NAZARETH* 53 (2003).

²⁰ How to convey the almost mythic power of the INS (Immigration and Naturalization Service), now some other acronym, of the army of government employees who stalk the *inmigrantes*, the floods of people who have for hundreds of years flowed over our “border” in the face of the power of the law, “*la Migra*” as its prey calls it, the USA's immigration control force?

²¹ A major face of that power is the media. For a discussion on media reform see Bill D. Moyers, *Journalist*, Address to the National Conference for Media in Memphis, Tennessee: *Life on the Plantation* (Jan. 12, 2007) (Talk about media reform that sounded in scholarship and acumen, and that urged that the less powerful resist being “forced to live someone else's story”) available at http://www.truthout.org/docs_2006/011807B.shtml.

²² See Gilberto Cardenas, *GONE TO TEXAS* (2000), available at http://www.utexas.edu/opa/pubs/discovery/disc2000v15n3/disc_immigration.html. The author, in a letter to an undocumented immigrant friend, states that, “The human dimension, as told my immigrants such as you, typically does not receive attention by the academic research community” yet he must write the document in his own voice, as must I. However, there I can include “fragmentary tales” as is done, Tracy notes, in “womanist theologies.” See Tracy, *Form & Fragment*, *supra* note 6, at 74.

Postmodern theology mimics the Preferential Option—it is about the Other, and for law professors in the United States of America, the Other is nearly by definition poorer and less powerful. We are an overwhelmingly privileged group opining on how to bring the Option to action in various policy areas, but not one of us has chosen to give all we have (including our tenure), to the poor.²³ Perhaps the best I can hope is from time to time to enter that mystical-prophetic stream of Tracy's.

This stream of mystery and prophecy is turbulent and dangerous. As Tracy reminds us, transgression is key, “an entry point into this unsettling new reality where sameness dissolves into a whirlwind of sheer differences.”²⁴ Whether with water or wind metaphor, Postmodernism is post-liberal and radically disturbing. It emphasizes what Tracy reminds us is the Otherness of both God and neighbor.

The closest such neighbor for me is a bit over 100 miles away in Mexico and just down the road in one of the German Hill Country towns of Texas (Boerne)²⁵ where I live. Because this is the location which I know and experience—and have learned—the most, this is the face of immigration to which I will attend in hopes of giving²⁶ voice and face to these neighbors.

Because Postmodernism is NOT a comforting conversation but an amplification of the fragmentation of discourse already happening, I will try to provide for the structurally-addicted among us a trinity of images and their narratives, as I have begun to describe above. These are Borderland stories, taken from the margins of the USA (at home and abroad²⁷), each carrying the motif of fence and wall, ignited by the

²³ I excepted the vowed religious in giving the talk; I am not sure there are many in the law professoriate who maintain vows of poverty.

²⁴ See Tracy, *The Divine Other*, *supra* note 13, at 6.

²⁵ My contribution to this conversation that is irrefutable is that “Boerne” is pronounced “BURN—eee” not “born”—we kept the German pronunciation, which is why we can say San Antonio as “sahn ant/dOnio” with a straight face.

²⁶ That is, my minor increment in an increasingly urgent literature, which ranges from the general (CATHOLIC CHARITIES USA, JUSTICE FOR NEWCOMERS: A CATHOLIC CALL FOR SOLIDARITY AND REFORM, (2005), available at www.catholiccharitiesusa.org/advocacy/PolicyPaper05/; David Simcox, *The Catholic Hierarchy and Immigration Boundless*, THE SOCIAL CONTRACT, Winter 1992), to the specific (MOST REVEREND WILLIAM SKYLSTAD, PRESIDENT, U.S. CONF OF CATHOLIC BISHOPS, LETTER TO PRESIDENT BUSH OPPOSING THE 700-MILE FENCE (Oct. 10, 2006) available at www.nccbuscc.org/comm/archives/2006/06-197.shtml).

²⁷ As our guides reminded us, the Wall in Israel is being paid for by US tax dollars.

“master” image of a 700-Mile fence. Each plays with our farcical border barrier.

First, I suggest the legend of the Rabbit-Proof Fence²⁸: subverting another pointless and parodic fence, the Australian rabbit-proof fence is transmuted from a barrier to a way home—just as Dorothy was always searching for such a way home, but the answer was not in the professor but in her own self.²⁹

Second is the Bethlehem wall, a portion of the ghetto-inversion in the Holy Land which becomes a canvas of revelation because the people cannot help but paint. Among the drawn images appropriate to that desecrated/sacred wall is the map of the desert in Luis Alberto Urrea's *The Devil's Highway*, with the dead immigrant bodies, cited by global longitude and latitude, to mark the pattern of desperate cost.³⁰

Third, I will hope to convey what folksinger Freebo has dubbed “the Freedom Wall,” and what that wall does to you and me. For my part, I live so close to the proposed location of the comic fence that I have begun to become Other to myself. Freebo tells us that the Freedom guard locks us in with the Freedom key, trying to ensure that “the Evil people” . . . “can go be evil somewhere else”³¹—leaving us locked in our gated community already subverted by those hidden among us. If I am entwined by our corporate responsibility behind that Wall, how will I hope to find Tracy's Hidden God, Who returns as the ‘other’—the Hidden Other in the struggle itself?³²

Fencing Home

In *The Rabbit-Proof Fence*, three half-aborigine sisters, whom the colonizers have sent to a school half-way across the continent for their own good, escape and turn towards home.³³ As they are 1,500 miles from their distraught mothers, the only way they can imagine to avoid disorientation is to follow the ridiculous rabbit-proof fence the colonizers had erected to halt the fecundity of the animals they had imported to begin with. The extraordinary success of the three young girls inspires the audience—with the ironic twist that the three's own children were in the next generation of those to be removed back to saving, alien

²⁸ See RABBIT-PROOF FENCE, *supra* note 9.

²⁹ WIZARD OF OZ (Warner Bros. 1939).

³⁰ See URREA, *supra* note 11.

³¹ *Id.*

³² See Tracy, *The Divine Other*, *supra* note 13.

³³ See RABBIT-PROOF FENCE, *supra* note 9.

schools far away. And so the children-now-mothers repeat their improbable journey, in the Other direction.

The story of these three girls/women is one of gift, the bounty that immigrants and others who will not "stay put" but go where they must, bring to us, who imagine we have already arrived where we are. The reality of the tenacity, heartbreaking suffering and inspiring endurance of those who risk death to cross borders and fences should brace our spirits in the face of our relatively minor life challenges. They bring a self-selected animation and courage, contributing élan, forging life-giving sagas and exemplary determination in our jaded, privileged colonial culture.³⁴

We who may build a fence will be vulnerable to the subversion through hope that those like Eulogia Nino maintain. She is the wife of, let us call him, Lozano. Her parents, among the three families Lozano supports, live in what I first thought was a woodpile. It is an indigenous house among the nearly thirty people whom Lozano's work supports about thirty miles from San Luis Potosi, a house set near the one-room cinder-block house she and Lozano and their children inhabit. Lozano worked on the two miles of fence on my place in the south Texas Hill Country, and on the house. He proclaimed that he of course had a green card, though time would reveal that he could barely sign his own name, and although he had been coming for twenty-some years to the Boerne area, he had no documents. Financial reversals dictated my no longer being able to support him (at well beyond the minimum wage, which reliable workers like Lozano sometimes claims in the region).

Then Lozano brought me his second son to enroll in school. After a full week of work, we managed to circumvent the false barriers to such dark "alien" children in the Anglo school system, and we three outfitted one end of my windowed basement for him to live in. Three days after his successful enrollment, his father was for the first time suddenly picked up on a fencing job and deported.

Back in Alulco, Eulogia Nino raises her children, although Lozano comes home less often because it is so much more expensive and risky.

³⁴ Cardenas, for example, notes that "Mexican immigrants help insure that the economy is dynamic. Their productivity and consumption constitute a vital factor in the Texas economy." See Cardenas, *supra* note 22. This is one reason Bush is incongruent in his stance on immigration: if you have lived in Texas you know the people who cut the lawns, build the fences, do the grunt work on construction (and the best of the stone and tile), and are so quiet that you rarely know their real names. You know that the Borderlands are already not the USA, but anOther place.

Each time, the coyotes charge more, so this return is a paradoxical gift, and he stays for a couple of months. Back in Texas their second son slowly shows himself to be, as the Chicana at Boerne High says, one of those who just do not do the work. Eulogia Nino continues to cook and work, sending her sons north and keeping the daughters at home. Maria de la Luz, whom I met in Alulco at age four, grows in age and grace though she misses her father as his absences extend. Eulogia Nino keeps Maria at home, and although he has lost his first two sons to the culture of consumption in Texas, Lozano will somehow follow the fence to its ends, and always return home. Each time, as commentators make clear, it costs him more to make the journey, and his visits in Texas lengthen.³⁵ His arduous *viaje* has not taught his sons what it is that he wants from us: "*Quiero trabajo*"—"I want work." They have been dazzled by our economic advantage, have grown fat, and hang around with druggies. Lozano's son is long gone from my home, but Lozano is unconfused about where the fence leads him. The border is his route home.

Long Grey Canvas

The second image is the wall at Bethlehem. Last year, just after Christmas, I was on the public bus we had to take to Bethlehem because rental cars cannot go into the West Bank. Engrossed in conversation, I did not see the wall until we were directly in front of it—and then I was transfixed. Here was a grotesque, ludic, blasphemous inversion of a ghetto barrier. Seeming huge when directly ahead of us, it eventually dribbled along the landscape in its obscene incongruity, letting perspective finally erase its unseemly length. The trip through Customs was no salve, nor was the sign on the wall's Israeli side wishing us peace in large English letters. On the other side was something different. Tracy writes of the "event-gift of the other's self-manifestation"—and those walled in had used the expanse of the huge fence as a canvas of revelation of their "side" of the story. Murals of peace, of dignity, of protest and of self-manifestation covered lengths of the Palestinian side of that edifice of exclusion. Gustavo Gutierrez writes of the Others who speak in their own voices after "drinking from our own wells" and when the other is finally allowed to speak, the manifestations are often of beauty.³⁶ For me, the gracious irony was that among the most eloquent of the murals were those by visiting Mexican artists. The newly indigenous medium of spray-painting decorated the ugly grey concrete slabs with rich murals calling for justice,

³⁵ URREA, *supra* note 11, at 180.

³⁶ GUSTAVO GUTIERREZ, *WE DRINK FROM OUR OWN WELLS: THE SPIRITUAL JOURNEY OF A PEOPLE* (1984).

peace, and liberation. This was fence/wall claimed as canvas, festooned with the data of revelation.

Within that wall, we were welcomed into the home of Annette, a relative of one of our undergraduate students. The stories that she told as we were being bodily transformed by her amazing *mezze* (loosely, appetizers like hummus and baba ganouj, but unlike even the best I have had state-side), turned the olive oil we were enjoying into a sort of sacrament marked by both suffering and joy. Many of her olive trees, on whose fruitfulness she depended, had been dug up by the Israelis because they were allegedly too close to the wall.³⁷ The stumps, many hundreds of years old, were transported to Israeli territory where they were replanted. She received no compensation or consideration for the fact that the trees had been in her family for generations. Closeness to a wall is dangerous to children and other living things.

Despite the toll that such arbitrary invasions have taken, Annette works with a woman religious from the US to provide Christmas presents for the many impoverished Christian children of Bethlehem. But her daughter may well not come back, because the future seems to hold more invasions and walls, more violence, more bullet and rocket holes in the windows and walls of the churches and universities of Bethlehem.³⁸

The landscape on the Other side of a wall is too often harsh with terrible beauty. Urrea's *Devil's Highway* is painted on the stark landscape that immigrants have been forced to traverse from northern Mexico, a map of bodies desiccated by sun and desert.³⁹ Urrea cites the latitude and longitude of each of the Yuma 14 who perished, drawing his own canvas of revelation on the desert and mountains of northern Mexico and southern Arizona, chronicling the desperation and dedication of the men who died seeking work in *el norte*.⁴⁰ We already know of the doctrinal intricacies of immigration law from the elegant work of Beto Juarez at the inaugural session of this workshop on Catholic Social Thought and the more recent nuanced article by Michele Pistone in

³⁷ Olive trees are low to the ground, twisting rather than shooting higher with age and the huge concrete barriers are thirty-some feet high.

³⁸ We were told that the university and the Church of the Nativity were ordered to patch the holes. As a result, the main window in the Church has a noticeably incongruent patch of stained glass and the wall of the university has a patch made of plexiglass, conspicuously defining the original hole.

³⁹ URREA, *supra* note 11, at 180.

⁴⁰ *Id.*

this volume.⁴¹ We know that the immigrant has a moral claim on journeying across borders to seek work. In such ventures, untold numbers die each year, compounded by vigilantes' poisoning of seemingly redemptive water sources, not to mention bullets in the head.

Urrea's book recounts how a busload of men followed their coyotes into the Arizona desert and all but a handful died.⁴² Nahum Landa Ortiz, one of the few survivors, told how they waited, after so many had fallen, for the coyotes who had misled them to return:

EMPTY NOTHING EMPTY BONES EMPTY HEAT NOTHING BUT SUN
EMPTY NOTHING.⁴³

In this emptiness, the abstractions of longitudes and latitudes speak for the dead: "Reyno Bartolo. N. 32.23.16/W. 113.19.55. Face up, green pants, green socks. Deceased. Enrique Landeros. N. 32.23.17/W 113.19.54. Blue underpants. Deceased."⁴⁴ As they were found strewn throughout the arid landscape, so Urrea locates them in the text, grouped or isolated, identified by degrees and directions, and their paltry possessions or clothing. Urrea gives the bodies a global location because it is the global economy that requires such grids and borders yet deconstructs them with "trade agreements" and legislation and fences that serve not the poor, but the rapidly internationalizing elites.⁴⁵

Wailing at the Freedom Wall

Freebo's song is a satire, an attempt to ask us to see ourselves as ridiculous.⁴⁶ How can we imagine that we can be safe in what George Lakoff dubs a gated community?⁴⁷ The only captives of this fence are those of us who conceive of ourselves somehow distinct from the rest of God's children because we are citizens of the USA. The poor across our border are a fount of potential new life for us, but we see them as an invading alien horde.

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.* at 164-5.

⁴⁴ URREA, *supra* note 11, at 173.

⁴⁵ *Id.*

⁴⁶ See FREEBO, THE FREEDOM WALL *supra* note 10.

⁴⁷ See Lakoff, *Framing of Immigration*, *supra* note 2.

If we are unable to meet and welcome and learn from those who brave the already formidable barriers to emigration to the USA, how will we ever see the radically hidden face of God that Tracy evokes for us?

The world uncabined by Enlightenment liberalism with its false autonomous individualism requires, according to David Tracy, transgression. To escape our own wall, we must welcome the irruption of the Other despite our fears. The entry to a reality renewed in Postmodernism beyond Eurocentric colonialism is on a path broken by the trespass of the Other into our world of privilege, our walled city on a hill. Without the Other, we see only our sameness—losing sight of our privilege and never finding the face of Christ promised to us in the Gospel of Matthew 25: “Whatever you have done for the least of these my brothers and sisters, you have done for me.”⁴⁸

We have not earned our economic hegemony; you and I were born, for the overwhelming part, in the USA to begin with. Just that given fact determines nine-tenths of our privilege. The billions born in Bangladesh simply do not begin to have the opportunities citizens of this country take for granted. Yet we are also born into a world where the poor are an overwhelming reality; just those who would come over our south border challenge the imagination of many of us. How to turn the preferential option for the poor into policy has no single answer. As Michele Pistone confirms, there is not one set of inferences that alone recommends itself to the thoughtful citizenry.⁴⁹ God made a world with infinite variety, and standpoint epistemology requires that we cede that (for me) even Republicans are absolutely necessary for salvation—though it remains a mystery to me just why. But the faith rooted in both sophisticated philosophical skepticism and the Gospel reminder that I have a plank in my eye also require reserve at some final level.⁵⁰ Perhaps in me there is some fragment of the frustrated voter who thinks that building a 700 foot fence (with, as conservative commentator Lou Dobbs noted, at least a “Texas-sized hole” in the border) will settle things.⁵¹ I confess that there are times I want to build a moderate-sized holding pen and put some particular politicians in it. . . . But such

⁴⁸ *Matthew* 25:45.

⁴⁹ Michele R. Pistone, “*In All Things Love*”: *Immigration, Policy-Making, and the Development of Preferential Options for the Poor*, 5 *VLL. J. OF CATHOLIC SOCIAL THOUGHT* 175 (2008).

⁵⁰ See *Matthew* 7:3 (“Why do you look at the speck of sawdust in your brother’s eye and pay no attention to the plank that is in your own eye?”).

⁵¹ Lou Dobbs, *Border fence will leave Texas-size hole* (October 25, 2006) available at <http://www.cnn.com/2006/US/10/24/Dobbs.Oct25/index.html>.

attempts to wall off the other deny us the promise of the poor and the Other, the gift of the mysterious givenness of God's creation. If we can embrace even the most disconcerting of that givenness with openness, perhaps grace will resolve that openness into love, unexpected though it may be.⁵²

At the very least, we should come to know the others we think we need to keep away. Having lived in south Texas for more than twelve years, I have learned a great deal from dwelling in an area that (now that New Orleans is gone) is the most striking racial inversion in the country. San Antonio is, as New Orleans was, a major city with an overwhelming minority majority. We are at most 30% Anglo. But even more instructive than constantly being outnumbered in racial, cultural and often linguistic terms, has been the time I have spent in Mexico. If you get the chance to go to El Paso, be sure to go to the top of the hill where you can see both cities, "ours" and "theirs" (Ciudad Juárez). You cannot see the trickle that the Rio Bravo is at that point, having been irrigated to a pucker in New Mexico, but the difference in the urban terrains is so stark that you can tell where the border is. On one side is a US city, full of malls and street lights and grass with bushes around houses. On the other is an expanse of dusty brown, dotted periodically by lights at a density less than a fifth of El Paso, even though the Juárez population is much more concentrated.

A few years ago, a group from my parish went to our sister parish in Juárez for a meeting with scholarship students we supported, and a retreat. Some of us stayed with families who had the wealth to have inside toilets and plumbing, and a fence to close at night so our car was safe. Although the house we stayed in was of course not heated, we bundled in enough blankets so that sleep might have been possible had it not been for the dogs. Throughout the night, they erupted into periodic loud barking that seemed so incongruous with their daytime docility and good manners. In the morning, we managed to maneuver the conversation around to the dogs, and found out why they were so noisy and insistent, and unrelenting. It was something that would never have occurred to me—they were keeping the rats at bay. I would never have imagined I could feel grateful for being kept up all night. The texture of being among the poor is not something that even fine literature can convey. When we do not encounter the Other, we cannot know what we

⁵² The inability to deduce principles—legal or ethical—from such concerns, including those for justice, is not a limitation of Catholic Social Teaching. According to Tracy, "such concern may create apophatic political theology" such as that of Johann Baptist Metz. *See infra* note 54.

are shutting out of our lives. It is that dimension of immigration that Catholic Social Thought may bring us—not so much from the documents of the Magisterium as from the experiences of the People of God.⁵³ According to Tracy, the Church alive contains a vibrant mystical-prophetic tradition that may create apophatic political theologies that communicate “great ethical-political urgency driven by the meaning of suffering but does not yield generalizing ethical principles.”⁵⁴

It is not that my view on immigration is not defined; I have talked to the immigration lawyers I respect (notably Professor Lee Teran) and listened for their perspective, tutored by years of attention to the narratives of those caught in the law's net. Something like a Marshall Plan to allow those who of course would prefer to stay home in Mexico with a decent job, is their conclusion. Yet I know that in this weird world of the “Hidden-Revealed One” or the “Comprehensible-Incomprehensible One”⁵⁵ Whom Tracy addresses, different revelations come to different souls. Good people will disagree. Somehow the Truth known only to God and manifested only in events in human life, demands the whole of us. We are fully committed, fully awake, at our best. Yet full commitment does not ask us to rush out and try to implement our visions willy-nilly—we must approach each Other as God's children. We must listen to the Other. If the unknown immigrant is to be given ear and voice, so also in turn, is the conservative, the libertarian, the liberal, the fundamentalist, and the agnostic. The first Other we meet is within, the next is the one beside us, and the gift is in each—yet most of all in those whom we have deemed legally Other about whom we are talking. Only if we remember that the ground of love, mysterious enough to encompass Republicans, pervades us and eludes us, can we hope to meet, or manifest, or become, or love, or know ourselves loved by anyone, any One.

⁵³ Neither this nor the commentary about postmodernism is to suggest yet another set of dualisms (rational v. postmodern, Magisterial v. People of God, etc.) as works about Catholic Social Thought vary as much as persons do. Thus, for example, George E. McCarthy and Royal W. Rodes in their *ECLIPSE OF JUSTICE: ETHICS, ECONOMICS, AND THE LOST TRADITIONS OF AMERICAN CATHOLICISM* (1992) address the preferential option for the poor in terms of both liberation theology and papal social teaching, without ever mentioning postmodernism, in a discussion structured by economic and political theory (including such thinkers as Chantal Mouffe at 260, Penny Lernoux at 239 and Gary MacEoin at 209).

⁵⁴ One of those (often liberation) theologians is Johann Baptiste Metz; See David Tracy, *Theology and the Many Faces of Postmodernity*, 51 *THEOLOGY TODAY* 104, 113 (1994).

⁵⁵ This is language Tracy has been using for some time. See David Tracy, *Literary Theory and Return of the Forms for Naming and Thinking God in Theology*, 74 *J. RELIGION* 302, 312 (1994).