"Your Friend, the Illegal:"
Definition and Paradox in Newspaper Accounts of U.S. Immigration Reform

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The U.S. Immigration Reform and Control Act of 1986 (IRCA) created a new legal category, "illegal immigrant eligible for amnesty." Media coverage of IRCA provides an opportunity to analyze the connections between the legal and cultural discourses in which identities are created and contested. From our analysis of media images of amnesty applicants, citizens, and illegal aliens in 283 news articles, we find that journalists not only debated the categorization of certain individuals belonged, but also the meanings of immigration categories themselves. To clarify the new category created by IRCA, journalists used "legalization narratives:" accounts of immigrants' geographical, social, and legal journeys from illegal aliens to proto-citizens. Images of immigrants that journalists constructed were complexly determined, multivocal, sometimes paradoxical, and occasionally subversive.

Key words: immigration, United States, law, negotiation, journalism.

INTRODUCTION

There are several senses in which "personhood" and "citizenship" are often conflated within U.S. culture. From a legal standpoint, individuals' relationship to the social contract embodied in law grants them a juridical existence in addition to their physical and social existences (Coutin 1993, 1994). Moreover, within modernist theories of the nation-state, juridical citizenship and territorial residence have been presumed to be equivalent; that is, aside from temporary excursions, the geographical location of a nation's citizenry is expected to coincide with that nation's territorial boundaries, and vice versa (Gupta 1992). These notions of legal personhood do not take into account the possibility that individuals who, from the standpoint of a particular nation (in this case, the United States), are juridically non-existent might enter that nation's territory for more than a temporary so-
When such individuals do arrive, the presumed equivalence of physical existence and legal identity produces contradictory assessments of these individuals' personhood. If physical presence within a nation's boundaries gives individuals a claim to legal identity, then these individuals may be juridical persons. If, on the other hand, personhood derives from membership in a polity, then these individuals are not legal persons and the discrepancy between their physical presence and their legal nonexistence can be overcome by expelling them from the country.

Sanctioned identities such as those entailed by categories of immigration law are deployed and redefined not just by the law but also by other entities in other arenas. The present paper examines one context in which an attempt was made to sort out the ambiguities and paradoxes surrounding the personhood of illegal immigrants, namely, newspaper coverage of the Immigration Reform and Control Act of 1986 (IRCA). This act, which followed over a decade of public debate about U.S. immigration policy and the effects of illegal immigration, had two main provisions. First, it criminalized the employment of illegal aliens by requiring employers to verify job applicants' work authorization before hiring them for a position. Second, and most relevant to our concerns here, IRCA provided for "amnesty," or legalization for immigrants who could prove that they had been continuously and illegally present in the United States since January 1, 1982. IRCA's legalization provisions created a new legal category, "illegal alien eligible for amnesty." To write about immigrants who were eligible for amnesty, journalists had to sort out the elements of citizenship and illegality, Americanness and foreignness, that were confounded within the category. This category had complex social meanings, because although legal ideology in the United States suggests that legal categories are universal, the application of these categories to individuals and groups in fact entails implicit racial, ethnic, gender, class, and other meanings. These meanings make a great deal of difference, both socially and legally. Legal categories shape discourses about personhood, while social categories help define legal notions such as "citizenship." In the case of IRCA, the news media's depictions of amnesty applicants were in part products of the law. Some illegal immigrants were, in fact, being granted legal status; therefore, in emphasizing the citizen-like qualities of eligible aliens, rather than their criminality or foreignness, media coverage of IRCA mirrored a process that was taking place within the nation. The ways that IRCA was implemented may also have been influenced by the news media, in that some employers probably based their decisions about employees' work eligibility on news accounts of IRCA's provisions rather than on the text of the law. Moreover, concern over positive or negative publicity may have shaped the tactics that the U.S. Immigration and Naturalization Service (INS) devised to implement the new law. Such a complex and mutually implicating relation between legal and social categories enhances the potential of entities such as the news media to deploy and redefine both law and the cultural discourses that inform legal categories. Media coverage of IRCA therefore provides an opportunity to analyze the connections be-
tween the legal and cultural discourses in which sanctioned identities are created and contested. Although we focus here on the news media, our analysis may shed light on ways that immigration categories are defined and renegotiated in other contexts as well.

Our analysis of media images of amnesty applicants, citizens, and illegal aliens is based on 283 news articles gleaned between 1986 and 1988 from the Washington Post (WP), the New York Times (NYT), the Wall Street Journal (WSJ), the Los Angeles Times (LAT), the San Francisco Chronicle (SFC), the Tucson Citizen (TC), and the Arizona Daily Star (AZDS). Our sample of newspapers is largely fortuitous. Phyllis Chock had an opportunity to use a small clippings file compiled by researchers at the Urban Institute, and she added, among others, all front-page stories from the WP and NYT from 1986-88, and Susan Coutin clipped articles from the papers where she happened to be living between 1986-88. Our sample, however, includes national as well as regional papers from both the east and west coasts, and articles by journalists of various ethnic backgrounds. In analyzing these articles, we focus on the assumptions about citizenship and alienage that lie behind the media’s portrayal of amnesty applicants.

Between 1971 and 1986, various Congressional committees and a presidentially-appointed Select Commission on immigration held hearings in which illegal immigration was blamed for overpopulation, lawlessness, cultural dilution, tax burdens, and unemployment and economic recession. IRCA was passed as an effort to alleviate these problems by making it harder for immigrants to enter the US illegally and to be employed in the U.S. IRCA’s provisions for amnesty were negotiated for inclusion in the law at the insistence of immigrant advocates who participated in these hearings. This public discussion about immigration and its effects defined illegal immigration as a contemporary crisis.5

News coverage of IRCA between 1986 and 1988 sought to inform readers of the new law through stories about the people that IRCA most affected: eligible aliens, growers and other employers, and government officials. We focus on stories about eligible and ineligible aliens, as it was these two categories, unlike “employer” or “government official,” that journalists seemed to see as problematic and as in greatest need of clarification. For example, journalists seemed to see immigrants who were eligible for amnesty as liminal beings, neither wholly alien nor wholly familiar (cf. L. Chavez 1991); they were “On the Edge of America,” to quote the title of a 1987–88 Washington Post series (Maraniss 1987a–e, 1988) on the amnesty program. To clarify these categories, journalists told what we call “legalization narratives:” accounts of immigrants’ geographical, social, and legal journeys from illegal aliens to proto-citizens. These narratives drew on the popular notion that the United States is the land of opportunity and that “immigrants” become “Americans” by striving to improve their lives (Chock 1991). Legalization narratives played against the rhetoric of “crisis” that has pervaded public debate about immigration policy since the 1970s and that contributed to the passage of IRCA. As a rhetorical element of American public discourse, “cri-
"Susan Bibler Coutin and Phyllis Pease Chock

crisis" transforms perceived social problems into political issues, and manages and rationalizes political risks to/for legislators (Chock 1991).

Journalists' use of legalization narratives countered rhetoric about an immigration crisis by assuring readers that the aliens eligible for amnesty were being given opportunity (in the form of legalization) precisely because they were different from the illegal immigrants responsible for the crisis. Legalization narratives therefore usually simply moved illegal immigrants from one cultural frame to another, from the "rhetoric of crisis" to the "American immigrant experience." While IRCA utilized the longer period of time that immigrants eligible for amnesty had been physically present in the U.S. to signal their difference from ineligible aliens, journalists did not emphasize immigrants' "physical presence" itself. Rather, the journalists emphasized immigrants' moral worth by transforming "length of physical presence" into other features of citizens—families, middle-class status, and hard work. In doing so, legalization narratives transformed non-beings into persons, but not complex persons.* Rather, these new persons were one-dimensional beings, namely, immigrants seeking opportunity. Occasionally, however, such depersonifying personifications were countered by terms, quotes, and narrative passages of the journalists' accounts that called the cultural frames themselves into question.

DEFINITIONS

To understand how the media became an arena in which legal identities were contested, it is first necessary to understand the frames in which these identities were defined. To make what otherwise might seem to be orderless incidents intelligible to readers, journalists use pre-existing cultural frames to narrate events (Hall, Critcher, Jefferson, Clarke, and Roberts 1978; Hallin 1987; Manoff and Schudson 1987). As we noted above, in news accounts about illegal immigration, the frames of crisis and opportunity were used to characterize undocumented immigrants. Both of these frames were simultaneously part of legal and cultural discourses about illegal immigration. In the first frame, illegal immigrants were presented as a threat to society. For example, a Washington Post article attributed to former INS district director Harold Ezell the observation that "illegal immigrants and their children were jamming the schools, filling hospital maternity wards, causing far more than their share of local crimes" (Matthews 1986a). Illegal aliens' threat to society derived from the intrinsic lawlessness implied by their juridical non-existence. In other words, illegal aliens, who lacked official allegiance to U.S. law, were conflated with criminals, who had violated the law to which they owed allegiance. In news accounts, the ambiguity of illegal aliens' presence was reflected in ghostlike imagery that located these "invisible men" (Maraniss 1987c) in the "shadows" (Chaze 1987; Lueck 1987), "an underground" (Del Vecchio and Garcia 1987a; Marcus and Arocha 1986), and a "shadowy underworld" (Brazil 1987). Since, legally, the act that placed these immigrants in the "shadows" was uncontrolled movement, undocumented immi-
grants were also represented as "streams" (Esper 1987; Brinkley 1986), "floods" (Shields and Morris 1987), and "torrents" (TC 1985). In short, within the frame of crisis, illegal aliens were destructive, lawless, foreign, and unrooted.

In the second frame, illegal immigrants were not a threat to society, but rather a boon in that, by striving to take advantage of opportunity, they reenacted the process that had created the nation (Chock 1989, 1991; cf. Cawelti 1965; Wyllie 1954; Rischin 1965). A Washington Post story, for example, pointed out that "[i]n many respects, the Hernandez family represents the classic American immigrant household" (Maraniss 1987a; also, McLeod 1987). In legalization narratives, this frame was used to recount illegal immigrants' metamorphoses from foreign nationals who were illegally in the United States to legal residents who had been given amnesty. According to these narratives, aliens, recognizing the economic, cultural, and educational opportunities available in the United States, had entered the country, despite the dangers of border-crossing and the laws that barred their presences. These immigrants—who, at the time, were illegal—had struggled to exist within the country, dreaming of someday obtaining citizenship (NYT 1986), but realizing that this goal would be nearly impossible for them to achieve. Suddenly and unexpectedly, they discovered that the U.S. Congress had passed a law allowing them to apply for legal status. Initially thrilled at this "godsend" (Shields 1987), immigrants soon became worried about whether or not they would qualify for amnesty. Upon qualifying, they learned that their anxieties had been groundless. Joyfully, they thanked the government officials who had enabled them to embark on the road to citizenship (Barker 1988).

Because both of these frames were used by journalists and others to define illegal immigrants, "illegal alien" was an ambiguous and ambivalent category. Journalists' representations of illegal aliens were therefore filled with contradictions. In news accounts, illegal aliens were depicted as inside yet outside of society ("half in, half out of this country," [Maraniss 1987a]), middle-class people who hid in a shadowy underworld, essentially the same though ethnically diverse, illegal but the backbone of the economy, sometimes prospering, sometimes descending into poverty, vermin with human faces. As a New York Times article stated, "the line there between illegal and legal is a blurry one" (Reinhold 1986). Journalists portrayed IRCA as having sharpened this line by (for the most part) successfully distinguishing aliens who deserved amnesty from those who did not. Journalists failed to acknowledge, however, that within their narratives of immigrants' lives, it was not only the law but also their own framing of immigrants' personal histories that transformed some illegal aliens into future citizens.

The chart below describes the ways that journalists' accounts of amnesty teased apart the ambiguity of illegal immigration, assigning negative attributes of the ambiguous category "illegal alien," to a new, unambiguous category, "illegal alien,2" aliens who were not eligible for amnesty. Positive, citizen-like features, by contrast, were associated with "amnesty applicant." The features that journalists associated with each of these categories are as follows:
To recount amnesty applicants' lives in terms of opportunity, journalists inverted (Babcock 1978) the features associated with illegal aliens as threats to society. For example, rather than portraying illegal immigrants as taking welfare, journalists noted that they were hard workers. Thus, Teodoro Romero put in "long hours ... each day in the steamy kitchen of a Menlo Park restaurant" (Del Vecchio and Garcia 1987a), amnesty recipients attending citizenship classes "work[ed] 12-hour days—two or three jobs, six days a week" (Chavez 1988), and a doctor urged Raul Hernandez to reduce his workweek of up to 75 hours (Mara-niss 1987c). According to journalists, the goal of such industriousness was one common to the immigrants who had formed the United States—improving one's life. For example, immigrant Severo Lujan dreamed of "get[ting] a house some-day for our kids—or even for ourselves" (Laws 1987). Some articles noted that far from being lawless, illegal immigrants were honest, self-reliant individuals. For example, an article said of immigrant Jose Ceron, "He has sought no aid be-yond school for his children. Nowhere in Los Angeles County, say officials, does his name appear on either relief rolls or criminal records" (Chavez 1987). Applicants' honesty was further emphasized by descriptions of their discomfort with the clandestine lifestyles they had been forced to lead. One article noted that Raul Hernandez was a strong, straightforward man who saw himself not as a criminal but as a family head who cared for the future of his wife and two children (Mara-
Media images further countered the notion that these immigrants were dangerous invaders by stressing that applicants were living in fear. One journalist noted that, when stopped in a highway trap, immigrant Raul Hernandez had had to overcome his fear of being recognized as an undocumented alien in order to extricate himself (Maraniss 1987b).

As they removed amnesty applicants from the category “illegal alien,” journalists minimized the class distances between “amnesty applicants” and “citizens.” Legalization narratives usually portrayed eligible immigrants as upwardly mobile. For instance, a waiter went to college and wanted a career in computers, a housekeeper studied English in order to get a better job (Barker 1988), and an immigrant family put its children through college (Garcia 1987b). Illegal aliens, in contrast, were portrayed as doing the demeaning, non-middle class labor that “Americans” would not do—a depiction that confirmed popular stereotypes of illegal immigrants as impoverished, lower class laborers who did not compete with Americans. Legalization stories thus implicitly drew a class boundary not between citizens and amnesty applicants非法移民, but rather between citizens/amnesty applicants and ineligible illegal aliens. Since illegal aliens were outside of American society, their doing “stoop labor” in fields and “piece work” in garment factories did not draw attention to class differences within American society.

By using “opportunity” to frame their accounts of amnesty applicants, journalists minimized not only class but also ethnic and racial differences between eligible aliens and citizens. One article compared a muscular immigrant to Popeye, an American cartoon character (Chaze 1987), others described amnesty applicants as speaking “perfect English” (Garcia 1987a, 1987b); and still others featured immigrants’ own comments about the strength of their ties to the United States (S. Chavez 1988). An article in the Tucson Citizen ran the headline “Mexico is behind her for good, says woman waiting for amnesty,” with the subtitle, “Marcela loves the United States” (TC 1987c). The Washington Post (Maraniss 1988) reported that amnesty applicant Raul Hernandez, after getting his temporary residence permit and “a new identity,” made a visit to his “roots” in his hometown in Mexico; while there, he oiled and fastened the lock on a storage room door. He was “completing a cycle,” “closing the door on the life he left behind.” By emphasizing amnesty applicants’ commitments to the United States, journalists negated these immigrants’ ethnic differences and erased their histories (see also Chock 1991). These depictions also de-emphasized immigrants’ continuing, multiple ties to their countries of origin (see, for example, Glick Schiller, Basch, and Blanc-Szanton 1992). In legalization narratives, immigrants’ lives became yet another instance of the American immigrant experience. For example, journalists wrote of amnesty applicants, “Ceron differs little from generations of earlier immigrants” (Chaze 1987), “the Hernandez family represents the classic American immigrant household” (Maraniss 1987a), and “the reasons new American immigrants give for coming here would sound familiar to earlier generations of newcomers” (McLeod 1987).
In disambiguating the category “illegal alien,” journalists also manipulated notions of gender that are implicit both in legal categories and in narratives of illegal immigration as either threat or opportunity. Virginia Sapiro (1984) has described how links between patriarchy and citizenship were inscribed into U.S. immigration law between 1855 and 1934, when, for example, women who married aliens were in danger of losing their U.S. citizenship or of being unable to pass their citizenship on to their children. Similarly, the American immigrant story assumes a male protagonist who is the head of the household. In contrast, some illegal immigrants who threatened society were depicted as welfare families. This image focused on mothers giving birth in public hospitals (Mathews 1986a; Taylor 1984; Getshow, Pertzinger, Moffatt, and Solis 1985) and hence on women’s disorderliness that stemmed from their fecundity. Other illegal migrants were depicted as delinquent young men. For example, young male migrant workers who took up residence in the hills in San Diego County were accused by local residents of burglaries, harassing schoolchildren, raping a 15-year-old girl, and committing more than their share of crimes (Bailey and Reza 1988). Legalization narratives used these notions of gender to emphasize the “worthiness” of the aliens who were eligible for amnesty. These narratives usually focused either on married men (who were assumed to be more rooted, assimilable, and orderly than their single counterparts) or on single women (who generally were not having children). Stories about male family heads (such as the WP series on the Hernandez family) appear to affirm the image of the proto-citizen as patriarch, and imply that women (especially married women) and children may less assuredly be eligible for amnesty and citizenship in their own right. Married women were auxiliaries to the male protagonists of these stories. Single women, who appeared in legalization narratives less frequently than married men, were depicted as goal-oriented and industrious, like married men, and not as “welfare mothers” who bore and raised large numbers of children at public expense. For example, Irma Navarro, a single immigrant from Mexico, was a college graduate (Garcia 1987b), and Emma, a pregnant Filipina, came to the United States “for a better future for myself and my children” (Del Vecchio and Garcia 1987b).

Legalization narratives also converted alien unknowns into persons who could be given biographies, memories, and motivations. For example, a feature story about illegal immigrants from Mexico (Mathews 1986b), which was published before the amnesty provisions of IRCA became law, narrated what the journalist described as the success of Manuel Sahagun, a young man who had been an illegal immigrant, but who had recently received a “green card” for permanent immigrant status. He had won a college scholarship. The story transformed Sahagun from an “illegal immigrant” into a “person” by narrating details of his life—how he and his parents had originally arrived in the U.S., their fears and doubts about life in the U.S., and some of Sahagun’s experiences and successes in school. In this and other stories, amnesty applicants were also personified by being named. Though the names used in legalization narratives were, as journalists acknowledged, often pseudonyms (and therefore indicative of am-
Amnesty applicants were further personified through the photographs that accompanied legalization narratives. Photographs were often casual, photo-album-like "snapshots" of individuals, family groupings, or friends (e.g., Maraniss 1987a–e, 1988; Chaze 1987; Laws 1987). Such photos, each of which implied its own story, gave immigrants the knowable, even familiar world that "persons" have (cf. Parada 1984; Andersen 1988; Shapiro 1988; Bolles 1992; Lutz and Collins 1993), and suggested that these immigrants had set down roots in American communities. Amnesty applicants were also photographed at their workplaces, which reinforced the idea that they were hard workers. In one photo that appeared in the San Francisco Chronicle (see Figure 1), Clara, an eligible immigrant, was photographed at an office desk leafing through papers (Garcia and Del Vecchio 1987). Other photographs situated immigrants in doorways of homes, cars, and offices (e.g., Garcia 1987b; Del Vecchio and Garcia 1987b; Laws 1987; Maraniss 1988), and thus suggested that amnesty applicants were in transition from one status to the next. The texts of articles on amnesty applicants were also replete with images of doorways. Journalists wrote that amnesty "opens the door" to illegal immigrants, the entry way to the United States was described as a "golden door" (Braun 1988b), and one article quoted an INS official to the effect that on May 4, 1988, the final day of the amnesty program, "the door slams, the windows shut" (Hernandez and Boyer 1988). In a Washington Post article subtitled "The First Door Opens," Marta and Raul Hernandez were pictured holding their newly obtained legal-residence cards and standing in front of a poster of the Statue of Liberty, the "golden door" (Maraniss 1987e). In another photograph, from the San Francisco Chronicle (see Figure 2), an immigrant identified as Ramon was pictured with his son in the bright lights of the INS office, where he had picked up a legalization application form (Garcia 1987a). Ramon was portrayed as no longer entirely in the shadows of the crisis frame; rather, he was a father with a child to care for. His facial features were revealed, if not his name, which the caption said he would not give. A poster of the Statue of Liberty pictured behind Ramon connected Ramon’s story with the legalization narrative of the immigrant opportunity frame. The straight rows of tables, tidy arrays of papers, personnel stationed to assist inquirers, informative signs, and the grid-like patterns of the ceiling tiles, lights, and windows suggested the orderliness and normalization to be lent to the immigrant’s new life. Finally, like the caption without Ramon’s full name, photographs also depicted applicants’ continued li-
Figure 1. Clara, an eligible immigrant, was photographed at an office desk leafing through papers. The photo depicted her liminality; she was literally in the shadows, a silhouette, whose features were indiscernible. (Used with permission.)

Journalists' use of the frame of opportunity successfully countered the notion that all illegal aliens threaten society, but it only did so by substituting one cultural frame for another. A more complex view of the "persons" constructed within these articles emerges when one examines the subtle ways that immigrants—and sometimes journalists—challenged the terms of the frames themselves.

PARADOXES

As we noted above, by constructing images of amnesty applicants, journalists were negotiating not only who could be a "person" but also who a "person" could be. In other words, news accounts not only portrayed IRCA as having clarified ambiguities within the category "illegal alien" but also suggested that in some ways, the illegal aliens who were eligible for amnesty remained paradoxical, unruly beings who could not be made to fit existing categories. By noting that these contradictory beings were, nonetheless, to become legal "persons" through IRCA's legalization provisions, articles implied that there were alternatives to us-
ing the frames of "crisis" and "opportunity" to narrate immigrants' lives. Though they were subtle, such hints did suggest ways in which notions of personhood could be redefined.

The paradoxes within journalists' accounts of IRCA stemmed in part from the complex ways in which journalists were positioned via-à-vis the articles that they produced and the events that they narrated. Significantly, although journalists were among those who defined the new category, "amnesty applicant," journalists had to portray themselves as *distanced observers* of a conflict between government officials and immigrant advocates in order to write stories that readers would accept as "objective" and "fair" (cf. Manoff and Schudson 1987; Schudson 1989). In characterizing journalists as definers, we are differentiating our analysis of journalists' participation in public discourses, that is, their agency, from Schudson's (1987:96,97). In his discussion of what he calls "the semiotic tense" in media stories, Schudson explains how journalists' stories become "element[s] in politics." Semiotic tense refers to stories in which events are not reported, but provide "officials a place to elaborate interpretive webs as part of a negotiating and signaling process." Thus, he concludes, "the story itself is an act in the drama it reports on." We argue that journalists were not simply providing officials or other participants with a space from which to interpret, but were themselves actively interpreting, adjudicating, and contesting the meanings of
events. As journalists represented the views of various participants (such as government agencies, Congress, the courts, scholars, anti-immigration groups, immigrants, and immigrant advocates) in this struggle over the meaning of this category, they produced multivalent, and even contradictory, meanings. Consequently, journalists, like all active interpreters, were caught in paradoxes that resulted from their efforts to make categories encompass multifaceted events.

One of the ways in which journalists both were and yet tried not to seem to be definers of immigration categories was by using “balance” in their accounts of IRCA. Balanced accounts are supposed to be objective in that they quote both sides in a conflict. Journalists’ accounts did quote both sides, but did so in a way that placed officials and institutions at the center of the process that stipulated what categories meant. The INS, for example, was characterized as disputing or rejecting criticisms that were leveled at it, but was rarely positioned as a critic itself. Other definers, such as immigrant advocates, were positioned as “critics” of official definitions or policies, and thus as outside this center (e.g., “Critics contend that far more immigrants should qualify for amnesty” and the INS “imposed excessive requirements on applicants” [Arocha 1987]) (cf. Hall et al. 1978 on officials as “primary definers” of news events; cf. Sigal [1987: 25] on officials as journalists’ “sources”). In contrast to this depiction of the debate between government officials and other definers, disagreements between government officials were portrayed as conflicts between equals. For instance, one journalist noted that officials were “divided” over a plan to offer safe haven to certain immigrants (TC 1987a), and another termed the debate over whether or not to count illegal aliens in the 1990 census a “war between the states” (TC 1987b).

While the kind of balance created by quoting both sides insured that immigrants’ and immigrant advocates’ views would be quoted, its effect was to marginalize their views. For example, some journalists undermined the notion that IRCA would remedy the immigration “crisis” by noting that the act had had some unexpected consequences. In one such article, a researcher was quoted as having found that, rather than reforming immigration, IRCA might create “the permanent underclass” of illegal immigrants that it was supposed to eliminate (Mathews 1988). But the same article also used quotes from an INS spokesman and the director of an anti-immigration group to question this researcher’s conclusions. That the law did not clarify immigration categories, as journalists had portrayed it doing, was a paradox whose import was noted but weakened by the “balance” in the story. Our point is not that journalists should have reported only the views of immigrant advocates or of scholars, but that “balance” as a strategy of representation of multiple voices subdues the voices of others in favor of those of officials and institutions.

A second way that journalists used “balance” was more successful in representing multiple voices and in noting paradoxes. In addition to juxtaposing quotes from competing sources in the same article, journalists balanced their coverage of officials and institutions by reporting on under-represented groups, such as immigrant factory workers or homeless immigrants. In some such stories, immigrants were portrayed as facing dilemmas that were created not by im-
migrants’ own actions or character, but rather by structural contradictions in which immigrants were caught. The limitations of the legal categories created by IRCA and the frames of alien lawlessness and immigrant opportunity-seeking were also sometimes portrayed as sources of immigrants’ dilemmas. For example, when a journalist asked “Ignacio,” a factory worker in East Oakland, why “men like him” work long hours at low-paying, unsafe jobs, Ignacio answered, “These people do it because they’re under a lot more pressure than anyone else,” and noted the risk of getting caught by the INS. Ignacio’s response implies that immigrants are caught in structures that force them to make choices, and that it is not their characters that lead them to choose or reject opportunity. The reporter then queried, “What would happen if there were no more Ignacios to clean the floors, make the beds and run the grinding machines?” (Del Vecchio and Garcia 1987a). This question raises the possibility that society might fail to produce people who had to do this work. Another story (Sanchez 1987) concerned a woman who had left her daughter in El Salvador, but was unable to earn enough money to send for her, though the woman liked it here. The reporter wrote that Salvadorans are traumatized and uncertain, and concluded they’re better off here, but not happy. The narrative held a tension between character and structures that was not resolved. This story (Sanchez 1987) was accompanied by an immigrant’s pastoral sketch of “farm life,” but the sketch was captioned, “Efrain, who saw two of his friends beheaded, sketched farm life in the shadow of Chinahoutepec volcano in El Salvador.” This strikes us as an unfathomable juxtaposition—beheading and tranquil farm life. Ineligible immigrants’ stories were often inconclusive, posed as painful dilemmas of immigrants.

Another positioning that enabled journalists to question the meanings of categories was that of “informers of public opinion,” a role to which journalists explicitly subscribe and which they assume for the benefit of what they seem to perceive as a less well-informed public (Schudson 1982:99). In this capacity some journalists depicted immigrants as challenging official definitions as well as popular ideas about immigrant opportunity, and journalists themselves appear to have wanted to counter what they seemed to perceive as popular stereotypes of immigrants. In this struggle journalists were in some respects brokers of definitions of personhood and therefore were capable of reinforcing or redefining categories. In this role journalists sometimes appeared to be “allies” of immigrants, in that journalists seemed to view immigrants as victims of stereotyping that they wanted to challenge. In addition, journalists used irony to expose and question officials’ categorization and classification of individuals. Journalists, however, also seemed at times to be “adversaries” of immigrants, because journalists tried to personify immigrants by the use of narratives that immigrants did not control, and that created stereotypes.

In their roles as providers of balanced accounts and as informers of public opinion, journalists also observed that IRCA had created a new, unnamed immigration category: that of illegal aliens who resembled amnesty applicants but who could not apply. Journalists thus depicted the distinctions between eligible and ineligible aliens as arbitrary. For instance, journalists cited immigrant rights
advocates' claims that many eligible (and presumably equally deserving) aliens had failed to apply for amnesty due to lack of information, fear of the INS, inability to pay the application fee, or other reasons. Moreover, the fact that an arbitrarily chosen arrival date—January 1, 1982—divided eligible from ineligible aliens suggested that journalists' portrayals of amnesty applicants might apply to illegal immigrants who had arrived after the cut-off date. One article questioned the equation of continuous presence with worthiness for legalization by describing the case of a woman who had lived in the U.S. for a total of six years, but had been in Mexico from 1982–1986. The woman believed that she might qualify for amnesty because, "I have a good record. I have always worked and gone to school and I have never had any problems" (Stolberg 1988). Similarly, stories told of Salvadorans who, despite the risks they took to seek a better, safer life (Maraniss 1987c) and their hardworking, family-oriented lives (Jordan 1987), were not eligible because they had arrived in the U.S. after the cut-off date.

Noting the resemblances between eligible and ineligible immigrants led journalists to cast doubt on the notion that the category "amnesty applicant" clarified the class, ethnic, racial, and gender differences between proto-citizens and ineligible aliens. For example, by pointing out that some illegal immigrants were professionals, journalists implied that class differences between citizens and illegal aliens were not so clear, and that immigrants could not be made to fit the alternative frames of lawlessness and opportunity unambiguously. When they noted that some undocumented immigrants were nurses, accountants, students, or business executives, journalists played on popular images of the "invisible" illegal alien. If illegal aliens were in another, "shadowy" world, then one would not be likely to meet them. But if one could not reliably use class stereotypes to identify illegal aliens, if the worlds of citizens/amnesty applicants and illegal aliens were one, if illegal aliens were truly "invisible" in the sense of being indistinguishable from those around them, then citizens could never be sure that they had adequately protected themselves from the dangers (such as lawlessness, disorder, or disease) associated with illegal aliens. Employers, social workers, and others would have to check everyone's I.D.s, not only to avoid being accused of discriminating against those who appeared "foreign" or of aiding and abetting illegal immigrants, but also for their own security.

As well, it was a paradox that in order to disambiguate "illegal alien" by downplaying ethnic and racial differences between amnesty applicants and other Americans, journalists had first to identify such differences. For example, immigrants were described as speaking halting English or an English peppered with foreign phrases, watching the Spanish language T.V. channels, looking like campesinos, maintaining roots in other countries, and eating Mexican sweet bread (Garcia 1987b; Laws 1987; TC 1987c; Duarte 1987; Maraniss 1988). To attract and communicate with amnesty applicants, journalists noted, government officials had to wear sombreros (LAT 1988; Yoshihashi 1988), hold fiestas and luaus (Braun 1988a), and play mariachi music (Braun and Hernandez 1988; Barker and Arocha 1988). Some journalists' emphasis on applicants' ethnic and socioeconomic diversity seemed a deliberate attempt to counter the stereotype that
illegal aliens were predominantly Mexican farmworkers or low-status laborers. For example, an article in the *San Francisco Chronicle* stated that “In the Bay Area, illegal workers range from young Mexican women who toil on low-wage Silicon Valley assembly lines to Ethiopian accountants living in this country on expired visas. They include bartenders and nurses, Canadians and Irish, executives and students” (Del Vecchio and Garcia 1987a). The *New York Times* (Reinhold 1987) cited an INS official, who said that “the aliens [expected to seek amnesty] are not just Mexicans.... [T]here will be surprising numbers of Irish, British, Italian and other Europeans....”

Journalists also de-emphasized racial and ethnic differences between immigrants by denying that some ethnic and racial groups were subordinate to others. For example, a journalist’s inclusion of a quote in which U.S. Senator Alan Simpson, the principal Senate sponsor of IRCA (which affected millions of nonwhite immigrants, who were the usual subjects of media coverage) referred to himself as a “bald, Anglo, skinny guy” (Thorton 1986) portrayed racial/ethnic differences as something that everyone has, and thus denied racial hierarchy. By so trivializing ethnic/racial difference, journalists suggested that the immigrant experience Americanized (and thus equalized) ethnically and racially diverse immigrants. At the same time, journalists’ noting these differences left open the possibility of their return in non-trivial forms, either as a racial/ethnic imaginary or as insistent otherness.

Just as journalists did not succeed in disambiguating racial, ethnic, and class implications of this category, neither did news accounts resolve gender paradoxes. Single women, some with children, or women whose husbands and children were not with them in the U.S., who were represented in news stories as industrious and goal-oriented like male seekers of opportunity, confounded the definition of citizen ‘entailed by legalization narratives. These women immigrants were active protagonists, yet they were not men; they were women, yet they were not men’s dependents or welfare recipients. In one account the journalist tried to re-clarify the gender coordinates of “citizen” by depicting a man who was a long-time employer of a woman domestic worker playing the narrative role of the male family head by guiding his employee through the amnesty application process (Barker and Arocha 1987).

Their positioning as balanced reporters constrained journalists’ ability to comment on events they reported. The contradictions that some accounts pointed to were sometimes devised by journalists’ use of “inductive ironies,” that is, ironical juxtapositions that purported to “enable the world to speak for itself,” rather than suggesting that journalists were interpreting reality (Manoff 1987:227–28). One pair of *Washington Post* stories focused on Salvadoran immigrants who were not eligible for amnesty and who were unemployed and homeless, pointing out that IRCA’s effect was to impoverish these immigrants, whose employers were firing them in anticipation of IRCA’s employer sanctions. A *Washington Post* reporter quoted a ditty sung by a homeless Salvadoran man; the immigrant implied that he and his companions were “so perfect,” while residents around them were “ugly,” reversing the residents’ view that these immi-
grants were undesirable neighbors (Greene 1987). Also, a Los Angeles Times article (McGraw and Boyer 1988) described the last amnesty application in the nation (from a Tongan who submitted his application in Hawaii at midnight of the final day). According to the journalist, the immigrant said he had waited until the last minute because “[h]e was gone fishing.” On such an auspicious day, this comment, which may also have been a joke, countered the notion that immigrants were desperate to be legalized.

Finally, in coverage of under-represented groups, immigrants seemed to be negotiating with journalists about their representations. Amnesty applicants’ personhood was ambiguous because, in transforming immigrants into one-dimensional proto-citizens, legalization narratives erased the complexities, uncertainties, and inconsistencies of fully personified individuals. But immigrants at times resisted becoming the persons that the journalists’ legalization narratives “invited them to be” (cf. White 1986:847). One instance of an immigrant negotiating with a reporter for her own story is that of the woman mentioned above, who believed that she might qualify for amnesty because “I have a good record. I have always worked and gone to school and I have never had any problems” (Stolberg 1988). In another case, when Manuel Sahagun mused about ambiguities in his ties to the U.S. and to Mexico (such as in which country he would prefer to live, where he would be able to work, and what language he would rather speak), the reporter asked him to choose where his loyalty lay (would he root for a Mexican soccer team against an American team? where would he have a better life?) (Mathews 1986b). The reporter implied that the young man had to face the “reality” that his dream was America, not Mexico. Manuel Sahagun’s answers to the reporters’ questions—questions that were created by the opportunity narrative—partly silenced his own voice. However, traces of Sahagun’s ambivalence about the U.S. and opportunity do remain; Sahagun indicated that he might have to choose the U.S., in contrast to the legalization narrative in which an immigrant eagerly chooses the U.S. Sahagun’s hesitation in making a choice suggests that he has untold stories that lie just outside the reporter’s account.

Despite such occasional ambivalence, news accounts of IRCA generally reproduced, rather than transformed, the cultural frames out of which these accounts were constructed. News coverage inverted, introduced ambiguity to, or purported to disambiguate the categories “illegal alien” and “amnesty applicant,” but it less frequently noted the constructedness of the categories themselves. However, the occasions when accounts did call immigration categories into question were significant, we believe, not necessarily for their impact on public policy or opinion, but rather for the insight they offer into the negotiation of understandings of personhood that are embedded in the cultural discourses that journalists used.

CONCLUSION

Journalists did play a role in defining the category “amnesty applicant,” but the definitions that journalists created were, for the most part, consistent with the
meanings implicit in the allegedly universal categories, "citizen" and "illegal alien." News accounts of IRCA generally simply extricated eligible aliens from the frame of crisis and recast their lives in terms of opportunity. Thus, in journalists' depictions amnesty remained a "godsend" to immigrants and illegal immigration continued to "threaten social stability." For example, it has now become accepted truth that IRCA was a "failure" because employer sanctions did not stem the tide of illegal immigration (Miller and Ostrow 1993; Applebome 1988; Lawrence Fuchs, cited in Morganthau 1993:20). The way that media accounts of IRCA centered officials' accounts and marginalized those of immigration advocates further reinforced such imagery of crisis and opportunity and supported officials' prerogatives to define social reality. Journalists' efforts to challenge stereotypes by recounting amnesty applicants' personal histories actually promoted stereotypes by making these immigrants into characters in stories whose plot had been formulated long before IRCA was passed. The paradoxes that arose in journalists' accounts of the amnesty program largely served to minimize ethnic, racial, and class differences between citizens and illegal immigrants and affirmed the gender stereotypes that the category "citizen" implies. Finally, by building legalization narratives around character traits (such as the desire for self-improvement and the willingness to work hard) rather than around social and historical forces (such as U.S. immigration policy and international economic and political inequities), journalists failed to draw attention to the structures that produced illegal immigrants and amnesty applicants. In short, media accounts of IRCA generally portrayed immigration categories as natural or given rather than as constructed and overlooked journalists' own participation in defining these categories.

At the same time that journalists' depictions of immigrants largely reinforced and recreated meanings that are implicit in categories of citizenship, the complexities of the ways that these depictions were produced made them multivocal. Journalists' definitions of immigrants were shaped by structures of media production, including the economic organization of news media corporations, professional and organizational routines, and cultural conventions (Schudson 1989; Lutz and Collins 1993). Journalists' representations of immigrants were also shaped by journalists' own attempts, for example, to counter stereotypes of immigrants, to present reports that would be received as objective, to clarify ambiguity, to create interest by noting ambiguity, and to represent the under-represented. As a result, journalists' accounts of immigration reform contained conflicting meanings, inversions of definitions, ambiguous images, ironical juxtapositions, self-contradiction, and the like, all of which are interpretive practices by which diversely situated actors call attention to the constructedness of social categories. If categories are noted to be constructed, provisional, or historical, actors may challenge or dismantle their seeming givenness or naturalness (Chock 1987). Ryan (1992:274) points out that legal categories are similarly multivocal and "inextricably embedded in material circumstances whose complexity is resistant to one good judge's fiat." Legal meanings, he argues, emerge in many different forums in incoherent and contestable social worlds. The contest-
able and contested nature of the social worlds that journalists depicted made journalists' characterizations of immigrants paradoxical, as well as clarifying.

Because journalists' definitions of such categories as "amnesty applicant" were multiple and sometimes paradoxical, they were also possibly subversive. For instance, journalists did sometimes question immigration categories and critique these categories' associated rhetorics of crisis and opportunity—though, for the reasons given above, such critiques were rarely sustained. By noting that, according to IRCA's own standards, certain ineligible aliens seemed as deserving as eligible applicants, journalists suggested that the categorization process instituted by IRCA was flawed. Citing immigrant advocates' criticisms of the amnesty program, as required by journalistic "balance," further challenged the clarity and authority of immigration categories. In addition, by occasionally observing that IRCA had had unexpected consequences, such as leading seasonal illegal immigrants to stay in the United States (Mathews 1988), journalists suggested that IRCA was built on faulty assumptions.

Another way journalists subverted these categories was by using personal narratives and inductive ironies. These sometimes enabled the immigrants whose lives were recounted in legalization narratives to negotiate their self-representations in ways that resisted categorization within the frames of crisis and opportunity (and thus within these frames' associated categories, "illegal alien" and "amnesty applicant"). For example, when Manuel Sahagun refused to choose between the United States and Mexico, this immigrant suggested that he was neither an "interloper" (as an ineligible alien would be) nor a future citizen (as an amnesty applicant would be), but rather a person with multiple identities (cf. Glick Schiller, Basch, and Blanc-Szanton 1992). The unresolved tensions in journalists' use of racial, ethnic, class, and gender imagery also allowed room for questioning such imagery by, for example, suggesting that illegal aliens were an exploited class. Thus, Ignacio's comment that illegal immigrants worked long hours at low paying jobs not because they were greedy (as would be an ineligible alien) nor because they were hardworking (as would be an amnesty applicant), but rather because they faced the threat of deportation, draws attention to the structural forces that produce illegal immigrants. The journalist's subsequent query ("What if there were no more Ignacio's?") could then be interpreted as pointing to what authorities and employers would probably perceive as the frightening possibility that the forces that make people immigrate illegally might become inoperative.

It is unclear whether or how journalists' normalizing (cf. Asad 1990; Foucault 1979:183) yet occasionally subversive depictions of amnesty applicants affected readers' understanding of this category and IRCA itself. There are hints that media coverage of the amnesty program influenced some readers' opinions and actions. For instance, news articles are read and clipped by legislators' staffs, read into the Congressional Record, appended to hearing transcripts, and incorporated into government reports. Additionally, since the INS is concerned about its public image (Gilboy 1992), the press can influence authorities' interpretation and enforcement of immigration law (Harwood 1984; Calavita 1990). Finally, mem-
bers of the public also use the media (along with other sources of knowledge) to interpret the law (cf. Macaulay 1987). For example, advocates for immigrants compete for media attention, assess what the media are likely to cover, and develop slogans and campaigns to convey their messages through the media. Also, occasional employers of workers may rely on media images of immigrants and the law, as well as on word-of-mouth, in deciding which immigrants can be legally hired. However, we do not have data on readers' interpretations of these news articles, nor on how these interpretations influenced individuals' actions or opinions. Let us just say that, in our own view, oppositional readings of elements of these articles were possible, although perhaps unlikely.

Regardless of how they were interpreted by readers, media accounts of the amnesty program shed light on the ways that identities are constructed and negotiated within public discourse, and thus on processes that may be occurring in other contexts as well. The categories that journalists manipulated and redefined were simultaneously legal and social; that is, they were part of U.S. cultural discourses on immigration and opportunity as well as of legal notions of personhood. The complex meanings of these categories derive from both of these sources. Culturally, according to the frame of opportunity, deserving immigrants are honest, hard working individuals who strive to better their lives by taking advantage of the opportunities that America offers. Legally, immigrants who are dishonest (for example, who submit fraudulent amnesty applications), greedy (for example, who are on the public dole), or disinterested in becoming Americans (and who therefore do not take required English or civics classes) are ineligible for citizenship. Race, class, ethnicity, and gender are also implied by these categories both socially (in that, for example, the protagonist of the opportunity story is assumed to be male) and legally (in that, for example, in the past, U.S. law denied citizenship to women and to members of particular racial and national groups). When immigrants and others negotiate the meaning of such categories as "citizen" and "illegal alien," they, like journalists, manipulate the meanings that are implicit in these allegedly universal categories. For example, on the final day of the legalization program, immigrants who did not qualify held a protest in Los Angeles, California (Hernandez and Boyer 1988). Holding signs that read, "Tenemos derecho a mejorar las condiciones de vida de nuestras familias" ("We have the right to improve the living conditions of our families"), these immigrants claimed the legal promise implied by the opportunity story. A second slogan, "No queremos oro, ni riquezas, queremos un trozo de pan" ("We don't want gold or riches, we only want a piece of bread"), countered the idea that illegal immigrants are greedy. As this protest suggests, the outcomes of such negotiations are far from trivial. Immigrants' abilities to live and work in this country may depend on their successfully negotiating who a person can be, both socially and legally.

NOTES

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1 The phrase, “Your friend, the illegal,” is from a poem written by a Mexican immigrant who died of suffocation, dehydration, or heat, with a number of other immigrants, in a locked boxcar in Texas while attempting to enter the U.S. This poem was quoted in the *San Francisco Chronicle’s* account of the deaths. The inclusion of the poem in the news article is an example of the use of inductive ironies in media coverage of illegal immigration. This phrase also could characterize the news media’s attempt to redefine illegal aliens who were eligible for amnesty as “friends,” rather than enemies, criminals, welfare mothers, etc. The phrase also captures the failure of this attempt, in that the “persons”/friends constructed in legalization narratives remained “categories” (like “the illegal”).

2 In the United States, as in many European nations, Australia, and Japan (Bosniak 1991; Kearney 1991), illegal immigration defies many of the assumptions on which legal notions of personhood are based.

3 Some immigration scholars have argued that unauthorized entry is criminalized in order to make those who perform this act more vulnerable to their employers through the threat of deportation and the lack of legal rights. Such scholars argue that the U.S. government has no intention of effectively enforcing laws barring unauthorized entry. See, for example, Jenkins 1978; Bach 1978; and Calavita 1990.

4 Other, less well-publicized provisions of IRCA included beefing up the Border Patrol through increases in funding, kinds and sophistication of technology, and the number of border patrol agents.

5 The 1970s were not the first time in U.S. history that immigration was defined as a crisis. For example, during the Bracero Program, which was in effect from 1942 until 1964, the Immigration and Naturalization Service deported numerous immigrants in a project called “Operation Wetback.” See Calavita 1992 for a discussion of these events.

6 Our thinking about the questions of who can be a person and who a person can be was stimulated by Carol Greenhouse’s (1993) discussion. David Schneider (1968) explicated the American cultural category “person” in his analysis of American kinship.
7. On media framing, see also Gamson and Modigliani 1989; Gamson, Croteau, and Haynes 1992. Cf. Gregory (1994) on how the news media’s framing of accounts of “crime” in Newark was “shaped by everyday practices of domination, which constitute identities.” Cf. also Bourneman (1986) on framing of magazine accounts of “Marielitos.” Such “framing” is not limited to news accounts but also occurs in other narratives, such as courtroom testimony (Bennett and Feldman 1982; see also Mather and Yngvesson 1980-81).

8. On the media’s role in constructing social crises, see Hall et al. 1978 and Gilliom 1994.

9. The use of terms such as streams, floods, and torrents is not unique to news coverage of IRCA or of immigration, but the meanings and implications of these terms on which we focus here—ambiguity, lawlessness, and destructiveness that stem from uncontrolled movement—derive from their use in the particular context of debate about immigration law.

10. This notion of opportunity is linked to cultural discourses about belonging, according to which equal and autonomous individuals create community by choosing to embrace a common set of values (see Bellah, Madsen, Sullivan, Swidler, and Tipton 1985). Yngvesson (1993) notes that within the alternative dispute resolution movement, such notions of community lead volunteer mediators (much like the journalists who wrote about IRCA) to de-emphasize structural factors (such as race, class, and gender) that make disputants neither equal nor autonomous.

11. Of course, other images did portray these immigrants as competing for Americans’ jobs.

12. We are using “race” as a category distinct from “ethnicity” to separate our usage from ideological uses of “ethnicity” that elide “race” as an American category of social marking (see Omi and Winant 1986).

13. Similar notions appear outside of news articles. For example, in a recent book about immigration policy, Dan Lacey (1990:13) writes, “I admit that, as with most Americans of European descent, my first glimpse of people from non-European countries sometimes generates gut emotions of annoyance, resentment or fear. But then these people change, right before my eyes, into clones of my own immigrant grandparents and those of many of the people I know and love.”

14. Examinations of microfilmed copies of this photo, as well as comparisons with other photos published on the same page, suggest that this photo was indeed darkened not only in our clipping, but in all editions of the San Francisco Chronicle in which it was published. We cannot, however, determine definitively that this was so.

15. The object of our analysis, then, is not to assess blame for journalists’ mistakes or biases; nor do we argue for a “conspiracy” view of the media’s contribution to defining law (cf. Herman and Chomsky 1988, cited in Schudson 1989). In our analysis we aim to take account of journalist’s agency within these constraints, in contrast to Sigal’s implying, for example, that journalists have little agency: “News is, after all, not what journalists think, but what their sources say” (1987:29). We take journalists’ accounts, rather, to be performative speech events, in which journalists are active participants and in which meanings are emergent (Urciuoli 1993:207).

16. At a meeting between INS officials and immigrant advocates in Los Angeles, California, in July 1993, Susan Coutin learned that immigrants’ characters, which were a focus of the news media’s legalization narratives, were also of interest to Immigration officials who adjudicate petitions for legal status. In order to qualify for certain legal statuses, immigrants must demonstrate a good moral character (what officials at the meeting termed “GMC”) for the five years prior to submitting their petition. Multiple traffic tickets and failure to register for the draft were cited as signs of poor moral character by INS officials.

17. Cf. Cover 1986 and Minow 1987, both of whom forcefully make the point that the outcomes of legal processes are material and may be violent. We are arguing that journalists were participating in the defining of legal categories, the use of which materially and even violently affects people’s lives. Our argument then differs from those such as White’s (1985, 1986), which underemphasize the materiality of legal discourse.

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148 Susan Bibler Coutin and Phyllis Pease Chock


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