

ACTIVISM, IDENTITY AND RIGHTS IN DEPORTEE COMMUNITIES

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Beth Caldwell's *Deported Americans* advances a much-needed conversation in immigration law about the devastating effects of deportation on individuals, their families, and their communities. The cumulative effect of projects like Professor Caldwell's is to increase pressure on policymakers, politicians, immigration judges, and lawyers to recognize that the extreme hardships involved in deportation are punishing in their psychological, social, and economic effects. This alone is a major achievement of her book. In this essay, I hope to magnify Professor Caldwell's voice and the voices of her subjects by linking them with other storytelling initiatives, like the Humanizing Deportation Project at UC Davis, which records deported individuals' stories through digital methods. By creating links between projects that record the narratives of thousands of deported individuals, I seek to underscore the systemic nature of the devastation caused by deportation, as well as the resilient identities of the voices in these narratives.

Today, immigrants who "grew up" in an atmosphere of resistance and activism are crossing borders because of deportation. As Beth Caldwell notes, even if immigrants do not have full due process protections in federal deportation and detention processes, they still believe that they deserve those rights or, at a minimum, understand that a rights regime exists.¹ This understanding of the rights-bearing individual is carved into the identity of deported immigrants who have lived for any length of time in the United States through the educational system, media, and other forms of popular culture. We would expect immigrants who live in the United States long enough to value autonomy, uniqueness, freedom, and the right to self-

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1. See BETH C. CALDWELL, *DEPORTED AMERICANS: LIFE AFTER DEPORTATION TO MEXICO* 156-57 (2019).

expression.² The stories that Professor Caldwell documents, as well as the stories mined in the Humanizing Deportation Project, exhibit this level of rights-bearing self-identity in deported individuals.

After deportation, individuals carry their self-identity, forged in the United States, with them.³ Deported individuals have organized into collectives, non-profits, and community organizations that foster both a sense of identity and a conception of rights as they attempt to integrate in new surroundings as deportees. They continue to identify with U.S. culture and consider themselves deported Americans in many senses.

This Essay describes the extent to which the rights-bearing identity translates across borders in the stories of deported immigrants. I have mined the stories in public websites, like the Humanizing Deportation Project, for examples that demonstrate how deportees view themselves and for clues of Professor Caldwell's *Deported Americans* narrative. The Humanizing Deportation Project is a digital archive of immigrant narratives that was initiated, developed, and maintained by humanities researchers at UC Davis.⁴ Its aim initially was to provide a public platform for individuals and their families to share their deportation stories.⁵ The project hoped to counter the narrative of deported individuals as "criminals, drug dealers, [and] rapists" that the Trump administration perpetuated in the media.⁶ It gave deported individuals with the means to communicate a more nuanced and robust view of their lived experiences and the effects of deportation on themselves and their families. The project, started in 2017, has generated a database of over 200 videos describing all aspects of deportation and its aftermath. It has revealed a rich archive of material from which we can explore the mindset of deportees with respect to their place in American as well as Mexican societies. The lived experiences of deported individuals tell us much about their expectations, views on rights, and attitude toward their new environments. Part One describes the attitudes/expectations toward community organizing, activism, and identity-based discrimination along with rights discourse grounded in American values, context, and culture

2. See generally Ying Zhu et al., *Neural Basis of Cultural Influence on Self-Representation*, 34 NEUROIMAGE 1310, 1310 (2007) (finding that culture shapes how we see ourselves at the neural level).

3. See CALDWELL, *supra* note 1, at 154.

4. *About the Project*, HUMANIZANDO LA DEPORTACIÓN, <http://humanizandola.deportacion.ucdavis.edu/en/about-the-project> (last visited Jan. 29, 2021).

5. *Id.*

6. Michelle Ye Hee Lee, *Donald Trump's False Comments Connecting Mexican Immigrants and Crime*, WASH. POST (July 8, 2015), <https://www.washingtonpost.com/news/fact-checker/wp/2015/07/08/donald-trumps-false-comments-connecting-mexican-immigrants-and-crime/>.

presented in the digital stories. Part Two concludes with implications of the Deported American identity for legal systems in the United States and abroad.

I. THE DEPORTED AMERICAN IDENTITY

A. *Deportee Status*

Deportee status itself is an identifying marker for many returnees who are stereotyped and stigmatized. One storyteller, Lupita, felt “illegal” when she returned to her home country because the bureaucracy made it so difficult for her to get her identification documents.⁷ Her children, moreover, suffered bullying for what she perceived was their Americanness. She also perceived discrimination in the job market because of her deportee status. Similarly, Marcia Durón was physically assaulted because of her tattoos, suffered hiring discrimination, and lived in fear for her life because of her deported status.⁸

Jonathan René was deported after living in the United States for twelve years.⁹ He was called “el deportado” (the deported), rather than his first name wherever he went.¹⁰ His stigma was magnified because he is Salvadoran. Although he tried to return to his home country, the stigma of deportation followed him, causing him to feel unsafe remaining there.¹¹ Therefore, he moved to Mexico, where he interprets his mistreatment and his inability to find work as discrimination based on his deported status.¹²

Some storytellers expressed their rights claims by voicing their frustration with the lack of support the Mexican government provides to those who have been deported, especially with respect to economic, social,

7. María Guadalupe Jiménez, 148a. *Salir Adelante Entre Discriminaciones y Bendiciones* [Moving Forward Amidst Discrimination and Blessings], YOUTUBE (Mar. 1, 2019), <https://youtu.be/tCBDZTDZLOk> in HUMANIZANDO LA DEPORTACIÓN, <http://humanizandola.deportacion.ucdavis.edu/en/2019/03/01/148a-moving-forward-amidst-discriminations-and-blessings/> (last visited Jan. 29, 2020).

8. Marcia Yadira Durón, 240. *Deportación, Violencia, Discriminación en Honduras* [Deportation, Violence, Discrimination in Honduras], YOUTUBE (Mar. 11, 2020), https://youtu.be/pns4oA_SyC8 in HUMANIZANDO LA DEPORTACIÓN, <http://humanizandola.deportacion.ucdavis.edu/en/2020/03/11/240-deportation-violence-discrimination-in-honduras/> (last visited Jan. 29, 2021).

9. Jonathan René, 161. *Raíz sin Tierra / Roots Without Soil*, YOUTUBE (Apr. 22, 2019), <https://youtu.be/Fn8uzFGb35w> in HUMANIZANDO LA DEPORTACIÓN, <http://humanizandola.deportacion.ucdavis.edu/en/2019/04/22/161-roots-without-soil/> (last visited Jan. 29, 2021).

10. *Id.*

11. *Id.*

12. *Id.*

and cultural re-integration.¹³ Ana Laura López framed her experience with Mexican bureaucracy as a form of discrimination against deported individuals.¹⁴ The Mexican government's failure to integrate deportees has made it difficult for her to find work, get identity documents, and start a new life.¹⁵

The deported identity extends to organizations as well. Leaders of Otros Dreams en Acción ("ODA") formed with a mission to cultivate an identity for deported individuals and to help deportees thrive upon return.¹⁶ ODA runs Poch@ House, which bills itself as a "cultural space based in Mexico City that celebrates and reclaims a new hybrid and multifaceted culture in Mexico, one of Spanglish, of exile, and of claiming belonging aquí y allá."¹⁷

Ultimately, deported American identity has helped storytellers frame their experiences of discrimination within Mexico. Just as in the United States, deported individuals are fitting their lived experiences into legal frameworks that were created for similar circumstances in different contexts.¹⁸ As legal scholar Beth Caldwell notes, "[T]he defiant assertion of Americanness even after forcible removal can be seen as a form of resistance and an indication of their roots in U.S. culture."¹⁹ The deported American identity is evident in these stories, and it seems to color the experiences of storytellers as they try to navigate the limbo status of returned immigrant in Mexico.

B. Identity, Discrimination and Rights

In addition to claiming rights based on deported status in their stories, immigrants claimed rights based on other forms of identity. Many

13. See, e.g., Humanizando La Deportación, 43a. *Nuestro Retraso Cultural a Través de Nuestro Gobierno Parte I* [Our Cultural Lag Because of our Government Part I], YOUTUBE (June 28, 2018), <https://youtu.be/b6hDjFIttGw> in HUMANIZANDO LA DEPORTACIÓN, <http://humanizandoladeportacion.ucdavis.edu/en/2018/06/28/43a-our-cultural-lag-because-of-our-government-part-i/> (last visited Jan. 29, 2021).

14. See Ana Laura López, 48. *La Deportación es Como un Vivir sin Vivir / Deportation is Like a Life Without Living*, YOUTUBE (Aug. 5, 2018), <https://youtu.be/H92mDQXrUjY> in HUMANIZANDO LA DEPORTACIÓN, <http://humanizandoladeportacion.ucdavis.edu/en/2018/08/05/48-deportation-is-like-life-without-living/> (last visited Jan. 29, 2021).

15. *Id.*

16. OTROS DREAMS EN ACCIÓN, <http://www.odamexico.org/> (last visited Jan. 29, 2021).

17. *Id.*

18. Thomas A. Saenz, *One Advocate's Road Map to a Civil Rights Law for the Next Half Century: Lessons from the Latino Civil Rights Experience: 2013 Latinos and the Law Lecture, October 22, 2013*, 38 N.Y.U. REV. L. & SOC. CHANGE 607, 621 (2014).

19. CALDWELL, *supra* note 1, at 157.

individuals framed their stories around the alienation²⁰ they faced in Mexico as a result of language-based discrimination. Carlos Balderas described feeling alienated because of his inability to speak fluent Spanish.²¹ Liliana Mora noted that when people hear her speak English on the street, she gets told to speak Spanish because she is in Mexico now and is often referred to as “pocha.”²² Rocío Santana had difficulty finding a school that would accept her son because he did not speak Spanish.²³

Age became an identifying marker as deportees recounted incidents of workplace discrimination. Rocío Santana also perceived age discrimination in hiring.²⁴ Similarly, so did Edilberto Bustamante who arrived in Mexico after living in the United States for eighteen years.²⁵ Employers also told him he would do better in the labor market if he were in his forties, and he interpreted their comments as age discrimination.²⁶

More generally, deportees described their experiences, both in the United States and in Mexico, in terms of rights. The rights discourse is evident in the story of Christian Guzmán’s encounter with authorities in the United States:

The day that I got deported, I woke up early. I was driving to my boss’s house and I stopped at the gas station that I always stop at to get my usual, my coffee and donuts. And then out of nowhere, cops just started interrogating me, asking me who I was. I told them they didn’t have the

20. See, e.g., L.A., 45. *¡Si se Puede! / Yes You Can!*, YOUTUBE (June 28, 2018), <https://youtu.be/GJSqLIVV4JI> in HUMANIZANDO LA DEPORTACIÓN, <http://humanizandoladeportacion.ucdavis.edu/es/2018/06/30/45-si-se-puede/> (last visited Jan. 29, 2021) (showing how the author felt alienated and unwelcomed upon arriving in Mexico).

21. See, e.g., Carlos Balderas, 56b. *Valió la Pena? Parte II: Fake Happiness / Was it Worth it? Part II: Felicidad Falsa*, YOUTUBE (Aug. 21, 2018), <https://youtu.be/EO2rhX0zQLw> in HUMANIZANDO LA DEPORTACIÓN, <http://humanizandoladeportacion.ucdavis.edu/en/2018/08/21/56b-was-it-worth-it-part-ii-felicidad-falsa/> (last visited Jan. 29, 2021) (voicing frustration at discrimination because of his poor Spanish skills).

22. The term “pocho” derogatorily refers to someone who has left Mexico, or is of Mexican descent born in the United States. A pocho is stereotyped as lacking Spanish fluency. Liliana Mora Heredia, 132. *Ni de Aquí ni de Allá / Neither From Here nor From There*, YOUTUBE (Dec. 27, 2018), <https://youtu.be/KmUYbs4Im6c> in HUMANIZANDO LA DEPORTACIÓN, <http://humanizandoladeportacion.ucdavis.edu/en/2018/12/27/132-neither-from-here-nor-from-there/> (last visited Jan. 29, 2021); see CALDWELL, *supra* note 1, at 157.

23. Rocío Santaanna, 116. *Madres Deportadas en México / Deported Mothers in Mexico*, YOUTUBE (Nov. 5, 2018), <https://youtu.be/c81NPLvA8nA> in HUMANIZANDO LA DEPORTACIÓN, <http://humanizandoladeportacion.ucdavis.edu/en/2018/11/05/116-deported-mothers-in-mexico/> (last visited Jan. 29, 2021).

24. *Id.*

25. Edilberto Bustamante Martínez, 125. *Mala Suerte / Bad Luck*, YOUTUBE (Nov. 21, 2018), <https://youtu.be/h9MNtsrRKyQ> in HUMANIZANDO LA DEPORTACIÓN, <http://humanizandoladeportacion.ucdavis.edu/en/2018/11/21/125-bad-luck/> (last visited Jan. 29, 2021).

26. *Id.*

right to ask me what my name was because I wasn't committing any crime. So, they got mad and decided to bring out the fingerprint scanner, which I had no problem with. I told them, "Okay, if you want to get my information that way, do what you've got to do."²⁷

Christian's story continues in Mexico, again through the lens of a rights-centered narrative:

I just want to talk about this because this is a really big thing for me. I am right here at the monument and listening to beats thinking about lyrics, freestyling, [and] the first thing I hear is "[Okay guys, we are doing a search]." I get loud with them [because of] from my first experience I start walking around them and was like, "No, you don't have the right." They're like, "Now we're going to get you for [avoiding arrest]." [I told them] "I know what you are going to do. You are going to pick me up and you're going to take me [because that's how you are, you thieves]." [Then they told me "Just because of that you go inside and right now I am going to put something on you]." I took out my phone, and I started recording. I was like, "[Say what you told me again. Say that you saw me smoking marijuana]." I was like, "*No es la verdad*. [You'll see I am calling my lawyer and I am fighting for this. The nurse will tell you that I am clean]."²⁸

Christian's story demonstrates rights discourse in operation, both in the United States and in Mexico. Christian's belief in individual rights and in the entitlement to a dignified encounter with authorities is evident in the way that he frames his story around how the police in both places overstep their authority.

The experience of Alejandro below, exemplifies the effect of the broader rights culture in the United States on deported individuals. Alejandro was adopted and brought to the United States when he was six months old. He recalls growing up in East Oakland during the 1970s:

I remember the Black Panthers marching. I remember the Brown Berets marching through town. I remember the Vietnam veterans coming back home and not getting a welcome. It was real turbulent times. And, I remember hearing Bobby Seale and Huey Newton talking to us on the street corner, and I remember Huey Newton telling us concentration camps existed long before Hitler even came up with the idea—that they existed in America, but back then they were called plantations.²⁹

27. Christian Guzmán, *92a. Forced Out of My True Home Part I / Forzado a Dejar mi Verdadero Hogar Parte I*, YOUTUBE (Oct. 19, 2018), <https://youtu.be/QI2GfVaMNwk> in HUMANIZANDO LA DEPORTACIÓN, <http://humanizandoladeportacion.ucdavis.edu/en/2018/10/19/92a-forced-out-of-my-true-home-part-i> (last visited Jan. 29, 2021).

28. *Id.*

29. Alejandro López Melchor, *58a. My Struggle and Redemption Part I / Mi Lucha y Redención Parte I*, YOUTUBE (Aug. 23, 2018), <https://youtu.be/Fdx17FQ3fSI> in HUMANIZANDO

Hearing stories of the rights movements of the 1970s gave Alejandro a sense of how discrimination operates and the struggles that were carried out to establish a rights regime in the United States. The stories of identity and discrimination demonstrate the extent to which deported individuals perceive individual rights. They understand rights through their experiences in the United States and continue to perceive their lives in Mexico through this understanding. Ruben Bravo's story reflects this experience. Ruben was deported after coming to the United States as a child and living in the United States for forty-two years.³⁰ Ruben framed his deportation as "cruel and unusual punishment," and spoke of the plea deal that got him deported in ways that indicate he felt he had ineffective assistance of counsel.³¹ Ruben's story reflects a perception that immigrants deserved basic rights despite their undocumented status. It is this rights discourse that is evident in the stories of those immigrants who perceive discrimination based on similar experiences in the United States.

C. Organizing and Activism in Mexico

In addition to an American understanding of rights, returning immigrants are establishing active, self-help community organizations to help deported communities integrate in Mexico. They are now finding common ground around issues related to the integration process in Mexico: the stigma of deportation, lack of resources for integration, and inability to find adequate work, housing, health care, and social services.³²

For example, Mauricio Lopez, a former DREAMer, moved to a neighborhood in Mexico City dubbed Little L.A. in 2017 to try to find a supportive and welcoming community. For him, "Little LA has become a refuge for members of Generation 1.5, who often feel like they don't quite

LA DEPORTACIÓN, <http://humanizandoladeportacion.ucdavis.edu/es/2018/08/23/58a-mi-lucha-y-redencion/> (last visited Jan. 29, 2021).

30. See Ruben Bravo, 35. *NATIONAL: Title 8 110122b Therefore an American / Know Who You Are*, YOUTUBE (Sep. 15, 2020), <https://youtu.be/tmKRcKZTVww> in HUMANIZANDO LA DEPORTACIÓN, <http://humanizandoladeportacion.ucdavis.edu/es/2017/08/21/nacional-titulo-8-1101-22-b-por-lo-tanto-un-americano-se-quien-eres/> (last visited Jan. 29, 2021).

31. See *id.*; see also *Padilla v. Kentucky*, 559 U.S. 356, 373-74 (2010) (holding that defense attorneys have a duty under the Sixth Amendment to advise clients of the deportation risks of a plea agreement).

32. See Lulu Garcia-Navarro, *In Mexico, New Groups Offer Aid to a Young Generation of Deported DREAMers*, NPR (May 26, 2019, 8:31 AM), <https://www.npr.org/2019/05/26/725675214/in-mexico-new-groups-offer-aid-to-a-young-generation-of-deported-dreamers>.

fit in.”³³ Mauricio works with New Comienzos, a community organization in Little L.A. that provides support to returning immigrants in Mexico City.³⁴

Similarly, Claudio Gage moved to Mexico City to find a community in his integration efforts after deportation.³⁵ Gage, who graduated from UC San Diego with a degree in human biology, held DACA status in the United States until he crossed the border to Tijuana one night for dinner and the officials at Customs and Border Protection in San Diego refused to allow him entry upon return.³⁶ He joined Hola Code, an organization that helps deportees learn to code and find jobs in the emerging tech industry in Mexico.³⁷

Immigrants are using their U.S. organizing and community-building experiences in Mexico. For example, Ana Laura López was a community and labor organizer in Chicago before she was deported.³⁸ She credits her experiences in Chicago with giving her the tools she needed to start organizing on behalf of deportees in Mexico.³⁹ She co-founded *Deportados Unidos en la Lucha* (“DUEL”), a collective that takes an activist approach grounded in organizing strategies.⁴⁰

Likewise, *Otros Dreams en Acción* (“ODA”) describes itself as an organization dedicated to establishing the rights of deported individuals in Mexico:

Otros Dreams en Acción is an organization dedicated to mutual support and political action for and by those who grew up in the United States and now find themselves in Mexico due to deportation, the deportation of a family member, or the threat of deportation We believe in our potential as a community to make positive change in the aftermath of deportation and exile. We believe in our right to be from two countries, to belong aquí y allá.⁴¹

Several storytellers in the Humanizing Deportation Project also turned to community organizing and volunteer work upon their return to Mexico. People expressed how grateful they were to find purpose in helping other

33. *Id.*

34. *Id.*

35. *Id.*

36. *Id.*

37. *See id.*

38. *Revista de la Universidad de Mexico y Radio UNAM, Deportados Unidos en la Lucha: Vidas al Margen*, REVISTA DE LA UNIVERSIDAD DE MÉXICO, at 2:18-3:24 (Apr. 12, 2018), <https://www.revistadelauniversidad.mx/articles/207766bf-2bc5-43f6-9d57-f106bee685a1/deportados-unidos-en-la-lucha>.

39. *Id.* at 05:40-05:52.

40. *Id.* at 6:46-15:00.

41. OTROS DREAMERS EN ACCIÓN, *supra* note 16.

deportees find their way in new surroundings.⁴² Luis, for example, volunteered with Fundación Gaia, a non-profit organization that supports homeless deportees in Tijuana.⁴³ He has found purpose in this work and is committed to helping deportees thrive in Mexico. Robert Vivar co-directed an organization to help U.S. veterans cope with deportation and co-founded a separate organization, Friends of Friendship Park, to create a bi-national park for families across international boundaries to come together.⁴⁴ Yolanda Palacios, founder of Dreamers Moms USA-Tijuana, arrived in the United States twenty-eight years ago with small children on tourist visas.⁴⁵ After her deportation, she founded the group, which began as a support group and now focuses on family reunification.⁴⁶

These stories demonstrate the extent to which deportees are reaching out to each other to form solidarity networks as they navigate what they consider a different, and at times unaccepting, society. The community organizing and self-help nature of their work is reminiscent of the organizations created in response to anti-immigrant initiatives in the United States.

The rights discourse and the corresponding stories about discrimination, the deported American identity narratives, and the collective action/community organization demonstrate the effects of living in the United States for some period of time. In telling their “deported American” stories in their new homes, they pivoted with the same sense of identity they had in their previous status as deportable Americans in the United States.

II. CONCLUSION

Beth Caldwell’s identification of the Deported American contributes to a growing understanding of how deportees will continue to have a significant impact on the political and social evolution both in the United States and in

42. See, e.g., Luis García, 32: *Levantarse con Fuerza para Ayudar : Rising with Strength to Help*, YOUTUBE (Sept. 1, 2020), https://www.youtube.com/watch?v=nWUiTix4Js0&feature=emb_title in HUMANIZANDO LA DEPORTACION, <http://humanizandoladeportacion.ucdavis.edu/en/2017/08/15/rising-with-strength-to-help/> (last visited Jan. 29, 2021).

43. See *id.*

44. See Robert Vivar, 42: *My Dream / Mi Sueño*, YOUTUBE (June 27, 2018), https://www.youtube.com/watch?v=8E_tZnRAWM8&feature=emb_title in HUMANIZANDO LA DEPORTACION, <http://humanizandoladeportacion.ucdavis.edu/en/2018/06/27/42-my-dream/> (last visited Jan. 29, 2021).

45. Yolanda Varona Palacios, 82: *Madres Soñadoras Internacional / DREAMers Moms Tijuana-USA*, YOUTUBE (Sept. 26, 2018), https://www.youtube.com/watch?v=ZHxBRfNlq4g&feature=emb_title in HUMANIZANDO LA DEPORTACION, <http://humanizandoladeportacion.ucdavis.edu/en/2018/09/26/82-dreamers-moms-tijuana-usa-the-love-for-our-children-is-our-movitation> (last visited Jan. 29, 2021).

46. See *id.*

countries of return like Mexico. Professor Caldwell's contribution is at the forefront of our understanding and humanization of deportees. The Humanizing Deportation Project is just one of the efforts dovetailing with Professor Caldwell's work. Together, these forms of research elevate legal discourse. By allowing us to understand, through individual stories, both the devastation and the agency of those whose lives are upended through laws that govern deportation, we can begin to change the assumptions behind immigration law and its basic premise that deportation is not punishment.

Professor Caldwell also touches on the implications of people moving across borders and carrying with them discourses and ways of looking at the world that are grounded in rights, community organizing, and identity formation around deportation status.⁴⁷ Here again, the Humanizing Deportation Project's stories dovetail with those collected by Professor Caldwell.

First, a rights narrative indicates that expectations have emerged from experiencing a political and legal system—even if from a subordinated position—that places individual rights at its center. The lived experiences of deported Americans manifest themselves in calls for individual freedoms. The culture of rights is so foundational that individuals believe in it even if their own deportation experiences expose their lack of formal rights. They echo in the rights perception of storytellers like Christian Guzmán, who felt he had rights in police encounters both in the United States and Mexico.⁴⁸ The stories in the Humanizing Deportation Project show just how offended, outraged, violated, or betrayed people are when they feel their rights have been violated or their sense of justice has been assaulted; location is irrelevant. This is the case even if the due process, equal protection, and constitutional procedural protections in deportation or exclusion proceedings are not as extensive as they are for U.S. citizens.⁴⁹

Second, the movement of the discourse of rights across borders is both groundbreaking and potentially culture-changing. Latin American movements have emerged to protect human rights over the last several

47. CALDWELL, *supra* note 1, at 157.

48. Guzmán, *supra* note 27.

49. See, e.g., *Trump v. Hawaii*, 138 S. Ct. 2392, 2403, 2423 (2018) (holding that the President lawfully exercised discretion granted under 8 U.S.C. §1182(f) to suspend entry of aliens who could not adequately be vetted and whose entry was detrimental to the United States' interests); *Jennings v. Rodriguez*, 138 S. Ct. 830, 850-51 (2018) (holding that sections 1225(b), 1226(a), and 1226(c) of Title 8 of the U.S. Code do not give detained aliens a statutory right to periodic bond hearings during the course of their detention); *Demore v. Kim*, 538 U.S. 510, 513-516 (2003) (holding that the Constitution does not require pre-hearing bail in immigration cases when a legal permanent resident has been convicted of a crime).

decades.⁵⁰ The Latin American discussion focuses on the rights of humans rather than the rights of citizens. The human rights discourse is evident in Mexico, where positive rights are built into the Mexican constitution which requires basic necessities such as food, shelter and education.⁵¹

The narratives help deportees claim their rights to freedom from police abuse, from government barriers to identity documents and work authorization, and against discrimination. These types of claims about basic civil liberties may open avenues for the emergence of a civil rights agenda in Mexico similar to the one that has emerged for Latinx in the United States over the past forty years. This broad view of rights, based on a specific historical experience with the legal system in the United States, may be the gift that deported individuals import with them to Mexico as they try to fit within the already-established rights/constitutional framework. If there is a framework against discrimination, for example, how will that framework accommodate discrimination based on deported status, age, and experience based on long-term U.S. residence, or on physical attributes like tattoos? All of these may be forms of discrimination by proxy that signal different but equally immutable characteristics. The Latinx experience in the United States might be instructive as much for its rights advocacy as for the ways in which the legal system has dealt with language, accent, and immigration status discrimination. Just as with Latinx experiences in the United States, rights discourse may influence civil liberties issues that affect the right to seek work, ability to move freely, and right to assembly.

Third, deported individuals are organizing and creating self-help groups around their deported identity in ways that mimic their limbo status in the United States. Those who consider themselves American and Mexican may also find positive identities in motherhood, military veteran status, labor union status, and religion creating identity formations that intersect with deported status to form the basis for group formation. They all share their time in the United States, an attribute that lays the groundwork for the creation of pockets of community, such as Little L.A. in Mexico City.⁵²

50. Jaqueline Garza Placencia, *Actores y Redes del Movimiento por los Derechos Humanos en América Latina* [Actors and Networks of the Movement for Human Rights in Latin America], 32 BOLETÍN DE ANTROPOLOGÍA 158, 176 (2016).

51. See Constitución Política de los Estados Unidos Mexicanos [Constitution], art. III, IV, V, VI, Diario Oficial de la Federación [DOF] 02-05-1917, últimas reformas DOF 12-24-2020 (Mex.), formato HTML, http://www.diputados.gob.mx/LeyesBiblio/pdf_mov/Constitucion_Politica.pdf (last visited Dec 28, 2020) (articles listed provide the right to education, equal treatment, right to work, and freedom of speech, respectively).

52. Emily Green, *Visit a Slice of Mexico City Increasingly Known as 'Little LA'*, THE WORLD (Apr. 18, 2018, 10:45 AM), <https://www.pri.org/stories/2018-04-18/visit-slice-mexico-city-increasingly-known-little-la> ("For now, Little LA still does not look noticeably different from other

These individuals have formed communities that challenge “both removal and social exclusion.”⁵³ They are integrating in Mexico through social networks that continually put them in contact with the deported American community.⁵⁴

Finally, the movement of rights claims across borders may have implications for the ways in which rights are mediated in Mexico. Sociologist Leisy Abrego’s research demonstrates that the amount of time spent in the United States and the stage of life at which one arrived in the United States affects the ways in which individuals approach rights claims.⁵⁵ Immigrants who were brought to the United States at an early age and were socialized in U.S. schools were “taught to stand up for their rights and that the U.S. is a country of immigrants.”⁵⁶ This socialization was underscored by the immigrants’ rights movement in the face of anti-immigrant sentiment. Professor Caldwell captures that same sentiment in the stories she records of Deported Americans. Her groundbreaking work, alongside projects like Humanizing Deportation, is instrumental in changing the way the rest of us experience the deportation system and its effects.

Mexico City neighborhoods, but there’s a good chance that if you stop someone on the street, they will talk to you in perfect English.”).

53. Susan Bibler Coutin, *EXILED HOME: SALVADORAN TRANSNATIONAL YOUTH IN THE AFTERMATH OF VIOLENCE* 135, 154-162 (2016); *see also* Susan Bibler Coutin, *Exiled by Law: Deportation and the Inviability of Life*, in *DEPORTATION REGIME: SOVEREIGNTY, SPACE, AND THE FREEDOM OF MOVEMENT* 351-70 (Nicholas De Genova & Nathalie Peutz eds., 2010) (discussing the social exclusion, alienation, and stigmatization immigrants face in their “home” country when they are subject to removal in the United States).

54. CALDWELL, *supra* note 1, at 157.

55. *Id.* (citing Leisy J. Abrego, *Legal Consciousness of Undocumented Latinos: Fear and Stigma as Barriers to Claims-Making for First- and 1.5-Generation Immigrants*, 45 *LAW & SOC’Y REV.* 337, 337-70 (2011)).

56. *Id.*