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Peer reviewed

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## **Citizenship and Clandestiny among Salvadoran Immigrants**

In November 1997, I attended a rally that inspired me to think about the complex linkages between citizenship and clandestinity. For months, activists had been campaigning for an outright grant of residency to Central American immigrants who had been living in an uncertain legal situation since the 1980s. Amid signs that the U.S. Congress might respond to their concerns, activists organized a week-long fast and vigil at the Los Angeles Federal building. As cars raced past and security guards kept a watchful eye, some 200 fasters and supporters chanted, “¡Aquí estamos! ¡Y no nos vamos!” “We are here! And we’re not leaving.” What does it mean to be here? Why is it necessary to assert one’s presence? And how is citizenship related to presence and absence?

Citizenship has been defined as a legal status, a form of political membership, a marker of entitlement, a boundary that separates the included from the excluded (Bosniak 1991; Flores and Benmayor 1997; Hammar 1994; Marshall 1964). Citizenship’s alterities therefore include illegality, disenfranchisement, ineligibility, and a permeability that fails to differentiate. These alterities can be roughly glossed as clandestinity, an effort to exist despite a denial of legitimacy, rights, recognition, and inclusion. The relationship between citizenship and clandestinity takes multiple and contradictory forms. Not only can the denial of citizenship result in clandestinity, but also the practices that are created in an attempt to cope with such a denial can themselves constitute claims to membership. Such, at least, has been the experience of Salvadorans, some of whom endured human rights violations during the 1980-1992 civil war, went into exile to escape political violence, accumulated years of (sometimes illegal) residence in the United States, and are now sustaining the Salvadoran economy through remittances to family members in El Salvador (Menjívar et al 1998). Surprisingly, individuals whose lives were in jeopardy in El Salvador, who were not authorized to enter the United States, and who were denied the right to live and work in this country are now being courted by Salvadoran political leaders and recognized by the U.S. government as somewhat “deserving” of permanent residency. To understand this seemingly unlikely turn of events, it is necessary to examine the forms assumed by that which cannot officially exist, that is, the forms of clandestinity. This examination entails exploring how these forms are structured by the practices that officially define personhood, and how the unofficial both produces and alters the official. Such an analysis reveals that clandestinity is both the obverse and an imitation of citizenship.

To analyze the relationship between citizenship and clandestinity, I draw on fieldwork and interviews conducted among Salvadoran immigrants who are seeking legal status in the United States. From 1995-1997, I participated in the legal services programs of three Central American community organizations in Los Angeles, observed attorney-client interviews, and interviewed community activists, legal service providers, and community organizations’ clients. During interviews and fieldwork, I heard Salvadoran immigrants’ and activists’ accounts of fleeing persecution in El Salvador and avoiding the U.S. Immigration and Naturalization Service in the United States. The first section of this paper juxtaposes these accounts in order to identify similarities in the forms of clandestinity devised by individuals whose rights to residence, work, travel, political expression and even life have been denied.

The second section examines the senses in which clandestinity is productive. For instance, individuals who are living clandestinely for legal or political reasons sometimes create their own identity documents, form political organizations, provide what some have characterized as foreign aid, and even issue “pseudo-currencies” in the form of remittances. The third section examines how clandestine practices create and redefine claims to membership. By analyzing Central American immigrants’ recent campaigns for U.S. residency, I note the complex ways that this campaign situates Central American immigrants and activists vis à vis both the United States and El Salvador. Focusing on the presence of the clandestine exposes the multiple meanings and moral valences of citizenship itself.

### Clandestine Forms

Although people become clandestine for a variety of social, political, and legal reasons, this mode of being has certain common characteristics. Clandestinity positions its subjects in a non-space, where actions are denied, relationships are discounted, identities are assumed, and events do not officially happen. Although it is necessitated by political and legal realities, clandestinity is also actively constructed by those who enter its realm. From the perspective of the non-clandestine, clandestinity is mysterious, hidden, an absence, and potentially criminal. Yet those who are clandestine understand how they are positioned in relation to others, are aware of their own presence, and can experience their lives as normal. The boundaries between clandestinity and presence are therefore permeable. Individuals who seem to be present can become clandestine when a delegitimizing framework is imposed on their reality. As a Salvadoran immigrant explained: “[Without papers,] you don’t exist. Well, they know you are there, but they ignore you. They don’t see you as like you exist. And this is the people who raise the children, and you know, whenever they come, ‘Well, they’re illegals.’”

The Salvadoran civil war produced multiple forms of clandestinity. During the 1970s, the lack of democratic political space in El Salvador led opposition groups into clandestinity, and eventually armed rebellion. The severe political repression that accompanied the Salvadoran civil war forced even non-participants into hiding. These mass dislocations included unauthorized immigration to the United States, where many emigres remained legally clandestine. There were thus at least three situations in which Salvadorans’ citizenship was problematized: (1) human rights abuses situated segments of the populace outside of the citizenry, (2) exiles were forced to negotiate their citizenship in their countries of refuge, and (3) revolutionaries questioned the legitimacy of the existing state and acted as citizens of an as yet unrealized social order. To shed additional light on the relationship between citizenship and clandestinity, I will examine each of these three situations in turn.

First, the political violence of the Salvadoran civil war included human rights abuses that negated victims’ citizenship and, indeed, their very humanity. Government-sponsored death squads annihilated those who were suspected of supporting the opposition. Death squads ripped suspects from their homes, tore them limb from limb, destroyed houses and property, massacred communities, and discarded limbs and bodies in trash dumps or in the streets (Americas Watch 1991; Byrne 1996; Coutin in press; Hamilton and Chinchilla 1991; Montgomery 1995). Such practices treated suspected guerrilla members as people who had betrayed the social order and who were dirty, dangerous, and inhuman. One survivor told me that he saw “those lakes of blood that remained in the street where people were tortured. Because they slaughtered them like animals, with a knife.” Another told me that the soldiers who abducted her cousin “broke his arms behind him, they put out his eyes, they broke his

fingers, finger by finger.... They skinned his head.... The last thing that they did was slit his throat. That was the end. Afterwards they cut out his tongue. They tortured him completely.” Such brutal, dehumanizing methods treated victims as though they were outside the social order and undeserving of even the most basic of rights. Far from recognizing suspects as citizens, Salvadoran authorities destroyed portions of the Salvadoran citizenry.

To avoid becoming death squad victims, some individuals who joined opposition groups went into clandestinity. To do so, they cut off their social ties, assumed false identities, and distanced themselves from homes and relatives. A former member of one of the organizations that made up the *Frente Farabundo Martí para la Liberación Nacional* (Farabundo Martí National Liberation Front, or FMLN, the coalition fighting against the Salvadoran Armed Forces) explained that joining the political struggle meant that “you have to sacrifice many things—your family, your studies, your children, what you love.” Similarly, many non-activists who were targeted by death squads went into hiding to save their lives. Signs of having been targeted by death squads included anonymous threatening phone calls, warning letters left under one’s door, unidentified individuals asking one’s whereabouts, knocks on the door in the middle of the night, shots fired into one’s house, threatening visits by armed men, and the abduction of relatives or colleagues. Confronted with such signs, potential victims often quit their jobs, abandoned their studies, distanced themselves from family and friends, and moved from place to place. Sonya Hernandez, a Salvadoran woman whose family had experienced political difficulties when the government business where she worked had become unionized, fled her hometown when she was nineteen: “We had to leave and move to the city. We can’t go back to our *canton*, to where we’re from, because there, they know us, so we’re afraid. In the city, we weren’t so afraid, because no one knew who we were. But we had to leave without anything. We left behind our money, our clothes, our land, everything.” Fearing that they would fall victim to death squads, Sonya and her family became socially nonexistent. The places where they were “known” became forever forbidden, as Sonya explained, “There, we have houses and we have lands, but it isn’t safe for us. In the town that we’re from, we’re known, and the people who killed my brothers are still there and their hatred is deep. There’s a lot of desire for vengeance. We can’t go back there.” Because the Salvadoran government (and at times, the guerrilla forces) was violating citizens’ rights, Salvadoran citizens who were potential victims could not live openly in their own country. The division between the overt and the clandestine thus became one of the schisms of civil war—and not only for those who were directly involved in the fighting.

Second, some potential death squad victims’ efforts to hide their existence included fleeing to the United States, where they became legally clandestine. Because it was extremely difficult to obtain a visa, most of the Salvadorans who came to the United States during the civil war entered without authorization and thus became undocumented immigrants.<sup>1</sup> Unable to exist physically and socially in their countries of citizenship, these immigrants had to hide their presence in an alien country. The disjuncture between their physical presence and their legal nonexistence placed such individuals in a non-domain, a space of illegality. As legally clandestine beings, unauthorized immigrants’ presence was unregistered. Many new arrivals lived with relatives or coworkers, worked illegally, were paid under the table, and used cash for financial transactions. Such practices did not generate written records of immigrants’ presence. Without records of their presence, migrants could not document the time they had spent in this country. Lacking legal status themselves, undocumented immigrants could not petition for the legalization of their parents or other relatives. Nor did they have the right to

leave and reenter the United States so that they could visit relatives abroad. Because they were positioned “outside the law,” migrants’ daily practices were clandestine. Many purchased false I.D. cards in order to pretend to exist. If denied work authorization, they worked clandestinely. Ineligible for drivers licenses (in California, at least), they drove without authorization. Without drivers licenses they were unable to obtain car insurance as required by law. Subjected to detention and deportation if apprehended, undocumented immigrants sometimes limited their travel. As a Guatemalan migrant explained, “You are free to move about to whatever place within the United States as long as you have the required papers. A visa or green card is required to leave the Los Angeles area....<sup>2</sup> If you are illegal, you don’t have freedom of movement. You go from your workplace to your house and as much as possible you avoid contact with the authorities.” As noncitizens whose presence was unauthorized, immigrants’ very existence was clandestine.

Third, through clandestine political struggle, Salvadoran activists positioned themselves as the true, though not officially recognized, citizens of an as yet unrealized state. As members of a revolutionary political movement, these activists acted as citizens of a state that was coming into being (see López Casanova 1995). Their political organizations performed quasi-governmental tasks, such as sending emissaries overseas, establishing internal command structures, issuing communiqués, and governing territory in El Salvador. Dissidents questioned the legitimacy of the Salvadoran government (Gordon 1989), which they characterized as repressive and undemocratic. Internally, they attempted to create the society that they hoped to establish in the future. To this end, political groups forbade practices that they deemed “bourgeois,” such as adultery or materialist behavior. One former member of an FMLN group explained that he and his companions were living for the future rather than for the present: “We knew that it would take 10 to 20 years of struggle, so the thing that was most important to us was to triumph some day...for the future generations.”<sup>3</sup>

The features of legal clandestinity in the United States and political clandestinity in El Salvador are strikingly similar. Like undocumented immigrants, individuals who go into hiding within their countries of origin cannot work, be with their families, have residences, move about freely, or fulfill their plans for the future. Like legal nonexistence, social and political nonexistence is a spatial and temporal void. It is an asocial space, the *monte* or “wild” where people sleep in order to avoid being captured by death squads (see Anker 1992). The Salvadoran immigrants whom I interviewed sometimes described political and social clandestinity in El Salvador and legal clandestinity in the United States as similar experiences. For example, Rodolfo Nuñez, a Salvadoran student activist who narrowly escaped assassination in El Salvador, commented that

in the United States, it seems like we are living through the same anxiety that we lived through there in El Salvador, right? That is, sometimes when they say, “Here comes Immigration.” Exactly like when they said there, “Here comes the [National] Guard,” see. Everyone looks for a way of surviving at that moment, at that instant. There, to save one’s life, here to save one’s life too, to not have to return to one’s country.

Another activist attributed legal and political clandestinity to the same cause. Describing Salvadoran immigrants as the illegitimate offspring of U.S. foreign policy in Central America, he commented, “[It] is like when a woman has been raped and is pregnant, see? Then there’s a reality! Understand? She has conceived, and however you try to exterminate that fact, it’s a

reality! You can't keep it a secret. You may not register it in your structures, as though it never existed. But yes, it did exist!" In this analogy, persons and truths that confront but escape extermination unavoidably reassert their presence.

### Clandestinity as Productive

Although it negates citizenship, clandestinity—as suggested by the above image of a pregnant woman and her illegitimate child—can also be productive. Salvadoran dissidents went into clandestinity within El Salvador not only to hide but also to proliferate. A dissident who belonged to an FMLN organization described his political work in El Salvador as follows:

Each organization was able to penetrate certain sectors of the society.... I was an organized member and I had my task. So after a certain period in which I was being trained, they told me, "Okay. You have to work with a group, you have to get a certain number of people to work with those people, for example, nine." And so on, no? Those people were prepared, and then of those nine, they tried to have them also—it was a type of cancerous branching out.<sup>4</sup>

Through the formation of an international solidarity movement, the proliferation of Salvadoran political groups continued beyond the borders of El Salvador. Salvadoran activists who emigrated to the United States did so both to save their lives and as emissaries for their political movements. Once here, they formed new organizations dedicated to securing funding, supplies, and legitimacy for their organizations in El Salvador. An activist who fled to the United States in 1981 described the structure that one such group in Los Angeles had developed by 1982:

There were about 300 active people working, and around them were many collaborators, many sympathizers.... There were two coordinators, and these coordinators had their work groups.... These work groups were in charge of coordinating the members. So these members were the ones who did the "street work." They gave presentations in homes, went knocking on doors, they made *tamales*, they were the people who collected the money, the people who sold [items].... Apart from these, there were the secretaries, the secretary of publicity, ... the secretary of finances, and the secretary of the organization, and the secretary of public relations.... It was well organized.

Through such organizations, exiled activists acted as clandestine citizens, serving a *patria* (homeland) where they could not actually reside. The clandestinity of their political work was matched by activists' legal clandestinity as undocumented immigrants. As one exiled activist recalled, "I was undocumented, and I traveled as I wished. I left the country illegally, and I reentered illegally. We were trying to stop the war so we were willing to do anything. And our thinking was, 'We'll stop the war by winning it.' Everything that we did was illegal!"

Nonactivists who immigrated to the United States also created clandestine structures that performed illegal but, in a sense, quasi-governmental tasks. These structures were devised as a means of existing in a society where one is denied legal residency. Thus, some Salvadoran immigrants worked without authorization, transferred funds and goods to family members through unauthorized channels, smuggled relatives across borders, falsified documents and identities, drove without licenses or insurance, and located family members in multiple national spaces. Such clandestine networks and practices created an extra-statal order, sort of

a “phantom state” (see Thrift 1996), that is, the inverse of the known, explicit, official (but contested) state. Normally, only states are entitled to issue identity documents, authorize the international movement of goods and persons, and decide who is entitled to drive, work, or operate a business. Because they were unable to obtain government authorization, undocumented immigrants assumed the authority to make these decisions themselves, and sometimes even authenticated their actions (such as a decision to work without authorization) by manufacturing their own documentation. Such practices, which are considered criminal or fraudulent by the U.S. government, usurp state authority.

Although they are not intentionally political transactions, the (in some cases, unauthorized) earnings that Salvadoran immigrants send to family members in El Salvador have been hailed by Salvadoran officials as acts of “brotherhood” (Baker-Cristales 1999).<sup>5</sup> Because remittances are critical to the Salvadoran economy, Salvadoran activists have argued that the expatriate Salvadoran community has an important role to play in El Salvador’s future. Some activists have depicted remittances as a substitute for both U.S. foreign aid to El Salvador and for expenditures by the Salvadoran government. One activist explained his reasoning,

After the peace accords were signed, less money came to the [Salvadoran] government through foreign aid. So now the aid that it receives comes in the form of remittances that private citizens send to their relatives, and that therefore enters the economy. These remittances enable people to buy things, which keeps the economy afloat, plus the [Salvadoran] government gets taxes.

According to this argument, expatriate Salvadorans, regardless of their organizational status or political affiliations, fulfill quasi-governmental functions simply through their transnational, extra-statal networks. Scholars have called remittances “*migradollars*” (Durand et al., 1996), a term that suggests that migrants, similar to states, are creating a currency, of sorts. These originally clandestine practices stake claims for official recognition even as they defy the traditional definitions of citizenship as membership in a single state.

### Claiming and Complicating Membership

Paradoxically, actions that are rendered clandestine through the negation of citizenship can themselves create claims to membership. Some scholars have argued that there is an implicit contract between migrant workers and the states in which their labor is employed (Bosniak 1991; Hammar 1994; Holston and Appadurai 1996). According to this implicit contract, when migrants contribute to a society through their labor, the society incurs certain obligations to the migrants, including the obligation to recognize them as full social and legal persons. Through various forms of social participation (going to school, forming a family, obtaining an address, working), migrants “imitate citizens” and thus act on the rights that this implied contract promises (see Singer 1988). Over time, undocumented immigrants can generate records of their presence. Attending classes produces school records; seeking medical assistance produces medical records; working can produce check stubs; and renting or purchasing a home produces deeds, leases, rent receipts, and utility bills. As their presence becomes documented, unauthorized immigrants foray out of clandestinity. If it is powerful enough, the social existence of the undocumented can pull them completely out of legal clandestinity. The lives that unauthorized Central American immigrants created in the United States helped to secure the passage of the Nicaraguan Adjustment and Central American Relief Act (NACARA). NACARA exempts certain Salvadorans and Guatemalans<sup>6</sup> from more restrictive immigration

policies adopted in 1996. NACARA beneficiaries will be permitted to seek U.S. residency on the basis of their residence in this country for a minimum of seven years, their good moral character, and their demonstration that deportation would cause an extreme hardship to themselves and/or a U.S. citizen or legal permanent resident relative. The INS has granted most eligible Salvadorans and Guatemalans a presumption that deportation would cause an extreme hardship, making their cases easier to win. To avail themselves of NACARA's benefits, applicants will have to document their years of residence in the United States, their work histories, tax records, family and community ties, and so forth. By demonstrating that they became members of U.S. communities (even though they were not entitled to do so), these immigrants can become legal residents.

As they claim legal residency in the United States, Salvadoran émigrés are being claimed as citizens by the Salvadoran government. Salvadoran officials who see émigrés' continued ability to send remittances as economically necessary and who fear the social, political, and economic effects of mass deportations have joined Salvadoran activists in campaigning for a grant of legal residency to Salvadoran nationals living in the United States (McDonnell 1997). The political importance of Salvadoran expatriates is demonstrated by the fact that prior to the 1999 Salvadoran elections, presidential candidates held community forums in Los Angeles. Indeed, Salvadoran leaders have recently courted the U.S. Salvadoran community (Santana 1998). At a press conference in Los Angeles, for instance, the president of the Salvadoran Chamber of Commerce and Business told reporters, "We want to make this community feel that being outside of the country doesn't mean it is not part of it. That it feels it is part of us" (Marrero 1998:2B). In fact, the Salvadoran Ombudswoman for Human Rights made the immigration and legal rights of Salvadorans who were living *outside* of El Salvador a cornerstone of her human rights work. By advocating on their behalf, Salvadoran political leaders on both the left and the right claimed Salvadoran emigrés as citizens. Yet, a goal of such advocacy was to enable these Salvadoran citizens to become legal permanent residents of the United States. And a central argument in favor of granting residency was that these immigrants feared persecution in the country whose leaders were now claiming them as citizens. Clearly, transnational political strategies give citizenship meanings that exceed its legal definition.

In addition to manipulating existing models of citizenship, Salvadorans' political struggles and clandestine existence have produced alternative modes of being. These include (1) the absence of citizenship, (2) extrastatal citizenship, and (3) dual citizenship. First, clandestinity, of both the political and legal sort, is produced by the denial of citizenship. Thus, individuals whose political activities would trigger repression go underground because their rights as citizens are not respected by their government. Similarly, undocumented immigrants live a clandestine existence because they lack legal status in their countries of residency. Unable to avail themselves of the legal protections that citizenship should confer, these individuals become "stateless," in a practical sense. Second, people whose existence is denied for political or legal reasons must nonetheless live, work, and interact with others. Such activities create a variety of surprisingly similar illicit relationships and practices. Activists who were engaged in revolutionary struggle or in solidarity work created such an order deliberately, with the goal of eventually establishing an official but revolutionary state. Even less political transactions and networks, such as sending remittances to family members or paying a smuggler to bring a relative to the United States, unintentionally created extra-statal linkages and practices. Such individuals become "citizens" of something other than a state. Third, serving a phantom or



revolutionary order (which, like official states, is not unified or coherent) situates individuals in multiple national spaces, as dual or multiple citizens. For example, to negotiate Salvadorans' legal status in the United States, Salvadoran activists who were once undocumented have met with U.S. legislators and Department of Justice officials, traveled to El Salvador to petition the Salvadoran National Assembly for a resolution in support of their cause, and fashioned proposals that were adopted by the Central American presidents at their regional summits. Some activists who are involved in the campaign for U.S. residency are also seeking greater involvement in Salvadoran politics. Such practices, more than formal dual citizenship, give citizenship transnational meanings.

## Conclusion

In November 1997, as I stood in front of the Los Angeles federal building and heard protestors chant, "We are here! And we're not leaving," I was suddenly reminded of the Dr. Seuss story, "Horton Hears a Who." In order to prevent the destruction of their world by those who doubted its existence, all of the Whos in Whoville had to shout, "We are here! We are here!" The assertion, "*Aqui estamos*" ("We are here") began to seem more important than the defiant "*y no nos vamos*" ("and we're not leaving"). The lives that these immigrants had created in the interstices of law and illegality were threatened by those who doubted the legitimacy of their world. By asserting their presence, these unauthorized immigrants claimed both legitimacy and formal membership in the polity. The context in which they were staking these claims transformed the meanings of citizenship and legality. The need to assert their presence derived from the experience of exclusion, the accusation of not belonging, the disaggregation of legal and physical selves, and the delegitimizing frameworks that make presence absence. In this context, membership became a right conferred by presence, and the just demand of an exploited group. In the presence of clandestinity, citizenship and membership seem both an illegitimate façade (in that their boundaries are arbitrary and their promises not always fulfilled) and a de facto reality (in that the undocumented really are here). By defying extermination, clandestine realities expose the illegitimacy of practices that dismember persons and politics.

## Notes

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1. Maria Bonilla, a Salvadoran asylum applicant, explained why she and her husband had entered the United States without authorization: "Susan, do you know what you have to have to get a visa? You have to have two cars, three houses, and \$5,000 in the bank. Things that we could never even dream of getting, especially back in 1985."
2. Although, technically, no travel documents are required to leave the Los Angeles area, this immigrant correctly observes that, when they leave Los Angeles, migrants encounter INS

officials at checkpoints, bus stops, train stations, and so forth. As these officials may, in fact, request proof of legal presence, the speaker's comment is accurate.

3. In the words of one interviewee who was a member of a political movement in El Salvador: "Within the organizations, there were disciplinary rules.... For example, adultery was very severely [criticized] .... They would say, 'Well. That is participating in bourgeois residues.' So they tried to reeducate us regarding certain concepts."
4. It is very interesting that this speaker used the image of a cancerous growth (*ramificación cancerígena*) to describe his own political work. This may have been a sign of bitterness, given that the speaker's political work had led to devastating personal experiences. However, since the speaker had not disavowed this work, it is more likely that the speaker was attempting to convey the nature of clandestinely converting people to a political cause.
5. Baker-Cristales explicates and critiques the idea that the Salvadoran immigrant community is a "distant brother" (*hermano lejano*) of the Salvadoran populace.
6. Specifically, Salvadoran and Guatemalan immigrants who fled to the United States during civil wars and who either applied for special forms of protection available during the 1990s or solicited political asylum on or before April 1, 1990. For further details, see Coutin 1998 or Silverman et al. 1999.

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