

For Their Own Good: Benevolent Rhetoric and Exclusionary Language in Public Officials' Discourse on Immigrant-Related Issues

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AS EDELMAN (1984a: 25) OBSERVES, OFFICIAL CUES ARE A KEY INFLUENCE IN public opinion on social issues. Public officials' discourse on immigrant-related issues can thus powerfully affect the lives of immigrants. The debate over immigration in print media such as news dailies — the issues introduced, their definition and presentation, and the policies called for — has often been inscribed in language that portrays immigrants and immigration in negative terms. Media studies have amply demonstrated the use of overtly biased language in politically charged debates. In this article, we focus on language that is not as openly negative, but is ultimately as exclusionary as the more explicitly negative discourse.

To speak to many groups, politicians must be flexible in their range of language use (Moosmüller, 1989). We argue that when liberal public officials attempt to be sympathetic to the plight of immigrants, their compassionate language can mask divisive tactics that effectively deny immigrants vital resources. This is not the case for every public official or for each instance in which they discuss immigrant-related issues in a benevolent manner. It occurs when such rhetoric is used to criminalize immigrants' behaviors instead of proposing viable alternatives to improve the conditions being condemned. When the benevolent rhetoric of public officials is based on law and order, this restricts immigrants' actions and effectively substantiates the more restrictionist language (and actions) of opponents of immigration. We focus on public officials' use of subtle exclusionary language because their words often translate into actions with potentially detrimental consequences.

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Our case studies demonstrate how “liberal,” benevolent rhetoric in the U.S. can disguise exclusionary practices toward immigrants. The term “liberal” here refers to the political orientation that attempts to advocate measures of progressive reform. For us, benevolent rhetoric is “liberal” because such language shows sympathy for immigrant-related issues. Discourse analysis exposes benevolent language as a strategy used by public officials to make their verbal claims more compassionate or apolitical, while protecting access to resources and thus effectively excluding poor immigrants. We concentrate on issues that affect Latino immigrants (though some also affect other groups), since they have become the center of heated debates in policy circles and among the public. In California during the 1990s, for instance, controversy arose in the immigration debate over negatively framed electoral measures such as the “Save our State” initiative (Proposition 187, which sought to deny emergency healthcare and education to undocumented immigrants), an anti-affirmative action measure (Prop. 209), and an English-only initiative (Prop. 277). Each attempted to cut off immigrants and minorities from access to state resources. By the late 1990s, the exclusionary tactics of many public officials became less vitriolic regarding immigration. The following case studies examine their language with respect to the immediate needs of immigrants: work (food vendors), health (unregulated medicine), and housing. Because this practice is not confined to one geographical area, examples come from across the country. As immigrants face increasing opposition in host societies around the world, particularly in industrialized nations, lessons learned from the U.S. could apply to those contexts.

Public officials who use benevolent subterfuge on immigrant-related matters are not motivated merely by racial bias toward immigrants. Class differences and citizenship complicate the use of this language. Examining this rhetoric through the lens of ethnicity and race alone can distort the analysis, for in many of our cases, exclusionary language is used by people in traditional positions of power or in the majority, as well as by established immigrants. Thus, we include the discourse of Latino public officials. We do not assume their voices to be “representative” of other Latino officials, much less of the Latino community, given the wide variety of views on immigrant-related issues among them. After a brief review of the literature, we present our methods and the three case studies.

Discourse Analysis and the Use of Exclusionary Language

We do not seek to analyze the outcomes of specific policies or the legislative process behind policy decisions. Instead, using discourse analysis we examine the frames public officials use. As Naples (1997: 913) observes in her analysis of welfare policy, this offers a better understanding of how power operates within and outside policy. The comments of public officials are our focus because they represent the voice that cues the debate on immigration matters. Inspired by the work of Michel Foucault (1972) on discourse or “talk,” we focus on public

officials' language as it is used to maintain power and privilege (van Dijk, 1993). We assume that such language is a constructed artifact and not a reflection of reality (Foucault, 1984; Riggins, 1997). Thus, when public officials claim that increased law enforcement is necessary to protect immigrants from bad medicine or poor housing conditions, this may be a choice in representation rather than a fact. Sometimes politicians "naturalize" their positions through language that seems to be commonsensical, but the result is the protection of power and privilege from those who seek to gain access (Connolly, 1984; Edelman, 1984b; van Dijk, 1993, 1997). To the public, it seems sensible to enforce laws that protect immigrants from dangerous drugs or unsafe dwellings. Beyond the sympathetic rhetoric, however, suggestions for alternative resources are tacit, so shutting down these "unsafe" markets and means of survival leaves immigrants with few or, more commonly, no alternatives.

In seeking to reveal the impact of public officials' benevolent statements, our goal is not to determine whether their claims are true or false, but rather to show that if these statements about immigrant-related issues are heeded, the consequences could be less than helpful for the immigrants supposedly being helped (Fairclough, 1995). Essentially, discourse is an action or speech act with consequences that are not clearly spelled out (Wodak, 1996). This ambiguity is related to public officials' speech as stylistic means of persuasion (Sornig, 1989). Here, the essence of persuasion is to induce the public to believe that punitive measures were introduced for the immigrants' own good.

We analyze the discourse in news dailies because public officials speak through them to a wide audience that relates to the information textually. Thus, public officials must select words that appeal to the interests of many different parties. After U.S. anti-immigrant rhetoric reached its apex, exemplified by California's Proposition 187, politicians became wary of contributing to an "Us versus Them" debate (Mehan, 1997). Blatant Prop. 187-era anti-immigrant bashing is now less politically persuasive. To protect their political reputations while appearing to be effective on immigration, politicians' views on the issue have become more subtle and savvy. Benevolent language, which expresses empathy for groups lacking access to society's goods and benefits, gives politicians an aura of effectiveness.

Methods

We used U.S. newspaper articles for this study, but not a probabilistic method to select the issues. To identify areas immigrants deem important or of concern to their lives, we drew upon research on major immigrant receiving points in the U.S. (Menjívar, 1999, 2000, 2002; Skop and Menjívar, 2001). In those studies, housing, work, and healthcare emerged as important to immigrants' welfare. We reasoned that the discourse of public officials on these issues would shed light on the use of benevolent rhetoric with potentially exclusionary consequences.

The mainstream newspapers we used for content analysis included the June

1995 through June 2000 issues of the *Los Angeles Times*, *Arizona Republic*, and *New York Times*. Our main data source was Lexis-Nexis, an electronic database of full-text articles from U.S. and international newspapers. We used only articles with direct quotes or stories on public officials, not opinion pieces or editorials. Using an electronic database as the main source of data has limitations. Relying on journalists' accounts rather than directly analyzing politicians' discourse in congressional records could compromise validity. However, we wished to focus on a medium that provides information for the general public (few people regularly read officials records) and to include the accounts of elected officials and comments of those in charge of implementing policy.¹ Reliability was high, since we obtained the same articles in several tests of the terms in our search and in each trial.²

The search was conducted in two stages. Key terms such as "immigrant housing" and "immigrant pharmacies" generated too many irrelevant articles, such as pieces on housing markets, real estate, or local drugstores. To obtain relevant articles, we used terms such as "illegal housing," "illegal pharmacies," "illegal medicines," "food vendors," and "mobile food" as they pertained to immigrants. We discarded repeated articles (mostly syndicated ones) and then looked for direct quotes from public officials speaking about these issues (resulting in 66 hits). After reading all the articles, we only used 22 of them. The rest lacked direct quotes or contained quotes with openly negative remarks toward immigrants. To complement our content analysis, we conducted limited participant observation in different settings. For instance, when possible we attended court hearings dealing with the issues presented here, particularly those concerning food vendors.

Case Studies in Language Exclusion

We selected only three issues, although many others could have been examined. For instance, many communities in immigrant-receiving states are concerned about immigrant day laborers in their midst. Responses of public officials at times resembled the case studies presented here. Their "solution" to the problem was to observe that since these laborers are at the mercy of their employers and suffer abuse, this way of finding employment should be eradicated. Only in certain cases (e.g., Southern California) have public officials considered real alternatives, such as registering day laborers in trailers where they can take a number and wait for potential employers. Though we do not include this issue, it is an important instance of the use of benevolent rhetoric. Each section below includes background information and an analysis of the discourse related to unregulated pharmacies, food vendors, and housing.

Unregulated Pharmacies

In large U.S. cities, the distribution and sale of unregulated, foreign-origin medications exemplify the use of benevolent rhetoric to deny immigrants vital

resources while purporting to solve the problem. Many immigrants, particularly the poor whose jobs offer few, if any, benefits, rely on eclectic underground markets for foot creams, cold medicines, antibiotics, and experimental treatments. In urban Latino and Asian immigrant communities, such medications are commonly sold in swap meets, liquor stores, local supermarkets, and *botánicas* (stores that sell a variety of treatments, whether pharmaceutical, "traditional," or religious). Prescription medicaments are regularly sold over the counter in these establishments to uninsured or underinsured immigrants who would otherwise pay out-of-pocket costs for an expensive doctor's visit and prescription that they neither trust nor believe to be effective.³ Although medicines have traditionally been obtained from local pharmacies without a doctor's order in their countries of origin, unregulated medicines are often the only treatment poor immigrants have access to in the U.S. (Menjívar, 2002). These informal healthcare channels allow immigrants to avoid using social services, which are often thought to affect their chances of becoming permanent residents or of petitioning for a family member to immigrate to the U.S.

This practice has come under attack in the last few years, with numerous police raids on *botánicas* especially in Los Angeles County. State and health officials cracked down on all such outlets after the death of a toddler in Tuscín, California (whose penicillin shot was purchased and administered at a *botánica*). "This baby's death was a wakeup call to law enforcement," said Tuscín Police Lt. Mike Shanahan (Reza, 2000). Although initial reports did not conclusively state that the child had died from the medication, public officials quickly seized upon the issue. Immigrants were depicted as not knowing what was best for their health and as doing more harm than good for themselves.

Public officials emphasized the risk of using such medications since quality control in drug manufacturing is laxer in immigrant-sending countries like Mexico than it is in the United States. Moreover, many of these drugs are counterfeit or the medicine inside the packets differs from what is stated on the label (Shuit, 1999). "I don't think people are aware of the risks," observed Dr. America Bracho of Latino Health Access in Orange County. "They say to themselves that this fever or pain will go away after an injection or a few pills. For them, the real risk is not to offer a better future for their kids" (Terry, 1999). Officials managing the police crackdown on *botánicas* and similar outlets claimed that they were avoiding a greater danger. "The important thing is that these dangerous drugs that could be sold to the public in Orange County are now out of circulation," explained Deputy District Attorney Byron Nelson, who heads the Orange County DA's task force on illegal pharmaceuticals (Yi, 1999). No public office holders discussed the potential dangers of poor, sick immigrants going untreated for long periods for lack of access to formal health care, or the implications for society in general.

Politicians believe immigrants participate in underground medical markets because they lack an understanding of medical practices. For Latino public

officials, cultural differences with regard to the healthcare system explain the existence of *botánicas* in immigrant communities. Immigrants minimize the risks of unregulated medication because these practices are commonplace in their homelands. It "is very much a cultural thing," stated Miguel Santana, a Los Angeles County official (Bernstein, 1998). "It is very common in the Latino community to self-medicate," California Assemblyman Martin Gallegos observed (Webb, 1999). Such statements emphasize the danger of unapproved drugs relative to those approved under U.S. standards, and assume that only professional healthcare providers should dispense them.

The officials' sympathy suggests that immigrants do not know how to use "proper" channels to access the formal healthcare system because of a general lack of knowledge of how it works. This rhetoric overlooks that many immigrants lack access to the formal healthcare system because they are undocumented or hold low-paying jobs that seldom provide health benefits. Thus, to protect immigrants from purchasing medications in underground markets, L.A. County Supervisor Gloria Molina persuaded Assemblyman Gallegos to introduce emergency legislation that made selling prescription drugs a felony and authorized county officials to shut down such establishments (Bernstein, 1998).⁴ Both officials are Latinos, which demonstrates that in benevolent discourse, class differences and citizenship may be as important as, and compound, divisions along ethnic and racial lines.

Concern for immigrants presumably prompted politicians to legislate tougher laws, having discovered they "had more control over a place that sold bad food than over a place that sells illegal drugs" (L.A. County official Mark Finucane, in Bernstein, 1998). An absence of laws controlling the sale of unregulated medicine added fuel for politicians and law enforcement agents to portray immigrants as unwitting contributors to crime. Five members of a family that operated a gift shop were charged with distributing illegal medicine after the death of girl whose parents had purchased penicillin there. Reza (1999) reported that the child actually died because of severe dehydration caused by a chronic disease that attacked her liver. Asserting the family had greatly profited from the demand for such medications, a police agent compared the family business to a "sophisticated drug cartel" and lamented that the law was inadequate to recognize it as such (Leonard, 1999). In the eyes of public officials, immigrants hurt themselves (especially their children) by taking dangerous, unapproved medications and unwittingly create a criminal class ready to supply the pharmaceuticals. Local prosecuting authorities found that this family could only be charged with misdemeanors and thus sought to pass laws that would make such activities felonies. Deputy District Attorney Nelson states, "We know the punishment meted out is not much incentive for them to stop. But we have to work with the laws available to us" (Reza, 1999).

The message is that *botánicas* might be acceptable in the immigrants' countries of origin, but in the U.S., they are unlawful and potentially lethal. Law

enforcement officials claim the “problem” cannot be eradicated given inadequate laws and the fact that so many people use these outlets. The politicians’ discourse on tougher laws and increased enforcement squeezed immigrants’ access to familiar (though not always less expensive) and accessible healthcare, without offering viable alternatives. Officials remarked that children’s lives need not be lost. Yet, what are immigrants lacking access to formal healthcare and few medical choices to do, given an increasingly restrictive political and social climate and the constraints imposed by Proposition 187 in California?

The use of unregulated medicine in the U.S. by senior citizens (whose political power is greater than that of poor immigrants) is handled differently. Because pharmaceutical costs have escalated beyond retirees’ means, senior citizens regularly purchase prescription drugs in Mexico, where the same medication is available for much less. Safety concerns are not mentioned and senior citizens are even portrayed as smart and thrifty for organizing group trips across the border (Borden, 2001). Moreover, senior citizens who violate U.S. customs laws by stockpiling Mexican prescription drugs and smuggling them into the U.S. have not been subjected to a crackdown (West, 2000).

Food Vendors

Food vending increasingly has become a way for many immigrants to earn a living and for co-ethnics to purchase familiar foods relatively cheaply. Latino food vendors sell items ranging from tacos to stews, and tamales to Popsicles; their merchandise is available in immigrant-receiving areas from Los Angeles to New York. Several groups oppose this practice, alluding to health and sanitary risks, such as inadequate temperature controls for food storage, and the type of clientele (i.e., immigrants suspected of potential criminal activity). These vendors, with or without permits, have drawn attention and some have been forced out of business. In several cities, the debate over mobile eateries has become heated. This is not a clear-cut, majority versus immigrant or minority issue. Many established Latino residents fervently oppose the food vendors, asserting they bring crime to the neighborhood and depress real estate prices.

In California, citizens became concerned when mobile eateries began to proliferate and enter neighborhoods and construction areas beyond the downtown districts. Lax ordinances for mobile eateries in Phoenix, Arizona, made it ripe for the vending industry. By March 1999, there were 1,467 licenses for mobile vendors, up from 441 in March 1997 (Kossan, 1999). The increase in vendors alerted local residents to their presence. Reflecting the concerns of homeowners and local businesses, public officials soon began to depict vendors as an “eyesore” that devalued the surrounding property by attracting an unsavory clientele, causing traffic buildup on city streets, and noise in vacant lots. Public officials expressed concern over the well-being of immigrants and identified health issues as a cause for alarm in food vending practices. Presumably, immigrants risked

contracting diseases or being victimized by crimes that allegedly took place around mobile eateries. Established residents argued that the clientele, mainly Latino immigrants, gathered in large numbers and played loud music while eating near sites not zoned for business. Worried property owners argued that noise pollution, trash, drugs, weapons, and crime were becoming a problem and that something needed to be done for the community and for the vendors' safety (Phoenix City Council, 1999). Arguing that their town "isn't Mexico," neighbors demanded action from authorities, who were sympathetic to the property owners and acted accordingly (Navarrete, 1999). Residents of predominantly Mexican-American East Los Angeles have also complained about food vendors in their neighborhood, arguing that they bring a Third World mentality that needs to be changed. These cases poignantly illustrate that race or ethnicity alone cannot demarcate divisions around this issue, for citizenship and class seem to emerge more clearly in defining the sides of the controversy.

To distance themselves from the anti-immigrant climate reflected in community complaints about trash, noise, and crime, politicians focused on regulating the mobile vendor industry by enforcing health codes and limiting the number of valid permits. In Los Angeles, the city transformed MacArthur Park, west of downtown, into a sidewalk vending district. Proponents of this measure argued that it could revitalize the area by making it less drug plagued, which is believed to accompany vending activity. Officials observed that it would provide a decent infrastructure for converting micro businesses into permanent ones. Unfortunately, they only allowed 15 vendor permits and required several fees, costly permits, and the purchase of county-approved carts. This was difficult for the vendors to afford, since some of them make only about \$30 per day (Romney, 1999).⁵

Mobile food vending, like *botánicas*, is common in Mexico and other countries of immigrant origin. Unlike the case of unregulated medicines, in which public officials focus on "cultural differences," food vending seems to evoke little cultural sympathy. Instead, hygiene, sanitation, and food safety are the top concerns. Since immigrants comprise most of the clientele at mobile food eateries, immigrant health and safety served to justify the crackdown on vendors for violating health food codes. Emphasis is on what immigrants do and on avoiding the "problem" they cause in their communities. Why immigrants engage in those activities, how the receiving context and communities affect their actions, and what effect immigrants' actions and lifestyles have on the communities remain unquestioned. Public officials portrayed food vendors as unknowledgeable regarding health standards, as endangering their clientele, and as a hazard to the health of the community. Fred Taylor, an assistant to Arizona Governor Jane Hall, worked on behalf of the neighbors mentioned above to find a resolution. He criticized vendor operators for "roaches, meat sitting out in 110 degree weather, rodents, filthy floors, and school children buying food of questionable quality" (Kossan, 1999). Children's safety is again evoked in the rhetoric.

Concern over food temperature and purity may seem solicitous to the immigrant community. However, immigrant food vendors are cast as a danger to their communities for failing to follow county health and permit requirements. In Las Vegas, Clark County Health Inspector Mark Gillespie concentrates on food vending near construction sites. "Construction workers are a strange lot. You take their lunch away and they get pretty angry. They don't understand that I'm doing this for their own good" (Gorman, 1999). Not one vendor has a license to sell food because of a 1994 vending law that was too costly and bureaucratic and did not apply to warm foods. In Phoenix, public officials also speak of food safety matters. "If we don't get a handle on this, we're going to be looking at serious health problems," says Fred Taylor, assistant to Governor Jane Hull (Kossan, 1999). Popcorn, hot dogs, and sodas are regularly sold in the streets of Los Angeles, but tacos are a target of concern and ordinance enforcement because they allegedly pose a health threat (Rodriguez, 1995). Thus, selling hot dogs does not present a health hazard, but selling tacos carries a \$1,000 fine or six months in jail.

Benevolence is evoked when concern over food-born illnesses prompts public officials to act. "We usually try the least restrictive approach. When we just weren't able to do that, we had to get restrictive," explained Councilman Doug Linger Hull in Arizona (Kossan, 1999). Restricting the movement or number of vendors is a last resort. Public officials are often sympathetic to the vendors' plight. Fernando Tovar, a deputy to L.A. City Councilman Richard Alatorre, stated with reference to planning issues: "People have such a negative perception of vending, and it's difficult to overcome that. We hate to put the vendors on the street — this is their livelihood. Obviously, it's going to have an impact. These people don't have too many alternatives" (Gold, 1997). Since fundamental issues such as fewer opportunities for well-paid jobs are not addressed, such rhetoric may appear superficial.

Alternatives offered might seem to be reasonable, even compassionate, compromises, but in reality they only worsen the situation for immigrants in need of work. The MacArthur Park sidewalk sounds like a good idea, yet only a few costly permits were issued. Public officials overlook these problems. City Councilman Mike Hernandez states, "We're going to change the image we have of street vendors in Los Angeles. This area [MacArthur Park] is going to be another Olvera street" (Rodriguez, 1995).⁶ Such language veils how restrictive and implausible such a plan can be. "What we're really talking about is legitimizing micro businesses, giving them the tools to operate. The district is going to be a training ground where vendors can move on to the next phase of opening their own little shops" (Romney, 1999). The truth lies closer to taking away vendors' livelihoods.

Class interests and citizenship play a key role here. Longtime Mexican American residents have opposed vendors in Los Angeles and Phoenix and have defended their property against the potential danger posed by the immigrants' presence. This complicates the issue, especially since some participants argue that

getting rid of the food vendors is not racist. Residents and their representatives note that many of the concerned citizens are Mexican Americans. Their criticism of the vendors centers on their dirtiness. "The residents were never against the vendors — we were against the public health hazards," said Nadine Diaz, 34, who lives near a vendor market in Los Angeles. "It's a very, very sad issue, because we as neighbors are trying to clean up our neighborhood. I think everybody has the right to live in a clean area, and the right to work" (Gold, 1997).

With work alternatives for poor immigrants the issue, dispensing permits for food vending is an inadequate policy. Concerns over health, sanitation, and food safety must be weighed against the reality that food vendors are self-employed and provide a low-cost service to low-income immigrants. Criminalizing this activity in the name of protecting immigrants is not the solution.

Housing

The cost and quality of unregulated housing in many immigrant-receiving cities, such as New York, Chicago, Los Angeles, San Francisco, and Washington, D.C., are a problem for immigrants. Housing costs have risen astronomically, but immigrants' incomes — particularly among newcomers — have not kept pace. Subsidized housing in urban areas is not readily available to most undocumented or documented immigrants, and shelters and low-cost housing are almost nonexistent in suburban areas. The need for cheap and affordable shelter forces immigrants to share their homes with others or to inhabit places that are not zoned to accommodate private living situations. Garages are commonly converted into substandard living areas and makeshift dwellings are created within existing structures (Menjívar, 2000). Such practices violate municipal wiring, plumbing, and safety codes, but immigrants simply have no other affordable choice.

Public officials highlight these unregulated housing practices, cite tragedies, and express concern over the health and safety of immigrants. They lament the poor construction and wiring in some of these dwellings and the deaths associated with these conditions. As in the other examples, public officials use the deaths of children resulting from unsafe housing arrangements as a call to action. In Los Angeles, the deaths of two girls who lived in a converted garage prompted the city manager to aggressively cite owners and landlords who participate in this type of renting and ordered all government employees to report suspicious housing activity (Wilgoren and Gordon, 1996). Public officials portray these dwellings — apartments, houses, garages, or makeshift homes — as unhealthy, unsanitary, and life threatening. In Orange, New Jersey, two fatal fires involving unregulated housing used by immigrants prompted officials to distribute smoke detectors and fire safety pamphlets; they also dispatched teams of inspectors to look for signs of unregulated housing (Newman, 1995).

In an attempt to crack down on the problem, public officials in New Jersey promised to prosecute or fine landlords who provide such shelter and to conduct

"raids" on the dwellings to evacuate the residents. People were asked to report their neighbors to authorities if they suspected a multiple-housing situation. Landlords were repeatedly convicted and fined, but resumed their practice because of the lax laws on multiple or dilapidated housing. In Glen Cove, Long Island, officials targeted rentals of unregulated apartments to undocumented immigrants and justified the crackdown in terms of protecting immigrants from exploitation at the hands of unscrupulous landlords (LeDuff and Halbfinger, 1999). Long Island inspectors also used the city's emergency powers to conduct raids without warrants or eviction orders, allegedly to protect the public safety (Lambert, 1996).

The language public officials used when discussing such unapproved housing units reveals concern for immigrants' well-being. Alarm over issues of health and safety was raised by deaths, especially of children, due to fires linked to poor electrical wiring. In Oyster Bay, Long Island, Town Supervisor Lewis J. Yevoli said: "We're not going to throw women and children out into the street, but we cannot allow them to remain on the premises because of the seriousness of the situation. God forbid you should have a fire. We're trying to work with them to find alternative housing" (Lambert, 1996). Public officials blamed landlords for providing unsafe housing to poor immigrants and used citations and fines to reduce the prevalence of such dwellings. Their discourse highlighted the immigrants' misfortune, while stressing that the landlords and renters were breaking housing laws. The focus on eradicating supply was not coupled with concrete proposals for dignified housing alternatives, and few public officials questioned why there is a demand for substandard dwellings.

Justifications for the crackdown on unregulated housing were framed in terms of protecting immigrants from greedy landlords and their own "uninformed" behavior. One politician sought to avoid interpretations of his concern for immigrants as a racist strategy. Glen Cove's Mayor Thomas R. Suozzi said, "We will not allow landlords to take advantage of people of any race and put them in dangerous conditions. On the other hand, if you come to Glen Cove, you must obey the law" (LeDuff and Halbfinger, 1999). Public officials insisted on upholding the law to save immigrant lives, even if eviction left immigrants homeless or displaced. In the words of East Orange, New Jersey's director of housing code enforcement, "We are not cold to these people.... We give them something so they at least can move, even if it's to the YMCA for a month. If someone is living in an illegal basement or attic, even if we're making them leave their apartment, we're giving them their life" (Newman, 1995). Shelters do not make up for the lack of affordable housing for newcomer immigrants (or for the poor) and homelessness becomes a serious threat. Altruistic concern over the health and safety of immigrants here results in excluding immigrants from the only housing they can afford. The risk of fire or other health issues does not outweigh their need for shelter.

Latino public officials have employed a discourse on substandard housing similar to that of non-Latino officials, so the issue cannot be framed as racist. Joe Carreras, who manages the housing program at the Southern California Association of Governments, alluded to the "tragic trade off" between code enforcement and putting people into the street: "It may not be so much problem-solving as problem-shifting. It's rather a draconian choice on either end" (Wilgoren and Gordon, 1996). This is a recognition that potentially detrimental consequences can flow from enforcing codes of law or creating new ones to deal with this issue.

Discussion and Concluding Remarks

On the surface, public officials' condemnations of the poor conditions in which poor immigrants live appear to be favorable and sympathetic statements. An examination of the ideological meanings and intentions behind their words (within their broader context) reveals a different, problematic picture. Even the most ardent supporters of immigrants would be hard pressed to disagree with such concerns, since they are couched in a language favorable to immigrants. However, public officials' comments place too much burden on individual immigrants and criminalize their behavior; they do not focus on the broader forces that may affect the immigrants' actions. Instead of viable alternatives, we see the enforcement of laws or the creation of new ones to constrain immigrants' actions, which constitutes blaming the victim. Eradication of the "problem" translates into ridding society of immigrants, a result that more openly exclusionist anti-immigration lobbyists would embrace. This rhetoric also has practical effects. It shapes and defines policies that threaten vital aspects of immigrants' lives. Our case studies reveal that apparently altruistic efforts to enhance the well-being of immigrants through the enforcement of laws and legal codes often constrain their access to crucial resources. Complaints from constituents about the presence of immigrants often account for the seeming concern of public officials over immigrants' conditions.

Unregulated medicines, rundown apartments, and food purchased from vendors may endanger immigrants' health and lives. Yet, the solution lies in addressing the structural roots of immigrants' actions, not in criminalizing their housing, food, and healthcare options. Otherwise, poor immigrants will remain on the margins of society. Public discourse on immigration suggests that rather than an openly nativist policy, we may be seeing the emergence of a "neoconservative immigration policy based on law and order, minimizing government spending for services and assistance" (Castro, 1999: 47). Rendering as criminal immigrants' survival activities in an increasingly inhospitable context is clearly not humanitarian. Immigrants enter local economies where traditional unskilled or semi-skilled jobs with real opportunities for mobility are practically nonexistent. Stiffer and more restrictive immigration laws push immigrants into jobs, such as food vending, that make their lives more vulnerable and uncertain. Low-paid jobs at the

bottom of the service sector rarely include benefits such as health insurance. Immigrants thus turn to *botánicas* and similar outlets, even at the risk of their health. Rather than criminalize the distribution of unregulated medicines, alternative ways for the uninsured or subinsured to gain access to the formal healthcare system should be considered. Public officials should also pay attention to the lack of affordable housing for immigrants and the poor. Criminalization simply increases the likelihood that immigrant tenants will become homeless.

Politicians use random tragedies, such as the death of young children, to initiate benevolent action that eventually criminalizes immigrants' actions. Because of their innocence and complete dependence on adults, children are constructed as needing the most help (Best, 1987: 109). Attention to immigrant children, who supposedly need the most protection, facilitates quick consensual action. Due to cultural differences, it is implied that immigrant children need the most protection from "ignorance."

It is difficult to label public officials' rhetoric and actions as racist, since the officials and targeted immigrants often come from the same ethnic or racial groups. Of course, our sample does not include a cross-section of the views of Latino public officials on immigrant-related issues, much less of the Latino public. By definition, the individuals whose language is examined here differs from that of the general Latino population due to their class position and political power. They also differ from Latino officials who have taken a strong stand against restrictive immigration policies or spoken in favor of immigrants (see Gutierrez, 1995). Latino officials using benign frames may carry more significance than when non-Latino officials use similar rhetoric. As "Mexicans" or "Hispanics" (even when they have roots in communities that predate their annexation to the U.S.), they are perceived to have a natural interest in supporting immigrants or to be their spokespeople. Their use of benevolent, compassionate rhetoric thus lends legitimacy to the restrictions that officials seek to place on immigrants' actions.

Thus, there are no simple "white-black," "white-brown," or "black-brown" dichotomies, and class standing and citizenship take on importance. Co-ethnic officials, whose interests tend to coincide with those of traditional power holders, often resort to benevolent language. Shared ethnicity or a recent immigrant past may explain why Latino public officials use benign rhetoric to express their views on the problems of poor, newcomer immigrants. Deep, complex divisions over immigration among Latinos preclude simple categorizations of "for" or "against." Gutierrez (1995: 5-6) argues that the attitudes of Mexican Americans toward immigrants from Mexico are linked to a "deeper debate about the historical evolution of Mexican Americans' own sense of cultural and political identity."

Latino officials may be genuinely concerned with the plight of immigrants. Yet, in the absence of real solutions, their interests tend to align with, and buttress, forces more firmly entrenched in the power structure, rather than with their poorer and powerless co-ethnics. This raises difficult choices concerning their true

constituents, which reflects on the central role of citizenship. Many new immigrants are undocumented or are not permanent residents. Thus, they do not have the right to vote, a key consideration for any politician. When asked why he did not do anything to protect the mostly newcomer Latino immigrants involved in the L.A. riots, City Councilman Richard Alatorre simply stated: "I try my best to advocate for [immigrants'] concerns.... But I didn't get elected to represent them" (Pastor, 1993: 16). Lacking the political participation that accompanies citizenship, recent immigrants' concerns rank low on politicians' agendas. Schneider and Ingram (1993) and Magaña and Short (2002) have observed that the amount and quality of service that particular groups in society receive from the government are related to the group's political power, as well as to the group's image in the public eye. The use of unregulated medicines purchased in Mexico by U.S. senior citizens corroborates this point. Viewed as unproblematic for seniors, it becomes an unlawful threat to communities and society when immigrants are concerned.

Public officials — co-ethnics or not — who discuss immigrants' problems with seeming empathy to avoid being labeled racists may do more harm than good. Although their rhetoric is infused with moral tones and compassion, they are concealing a message that opponents of immigration discuss more openly. The result is the same: immigrants are unwelcome, displaced, excluded, and kept in the margins of society. In this case, the benevolent officials would argue, it is for the immigrants' own good.

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NOTES

1. We limit our analysis to written text and exclude aural or tape-recorded interviews because of the fixed and captured nature of written media; they are printed, saved, and archived. In contrast, visual or aural news reporting tends to be ephemeral and more difficult to recapture. In addition, written media are more likely to contain comments by non-elected public officials in charge of implementing policy.

2. We wish to thank Lisa Magaña and Robert Short for these tips on using content analysis.

3. In a study of Guatemalan women in Los Angeles, Menjivar (2002) notes that women complained that when they had seen a U.S. doctor for what they felt was a serious illness, they were advised to take a Tylenol or Maalox instead of the more potent (not over-the-counter) prescription medicine they had expected.

4. The "Gallegos bill," which became law, increases fines and jail terms. First-time offenders can be fined \$5,000 and receive a year in jail. A second offense doubles the fine and can lead to a store's closure.

5. The park eventually plans to phase in a maximum of 50 vendors. Licenses cost about \$700 annually and the cart rental can run as high as \$250. In addition, vendors must cover the cost of a management organization (Romney, 1999).

6. Olvera Street is a tourist area in downtown L.A. devoted to Mexican eateries and products that cater to a large Anglo clientele and tourists. A church in the plaza is attended largely by Mexican and Central American parishioners.

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