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## *The Political Philosophy of Unauthorized Immigration*

José Jorge Mendoza  
*University of Oregon*

### Introduction

With the United States still in the stranglehold of the latest economic crisis, it is not surprising that unauthorized immigrants, the most vulnerable and exploited members of society, are again the scapegoats for economic woes. In the last few years, this scapegoating has manifested itself in various ways, from the passage of legislation such as the Sensenbrenner bill of 2005 (which passed the House, but failed in the Senate) to the recent passing and signing of SB1070 in the state of Arizona. Respectively, these bills seek to criminalize the humanitarian act of feeding, clothing, or giving shelter to unauthorized immigrants.<sup>1</sup> At the same time they would force police officers to take up border enforcement duties, asking them to stop and interrogate anyone who fits the profile of an unauthorized immigrant, regardless of the fact that in doing so they would be hindered in performing their sworn duty to protect and serve their communities.<sup>2</sup>

The type of legislation exemplified above is part of a larger strategy that has been dubbed "enforcement through attrition" by the Center for Immigration Studies, an anti-immigrant think tank. This enforcement strategy seeks to address the "immigration problem" through harsh domestic policies designed to reduce the number of unauthorized immigrants living in the U.S. by making their existence in this country as miserable as possible.<sup>3</sup> This strategy is different but complementary to what Wayne Cornelius has called the "concentrated border enforcement strategy."<sup>4</sup> This second strategy focuses on the enforcement of the physical border, which for the last two decades has meant militarizing the U.S.-Mexico border. This has been the strategy of choice despite two important points. First, rather than decreasing the number of unauthorized immigrants, increased border enforcement has instead increased the number of deaths of those attempting to cross the border through unsanctioned channels.<sup>5</sup> Second, "concentrated border enforcement strategy" ignores the fact that a large percentage, possibly as high as 50 percent, of those

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University of Delaware  
Newark, DE 19716

currently unauthorized in the U.S. originally crossed the border through legal means and then overstayed their visas.<sup>6</sup>

These two strategies both understand the issue of immigration as a problem of pest control. This is made clear when we look at the stated goals of these two strategies. The first strategy seeks the removal or fumigation of the current pest, in this case the deportation or coerced removal of unauthorized immigrants already in the country. The second strategy seeks a strong deterrent against future infestations, in this case to discourage potential unauthorized immigrants from coming to the U.S. in the future. In short, these strategies understand the “immigration problem” to be at bottom a problem of failed enforcement. In my view this is a grave misunderstanding of the “immigration problem.”

In this essay I therefore argue that the enforcement strategies mentioned above are failures, not because the policies they have generated have failed to properly execute the strategies, but are failures in the sense that they misapprehend or misrepresent the “immigration problem” from the very start. In place of these strategies I will present a case for approaching the “immigration problem” from an ethico-political perspective. To make this case and to properly outline what such an approach would entail, two things are required. First, what is needed is a sketch of the current immigration debate within political philosophy. This sketch will highlight the strengths (e.g., its challenge to “concentrated border enforcement strategies”) and shortcomings (e.g., its relative silence to “enforcement through attrition” strategies) of the current debate. Second, a way to address these shortcomings will also be necessary. Here I propose that we can address these shortcomings by drawing heavily on the work of Latin American philosopher Enrique Dussel. By doing so, I will show that in order to adequately solve the “immigration problem,” we need to begin by approaching it as an ethico-political problem and not simply as an enforcement problem.

### The Immigration Debate Within Contemporary Political Philosophy

In contemporary political philosophy, the question about immigration has been broadly addressed within two strains: liberalism and conservatism. The liberal strain, in both its classical<sup>7</sup> and social justice<sup>8</sup> forms, is typically concerned with the values of liberty and equality. Therefore, with regard to the immigration debate, the liberal position has tended to give preference to an individual’s right to freedom of movement over and against the state’s sovereign authority to control its own borders. The reasoning has been either that immigration does not present a circumstance where the state can infringe on an individual’s liberty, as has been the stance of classical liberalism,<sup>9</sup> or that restricting immigration places too great a barrier on attaining universal equality, as has been the stance of social justice liberalism.<sup>10</sup>

By contrast, the conservative strain, in both its communitarian<sup>11</sup> and nationalist<sup>12</sup> forms, is concerned more with issues of civic engagement (i.e., being a good citizen) and the security and self-determination of a community. For this reason, this strain has tended to give preference to a community’s right to freedom of association (i.e., the ability to exclude non-members) over the individual’s right to freedom of movement. The reasoning has been that either an authentic sense of citizenship requires a bounded community, as has been the communitarian stance,<sup>13</sup> or that freedom of association is central to a community’s ability to remain secure and self-determined, which has been the nationalist stance.<sup>14</sup>

It is out of this tension that David Miller, in his 2008 article “Immigrants, Nations, and Citizenship,” articulates what he takes to be the central question of the immigration debate:

“How far is it reasonable to expect immigrants to adapt to existing conditions in the host society, and how far must citizens in the host society bend to accommodate ‘the strangers in our midst?’”<sup>15</sup> In other words, what are the limits to an individual’s freedom while in an alien community and, by the same token, what duties does a community have to a stranger (i.e., non-member)?

This is an interesting question for political philosophers to consider because, while it is similar in form to questions that arise from the longstanding debate that pits the individual against the collective, it comes with an added twist. While in its traditional form questions about the “individual versus collective” all revolve around trying to determine the priority of one over the other—does individual liberty (e.g., basic rights) take precedence over possible threats to the collective community (i.e., security and self-determination) or vice versa—they usually begin with the presumption that the individual is a member of the collective and therefore can expect certain liberties or duties to follow as an outcome. The case of immigration is different because the individual in this case is not and might never qualify for membership in the collective. Without the assumption of membership, it cannot be assumed that either the individual or the collective has, or will have, any rights or duties that the other is bound to respect. Therefore, in an attempt to address the issue of immigration, most contemporary political philosophers have attempted some revision of the traditional “individual versus collective” debate.

In the article mentioned above, Miller attempts to provide such a revision by arguing that the issue of immigration should be approached “by thinking of the relationship between the immigrant group and the citizens of the receiving state as quasi-contractual.”<sup>16</sup> In other words, Miller proposes a return to contract theory, except that this time the contract is between non-members and members. In this way “each side claims certain rights against the other, and acknowledges certain obligations in turn.”<sup>17</sup> This converts the issue of immigration, which initially made a poor fit within the framework of modern political philosophy, into something that is more palatable to the tradition. Following John Rawls, Miller believes that the issue of immigration is at bottom an issue of fairness such that “it searches for norms of fairness to set the terms on which immigrant groups and host societies interact *without regard to the particular circumstances* of any individual immigrant or category of immigrants.”<sup>18</sup>

While a commitment to fairness is an excellent starting point, Miller’s solution assumes, as all contract theory does, that the parties involved are in some sense equal before entering the contract and are therefore in a position to make demands on each other.<sup>19</sup> While this might be the case with an abstract understanding of immigration, this is not the case with unauthorized immigrants who, while not necessarily or exclusively refugees, are nonetheless heavily pressured to move (e.g., are economically displaced by neo-liberal policies, actively sought by American employers, and encouraged to believe that the U.S. has the most opportunities for them and their families) and so greatly disadvantaged with respect to the potential “host” society that they are not in any meaningful sense an equal party to this new contract. This concern falls outside of Miller’s scope because, as the quote above makes clear, in his attempt at fairness he abstracts the particular circumstances from the “immigration problem.” By so doing, Miller’s solution makes a poor fit for the issue of unauthorized immigration because addressing this more particular issue, which I argue is at the core of the “immigration problem,” requires that some of the particularities of the circumstances be taken into account.

One approach to the “immigration problem” that attempts to take some of its particular circumstances into account is presented by Thomas Pogge in his article “Cosmopolitanism and Sovereignty.” In that article Pogge argues that first-world countries bear certain responsibilities for the condition of third-world countries and therefore owe certain duties to them. These duties are, contrary to the Rawlsian understanding of duties, best thought of as negative and not positive duties. In other words, as Kim Diaz makes clear in her article “U.S. Border Wall: A Poggean Analysis of Illegal Immigration,” Pogge’s position does not advocate for first-world charity, but is demanding that first-world countries not cause third-world countries any more harm.<sup>20</sup>

As a way to address what I have been calling the particular circumstances of the “immigration problem,” in this case gross amounts of global inequality for which the first-world benefits from and is at least partially responsible for, Pogge proposes the idea of vertically dispersing sovereign authority. This means that instead of understanding sovereignty as being concentrated and indivisibly situated at one highest level, as Thomas Hobbes argued, Pogge proposes a notion of sovereignty that is dispersed throughout various levels, both above and below the nation-state. This dispersal of power, he argues, should be de-centralized such that “persons should be citizens of, and govern themselves through, a number of political units of various sizes, without any one political unit being dominant and thus occupying the traditional role of state.”<sup>21</sup>

By advancing a notion of dispersed sovereignty, Pogge also feels he is responding to a central claim about distributive justice: that distributive justice necessarily presupposes a fixed bounded community where “the authority to fix membership, to admit and exclude, is at least part of an indivisible core of sovereignty.”<sup>22</sup> Nationalists and communitarians alike, such as Miller and specifically Michael Walzer,<sup>23</sup> hold to this idea and therefore would disagree with Pogge’s view because they feel that a dispersal of sovereignty would lead to the disintegration of communities and thereby the community’s ability to engage in acts of distributive justice. Pogge’s response to this fear is to argue that the cohesiveness of a community “is actually better served by a division of the authority to admit and exclude than by the conventional concentration of this authority at the level of the state.”<sup>24</sup> In other words, if we concede that communities exist at levels both above (e.g., the Latin American community) and below the nation-state (e.g., Barrio Logan), then concentrating sovereign authority at the level of the nation-state, and with it the power to include and exclude people (i.e., control national borders), can potentially undermine the cohesiveness of communities that exist both above and below the nation-state.

At this point I wish to summarize what has been said, not so much to take sides, but to take stock of where this debate has left us with respect to the two strategies mentioned in the introduction. The first thing to say is that now any viable political philosophy that deals with the issue of immigration must be able to address concerns of liberty and equality in both a local and globalized context, and in a manner that we recognize as fair (as opposed to arbitrary or ad hoc). Secondly, it must appreciate the importance of community in a world that is everyday becoming more mobile and therefore also more individualized than ever before, while at the same time it must challenge us to think differently about traditional notions of sovereignty. This is the strength of the current debate as it stands and I do not wish to minimize this by any means, but it is clear that this debate also remains bogged down on the question of whether *an individual’s right to move trumps the sovereign right of a community to control its own borders or vice versa?*

This stringent focus reduces the possible positions one can take within the immigration debate to whether one favors a strong or weak, rigid or dispersed version of border enforcement. Yet, as I alluded to in the introduction, border enforcement is at most only half of the immigration story. This again is because a “concentrated border enforcement strategy” is but one of two strategies currently being deployed. Furthermore, even if we take this to be the principle strategy, it also happens to be the case that close to half of those currently unauthorized in the U.S. actually entered the country through legal means.

What this debate within philosophy lacks is a serious engagement with a second question: *What can be done to and what recourses, if any, should be available to those who are already inside a country, but do not have the proper authorization to be in said country?* This second question is related to the first, but ultimately they are very different questions. The first focuses on immigration in general, while the second focuses on unauthorized immigration in particular. Political philosophy has to some degree addressed the first question, but it has been relatively silent with regard to this second. What this means is that while philosophy has at least put into question strategies like the “concentrated border enforcement strategy,” it has remained silent on strategies like “enforcement through attrition.” This is not to say that community activists do not challenge this strategy, but that a challenge to this strategy remains relatively unarticulated by philosophers. What I do in the following section is provide a framework for such a challenge by drawing on the work of Enrique Dussel.

### **Enrique Dussel: The Underside of the Immigration Debate**

While Enrique Dussel does not directly address the issue of immigration, I find his work relevant to the second question of unauthorized immigration because his work centers on and constantly returns to the material grievances of those who are the most excluded and oppressed in any given society. This commitment to the most excluded and oppressed forms the heart of his critical material principle (i.e., the principle of solidarity), which he summarizes in the following way: “We must produce and reproduce the lives of the oppressed and excluded, the victims, discovering the causes of their negativity and adequately transforming institutions to suit them, which will as a result improve the life of the community as a whole.”<sup>25</sup> This principle for Dussel rests on the premise that in order to understand or pinpoint the failure of a system or institution, we need to first locate its victims, those who suffer the brunt of its exclusion and oppression. When we locate this group, Dussel argues that we need to address the failure from their perspective (i.e., from the perspective of those who suffer from them) and not from the perspective of privilege (i.e., from the perspective of those who benefit from them).

The natural question that arises when adopting such an approach is to ask what does it mean to begin from the perspective of society’s most excluded and oppressed? For Dussel, this is not some appeal to standpoint theory, where the claim would be that only unauthorized immigrants have the true perspective on the issue of immigration. Instead, a Dusselian account requires an understanding of the various causes that have given rise to the current situation such that the unauthorized immigrants are seen for what they are, victims of a system, and not as they are in fantasy (i.e., what Dussel would call a fetish), as those that victimize the system. In other words, what a Dusselian account provides to the immigration debate is an account from the underside of the immigration debate. That is an account of liberation. An account that is in direct opposition to the more standard accounts, which support

“concentrated border enforcement” and “enforcement through attrition” strategies, where unauthorized immigrants are cast in the role of lawbreakers par excellence (i.e., “Illegals”) and their suffering is excused as being of their own making. A Dusselian analysis would rightly condemn these more standard accounts as accounts of domination.

A Dusselian account is therefore not as concerned with maintaining law and order, if it comes only at the expense of justice for the excluded and oppressed. Instead, this account is first concerned with transforming the current system of injustice by empowering those who are currently the most victimized and therefore the most disempowered. This requires understanding an important distinction between what Dussel calls political *trans-formation* and political reform. By political reform Dussel means any action that only acts as if it provides change, but that leaves the system fundamentally intact. *Trans-formation*, on the other hand, begins from and within social justice movements (which are different and opposed to conservative reactionary movements<sup>26</sup>). This is because social justice movements for Dussel represent an activation of already preexisting social networks (e.g., family, friends, neighbors, etc.) that has the potential (i.e., *hyper-potentia*) of transcending civil society and producing a crisis of legitimacy at the political level.<sup>27</sup>

For Dussel the *hyper-potentia* of social justice movements comes not just from their opposition to the status quo, but from the kernel of a new political order that they carry within. As Dussel writes, “through mutual information, dialogue, translation of proposals, shared militant praxis, these movements slowly and progressively constitute an *analogical hegemon*.”<sup>28</sup> In other words, beyond serving a counter-hegemonic purpose social justice movements, in respecting and representing the alterity of the oppressed and excluded, also serve an “analectical” purpose. For Dussel analectical implies a novel or utopic moment that comes from outside the system, as opposed to dialectical criticism, which is merely an internal critique and is devoid of a utopic moment (e.g., the immanent critique of the Frankfurt school). This understanding of social justice movements and the political role that they play applies directly to the Immigrant Rights Movement, especially within the United States, where the movement has held various marches, demonstrations, aggressively lobbied Congress and the Senate, and has brought together whole communities in support of immigrant rights. Beyond just voicing their opinion, this movement has also given birth to all-volunteer water station projects and “search and rescue” teams that service the mountainous and desert areas between Mexico and the United States, where hundreds of migrants die each year attempting to cross the border. The movement has also established projects that build decent homes for immigrant farm workers and provide help with translation of documents, tax services, ESL and computer classes, and endless other services.

Going beyond civil society, the movement has also had a substantial impact at the political realm, where it has and will continue to defeat unjust legislation, such as the Sensenbrenner Bill in 2005, the current SB1070 law in Arizona, and future attempts to revoke birth right citizenship. More than just reacting to politics, this movement has also played a politically progressive role, like helping to draft and promote forward-thinking legislation such as the Dream Act.<sup>29</sup> The Dream Act seeks to fix the status of unauthorized immigrants who came here as children and have proved their worth as members of the community and demonstrate the potential to be even greater contributors, but currently have no avenue open to them to fix their status. This Act is in direct response to the two strategies mentioned above, “enforcement through attrition” and “concentrated border enforcement,” and it forms part

of a counter-strategy that we can refer to as “empowerment through solidarity.” This is because many, if not most, of those who compose the Immigrant Rights Movement—the marchers, demonstrators, and those who volunteer their time and energy protecting and helping unauthorized immigrants—are not themselves unauthorized or even immigrants. They are in solidarity with unauthorized immigrants because they respect their humanity and see them as vital members and contributors to their community, not as pests that need to be fumigated and kept out.

This more active and expanded understanding of political participation underlies Dussel’s second principle, the critical legitimacy or democracy principle (i.e., his principle of equality), which goes beyond formal equality to include respect for the alterity of the excluded and oppressed. Dussel summarizes this principle by saying that:

We must achieve a *critical consensus*—first through the real and symmetrical participation of the oppressed and excluded—of the victims of the political system, because they are the most affected by the institutional decisions that were made in the past! [...] The excluded should not be merely *included* in the old system—as this would be to introduce the Other into the Same—but rather ought to participate as equals in a new *institutional moment*.<sup>30</sup>

In other words, the mere inclusion of those currently excluded is not enough to transform the current system because a corrupt system with new parts still only generates corrupt results. To be more concrete, while some sort of amnesty program for those who are currently unauthorized might be a good first step in transforming the current system, the conditions that first gave rise to unauthorized immigration will not end without further systemic changes that address issues of global exploitation and alienation.

This leads us to Dussel’s third and final principle, the feasibility principle (i.e., his principle of liberty), which for him serves as a gauge for assessing how much change is possible and necessary for any social justice movement to obtain without trampling or neglecting the prior commitments to solidarity and respect for alterity. Dussel summarizes this principle by saying: “We must do the maximum *possible*—thereby appearing reformist to the anarchist and suicidal to the conservative—and having as criterion of possibility in institutional creation (transformation) the liberation of the victims of the current system, the *people*!”<sup>31</sup> It is at this level that today, if we are serious about addressing the “immigration problem” in a humanitarian way, we should demand not just amnesty for unauthorized immigrants, but also forgiveness of the unjust debt that burdens third-world countries and restricts the autonomy of their citizens, especially their poor. In first-world countries workers need to start standing in solidarity for fair wages and decent working and living conditions for all, including and especially for unauthorized immigrants. Feminist movements must also begin to look into the issue of unauthorized immigration, especially since this is an issue that at least over the last few decades and for various reasons has disproportionately and more adversely affected women than men. While these few remarks might seem insufficient to some and far too radical to others, they are the minimum needed in order to begin to adequately address the “immigration problem.”

## Conclusion

With this general overview of Dussel’s political philosophy and its application to the “immigration problem” in mind, I would like to conclude by summarizing what I think some of the strengths are of pursuing such an approach. First, Dussel’s political

framework is able to incorporate in its political principles three key values of political liberalism—solidarity, equality, and liberty. Second, Dussel's *trans-formative* philosophy does not begin by assuming that all participants are or can be made abstractly equal. Instead Dussel begins from the position of those who are currently the most oppressed and excluded, and thereby accounts for the reality of unauthorized immigration better than traditional contract theory can. Lastly, Dussel's framework offers an interesting perspective on the traditional question that pits the "individual versus collective" (which brings us back to the first question, *Does an individual's right to move trump the sovereign right of a community to control its own borders?*). Dussel, following the communitarian tradition, believes that any notion of radical individuality or having an unencumbered self<sup>92</sup> is a myth. Yet Dussel also recognizes that communities are in constant flux, especially with the rise of "globalization," so the question for Dussel is not whether a community should, but *how it will* incorporate others who have not traditionally been a part, or at least not a recognized part, of the community. Under Dussel's framework, community cohesion is possible not by protecting the homogeneity of the community, as this view tends towards harsh enforcement policies, but only through the constant *trans-formation* of the community into a new community that looks to the victims of its actions as the gauge for accessing its success or failure. So far, political philosophy has missed what a Dusselian account of immigration reminds us of: that the "immigration problem" is at bottom an ethico-political problem and not an enforcement problem, as it is currently presented. It is a problem whose solution is not found in developing better and more efficient deterrents or establishing more and harsher restrictions, but by discovering and addressing the root of human exploitation and alienation that gives rise to the problem of unauthorized immigration in the first place.

#### Endnotes

1. See "H.R. 4437--109th Congress: Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005." GovTrack.us (database of federal legislation). 2005. Nov 16, 2009. Section 202, amending 274 and Section 205. <http://www.govtrack.us/congress/bill.xpd?bill=h109-4437>
2. See State of Arizona Senate, Forty-ninth Legislature, Second Regular Session 2010. Senate Bill 1070. Article 8 section B. <http://www.azleg.gov/legtext/49leg/2r/bills/sb1070s.pdf>
3. Jessica Vaughan. "Attrition Through Enforcement: A Cost-Effective Strategy to Shrink the Illegal Population," Center for Immigration Studies, April 2006. <http://www.cis.org/Enforcement-IllegalPopulation>
4. Wayne A. Cornelius, "Controlling 'Unwanted' Immigration: Lessons From the United States, 1993-2004," *Journal of Ethnic and Migration Studies* 31, no. 4 (2005): 778.
5. Justin Akers Chacon, and Mike Davis, *No One Is Illegal* (Chicago: Haymarket Books, 2006), 201-15.
6. See Ted Robbins, "Nearly Half of Illegal Immigrants Overstay Visas," *NPR*, June 14, 2006. <http://www.npr.org/templates/story/story.php?storyId=5485917>; Marco Rubio, "Fla. Republican Rubio says close to half of illegal immigrants entered the U.S. legally," Politifact.com, Jan 14, 2010. <http://www.politifact.com/florida/statements/2010/jan/18/marco-rubio/fla-republican-rubio-says-close-half-illegal-immig/>; Griselda Nevarez, "Unauthorized Workers Overstay Visas," *AZdailysun.com*, May 11, 2010. [http://azdailysun.com/news/local/state-and-regional/article\\_825a9b53-c1f5-5451-a62b-db72b307c09d.html](http://azdailysun.com/news/local/state-and-regional/article_825a9b53-c1f5-5451-a62b-db72b307c09d.html)
7. As an example see John Locke, *Second Treaties of Government*, ed. C.B. Macpherson (Indianapolis: Hackett Publishing, 1980).
8. As an example see John Rawls, *A Theory of Justice* (Cambridge, Mass.: Harvard University, 1971).
9. As an example see Joseph H. Carens, "Aliens and Citizens: The Case for Open Borders," *The Rights of Minority Cultures*, ed. Will Kymlicka (Oxford: Oxford University Press, 1997), 331-49.
10. As an example see Thomas W. Pogge, "Cosmopolitanism and Sovereignty," *Ethics* 103, no. 1 (1992): 48-75.
11. As an example see Michael J. Sandel, *Democracy's Discontent: America In Search of a Public Philosophy* (Cambridge, Mass.: Harvard University Press, 1998).
12. As an example see Will Kymlicka, *Multicultural Citizenship* (Toronto: Oxford University Press, 1995).
13. As an example see Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (New York: Basic Books, 1983).
14. As an example see David Miller, "Immigrants, Nations, and Citizenship," *The Journal of Political Philosophy* 16, no. 4 (2008): 371-90.
15. *Ibid.*, 371.
16. *Ibid.*
17. *Ibid.*
18. *Ibid.*, 373 [emphasis added].
19. Thomas Hobbes, for example, argues that in the state of nature everyone is equal in that everyone is entitled to everything and anyone can potentially kill anybody else. See Thomas Hobbes, *Leviathan*, ed. Edwin Curley (Indianapolis: Hackett Publishing, 1994), 76. Rousseau also argues that we are all equal in the state of nature, although not in the same way as Hobbes, and that civilization is what gives rise to "unnatural" inequalities. See Jean-Jacques Rousseau, *Discourse on the Origin of Inequality*, trans. Franklin Philip, ed. Patrick Coleman (Oxford: Oxford University Press, 1999).
20. Kim Diaz, "U.S. Border Wall: A Poggean Analysis of Illegal Immigration," *Philosophy in the Contemporary World* 17, no. 1 (2010): 1-12.
21. Pogge, "Cosmopolitanism and Sovereignty," p. 58.
22. *Ibid.*, 60.
23. See Walzer, *Spheres of Justice: A Defense of Pluralism and Equality*.
24. Pogge, "Cosmopolitanism and Sovereignty," p. 61.
25. Enrique Dussel, *Twenty Theses On Politics*, trans. George Ciccariello-Maher (Durham: Duke University Press, 2008), 86.
26. By "conservative reactionary movements" I have in mind nativist movements (e.g., the Tea Party and Minutemen Project within the United States) that attack immigrants because they see them as a threat to the "nation." According to these accounts the "victims" are not those who are exterior to the system, as Dussel argues, but are interior and therefore these movements seek a return to the "good old days" as any real progressive change to the current status quo would only threaten their privilege.
27. Enrique Dussel, *Twenty Theses On Politics*, p. 76.
28. *Ibid.*, 72.
29. The Development, Relief and Education for Alien Minors Act is a piece legislation that was introduced in March 2009 and if passed would provide unauthorized students who graduate from U.S. high schools, are in good moral standing, arrived in the U.S. as minors, and have been in the country continuously for at least five years the opportunity to obtain conditional permanent residency and thereby qualify for college in-state tuition and earn a path towards citizenship. For more information or to support this important piece of legislation please see <http://dreamact.info/>.
30. *Ibid.*, 89.
31. *Ibid.*, 90.
32. See Walzer, *Spheres of Justice: A Defense of Pluralism and Equality*.