Exclusion at the Border: Female Smugglers in *Maria Full of Grace* and *Frozen River*

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This thesis titled
Exclusion at the Border: Female Smugglers in *Maria Full of Grace* and *Frozen River*

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ABSTRACT

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In the United States, anti-immigration sentiment is on the rise, and the militarization of the southern U.S. border continues to expand. In this context, this project seeks to examine the ways that contemporary cinema represents borders and border crossers on both a mimetic and a discursive level. Using Michel Foucault’s theory of “rituals of exclusion,” this project conceptualizes the experiences of the main characters in *Maria Full of Grace* (dir. Joshua Marston, 2004) and *Frozen River* (dir. Courtney Hunt, 2008), all of whom are female smugglers, to determine what type of information these films present about U.S. borders.

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INTRODUCTION

As a composition instructor at a public university in Ohio, I incorporate into my curricula essays that grapple with issues of immigration, globalization, and transnationality in order to challenge my students to critically engage with their personal perceptions of citizenship, nationality, and borders. Often, my students voice confusion and frustration with ideas presented in the readings and commonly state that though the inequality of immigration policy and the treatment of border crossers is unfortunate, such unfair distribution of power is necessary to maintain and secure “our” borders. When I push my students to articulate the threats that borders supposedly protect them from, they inform me that “illegal aliens” have ruined the U.S. economy by exploiting the welfare system and have hurt U.S. workers by “stealing” their jobs. Even after reading essays such as Ali Behdad’s “INS and Outs: Producing Delinquency at the Border,” which argues that undocumented labor is a part of the U.S. economy, they still insist that U.S. borders are needed to control the flow of “illegal immigrants.”

I begin with this description of my students’ views in order to highlight the important connection between borders and immigration discourse. Obviously, immigrants must cross over an international border—legally or illegally—in order to enter the United States. In this respect, borders are real and physical sites that crossers must negotiate. However, though my students believe that borders are “absolute” and thus unchangeable, many scholars argue the opposite and claim that because borderlines are “human creations” (Brunet-Jailly 634) that result from political negotiation between and within countries, they are discursive, ideological, and also, to some extent, pliable (Cunningham 345, Brunet-Jailly 634-36, dell’Agnese 205). Yet, the ideological construction of the
border does not negate the physical reality of borders, which impose hardships on many crossers; instead, the two levels of border composition exist symbiotically.

Scholars analyze borders in a variety of ways. As border theory has emerged over the past few decades, borders have been used to describe abstract boundaries—anything from scholarly disciplines to theoretical frameworks (i.e. Marxism, feminism, etc.)—and actual, physical boundaries, such as those that mark bodies and geo-political lines. Much recent border scholarship discusses border porosity, hybridity, and the possible breakdown of national borders due to the transnational flow of capital and labor. A wide range of works emphasize this latter approach, including Gloria Anzaldúa’s influential *Borderlands/La Frontera: The New Mestiza* (1987), Guillermo Gomez-Pena’s *The New World Border* (1996), Scott Michaelsen and David E. Johnson’s anthology *Border Theory* (1997), D. Emily Hicks’s *Border Writing* (1991), and Henry A. Giroux’s *Between Borders* (1993). The majority of these scholars ground their discussion in the reality that borders are sites of discrimination, danger, and surveillance in order to examine issues of fragmentation, hybridity, and transgression. Understanding the liminal spaces of borderlands and its effects on border inhabitants is important, but I align my work on borders with scholarship—written by the likes of Ali Behdad,1 Etienne Balibar,2 Zygmunt Bauman,3 and Ursula Biemann,4 just to name a few—that addresses the political reality of U.S. land borders in order to theorize ideas of acceptance, belonging, exclusion, and discipline.

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2 “The Borders of Europe” (1998)
4 “Performing the Border: On Gender, Transnational Bodies, and Technology” (2002)
Taking my cue from Behdad, who contends that borders are “an ideological apparatus where notions of national identity, citizenship, and belonging are articulated” (“INS” 109), one goal of my project is to investigate the discursive constructions of U.S. borders within two specific films—*Maria Full of Grace* (dir. Joshua Marston, 2004) and *Frozen River* (dir. Courtney Hunt 2008). This goal stems, in part, from considering my students’ responses, which reflect the influence of anti-immigration rhetoric presented daily in the news and other media.

Revealingly, my students readily admit that their understanding of illegal immigration is wholly constructed by the media, such as news outlets, television, and film. Néstor P. Rodríguez labels this the “social construction of the border” and states that “various actors (for example, politicians, government personnel, restrictionist groups, appointed commissions, academic researchers, and media agencies)” produce the popular attitudes towards U.S. borders (225). Tellingly, my students’ views directly correlate with the nativist views espoused by the media, such as the supposed “border control crisis” the country faces due to an “unstoppable flow” of undocumented immigrants coming in to the U.S. (Rodriguez 225), as well as the additional claims that the border is “absolutely essential” to the security of U.S. society, which “illegal aliens” threaten to destroy (Rodríguez 230, Perea 1-2, Coleman 55, Cunningham 337).

The importance of public opinion in regards to borders results from the fact that majority views shape public immigration legislation. For instance, Juan F. Perea points to the “social sanction given to majoritarian legislative action” as integral to the vilification of “illegal aliens” that spawned exclusionary legislation such as California’s Proposition 187, which, when passed in 1997, prevented undocumented immigrants from using U.S.
health care or education systems (1). In short, what the public believes—or is made to believe—directly effects how the nation deals with its borders.

Therefore, I justify my examination of *Maria Full of Grace* and *Frozen River* by citing the contemporary cinema’s influence on the public. For instance, James Monaco, author of 2000’s *How to Read a Film*, argues that “Film has changed the way we perceive the world and therefore, to some extent, how we operate in it” (262) and supports this assertion by pointing to how films produced between the World Wars created the language of national identity (262). Since the mid-twentieth century, the film industry has grown exponentially and currently the media affects every facet of modern culture. This growth led Ella Shohat and Robert Stam to emphasize, in an article on media spectatorship, that:

> Since all political struggle in the postmodern era necessarily passes through the simulcrual realm of mass culture, the media are absolutely central to any discussion of multiculturalism, transnationalism, and globalization. The contemporary media shape identity; indeed, many argue that they exist close to the very core of identity production. In a transnational world […] media spectatorship impacts complexly on national identity, political affiliation, and communal belonging. (“From the Imperial Family” 145)

Hence, cinema impacts the worldview, the sense of identity, the sense of national belonging (or alienation), and the political preferences of viewers at the same time that it informs viewers about other cultures, races, ethnicities, and minority viewpoints. Thus, films can ultimately shape or reinforce public opinion by educating viewers through mimetic depictions and influencing them through ideological undercurrents. Furthermore,
because borders are inextricably tied to issues of immigration, and because films shape public opinion which in turn influences immigration legislation, examining films in which borders are a central theme, like *Maria Full of Grace* and *Frozen River*, helps to determine what type of information is displayed for public consumption.

Globalization and the increased movement across international borders sparked a recent trend labeled “the cinema of the borders” (21) by Bruce Bennett and Imogen Tyler in their 2007 essay “Screening Unlivable Lives: The Cinema of Borders.” According to Bennett and Tyler, films in the genre of border cinema centralize the theme of borders, involve “fragmentation, multilingualism, and liminal characters” (21), and depict a world “of barriers, fences, checkpoints, exploitation, and death” (21). Bennett and Tyler base this definition on Hamid Naficy’s influential 2001 book *Accented Cinema: Exilic and Diasporic Filmmaking*, in which Naficy describes exilic films as containing characters that are “amphibolic, doubled, crossed, and lost,” and including themes of “liminal and politicized structures of feeling” (4). Naficy further explains that exilic films are created by “interstitial and collective modes of production” by filmmakers who are themselves exiled and deterritorialized (4), and this final trait serves as one distinction between exilic and border films. Naficy regards exilic films as crucial to the understanding of contemporary topics of displacement, difference, and culture because exilic cinema questions the idea of “home” and explores issues of territoriality and geography (4-5). The defining difference between exilic cinema and the border cinema is readily apparent in the titles: the former genre explores all aspects of exilic life and the latter genre is interested solely with topics specifically involving borders and border crossings.
By considering the means through which a film incorporates boundaries, I have identified several sub-categories within the cinema of borders. For instance, some films that belong to the genre in a specifically U.S. context are as follows:


liminal space films such as *Checkpoint* (dir. Parviz Sayyad, US, 1987) and *The Terminal* (dir. Steven Spielberg, US, 2004); and traveling films such as *Babel* (dir. Alejandro González Iñárritu, France/US/Mexico, 2006).

Because border cinema explicitly offers information and values about borders to viewers, examining films within this genre can reveal important ways in which they influence public discourse about national boundaries. Importantly for my project, then, I define both *Maria Full of Grace* and *Frozen River* as belonging to the cinema of borders. As noted above, both films fit into the “trafficking/smuggling” sub-category of border cinema because they each portray women smuggling things across international borders for personal monetary gain.

More specifically, the beginning of *Maria Full of Grace* depicts Maria (Catalina Sandino Moreno) as a seventeen-year-old working in a flower factory in a rural Colombian town. Due to ill-treatment by her male supervisor, she quits her job, even though she is in the early stages of pregnancy. Unable to find a legal job, Maria agrees to become a drug-mule in order to economically provide for herself and her unborn child.
This brings Maria to the United States using documents, such as a passport and a visa, prepared and obtained for her by the smuggling operation. For my purposes, the most significant scenes in the film occur when Maria is stopped in the airport upon arriving in New York and detained by customs officials who (rightfully) accuse her of being a drug smuggler. Because Maria’s interrogation is a pivotal diegetic moment, one that establishes the danger of crossing a highly policed and supervised border, the film rightfully belongs to the cinema of the borders.

While Maria’s border crossing comprises only one part of the film, the entire plot of *Frozen River* revolves around the border crossings of Ray (Melissa Leo) and Lila (Misty Upham), the two main characters. Set in upstate New York, Ray, a poor white woman, and Lila, a poor Mohawk woman, meet by chance and enter into a fragile partnership smuggling undocumented immigrants over the U.S.-Canadian border. Like Maria, both women are driven into the smuggling business because they are single mothers who cannot earn enough through legal employment to support their children. The pair make four round-trip smuggling runs across the St. Lawrence River—the geographical feature marking the border between the U.S. and Canada—and thus border crossing is the main action in the film. Unquestionably, *Frozen River* also belongs to the cinema of the borders.

I chose these two films for my project for several reasons. First of all, my main goal in this project is to determine what type of information recent border films convey to the public via portrayals of borders and border crossers. Because the borders in the two films are at opposite extremes—in *Maria Full of Grace* the border is a militarized airport and in *Frozen River* the border is a wide-open, unguarded river—I can explore the
differences and similarities in recent border representation by comparing the films. Thus, the first chapter of my project examines each film’s border construction in detail. However, though each film presents distinctive borders, there are major similarities between the films as well: both depict single mothers who must smuggle to survive, themes of race and ethnicity play important roles in the film, and both render criminal smugglers in a sympathetic way. These similarities allow me, in my second chapter, to engage the films on a mimetic level in regards to the feminization of transnational labor and the feminization of smuggling organizations while I also evaluate on a discursive level the role that gender and race play in the films.

In addition to the marketing of both films that posit them as depictions of “real life,” both Marston and Hunt have expressed in interviews their desire for filmic verisimilitude. Marston, who earned a master’s degree in political science before attending film school, wrote the script of Maria Full of Grace, his first full length feature film, out of frustration with the filmic representations of the “war on drugs.” Marston declares that such films invariably focus on wars between police and drug syndicates or glorify the “antihero drug/addict/dealer/outlaw” (Davis 59). In an interview with the journal Sight and Sound, Marston explains that his goal was to “humanize” the image of a drug-smuggler in order to combat their demonization by drug-war propaganda (Marston 23). Marston’s commitment to verisimilitude—as illustrated by his pre-production interviews with imprisoned drug mules, border patrol officers, and workers in flower factories in Colombia (Marston 23)—fosters a documentary feeling that invites a close reading of the diegetic details.
In a trajectory similar to Marston, Hunt received a law degree before going to film school, and, also like Marston, Hunt admitted in an interview that she wanted to present credible characters and a realistic storyline in *Frozen River* (Schoemer 1). Hunt lives in upstate New York where the film is set, and so she spent several years befriending and slowly gaining the trust of a local Mohawk community; these friendships resulted in a script that complexly portrays American Indians and confronts the unequal treatment of races and ethnicities in America. Thus, I justify reading *Maria Full of Grace* and *Frozen River* on a mimetic level because both films aspire to realistically represent smuggling operations.

Finally, I chose *Maria Full of Grace* and *Frozen River* in part because of the commercial and critical success of both films. For instance, included in the thirty awards and twenty-two nominations for *Maria Full of Grace* is the Sundance Film Festival's 2008 "Audience Award" for Best Drama; the 2005 Broadcast Film Critics Association’s “Best Actress” and “Best Foreign-Language Film” nominations; and Catalina Sandino Moreno’s nomination for the 2005 “Best Supporting Actress” Academy Award. Among the twenty-three awards and fourteen nominations for *Frozen River* is the “Best Feature” award from the 2008 Sundance Film Festival; a 2008 “Best Supporting Actress” Academy Award nomination and a 2008 “Best Actress” Broadcast Film Critics Association nomination for Melissa Leo; and a 2008 “Best Screenplay” Broadcast Film Critics Association nomination for Courtney Hunt. The fact that these films garnered such attention indicates that they reached a fairly wide audience, and so the type of information that each film communicates to viewers is even more significant.
Overview of Chapters

Again, because film influences public sentiment, and because majoritarian public views shape immigration legislation, my overarching goal in this project is to uncover the messages that *Maria Full of Grace* and *Frozen River* send about the state of U.S. borders. I argue that the films operate on two different levels—the mimetic and the discursive—and hence my first chapter deals most specifically with my investigation of each film’s mimetic representations of borders, and my second chapter examines the interaction between mimetic and ideological levels by focusing specifically on the issues of nativism, sexism, and consumerism present in each film.

My theoretical framework for each chapter relies heavily on Michel Foucault’s theories of “rituals of exclusion” and the “dual mechanisms of discipline,” each of which appear in his 1977 work *Discipline and Punish*. Both theories are intimately associated and arise from Foucault’s discussion of the seventeenth century response to diseases such as leprosy and the plague. Foucault identifies two main mechanisms of discipline and control—binary branding and coercive assignment—used to contain disease (199). Binary branding, the response to leprosy, divides the population into a monolithic binary—the wanted and the unwanted—a branding which facilitates the exclusion or exile of undesirables (198). Coercive assignment, what Foucault describes as the mechanism that put order to the plague, identifies and characterizes individuals, allowing them to then be branded as unwanted (199). Together, they form the dual mechanisms of discipline; alone, binary branding comprises the rituals of exclusion. Thus, Foucault’s theories of discipline provide a necessary structure through which to judge the exclusionary tactics used upon Maria, Ray, and Lila within their respective films.
In the first part of chapter one, I use Foucault’s theory of the dual mechanisms of discipline to evaluate and look critically at the history of U.S. borders and immigration laws. I do so to answer my question of what specifically causes extensive militarization of the southern U.S. border but not the northern one. By envisioning borders as ideological constructs and examining anti-immigration policies such as the Chinese Exclusion Act of 1882 and the Immigration Act of 1924, I propose that U.S. borders have been systematically and consistently defined by binary branding. That is, legislation has labeled some national and racial groups—such as non-whites, Chinese, Mexican, and southern or eastern European nationals—as inferior to white, American citizens, and, accordingly, public policy has excluded those undesirables from entering the U.S. I conclude this section by stating that historically, and indeed presently, borders act as barriers, as dividing lines that single out those who are culturally, racially, or ethnically different from the majoritarian white American citizen.

In the second part of chapter one, I employ Foucault’s theory of dualistic mechanisms of exclusion to analyze the border sequence in *Maria Full of Grace*. In order to contextualize Maria’s border crossing experience, I refer to essays in the recent 2009 publication *Politics at the Airport* to briefly examine the growing importance of airports as “virtual” national borders, and explain that though Maria crosses through an airport far from the actual peripheral border of the U.S., the airport acts as a border by proxy. Furthermore, I describe how airports are exemplary of Foucault’s “model of the disciplinary mechanism” (197), where individuals are segmented, surveyed, and “known,” and consequently disciplined and made to fit into the well-ordered scrutiny of airport officials. When I move to Maria’s actual experience with the customs officers,
Foucault’s theories and two Ali Behdad essays, “Border INSpection: Reflections of Crossing the US Border” (1996) and “INS and Outs: Producing Delinquency at the Border” (1998), guide my reading of the ways that the officers categorize and identify Maria before branding her in specific ways.

The final section of chapter one focuses on a very different border, the St. Lawrence River, in Frozen River. To begin this section, I explain that the film depicts a reservation belonging to the Mohawk Nation of Akwesasne, which straddles the U.S.-Canadian border. I rely on Ruth Jamieson’s study of the reservation to describe the sovereignty of the Mohawk Nation over their land and thus their negation of the U.S.-Canadian border. Jamieson also provides needed insight into the smuggling operations that do take place on the reservation. I follow this meditation on the complicated construction of national borders by examining who, if anyone, enforces or polices the U.S.-Canadian border in this location. Focusing specifically on the pivotal scene between Ray and a Pakistani couple as she smuggles them across the river, I use Foucault’s theories to elucidate how, in some ways, Ray herself acts as border enforcement, but I eventually decide that she is ineffective. This leads me to conclude the chapter by exploring the possibilities of an open border and, once again applying Behdad’s insights to my work, I propose that the government intentionally keeps borders porous in order to extend its surveillance and disciplining of immigrants beyond the peripheral borders of the U.S.

Because the second chapter investigates the films in a more comprehensive manner, concentrating on the interactions between the mimetic and discursive levels of the film, it is structured slightly differently and divided into several smaller sections.
Importantly, in this chapter I play the films off of each other, and so most sections in the second chapter include both *Maria Full of Grace* and *Frozen River*; that is, I do not segregate my readings of the films as I do in the first chapter. Additionally, I utilize Foucault’s theory of the rituals of exclusion to structure my readings of the way women in both films are systematically excluded from positions of power and forced into subservient and illegal roles in order to survive and provide for their families.

The first and largest section of the second chapter focuses on the nativist discourse that has fueled anti-immigration debate in the U.S. since the 1990s. I define nativist discourse through the help of many essays published in the 1997 anthology *Immigrants Out! The New Nativism and the Anti-Immigrant Impulse in the United States*; in its most basic definition, nativism is the belief in the purity and sanctity of the “American way of life” or “American society and culture.” This belief entails the view of foreigners, and especially those who differ greatly from white America, as not only inferior, but threats to the actual fiber of American society. Additionally, I refer to Samuel Huntington’s 2004 publication *Who Are We? The Challenge to America’s National Identity* as an example of nativist discourse and use his work to show the correlations between nativist desires and Foucault’s assertion that the goal of the rituals of exclusion is the rendering of a “pure community” (198).

After this overview, I move into an extensive examination of *Frozen River* and specifically concentrate on how nativist discourse manifests itself through the film’s dialogue, characterization, and mise-en-scène. Through the insights of Joanna Barker’s essay, “Recognition,” I explain how Ray’s denial of Mohawk sovereignty illustrates nativist discourse leveled against American Indians. I then look at how the film combats
Ray’s negative nativist views by characterizing Lila as a complex and non-stereotypical American Indian. I look specifically at a scene that shows Lila inside of her trailer, and through a close reading of the mise-en-scène, I propose that the film situates Lila as both a part of her American Indian heritage and also a part of modern American society. This depiction of Lila thus ideologically negates, in some ways, Ray’s discriminatory views of American Indians.

I then switch my attention to *Maria Full of Grace* in order to evaluate the ways that language is presented in the film. Because half of *Maria Full of Grace* takes place in the U.S., I explore the consequences of Marston’s invested decision to present the entire film in Spanish. This allows me to return to a specific nativist movement—the English-only movement—to look at how the film undermines claims from such groups who believe that the U.S. government must make English the national language. I propose in this sub-section that because all the characters in the film speak Spanish, even when conducting business in the U.S., Marston challenges the nativist view of “American citizens” as white and English speaking.

The next two sections of the second chapter look at the legal and illegal employment situations of Maria, Ray, and Lila to examine how sexist discourse operates as a mechanism of exclusion for women. In the legal employment section, I move from a close reading of the scenes in *Maria Full of Grace* that show her in the Colombian flower factory to an in-depth look at the feminization of transnational labor. Greta Friedmann-Sanchez, who has done multiple studies of the effects of floriculture on Colombian women, provides information on Columbian flower factories in this section that is complicated by two insightful essays on the feminization of transnational labor—Aihwa
Ong’s 1997 work “The Gender and Labor Politics of Postmodernity” and Lisa Lowe’s 1997 essay “Work, Immigration, Gender: New Subjects of Cultural Politics.” I conclude this section by looking at how sexism forms a link between women like Maria, who work in transnational industrial factories, and women like Ray, who work for corporations in the U.S.

The section that investigates the sexism inherent in international trafficking organizations provides me with an opportunity to finally analyze the mechanisms of exclusion that push Maria, Ray, and Lila into smuggling. After briefly looking at each woman’s situation, I conclude that their exclusion from higher paying legal jobs coupled with their need to provide for their children led each woman into the world of smuggling. I then connect their decisions to a global trend in trafficking, where the lower levels of smuggling operation are quickly becoming feminized due to the influx of economically desperate single-mothers seeking alternative types of employment. This discussion leads me to consider how the mechanisms of exclusion, and specifically those of gender and race, keep women in demeaning roles and facilitate their participation in criminal organizations.

Finally, the last important section in the second chapter examines the role of consumerist discourse in both films in order to claim that each film shatters the “American Dream” in some way. I first explain how Maria Full of Grace extensively illustrates Maria’s role as producer and carrier of goods destined for U.S. consumption but never shows the actual consumption of those goods. I contend that due to this omission the film fails on an ideological level, for it provokes the viewer’s sympathy by portraying Maria’s plight but does not push the viewer to reflect on her own role, through
consumption, that keeps Maria and women like her in oppressive work situations that often result in their destitution. I then briefly assess how the “American Dream,” though supported by character dialogue, is actually challenged through the depiction of Maria’s options if she stays, as she does, in the United States. I then move to Frozen River to study how consumerist desire functions as the impetus for both Ray and Lila to enter into the smuggling business.

Ultimately, I hope that this project adds to the emerging but growing scholarship on the cinema of the borders. Because films in this genre focus specifically on the construction, maintenance, and experiences of international borders, the information and values that these films transmit to viewers helps to create public opinion about border crossing and immigration policies. In a specifically U.S. context, films like Maria Full of Grace and Frozen River, which both garnered critical and popular attention, can either fuel anti-immigration and nativist rhetoric or offer alternative solutions to envisioning not just U.S. borders but the treatment of immigrants in general. I see both Maria Full of Grace and Frozen River as films that succeed, on a mimetic level, by complicating perceptions of U.S. borders as well as critically presenting the gender stratification that forces women like Maria, Ray, and Lila into criminal positions in the first place. However, I contend that neither film fully pushes this critique nor challenges the Western viewer. In this way, each film functions as some sort of tourist attraction: the Western viewer can inform herself about the problems with current immigration policy or the inequalities that many women face, in both the First and Third World, due to pervasive sexist and racist views, but, in the end, the viewer walks away unaware of her part in this cycle of oppression. In other words, there is no explicit connections made between the
viewer and the plight of these women, and therefore, rather than prompting the viewer to change such institutional discrimination, the films instead fuel the viewer’s complacency.
CHAPTER ONE: ENFORCEMENT AT THE BORDER

In a highly globalized world, where goods and capital flow incessantly across international borders, human traffic has yet to reach such levels of easy mobility. While boundary enforcement has opened for capital and tightened for humans, the tide of people crossing borders has not abated; in fact, the increased progress in technology and transportation has only encouraged larger numbers to move about internationally. Thus, due to globalizing forces that promote cross-national travel, borders have become integral to the protection of nations. In this chapter, I will examine borders through the lens of the “dualistic mechanisms of exclusion” (199) outlined in Michel Foucault’s 1975 work *Discipline and Punish*. Foucault’s theories will allow me to critically engage with the history of U.S. borders and immigration policies in order to determine what type of power relations influence current U.S. border policy. Furthermore, by applying Foucault’s theories of exclusion to the different borders in the films *Maria Full of Grace* (dir. Joshua Marston, 2004) and *Frozen River* (dir. Courtney Hunt, 2008) I will compare the workings of the “dualistic mechanisms of exclusion” at a highly policed airport border in the former film to the natural and “open” border in the latter in order to illustrate the experiences of border crossers and to expose the porosity of the supposedly controlled borders of the United States.

Foucault develops the “dualistic mechanisms of exclusion” (199) theory during a discussion of the disciplinary projects that arose out of dealing with lepers and the plague at the end of the seventeenth century. Foucault claims that before the plague, the state controlled outbreaks of leprosy by dividing the public in one “massive, binary division” (198) that separated the infected from the healthy. He then argues that this type of control
resulted in the “rituals of exclusion,” (198) where the unwanted, branded by their illness, were exiled in a “mass among which it was useless to differentiate” (198). Hence, not only does the seventeenth century response to leprosy illustrate exclusionary practices, it also underscores the importance of branding entire groups of people as unwanted through the use of binary labels in order to form a “pure community” (198) devoid of illness or corruption.

However, Foucault contends that the plague necessitated a “rise [of] disciplinary projects” (198) in that the state instituted extensive networks of surveillance and control in order to discipline and regulate citizens. An important component to this new regulatory system was the branding not of groups of people, but individuals; this meant that each person was characterized, systemized, and assigned with “his ‘true’ name, his ‘true’ place, his ‘true’ body, and his ‘true’ disease” (198). That is, through individualization and the use of what Foucault calls “coercive assignment” (199), each citizen of the state became a “known” subject that could be examined, identified, and disciplined if the need arose.

In modern times, Foucault claims that “lepers” are treated as “plague victims” (199), meaning that the mechanisms of branding through binary division have been combined with the control of individualization and identification to create the dual mechanisms of exclusion (199). Foucault argues that the result of this combination is that “individualizing disciplines are imposed on the excluded” (199) at the same time that the universalization of such disciplinary systems allows the leper to be identified, branded, and controlled. Foucault concludes his rumination on such structures of power by stating that “All the mechanisms of power which, even today, are disposed around the abnormal
individual, to brand him and to alter him, are composed of those two forms from which they distantly derive” (199-200). Thus, Foucault foregrounds the methods of branding, individualization, and coercive assignment—in which the abnormal are identified, characterized, and surveyed—as central to all modern disciplinary control.

**Rituals of Exclusion and the History of U.S. Border Policies**

In clear exhibition of Foucault’s rituals of exclusion, the early immigration policies of the United States systematically branded whole groups of people as undesirable. For instance, the 1882 Chinese Exclusion Act, one of the first pieces of legislation committed to the issue of immigration, institutionalized the category of “illegal immigrant.” The act defined one nationality and ethnicity—Chinese—as unwanted, literally excluded those people from entering the country, and prevented the naturalization of Chinese immigrants already in the country (Sadowski-Smith “Reading” 72). Similar to the Chinese Exclusion Act, the Johnson-Reed Immigration Act of 1924 established an immigration quota system that depended on the binary branding of whole countries, placing northern Europeans in opposition to southern and eastern Europeans in terms of desirable immigrants (Odem 363). Additionally, the Immigration Act defined any entrance into the United States without inspection as a felony and created the Border Patrol to enforce this new law (Behdad “INS” 107). Beyond criminalizing undocumented immigrants, this act also extended the mechanisms of branding beyond nationality to racial and cultural characteristics as well. According Mary E. Odem, who examines the history of immigration law in her article “Subaltern Immigrants,” the 1924 Immigration Act...

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5 The Chinese Exclusion Act was not repealed until 1943 and during the first three decades of the twentieth century it is estimated that over 60,000 undocumented Chinese immigrants flowed into the U.S. via its northern and southern borders (Sadowski-Smith “Reading” 74-76).
Act “defined all Europeans as part of a white race distinguished from and superior to people of ‘colored races.’ Asians, defined as non-white, were excluded altogether on the grounds that they were ‘racially ineligible for citizenship’” (363). The importance of these acts, therefore, is that they demonstrate that the mechanism of branding has been a crucial part of U.S. immigration legislation from the beginning. Moreover, they illustrate that branding inevitably leads to discriminatory practices, for each act branded entire nations as well as entire racial groups as undesirable, inferior, and unwanted.

Developing alongside these immigration policies, the formation of the United States borders also occurred during the mid-nineteenth and early-twentieth centuries. In an ironic twist, during the beginning of the 1800s, Americans began illegally migrating into what was then Mexican territory and what is now Texas, California, Arizona, New Mexico and Colorado. Eventually, the influx of illegal American immigrants in what is now Texas forced the Mexicans to defend their land. In 1846, the U.S. declared war on Mexico, and after two years of suffering and bloodshed, the 1848 Treaty of Guadalupe-Hidalgo was signed, which forced the Mexican people to cede their northern territories to the United States (Anzaldúa 28-29). This cessation created the current U.S.-Mexican border, displaced thousands of Mexicans who suddenly lived on the “wrong” side of the border, and instigated the migration between Mexico and the United States that has yet to abate today.

In stark contrast, peaceful multilateral agreements firmly outlined the U.S.-Canadian border in 1920 (Sadowski-Smith “Reading” 72). Before 1920, the northern U.S. border was not supervised, let alone policed, even though recent scholarship suggests that the “earliest and most numerous undocumented border crossings occurred at
the Canadian border” (Sadowski-Smith “Reading” 72). Despite this high traffic at the U.S.-Canadian border, officers patrolled the southern U.S. border even before the inception of the Border Patrol in 1924, which was created in part to guard the U.S.-Mexican border (Rodríguez 223). Thus, the unequal handling of the two U.S. land borders dates back to the very naissance of those borders.

This again shows that early U.S. border conflicts reflect the magnitude of branding within U.S. legislation. One explanation for the disparate treatment of U.S. land borders is imperialism—because the United States invaded Mexico, the border between the two countries became a literal battle ground that the United States needed to defend lest the Mexicans breached the new boundaries. However, the U.S.-Mexican War contributed only slightly to American perceptions of their land borders. Instead, Claudia Sadowski-Smith, who has written several articles on the history of U.S. borders, argues that population differences are largely responsible for the divergent attitudes towards the northern and southern U.S. borders (“Introduction” 8). Sadowski-Smith characterizes the Canadian majority population as ethnically and culturally (and I might add, economically) similar, claiming that even its emergent multiculturalism aligns Canadian and American populations (“Introduction” 8). Such definitions have led to Americans branding Canadians as “our friendly neighbors to the north.” Comparatively, the majority of the Mexican population differs considerably from those in the U.S. in terms of culture, ethnicity, race, and socioeconomic status. Therefore, as Bryce Traister notes, “lines of national identification” (33) predicated on cultural, ethnic, racial and economic differences between populations constitute the disparity between the U.S.-Mexican and U.S.-Canadian borders.
Current anti-immigration discourse relies on the dual mechanisms of exclusion while also supporting the assertion that cultural and racial difference between populations results in dissimilar treatment at U.S. borders. For instance, in the 2004 publication *Who Are We? The Challenges to America’s Identity*, Samuel Huntington, a conservative political writer, attacks Mexican immigrants and their children because they “do not appear to identify primarily with the United States” (243). Furthermore, Huntington contests that Mexican immigrants will not assimilate into American culture—a necessary move for all immigrants according to Huntington—because of several undesirable traits that he claims Mexicans possess. Huntington outlines such characteristics in his book, and they include Mexicans’ refusal to stop speaking Spanish (231-32); their low-levels of education (232-34); their low socioeconomic status, which he declares forces a majority of Mexican immigrants onto U.S. welfare (234-38); and what he labels their “identity,” which refers to both Mexican culture and what he alleges is the Mexican resistance to identification as “Americans” (241-43). Foucault’s explanation of the mechanisms of coercive assignment clearly apply to Huntington’s argument, for Huntington bases such depictions on his “determination of the individual [the Mexican], of what characterizes him, of what belongs to him, of what happens to him” (Foucault 197). However, Huntington uses such characterization not to exclude individuals—the result of coercive assignment that Foucault proposes—but to condemn the entire Mexican population through the utilization of binary branding, which posits Mexicans as inferior in all ways to the American population. By criticizing all Mexicans, Huntington echoes the earlier anti-immigration acts discussed above and also proves that Foucault’s power equation concerning the mechanisms of exclusion can be reversed.
The fraught history of U.S. immigration policies aimed at Mexicans affirms the influence of the dual mechanisms of exclusion, but also reveals that the binary branding of Mexican labor workers fluctuates due to economic and temporal circumstances. The U.S. has a long history of allowing Mexican immigrants into the country when U.S. industries need cheap labor and then forcing those immigrants to return to Mexico during times of economic crisis (Organista 193-94). The Immigration Act of 1924 actually exempted Mexican laborers from immigration quotas because the U.S. needed plentiful and low-cost labor, but, when the Great Depression hit, Mexicans were blamed for the economic disaster and nearly 40% of the Mexican-American population was deported or forced to leave (Organista 193). Following this, from 1942 to 1964, the Bracero Program encouraged Mexicans to migrate to the U.S. to work; however, in 1954, during the height of the xenophobic McCarthy era, “Operation Wetback” deported over 80,000 Mexicans (Organista 193-94). This oscillating U.S. trend of acceptance and denial of Mexican workers reflects the changing binary divisions used to brand such laborers: when the economy is stable and U.S. companies need workers, the American population brands Mexican immigrants as helpful, or at least necessary; when the economy is unstable, or when public sentiment turns against foreigners, Mexican workers are branded as dangerous, problematic, and undesirable. Thus, depending on national circumstances, specific groups of people are branded differently. Furthermore, this fluctuation underscores an important distinction between branding and discrimination: though cultural, racial, and ethnic traits influence both mechanisms, specific circumstances and majority opinion often sway the results of binary branding while discriminatory beliefs
and labels originate from deep-seated and generally individual values and consequently rarely change.

This critical examination of the history of U.S. borders and immigration policies proves that both of Foucault’s dual mechanisms of exclusion—branding and assignment—have influenced U.S. relations with Mexico and Canada. Often these mechanisms have worked independently of each other, such as the abundant use of binary branding in early immigration legislation, which categorized whole nations and racial groups as undesirable. This overview additionally uncovers that instead of following Foucault’s description and using coercive assignment—the who, what, and why of exclusionary discipline—to classify individuals, some anti-immigration proponents, such as Huntington, use classification to brand an entire country. With this background, I will now look at the current status of policed U.S. borders, as exemplified in the airport scenes of Maria Full of Grace, before turning my attention to the ambiguous natural border in Frozen River. While aware of the dangers of evaluating a film solely on verisimilitude, I contend that because Joshua Marston, writer and director of Maria Full of Grace, and Courtney Hunt, writer and director of Frozen River, carefully researched and crafted their films with a realistic impulse, the border scenes depict, if nothing else, “real-life assumptions” (Shohat and Stam Unthinking 179) about political reality. Furthermore, because films have, according to Robert Stam and Ella Shohat in Unthinking Eurocentrism, “real effects in the world” (178), and because, as I have already explained, public opinion effects how certain groups are branded, I argue that film constitutes an important arena with which to investigate political opinion. Therefore, through mainly examining the mimetic level of the films, I aim to answer two questions: How do the
dual mechanisms of exclusion currently function on border crossers? and What, if any, similarities are there between current border enforcement and the history of immigration policy?

*Maria Full of Grace and the Airport Border*

In contemporary American culture, the media and masses obsess over cosmopolitan, “jet-setting” celebrities who zoom across the globe in their private jets at a moment’s notice. Indeed, were money no object, most Americans, too, could easily follow in such a star-studded path provided that they were armed with an American passport, the golden ticket to world destinations. However, to the majority of the world’s population, international border checkpoints are more than momentary inconveniences; for many, airports are places of danger, devaluation, and discipline.

The border scenes in *Maria Full of Grace* illustrate the latter experience of borders as officers stop Maria and then interrogate her after she disembarks from her plane. In this sequence, Maria is singled-out by a white male customs officer as she attempts to exit the airport. After asking her a few questions about her origin and destination, the officer detains Maria and he and his Hispanic female partner subject her to a strip search and an interrogation. Though the officers try to x-ray Maria to prove she is carrying heroin pellets in her stomach, Maria’s pregnancy prevents such a procedure and she is eventually released.

Before delving into Maria’s experience with U.S. customs officers, I first want to briefly look at how airports function as borders. A combination of technology and globalization has enabled more people than ever to travel internationally, and this
increase in travel has transformed airports into national borders.6 Thus, while most airports are not situated on the interstitial line between two nations, they still function as a borderline that one must cross in order to enter into the United States. Mark Salter, in his introduction to Politics at the Airport, notes that such a change in the flow of human traffic “forces air carriers and foreign airports to be the front line of border control” (9), specifically proving the importance of airports in national security issues. Other scholars have observed that airports have become a type of “virtual border” in that they exist beyond physical borderlines and are monitored by virtual data processing (Klauser, Ruegg and November 110; Lyon 42; Lahav 91-92; Muller 131). Therefore, by appraising the policing of the airport in Maria Full of Grace I am also evaluating this new and significant type of border.

Additionally, as Colin J. Bennett observes in his article “Unsafe at Any Altitude,” airports are “sites of discipline, where passengers become passive subjects and bearers of the power relations that force compliance” (68), and so they provide ample opportunity to investigate Foucault’s mechanisms of discipline. In fact, while discussing the airport privatization trend, Salter lists the numerous types of jurisdiction that passengers must pass through, including that of “the local police, private airport security, security screeners, customs and excise, immigration, the national police, and the airline” (16). This impressive, if rather daunting, list confirms the extreme extent to which borders are policed. However, the most convincing evidence that airports are perfect examples of disciplinary power comes from Foucault himself. In Discipline and Punish, Foucault’s

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6 According to the Airports Council International (ACI), the official association of the world’s airports, in 2008 flier traffic rose to 4.8 billion passengers, a figure that represents 96 per cent of total passenger traffic worldwide (ACI).
description of a “compact model of the disciplinary mechanism” (197) fits almost exactly with the characteristics of an airport:

This enclosed, segmented space, observed at every point, in which the individuals are inserted in a fixed place, in which the slightest movements are supervised, in which all events recorded, in which an uninterrupted work of writing links the centre and periphery, in which power is exercised without division, according to a continuous hierarchical figure, in which each individual is constantly located, examined, and distributed among the living beings […] all this constitutes a compact model of the disciplinary mechanism. (197)

Thus, airports discipline passengers through their very structure: they are segmented into terminals, waiting areas, shops, and security checkpoints; cameras watch a passenger’s every move; customs officers watch for behavioral and bodily signs of anxiety in passengers; passports, declaration forms, and other documents provide information on passengers; the authority of airport security and customs officials goes unquestioned; and multiple security checkpoints examine the contents of bags and people. Hence, airports are the epitome of disciplinary structures.

Returning now to Maria Full of Grace, I would like to look at the customs officer’s initial delay of Maria in order to determine why she was stopped. Before Maria leaves Colombia on her smuggling journey, Javier, the overseer of the drug organization, specifically instructs Maria on how she should conduct herself when she reaches the United States. He tells her that she won’t be caught “unless you step off the plane shaking like a leaf. Then they’ll catch you. Obviously,” to which he pantomimes unacceptable conduct by shaking his hands in mock anxiety and looks around in fright. Lucy, an
experienced mule, also warns Maria to consciously present herself in an acceptable way, and counsels Maria to “Wear nice clothes, but nothing flashy. You don’t want to look like a peasant showing off.” Their comments reveal two things: that surveillance is an integral part of airports, in which the “slightest movements are supervised” (Foucault 197), and that Maria must discipline her body in order to appear acceptable to immigration officers.

The viewer is reminded of these two warnings, and the implicit meanings they carry, when, after a short but tense wait for her luggage, Maria begins to exit the airport only to have a customs officer stop her and demand her passport, declaration card, and ticket. Shot-reverse shots record their ensuing conversation, and close-ups of both Maria and the officer’s face reveal the officer’s intense scrutiny of Maria’s appearance and her impassive, expressionless face as he asks her questions. After a shot of the officer’s sustained scrutiny of Maria, he asks her to come with him, and escorts her into an interrogation room. In an essay on the protocol that customs agents use to identify potential criminals, Ali Behdad reviews an article that describes a customs agent who used his power of observation to stop a female drug smuggler. Behdad’s summary of the drug smuggler’s ordeal illustrates Maria’s predicament in this opening border scene: “She is brought under the gaze of disciplinary power, her body is subjected to its examination and control, not by the general regulations of the transit law, but through small techniques of observation and comparative systems of individuation” (“Border” 165). Such “techniques of observation” which lead border inspectors to pay close attention to passengers’ general appearance—clothing, hair, accessories—as well as their nationality, mannerisms, accents, speech patterns, and attitudes (Behdad “Border” 164), recall
Foucault’s coercive assignment, which determines, among other things, “who he is” and more importantly “how he must be recognized” (199). Hence, from the beginning of the border scene, at least one dual mechanism of exclusion—coercive assignment—exerts its power over Maria and her body.

Yet, the scene raises additional questions such as: why is Maria stopped and not the other mules, like Lucy or Blanca (whose apparel is certainly more “flashy” than Maria’s)? What does Maria have in common with the other mule who is detained? What minute detail did the customs officer catch that led him to bring Maria in for questioning? While the officer’s actions mimic reality in terms of his intense and detailed scrutiny of Maria’s appearance which led to her detention, what the officer detects is never clear. Perhaps Maria’s documents, which the officer initially asks to see, were somehow problematic; after all, the smuggling operation obtained them for her and could have made some sort of mistake. Or perhaps Maria was identified as a problem even before she landed in New York; David Lyons explains that such a phenomena can occur when border enforcement uses “data doubles,” that is, “virtual identities” that are easily accessible and that contain important identification information on “citizenship, employment, travel, and consumption” (30). I could continue to speculate about why Maria was stopped but what truly matters is that the uncertain reasons for Maria’s detention prove that there is more to airport security than surveillance and observation.

Revisiting the history of the U.S. borders and immigration policies reminds one that cultural and racial difference often played a role in the branding of specific groups of people. Certainly, the initial border scene reveals the close attention that the officer pays to Maria’s appearance, which means that his perception of her appearance and
mannerisms must have factored into his decision to detain Maria. In Behdad’s useful article on immigration protocol, he states that enforcement laws, as detailed in the U.S. Department of Justice’s *Guide for the Inspection and Processing of Citizens and Aliens by Officers Designated as Immigration Officers*, are extremely vague and make it impossible for immigration officers to “define the boundaries of legality and illegality” (“Border” 163). Behdad then concludes that such unclear regulations leave the law of the border up to the judgment and observation of individual agents, who employ “a whole range of cultural stereotypes in the practice of border inspection” (“Border” 163). This type of immigration policy seems to directly contradict earlier legislation, like the Chinese Exclusion Act and the Immigration Act of 1924, because instead of the government clearly defining unacceptable immigrants through binary branding, such distinctions are now enacted by individual agents on individual border crossers. These regulations make it impossible to “brand the ‘leper’” (Foucault 199) because instead of the “universalism of disciplinary controls” (199) that Foucault expects, the rules of immigration inspection make the disciplinary controls specific, individual, and inapplicable to other crossers. Thus, through the neat trick of individualizing both enforcer and crosser, the U.S. government has ensured that suspicious travelers will be detained while it has absolved itself of guilt and made its power invisible.

However, the scenes of Maria’s interrogation prove that even though immigration officers may operate through their individual perceptions, they still utilize the old binary branding mechanism to make decisions. Reviewing Maria’s initial encounter with the officer once more, he detains her after discerning her place of origin, which suggests that it was her nationality that incriminated her. Maria’s detainment due to her nationality
confirms the vast difference between the way that white American or European travelers and all other travelers are treated at U.S. airport borders. This unfortunate fact has been discussed by many scholars, including Etienne Balibar, whose discussion of Western European borders can work equally as well for American borders, as both areas are considered advanced and privileged: “[borders] do not work in the same way, ‘equally,’ for all ‘people, and notably not for those who come from different parts of the world [i.e. parts other than Western Europe or America], who […] do not have the same social status, the same relation to the appropriation and exchange of idioms’” (219). Certainly, a passenger from Britain is treated much differently in American airports than a passenger from Colombia. Though one can attribute the difference to socioeconomic status, as Balibar claims, the difference can also be due to the stereotypes associated with one’s nationality. For instance, a British person, labeled as educated and relatively well-off, is far more likely to travel for pleasure than a Colombian person, who is seen as lacking the resources to travel and who consequently poses a threat of becoming an undocumented immigrant.

Of course, such national stereotypes arise from the popular characterizations of Third World citizens as impoverished and desperate, and they lead to the branding of all Third World citizens as dangerous, dishonest, and despicable. Additionally, bell hooks stresses that there is danger at the border for all non-white travelers, regardless of country of citizenship. In her essay “Representing Whiteness in the Black Imagination,” hooks states that “From certain standpoints, to travel is to encounter the terrorizing force of white supremacy” (174). The similar treatment of non-white American and Western European travelers, whose race increases their likelihood of being questioned by
immigration, suggests that the combination of (non-white) race and poverty leads even minority citizens of the United States to be characterized in the same way as Third World citizens; therefore, they are also viewed as desperate and impoverished, and branded as dangerous and threatening.

Gender also plays a significant role in the way that the officers identify and characterize Maria. While trying to determine how Maria bought her plane ticket, the officers ask her about her profession and learn that she is a rose de-thorner in a flower factory. This information leads the officers to ask “How did you get the money for the ticket and the $800 that you have on you?” However, Maria’s answer—that she saved up for the trip—does not satisfy the officers and the female officer responds by accusing Maria of working as a drug smuggler. The issue of who paid for Maria’s trip is in fact at the heart of the officers’ case against Maria; this is proven at the end of the border sequence when they appeal to Maria for information once again by stating “We know you didn’t buy this ticket. We know you couldn’t have saved that much money.” These statements demonstrate that the officers are unwilling to accept that a female factory worker from Colombia would ever be able to save enough money for a trip to the U.S. This assumption is most likely influenced by the common characterization of Third World women as the lowest of the low, and as a result, the officers brand Maria as destitute and thus incapable of cosmopolitan privileges like travel.

Such characterizations ignore the reality that it is the women, not the men, who are the workers in the flower factory, the sole place to work in Maria’s town. In fact, according to several studies, many factories prefer female workers because they perceive them as more docile and less likely to unionize (Biemann 104, Saona 131). The
preference for women workers is certainly the case in Maria’s own factory; in the scenes where Maria is working as a rose de-thorner the majority of the workers are female, except for the foreman, who is male.\(^7\) The evidence that Maria’s factory employs mostly women, that the factory is one of the only jobs in her community, and that Maria’s boyfriend, Juan, who has a job outside of the factory, is shown struggling to buy Maria a modest meal from a street vendor, provides enough evidence to assume that most of the males within Maria’s community would not be able to provide the funds necessary for a plane ticket to the United States. However, the customs officials who question Maria do not take the feminization of factories south of the U.S. border into consideration when evaluating Maria’s means for traveling to the United States. Instead of seeing the reality of the situation—that a Colombian woman from Maria’s area would be far more able to save enough money for such a trip than a Colombian man—the officers rely on the most massive, antiquated binary division: that between the strong, powerful, economically independent male and the weak, docile, and economically dependent female. Therefore, the officer’s easy acceptance of a man buying Maria’s plane ticket reveals the persistence of this division and its effects on female border crossers.

A final word on the border scenes in *Maria Full of Grace* leads me to analyze the reasons for Maria’s escape from detention. As stated above, Maria is released after “admitting” that her baby’s father purchased her plane ticket and gave her spending money. However, Maria’s true saving grace results from her pregnancy, which prevents the customs officers from x-pressing her. Indeed, as Maria sits in a hall awaiting her x-ray, officers cuff and take away another smuggler, who Maria traveled with from Colombia,

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\(^7\) For an extended discussion of Colombia’s floriculture and the feminization of transnational labor, see Chapter 2.
right in front of Maria. The following quick shot into the interrogation room from the hallway reveals an officer and a doctor pointing to spherical shapes on an x-ray, underscoring Maria’s potential fate. Because Maria’s unborn child spares her from the forced surveillance of her insides, Maria’s body rejected the “constant surveillance” (Foucault 199) of the customs officers. Thus, it is due to this breach of surveillance, which prevents the officers from “knowing” Maria and therefore characterizing her properly, that officers release Maria into the United States.

Frozen River and the Natural Border

The border in Frozen River is at the opposite extreme from the policed, surveyed, and organized airport border exhibited in Maria Full of Grace. In this film, the St. Lawrence River serves as a natural border between the United States and Canada, and it is this river that the film’s protagonists, Ray and Lila, use to illegally smuggle people over the border into the United States. Additionally, unlike Maria Full of Grace, Frozen River depicts four separate border crossing scenes, and so provides ample material for examination and a more comprehensive view of the border. I will investigate how race and class affect individuals who cross together, as Ray is a poor white woman and Lila is a poor Mohawk woman. Additionally, in this film there is also the issue of a nation within a nation—the Mohawk reservation in the film straddles the U.S.-Canadian border and, accordingly, the reservation’s boundaries complicate the discussion about this international border. Finally, at the heart of this analysis are two questions: How do the dual mechanisms of discipline function at a border that does not have immigration
officers guarding it? and Is this river an opening in the border, or is it still somehow
enforced or policed, but in a different way than the border in Maria Full of Grace?

Before any other discussion of Frozen River can begin, I must first address the
location of Ray and Lila’s smuggling operation. The pair’s smuggling route in the film,
on a Mohawk reservation, mimetically represents a reservation that has quite a
contentious history and is considered a “contested jurisdiction border community”
(Jamieson 259). This is due to the fact that Ray and Lila run their smuggling operation on
the Mohawk Territory of Akwesasne, which is situated on the St. Lawrence Seaway and
straddles the Canadian-American border. According to Ruth Jamieson, who performed a
study of the reservation’s legal jurisdiction issues as well as the smuggling operations
which take part on it, three different “sub-national systems” (261) maintain jurisdiction
over the territory (Ontario and Quebec Provinces and New York State), which is
complicated by three additional claims of jurisdiction by Aboriginal councils. These
confusing and litigious claims have resulted in eight separate policing operations—
including the FBI, the Canadian Army, and the Akwesasne Mohawk Police—becoming
involved in reservation matters at various points in time (261). Such an impressive
number of disciplining structures suggest absolute control over the area; yet, a system “in
which power is exercised without division” (95) constitutes a key component of
Foucault’s model disciplinary mechanism. In other words, the numerous powers over the
Mohawk Territory of Akwesasne create confusion, which is the key product of the plague
(Foucault 199), and prevents the establishment of order.

Because confusion precludes effective disciplinary projects, this jurisdiction
turmoil has left such a key border land open for exploitation by transnational criminal
organizations (Jamieson 267), a point only exacerbated by the fact that “the Canadian and
the American governments have de facto conceded border-crossing rights to the residents
of Akwesasne” (Jamieson 260) in addition to exempting the Mohawks of Akwesasne
from excise tax and customs duties (263). Such a combination of jurisdiction uncertainty,
open rights to border crossing, and the Mohawk Nation’s belief that its sovereignty over
its territory equals the right to free trade (Jamieson 263) results in the attitude that
“smuggling” is “legitimate trading” (Jamieson 260).

Additionally, such a different attitude towards “smuggling” is compounded by the
fact that the reservation is located on “some of the most polluted land in North America”
(Jamieson 267) because it is downstream and gradient from the industrial factories of
corporations like General Motors, whose industrial waste such as “PCBs, mercury,
fluoride and other toxins” (Jamieson 268) have made their way into the St. Lawrence
River. Thus, the residents of Akwesasne have lost their ability to exist as they had in the
past off of fishing, hunting, and other activities closely tied to and in need of healthy,
non-polluted waters and land. Therefore, the only way for most Mohawks of Akwesasne
to make a living is to engage in “the cash economy through ‘trade’ in a variety of
otherwise taxed (cigarettes, alcohol), controlled (weapons, people) or prohibited
commodities (drugs)” (Jamieson 268). For these reasons, the Mohawk Territory of
Akwesasne has been engaged in smuggling various commodities since at least the 1950s
(Jamieson 265).

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8 The “complete consensus” of the Mohawk people in terms of their right to freely cross the international
border stops when the trade “gets more lucrative” (Jamieson 264) and thus not all members of the Mohawk
nation participate in the smuggling trade.
The reservation members’ active participation in such “trade” (smuggling) arrangements becomes even more pertinent to *Frozen River* when the events of 1996 to 1998 are taken into consideration. According to Sadowski-Smith’s article on undocumented Chinese immigration, from 1996 to 1998, almost 4,000 undocumented immigrants passed over the U.S.-Canadian border through the Mohawk Territory of Akwesasne. Specifically because of the ambiguous jurisdiction over Mohawk territory and the Mohawks’ history in “trading” across the international border, a Chinese-led operation “sub-contracted” residents of the Mohawk Territory to transport the undocumented into the United States (Sadowski-Smith “Reading” 86-87). In fact, these smuggling activities continue today, making the Mohawk’s smuggling route currently “one of the most important U.S. gateways for undocumented Chinese” (Sadowski-Smith “Reading” 87).

Ray and Lila’s smuggling operation take on added significance because the film represents the smuggling that currently occurs, and has for many years, over the land of the Mohawk Territory of Akwesasne. This sense of verisimilitude also accounts for the many conversations between Ray and Lila about the legality of their work. In the scene of the first smuggling run, as Ray sits on the embankment overlooking the St. Lawrence and wonders whether she should cross, the following conversation takes place:

RAY. That’s Canada.

LILA. That’s Mohawk land—the Res is on both sides of the river.

RAY. What about the border patrol?

LILA. There is no border.
If this exchange is judged in context with the preceding discussion, Lila voices the opinion of the Akwesasne, whose belief that their territory is “unpartitioned sovereign territory” (Jamieson 261) leads them to assert that their sovereignty negates the U.S.-Canadian border. Thus, because the area of the reservation takes precedence over any other type of territorial jurisdiction, the U.S.-Canadian border in fact does not exist for the Akwesasne. This type of discourse suggests the Akwesasne’s attempt to separate and segregate their reservation from both the U.S. and Canadian governments, so as to impose order over the jurisdictional chaos and regain control and discipline of the land.

Ray and Lila’s exchanges over the legality of their smuggling is reflective of the dialogue between the Mohawk Nation and those who oppose what they view as an abuse of the Nation’s sovereignty. For instance, in that initial smuggling scene, after Ray and Lila cross the river and arrive at their pickup point, the following exchange occurs:

RAY. I’m not taking them across the border. It’s a crime.

LILA. There’s no border here—this is free trade between nations.

RAY. This isn’t a nation.

In this example, Lila consciously references the rhetoric involved in the dispute over Mohawk sovereignty and power. By stating that their smuggling enterprise is “free trade between nations,” Lila echoes the “overwhelming consensus in the Mohawk community […] that the right of First Nations to free trade and travel across the U.S.-Canadian border is recognized and preserved under a series of treaties” (Jamieson 263). By framing their crossings in the light of the treaties that protect the Mohawks’ movement across the St. Lawrence River, Lila discursively redraws the borders of the nation for Ray’s comprehension. However, Ray does not accept this privileging of the Mohawk Nation’s
sovereignty over the United States government, perhaps in part because she characterizes the Nation as undeserving of such privilege. Though Lila attempts to ignore the border that her territory encompasses, Ray denies that attempt by arguing that the border still stands, and the Mohawk Nations’ presence does nothing to obscure that fact.⁹

There are complications that the Mohawk Territory of Akwesasne present in determining the location and validity of an international border within Frozen River, but there is indeed at least one international border—and by some views several—that Ray and Lila cross while on their smuggling runs. Even if one were to discount the St. Lawrence River as the border, as Lila does, that simply means that the border between Canada and the United States is split in this area; as a result, the international border that the women cross lies between the United States and the Mohawk Nation. If this were the case, then the discussion of the border crossing in the film would be much less involved because that border is not policed nor enforced by the United States government nor by either of the two Aboriginal councils who assert jurisdiction over the reservation—the St. Regis Mohawk Council, who preside over the American side of the reservation, or the Mohawk National Council, which claims power over the entire reservation (Jamieson 261).

The debate over the border and the sovereignty of the Mohawk Nation reveals that political ideology plays directly into the construction of the border while it also illustrates that borders are discursive and not absolute. For instance, if the Mohawk claims are examined carefully, it is revealed that the Mohawk Nation does not deny the presence of the U.S.-Canadian border and instead claims that they are free to move across

⁹ For a more in-depth study of nativist discourse in relation to the sovereignty of American Indians, see Chapter 2.
it. Thus, the Mohawks recognize the existence of that border because they claim that they are exempt from the obligations of crossing it—providing documents, submitting to inspections and questioning—that all others must face. Therefore, Lila’s claim that “There is no border” is in fact not entirely true.

This then proves that the St. Lawrence River is the international border that Ray and Lila cross, yet Lila’s body is not subjected to the same kinds of laws and regulations as Ray’s, at least in regards to crossing the U.S.-Canada border. Consequently, depending on how the jurisdiction issue would be resolved, Lila is most likely free from worry about prosecution for her role as a smuggler if she and Ray are ever apprehended. However, though Ray works with Lila, a Mohawk national, she herself is not a member of the Mohawk Nation and, if caught, she would be prosecuted in accordance with Canadian or American law, depending on which side of the border she was arrested.

As my analysis of Maria Full of Grace shows, police enforce the border through interrogation, invasive procedures such as body searches and compulsory x-rays, and in the most extreme cases, imprisonment. The danger for any border crosser, then, lies in detention by the border patrol. Though the border in this film is not guarded, the ice can be viewed as the enforcer of the border—it detains the unlucky who cross when it is weak, and in extreme cases imprisons crossers in its icy depths, much like Lila’s husband who was never found and is “probably tangled in the river weeds somewhere.” Obviously, the river does not discriminate in terms of who it detains, and its “decisions” are due more to chance than anything else. Yet, this is perhaps why the river is not guarded—the St. Lawrence River provides the natural enforcement for those daring enough to cross it. This type of “natural enforcement” is also seen along parts of the U.S.-
Mexican border, as some sections of the vast, desert border remain unguarded, most likely due to the thinking that those who wish to cross will most likely die trying. Kurt Organista, in an overview of the current status of Mexican migration, explains that tougher immigration policies force migrants through such treacherous terrain and result in “an increasingly dangerous border that has claimed well over 2,000 lives since 1993, or between 150 and 200 lives per year on average” (190). This suggests that border enforcement is helped by hazardous natural features on both poles of the country. Thus, the St. Lawrence River, though dangerous, is not policed in the conventional sense of border patrols and armed guards but rather by the unstable ice and freezing depths of the river.

However, though the section of the northern U.S. border in Frozen River is not militarized like the southern border, it is nevertheless enforced. Behdad has explained the function of border enforcement as “the management of who gets in and who doesn’t” (“INS and Outs” 108) and if this is the case, then Ray and Lila—and in fact all of the smugglers and the “snakeheads” who run the smuggling ring—enforce the border by choosing who does and does not cross the St. Lawrence. Of course, financial considerations influence Ray’s decisions and prevent her from turning down immigrants. Yet, though human traffickers depend on the income they earn by moving people across boundaries, Frozen River proves that even smugglers make selective decisions about who they allow to cross borders based on cultural assumptions.

In a pivotal scene in the film, Ray performs her only act of border enforcement when the pair must transport a Pakistani couple across the river. The border in this scene is shown at night, and from the high-angle shot used in the first frame, an expansive of
snow takes up the foreground while the car is seen far away in the background. The headlights on the snow confine sight to a faint line of light preceding the car, consequently negating the spaciousness seen in earlier border crossing scenes. A high-angle long shot tracks the car’s slow approach towards the viewer and heightens a sense of approaching danger. Additionally, the darkness of the huge expanse of river intensifies a growing sense of foreboding. Therefore, this initial scene sets up the tone for the rest of the border sequence.

The most obvious answer to the anxiety produced in this scene—that of getting stuck in the river—is not realized. Ray and Lila safely make it to the other side of the border without incident. However, when they reach their contact’s trailer, the foreboding sense created by visual cues does not abate. Instead, as the pair wait outside Jimmy’s trailer for him to come out with their charges, the camera is angled in such a way that it catches the very edge of the car door in the frame, effectively blocking the light on the side of the trailer. However, the light that does seep into the frame is red and the color is echoed by the sky that is also faintly red. Though Trinh T. Minh-ha has done an insightful reading of the plurality of meanings that the color red conjures up, even stating at one point, “Rich in significations and symbols, red defies any literal elucidation” (195), it seems that the red in this sequence is associated, through the color of blood, with violence, and acts as a foreshadowing device for the upcoming events. Thus, the repetition of the color red creates a sinister effect and works to heighten the anxiety and pain of this particular border scene.

Red appears again, for when Ray and Lila’s charges, a woman and a man carrying a duffel bag, come out of Jimmy’s trailer, a bright red scarf covers the woman. This
woman’s attire, along with both of their darker complexions, causes Ray to anxiously state “Wait, they’re not Chinese.” When Lila, unfazed, informs Ray that they are “Pakis” from Pakistan, Ray, still looking at the couple, asks “Well where is that?” Though Lila does not know, Ray says that their origin makes a “Big difference.” At this point, the camera pulls away to a high angle shot that encompasses the trailer with a faintly red light on its side, the couple with the woman in her red head scarf, the car with its red brake lights, the sky with tinges of red in it, and the white snow surrounding it all. After the abundance of red heightens the anxiety in this scene, the camera closes in on the man’s hands holding the bag close to the driver side window. Ray demands to know what is in the bag, but gets no response and so she takes the bag as the couple gets into her trunk. On the way across the river, Ray stops her car and deposits the bag on the ice, saying “Nuclear power, poison gas, who knows what they might have in there, I’m not going to be responsible for that.” However, when they reach their destination, the couple tearfully demands their bag for it contained their baby. Yet, this event, a potential tragedy, ends well when the women find the baby on the ice and return it unharmed to its parents.

This scene demonstrates the limited power that Ray and Lila have in their work as smugglers while also illustrating that the enforcement of the border is once again defined by coercive assignment and binary branding. For instance, even though neither Ray nor Lila know where Pakistan is, through close scrutiny and surveillance of the couple’s attire, in addition to consideration of their circumstances, Ray characterizes the man and woman as impoverished Middle-Easterners and brands them as terrorists. Ray confirms her xenophobia when she says “Well, let’s just hope they’re not the ones who blow
themselves and everyone else up.” While this statement underscores Ray’s ignorance of geography and culture, it also betrays an attitude of what Edward Said labels Orientalism by essentially conflating all Middle Eastern nations into one homogenous terrorist cell. Ray’s comments and actions support hooks’s belief that “one fantasy of whiteness is that the threatening Other is always a terrorist. This projection enables many white people to imagine there is no representation of whiteness as terror, as terrorizing” (174). Indeed, because of the couple’s skin color, ethnicity, and cultural attire, Ray automatically brands them as terrorists. Said notes in his “Afterword” in Orientalism, written in 1994, that currently “the electronic and print media have been awash with demeaning stereotypes that lump together Islam and terrorism, or Arabs and violence, or the Orient and tyranny” (346) and Ray’s perception of the Pakistani couple is certainly informed by such misleading and homogenous representations and characterizations of individuals from the Middle East.

In an interesting turn of events, Ray terrorizes the Pakistani couple when she leaves the baby out in the middle of the frozen river in temperatures as low as five degrees below zero. This move, an act of separation in order to prevent chaos, is the only exclusionary act that Ray can practice due to her limited power and reliance on her smuggling income. Furthermore, another intriguing twist in this scene is that Ray dumps the duffel bag on the ice specifically because the Pakistani couple denies her desired surveillance of the inside of the bag. Therefore, while such rejection of surveillance helps Maria, it proves almost fatal for the young infant inside. Furthermore, Ray’s equation of the Pakistani baby with nuclear weapons, both of which she refuses responsibility for, echoes the anti-immigration line that describes undocumented immigrants as economic
drains that become the unwanted responsibility of American citizens. According to Chavez’s study on anti-immigration rhetoric, research has shown that “It is the children of undocumented immigrants that are in the public school system. Research has also shown that immigrant women and children are more likely than immigrant men, especially among the undocumented, to use health services” (71). Thus, Ray’s comments reflect the larger issues surrounding undocumented immigration and their children’s presence in the United States.\(^{10}\) Though Ray fails in exerting full disciplinary mechanisms over the U.S.-Canadian border and her charges, she partially engages in acts of coercive assignment and binary branding, which exhibit the potential for alternative types of enforcement at the U.S. borders.

**Conclusion: Border Porosity**

Since the creation of the modern U.S. borders, Foucault’s notion of the dual mechanisms of discipline have influenced the way that Americans view and treat the northern and southern land borders. However, the earliest immigration laws mostly employed binary branding by singling out specific groups of people to exclude from membership in the “melting pot” of the United States. These groups were identified, characterized, and eventually branded as undesirable due to their nationality, or their ethnic and racial heritage. Even when economic circumstances caused a shift in a specific group’s desirability—for instance, the branding of Mexican laborers as both helpful and detrimental in accordance with the economic needs of the U.S.—every identification of undesirable groups was predicated on nativist views and the desire for what Foucault

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\(^{10}\) For a discussion of nativist concerns over undocumented immigrants, their children, and their drain on national resources, see Chapter 2.
calls a “pure community” (198). Therefore, from the start, U.S. immigration policy has been built on the mischaracterizations of groups that have differed in some way—whether through race, culture, or ethnicity—from white Americans, and this has resulted in discriminatory and often overtly prejudicial treatment of such Others.

The border scenes in Maria Full of Grace reveal such prejudicial attitudes, and show how airport security officers utilize the various mechanisms of Foucault’s discipline theories. Maria’s time in the airport illustrates the multifaceted structures of discipline that act on her body, and by extension, all (undesirable) border crossers. This is displayed through the centralization of surveillance in classifying and “knowing” Maria’s body; through the employment of coercive assignment, which characterizes and identifies impoverished peoples, minorities, and women; and through binary branding, which takes such characterizations and brands individuals as acceptable or not. However, when a border is open and unguarded, like in Frozen River, Foucault’s mechanisms of discipline cannot function. For instance, though Ray attempts to enforce the border, she has no power to do so, and her attempts fail. This failure highlights the necessity of power in enforcing and instituting the mechanisms of discipline.

This comparison between the two films reveals, above all, that regardless of how heavily a border is policed, it is always porous. Maria Full of Grace illustrates this when Maria endures and is released from an airport interrogation even though she truly is carrying heroin in her stomach. Yet, the film proposes that Maria is far from unique in her illegal crossing of the U.S. border because later scenes illustrate the networks available for undocumented immigrants in the United States—Don Fernando, the kindly “Mayor” of Little Colombia in Queens, offers Maria a job that does not require papers, he
mentions a possible apartment, and other brief scenes show him negotiating contracts and employment positions for other undocumented workers like Maria. In fact, Maria is even able to visit an obstetrician who conducts her practice completely in Spanish and treats patients without insurance. This network of undocumented immigrants living in New York City indicates that the border is extremely porous.

On the other hand, *Frozen River* makes no pretenses about the absolute openness of the U.S.-Canadian border, at least at the section that bisects the Mohawk Nation of Akwesasne. This obvious porosity leads Behdad to assert that the U.S. government in fact wants undocumented immigrants to slip into the country. He supports this claim by enumerating the various ineffective functions of border enforcement before arguing that:

The failure to control the flow of (illegal) immigration does not imply that the [border patrol] agency simply misses its target. On the contrary, such a failure succeeds in making the violent mechanisms of discipline appear legitimate and natural. The regulation of the southern border is not about stopping the flow of undocumented immigrants, but about using delinquency to authorize the perpetual surveillance and control of the immigrant population. Far from being a contradiction, perpetuating of illegality must therefore be viewed as a necessary component in the disciplining of aliens. ("INS" 105)

That is, by maintaining “holes” in U.S. borders, such as the gaping one in *Frozen River*, the government ensures a continual flow of undocumented workers into the country. As many scholars argue, undocumented and “cheap” labor is integral to the economic balance of the U.S., but those workers must be kept “illegal” in order to maintain their low wages and docility (Behdad 106-8, Organista 192, Roberts 215). Therefore, borders
are intentionally kept porous not only to insure a steady stream of undocumented workers but also to extend Foucault’s mechanisms of discipline beyond the physical boundaries of the nation. If this is the case, then the inherent mixing of those mechanisms, and particularly the binary branding, with racial, gender and cultural prejudices and stereotypes underscores the need to not only be aware of how such mechanisms function, but also suggest that the overt racist and ethnic discrimination of early immigration laws has simply become institutionalized, normalized, and is now espoused as “common sense” by many American citizens.

Finally, Foucault’s mechanisms of discipline offers an important framework to understand *Maria Full of Grace* and *Frozen River*, especially in regards to the effects of such disciplinary power on undocumented immigrants and minorities. Because these films portray smugglers sympathetically, they open the doors for discussion and critical engagement with these issues. Furthermore, because both films have reached a wide audience—in part due to their individual success at the Sundance Film Festival and the Academy Awards—their critical engagement with immigration control and treatment emphasizes their importance in such discussions.
CHAPTER TWO: RITUALS OF EXCLUSION THROUGH DISCOURSE

*Maria Full of Grace* and *Frozen River* operate on two different levels: the mimetic and the ideological. On the mimetic level, the films reflect actual issues such as the feminization of poverty, the feminization of the lower levels of transnational trafficking organizations, and single motherhood. However, this chapter’s investigation of the realistic qualities of the film does not attempt to pass judgment on whether these films distort or communicate the “truth” of the “real world.” Instead, I consider the mimetic qualities of the films in order to reveal how *Maria Full of Grace* and *Frozen River* transmit information about these issues. This becomes especially important when one acknowledges Emily S. Davis’s claim that “film and television have also been the primary mode through which US audiences and those in other parts of the West have been exposed to the peoples of the Third World” (35). Therefore, despite cultural and ideological leanings that may lead viewers to interpret films differently, if a film is promoted as factual the audience will perceive its information about little known practices and peoples as representative of the “truth.” Even Ella Shohat and Robert Stam, advocates of a move away from “an esthetic of verisimilitude” (178), support this link between film and reality when they admit that “Filmic fictions inevitably bring into play real-life assumptions not only about space and time but also about social and cultural relationships” (“Stereotype” 179). Because Joshua Marston, writer and director of *Maria Full of Grace*, and Courtney Hunt, writer and director of *Frozen River*, have each expressed in numerous interviews their desire for verisimilitude, the situations of poverty, trafficking, and motherhood within the films are significant in evaluating the films’ import.
While the films perform under the guise of realistic impulse they also convey ideological discourses that both shape the films’ conception and mediate their messages. The need to study the effect of this second and more subtle level of each film arises from the notion that “truth” is both relative and an ideal, and so complete filmic mimesis remains an impossibility. Shohat and Stam further explain the problem with reading a film solely as a representation of reality in *Unthinking Eurocentrism* when they state: “Rather than directly reflecting the real, or even refracting the real, artistic discourse constitutes a refraction of a refraction; that is, a mediated version of an already textualized and ‘discursivized’ socioideological world” (180). Thus, in order to avoid what Shohat and Stam call a misplaced “fidelity to a preexisting truth or reality” (*Unthinking* 180), the authors instead advocate investigations of the “specific orchestration of ideological discourses” (*Unthinking* 180) presented in films.

Consequently, this chapter will consider the mimetic qualities of *Maria Full of Grace* and *Frozen River* while also reviewing the ideological discourses that each film includes.

By analyzing the mimetic level of the films, I will reveal that both *Maria Full of Grace* and *Frozen River* illustrate what Michel Foucault calls in *Discipline and Punish* the “rituals of exclusion.” This term comes out of Foucault’s discussion of disciplinary projects that arose from dealing with lepers and the plague at the end of the seventeenth century and describes the “binary branding and exile of the leper” (199). Foucault argues that in order to control and contain contagion during outbreaks of leprosy and the plague, authorities exercised power over people by branding them through binary divisions—such as healthy/infectious, normal/abnormal, and harmless/dangerous (199)—and then by employing “coercive assignment” (199) to identify, characterize, supervise and ultimately
exile undesirables. Foucault examines these mechanisms in order to claim that contemporary methods of power use two forms of discipline—branding and supervising—to control those identified and characterized as abnormal (199) in order to achieve through such separation a “pure community” (198). Most clearly exhibited during border enforcement, these “rituals of exclusion” function throughout each film in order to separate and exclude, to various degrees, Maria, Lila, and Ray due to their gender, race, and class. However, by inspecting the ideological level of the films, I will demonstrate that though these films openly exhibit the “rituals of exclusion”—namely nativism, racism, and sexism—that Maria, Lila, and Ray face, to varying degrees they each fail to challenge the institutions that produce such rituals and instead rely on conservative ideologies of the consumerist “American Dream” and the redemptive discourse of motherhood to justify and explain away the women’s demeaned conditions. Furthermore, both these films employ what Bruce Bennett and Imogen Tyler term the “rhetoric of the close-up” (26)—which fosters viewer identification with characters through close-ups—in order to appease Western viewers by evoking their empathy without implicating or addressing the part these Western viewers play in the subjugation of women like Maria, Lila, and Ray. As a result, the films are valuable for their illustration, through mimesis, of the plight of disadvantaged women, but each neglects to question the very mechanisms that force these women into their desperate circumstances.

11 This is due to the fact that contemporary binaries—such as man/woman; white/colored; superior/inferior—assign women, minorities, and lower-classes to inferior, abnormal, dangerous, and undesirable categories.
Nativist Discourse

Nativist discourse is tied closely to border crossing and functions as one of the rituals of exclusion apparent in both *Maria Full of Grace* and *Frozen River*. When bodies cross borders, cultural stereotypes and nationalist ideologies are used by the border patrol to decide who can enter the United States. Because border patrol officers operate under individual cultural assumptions when making entrance decisions (Behdad “Border INSpection” 163), often times the officers will brand crossers as unwanted or dangerous due to their race, gender, ethnicity, or other minority status, as is demonstrated particularly well in *Maria Full of Grace*, when she is stopped and interrogated by customs officers in the airport. Such branding of undesirables is directly related to new nativist views prevalent in contemporary American discourse.

According to Juan F. Perea, editor of *Immigrants Out! The New Nativism and the Anti-Immigrant Impulse in the United States*, nativism “seeks the ritual purification of American society, the separation of those who belong from those who do not. The majority enhances its status as the ‘real’ Americans, those who belong, and rejects those currently deemed threatening to American values” (1). Perea’s language echoes Foucault’s description of separation through binary branding in order to produce a “pure community” of American citizens. However, while in Foucault’s example, mechanisms of exclusion separated and segregated members of one already established community, nativism uses binary division to separate an entire nation—the United States—from all other nations that are ranked in desirability through categorizations of race, culture, and ethnicity. Leo R. Chavez connects nativism to xenophobia and states that both views have been “constant themes in American history” (66), and he adds that their renewed
prevalence is associated with changes in immigration laws (66). Both Perea and Chavez note several current movements that indicate a present surge in nativistic American attitudes, among them the renewed Official English movement; the invigorated attacks, both judicial and legislative, on affirmative action; and the increased vigor and vehemence of restrictions on immigration, which include the erosion of services provided to undocumented workers,\textsuperscript{12} tightened restrictions on citizenship requirements, and the enhanced militarization of the border between Mexico and the United States (Perea 1-4, Chavez 66-67).

The recent publication *Who Are We?: The Challenges to America’s National Identity*, written by the conservative political scientist Samuel P. Huntington, underscores the abundant similarities between nativism and rituals of exclusion. Though Huntington attempts to distinguish between what he terms “white nativism” and “extremist fringe groups”\textsuperscript{13} in his book, his explanation instead illustrates their likeness. Huntington explains that proponents of white nativism view culture and race as two fixed and unchangeable characteristics, and so a shift in the racial makeup of the U.S. population would necessitate a shift in cultural values (312). Huntington then asserts that according to white nativists, “The mixing of races and hence cultures is the road to national degeneration. For them, to keep America America, it is necessary to keep America white” (312). In this way, nativistic views emphasize the need to prevent the mixing of white American citizens with racially different immigrants. This aversion to mixing also appears in the rituals of exclusion, where the need to prevent “the disease, which is transmitted when bodies are mixed together” (Foucault 197), necessitated the separation

\textsuperscript{12} California’s Proposition 187, presented in 1994, is a fitting example of legislation that seeks to stop medical and educational services that are provided for undocumented workers (Perea 2).

\textsuperscript{13} Such as neo-Nazi, white power, and other racist, extremist groups.
of bodies through binary branding. Such a connection between nativism and the rituals of exclusion reveals that any person who deviates from the image of a white, English speaking, and ostensibly male American citizen is consequently a disease meant to be controlled, separated and eradicated.

Frozen River and American Indian Sovereignty

Racism and issues of nationhood and national belonging are therefore explicit in nativist discourse, and such issues clearly manifest themselves in Frozen River through dialogue, characterization, and mis-en-scène. In regards to dialogue, Ray and Lila often address the status and even the existence of the Mohawk Nation, and such exchanges reveal Ray’s nativistic attitudes. In regards to American Indians, nativists oppose the “special status” and sovereignty granted to American Indians by alleging that such privileging results from “reverse-racism” (Barker 137). One conversation between Ray and Lila that exemplifies this denial of the sovereign status of American Indians occurs after Ray shoots a hole in Lila’s trailer. To this, Lila reacts: “The tribal police don’t like people shooting holes in other people’s houses.” Ray’s response, “This is New York State, so quit the bullshit,” illustrates her desire to deny the power of the Mohawk tribal police and her adherence to the nativist claim that American Indians are nothing more than “‘special interest groups’ and/or disadvantaged ethnic minorities out to ‘play the race card’ in order to ‘take advantage’ of ‘unfair’ federal laws enabling them to monopolize economic opportunities in gaming” (Barker 137).

This view is reinforced by several other scenes in which Ray and Lila argue about the validity of the Mohawk Nation. Another conversation takes place during their first smuggling run when Lila, in an attempt to pacify Ray’s fears about illegally taking
people across the border, states “There’s no border here—this is free trade between nations” to which Ray disdainfully retorts “This isn’t a nation.” This discussion again reveals Ray’s resistance to the sovereign status of American Indians, even though, according to Joanne Barker, the ratification of the U.S. Constitution in 1791 afforded American Indian tribes “a unique legal status and commensurate rights as ‘sovereigns’” (134). Additionally, since 1871, the United States Congress has adhered to the federal recognition policy, which in part guarantees that “Indian tribes possess certain rights based on and emanating from their unique legal status as tribes” (134). Thus, Ray has no basis for her denial of Mohawk sovereignty, as their autonomy and “unique” status within the nation is protected by the U.S. Constitution as well as several U.S. governmental policies.

Though the nativist charge of “reverse-racism” appears ironic considering nativist views are inherently racist, Barker argues that the refusal to recognize the special status of American Indian tribes correlates with white nativist views because “The ideologies and institutions of white privilege have deeply informed the political perspectives and agendas of movements opposing Native sovereignty. The primary aim of the groups and individuals participating in these movements is to protect existing colonial relations of power between whites and Natives over lands, resources, and economies” (142). Barker’s statement also uncovers a crucial connection between new nativist claims and colonial views regarding American Indians. This is because nativists profess that “white culture made America great” (Huntington 312) in order to define white culture as superior; in this way they duplicate the colonial disregard of American Indian cultures and advancements. Therefore, Ray’s comments to Lila are indicative of the long-held notion
of the superiority of white culture over American Indians. Furthermore, Ray’s views illustrate the nativist desire to deny American Indians’ rightful claim to sovereignty because American Indians are supposedly racially and ethnically inferior to white Americans.

Furthermore, the scene that involves the Pakistani couple and their baby demonstrates that Ray also discriminates against the undocumented immigrants whom she smuggles. Ray’s xenophobic anxiety manifests itself in her suspicion that the couple are terrorists who “blow themselves and everyone else up,” simply because they are from Pakistan. Even though Ray doesn’t know where Pakistan is, the woman’s headscarf and the couple’s vague Middle-Eastern appearance convince Ray that they are potential terrorists, reinforcing the fact that the mechanisms of coercive assignment and branding, the integral components of the rituals of exclusion, often provide the only reason behind the discrimination and segregation of others. Ray’s suspicions illustrate her nativist desire to keep racially and ethnically different Middle-Easterners out of the country to prevent them from mixing with—or perhaps, more accurately, terrorizing—white Americans. The events of September 11 heightened such mistrust of Middle-Easterners, and as a result of that day many nativists worry about the Muslim population’s threat to American culture and society. Huntington asserts this anxiety when he claims non-Christian religions, and especially Islam, threaten the American Creed (340)—what Huntington views as the essential backbone of American culture. He labels Islam as the chief threat to the Creed because, according to Huntington, it causes Muslims to resist assimilation to American society (189). Therefore, Ray’s assertions to Lila mimic nativist discourse that attempts
to brand all non-whites as inferior and dangerous and characterizes them as undeserving of the privileges that white Americans, the “true” citizens, enjoy.

Lila addresses this white privilege twice, and each time her comments reference Ray’s invisibility to police. At the end of the pair’s first smuggling trip, Ray stops the car right before a sign, shown through the windshield, that reads “Thank you for visiting the Land of the Mohawk” and refuses to continue, saying to Lila “What if the troopers stop us?” When Lila responds “They’re not going to stop you, you’re white,” her face is shown in a close-up, which contrasts her colored skin with the white snow behind her to evoke sympathy for her visibility. The next shot closes in on Ray’s face as she gives Lila a sideways glance and, without saying anything, starts the car again. This shot of Ray further enhances the viewer’s sympathy for Lila by showing that Ray perhaps feels justified in her white privilege.

The second time that Lila mentions Ray’s whiteness is in a nearly identical scene in which Lila calms Ray’s fears by saying “Just remember, you’re white.” This second scene is when the pair is pulled over during a return trip, and the policeman who pulls them over is Trooper Finnerty, a white male officer who interacts with Ray several times in the film. During this traffic stop, Finnerty looks at Lila suspiciously several times before showing Ray her burnt-out brake light. As he does so, he asks how Ray knows Lila, to which she replies “She takes care of my kids when I have to work late.” Satisfied with an answer that puts Lila in an acceptable subservient position suitable for someone branded as inferior due to her ethnicity and race, Finnerty lets the pair go without further questioning. Finnerty’s suspicions about Lila are later justified when he reveals to Ray that Lila is a known human smuggler; however, the fact that Ray can explain away his
suspicion by asserting her white privilege and branding Lila as an inferior servant affirms that Finnerty—the embodiment of white, patriarchal law—also harbors nativist and racist assumptions.

Though reports of law enforcement’s racial profiling support Lila’s reading of Ray’s white privilege, the ending of the film contradicts Lila’s expectations. Towards the end of the women’s final run, an officer on the Canadian side of the border attempts to pull them over. Rather than face arrest, Ray drives over the slowly thawing and dangerous St. Lawrence River in order to evade the police. However, their car gets stuck in the ice and by the time the pair and their two female charges reach the relative safety of Lila’s reservation, police are waiting for them on the U.S.-Mohawk reservation border. In the following scene, tribal elders make it clear that the police want “the surrender of the two illegals, second, they want the surrender of the non-native smuggler. They really want to set an example over here.” The request for Ray illustrates that her whiteness in this situation disadvantages her while highlighting Lila’s privilege as a Mohawk. In a reversal of racial privilege, Ray surrenders herself to the police and faces a four month jail sentence as a result of her non-American Indian status.

Though *Frozen River* includes abundant nativist discourse that includes racist discrimination, it also presents a complex image of Native Americans that erases persistent stereotypes of noble and savage Indians. The film’s challenge to such superficial and inaccurate labels is best encapsulated in the scenes filmed within Lila’s trailer. In the first of such scenes, the camera focuses on Lila lying in bed. A medium-shot reveals a curtain hanging on the window behind Lila that displays the profile of an American Indian man wearing a full-headdress and traditional clothing and staring
proudly off to the right—directly at Lila. For a moment, Lila faces this man and the juxtaposition between Lila’s modern appearance—with her disheveled, short-cropped hair and tee-shirt clad body—and the appearance of the figure in the tapestry functions as a direct challenge to common depictions of American Indians by showing that modern American Indians, at least in appearance, diverge from such traditionally adorned individuals.

However, though Lila opposes the popularly represented, traditional American Indian in that initial scene, in the most prolonged scene inside the trailer, Lila is aligned with her cultural past as she practices placing a baby—in this scene just a wad of cloth—on a cradleboard, a traditional Mohawk way to carry an infant. When Lila places the board on her back, she stands in profile in the shot and for one moment stares off to the right side of the screen with an expression reminiscent of the man on her curtain. With the drapes—showing anachronistic chieftains in full regalia—framing her in this scene, her position echoes that of the men in headdress, and the board on her back helps to place her in a direct line with the traditional figures on the curtains. Indicated by her placement in the shot where her body is in line with the curtains and her head is above them, this scene illustrates how Lila both fits in with this romanticized and popularized version of Native Americans while, at the same time, she stands apart and removed from that past, indicated by her contemporary differentiation from their ranks.

Furthermore, in addition to Lila’s classification as a complex character who is portrayed as both apart from and simultaneously in line with her Mohawk heritage, Frozen River also complicates the depiction of the Mohawk reservation. Lila is depicted as privileged and yet disadvantaged by her American Indian status on what she refers to
as the “res.” Her privilege comes from the sovereignty granted American Indians, thus placing her reservation beyond jurisdiction of the state police, which allows her to smuggle people more easily across the U.S.-Canadian border. Additionally, because she is a member of the Mohawk Nation she has the right to trade freely across that border without having to pay excise tax or customs duties. However, though being a part of the Mohawk Nation may afford these minimal privileges, the reservation also has its downsides. For instance, when Lila’s baby is stolen “right out of the hospital” by her mother-in-law, she has no legal recourse for getting her child back. Because “tribal police don’t get involved in stuff like that” Lila cannot live with her own child, and so she is both helped and hindered by the sovereign status of the Mohawk Nation. Furthermore, though Lila can work in a bingo-hall due to American Indians’ right to run gambling establishments, she cannot make a living from that employment, a fact that forces her into smuggling.

*Frozen River* thus combats Ray’s nativistic and racist ideologies through the mise-en-scène, the complex characterization of Lila, and the nuanced depiction of the Mohawk reservation. Specifically, the representation of Lila contests nativistic visions of the purely white American citizen by presenting the viewer with a modern American Indian character who both aligns herself with and diverges from her cultural traditions. Furthermore, if the definition of nativistic discourse is that of preserving the way of life for the “‘real’ Americans […] who belong” (Perea 1), the depiction of American Indians in *Frozen River* challenges the very concept of who “belongs” to the United States, since the American Indians are the indigenous peoples of North America. Since immigrants displaced the original inhabitants of what is now the United States and destroyed most of
American Indian culture in the process, American Indians symbolize the source of nativist anxiety against current immigrants, who, to nativists, are the “perceived enemies of the American way of life” (Perea 1).

However, though the film progressively challenges nativistic visions of American citizens, the nativist and racist ideologies present in the film and the mechanisms of the rituals of exclusion used against non-whites remain unquestioned. For instance, though Ray is the one arrested by the police for smuggling, she chooses to turn herself in instead of making Lila take the fall because, as Ray admits, “I’ve got no record and I’m white.” This statement suggests that Lila would face a worse fate, though perhaps this has more to do with her police record than her race. Yet, though Ray’s arrest and jail sentence appears to directly defy her white privilege, this outcome is a direct result of her location; had the pair been arrested outside of the Mohawk reservation Lila would most likely have faced a long sentence and Ray possibly could have gotten off even easier. Thus, because the reservation is the only place that Lila enjoys more privileges than white American citizens, the ending presents a false confrontation of nativist ideologies and ultimately reinforces the institutional privileging of whites over minorities.

*Maria Full of Grace and Language*

Though there is no dialogue devoted to racial or national discourse in *Maria Full of Grace*, the very diegesis of the film challenges the nativist definition of American citizens as exclusively white. For instance, the only white character in the film is the male customs officer who detains Maria in the airport. Furthermore, though half of the film is set in the United States, there are only a few lines spoken in English. Instead, all the characters in *Maria Full of Grace* speak Spanish and are Hispanic. In fact, because Maria
spends her time in Little Colombia, a section of Queens, New York, not only are most of the characters Spanish-speaking, but the majority are also Colombian. The language and characters, therefore, obscure the reality that half of the film takes place in the United States. Hence, by its very nature, *Maria Full of Grace* presents an alternative image of an American citizen, one who diverges in language, appearance, ethnicity, and custom from a white Anglo-American.

The fact that *Maria Full of Grace* is presented fully in Spanish with English subtitles contributes to the subversive characterizations of American citizens within the film. However, the film also challenges the stereotype that all Hispanics speak Spanish. The scene where Maria approaches a gas station attendant for help illustrates this point. Upon approaching the man, who appears to be Hispanic, Maria asks him in Spanish: “Pardon. Do you know how I can make a call? I need to call this number.” When the man turns around he asks in English, without a trace of an accent, “What? Me no speak Spanish. No Español. Get it?” The only other person in the film to speak English is the customs officer who stops Maria; hence, the Hispanic gas station attendant is aligned with the white police officer as the only English speakers within the film. Yet, even this alignment is complicated because the white officer also spoke Spanish while the Hispanic attendant only speaks English. The Hispanic man’s hostility towards Maria, however, hints at the nativistic English-only movements that, since the beginning of the 1980s, have advocated the designation of English as the official language of the United States (Huntington 165). This sentiment is apparent in *Frozen River* when Ray fails in her attempts to communicate with the Pakistani couple and declares “If they want to come here so bad they should take the time to learn English.” By branding an entire language as
undesirable and abnormal, members of the English-only movement segregate Spanish speakers in the U.S. in an effort to exclude them.

Even the production of *Maria Full of Grace* illustrates the massive support for English-only movements. In an interview with *Filmmaker* magazine, Marston relates the difficulty of selling an American made Spanish language film to producers, who he says asked him questions such as “‘Couldn’t they all speak English’ or ‘Couldn’t Maria have a nanny that taught her English and they could practice their English?’” (Koresky 47). In fact, in the past twenty-five years only ten thespians, including Catalina Sandino Moreno, who plays Maria, have been nominated for their role in non-English speaking films (Ventre A10). This bias in the film industry directly translates into the privileging of English speaking, predominantly white audiences and highlights the far-reaching effects of nativistic ideologies.

Because the film is in Spanish, most audiences in the United States have seen *Maria Full of Grace* with subtitles. Subtitles in this film function on more than just a practical level, however, for even when English is spoken in the film, the words appear in English subtitles at the bottom of the screen. The scenes with the gas station attendant and the airport customs officer illustrate this point. Thus, every word spoken within *Maria Full of Grace*, no matter what language, appears in the subtitles, a move that presents all languages as in equal need of translation. This balanced representation of languages contradicts the supposed language hierarchy in United States that places English as superior to all other languages. Additionally, English speaking American audiences are forced to read subtitles for a film whose events occur within the United States, a move that tests the validity and necessity of English-only movements.
Yet, just because *Maria Full of Grace* equitably treats languages the same in the subtitles and presents a cast of Spanish speaking Hispanic-Americans, it does not mean that the film challenges nativist ideologies. For example, the film appears to combat nativist branding of Hispanic immigrants as unfavorable and inferior by presenting positive images of Hispanics, such as Carla and Don Fernando, and by using a fully Hispanic cast in a film set in the United States. However, even though the film positively characterizes Hispanics, they are still positioned in the film as powerless and inferior due to their low socioeconomic class. Even Javier, the drug “lord” in Colombia, keeps his office in a dingy corner of a dive-bar with chipped tile walls. Additionally, Carla’s husband is a limo driver for the upper-class, and all the other characters are in the menial service sector working as bakers, seamstresses, and rose-dethorners. This leaves the characters in uncertain positions, as Carla and her husband appear to just get by in their tiny apartment, and the status of their cousin, who sleeps on the floor in the living room and works all night in a bakery, seems even more tenuous. When Maria and Blanca visit Don Fernando, he offers them jobs as seamstresses, and on the basis that the employer does not check for papers one can assume that the working conditions are poor, the hours long, and the work tedious. In fact, there are few representations of Hispanics in *Maria Full of Grace* that rise above near-poverty levels, which indicates that all Hispanics are subject to “structural subordination” (Shohat and Stam, *Unthinking* 205)—meaning that the majority of Hispanic characters in the film, especially the ones in the U.S., are servants to white hegemonic American culture. This structural subordination reinforces racist branding of Hispanic people as incompetent, unfavorable, and only useful for menial labor.
Sexist Discourse and Legal Employment

In addition to racism, the rituals of exclusion work against Maria, Ray, and Lila through sexism as well. Of course, the mechanisms of racism and sexism often intertwine, and so this section focuses solely on situations where the character’s gender clearly results in mistreatment, exclusion, and discrimination. For instance, for reasons discussed later, all three women are unable to earn enough money in a legal job which is a direct result of their gender. This is in part due to the actions of sexist supervisors, which force both Maria and Ray to turn to smuggling to eke out a living.

In Maria’s case, the wages from her job as a rose de-thorner provides for herself and her family, consisting of her grandmother, mother, sister, and nephew. By including many long and medium shots that show mostly women in the factory, the film illustrates the reality that seventy percent of workers for the Colombian floriculture industry are female (Friedemann-Sanchez *Assembling Flowers* 2, Tutillo and Zamudio 37). For instance, in the scene when Maria is on the factory floor, the camera pans around the room to show that all the workers are young women dressed alike—in a jean shirt, a yellow apron, and a red undershirt—and the only man working there is the manager. According to Friedemann-Sanchez, one reason that the majority of floriculture workers are women is that there are few alternative employment options for women (“Assets” 250). This is because the formal sector is male-dominated and the informal sector, which includes jobs in retail, restaurants, and childcare, offer lower wages and no benefits (Friedemann-Sanchez *Assembling Flowers* 24). The film suggests this lack of work outside of flower factories in the scene where Maria informs her mother that she quit her job as a rose de-thorner. When Maria tells her mother not to worry because she will find
another job, her mother replies “Find another job? But there’s nothing but flowers here. At least it is a decent job.” Her mother’s response illustrates the lack of employment alternatives while also proffering the view that factory work is desirable because it provides minimum wages and benefits for employees (Tutillo and Zamudio 38).

Sexism can be seen as one of the primary reasons that women overpopulate the lower-levels of industrial labor, and the feminization of the floriculture industry is representative of the influx of women factory workers worldwide. According to Aihwa Ong’s essay “The Gender and Labor Politics of Postmodernity,” which examines the effects of globalization on industrialization, the figures produced by offshore industries indicate that “women tend to comprise the lower-paid half of the total industrial workforce in developing countries” (68). Ong suggests that one reason women comprise the majority of low-level workers in industrial labor is that “the dialectic of gender and capital has the tendency to ‘intensify, decompose, and recompose’ existing gender hierarchies, thereby incorporating gender inequalities in modern work relations” (71). That is, the system of capitalism is inherently intertwined with patriarchal values which are reproduced in new labor structures. Thus, gender stratification of transnational industry workers is emblematic of the pre-existing gender inequality in both the developing and developed worlds (Cheng 38). Because women are traditionally viewed as “secondary workers” (Ong 68), when corporations globalized, women became the new labor force. Furthermore, due to patriarchal views, women are not only viewed as secondary workers, but are categorized as “low grade,” “docile,” and “flexible” (Ong 73, Lowe 359, Biemann 105-6) and consequently desirable for the repetitive task of assembly work.
Maria's supervisor certainly views his workers as “docile,” and it is because of this that Maria quits her job. Maria’s resignation follows a scene where her supervisor calls her difficult after she asks to go to the bathroom. While he berates Maria about her contrarian ways and lack of productivity, Maria vomits on the roses in her work area. This expulsion of bile, which defiles her supervisor’s precious product, symbolically stands for her disavowal of his treatment of her and of the exhaustive conditions she works under. In an attempt to force Maria back into docility, and in an effort to communicate Maria’s worthlessness as compared to the U.S.-bound flowers, the supervisor commands Maria to pick up the roses and wash them off, telling her to “be careful of the buds.” Maria complies with his request, walks over to the wash basin with him, and then the scene ends with a sustained close-up on Maria’s outraged face. Yet, because the scene does not show Maria quitting, the film silences her defiance, and sends the message that though Maria has escaped one specific form of patriarchy she cannot escape it or sexism completely.

In Frozen River, Ray also works under a sexist supervisor at the Yankee Dollar Store, but unlike Maria, her income is not enough to truly provide for herself and her family. Though Ray has been a part-time cashier for two years, when she approaches her young, male supervisor and asks to be taken on as a full-time employee, he tells her that he sees her as a “Short timer: not here for long, not really committed” and denies her challenges to this assertion. Ray then points out that she shows up and another female employee, Pat, is always late. At that moment, Pat runs in between them, a blur of blond hair and clicking heels. Following this exchange, the camera closes in on Pat’s lower back where there is a tattoo that reads “How YOU Doin’?” The attention paid to Pat’s
attractive, youthful appearance and her suggestive tattoo contrasts with Ray’s wearied face and fading tattoos to reveal that Ray has been branded by her younger, male supervisor as unfavorable because she is an unattractive older woman and so does not deserve a raise. By making it explicit to the viewers that Ray is prevented from working full-time due to her supervisor’s sexist attitudes, Frozen River echoes the reality of many women who are stuck in low-paying, lower-level positions under the leadership of sexist male supervisors.

Additionally, because Ray is prevented from working full-time at her job, what little income she does earn places her among the ranks of a growing number of poverty-level or “low-wage” workers in the United States—people who, despite having jobs, still fall below the poverty line.14 Indeed, Ray’s counterpart, Lila, is also living on the precarious edge of poverty. Lila’s situation differs from Ray’s in that, since she is a member of the Mohawk Nation, her poverty status places her amongst the 25.3% of American Indians who live below the poverty line within the U.S. (“Numbers in the News”). In fact, the counties in which Native American reservations are located are among the poorest in the nation (“Numbers in the News”), which means that geographical location disadvantages both Ray and Lila. Lila also does not have a steady job, a situation that makes her unique from Maria and Ray and also more desperate to smuggle.

14 The poverty line is currently drawn at an annual income of $21,200 for a family of four (“Stimulus From Below” The Nation 2008).
Sexist Discourse and Illegal Employment

The dire economic situation of these women provides considerable incentive to smuggle, for not only are Maria, Ray, and Lila unable to legally earn sufficient income, they are also all mothers: Maria is pregnant; Ray has two boys, aged five and fifteen; and though Lila’s one-year-old baby does not live with her because her mother-in-law stole him, she too is a mother. Additionally, they are not just mothers, but single mothers: Maria refuses to marry Juan, the father of her child; Ray’s husband is absent more than present due to a gambling addiction; and Lila is a widow, having lost her husband to the ice on a smuggling run. Thus, because all three women have to provide for themselves and their children, struggling to make ends meet working in legal jobs, smuggling offers a viable employment opportunity.

According to scholarship on the feminization of transnational criminal organizations, many women make the same decision due to economic situations. Howard Campbell, who performed an extensive study on female drug smugglers at all levels of the Mexican drug trade, claims that “Women, especially single mothers, make much-needed income by carrying drugs across the border—it is an activity spawned by the feminization of poverty and inequality, but it also may allow them to live without a male partner” (256). Campbell therefore finds a direct correlation between the feminization of poverty—caused by patriarchal ideologies and the resulting gender inequalities—and the impetus for women to smuggle. In addition to providing needed income for single-mothers and their families, female participation in smuggling operations also allows women a general level of autonomy and independence from men. Additionally, the trend of single-mothers turning to smuggling to take care of their children is not limited to
Mexico or the United States; studies indicate that this decision is made by women worldwide. For instance, in Cameroon, “over 75 percent [of female smugglers] are either single, divorced, or widowed. Most had a family to feed, cloth, and send to school” (Niger-Thomas 57) and in Nigeria “’Usually the drug barons identify women who are single parents struggling to raise their children […] the one constant is that these vulnerable women, who simply want to feed their families, put a roof over their heads, clothes on their backs, shoes on their feet and get them an education—are offered an ‘easy way’ to earn some money” (Olga Heaven qtd. in Williams 24). Thus, both Maria Full of Grace and Frozen River reflect the growing, worldwide tendency for economically desperate women to become smugglers in order to provide for themselves and their families.

However, though money from smuggling may provide independence from men, the drug organizations are overwhelmingly led by males. This male dominance in the drug trade has led to a stratification which pushes most women to the most dangerous, least financially rewarding, and lowest positions of trafficking organizations—that of the mule or carrier. Additionally, because of sexist ideologies, women who participate in criminal organizations are not trusted, and are “routinely defined by men in criminal networks as physically and emotionally weak; lacking in ‘heart,’ ‘muscle,’ and loyalty; untrustworthy; and unreliable. Although evidence exists that women can occasionally overcome these labels […] most research is unequivocal in documenting the rigid institutional sexism within criminal enterprises” (Zhang, Chin, and Miller 702). As a result, women within these organizations are subjected to overt sexism and are treated as little more than expendable movers of important goods. In fact, even the label of “mule”
is indicative of the lowly position of female smugglers, as suggested in an article on women drug traffickers by Rosalyn Harper and her associates, “As a beast of burden, the mule is an apt metaphor (sic) for the prescribed subordinate role of women in service to others, especially men. Powerless and exploited, the notion of the mule carries with it further connotations of weakness, dependency and subservience” (Harper, Harper, and Stockdale112). However, though even the very label “mule”—applied to any carrier of illegal goods—signifies subordination, all three of the women defy this sexist characterization through the actions and decisions they make.

To begin with, just the fact that these women choose to enter into the risky and dangerous world of smuggling represents this defiance, for crime is associated with masculine stereotypes (Harper, Harper, and Stockdale 104). Despite the fact that there are many women who work as smugglers in criminal organizations, especially in the drug trade, high-risk crime is still regarded by many as “masculine” because traditional gender stereotypes define women as powerless and meek. Thus, the three women portrayed in Maria Full of Grace and Frozen River, who all turn to smuggling to earn a living, challenge perceived gender roles just by joining a trafficking organization.

Yet, the complex representation of these characters overrides typical gender stereotypes in other ways as well. For instance, Ray carries a concealed gun throughout the film and uses it, or at the very least threatens to, numerous times. Guns symbolize power and control and are also phallic symbols, and so Ray’s gun affords her respect that her gender prevents others from acknowledging. When Ray’s authority or strength is questioned or compromised, she uses her gun, as represented in the scenes in Montreal when Ray and Lila deal with Jacques Bruno at the Danseuses Nues go-go bar. Clearly
portrayed as sexist, Bruno illustrates his disrespect and devaluation of Ray and Lila, due
to their gender, when he attempts to cheat them by giving Lila only half of the agreed
payment to move two Asian women. When Lila demands the full payment, Bruno
violently shakes the Asian women, prompting Ray to accept the women without the
additional funds. However, as Bruno pushes the two women into the trunk, Ray
approaches with her gun pointed at him and demands the rest of the money. By using her
gun to assert her power and demand respect, Ray takes control of the situation and as a
result receives the money that Bruno attempted to withhold. Though this episode ends
with Bruno shooting Ray in the ear as she gets into her car, she is ultimately vindicated
because she has thwarted his sexist attempts to take advantage of her. Ray’s statement
after this event—“I’m sick of people stealing from me”—highlights Ray’s refusal to
allow sexist men—like her husband, supervisor, and Bruno—to prevent her from
providing for herself and her family.

Though lacking a gun, Maria asserts her independence and strength in the flower
factory as well as in New York. In the beginning of the film, Maria climbs to the roof of
an abandoned building, leaving Juan, her boyfriend, behind and establishing herself as a
spirited and daring young woman. Her rebellious attitude leads her to quit her job at the
flower factory and to deny Juan’s marriage proposal when he discovers her pregnancy.
Instead of resigning herself to a loveless marriage, Maria defiantly and emphatically
states, after Juan’s insists that she must marry him, “No Juan, I don’t have to do
anything,” which effectively ends her relationship and sets her up for an independent
future. This future holds another challenge to patriarchal norms when she runs away from
the drug traffickers in whose care she was placed after she discovers that they killed
Lucy, a fellow mule, to retrieve the heroin pellets in her stomach. By running away from these two thugs, she asserts her independence, her strength, and her refusal to be beaten into submission by any men.

However, neither Ray, Lila, nor Maria escapes the sexist expectations levied on them by society, nor do their acts of defiance alter the reality that they are still expendable, low-level mules in criminal organizations run by patriarchal male figures. Additionally, even if these women were to leave their trafficking organizations, the work experiences of Ray and Maria illustrate that sexism is prevalent in all types of industries and at all levels of employment. Thus, even though they may resist sexist categorization, they cannot escape, but can at times negotiate, the institutionalization of sexism.

**Motherhood: *Maria Full of Grace***

Maria’s pregnancy is one of the major narrative details in *Maria Full of Grace* as it provides the impetus for Maria to enter into the smuggling world and creates a source of tension in the narrative, as the audience is constantly reminded of what Maria is “full” of—a baby *and* heroin. Maria’s decision to transport heroin in her system while she is pregnant is shocking, but as Margarita Saona insightfully points out in her analysis of the film: “But her maternal condition—the same condition that makes the story more shocking—seems to be what makes her acceptable for spectators” (132). Indeed, Maria’s pregnancy justifies her decision to become a mule, for she needs some form of income to take care of her unborn child. As a result, though Maria criminally moves heroin into the United States, her pregnancy and need to smuggle excuses her from condemnation and instead evokes the viewer’s sympathy and hope for Maria. Maria, therefore, displays
what Katarzyna Marciniak refers to as “palatable foreignness” (193); that is, Maria’s pregnancy turns her into the “sentimentalized” other, a foreign figure that Western viewers are comfortable with seeing (Marciniak 193). In contrast, Blanca’s decision to smuggle—so that she can buy a house in Colombia—appears trivial and even unworthy compared to Maria’s plight.

Because the heroin and Maria’s unborn child occupy the same space, for the viewer, these two objects form an uneasy symbiotic relationship within her body. In Emily S. Davis’s reading of the film, she meditates on the circumstances of Maria’s pregnancy and in doing so points out one potential problem with its representation. After questioning why Maria is pregnant in the film, Davis states that “The use of the female body for production, as a mule, of ‘unnatural’ commodities was rejected, while the body as vessel for ‘natural’ reproduction remained unchallenged, obscuring the slipperiness of that very boundary” (63). Applying Davis’s insights more generally reveals that Maria’s body-as-vessel provides an opportunity for the film to explore the very nature of reproduction. However, though the film passes a superficial and expected judgment on trafficking—following the accepted view that drugs in any form are dangerous—there is no commentary on the circumstances of Maria’s pregnancy. The first and only time that Maria truly discusses the options that she has as a pregnant woman occurs during the scene where she discloses her condition to Juan. During this scene, Maria reveals that she doesn’t want to end up like her sister, who is stuck living at home as a single mother with an infant son. Due to this discussion, initially Maria’s pregnancy appears unwanted, yet at no time is abortion or adoption ever mentioned or considered as an option. For a young seventeen-year-old girl who does not like the father of her child and who has no
employment, this omission is glaring. Even when Maria’s Catholic faith is accounted for, the possibility of giving her child up for adoption is not suggested. Furthermore, throughout her discussion with Juan, it is apparent that Juan feels that his marriage proposal fulfills his duty to the child and that he expects Maria to take care of the pregnancy from then on.

However, Maria’s pregnancy functions as both the impetus for her smuggling and as her protection when she does smuggle. Though arguably she would not have smuggled if she had not gotten pregnant, her pregnancy prevents the customs officers from x-raying her and discovering the heroin pellets inside, and consequently acts as Maria’s saving grace. The scenes that are intercut with Maria’s wait in the hallway—shots of a fellow mule getting handcuffed, and other shots of doctors and police looking at the woman’s condemning x-rays—underscore Maria’s unborn child as a blessing. Additionally, after the customs officers discover Maria’s pregnancy, they let her go. This scene first codes Maria’s maternal condition as positive, and throughout the remainder of the film Maria embraces her pregnancy. Towards the end of the film Maria visits an obstetrician and submits to an ultrasound, a parallel to her denied x-ray by the customs officers. This scene reveals to the viewer Maria’s joy at her pregnancy, as she gives a rare but brilliant smile when she sees her child on the screen, while it also confirms that her baby is fine and healthy, which cuts the tension created by the uncertainty of how her transportation of heroin affected her child.

Maria’s pregnancy serves as a positive portrayal of an undocumented immigrant mother staying in the United States to give birth to a U.S. citizen. This affirmative representation of a pregnant undocumented immigrant comes at a time when anti-
immigration proponents consistently attack the reproductive rights of immigrants. Indeed, Chavez explains in an essay on recent immigration reform in the United States that “As anti-immigrant as the discourse appears, immigration reform targets predominantly women and children, that is, the reproduction of the immigrant labor force” (69). Thus, anti-immigration supporters criticize undocumented immigrants for bringing families to the U.S. who then place an extra burden on tax-payer dollars.

Nativists view automatic citizenship for all children born in the United States as a drain on social services, as elucidated in the essay “Who May Give Birth to Citizens?” by Dorothy E. Roberts: “Immigration opponents argue that dependents of undocumented aliens drain local social service resources, imposing an unacceptable burden on taxpayers. [...] In this view, undocumented families pose an uncontrollable internal threat to the nation’s economic, cultural, and political stability” (205). One solution that nativists have come up with to stop such a drain is to deny automatic citizenship to children born to undocumented immigrants in the United States (Chavez 64, Roberts 205, Perea 2). Yet, this move would require a change to the Fourteenth Amendment of the United States Constitution, which states that “all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States.” However, studies have shown that undocumented immigrants do not abuse social services and in fact contribute to the economy more than they burden it. For instance, Roberts cites The Urban Institute’s study, which reported in 1995 “that 93.4 percent of the foreign-born residents in the United States do not receive public assistance” (206) and which further asserted that immigrants “create a net benefit of $28.7 billion annually” (206). Finally, in Maria Full of Grace Maria pays for her obstetrician visit out of pocket,
further demonstrating that not all undocumented immigrants take advantage of social services.

**Consumerist Discourse and the “American Dream”**

Both of Maria’s jobs in the film show her working as a producer or mover of goods for U.S. consumption, and yet in the film U.S. consumers remain invisible. In Maria’s first job in the flower factory, the flowers she produces are destined for Western buyers. In fact, Colombia is the second-largest cut-flower producer in the world, and the majority of its flowers are sent to the United States (Friedemann-Sanchez 248). Furthermore, Maria’s smuggling job requires her to transport a highly demanded commodity, heroin, to the U.S. for American consumption. Mimetically speaking, Maria’s work in the factory draws attention to the poor working conditions and abject situations that face many female factory workers. Additionally, the death of Lucy—Maria’s fellow mule and smuggling mentor—and the degradation of Maria during her travels present the abject position of women smugglers. Maria is forced to deal with her own abjection on the plane, as she must re-ingest two heroin pellets that she accidentally expelled while using the bathroom. Even though the pellets are only shown after they have been cleaned, Maria’s swallowing of the pellets, coated in toothpaste, is graphically displayed; a close-up of her contorted and disgusted face relays to the viewer the utter abasement that she experiences during this episode.

However, Maria’s trials on the plane pale in comparison to Lucy’s death, caused by a heroin pellet bursting in her stomach. After Lucy’s death, the male traffickers in charge of the women gruesomely extract the pellets from her body. Thus, Lucy’s death
symbolizes the absolute expendability and abjection of Maria and her fellow smugglers, for the heroin pellets inside of them are of far greater importance than any of their lives. Additionally, by only showing the bloody remnants of Lucy’s dissection, the film reminds viewers that smuggling deaths are both common and invisible to the consumers at the other end of the trafficking line. Furthermore, through the brief scene in Don Fernando’s office where Maria sees a small, black and white photograph of Lucy’s corpse, the film suggests that the public hears about such deaths only when a smuggler’s mugshot appears in a newspaper. Therefore, on a mimetic level, *Maria Full of Grace* reveals the tragic working conditions for many women, both in factories and in transnational criminal organizations.

This concentration on the production end of goods destined for the U.S. has led critics to commend Marston for his progressive storytelling. For instance, Davis’s description of this aspect of the plot exhibits such praise:

Marston’s script forces US audiences to see how their consumption of drugs such as heroin and cocaine requires the murder of the largely invisible people who produce and transport them inside their bodies. This is the most pressing intimacy, the unrepresented, unspoken relationship between the strangers who will consume the drugs and Maria and her living and dead companions who carried the drugs inside them. (61)

Though in this passage Davis applauds the film for drawing connections between Maria and the consumers of her goods, I argue that the film never makes that link. For instance, though we see a man de-thorning roses on the streets of Little Colombia, any consumption of flowers in the United States is hidden—not once do we see a bouquet of
roses or other flowers in the mise-en-scène. This omission seems glaring because the film stops short of identifying the connection between Maria’s work in Colombia and U.S. consumerist desires that largely drive factory production in Colombia. In fact, without some type of knowledge about the floral industry or about Colombian exports such a connection could be very easily missed. Additionally, contrary to what Davis suggests, the film does not force audiences to recognize the link between Lucy’s death and drug users in the U.S. precisely because the people who buy the drugs, who complete the chain of trafficking, are never shown nor mentioned within the film. Thus, though viewers are moved by Maria’s plight and Lucy’s unfortunate death through the diegesis and repeated use of close-ups in the film, in the end there is no direct challenge to the audience’s position of privilege, no comment leveled about the consumers of commodities—whether flowers or heroin—produced by people like Maria for the gratification of Western buyers.

Additionally, the ending of *Maria Full of Grace* allows Western audiences, particularly American audiences, to leave the film unchallenged in their assurance of American superiority. At the end of the film, Maria chooses to stay in the United States to raise her child there, which is indicated by the sonogram photograph that Maria clutches on the way to the airport. This decision is foregrounded by Carla’s speech to Maria, in which she praises her life in the United States and the opportunities it gives her to provide for her unborn child and for her family in Colombia. In this scene, Carla launches into a speech as the camera closes in on her face, and her tears and a small religious curio hanging to the left of her head make her appear beatific. Due to the direct angle of the shot, Carla looks towards the camera and thus speaks to both Maria and the viewer as she
says: “I’ll never forget going to that office to send money home for the first time. You can’t imagine how it feels; your heart feels so big like it won’t fit in your chest. The real reason I stay here is for my baby. He’ll have so many more opportunities. I can’t imagine bringing up my child in Colombia. Not with the situation being what it is. It pains me to say it, but it’s true.” Though this speech alludes to the reality that most immigrants send remittance to their families, it also supports the view of United States as the fabled “land of opportunity.” This representation has not gone unnoticed by critics, among them Howard Jacobson, who states in his review of the film that it “[…] encapsulate[s] a decidedly old-school New World view of America. This is still the US as the land of opportunity; as Lucy, Maria’s fellow mule, tells her ‘It’s like, too perfect’” (23). Thus, the dialogue in the film presents the United States in a highly favorable light.

However, though Carla’s speech certainly portrays the United States as a better alternative to Colombia, several details in the mise-en-scène and diegesis suggest otherwise. For instance, the rose de-thorner that Maria sees in a flower shop in Queens suggests the reproduction of the same type of low-wage, monotonous jobs as those in Colombia, as does the seamstress job that Don Fernando offers to Maria and Blanca when they first visit him. As Saona points out in her analysis of the film, “Maria would need to become ‘domesticated,’ to curb the same rebelliousness that made her quit her job in Colombia in the first place” (135) in order to work in another factory setting. Saona further points out that Carla, the only immigrant character developed in the film, has a husband and thus extra pay to help her survive in the U.S. while Maria is single and without support (135). Therefore, though Maria’s decision to stay in the United States is

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15 For example, Mexico’s economy is dependent on remittances sent back from Mexican workers and immigrants in the United States. In 2006, 23 billion migra-dollars were sent to Mexico through monthly transfers (Organista 196-97).
clearly motivated by her desire to provide for her unborn child, her fate in the U.S. remains uncertain. Maria’s precarious position and limited possibilities thus challenge Carla’s idealized vision of the United States and undermine the message of prosperity that Carla proselytizes.

This shattering of the “American Dream” is also obliquely seen in *Frozen River*. The immigrants that Ray and Lila “move” across the U.S.-Canadian border are barely shown and thus little more than props; however, their fate is briefly discussed between Ray and Lila on their second run. Lila tells Ray that the immigrants pay “snakeheads” forty to fifty thousand dollars to be brought into the United States, and that “Sometimes they gotta work years to pay it off.” While Lila explains this, the camera closes in on Ray’s face, who disgustedly shakes her head and says, “To get here? No fucking way.” Ray’s incredulity that people pay thousands of dollars and enter into indentured servitude just to work in the U.S. stems from her inability to earn a decent wage even though she is white and an American citizen. Ray knows first hand that the United States is not a land of gold-paved streets and many opportunities; instead, she sees the reality of the racist and sexist mechanisms that prevent people like her, and like immigrants, from achieving high levels of success.

Consumerism is tightly intertwined with the “American Dream,” and though *Frozen River* places it in a prevalent role, no critique of consumerism is offered by the film. Because *Frozen River* takes place in the two weeks leading up to Christmas, which yearly inspires an orgy of shopping in the United States, material desires play an important part of the diegesis. In fact, Ray’s desire for a new, “double-wide” trailer forms a central plot line, and her double-wide dream eclipses even her need to provide for her
children, for she begins smuggling not to feed her kids but to earn a down-payment for her trailer. Additionally, this trailer appears in both the opening and closing scenes, framing the diegesis and symbolizing the deferred and compromised dreams of an impoverished mother. In the sequence where Ray pays her “balloon deposit,” she and Lila sit in the car outside of the model trailer and list off the amenities it includes. In this scene, the camera shoots through the windshield at the women, hiding the object of their desire but showing the viewer the awe and admiration Ray has for her dream home. The considerable amount of time that this sequence requires cements the double-wide as a symbol of upward social mobility and safety for Ray at the same time that it underscores the importance of materiality within *Frozen River*.

Though the film foregrounds the material desires of Ray, and to a lesser extent Lila, as fundamental to their participation in a trafficking organization, the drive of capitalism in the U.S., as represented by Christmas, does not receive critical attention. For instance, a huge discrepancy exists between what Ray wants—her double-wide—and what Ray needs—food for her children. Arguably, Ray desires the double-wide for her children, a fact illustrated by her son Ricky’s constant questioning of when their new home will arrive; however, the more immediate needs of her children seem less important than purchasing the trailer. Though Lila is shown amassing a large roll of money for the care of her son, she expresses no material desires until the end of the film, when she reveals that when she was pregnant she wanted a “pretty new crib, not some hand-me-down.” Though this request ended the life of her husband—he smuggled in order to provide for her material needs—his death does not serve as a cautionary tale because it receives minimal attention in the film.
Thus, consumerism functions differently in *Maria Full of Grace* and *Frozen River*. In the former film, U.S. consumerism is directly tied to Maria’s work, and the film misses an opportunity to explicitly draw connections between American hunger for material goods and Maria’s role in producing those goods. That is, Maria’s individual consumerism is less important than the structure of consumerism that she is a part of. On the other hand, individual consumption is central to the storyline of *Frozen River*, but the structure of consumerism that Ray and Lila buy into remains obscured. With *Frozen River*, then, Ray and Lila’s material desires are offered as the reason they smuggle, a move that conceals the institutionalized racism and sexism that prevent each woman from obtaining better paying, legal jobs that would allow them to satisfy their consumerist desires and negate their need to smuggle. Thus, both films eventually reveal the indelible tie between consumerism, the feminization of transnational industries, and the sexism and racism that accompany such employment without critically questioning such relationships.

**Conclusion: Reconciling the Mimetic with the Discursive**

On the surface, mimetic level, *Maria Full of Grace* and *Frozen River* illustrate the nuanced circumstances and experiences of women in the United States. The mise-en-scène of the flower factory scenes in *Maria Full of Grace* presents the viewer with a representation of the international division of labor, a result of the globalization of industries. As scholarship shows, though the film examines the life of one worker, the level of subjugation and discrimination that Maria faces due to her gender serves as a synecdoche for the experiences of women workers world-wide due to the inclusion of
pre-existing gender hierarchies in the division of transnational labor. Furthermore, Maria’s uncertain future in the United States represents the precarious situation that many undocumented immigrants face, and her pregnancy shows that not all undocumented women who give birth in the United States do so to take advantage of U.S. social services.

While *Frozen River* also illustrates the sexist working conditions that women face, because Ray is a cashier in a United States dollar store, her experience serves to illustrate that, to some extent, non-industrial jobs in the United States replicate the international division of labor, which places women at the bottom and men at the top. Lila’s complex characterization serves to dispel myths and stereotypes about contemporary American Indians, illustrating that though members of the Mohawk Nation carry on some cultural traditions, in other ways they have adopted modern American culture. Additionally, *Frozen River* highlights the consumerism in American society that *Maria Full of Grace* ignores, and in some way the films complement each other, with the latter showing what accompanies the production of goods and the former illustrating what accompanies the consumption of those goods.

Though assessing the films’ mimetic qualities is fairly straightforward, the individual film’s various ideologies make assessment much more difficult. That is, on some level the portrayal of the feminization of industrial labor and the depiction of the rituals of exclusion that each women face due to sexism and racism is in itself ideological, for the films reveal the desperate situations that many women experience, a plight often unseen or unacknowledged in the media. Yet, though the films reveal experiences to Western viewers that might be new or even unsettling, neither film
implicates the Western, and particularly American, viewer in the women’s poverty and desperation. Furthermore, though both *Frozen River* and *Maria Full of Grace* address nativist ideologies and even question them to some degree—with the former inverting racial privileges at the end of the film and the latter presenting a picture of American citizens as non-white and Spanish speaking—in the end they both fall short of truly challenging or combating such ideologies. The same is true in terms of the sexist division of labor—though each film addresses sexism in both the legal and illegal workplace, neither truly confronts the systems that oppress the women.

Thus, both films succeed on a mimetic level, as they open the eyes of viewers to inequalities that women still face, the diversity of citizens in the United States who live in sub-communities such as Little Colombia and the Mohawk reservation, and the prevalence of racism in the United States. Yet, on the ideological level, *Maria Full of Grace* and *Frozen River* each neglect to take their representations of social institutions a step farther into a critique of the very discourse and institutions that create such inequalities in the first place.
AFTERWORD

I want to begin this section of closing thoughts with a question: What is the purpose of film? I ask such a question, certainly unanswerable in this limited space, because in some ways film expresses aesthetic desires and tastes, while in other ways film provides a forum for the espousal of political beliefs. I find it particularly telling that some of the earliest debates in film centered on this very duality of art versus politics. According to James Monaco in *How to Read a Film*, the difference between the filmic approach of the Lumière brothers and that of Georges Méliès illustrates this debate. The Lumières viewed film as an “opportunity to reproduce reality” (Monaco 285), and so their early films were not much more than a recording of daily life—such as workers leaving a factory or a train leaving a station. On the other hand, Méliès thought of film as an opportunity to escape reality through aesthetically fantastical means (Monaco 285). This dichotomy between film as a representation of reality and film as an aesthetically pleasing escape informs contemporary discussion on film.

However, though film is certainly a mode of art and thus is concerned with aesthetics, I contend that art is still in part a representation of cultural, political, and social influences. Ella Shohat and Robert Stam attest to this fact when they state that “While on one level film is mimesis, representation, it is also utterance, an act of contextualized interlocution between socially situated producers and receivers. […] In this sense, art is a representation not so much in a mimetic as a political sense, as a delegation of voice” (*Unthinking* 180). In other words, even if a film intentionally sets out to produce a depiction of reality, the representation reflects the ideologies of the people and circumstances that created the film and is thus a filtering of reality. Because of this,
Shohat and Stam advocate reading film as a “constellation of discursive strategies” (181), in which all levels of the film, from the mimetic qualities down to the mise-en-scène, reveal a film’s underlying ideological investment.

I consider all of this in order to justify my readings of *Maria Full of Grace* and *Frozen River* as political constructs. If a film is a reflection, in some way, of national culture, then my examination of *Maria Full of Grace* and *Frozen River* has revealed that even films that purportedly progressively represent borders and border crossers can still reinforce conventional, conservative, and constricting ideologies. Because I wanted to rise above a binary reading of these films as either “good” or “bad,” “realistic” or “unrealistic,” I examined both the mimetic level of each film—how the films visually portray borders, how the circumstances in the films echo political reality—along with the discursive level—not what the film shows, but how it shows it.

For instance, my analysis of *Maria Full of Grace*, mimetically speaking, shows that Maria’s experience at the border echoes the reality of many who are detained and questioned by customs officers. The film’s concealment of the male officer’s reason for detaining Maria conveys to the viewer the very real practice of police profiling which works, as discussed in my first chapter, through the dual mechanism of discipline that Michel Foucault identifies in *Discipline and Punish*. In other words, even if a viewer is not in any way familiar with Foucault’s theory, she can readily identify the ways that Maria is characterized and treated during the border scene. Furthermore, beyond the border scene, *Maria Full of Grace* depicts the conditions within a Colombian flower factory in scenes that show both the feminization of the industry as well as the ill-treatment of the female workers and the monotonous labor they perform. In addition, the
film illustrates in detail the process that a drug courier experiences—from the painful swallowing of heroin pellets to the danger at the border—all the while highlighting the absolute abjection of these couriers and, through the death and treatment of Lucy, the film shows that, to drug organizations, people are far less important than the drugs they carry inside of them.

In some ways, these representations test the Western viewer, for the film exposes the numerous ways in which a girl like Maria can be demeaned, imperiled, and discriminated against due mostly to her gender and her ethnicity. The film, then, opens up a potential space in which to launch a critique of such discriminatory practices. However, I hesitate to label *Maria Full of Grace* as politically progressive or ultimately challenging, because while the film may slightly open up a critical space, it in no way takes advantage of it. For instance, as I note in my second chapter, though the film clearly shows the production of goods meant for the U.S. market, it never actually shows the consumption of those products. By failing to make the connection between consumer and producer, the film’s representation of Maria’s abjection as a producer loses valence, for the Western viewer does not see her own participation in this cycle of production-consumption. Thus, mimetically speaking, *Maria Full of Grace* may provide a space in which to criticize certain examples of discrimination, but ideologically the film does not engage with that space and thus, in the end, the film reinforces hegemonic representations of Third World women as impoverished, inferior, and criminal.

In terms of *Frozen River*, the film presents the viewer with a complex vision of the U.S.-Canadian border. *Frozen River* demonstrates that borders are highly discursive by highlighting the questions that arise from the existence of the Mohawk Nation of
Akwesasne, which straddles the U.S.-Canadian border. Because Ray and Lila actively debate the sovereignty of the Mohawk Nation and contest the existence of the international border, at some level the film is challenging to viewers who perceive U.S. borders as absolute and unquestionable. This complication of the border thus creates a critical space in which the viewer can start to conceive of borders as political constructions that can and have been changed. Additionally, *Frozen River* characterizes American Indians as hybrid individuals who both align themselves with their native heritage as well as with modern society and the very representation of the Mohawk reservation defies the myriad stereotypical visions of American Indians.

However, though *Frozen River* offers a more challenging view of U.S. borders than does *Maria Full of Grace*, the film as a whole also fails on an ideological level to make use of such spaces of criticism. For example, though the representation of borders as a discursive construction is indeed challenging to viewers, at the same time, the most common shot of the border, that of vast openness, may actually fuel anti-immigration sentiment by proving that people take advantage of unguarded borders by sneaking into the country. Furthermore, though Lila confronts the issue of race relations, the ending of the film suggests a false reversal of racial privilege—as I explain in my second chapter, Lila is only spared a jail sentence because she is in the one space in the entire country where her ethnicity is a privilege (at least to the extent that she can evade the arm of the U.S. law force). And though the film foregrounds consumerism, in part because it takes place right before Christmas, *Frozen River* fails to make the connection that it is because Ray and Lila are both unable to survive off of wages from legal employment that they are pushed into smuggling. In other words, both women are driven to smuggle by
consumerist desires, and yet those desires could be assuaged if they were only able to find steady employment where they are not discriminated against because of their gender.

Finally, as I discuss in the introduction, films are not just constructed by political beliefs, they also construct political reality. Because public sentiment shapes legislation on immigration laws and the treatment of national borders—for instance, whether to build more walls along the southern border or scale back on border patrols—examining the ways that borders and border crossers are popularly presented helps to understand what forms public discourse. This is why I place such import on films that belong to the cinema of the borders, and especially on films like *Maria Full of Grace* and *Frozen River*, which garnered critical acclaim and public attention. I hope that this project has established the important connections between such films and the real treatment of immigrants in U.S. society while at the same time demonstrating the importance of investigating both the mimetic and ideological levels of films. As Lisa Lowe states: “In this sense, cultural forms of many kinds are important media in the formation of oppositional narratives and crucial to the imagination and rearticulation of new forms of political subjectivity, collectivity, and practice” (357). In closing with this quotation, I hope to show that film possesses the transformative potential of opening up oppositional spaces, and thus the analysis of film is integral to political debate.
WORKS CITED


