

Will to love, will to fear: the emotional politics of illegality and citizenship in the campaign against birthright citizenship in the US

Margaret Franz*

Department of Communication Studies, University of North Carolina, 115 Bingham Hall, Campus Box 3285, Chapel Hill, NC 27599-3285, USA

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Anti-immigration activists argue that the broad inclusivity of the birthright citizenship clause of the 14th Amendment is a national security concern that enables criminalized migrant mothers to give birth to citizens who can later harm the US through violence and resource consumption. Seeing this argument as representative of the problem of inclusivity inherent to citizenship in a liberal democracy, this essay asks how the children of undocumented and temporary migrants are constructed as what Mae Ngai calls ‘alien citizens.’ Drawing from Sara Ahmed’s affective economy of emotion, I find that affect and emotion figure prominently in how citizens are made ‘alien.’ Specifically love and fear function as pivot points in the anti-birthright citizenship argument, wherein the ‘real citizen’ is ‘willed’ to love and be loved by the nation and to fear the nation’s Others. Moreover, the emphasis on national feelings does not evacuate white supremacy or heteronormativity from its imagination of citizenship, but instead displaces these loci of power into feeling and affect. Thus, this essay claims that the birthright citizenship argument illustrates how national love and fear work in tandem to uphold, naturalize, and expand the racial and sexual exclusions inherent to citizenship in a nation-state.

Keywords: anti-immigration discourse; birthright citizenship; affect and emotion; sexuality; liberalism

A myriad of scholars in the critical humanities have historicized and critiqued the fundamental exclusions upon which liberalism constructs its notion of the political.¹ Citizenship has historically served as one mode of realizing the exclusionary project of liberalism by stipulating maleness, whiteness, rationality, publicity, and property as conditions for inhabiting the status of citizen-subject. Presently, as many scholars have argued, although these raced and sexed conditions of participation are no longer explicit, ‘citizens’ still experience differential access to and treatment from the state since the articulation of the citizen subject is always inflected with race, gender, class, and sexuality (Hall, 1993; Hall & Held, 1989; Yuval-Davis, 1997). By barring individuals from inhabiting the rights of the citizen-subject, illegality is also a vehicle by which liberalism’s exclusions manifest. Scholars have argued that like citizenship, illegality is not just a juridical status, but also a discursively constituted position of ‘deportability’ (De Genova, 2005), ‘social death’ (Cacho, 2012), and ‘impossibility’ (Ngai, 2004), that is racialized as non-white and sexualized as deviant. Thus, as many scholars have argued, a

*Email: mfranz@live.unc.edu

racial and sexual politics of exclusion constitutes our current regime of citizenship and illegality.

The ongoing attempt by conservative pundits and politicians to reinterpret the birthright citizenship clause in the 14th Amendment in order to exclude the children of undocumented and 'temporary' migrants simultaneously complicates and illuminates the racial and sexual politics of citizenship and illegality. Though birthright citizenship has been contested since the nineteenth century, the 1990s marked a resurgence of anti-birthright citizenship advocacy in conjunction with a general upsurge in racist and xenophobic anti-immigration rhetoric.² Since 1993, every congressional session has proposed the reinterpretation of *jus soli* citizenship in order to exclude the native-born children of undocumented and temporary migrants (Smith, 2009, p. 1332). Highlighting the inherent racial politics of US citizenship, legal historian Mae Ngai (2007) argues that the anti-birthright citizenship argument relies on constructing the children of undocumented and 'temporary' migrants as 'alien citizens,' or people whose citizenship is questioned, denied, or compromised due to 'the racialized identity of [their] immigrant ancestry' (p. 2521).³ For example, Yaser Hamdi, a US-born American citizen who was captured in Afghanistan and detained in Guantanamo Bay as an enemy combatant, was described in legal and public discourse as an 'accidental' citizen, in part due to his racialized identification as Muslim and Arab, and therefore eternally un-American.⁴ In contemporary debates about 'accidental citizens,' 'terrorist citizens' and, I add, 'anchor baby citizens,' Ngai claims that the 'foreignness of non-Europeans peoples' is seen as a permanent hereditary condition that nullifies any claims to American citizenship (p. 2521). The 'anchor baby' discourses – the myth that migrant women purposefully give birth to citizen children in order to vicariously reap the benefits of US citizenship – exemplify conservative pundits' tendency to view native-born children as eternally foreign since, as I shall show below, these children are constructed as inheriting their parents' racialized illegality. However, the anti-birthright citizen argument complicates the received view of the racial and sexual politics of citizenship since racialized foreignness cannot be the only mode of constructing 'alien citizens.' After all, the children of 'legal' 'permanent' migrants are not often subject to the same treatment. Moreover, in an era of colour-blind racism, race is often displaced into a myriad of narratives about sexuality, class, religion, and so on. Thus, how is permanent foreignness constructed in anti-birthright citizenship discourses?

This essay takes up this question, arguing that citizens are made 'alien' in part through their discursive construction as *feeling* 'alienated' from the national body. As such, underlying the legal and philosophical claims about the ills of birthright citizenship are not only concerns about resource consumption and criminality, but also concerns about the emotions that citizens feel towards the nation and subsequently how the nation feels towards its citizens. Such rhetoric is an important site of analysis since it articulates both 'alien citizenship' and what Peter Nyers (2006) calls 'real' or 'essential' citizenship as constituted by feelings and affective orientations, thus articulating the imagination of citizenship's extra-legal and extra-discursive limits. Specifically, love and fear function as pivot points in the anti-birthright citizenship argument, wherein the 'real citizen' is imagined to love and be loved by the nation and to fear the nation's Others. The anti-birthright citizenship argument's emphasis on national feelings does not evacuate white supremacy or heteronormativity from its imagination of citizenship, however, but instead displaces these loci of power into feeling and affect. Thus, this essay argues that illegality

and citizenship are not only constituted discursively, but also *felt* into being via a 'will' to love the nation that is co-constituted by a 'will' to fear its Others.

The essay proceeds as follows. First, I set the theoretical context for my analysis by defining affect, emotion, and the 'will.' While emotions have been important to politics since Aristotle, I draw from Sara Ahmed's (2004) 'queering' of psychoanalytic theories of love in order to illustrate how love and fear work in tandem to materialize the 'alien citizen,' the 'real citizen,' and 'the national body,' as well as how they function as 'boundary emotions' that constitute the imaginative borders of citizenship. Ahmed (2010, 2014) and Friedrich Nietzsche's (1968) concept of the 'will' is used to illustrate how emotions function politically in discourse.

Next, I trace how love and fear function as two key themes in the argument against birthright citizenship as it is articulated in Schuck and Smith (1985, 1996), legal scholarship, popular punditry, and Congressional hearings. First, I argue that the allegiance argument constructs the nation as the object of the citizen's love that is harmed when illegitimate subjects fail to love it according to liberal ideals of love. Then, I analyse the consent argument by troubling the notion of voluntary will in social contract theory. I contend that anti-birthright citizenship advocates insistence on the national body's will to consent to its citizenry constructs the nation as a desiring and loving body that must consent actively to the migrant mother's presence in order to render her child worthy of citizenship. I conclude by showing how national love is constituted by national fear. In order to clearly illustrate the dialectic between love and fear prevalent in anti-birthright advocate discourse, I analyse the rhetoric of panic surrounding the *Hamdi v. Rumsfeld* case (2004) in which the spectre of 'citizen terrorism' functions as an emergency cause for reinterpreting the 14th Amendment.

Overall, I argue that the birthright citizenship argument illustrates how national love and fear work in tandem to uphold, naturalize, and expand the exclusions inherent within citizenship in a nation-state. The discursive attribution of love and fear to certain bodies constructs the boundaries of belonging by delineating who is fit for citizenship, and thus all of the political, social, and economic benefits that accompany it. The attribution of love and fear also constructs who belongs in the realm of illegality or, borrowing from Lisa Marie Cacho (2012), who suffers 'social death' where one is denied the legal and moral intelligibility of personhood. Thus, emotions like love and fear work in anti-birthright advocacy to uphold the biopolitics of the nation-state by delineating whose life is worth maximizing and whose life is not only negligible, but also threatening to the health of the national body.⁵

Setting a theoretical context: the cultural politics of emotion and the 'will to feel'

Sara Ahmed's (2004) discussion of affective economies of emotion illustrates how the affective and emotional registers of discourse animate the attribution of 'feeling' to subjects and objects in discourse. Emotions, however, do not arise from the individual's interior, and instead work economically by sliding sideways between figures metonymically and accumulating, or sticking to others, materializing as metaphors, or 'sticky objects,' that have intense affective resonance (Ahmed, 2004, p. 46). Since emotions do not reside positively in the sign, commodity, or subject, but are produced as an effect of their circulation in a social and psychic field, emotion is necessarily social and collective (p. 45). As such, emotions also 'stick' people together through a shared orientation towards an object, or through shared fantasies.

Ahmed's less-than-intuitive definition of emotion calls for an explication of how it compares with affect. Affect refers to 'unqualified intensity,' or as *affectio*, the capacity to affect and be affected, in Baruch Spinoza's philosophy (Massumi, 2002). Emotion, which is the main concern of this essay, refers to *affectus*, or qualified feeling. *Affectus* denotes passions that are mediated through language, or affect that has been made meaningful. Gilles Deleuze's (1988) take on Spinoza's conceptualization of *conatus*, *affectio*, and *affectus* illuminates the entanglement of affect and emotion. He claims,

In any case, the *conatus* defines the *right* of the existing mode. All that I am determined to do in order to continue existing (destroy what doesn't agree with me, what harms me, preserve what is useful to me or suits me) *by means of* given affections (ideas of objects) *under* determinate affects (joy and sadness, love and hate ...) – all this is my natural right. This right is strictly identical with my power and is independent of any order of ends, of any consideration of duties, since the *conatus* is the first foundation ... the efficient and not the final cause. (p. 102)

Thus, *conatus* describes the constant flow of desire through which affect and emotion work as material forces for world making. Since this essay analyses textual representations of anti-birthright citizenship advocacy, I attend to how emotions are produced as meaningful as an effect of their affective circulation in a social and psychic field.

Specifically, I attend to how emotions work as what Ann Laura Stoler (2007), calls 'dense transfer points of power' (p. 7). Emotions function politically in that the discursive attribution of emotions to certain bodies works to shape regimes of inclusion and exclusion, thus erecting a '*will to feel*' for the addressees of any discourse. I use 'will' here in three ways. For Nietzsche (1968), the will to power is a subjectless force of power and sensation through which affect and emotion work. Moreover, following Ahmed's (2014) rereading of Nietzsche's 'will,' the will is a 'process of being affected that involves orientations toward and away from things' (p. 26). This is why Ahmed conceives of 'willing' as both a form of address and a mode of constituting both subject and object. Here, the 'will to feel' conveys how anti-immigration discourses address interlocutors, 'willing' emotional orientations towards the nation and its Others. Though the 'effects' on the addressee of any given discourse can never be known, analysing the emotional potentialities of the anti-birthright citizenship argument allows us to gauge this particular discursive community's imaginative and emotional boundaries of the nation-state. The 'will' and 'the will to feel' also refer to the attribution of *cause* to feeling and fantasy; that 'alien citizens' *cause* harm to the nation through their inability to *feel* love for the nation. Drawing from Nietzsche's troubling of the 'will' and causality in *Will to Power*, Ahmed (2010) argues that we attribute causes to objects after we experience an affect. According to Ahmed, 'we can even anticipate an affect without being retrospective insofar as objects might acquire the values of proximities that are not derived from our own experiences' (p. 40). Ahmed uses the example of 'stranger danger' to explain this phenomenon, but I see a similar form of 'anticipatory causality' in arguments over birthright citizenship. As I shall show in the next section, 'alien citizens' and their 'temporary' and undocumented parents are portrayed as 'causing' or 'willing' the national body to suffer through their inability to love the nation. Thus, the 'will to feel' refers to how discourse *moves* its addressees not only ideologically, but also emotionally and affectively. A focus on the power and politics of emotion allows for an examination of extra-discursive mode by which citizenship and illegality are imagined.

‘Subject to jurisdiction’ and the will to love the national body

Anti-birthright citizenship advocates argue that the ‘subject to jurisdiction’ clause excludes the citizen-children of undocumented and temporary migrants. This section traces the allegiance mandate in the ‘subject to jurisdiction’ argument, finding that the fantasy of romantic love between citizen and nation-state works to construct the nation as a coherent, whole *national body* that is only held together and made to thrive through monogamous and selfless love from its citizens. The ‘alien citizen’s’ perceived inability to love the national body is seen as ‘devaluing’ the nation, causing national pain. Thus, the will to love the national body constructed in the anti-birthright citizenship argument functions as a boundary-making emotion that delineates ‘real citizens’ from ‘alien citizens.’

According to a panel of political scientists and law professors in the 2005 House of Representatives Committee Hearing, *Dual citizenship, birthright citizenship, and the meaning of sovereignty* (HC), the degree of ‘genuine connection’ and ‘emotional attachment’ to the US distinguishes ‘real citizens’ from ‘alien citizens.’ Illuminating ‘allegiance,’ panellist Stanley Renshon, claims, ‘emotional attachment to the American national community is the foundation of US citizenship, this country’s institutions, its way of life’ (2007, p. 6). Renshon and the HC’s other panellists, John Eastman and John Fonte conflate this emotional attachment with patriotism, or love of country, which they define during the hearing as ‘a warmth and affection for, an appreciation of, a justifiable but not excessive pride in, and a commitment and responsibility to the United States, its institutions, its way of life and aspirations, and its citizens’ (Hostettler et al., 2005, p. 15). Moreover, in an attempt to disavow the notion that race or ethnicity plays any role in the impetus to restrict birthright citizenship, the panellists reiterate that allegiance refers to belief in the US as a nation of ideas and affiliations, not shared ethnicity. In this way, the panellists reiterate that love, not blood, holds us together (Hostettler et al., 2005). Similarly, in a 1989 article articulating his argument against birthright citizenship, Peter H. Schuck claims that allegiance to the nation through ‘ideal’ citizenship functions as an emotional and spiritual bond that unites racially disparate members of a society. Though these are just a few excerpts from the anti-birthright citizenship argument, they fit within the broader context of conservative rhetoric in the US that constitutes the ideal citizen-subject as ‘in love’ with his or her country and, thus, willing to die and sacrifice on its behalf.

These arguments construct allegiance as a form of ‘national love,’ or a collective affective alignment towards the nation as an object of love (Ahmed, 2004, p. 129). The ‘towardness’ of national love illustrates how patriotic discourses ‘move’ or ‘will’ addressees towards taking the nation as an object of love. For Ahmed, love is both narcissistic and anaclitic; it is both self-oriented, where the subject yearns to ‘be like’ the object of love, and possession-oriented, where the subject yearns to have the object of love (p. 126). Thus, Ahmed argues that national love involves both identification with and idealization of the nation so that the citizen-subject sees an idealized version of him or herself in the nation, which then, in turn, constructs the nation as an ideal that ‘returns to the subject’ (p. 127).

The imagination of the nation-state as a body in classical liberalism is integral to the notion of national love as a collective orientation towards an idealized nation. In the liberal contract theorists like Thomas Hobbes, John Locke, and Jean-Jacques Rousseau, from whom anti-birthright citizenship advocates draw in their arguments, the sovereign state is a body. Furthermore, following Rene Descartes’ privileging of mind over body, in

early liberalism the national body is imagined as docile and only made to function through the governance of individual or sovereign reason. In anti-birthright citizenship advocacy, however, reason is subsumed to emotion, to affection, and most of all to love for country and for one's fellow citizens, wherein the national body is only imagined to function if all of the parts are emotionally working in tune with one another. Thus, the imagination of a citizen-subject who loves the nation works to construct not only the citizen as a lover, but also the nation-state as a coherent, whole *national body* that is bounded together through *mutual* love. According to feminist theorist Elizabeth Povinelli, in liberal societies like the US, love is imagined as a way of uniting with another; it is imagined as social glue, or as what sticks people together, most of all motivating 'a higher civilizational form' (2006, p. 178). The HC's conception of allegiance constructs love along the same lines, articulating patriotic love as cohering racially and culturally heterogeneous bodies into one idyllic national body through the fantasy of patriotism.

The emphasis on 'mutual' love between members of the national body motivates disapproval of those that do not love enough. As such, opponents of birthright citizenship construct allegiance as a monogamous, heteronormative love and 'alien citizens' as decidedly non-monogamous due to relations with alternative ethnic and national communities. This construction is evident in the HC's conflation of the 'problem' of birthright citizenship with the 'problem' of dual citizenship; the panellists contend that the citizenship clause's emphasis on allegiance necessitates that the American citizen relinquish all former allegiances. For example, John Eastman claims that the 14th Amendment's original exemption of Native Americans proves that US citizens must only have one allegiance, saying 'the children of Indians who still "belong[ed] to a tribal relation" and hence owed allegiance to another sovereign ... would not qualify for citizenship under the clause' (Hostettler et al., 2005, p. 87). If the state requires absolute monogamy, then, any sort of infraction, any glance or feeling of affection towards another nation or ethnic group is constructed as a failure to profess allegiance.

As such, even though the migrants and citizens who are frequently problematized by anti-immigration activists are decidedly racialized and sexualized 'types' of people ('illegal aliens' and 'terrorists'), as mentioned above, most politicians and pundits are careful to explain that national love is not related to blood-ties, race, or ethnicity. However, mandating that allegiance necessarily involves a disavowal of all other national ties – that one be monogamous to the United States – emphasizes the racial and sexual politics of citizenship that allegiance attempts to obscure. According to the anti-birthright citizenship activists, the 'real' citizen must *turn away* from any meaningful engagement with other nation-states or non-hegemonic ethnic groups within the nation-state. Ahmed describes *turning away* as affectively orienting oneself away from an object of fear in order to prove one's fidelity to the beloved (2004, p. 74). In fact, adhering to racial and ethnic identities, *not* turning exclusively towards an anglicized 'America' as home, produces fear and suspicion that one does not exclusively love the nation-state. For this reason, Ahmed sees love and fear as working together – turning towards the object of love necessitates turning away from the object of fear. The fear and suspicion produced from non-monogamy is evident in broader conservative politics through eradicating and illegalizing Ethnic Studies for fear that such fields breed ethnic solidarity over 'American' solidarity as well as hatred for the state and its canonized history.⁶ In fact, both Renshon and the HC's dissenting voice, Democratic Representative Sheila Jackson Lee, agree that students should be taught more exclusively 'American' history in order to foster the correct emotional ties to the state (Hostettler et al., 2005). Thus, this logic of love does

not exclude from citizenship the children of migrants solely based on their race or ethnicity, but it instead constructs the ‘real citizen’ as necessarily turning away from all other ethnic, racial, and political ties that *could* cause one to turn away from the nation, and thus fail to do one’s part in upholding the national body through love.

The ‘subject to jurisdiction’ argument not only constructs the ideal citizen as partaking in a romantic, monogamous relationship with the national body, but it also mandates that the citizen love the nation independently of any financial benefits he or she may expect in return. As such, the HC repeats and reinforces the thrust of the ‘anchor baby’ discourse, counting the number of births to undocumented Mexican/migrant women and reading statistics about the supposed cost to tax-paying citizens for state resources like Medicaid, public school, and health care (Hostettler et al., 2005).⁷ Likewise, Schuck and Smith (1985, 1996), Schuck (1989), Smith (2009), and anti-birthright citizenship punditry from Patrick Buchanan (2002, 2006) and Michelle Malkin (2004) all reiterate the number of births typical to Mexican/migrant women and their use of state resources. Though the discourse of the hyper-fertile Latina, and more generally the hyper-sexualization of women of colour, comprises broader regimes of truth that perpetuate racism and xenophobia, in the anti-birthright citizenship argument the amalgamation of hyper-sexuality and national harm takes a new turn.⁸ Thus, the discursive construction of non-love through the use of state resources emerges from general societal anxiety about women’s place as fertile beings in the welfare state as well as from the incompatibility of love and money in the Western imagination of romance. As such, Renshon explains that true allegiance entails loving the country no matter what it gives in return. He says,

A national identification allows people to weather the storms that they go through; it allows support for the country during the hard times. It’s in a sense like an emotional bank account which isn’t related to a quid pro quo of what can you do for me lately. No government and especially no democratic government can survive on what it gives with regard to goodies. (Hostettler et al., 2005, p. 55)

This denunciation of *quid pro quo* reiterates marriage laws that regulate the exchange of money between spouses, mandating that any monetary exchange must be considered a gift. Renshon’s testimony, coupled with the larger ‘anchor baby’ discourses and widespread demonization of ‘welfare queens’ that cast Black and Latina women who use state resources as the *cause* of recessions and financial crises construct citizenship as a selfless love for the nation that needs no reciprocation.

For this reason, Ahmed (2004) characterizes national love as ‘a form of waiting,’ where the failure of the nation to return its promise of the good life only increases one’s emotional investment in the nation. In other words, national love ‘wills,’ or moves addressees towards waiting indeterminately for emotional fulfilment. Most importantly, one must wait prudently, embodying the liberal ideal of self-reliance and rugged individualism. The longer one waits, the more invested one becomes, as deferring the reciprocation of the beloved only makes the lover idealize the beloved more. Moreover, not only do Mexican/migrant women harm the national body by not ‘waiting’ for the nation’s love, according to Schuck and Smith and the HC panellists, they actively devalue citizenship and the nation.⁹ Thus, as Mexican/Latino migrant and citizen labour produces value for the US economy, their spatial presence within the borders of the country and their use of state resources is deemed to perpetuate waste, devaluing both citizenship and

the state. Such a formulation of national love no doubt stems from what Jonathan Inda (2006) refers to as the ‘new prudentialism,’ or idealized citizenship in the post-social state where citizens are expected to generate economic and moral value. However, I contend that prudential citizenship is inflected by an underlying ‘emotional regime of truth,’ wherein the ‘real citizen’ is constructed as romantically loving the national body, and thus as a vital part of the national body. In turn, the ‘alien citizen’ is seen as not loving the national body and, thus, not a legitimate member. Anti-immigration rhetoric proffers national love as a boundary emotion that delimits the imaginative, if not legal, borders of citizenship along implicitly racial and sexual lines.

The national will to love: desire, consent and the violation of the national body

While the allegiance argument constructs the national body as the ‘real’ citizen’s object of monogamous and selfless love, the second, interrelated tenet of the argument constructs the nation as an agent who actively denies consent to ‘alien citizens,’ as well as a violated object of the criminalized migrant’s desire. Thus, the notion of consent in the reinterpretation argument constructs the nation as a desiring and sexual body whose active denial of consent to criminalized migrants shapes the ideal citizen according to white supremacist and heteronormative logics.

Schuck and Smith (1985) argue that the ‘founding fathers,’ as followers of John Locke, sought to break with English Common Law traditions of *jus soli* citizenship because of its tyrannical uses and its incompatibility with the liberal ideals of democracy and consensual membership in a republic. That is, they argue that people should not be born as citizen-subjects because this deprives them the rational choice, the ‘will,’ to consent to be governed. However, though Schuck and Smith proclaim the merits of consensual membership to a nation-state and disavow the tyrannical and colonial uses of *jus soli* citizenship, they only problematize the nation state’s non-consent of criminalized migrants.¹⁰ For example, Schuck argues that ‘the consensual citizenship to which liberalism is committed is a two-way street ... the consent principle does not look only to the individual’s choice; instead, it requires *mutual* consent to citizenship’ (1989, p. 12). Similarly, Eastman describes the violation of the nation’s consent by claiming ‘What you are talking about is an entire class of people that have not been involved in that consent relationship, but have nevertheless through their parents come here and claimed something that we have not agreed to’ (Hostettler et al., 2005, p. 73). Once again, anti-birthright citizenship advocates emphasize the importance of mutuality, but as I shall show below, they see the nation’s consent as the ‘will’ that has been neglected. Such a lapse in this liberal logic could occur because the individual’s consent to be governed is assumed based on conventional logic that one’s freedom from direct violence (as in Hobbes) and one’s use of state resources (as in Locke) performatively signals consent to the polity. One could also assume that the moment of consent is an imaginative device that articulates liberalism’s *ideals* of free will, choice, and equality. Either way, for Schuck and Smith, as well as for the pundits and politicians who follow their line of argument, the national body – the body of loving citizens who take the nation as an object of love – is the violated party in liberalism’s inability to actually consummate a moment of consent.

The dominant discourses of emigration to the US illuminate the complaint that the national body is violated by non-consensual citizenship – occasioned by the migrant’s non-consensual penetration of the national boundaries. As both Siobhan Somerville (2005) and Lauren Berlant (1997) claim, the immigrant is often portrayed in popular and

political discourse as ‘*someone who desires America*’ (Berlant, 1997, p. 195). Though Berlant and Somerville do not elaborate on the distinction between love and desire, the slippery distinction between the two feelings is important in the context of the anti-birthright citizenship argument’s will to love the national body. While the citizen ‘loves’ the national body, the migrant – and especially the undocumented migrant – is often seen as desiring entrance into the national body, or as yearning to *move* towards it.¹¹ Desire, when thought of in its psychoanalytic sense, refers to ‘a state of attachment to something or someone, and the cloud of possibility that is generated by the gap between an object’s specificity and the needs and promises projected onto it’ (Berlant, 2012, p. 15). Desire is often imagined to precede love, which as mentioned above, involves fantasy, idealization, and identification. Thus, desire is a movement towards an object that normatively results in love. As evidenced by my discussion of national love as monogamous and selfless, anti-birthright citizenship advocates construct the migrant mothers of citizen children as feeling a perverse desire due to their desire of ‘the goodies’ of the welfare state over ‘real citizenship.’ Their desire for entrance into the national body and access to its biopolitical resources is seen as never materializing into national love. Thus, the migrant is constructed as continuously desiring the national body without ever taking it as an object of love.

The anti-birthright citizenship argument constructs the national body as not only an object harmed by an unwanted desire, but also as an active agent in the social contract, as a lover who chooses its object of love. Given that the national body is an agent that is able to express consent, how does it do so? According to the panellists, a nation consents by recognizing that the citizen/migrant is ‘subject to jurisdiction’ or, in Eastman’s words, by expressing ‘a total and exclusive allegiance’ to the nation-state (Hostettler et al., 2005, p. 16). In other words, the nation consents to the citizen when the citizen professes allegiance towards the state. Even though the panellists unabashedly and unproblematically put forth a tautology, a further examination of the consent argument indicates that criminalized migration signals the state’s non-consent and the migrant’s non-allegiance. For example, legal scholar Lino Graglia argues that ‘There cannot be a more forceful denial of consent to a person’s citizenship than to make the source of that person’s presence in the nation illegal’ (2010, p. 9). As such, the restrictive immigration laws that illegalize many forms of migration are the nation state’s indication of non-consent since criminalization signals non-allegiance. In other words, the state’s consent is indicated when there is *mutual* love between the national body and the citizen, and illegality articulates an outright rejection of one’s purported allegiance.

Importantly, the subject who violates the national body’s consent is not the citizen-child, but his or her undocumented parent, the subject who has been ‘forcefully’ denied entry into the national body. Accordingly, the US-born child inherits the nation state’s non-consent towards the mother. Even though Schuck and Smith (1996) begin their argument by briefly sketching Locke’s view of the relative autonomy of children, they go on to claim that children cannot consent to citizenship since children are not yet national subjects, echoing state laws that regulate children’s capacity for consenting to sex. Therefore, Schuck and Smith claim that consent is logically derived from societal consent towards the parents. They state,

The parents of such children are, by definition, individuals whose presence within the jurisdiction of the United States is prohibited by law and to whom society has explicitly and self-consciously decided to deny membership. And if the society has refused to consent to

their membership, it can hardly be said to have consented to that of their children who happen to be born while their parents are in violation of the American law. (Schuck & Smith, 1996, p. 25)

Here, illegality is transferred biologically, contradicting the panel and pundits' veneration of liberal choice and liberal individualism. Moreover, this argument furthers the logic of familial criminality that runs rampant in broader anti-immigration discourse, constructing dispositions, feelings, and attachments as transmitted both through the family and to the family.¹² The child is constructed as incapable of loving the national body because not only are children not liberal subjects, but children are not conceived of as sexual subjects that desire. At the same time, the national body cannot love the child because the child is the result of his or her parent's violation.

There is a loophole, however. The nation may consent to the child after all – but only if he or she is born within the boundaries of a 'legal' marriage. According to Georgia Representative Nathan Deal's (2005) proposed legislation, the child inherits consent and allegiance only if his or her undocumented mother is married (and not common law married) to a citizen or a documented migrant. This privileging of heteronormativity parallels historical transformations in immigration law that uphold the 'respectability' of the heteronormative family (Luibhéid & Cantu, 2005). The marriage requirement conveys that through marriage to a citizen, an undocumented woman can gain the respectability lost through her criminalized status. Lisa Marie Cacho (2012) writes that the respectability attached to the white heteronormative family is an unattainable 'prerequisite for the conferral of rights and dignity that functions to align paid and unpaid workers with the regulating institutions and ideologies that keep them economically exploitable and legally vulnerable' (p. 128). That is, in order to gain access to citizenship for oneself and one's child, undocumented women should submit to a regulatory institution that makes them ineligible for the majority of social welfare programs. For this reason, the increasing emphasis on the love-based white heteronormative family as the vehicle for citizenship is really all about the privatization of citizenship and everyday life (Berlant, 1997). It is no coincidence that citizenship is increasingly associated with the respectability of one's private familial life, and especially how one feels about the nation-state, as the state places more and more emphasis on the self-reliance of the heteronormative family unit in order to justify the shrinking social state.

Thus, the consent argument constructs the nation as a subject that gives consent to its objects of love and is, once again, harmed by the migrant mother's perverse desire for social welfare and mere entrance over 'real inclusion.' This configuration of national will over individual will is important since it highlights that even in an argument driven by social contract liberalism, the sovereign will retains power over 'the people.' Moreover, the conferral of consent based on marriage upholds liberal ideals of love and marriage that privilege the private family over the public citizen. The attribution of love to both the citizen and the nation delineates the boundaries of citizenship and expands the definition of illegality.

Conclusion: love, fear, and national defence

By focusing on how emotion functions as a key mode of delineating the national imagination, this essay has attempted to refigure prominent modes for analysing anti-immigration rhetoric in the United States. So far, I have argued that the figures that

animate anti-birthright citizenship advocacy – the national body, the ‘real citizen,’ and ‘the alien citizen’ and his or her migrant mother – materialize in an affective economy of emotion. As such, the articulation of emotion onto the subjects of the debate solidifies regimes of inclusion and exclusion by attributing the cause of national harm to ‘alien citizens’ who do not love the national body, are not loved by the national body, and are perceived as intimately violating the national body’s consent. To conclude by way of allegory, I examine the ‘Hamdi case’ to show how ‘alien citizens’ are constituted as not only unloving and unlovable, but also as objects of fear. The rhetoric of fear and terror that the Hamdi case provoked in anti-birthright citizenship and anti-immigration discourses elucidates how love and fear function as two sides of the same emotional regime of ‘real’ citizenship. Moreover, the will of ‘real citizens’ to love and to fear not only delineate the biopolitical boundaries of the nation-state, but also naturalize the imperative to defend against ‘alien citizens’ and ‘citizen terrorists’ who would harm the nation.

For anti-birthright citizenship advocates, Yaser Esam Hamdi’s American citizenship exemplified why both immigration law and citizenship law must undergird our national security apparatus in order to defend against the nation’s enemies from without and from within. As mentioned above, for conservative pundits and politicians, Hamdi’s ‘accidental’ or ‘presumed’ citizenship status represented an emergency reason for reinterpreting the 14th Amendment. Thus, the spectre of ‘citizen’ terror functioned as a limit horizon to the boundaries of ‘real’ citizenship in the nation.

Hamdi’s citizenship status was problematized by conservative pundits and opponents of birthright citizenship for two reasons. First, Hamdi and his parents, who were working in Louisiana with temporary work visas, returned to Saudi Arabia at the age of three. Due to the temporariness of his parent’s life in the United States, Hamdi was constructed as not loving the United States. John Eastman illustrates this rationale when he describes Hamdi as ‘captured, engaged in armed conflict against the forces of the United States because he never had any allegiance to the United States as we expect of our citizens’ (Hostettler et al., 2005, p. 57). The short duration of Hamdi’s physical presence in the US did not allow the fostering of national love. Secondly, similar to how ‘anchor baby’ citizens are imagined as harming the national body through resource consumption, Hamdi’s racialized association with terror articulated his US citizenship status as a mode of attacking the national body. Eastman, once again, demonstrates this argument when he claims,

The *Hamdi* case, I think, makes very clear that the prospect of potential terrorists coming across our border and giving birth to children once they’re here in order to specifically open up a Fifth Column on our shores is a very real possibility. (Hostettler et al., 2005, p. 58)

Here, the ‘anchor baby’ discourse and the ‘citizen terror’ discourse explicitly merge as criminalized migrants are articulated as ‘potential’ terrorists and birthright citizenship becomes as intentional act of national harm, an act of the ‘will.’ Thus, political and popular discourse constructed Hamdi, and ‘alien citizens’ as a whole, as a subjects of fear because they fail to love the nation.

Hamdi’s function as a limit figure in the anti-birthright citizenship argument is illuminated by an analysis of the boundary work that love and fear perform in discourse. Though desire is often characterized as containing an inherent contradiction between attraction and repulsion, while love is seen as a more or less stable relation of idealization and identification, love is similarly constituted by a dialectic between moving towards

and moving away, idealization and demonization. The difference between love and desire, however, is that the object of desire's attraction and repulsion remains the same, while to take something as an object of love, like the nation, brings into being an object of fear that is seen as infringing on the beloved. As mentioned above, Ahmed (2004) sees national love as urging a 'turning towards' home and a 'turning away' from objects of fear. Thus, anti-birthright citizenship discourses constitute the 'real' citizen as professing allegiance to the nation-state through turning towards the nation as an object of love, necessitating, or 'willing,' a turning away from the object of fear, namely 'alien citizens' like Hamdi who can use their citizenship status to wreak havoc on the national body. As such, in the *Hamdi* case, this discourse was exemplified by Schuck (2010) and the HC's claim that the spectre of domestic terrorism that Hamdi exemplifies necessitates that US citizens work to reinterpret the 14th Amendment to render it more exclusive and, thus, safer for the national body (Hostettler et al., 2005; Schuck, 2010).

In the context of birthright citizenship and 'citizen terror,' 'turning away' is constructed by figures like Peter Schuck (2010) as pre-emptively defending the national body by excluding 'alien citizens' from 'real' citizenship. Thus, even though Hamdi was *not* actually engaged in terrorist activities in Afghanistan and there is scant evidence that the children of undocumented migrants are any more likely to become terrorists, US citizens were urged by figures like Schuck and Eastman to protect the national body by rendering citizenship more exclusive. Brian Massumi (2010) illuminates this logic by arguing that threat and fear are felt as real precisely *because* they never materialize. Fear is always deferred into the future, perpetuating itself into infinity. Thus, the ongoing move to pre-emptively strike against citizen terror by reinterpreting the 14th Amendment relies on the continuous slide between a national body deserving of love and internal Others who pose an endless future threat to the object of love.

'Alien citizens' like Yaser Hamdi represent limit figures that construct and regulate racialized bodies as lovable/loving and thus fit for inclusion or unloved/unloving *and* feared and thus in need of repudiation. Thus, the materialization of the mythical figures of the 'alien citizen,' the national body, and the 'real citizen,' through an affective economy of love and fear polices and produces the racialized boundaries of acceptable citizenship. Moreover, the construction of 'alien citizens' as objects of fear who do not love the nation and are not loved by the nation, naturalizes their exclusion from citizenship since they are seen as always potentially 'causing' harm to the national body. Importantly, the racialization and sexualization of national love and fear through the cultural politics of emotion shape the imaginative boundaries of the nation and citizenship by expanding the category of illegality. The devaluing of Mexican/migrants and their citizen children as well as migrants who are racialized as Arab and Muslim enacts violence on not only the devalued through the imposition of social death, but on everyone who is not perceived as loving the national body. Thus, citizenship and illegality are constituted in part through a regime of emotional propriety that animates a will to love the national body and a will to fear those that are perceived as not sharing the love.

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Notes

1. There are too many theorists who have made this critique of liberalism to list here. However, the trajectory of scholarship that I cite in this paper largely stems from Michel Foucault's notion that deviance functions as a limit to liberalism, as well as feminist and anti-racist critiques of liberalism as exemplified by Carole Pateman's *The Sexual Contract* and W.E.B. du Bois' oeuvre.
2. See Chavez (2008) and Gutiérrez (2008) for excellent analyses of the Proposition 187 campaign in California and the anti-immigration rhetoric associated with Welfare Reform.
3. Yaser Hamdi's parents were described as temporary migrants. I use quotations in order to illustrate that the temporariness of migration is a slippery category since migration is frequently a precarious and un-fixed pursuit. All migrants could potentially be described as 'temporary.'
4. For examples of how Yaser Hamdi was portrayed in US, media see Erler (2008), Hostettler et al. (2005), Malkin (2003, 2004), Reasoner (2011), Renshon, (2007), Tancredo (2006). See Junaid Rana (2011) for an expert analysis of the racialization of Islam and terrorism.
5. Biopolitics refers to Michel Foucault's (2003) claim that in modernity, sovereign power has shifted from power to make die and let live to power to make live and let die. The goal of politics is, thus, the efficient functioning of the social body wherein subjects imagine themselves to have a right to life, health, and happiness.
6. See Gowan Sr., Montenegro, Seel, and Stevens (2010), Holt (2012)
7. Since the 'anchor baby' discourse is almost exclusively targeted at Mexican-origin women, I employ De Genova's (2005) term 'Mexican/migrant.'
8. See Chavez, (2008), Gutiérrez (2008) and Young, (1995) for analyses of the intersection between sexuality, race, and racism.
9. See Schuck (1989), Hostettler et al. (2005), Malkin (2003), and Deal (2005) for examples of the rhetoric of devaluation.
10. Mae Ngai (2007) also points out that they neglect to problematize citizenship through heritage, *jus sanguinis*.
11. Brian Massumi (2002) conceptualizes desire in terms of movement.
12. See anything written by Heather Magnet, Patrick Buchanan, Peter Brimelow, and Samuel Huntington (among many others) for examples of the rhetoric of familial criminality.

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