



# Queer in a legal sense: Negation and negotiation of citizenship in *Boutilier v. Immigration and Naturalization Service* and Arturo Islas's *The Rain God*

José A. de la Garza Valenzuela<sup>1</sup>

Published online: 26 April 2019  
© Springer Nature Limited 2019

## Abstract

This essay brings together the US Supreme Court's *Boutilier v. INS* decision and Arturo Islas's *The Rain God* to analyze the negation of homosexual and queer experience in the legal negotiation of access to citizenship. The article brings together methodological frameworks from literary, legal, queer, and Latina/o/x studies to argue that citizenship requires a narrative presence, one that immigration policy and its judicial interpretation has, until recently, refused to homosexual migrants. In analyzing *The Rain God*'s depiction of Felix as a legal intermediary between migrant laborers and US citizenship alongside standing immigration policy insistent on homosexual exclusion, this article demonstrates how homosexuality is leveraged not only against queer people, but also against their immediately surrounding communities to negate queer presence in US legal and cultural contexts.

**Keywords** Citizenship · Migration · Law · Sexuality · Islas

## Queer en sentido legal: Negación y negociación de la ciudadanía en *Boutilier v. Immigration and Naturalization Service* y *The Rain God* de Arturo Islas

## Resúmen

Este ensayo combina la decisión de la Corte Suprema de EE.UU. *Boutilier v. INS* y la novela *The Rain God* de Arturo Islas para analizar la negación de la experiencia homosexual y *queer* en las negociaciones jurídicas para acceso a la ciudadanía. El artículo junta marcos metodológicos procedentes de los estudios literarios, legales, *queer* y latinos para argumentar que la ciudadanía exige una presencia narrativa, la cual, hasta hace poco, las políticas migratorias y su interpretación judicial han negado.

---

✉ José A. de la Garza Valenzuela  
jdelagarzavalenz@fau.edu

<sup>1</sup> Florida Atlantic University, Boca Raton, USA



do a los inmigrantes homosexuales. Con un análisis de la representación de Felix en *The Rain God* como intermediario legal entre los obreros inmigrantes y la ciudadanía estadounidense junto con las políticas migratorias vigentes que insisten en excluir a los homosexuales, este artículo demuestra cómo la homosexualidad se utiliza no solo en contra de las personas *queer*, sino también en contra de sus comunidades inmediatas a fin de negar la presencia *queer* en los contextos legales y culturales de los Estados Unidos.

**Palabras clave** Ciudadanía · Migración · Leyes · Sexualidad · Islas

The Immigration and Nationality Act of 1952 (INA) radically reformed US immigration policy by restructuring the criteria by which the United States defined a migrant as legally excludable.<sup>1</sup> Notably, the INA moved away from nominally excluding migrants on the basis of race by shifting toward a system of national quotas and including a more targeted approach to the exclusion of homosexual migrants. According to Canaday, “While an alien could be excluded or deported before 1952 for committing crimes of moral turpitude (i.e. homosexual acts), a prohibition barring aliens afflicted with psychopathic personality was enacted in 1952 to explicitly prevent homosexual aliens from entering or remaining in the country” (2009, pp. 214–215). This move, Canaday notes, broadened the legal identification of homosexual migrants from those who commit homosexual acts to those who showed “markers of psychopathy that revealed to immigration officials a *propensity* to commit a homosexual act” (Canaday 2009, p. 215; emphasis added). In this context, the INA authorized the state to surveil and identify evidence to prove a migrant’s assumed sexual identity. As Luibhéid notes, “The notion that lesbian and gay immigrants could be identified on the basis of visible difference marks out an area where homophobia and racism share important commonalities” (2002, p. 82). Many of the state’s fantasies about exclusion are tested and fulfilled in the enforcement of immigration policy against the queer<sup>2</sup> racialized migrant body. This is of relevance in Latina/o literary studies because the law, based on the INA’s exclusions and their legal aftermaths, continues to produce unique and violent characterizations of migrants that do not align with the way people live and experience migration. The law imagines a migrant in ways that allow the US to define, for migrant and

<sup>1</sup> L. Lowe suggests that the legacy of the Chinese Exclusion Act is evident in how, until the mid-twentieth century, “Chinese masculinity was marked as different from that of ... ‘white’ citizens owing to the forms of work and community that had been historically available to Chinese men as the result of immigration laws restricting female immigration,” leading, as she later clarifies, to their “‘feminized’ positions” (1996, p. 11).

<sup>2</sup> I use “homosexuality” in both its legal definition in *Boutilier* and in descriptions of sexuality between people of the same sex in a specific historical context. Because many of the restrictions on sexuality participated in similar exclusionary projects, both in terms of immigration and domestic definitions of sexuality, “queer” denotes the permanence of the statutes defining homosexuality in contemporary legal discourse, whereas my use of “homosexuality” underscores definitions of sexuality that appear to be more chronologically and culturally bound.



nonmigrant communities alike, what attributes—racial and sexual included—it privileges in a citizen.<sup>3</sup> These legal narratives are worth accounting for, specifically in the context of Chicana fiction, wherein the law's representation of a member of the community often has implications for others' access to legal citizenship.

A challenge against the INA's aforementioned exclusionary statute came before the Supreme Court of the United States (SCOTUS) in 1967's *Boutilier v. Immigration and Naturalization Service*, which I analyze to trace how the courts engaged with the exclusion of migrants based on assumed markers of identity as policy shifted away from using race, itself regulated through the surveillance of assumed physical characteristics, as an exclusionary category. In the decision, the United States upheld the legality of Congress' intent to exclude homosexual immigrants by defining them as psychopathic personalities. In the case, petitioner Clive Michel Boutilier argued against his ordered deportation by claiming that, while the immigration statute in question barred those suffering of psychopathic personalities from entry to the United States, the wording of the law did not explicitly define homosexual immigrants as an excludable class.<sup>4</sup> In a six to three decision, the court ruled against Boutilier, expressing in the majority opinion delivered by Justice Tom C. Clark, "Congress used the phrase 'psychopathic personality' not in the clinical sense, but to effectuate its purpose to exclude from entry all homosexuals and other sex perverts" (SCOTUS 1967, p. 122). In its ruling, the court demonstrated that despite recognizing a person's migration into the country as legal, the state could retroactively deny the legality of one's presence in the country as a consequence of identifiable homosexual attributes. Legal critic Marc Stein argues that the Supreme Court contributed to the development of a hierarchy of citizenship by turning away from egalitarian notions of sex among citizens. He explains, "The Court authorized special rights and privileges for adult, heterosexual, marital, monogamous, private, and procreative forms of sexual expression. The heteronormative doctrine simultaneously contributed to the ongoing formation of class, gender, and race hierarchies in the United States" (Stein 2010, p. 18). These hierarchies, according to Cantú, further stratify the legal concept of citizen, which he defines as composed of native-born and naturalized citizens, legal residents, and undocumented immigrants rather than a singular legal category (2009, p. 45). At the intersection of these categories, Cantú argues, emerges the legitimate citizen subject, "the white heterosexual native-born American male," which in turn "subordinated or delegitimized those of other groups, including migrants" (2009, p. 45). In *Boutilier*, the court delegitimized the legal presence of a prospective citizen on the basis of his *propensity* to commit homosexual acts through a retrospective consideration of his sexual history.

Against a legal backdrop in which national identity and sexuality take on the burden of immigration policy's nominal turn away from race as an exclusionary attribute, Islas's persistent consideration of legality in his debut novel *The Rain God*

<sup>3</sup> Somerville explains, "The legislative history of the 1952 INA suggests that race and sexuality were profoundly woven together in the boundary making logic of U.S. policies of immigration and naturalization at midcentury" (2005, p. 77).

<sup>4</sup> In such a context, his deportation, the defense claimed, would be a violation of due process.



(1984) depicts how one's proximity to the law affects how one accounts for narratives of gay life and loss. In *The Rain God*, Islas offers a depiction of a Mexican–American family from the narrative perspective of Miguel Chico, the suspiciously single family storyteller. Felix, his uncle, stands out as the family's "sinner" for whom a transgression of cultural and familial traditions dictated by his mother, Mama Chona, proves lethal (Islas 1984). The narrator's description of Felix's death serves as the centerpiece of the account of multiple generations of the Angel family following their immigration to the United States.<sup>5</sup> Recent increased interest in both Islas and gay Latino studies has produced work in the field that demonstrates not only how culturally generative the novel remains, but also how ambitious *The Rain God* truly is.<sup>6</sup> Though notoriously reserved in his relationship to gay and Chicano rights advocacy,<sup>7</sup> Islas's work has had and continues to enjoy a political afterlife in Latino/a literary studies.<sup>8</sup> Current scholarship on gay Latinos, according to Hames-García and Martínez, "advocates less in support of 'not forgetting' gay Latinos and more in support of actively 're-membering'... a coalitional body that has been dis-membered by a history of ideological violence" (2011, pp. 3, 4).<sup>9</sup> Turning to legal texts allows me to analyze an archive of how such forms of ideological violence aimed to limit homosexual migrant presence, while tethering such an analysis to fiction underscores how these forms of violence impact the narrative presence of queerness in contemporary Chicax literature and culture. Though the law often consolidates the public discourse around matters like immigration, it is the judicial interpretation of these statutes that continues to inform the ways in which we negotiate how to account for queer lives of color.

My analysis investigates how these legal propensities are levied against the subjects deemed legally undesirable as citizen and later arbitrate how communities

<sup>5</sup> Islas, *Migrant Souls* (1990, pp. 41–42). In *Migrant Souls*, Islas's sequel to *The Rain God*, the author's description of the Angel family stresses a distinction between the terms "migrant" and "immigrant." The narrator states, "They had not sailed across an ocean or ridden in wagons and trains across half a continent in search of a new life. They were migrant, not immigrant, souls. They simply and naturally went from one bloody side of the river to the other and into a land that just a few decades earlier had been Mexico" (p. 41). For the purposes of this article, I use the term "migrant" to describe the Angel family and those instances where people move from one location to another, while using "immigrant" to describe those whose purpose in crossing the border is implied to be informed by their "search for a new life" in the novel.

<sup>6</sup> Perhaps most influential are F. L. Aldama's works: his edited collection *Critical Mappings of Arturo Islas's Fictions* (2005b), *Arturo Islas: The Uncollected Works* (2004), and *Dancing with Ghosts: A Critical Biography* (2005a).

<sup>7</sup> According to Aldama, Islas "did not exactly follow a 1970 s brown-power ideological line. He made efforts to keep politics separate from cultural-aesthetic endeavors, though he understood why traditionally marginalized groups identified the personal as political" (2005a, p. xiii).

<sup>8</sup> Recent work on illness, nationalism, and disability in the context of gender and by Ortiz (2007) and Minich (2011) have set recent precedents in the field for applying innovative interdisciplinary methodologies to such a widely and historically contested text.

<sup>9</sup> Hames-García and Martínez (2011) borrow the term from M. J. Alexander, as they note in their introduction. The description brings to mind M. P. Brady's theorization of the border as an "abjection machine—transforming people into 'aliens,' 'illegals,' 'wetbacks,' or 'undocumented,'" whose abjection "functions through the dis-remembering and dismembering" in the ongoing rehearsal of estrangements the border itself produces (2002, pp. 50, 53).



account for queer lives and losses based on how these legal identities come to bear on their own claims to citizenship. The novel's most graphic moments are accounts of Miguel Chico's uncle, through which Islas depicts medical examinations of migrant bodies, the risks of sexual pursuit, and the murder and dismemberment of the novel's namesake character, all events unwitnessed by the Angel family. The novel dramatizes, so to speak, the stories forbidden by culture and, importantly, by law. Miguel Chico's narrative, in offering a rendition of his uncle's sexual transgressions, tries to remediate the family's propensity to dismiss Felix's sexual experiences in the aftermath of his murder. The story of Felix's death is mediated by how his sexual history allows or restricts Miguel Chico and his family's respective claims to citizenship and belonging. Similar to the way citizenship is at stake for Miguel Grande in denying Felix's sexual history and the events that led to his murder, citizenship is also at stake for Miguel Chico in making these events evident as part of the Angel family history. I am interested in the place that legally mediated narratives of queer and migrant bodies have in our interpretations of queer Latino/a fiction, in which citizenship and belonging are consistently negotiated in relation to cultural and legal transgression. Insofar as it mediates belonging, citizenship requires a narrative presence, particularly when the queer and migrant body is a negated one, and when the legal contexts in which queer and migrant stories are imagined and told, as I will show, deny the possibility of queer citizenship altogether.

### Queer in a legal sense: The retroactive reach of the law

In *Boutilier*, the court addressed Clive Michael Boutilier's claim to having been unrightfully deported by ruling on whether legislators originally intended to exclude homosexuals from entry to the US under the category of "psychopathic personalities" in the Immigration and Nationality Act of 1952.<sup>10</sup> The decision and dissent on the case reveal that, in addressing the petitioner's claim, the court considered not only what it meant to be homosexual, but also what was required of an immigrant to be legally understood as a prospective citizen. *Boutilier* outlines how an immigrant, documented or not, was understood as homosexual in a legal sense and how legislation regulating migration worked as a tool to further restrict sexual behavior among the US citizenry. Worth nothing is that the decision is based on Boutilier's violation of a statute from the 1952 INA, though by the time of the Supreme Court's ruling, the Immigration and Nationality Act of 1965 had further moved away from race as an exclusionary category while holding over the homophobic clause in question. Though *Boutilier* does not engage directly with matters of race in immigration

<sup>10</sup> The Immigration and Nationality Act of 1965, passed 2 years before the decision, retained the same restrictions on homosexual migration added in the INA of 1952. Ngai describes a similar case in *Impossible Subjects: Illegal Aliens and the Making of Modern America*. Six years after the 1952 INA passed, "The US Supreme Court upheld the government's revocation of Clemente Martínez's citizenship," a case she describes as "a part of the history of legal conflict over the boundaries and terms of American Citizenship" (2004, p. 127). His revocation was under the Nationality Act of 1940, even if a different immigration policy was now in effect.



policy, it does however illustrate an affirmation of the state's interpretative powers in relation to unnamed excludable categories. Regarded primarily as a landmark case in the history of gay oppression in the United States, as an immigration case *Boutilier* illustrates a commitment to retaining the authority to interpret broadly defined excludable categories targeting specific communities unnamed in the law itself as restrictions on migration nominally shifted away from race in the text of immigration policy. That is, while the decision did not engage with race, it signals an early consideration on how the US would engage in identity-based exclusions through state-sanctioned interpretations of characteristics such as sexuality in similar ways as they had formerly been enforced in regard to race.

Before outlining a rationale for considering Boutilier a homosexual migrant, Clark's opinion contextualized the court's decision with the petitioner's application for naturalization in the United States. The majority opinion states, "The petitioner, an alien, has been ordered deported to Canada as one who upon entry into the country was a homosexual and therefore 'afflicted with psychopathic personality' and excludable" under the provisions of the 1952 INA (SCOTUS 1967, p. 118). Having appealed a decision by the Immigration and Naturalization Service (INS) Special Inquiry Officer and the Court of Appeals, Boutilier argued that his exclusion under the law's provision remained as vague—his defense suggested—as any claim that the petitioner was himself homosexual as defined by the law. After affirming the Court of Appeals' decision, the majority opinion states, "In 1963 he applied for citizenship and submitted to the Naturalization Examiner an affidavit in which he admitted that he was arrested in New York in October 1959 on a charge of sodomy, which was later reduced to simple assault and thereafter dismissed on default of the complainant" (SCOTUS 1967, p. 119). The decision later makes clear that the petitioner's conduct after his entry was not relevant to the decision, implicitly presenting Boutilier as one who was unable to comply with the legal statutes regulating the lives of citizens, the same that limited the rights of homosexual citizens of the United States at the time.<sup>11</sup> The court, then, did not just consider the immigrant's behavior prior to his entry, but identified him as a person who, prior to petitioning citizenship status, was unable to perform lawful citizenship. As Somerville argues, "Using a queer approach that is attentive to the imbrication of sexual and racial discourses demonstrates the INA's construction of sexual aliens was embedded in and maintained a thoroughly racialized model of national citizenship" that can be dated back to the Page Act of 1875 and the Chinese Exclusion Act of 1882 (2005, p. 77). Because these acts restricted migration based on signifying traits, namely race and its sexual implications for the legally imagined citizenry, these contours of the 1952 sexual exclusions are precisely where the racialized antecedents of the new exclusions are most evident. Specifically, the INA's shift away from race as an excludable

---

<sup>11</sup> The court's claim that Boutilier was afflicted with homosexuality then, which would legally deem him a psychopath, is only in reference to the Public Health Service (PHS) certification of his homosexuality in 1964, following his petition for citizenship in 1963. Because the PHS failed to legally identify the petitioner as a homosexual at the time of his entry in 1955, his deportation represents a judicial abuse of the law that required retroactively sanctioning the use of the 1964 medical assessment as a means for exclusion.



category was animated by the very ways in which the exclusion of Asian migrants was buttressed on implying their sexual deviance. The policy's departure from race, therefore, was only partial in relieving the explicit racial restriction, as it retained the exclusion of homosexual migrants, which functioned as one of the primary bases of Asian exclusion. In affirming the exclusion of homosexual migrants, the court upheld the very apparatus through which sexuality was deployed against Asian migrants as it relaxed their racial exclusion.

In characterizing Boutilier as unable to fulfill the conventional responsibilities of citizenship, the majority decision declares that the state is obligated to deport those who cannot abide by its laws. Because laws regulating migration to the United States are drafted in the legislative branch of government, its enforcement makes institutions like the courts and the INS arbiters in determining who does or does not qualify for prospective citizenship in relation to the law. Luibhéid argues, "Immigration control is not just a powerful symbol of nationhood and people, but also a means to *literally* construct the nation and people in particular ways" (2002, p. xiii; emphasis original).<sup>12</sup> In standing by Boutilier's deportation order, then, the court authorizes the state to construct its citizenry as not only heterosexual, but also anti-homosexual in ways that have implications for citizens and noncitizens alike. In his dissent to the majority decision, Justice William O. Douglas explains, "Deportation is the equivalent of banishment or exile" (SCOTUS 1967, p. 132). Justice Douglas suggested the primary concern of the court was not to regulate migration as much as it was to demonstrate how far the state was willing to go to criminalize homosexual behavior and identity domestically and ascertain that immigrants were unable to apply for citizenship, once again producing a definition of homosexuality that could lie outside of the definition of citizen. In comparing deportation to exile, Justice Douglas implied the similarities between the exclusion of homosexual migrants and other forms of exclusion based on national origin that had recently replaced exclusions based on race, underscoring the legal proximity of the regulation of sexuality to that of race.

In the ruling, the court compromised Boutilier's ability to perform lawful citizenship by presenting acts between the petitioner and others of the same sex as a departure from the terms on which he was legally admitted to the US and deeming him a psychopath. The court was less interested in showing how the state refuses to engage with homosexuality than it was with securing psychopathic behavior as the means by which the state legally mediated its relationship to it more broadly. The majority opinion states, "Both of petitioner's psychiatrists 'concede that the respondent has been a homosexual for a number of years but conclude that by reason of such sexual deviation the respondent is not a psychopathic personality'" (SCOTUS 1967, p. 120). While the law deemed excludable, in this context, specifically those identified as psychopathic personalities, Clark shifts early in the decision from attending to the relationship between homosexual behavior as symptomatic of psychopathy to the legal relationship between homosexuals and the state as mediated by the law's

<sup>12</sup> Luibhéid identifies four ways in which the US has attained population to "construct the nation": immigration, slavery, colonization, and reproduction (2002, p. xiii).



terminology. In doing so, the court avoided criminalizing the relationship between same-sex partners, already criminalized domestically, in favor of challenging the relationship a homosexual person could have with the state as a potential citizen. If, as Cantú argues, “Citizenship is a socially constructed identity that delimits an individual’s relationship to a political community (in this context the nation state)” (2009, p. 40), rendering Boutilier’s sexual behavior a strictly legal question made the decision one specifically concerned with deeming the petitioner an undesirable potential citizen rather than one that is invested in criminalizing only his homosexual behavior.

The majority’s rationale, then, proposes that, despite any kind of change in his behavior, his prior performance of homosexuality gives the state grounds to challenge the legality of Boutilier’s subsequent entry to the United States. This logic offers what Cantú identifies as the particular outcome of the ruling: if the law intended to limit the entry of homosexual people to the US, and Boutilier’s behavior was used to identify him as an excludable migrant, then the court’s legal logic supported his exclusion on the basis of a singular behavioral characteristic (2009, p. 50). Because the US Public Health Service (PHS) determined the term “psychopathic personality” unsuitable as a *de facto* diagnosis for homosexual behavior, the question gained particular relevance in the aftermath of the court’s decision. However, “it did not solve the problem of determining resolutely who exactly had this characteristic—*who exactly was the ‘homosexual’?*” (Cantú 2009, p. 50; *emphasis original*). *Boutilier*, by upholding the legality of the vague immigration statute, strengthened the authority of institutional entities such as the INS to identify excludable identities, which more broadly included those deemed racially and sexually excludable. Luibhéid suggests that this institutionalized persecution is reflective of the history of homosexual migration to the United States: “For it was not lesbians and gay men who initially sought to be recognized by the immigration service. On the contrary, it was the immigration service that sought, in sometimes bizarre and frightening ways, to identify and penalize lesbians and gay men who tried to enter the country” (2002, p. ix). The sexual policing of migrants allowed for a broader interpretation of the parameters of migrant surveillance and examination that made gay migrants more widely available for criminalization.

The ruling produced for homosexual people a diluted notion of citizenship by defining heterosexuality not only as an obligation of the citizen, but also a condition through which immigrants to the US could be imagined as prospective citizens. By upholding the petitioner’s deportation, the court reinforced a selective notion of legal belonging that “enabled the discursive production of exclusionary forms of nationalism that took concrete shape in immigration laws and procedures, but extended well beyond the border to produce particular visions of the U.S. nation and citizenry” (Luibhéid 2002, p. xi). Though legal statutes criminalizing homosexuality and non-normative behavior existed at local levels of government, a more explicit vision of purging the nation of homosexuals emerged from the administration of immigration law. Because gay immigrants were legally deemed disposable because of their assumed or actual homosexuality, homosexual citizens were then only minimally protected from exclusion by the fact that they were born in the United States, despite being envisioned as otherwise undesirable constituents of the nation. Similarly, in





marking homosexuality as extraneous to the imagined nation, gay citizens and immigrants were legally separated from the citizenry before they were ever legally persecuted and/or deported. Cantú adds, “Moreover, a gay immigrant’s liminal phase may persist regardless of his or her legal status. The gay immigrant is an outsider in more than one respect, for as an ‘erotic minority’ he or she has transgressed society’s moral, sexual, and even gender borders” (2009, p. 34). If citizenship is considered a category composed by hierarchical gradations of a person’s legality before the state, then all members suspect of belonging to such an erotic minority lie at the margins of full citizenship. In other words, queer people, regardless of legal status, are subject to a full subset of laws that make their membership or prospective inclusion in the citizenry “less than” rather than absolute. By retroactively identifying Boutilier as homosexual at the time of entry, the court proposed that, for homosexuals, such subjection is not chronologically limited, but instead functions as a timeless threat wherein collected evidence that legally confirms one’s nonnormative sexuality can be used to regulate one’s past, present, and future claims to the category of citizen.

### Queer in a literary sense

In the second half of this essay, I focus on Islas’s treatment of homosexual acts in *The Rain God* by analyzing his portrayal of the novel’s most explicitly gay character, Felix Angel. As early Islas scholar Márquez contends, “Simply put, the difference between Islas’s novels and other Chicano historical narratives is his innovative historical imagination.... It offers a historicity that places the characters in relation to history and culture, and it also discloses the author’s recasting of interpretation of history” (1994, p. 5). *The Rain God*’s narrative uniqueness has long relied in part on how Islas represents unwitnessed moments that would, if openly addressed, bring shame on the Angel family against the historical and legal backdrop that require their negation. Miguel Chico’s role as purveyor of these accounts is important, though a confirmation of his authorship is not offered within the text and is instead presented in *Migrant Souls*, a companion novel that further explores the Angel family’s stories.<sup>13</sup> Describing the connections between Islas and Miguel Chico in the novel, Ortiz explains, “In narrating in albeit fictional form the ‘circuitous journey’ of its own coming into being, [autobiographical fiction] can by that logic deconstruct all the binaries ... according to which literary criticism conventionally conducts itself” (2007, p. 409). In acknowledging the very fictiveness of the account the novel provides and how it might differ from the actual course of events leading to Felix’s murder, the novel offers an opportunity to consider Miguel Chico’s own aesthetic choices in legally framing his family’s story.

Although Islas’s own identity is often overlaid on Miguel Chico, it is important to consider how both writers might be engaging in different projects of authorship.

<sup>13</sup> Ortiz observes that, in *Migrant Souls*, “Islas’s narrator divulges that Miguel Chico has in fact produced” the novel that we have as *The Rain God*, but that exists in the narrative’s universe as Miguel Chico’s *Tlaloc* (2007, p. 409).



Miguel Chico's account in *The Rain God* is motivated by the opportunity to narratively consider the sinners' sins, so to speak, following the death of Mamá Chona. Minich notes, "*The Rain God* begins with Miguel Chico in the hospital recovering from his colostomy ... and ends with his decision to write an honest history of his family that openly addresses its homophobia, racism and misogyny" (2011, pp. 699, 700). Minich underscores the ways in which Miguel Chico's narrative accounts for sexuality, gender, and disability, suggesting that his depiction of the family involves deliberate content choices of those subjects that would remain otherwise unaddressed. Miguel Chico's relationship to the story is introduced early: "Like Mama Chona, he preferred to ignore the facts in favor of motives, which were always and endlessly open to interpretation" (Islas 1984, p. 28). The narrator suggests that the story offers not only a glimpse into the family's history, but also a set of deliberate narrative invitations for interpretation of such an intimate study of his family. Miguel Chico's relationship to the story is also one of experiential immersion: "retelling what he had heard, arranging various facts, adding others, reordering the time schemes, putting himself in situations and places he had never been in, removing himself from conversations or moments that didn't fit" (Islas 1984, p. 26). Miguel Chico doesn't just share the story but is implicated in it by inserting himself into the unspoken and unwitnessed indiscretions of the Angel family. This exemplifies what Martínez calls "*shifting the site of queer enunciation*" which "decenters queer speaking subjects, doing so in a manner that not only equitably distributes narrative responsibility for queer experience and identity, but that also enables a deeper understanding of the intersubjective and social contexts in which queer subjects come into being" (2013, p. 113; emphasis original). In writing a story about the Angel family's secrets, Miguel Chico shares the narrative responsibility for the account of Felix's death, enabling a deeper understanding of how the law comes to bear on how Felix's story is told by the family. In the discussion that follows, I analyze how the narrator makes Felix's body evident and excludable to the law to foreground the subsequent negotiation of his undesirability as his family settles on a narrative of his loss.

### Potential citizenship

Though the novel does offer a glimpse into Felix's private domestic life, the majority of the sections dedicated to the character outside of it involve his engagement with other men. One of the first descriptions notes that while he was originally a graveyard shift laborer, after the birth of his children "he was promoted to regular shift foreman. In the last 5 years, he had been put in charge of hiring cheap Mexican workers" (Islas 1984, p. 115). Through his employment, Felix functions as the principal character through which Islas explores the border as a legal demarcation. The narrator is careful to present Felix as a character that wields authority over immigrants by virtue of his legal status in the United States.<sup>14</sup> For instance, the narrator

<sup>14</sup> The narrator describes Miguel Chico as "a second generation American citizen," alluding to the preceding generation's legal status (Islas 1984, p. 4).



explains, “He had accepted the promotion on the condition that these men immediately be considered candidates for American citizenship and had been surprised when the bosses agreed. After 35 years, he was content with his work at the factory” (Islas 1984, p. 115). Cultural critic Padilla explains that Felix’s insistence on making citizenship accessible to Mexican laborers “indicates the importance [Felix] places on social justice” (2009, p. 26), and I would add that it also presents Felix as one who is continuously engaged in the production of Chicano subjects. He continues to expand the citizenry not just by procreating, but also by producing additional citizens by maximizing the legal authority offered to him by his employer and mediating under what conditions immigrants could enter the country to work beyond the proscriptions of the law. This particular form of citizen production allows Felix to be, arguably, the character with the most influence in the expansion of Chicana/o communities in the novel.

However empathetic Felix’s concern for the immigrant laborers’ prospective American citizenship makes him, the novel stresses the character’s preoccupation with his responsibility to traffic migrant laborers. The narrator explains, “The Mexicans he hired reminded Felix of himself at that age, men willing to work for any wage as long as it fed their families while strange officials supervised the preparation of their papers” (Islas 1984, p. 115). If he was once like them, through government intercession they come closer to being like him. By construing the employees as reminiscent of his own early concern with financial stability, the narrator creates an aspirational relationship between the immigrant laborers and Felix as well as between the latter and the officials handling the documentation. To be clear, the novel does not present this as an assimilationist gesture from Felix’s perspective. Rather, it illustrates how Felix’s own racialized subjectivity, despite having the power to convince his employers to make citizenship available to those he employed, is not that of the government or that of the immigrant employee, but rather one not quite Mexican or American. This hybrid cultural identity intends to initiate those he employs into a system in which they remain disenfranchised regardless of their prospective legal residency in the US. Describing Felix’s position, the narrator states, “As a middleman between them and the promises of North America, he knew he was in a loathsome position of being what Mexicans called a *coyote*; for that reason, he worked hard to gain their affection” (Islas 1984, p. 115).<sup>15</sup> By presenting Felix’s relationship with the migrant laborers as both benevolent, as an intermediary between them and the state, and disgraceful, as a *coyote*, Felix is conveyed as a character that is neither exclusively oppressing nor oppressed. Ngai terms this compounded legal identity the “Alien citizen”: “an American citizen by virtue of [their] birth in the United States but whose citizenship is suspect, if not denied, on account of the racialized identity of her immigrant ancestry” (2007, p. 2521). The narrator presents Felix as a complex character who, operating as both citizen and alien,

<sup>15</sup> Padilla describes *coyote* as “the pejorative term for those who act as intermediaries between Mexicans trying to find work in the United States and U.S. contractors looking to cheap labor. They are viewed as dishonorable in Chicana/o culture because of their willingness to exploit their countrymen and women for personal gain” (2009, p. 18).



demonstrates how this very contradiction renders his authority null later by virtue of his sexual and racialized alienage.

If Felix, as the narrator suggests, is interested in gaining the affection of the migrant workers he is charged to hire, then his primary means of doing so are the physical examinations he performs on them. The novel describes Felix's understanding of affection through his relationship to their bodies: "Even after losing most of his own hair and the muscles he had developed during his early years on the job, he had not lost his admiration for masculine beauty. As he grew older that admiration, instead of diminishing as he had expected, had become an obsession for which he sought remedy in simple and careless ways" (Islas 1984, p. 116). In procuring the affection of his employees, he gives way to an admiration of their bodies in seemingly sanctioned contexts. The examinations "consisted of tests for hernias and prostate trouble and did not go beyond that unless the young worker, awareness glinting with his trousers down, expressed an interest in more" (Islas 1984, p. 116). His relationship with immigrant workers, whose access to documented status and employment are contingent on these examinations, reveal the power his authority as citizen wields, demonstrating how it can be employed for purposes beyond those required of the examination. Padilla suggests, "The transgression here is not that Felix initiates sexual contact with other men, but that he uses subterfuge to make that contact possible and does so in a situation in which he holds tremendous power over his employees" (2009, p. 27). However, the historical state-mandated examinations were similarly not limited to the inspection of an immigrant's health and in addition allowed those performing them, like Felix, to try to infer homosexual identity from the immigrant's response to the physical, a practice institutionalized in the INA of 1952 and later upheld in *Boutilier*. In a legal context, of course, this kind of physical contact becomes illicit in the moment that it exceeds the required medical examination without offering those who allegedly welcome Felix's advances to the state for deportation. However, Felix's invasive inspections otherwise share the same purpose with those mandated by the INS: identifying people's propensity to commit homosexual acts.

Though the novel does suggest that Felix's examinations should be understood as an exploitative exercise of authority, the narrator continues to present the character in a favorable light by describing his guilt over performing those procedures on those who do not consent to them. The narrator notes, "The offended, who left hurriedly, were careful to disguise their disgust and anger for fear of losing their jobs. He could not find words to assure them. In most cases, however, the men submitted to Felix's expert and surprisingly gentle touch, thanked him, and left without seeing the awe and tension on his face" (Islas 1984, p. 117). The narrator is careful to note Felix's unease with negative responses to the medical examinations, which could culminate in his own legal indictment as a homosexual. In contrast with the description of those who might consent to Felix's touch, those who don't reveal that Felix's authority finds its limits where performances of heterosexuality begin to function as corrective interventions to legally deviant behavior. His response, more importantly, underscores how the identification of homosexuals for prosecution is privileged over considering the potential sexual assault immigrants are vulnerable to as part of state-sanctioned procedural inspections.



The novel's treatment of Felix in relationship to the immigrant laborers is brief, but it anchors an understanding of his sexuality as subversive despite the fact that it is not made public in the novel. As the narrator concludes the description of Felix's examinations, he notes that the men, consenting or not, had a common response: "It did not occur to them that a man might take pleasure in touching them so intimately.... Most forgot the experience, occasionally referred to him behind his back but affectionately as *Jefe Joto*, and were grateful for the extra money he gave them for the sick child at home" (Islas 1984, pp. 116–117). Felix manages to ascertain their affection, but in a way that itself calls attention to the complex ways in which Felix embodies both the oppressor and the oppressed. If Felix's role as a boss requires his determination of whether someone can labor and have access to citizenship, in a historical context in which his actions and the migrant worker's responses could serve as evidence for the latter to be deemed excludable, then the affectionate and oxymoronic term *Jefe Joto*—gay boss—implies how Felix himself is recognized as homosexual (Padilla 2009, p. 28). In regard to his sexual advances, Padilla contends, "His unorthodox sexual practices and desires blur the boundaries between straight and gay, masculine and feminine, passive and aggressive," to which I would add licit and illicit (2009, p. 27). In framing Felix's authority in inspections charged with the potential for violence, Miguel Chico's account introduces the legal unraveling of his uncle's claim to citizenship in the precise moment immigrant workers are most vulnerable to his inspection. In both instances, acting as an agent of the state or procuring the agent's favor does not deliver Felix or the immigrant workers from the ways in which their racialization makes them vulnerable to state-sanctioned violence.

### "Felix had time to be afraid"

Felix's brutal murder at the hands of an American soldier serves as the centerpiece of the novel, a result of the character's most explicit sexual pursuit of another man. The narrator's account of his uncle's advances on the soldier are described from the moment he meets him to the moment he is killed, using legal institutions and demarcations as backdrops for the pursuit. The narrator explains, "Felix and the young soldier had met in a bar around the corner from the courthouse. The bar serves minors and caters to servicemen and has enough of an ambiguous reputation to be considered an interesting or suspicious place by the townspeople on the 'American' side of the river" (Islas 1984, p. 114), noting that typically, "the citizens north of the river went to dives and nightclubs across the border in search of release or fantasy and returned to their homes refreshed, respectably intact" (Islas 1984, pp. 114–115). In this context, the permissibility of a citizen's fantasy is tethered to the legal and cultural conditions of the place in which they take place, along the US-Mexico border. As Brady argues, "National borders utilize the fantasy that a nation on one side of the border exists in one phase of temporal development while the nation on the other side functions at a different stage" (2002, p. 50). In describing the patrons of the bar as "citizens," the text implies that their identity as such requires them to uphold



particular standards of social and sexual behavior, indiscretions being reserved for the other side of the river.

If, as I contend, Felix's pursuit of the young soldier also constitutes *The Rain God's* exploration of the limits of citizenship for gay men of color, the former's murder also presents the most extreme denial of citizenship. After a brief verbal exchange, Felix offers to drive the soldier from the bar near the courthouse to the military base, suggesting they stop by a canyon to observe the setting sun. The soldier states he'd rather not go to the canyon, but Felix insists on a brief stop, placing his hand on the soldier's thigh, to the former's disapproval, soon after their arrival at their destination. The narrator describes Felix's persistence and the soldier's response: "'Don't be scared. I'm not going to hurt you. Let's have some...'" The blows began before he finished. They were a complete surprise to him, and the anger behind them stunned and paralyzed him," before he opens the door to fall out of the car insisting he was joking (Islas 1984, p. 137). The soldier's attack of Felix is not just a rejection of unwanted advances, but a literal undoing of the citizen through physical violence. As the narrator describes, "The stones in his mouth looked like teeth as he spat them out, and he turned to avoid the blows to his back. The kicking continued and he felt great pain in his groin and near his heart" (Islas 1984, p. 137). In an act of sexual policing, the soldier not only pushes Felix away, but also mangles and tears his body apart physically, literally unmaking the homosexual citizen. In beating his genitals and chest, the soldier denies not only Felix's physical and emotional expression of homosexual desire, but also the gay citizen's very right to exist. Cutler asserts, "His murder redefines the marginalized ethnic and sexual body as always mediated by horrific trauma" (2008, p. 13). He adds, given that the narrative structure of the novel places the account of his death after the discovery of his body, "Underscoring this notion, the first time the narrative presents Felix's character, he is already a corpse" (p. 13). The reader never meets Felix as a living citizen, but rather as a remembered and dismembered corpse whose death is a consequence of his sexuality and evidence of his justified rejection as citizen in the United States. It is in fact through the depiction of his murder that the narrator illustrates the kinds of violent exclusions Felix, as an intercessor between migrant laborers and the United States, is charged to enforce while simultaneously underscoring the ways in which his life is precarious, as a gay man of Mexican migrant ancestry, despite being legally citizen.

### Negotiating queer negations

Since *The Rain God's* introduction to Felix begins after his murder, the novel interrogates how we account for stories in which violence is exercised against queer bodies. Once Felix's body is discovered, his younger brother Miguel Grande, a policeman with aspiration to be elected chief, is notified and asked to identify his brother's corpse: "On the way, he thought he saw Felix's car, but he did not ask about it. Miguel suspected that Felix had been caught playing around with a soldier, had gotten into some kind of fight, and was now in the next room with a few broken bones and some teeth missing" (Islas 1984, p. 80). The narrator adds, "He hoped there



were no newspapermen around because such a story would have some effect on his chances for chief” (Islas 1984, p. 80). Miguel Grande instantly begins to assess the effects the context of the murder bears on his claims to belonging and the institutional power that comes with it. As Cacho notes, “Claiming deservingness through demonstrating respectability assumes that we can make a clear distinction between people of color who are criminal and people of color who are respectable” (2012, p. 119). Even before seeing his brother’s body, Miguel Grande crafts a narrative that holds his brother accountable for threatening his access to upward mobility within the ranks of the police department, imagining his respectability against his brother’s criminality. As Hardin notes, “The blame is shifted from the soldier to Félix, from the murderer to the victim” (2008, p. 235). Miguel Grande’s response is not only that of a brother who recognizes his sibling as gay, but also as a representative of the state invested in denying Felix’s sexuality both culturally and legally. He in fact states, “Goddammit, Felix, you’ve got a wife and four kids. When are you going to learn not to fool around with the little boys?” (Islas 1984, p. 80). Before even being told what led to his brother’s assault, Miguel Grande uses Felix’s prior affairs as evidence to place the burden of violence on him rather than on the infantilized soldier or his family’s own willful negation of his homosexuality.

Though Miguel Grande has no reason to suspect that his brother was attacked in response to unwanted sexual advances, his description of the soldier as a boy and of Felix as a man who refuses to learn his place as a citizen presents the latter as knowing better at the very moment that Miguel Grande himself refuses to know, or acknowledge, his brother’s own sexual desire. Cutler argues, “As characters submit to the state’s and culture’s determination to look the other way, they submit to the idea that Felix’s death is justified ... stem[ming] communal aggression and prevent[ing] it from overflowing” (2008, p. 9). In this context, Miguel Grande’s immediate assumption is that his brother’s assailment is both a recognition and a denial of homosexuality; he recognizes it as potentially instigating an altercation, but hopes the encounter is not publicly recognized as a means to deny the discriminating barriers that stand between him and his ascension to the position of police chief. Policing Felix’s sexuality, by this false logic, relieves Miguel Grande from being himself racially policed and excluded from the police department’s institutional community.

Employed to enforce the law, Miguel Grande’s recognition of his brother’s dead body has added legal implications outside of his personal failure to acknowledge his brother’s homosexuality. Miguel Grande’s insistence on misrecognizing his brother culminates in his glance at the corpse: “It was unrecognizable. There was no face, and what looked like a tooth was sticking out behind the left ear. ... The back of his head was mushy. The rest of his body was purple, bloated, and caved in at odd places. One of the testicles was missing” (Islas 1984, p. 81). If the family’s relationship with Felix’s sexuality is marked by a denial of his evident pursuit of desire outside of his marriage and family life, then the narrative challenges Miguel Grande to recognize his brother in an unrecognizable state. That is, if Felix’s affairs function as evidence the family purposefully ignores but recognizes as indications of his sexuality, then the narrator forces Miguel Grande to confirm Felix’s identity without making available any physical traits recognizable as his brother’s. Miguel Grande



cannot identify him, saying, “That’s not my brother,” only to be shown his brother’s wallet and legal identification documents, evidence Miguel Grande cannot refute by virtue of his occupation (Islas 1984, p. 81). His recognition of the corpse comes only after it is mediated by state-issued documentation. Cutler contends, “The novel insists on the materiality of bodies, but always as bodies *in relation* to one another. It does not move to recuperate ‘the family’ in any banal way ... but rather to reenvision, to reshape the possibilities of *la familia*, to demand new forms of ethical relation within the networks of filial relation” (2008, p. 9). *The Rain God* does this, in part, following Miguel Grande’s identification of Felix’s body, by describing how he accounts for his brother’s death to the rest of the family. After picking up his wife, Juanita, on his way to Felix’s home, Miguel Grande “told her everything as if it were a police report and gave her strict instructions not to repeat any of the details to Angie. He would tell her only that Felix was dead and that the causes were under investigation” (Islas 1984, p. 83). Assuming the tone of a police officer, Miguel Grande ensures that even in his death, Felix is not recognized as a victim of a homophobic murder, stressing the state’s power to negate homosexuality and its insistence on making the policing of sexuality unrecognizable as violence.

*The Rain God*, as an account by Miguel Chico, functions as an alternative narration of the Angel family history, shedding light on family secrets, like the causes of Felix’s death, that the family tries hard to conceal. Felix’s daughter Lena later recalls, “The official in charge had not allowed her to see Felix and told her Miguel Grande had already made a positive identification” (Islas 1984, p. 84). However, the narrator notes, “Lena sensed he [Miguel Grande] was hiding something” (p. 84). Given that “‘The family,’ as usual—more concerned with its pride than with justice—had begun to lie to itself about the truth,” when Lena “began to realize that the sexual implications of her father’s murder were going to keep them from strongly pursuing justice, she took matters into her own hands” (pp. 85–86). Lena’s response to the justice system’s failure to incriminate her father’s murderer, including her uncle’s complicity, suggests her understanding of the hierarchies of citizenship as informed by sexual and racial identity. Saving the family from the embarrassment of Felix’s sexual affairs, for Miguel Grande, allows the family to pursue their own integration into the very institutions that require him to ignore and negate the context of his brother’s murder. Sánchez explains, in an early analysis of the text, that the novel sets “Felix’s daughter’s insistence on seeking justice for his murder against Miguel Grande’s efforts to suppress the embarrassing situation” (1990, p. 296). After Lena confronts him, the district attorney explains “how the evidence convincingly showed that her father was in fact ‘excuse me ma’am’ a homosexual and that he has seduced other men, some of whom were *willing to testify during a jury trial*” (Islas 1984, p. 87; emphasis added). The state’s lawyer, exonerating the soldier, excuses himself from implication in Felix’s unaddressed murder by reminding the victim’s grieving daughter that if the family were to take the matter to the courts, Felix’s sexuality would publicly surface as evidence in favor of the murderer and against the Angel family.

The narrator’s depiction of Lena’s confrontation of the state’s prosecutor concludes with a return to the ways in which the law mediates our understanding of excludable identities: “A few months later, [Lena] was glad to find out he [Miguel





Grande] had not been selected chief, thinking it might force him to understand what life was really like for ‘low class’ Mexicans in the land that guaranteed justice under the law for all” (Islas 1984, p. 88). This observation underscores the difference between her standing before the law and Miguel Grande’s, as a law enforcement officer, but also notes that citizenship in their community, even when entrenched in institutional bodies, is racially inaccessible to them. However, as an element of Miguel Chico’s account of the narrative, it also recalls the fact that Felix himself worked as an intercessor between immigrant laborers and the state, details of which only the reader and Miguel Chico, the purveyor of the story, are privy to. These intimate descriptions reflect the added layer of exclusion Felix is subject to and Miguel Chico grapples with in the novel. Miguel Chico accounts for Felix’s most violent relationships with men to make evident those intimacies that, in exchange for discretion about his sexual history, will never be accounted for in the telling of his uncle’s death. For Miguel Chico, understandably, this presents an anxiety over how his story might itself be accounted for. On his storytelling, the narrator notes, “His versions were happier than their ‘real’ counterparts,” in a way reminiscent of how Mama Chona “dressed up the unpleasant in sugary tales and convinced them that she believed what she was saying” (Islas 1984, pp. 26–27). Dressing up Felix’s death by avoiding the sexual implications, his murder upholds, or makes believable, the cultural and legal narratives that lead to the negation of his sexuality altogether.

## Citizenship and queer negation

In presenting *The Rain God* through the perspective of an unreliable narrator who imagines the complex and often troubling sexual possibilities available to Felix, the novel depicts, rather than a more accurate account of his life, a narrative just as verifiable as the accounts sanctioned by the Angel family and the district attorney. In his representations of him as an intermediary between migrant laborers and the US, and by setting his death in a military base, Islas insists on Felix’s legally mediated body, one made absent in response to the very kinds of behavior Felix is charged with identifying and excluding from eligibility for work and citizenship. Though not cited in the novel, the emphasis on the production of a narrative to justify the exclusion of homosexual migrants in *Boutillier* resonates with the kinds of narrative exclusions detailed in the novel, ones where Felix’s sexuality is only accounted for in the moments when it most explicitly challenges the very fictions that make his identification as an Angel and a citizen possible. At stake for both Islas and the narrator is not just the absence of Felix’s body, but the absence of a narrative that reveals the ways in which his claims to citizenships are legally limited by his propensity to engage in homosexual acts. The novel underscores the very fictional claims of statutes that depend on the interpretation of sexual behavior to determine access to citizenship and the protections wrongly assumed to be guaranteed by it. In presenting the narrator’s unreliable narrative alongside a legal narrative of his loss, Islas stresses that sexuality is not only worth depicting but also worth interpreting beyond the proscriptions of the law.



The narrator's descriptions of Felix's engagements with men, despite not witnessing them, suggests that homosexuality exceeds the parameters of citizenship that make his uncle legible in the Angel's sugary tale. Most importantly, he notes how the law arbitrates the interpretation of Felix's loss by retroactively deploying his sexuality against him to preemptively remind his daughter of how she is racially interpreted before a court of law. In pitting the negation of a gay man's murder against his family's possible legal claims, these negotiations with the state offer, in exchange for the negation of homosexuality in the account of his death, access to the rights and authority of citizenship, itself administered through the state-sanctioned exclusionary limits on citizenship and migration. The intervention of the law in queer and migrant narratives is familiar, for it is often the law wherein these communities have been, at least historically, most persistently represented. It is in the legal management of queer and migrant bodies, then, that the retroactive and preemptive powers of the law over how queer and migrant lives and losses are culturally and legally accounted for remain most persistently consequential.

Turning away from the legal precedent set by cases like *Boutilier* and toward the interpretative precedents of such statutes allows us to understand the ways in which the justifications for statutes criminalizing queer and migrant bodies have been historically and broadly embedded in laws in anticipation of their very judicial interpretation. For queer and legal studies, this involves not just understanding the history and legacies of rulings on the law, but also considering more broadly the kinds of uncited interpretative maneuvers, such as deliberating on congressional intent in the INA's intentionally vague exclusion of psychopathic personalities in *Boutilier*, that in some cases linger in practice well after a law is overturned. More broadly, what does it mean to appeal to the very institutions that have procured our exclusion and negation for access to the full rights of citizenship, a demand that has material consequences for same-sex couples and undocumented migrants, while the same strategies of criminalization continue to be deployed against still vulnerable migrant and queer communities made absent through deportation, indefinite detention, and/or murder? If citizenship implies an acknowledgement of one's right to be present within the boundaries of the country as a member of its constituency, texts that foreground the narrative presence of the very subjects the law seeks to make physically absent, like *The Rain God*, allow us to interrogate the interpretative apparatus that continues to make citizenship for queer and racialized communities a legal impossibility.

**Acknowledgements** I would, first, like to thank the generous anonymous reviewers for their truly productive feedback. I would also like to extend an overdue thank-you to Julie Minich at University of Texas–Austin and Stefanie K. Dunning at Miami University, for their guidance through the first drafts of this piece; the National Association for Chicana and Chicano Studies for being such an encouraging audience for an early version of it; the Department of Latina/o Studies and the Department of English at Florida Atlantic University, for seeing promise in my work; and Curtis Dickerson, for patiently reading endless revisions of the piece. Finally, and most importantly, gracias a mi familia—Blanca Valenzuela, Joe de la Garza, and Jordy de la Garza—por su infinito apoyo.



## References

- Aldama, F.L. 2004. *Arturo Islas: The Uncollected Works*. Houston: Arte Público Press.
- Aldama, F.L. 2005a. *Dancing with Ghosts: A Critical Biography of Arturo Islas*. Berkeley: University of California Press.
- Aldama, F.L. (ed.). 2005b. *Critical Mappings of Arturo Islas's Fictions*. Tempe: Bilingual Review Press.
- Brady, M.P. 2002. *Extinct Lands, Temporal Geographies: Chicana Literature and the Urgency of Space*. Durham: Duke University Press.
- Cacho, L.M. 2012. *Social Death: Racialized Rightlessness and the Criminalization of the Unprotected*. New York: New York University Press.
- Canaday, M. 2009. *The Straight State: Sexuality and Citizenship in Twentieth-Century America*. Princeton: Princeton University Press.
- Cantú, L. Jr. 2009. *The Sexuality of Migration: Border Crossings and Mexican Immigrant Men*, ed. N. A. Naples and S. V. Ortiz. New York: New York University Press.
- Cutler, J.A. 2008. Prosthesis, Surrogation, and Relation in Arturo Islas's *The Rain God*. *Aztlán: A Journal of Chicano Studies* 38 (1): 7–32.
- Hames-García, M., and E.J. Martínez. 2011. Introduction. Re-membering Gay Latino Studies. In *Gay Latino Studies: A Critical Reader*, ed. mh García and E.J. Martínez, 1–18. Durham: Duke University Press.
- Hardin, M. 2008. Make a Run from the Borderlands: Arturo Islas's *The Rain God* and *Migrant Souls* and the Need to Escape Homophobic Master Narratives. In *Critical Mappings of Arturo Islas's Fictions*, ed. F.L. Aldama, 219–239. Tempe: Bilingual Press.
- Islas, A. 1984. *The Rain God*. New York: Perennial.
- Islas, A. 1990. *Migrant Souls*. New York: Avon Books.
- Lowe, L. 1996. *Immigrant Acts: On Asian American Cultural Politics*. Durham: Duke University Press.
- Luibhéid, E. 2002. *Entry Denied: Controlling Sexuality at the Border*. Minneapolis: University of Minnesota Press.
- Márquez, A.C. 1994. The Historical Imagination in Arturo Islas's *The Rain God* and *Migrant Souls*. *MELUS* 19 (2): 3–16.
- Martínez, E.J. 2013. *On Making Sense: Queer Race Narratives of Intelligibility*. Stanford: Stanford University Press.
- Minich, J.A. 2011. Enabling Aztlán: Arturo Islas Jr., Disability, and Chicano Cultural Nationalism. *MFS: Modern Fiction Studies* 57 (4): 695–714.
- Ngai, M. 2004. *Impossible Subjects: Illegal Aliens and the Making of Modern America*. Princeton: Princeton University Press.
- Ngai, M. 2007. Birthright Citizenship and the Alien Citizen. *Fordham Law Review* 7 (5): 2521–2530.
- Ortíz, R.L. 2007. Arturo Islas and the “Phantom Rectum”. *Contemporary Literature* 48 (3): 397–422.
- Padilla, Y. 2009. Felix Beyond the Closet: Sexuality, Masculinity, and Relations of Power in Arturo Islas's *The Rain God*. *Aztlán: A Journal of Chicano Studies* 34 (2): 11–34.
- Sánchez, M.E. 1990. Arturo Islas' *The Rain God*: An Alternative Tradition. *American Literature* 62 (2): 284–304.
- SCOTUS (Supreme Court of the United States). 1967. *Boutilier v. Immigration and Naturalization Service*. 387 U.S. 118. 118-135. No. 440.
- Somerville, S.B. 2005. Sexual Aliens and the Racialized State: A Queer Reading of the 1952 U.S. Immigration and Nationality Act. In *Queer Migrations: Sexuality, U.S. Citizenship, and Border Crossing*, ed. E. Luibhéid and L. Cantú Jr. Minneapolis: University of Minnesota Press.
- Stein, Marc. 2010. *Sexual Injustice: Supreme Court Decisions from Griswold to Roe*. Chapel Hill: University of North Carolina Press.



**José A. de la Garza Valenzuela** is Assistant Professor of English and a faculty affiliate in the Center for Women, Gender, and Sexuality Studies at Florida Atlantic University. He received his PhD from Miami University in Oxford, Ohio, and spent a year as a Chancellor's Postdoctoral Research Associate in the Department of Latino/a Studies at University of Illinois at Urbana-Champaign. His early research on Arturo Islas has been previously awarded the Frederick A. Cervantes Premio by the National Association for Chicana and Chicano Studies. He is also a fellow in the 2018–2020 cohort in Duke University's SITPA initiative. His work focuses on Latina/o/x literature and migration with attention to how the law negotiates the possibility of queer access to citizenship. He is currently at work on "Impossibly Here: Citizenship, Sexuality, and Gay Chicano Fiction," his first book-length project.

