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# Moral panic as racial degradation ceremony: Racial stratification and the local-level backlash against Latino/a immigrants

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## Abstract

State- and local-level ordinances attempting to ‘crack down’ on undocumented immigration have been proliferating across the United States. Hazleton, Pennsylvania’s Illegal Immigration Relief Act (IIRA), passed in 2006, was one of the most visible of these laws. Using the events leading up to the passage of the IIRA as a case study and integrating racial stratification and moral panic theories, I conceptualize passage of this punitive law as a *racial degradation ceremony* performed in the wake of allegations of a Latino-on-white homicide and amid local demographic shifts and economic decline. Specifically, by comparing local media coverage of two homicides committed in Hazleton (one that led to the passage of the IIRA, a second that was far less impactful) and studying official discourse at city council meetings where the ordinance was introduced and passed, I find that officials relied heavily on the racialized tropes of the war on crime in constructing an ‘illegal’ immigration ‘problem’, thus degrading the city’s new immigrants, symbolically uplifting the white majority, and in turn reaffirming the racial order.

## Keywords

Hazleton, immigration, moral panic, Pennsylvania, racial stratification, war on crime

In the summer of 2006, the small city of Hazleton, Pennsylvania was at the epicenter of the US immigration debate when it passed the Illegal Immigration Relief Act (IIRA), an ordinance that would punish landlords who rented to undocumented

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immigrants, businesses who hired undocumented immigrants, and make English the official language of the city. The former coalmining town garnered considerable attention for its unique local response and helped kick off a parade of state- and local-level ordinances seeking to ‘crack down’ on undocumented migrants (see Varsanyi, 2010), leading former CNN host and anti-undocumented immigrant zealot Lou Dobbs to declare ‘Hazleton, the community, is leading the battle against illegal immigration’ (Media Matters, 2007).

Seeing as though Hazleton is an important site for helping us understand both the recent proliferation of anti-immigrant ordinances in the USA and the contours of racialized backlash more generally, I examine in this article the events that led to the passage of the IIRA. Specifically, I reveal how officials relied on entrenched racial anxieties and symbolic war-on-crime-era linkages between racial minorities and criminality to construct a moral panic over undocumented migrants and ultimately pass this punitive law (see also Esbenshade et al., 2010). But by placing the moral panic in the context of distinct local experiences with economic shifts and attendant racialization, my bigger contribution is to cast passage of the IIRA as an instance of *racial hoarding* (Haney López, 2010). This was not just a run-of-the-mill moral panic (e.g. Goode and Ben-Yehuda, 1994). When viewed more explicitly in the context of *racial stratification* – that is, when we ‘[move] the conversation on racism forward by introducing an often neglected element: the extent to which race serves as a means toward larger interests’ (Haney López, 2010: 1039) – I argue that racialized moral panics such as the one I describe here represent veritable *racial degradation ceremonies* – to slightly alter Harold Garfinkel’s (1956: 420) classic phrase – that do the racist work of transforming a group’s ‘total identity into an identity lower in the . . . scheme of social types’ with the explicit purpose of misallocating resources to refortify existing racial hierarchies. In this case, the amendable tropes of the war on crime rose to the surface in downtrodden Hazleton in response to a perceived racial threat, leading officials to depict new Latino/a residents as ‘second class citizens’ and white Hazletonians as virtuous victims of undocumented immigrant criminality and burdensomeness thus justifying and in turn strengthening the local racial order.

I begin by situating the Hazleton case within a theoretical framework that integrates moral panic<sup>1</sup> (e.g. Cohen, 1972) and racial stratification theories<sup>2</sup> (Haney López, 2010; Massey, 2007; Tilly, 1998). I then turn to my case study, where my analysis proceeds in two parts. First, I contrast local media reporting on two homicides: the murder of a Latino Hazleton resident committed by another Latino man, which prompted minimal response, and the subsequent panic-inciting murder of a white Hazleton resident allegedly perpetrated by two undocumented Latino migrants. I then analyze the discourse employed by officials at Hazleton City Council debates over the IIRA, noting how the moral panic was carried forward in a way that allowed for the accomplishment of Latino/a degradation via the construction of new local notions of social belonging and exclusion. I conclude with a discussion of how this research contributes to theory and to debates surrounding immigration politics and the continued relevance of the war on crime.

## Moral panic as racial hoarding

Bringing the work of Douglas Massey (2007) and Charles Tilly (1998) to bear on the politics of race, crime, and injustice, Ian Haney López (2010: 1040) contends that the war on crime and attendant mass incarceration can be understood from the vantage point of *racial stratification*, which is perpetuated by *exploitation* – ‘when people in one social group expropriate a resource produced by members of another social group’ (Massey, 2007: 6) – and *opportunity hoarding* – where ‘beneficiaries do not enlist the efforts of outsiders but instead exclude them from access to relevant resources’ (Tilly, 1998: 91).

More specifically, for Haney López (2010: 1041), the war on crime is perhaps the most obvious instance of contemporary ‘racial hoarding’ in that it is ‘principally concerned with protecting the wealth, power, and prestige already secured’ through profit, politics, population control, and group degradation. For example, the increasing privatization of prisons has produced tremendous profit at the expense of marginalized communities of color. With mass imprisonment and felon disenfranchisement laws still on the books, voting power is still unevenly distributed along racial lines. And, as Loïc Wacquant (2009: 195) points out, prisons have served as ‘surrogate ghettos’, providing the ‘organizational means for the capture and management of a population considered contemptible and expendable’. In short, racism is ‘not simply . . . an emotional eruption, efficient shortcut, cognitive habit, or institutional tic, but . . . a central means of ordering and rationalizing the distribution of resources, broadly conceived’ (Haney López, 2010: 1040).

My focus here is on the cultural processes that enable racial hoarding – what Haney López terms *group degradation* – and my goal is to integrate racial stratification and moral panic theories in a way that helps explain the recent proliferation of local-level ordinances targeting racialized immigrants. In particular, I argue that racial hoarding adds to moral panic theory a heightened emphasis on *racial motive* and *racial threat*. Also, given that local-level action on the issue of immigration has been diffuse and taken various forms – some locales have passed Hazleton-style laws while other have taken a ‘pro-immigrant’ stance – I seek to add nuance to Haney López’s analysis, which is national in scope. Following recent criminological scholarship which importantly points out that local-level realities are ‘much more complicated, uneven, and obscure than the discussion of national trends allows’ (Barker, 2009: 6), I argue that in specific local contexts where racial threat is perceived, the discourse of the war on crime may be mobilized by opportunistic local politicians seeking to lead their constituents in the hoarding of resources.

### *Beyond an ‘overblown social reaction’*

*Racial motive.* Regarding motive,<sup>3</sup> the theoretical integration I propose allows the concept of moral panic to retain its Durkheimian roots – the time-tested observation that collective response uplifts the majority and demeans ‘outsiders’ (e.g. Erikson, 1966) – while adding an acknowledgment that ‘racism is a means by

which society allocates privilege and status' (Delgado and Stefancic, 2001: 17). Haney López explains his conception of group degradation and illustrates this point quite well by referencing Bennett Capers' (2009) work on policing and segregation. Studying law-abiding racial minorities who are subject to police 'stop and frisk' policies, Capers (2009: 68) reveals that although such subjects are often let go following a brief explanation for their presence on presumably 'white space', these seemingly innocuous stops represent a 'public shaming' for people of color while bestowing white onlookers with a sense of belonging, thereby '[misallocating] social presumptions about criminality and law-abidingness' (Haney López, 2010: 1047). What we glean from Capers' work, then, is not just *that* police disproportionately stop minorities. More viscerally, these disproportionate stops fall '[within a larger pattern of] microaggressions – stunning, automatic acts of disregard that stem from unconscious attitudes of white superiority and constitute a verification of black inferiority' (Davis, 1989: 1576; Haney López, 2010: 1023).

Crime politics are thus, at their core, 'conflicts over status, over the cultural meanings tied to racial categories' (Haney López, 2010: 1048). The same can be said when degradation occurs in the context of a racialized moral panic. Yet by focusing almost exclusively on the 'exaggerated response' and 'overblown social reaction' (Garland, 2008: 18), moral panic studies often fail to acknowledge the importance of such 'displaced politics of group relations and status competition' (Garland, 2008: 11). Viewing moral panic from the context of racial stratification allows us to overcome this deficiency, seeing moral panics not as static or short-lived but as purposeful, productive collective acts whose 'cumulative effect can be to create social divisions and redistribute social status...that persist long after the initial episode has run its course' (Garland, 2008: 16). Integrating racial stratification with moral panic thus heightens our emphasis on racial motive, allowing us to conceptualize racialized panics more appropriately as *racial degradation ceremonies* – symbolic, racially motivated collective acts that reassert notions of white superiority in the name of racial hoarding.<sup>4</sup>

**Racial threat.** A racial stratification perspective also adds to the moral panic literature by acknowledging the existence of perceived racial threat. With a few key exceptions (e.g. Hall et al., 1978), moral panic studies are usually intent on 'describing and analyzing the "what" and the "how" of the moral panic...[neglecting] the "why" question: why the panic happened when it did' (Jefferson, 2008: 114). But 'why' questions are often paramount: Why was this particular group the subject of a moral panic? Why did the moral panic take place when and where it did? In emphasizing that the prejudice at the root of the panic stems from '[the dominant group's concern] with its position *vis-à-vis* the subordinate group' (e.g. Blumer, 1958: 4), racial stratification theory is thus essential for bringing such 'why' questions to the forefront. As a vast empirical literature demonstrates, it is often the perceived encroachment of racial minorities – large-scale demographic shifts, economic hardships experienced by the majority, and real or alleged minority-on-white crime (e.g. Garland, 2005; Quillian, 1995) – that triggers social upheaval.

Whereas the sort of group degradation Capers' work highlights pertains to the day-to-day maintenance of the racial hierarchy, moral panics, characterized by a hysterical response and a collective sense that the existing social order is in jeopardy, can thus be understood as more urgent attempts to fortify hierarchical structures that are perceived to be crumbling.

### *Latino/a degradation*

*Immigration and racial hoarding in the United States.* Contemporary debates over immigration in the USA are illustrative of racial hoarding. Perceptions of hierarchical disruption are rampant and have led to unprecedentedly high levels of resentment toward Latino/a migrants and a string of hostile immigration laws. Two structural shifts have fueled these perceptions: a record number of immigrants, most of whom are Latino/a, are arriving in the USA while native-born, working class whites are confronting the substantial economic challenges that have accompanied neoliberal globalization. As Kitty Calavita (1994: 64–65, emphasis in original) explains:

[T]he structural transformations in the economy that reproduce a continued demand for immigrants *at the same time* contribute to restrictionist sentiment. As Americans encounter increasing economic uncertainty, they direct some of their anxiety and hostility toward immigrant newcomers, whose numbers are increasing just as meaningful economic opportunities are dwindling.

According to Charles Tilly (1998: 94), 'a correlation . . . exists between elite position and exploitation, between nonelite position and opportunity hoarding'. Thus while the exploitation of immigrant labor represents a key site for the recreation of the racial hierarchy (elite exploiters at the top, exploited laborers at the bottom (see Massey, 2007)), non-elites – in this case, working class whites – not surprisingly turn to exclusionary discourse (i.e. racial hoarding) in times of economic need to secure their position on the racial totem pole.

In this context, it is no wonder that narratives and policies which criminalize Latino/a migrants have enjoyed widespread support. As Leo Chavez (2008: 2) illustrates, a Latino Threat Narrative has burgeoned which accuses Latino/as of 'destroying the American way of life' and has its roots in the desire to keep this group out of the imagined American community. Doris Marie Provine and Roxanne Lynn Doty (2011: 263), in analyzing federal immigration enforcement policies, similarly conclude that criminalizing immigrants is a *racial project* in that contemporary policies mark 'a racialized other as unworthy of membership'. Contributing to this project is a vast network of groups with national reach such as the Federation for American Immigration Reform (FAIR) who have drafted and pushed blatantly anti-immigrant legislation. FAIR in particular has been designated by the Southern Poverty Law Center as a hate group whose founder has been quoted as saying: 'As Whites see their power and control over their lives declining, will they simply go quietly into the night? Or will there be an explosion?'

(Southern Poverty Law Center, 2012). In short, recent efforts to ‘get tough’ on violators of immigration law represent group degradation in its purest form: they reconstruct American identity with the goal of keeping encroaching Latino/a migrants ‘in their place’.

*Explaining local-level upheaval.* But economic shifts are unevenly experienced across locales, and, according to the perspective I advance here, it follows that resentment is too. While some municipalities have survived or even thrived in the neoliberal climate, Hazleton has been devastated. Its mostly white, working class population has experienced economic uncertainty as low-paying, temporary jobs quickly replace the well-paying, stable employment residents had grown accustomed to (Fleury-Steiner and Longazel, 2010; Longazel and Fleury-Steiner, 2011). Prior to 1980, according to Pennsylvania Department of Labor & Industry statistics, the number of manufacturing jobs in Hazleton’s Luzerne County was consistently above 40,000. By 1990, that number dropped to below 30,000; it was only about 25,000 in 2000, and most recent figures suggest less than 20,000 Luzerne County residents work in the manufacturing sector. And of Hazleton’s recent industrial acquisitions – notably, Cargill Meat Solutions – most provide jobs that are either low-skilled, low-paying, temporary, or all of the above. Add to these economic changes a startlingly rapid demographic shift – Hazleton’s population was 95 per cent white at the time of the 2000 census, 37 per cent Latino/a in 2010 (Katchur, 2011) – and the allegations of a Latino-on-white homicide that I describe below, and it should not be surprising that racial fears have surfaced in this particular locale.<sup>5</sup>

*Racial emulation.* Charles Tilly (1998: 10) identifies *emulation* – ‘the transplanting of existing social relations from one setting to another’ – as a key mechanism for generalizing the influence of opportunity hoarding. It follows from a racial stratification standpoint, then, that the already established narratives and laws that enable racial hoarding on more national levels – which in this case include the prevailing Latino/a Threat Narrative, the symbolic linkages between drugs, violence, and people of color that have driven the war on crime (Beckett, 1997), and already-drafted discriminatory ordinances that are ready for local adoption at a moment’s notice – are available to opportunistic local politicians seeking to lead their racially defensive constituents in an effort to hoard resources. In other words, mechanisms that have enabled racial hoarding on more national levels provide cultural and legislative resources to racially aggrieved communities such as Hazleton.<sup>6</sup>

Such attention to particular local conditions is useful for reconciling Haney López’s contention that the war on crime has engendered racial hoarding with questions regarding the continued relevance of the war on crime (i.e. Frampton et al., 2008). Indeed, seen through the lens of locally scaled racial stratification, the war on crime, like previous modes of racial oppression that were intertwined with criminal punishment (see Garland, 2005: 830), appears less linear, less



all-encompassing, and more ‘situational and contingent . . . [surfacing] in situations where dominant groups feel threatened and insecure’. This will become especially obvious as I present my case study of Hazleton that depicts officials in an economically bruised and demographically changing locale dismissing a law and order orientation when a Latino man murders another Latino man but wholeheartedly embracing the discourse of the war on crime following the murder of a white resident.

### **‘The straw that broke the camel’s back’**

My analysis proceeds in two parts. First, to highlight the extent to which race drove the moral panic that led to the passage of the IIRA, I compare local media coverage of two homicides. The first is the murder of Derek Kichline, a white Hazleton resident who was allegedly killed by two undocumented Latino men. This crime, more than any other event, was responsible for the passage of the IIRA. Hazleton Mayor Lou Barletta frequently refers to it as ‘the straw that broke the camel’s back’ (Mocarsky, 2007). In the second case a Latino man, Julio Calderon, was murdered by another Latino man, Jose Sanchez. Although it was far less impactful, this case was factually similar and serves as a useful comparison to the Kichline murder. The rationale here is that if the social reaction were only about crime, we would see two very similar responses to two very similar homicides. The very different response that unfolds – relative calm in one case, sheer panic in the other – suggests that crime independent of race is insufficient for understanding why Hazleton erupted into backlash.<sup>7</sup>

Several important studies have similarly revealed disparities in reporting and the representational interconnectedness of race and crime (e.g. Chiricos and Eschholz, 2002), but my goal is to take this line of inquiry a step further, extending my analysis from disparate reporting to the accomplishment of Latino/a degradation. In the second portion of my analysis, I thus move temporally beyond media reports, analyzing the discourse of public officials at the Hazleton City Council meetings where the ordinance was first introduced (15 June 2006) and eventually passed (13 July 2006).<sup>8</sup> Here I show how the implications of a single criminal incident were amplified to make new Latino/a residents in Hazleton appear inferior.

### *The cases*

Two men allegedly shot Derek Kichline at close range as they walked past his home just before midnight on 10 May 2006. Kichline, a 26-year-old white lifelong resident of Hazleton, died hours later from the gunshot wound. Police charged Pedro Cabrera and Joan Romero, two 23-year-old undocumented Latino immigrants who resided in Hazleton at the time, with the murder; but due to evidence complications, prosecutors eventually dropped the case.<sup>9</sup> Official reports did not offer a motive, although authorities declared on several occasions that the event was



not random. Other crimes involving firearms were committed in Hazleton around the time of the Kichline homicide. Although these events were unrelated to the murder, they helped shape coverage of the case.

On 20 October 2005 Julio Calderon, a Latino man, was killed by Jose Sanchez, an acquaintance who is also Latino. According to police affidavits, Sanchez had struck Calderon's wife following a dispute over a borrowed vehicle. Fearing retaliation, Sanchez shot a fleeing Calderon three times in the back, leaving him for dead in broad daylight in downtown Hazleton (Gregory, 2005). Much like the Kichline case, other crimes involving firearms occurred in Hazleton in temporal proximity to the Calderon murder. And although its impact was minor in comparison, this case also had a high local profile (given the relative infrequency of homicides in this small city, this is expected – Uniform Crime Reports list only four homicides, these cases included, from the period of January 2000 until May 2006). Hazleton's primary local newspaper, the *Standard-Speaker*, named the Calderon homicide the top news story of 2005 just as it named the Kichline homicide the top story of 2006. The murders of Derek Kichline and Julio Calderon, in short, possess a number of similarities with the key difference being the race/ethnicity of the victim and the citizenship status of the (alleged) assailant(s).<sup>10</sup>

### *Analysis: A tale of two homicides*

*The initial reaction.* The identification of Calderon's slayer sparked two front-page articles in the *Standard-Speaker*. The first begins with a non-judgmental, race-neutral tone: 'Hazleton city police identified the man suspected of shooting another man to death at a busy intersection one block away from Broad Street Thursday afternoon' (Ragan, 2005). This tone persists as reporters and their sources take steps to disassociate this offense from the broader cultural imagery of the war on crime – namely, the symbolic linkages between drugs, gangs, and 'dangerous' minorities. A declaration is made that drugs and gangs were not involved, and, as such, the event was made to appear as a random incident rather than an emerging local problem: '[Hazleton Police Chief Robert] Ferdinand emphasized that the shooting was not drug- or gang-related and that it could have happened in any city, town or borough' (Ragan, 2005). Since it was not 'that' type of crime, residents are further consoled: '[R]esidents should not feel unsafe because of the shooting' (Ragan, 2005) the police chief said, to which Mayor Barletta added: 'The public should not take this as a reason to fear for their own safety' (Ragan, 2005). Reaction to the case did lead to calls for increased law enforcement, but these calls were vague and unfocused.

Twice as many articles (four) appeared on the front page of the *Standard-Speaker* the day after Kichline's alleged killers had been charged. From the start, in sharp contrast to the Calderon case, the articles had a judgmental and racialized tone. The lead article – titled, 'Cops: Men in Country Illegally, Dealt Drugs' – began by announcing, 'A pair of 23-year-old men who are illegal immigrants were

charged Tuesday with the murder of a Hazleton resident that occurred six days earlier' (Jackson, 2006a).

Unlike the generic opening line in the prior case, note the emergence of a clear 'us'/'them' binary as racially coded language (i.e. 'a Hazleton resident'; 'illegal immigrant') juxtaposes insider/outsider. The next sentence further emphasizes the alleged offenders' citizenship status and connects it to their criminal history – specifically their prior involvement with drugs – thereby pulling from a larger cultural repertoire about what constitutes a 'dangerous' offender: 'Joan Romero and Pedro Cabrera lived together . . . [and] came to the United States illegally from the Dominican Republic and were heavily involved in drug dealing before their arrests' (Jackson, 2006a).

Whereas officials were silent about other local crimes occurring in temporal proximity to the Calderon case, here they placed particular emphasis on unrelated incidents. Doing so further strengthened the immigrant–crime nexus, allowing the homicide to appear as part of an undocumented immigrant 'crime wave'. Reports thus send a clear message that a threatening group of drug-using, gun-firing, gang-banging 'illegals' has infiltrated the city:

a man whose vehicle police stopped at Hemlock and Laurel streets on Thursday night was charged with possession of crack cocaine. Police also found crack cocaine and marijuana inside the trunk of a car that they stopped on Friday night near Pine and Maple Streets. While looking into the murder, police also gained evidence that led to the arrest of two boys, one 14 and the other 17, for each firing guns at the Pine Street Playground on Friday. The younger boy tried to hide four bags of cocaine in his mouth when arrested, and might be in the country illegally and faces deportation, police said. The playground incident was not related to the murder, but police said both boys are involved in gang activity. (Jackson, 2006b)

Officials went on to put the case into the context of the national-level immigration debate, evoking the pathological imagery typically associated with the US–Mexico border. The lead article pointed out: 'The Romeros and Cabrera were charged one day after President Bush announced a five-point plan for securing America's southern border and dealing with people in the country illegally.' A second front-page article had the title: 'Ferdinand: Time to Seal Off the Border.' This article solidified the alleged assailants' status as 'dangerous outsiders' by recounting their criminal history, mentioning that they spoke Spanish, and noting numerous times that they were 'born in Santo Domingo and lived in New York City *before coming to Hazleton*' (Jackson, 2006c, emphasis added). The underlying message was that Kichline was one of 'us' and his victimization is a cue that dangerous 'outsiders' had made their way into once-safe Hazleton. Barletta communicated this perception most pointedly, likening undocumented immigrants to a deadly, invasive disease: 'once they cross the border, they don't stay long. They come into cities such as Hazleton. It's like a cancer' (Jackson, 2006c).

Given the perceived ‘invasion’, officials began making calls for a ‘get-tough’ approach. They showcased their agenda in a third front-page article titled ‘Police Plan to Continue Intensive Patrols.’ ‘You are only going to see more,’ Ferdinand asserted, referring to the arrests of Romero and Cabrera. Barletta told reporters ‘people won’t even be able to spit on the sidewalk without worrying that a police officer will stop them’. Rather than being vague, these efforts were innovative, targeted (e.g. ‘the mayor said he wants to use video cameras to watch high crime areas’), and had obvious racial undertones. District Attorney David Lupas’s musing ‘[t]hey use a lot of street names’, is a case in point, as was the promise that officials were willing to ‘use every resource to take back *our* streets’ (Jackson, 2006b, emphases added).

*The official response.* A press conference was the impetus for the second stage of reporting on the Calderon case. The continued message here was that this was an isolated event and things are under control. When other crimes that had occurred in the same week of the murder were mentioned, police attempted to console residents, assuring them that: ‘All shootings in these cases were directed at specific persons and were not random shootings. It’s important to realize that’ (Gregory, 2005). Calls for additional law enforcement did persist, but accompanying these calls was the hard truth that crime cannot be eliminated:

We hope the quick arrests made in these cases and the increased patrol activity shows citizens that although criminal activity can never be completely deterred anywhere, they are still being protected as well as possible by the Hazleton police. I would like to assure them that I don’t believe Hazleton was any less safe than it was. It’s unfortunate that we have these types of incidents that occur, but due to the nature of them, I don’t believe there’s any way to completely deter it. (Gregory, 2005)

Whereas coverage of the Calderon homicide conveyed a sense that all was well, the official response to the Kichline homicide suggested that the battle had just begun. The second set of articles to mention the Kichline murder was a series of reports covering highly dramatized drugs raids. While the raids did not target any individuals thought to be involved in the Kichline murder, the message here was that drugs are at the root of the unruliness the city has been experiencing and that aggressive law enforcement tactics are needed to restore order. The first line of the article set the tone:

Hazleton’s special weapons and tactics team, federal agents and state police troopers burst into homes and businesses in Hazleton and West Hazleton on Thursday looking for drugs and criminals. (Jackson and Gregory, 2006)

The clear target of the raids was the racialized drug user, as Mayor Barletta made clear when the *Standard-Speaker* quoted him as saying, ‘For anyone who thought we were kidding this is proof: This morning we took some drug-infested

criminals off the street' (Jackson and Gregory, 2006). Alongside such boastful remarks were cues regarding the ethnicity of those targeted by the raids. A list of suspects taken into custody featured names of obvious Latino origin, each followed by an alias. These names appeared in isolation without any information about the individuals or what they were being charged with. The sole purpose of their mention, it seems, was to imply without elaboration that the subjects of the raid were Latino.

*The community reflection.* After downtown business owners expressed worry that the Calderon homicide would deter customers from frequenting their stores, Mayor Barletta held a public meeting to reassure his concerned constituents. At the meeting, residents were told 'you can walk anywhere in Hazleton and feel safe' (Monitz, 2005). Rather than playing on the public's fears, the mayor uncharacteristically dismissed their worries as mere perception and invalidated linkages between Hazleton's new Latino community and violent crime. 'Out of the thousands of people who've come to Hazleton in recent years,' he said, 'only a couple hundred are bad people' (Monitz, 2005). His estimate may have been high, but his intent was clearly to foster calm, not incite panic.

This article uniquely included sources who were not officials, seeking also the opinions of local university professors. The result was a refreshing discussion about overcoming ethnic conflict and dealing with social change. Using their knowledge of local history, professors explained misperceptions about early Italian and Polish coalmining immigrants in Hazleton and cautioned residents about reliving this tumultuous past. Barletta, too, drew parallels between fears of Latino crime and unjustified fears associated with prior waves of immigration: 'Some people fear the Hispanic population . . . [but] the perceptions aren't much different than the established community's ideas from years ago' (Monitz, 2005). Those attending and reporting on this meeting discussed race openly and thoughtfully. They admitted that clouds of resentment may be drifting over the city, they were forthright about the irrationality of this antipathy, and they worked together to come up with ways of moving the city forward.

Reflections on the Kichline homicide did nothing of the sort. Coverage here came in the form of a lengthy investigative report that exposed the criminal history of one of the alleged perpetrators and questioned a judge's decision not to impose high bail when that suspect was arrested in the months leading up to the murder. This report's take-home message is that we could prevent tragic crimes if only the system were more punitive, especially when it comes to policing undocumented immigrants. As Barletta was quoted as saying at the conclusion of the article: 'Maybe we'd have had one less homicide had this guy been kept in prison' (Kelly, 2006).

*From incident to ordinance.* To sum up, when Jose Sanchez murdered Julio Calderon, a person of color, a law and order response was deemed unnecessary and the event was cast as little more than an unfortunate incident; but when the victim was a

white Hazletonian and the alleged offenders were undocumented Latino immigrants, a moral panic ensued. It should thus not be surprising to learn that officials took little further action on the Calderon homicide. Yet in the weeks following the Kichline murder, they continued to toil, hoping to find ‘something that we could do to protect ourselves in the form of an ordinance’ (Jackson, 2007a). Here again local officials turned to already established means of hierarchical fortification, choosing to adopt an ordinance previously drafted by ‘proud nationalist’ Joseph Turner of the California-based *Save Our State*. Turner had unsuccessfully pushed the same ordinance in San Bernardino, California with the hopes of warding ‘off the threat from inferior cultures who would turn ours into a “Third World cesspool”’ (Right Wing Watch, 2010). Making only minimal adjustments, Hazleton brought the Illegal Immigration Relief Act (IIRA) before council just weeks later, expressing no concern with its racist origins.

### *Analysis: The accomplishment of Latino/a degradation*

*Constructing the crime-prone ‘illegal’.* In his classic article on the ‘conditions of successful degradation ceremonies’, Harold Garfinkel (1956: 422) notes that in order for degradation to take place, ‘both event and perpetrator must be removed from the realm of their everyday character and be made to stand as “out of the ordinary”’. Picking up where coverage of the Kichline homicide left off, officials at Hazleton City Council meetings debating the merits of the IIRA did just that, magnifying the implications of a single criminal incident in order to portray undocumented immigrants as what Jonathan Xavier Inda (2006: 110) refers to as the ‘anti-citizen’. By relying incessantly on the phrase ‘illegal immigrant’ (and variations thereof, such as ‘illegal alien’), constructing this group as *inherently* crime prone and burdensome, and ignoring the dearth of evidence that would refute such claims, undocumented immigrants and Latino/as more generally were degraded, ‘constitute[d as] an undeserving class: a community of anti-civility that contravenes the post-social norms of proper conduct’ (Inda, 2006: 110).

Despite having no stipulations that targeted crime per se, the mayor was convinced that the IIRA would ‘eventually deter crime in Hazleton’ (Hazleton City Council, 15 June 2006):

I could tell you when illegal immigrants come to Hazleton, they are not sleeping at Lou Barletta’s house. We need to attack this differently than it is being attacked anywhere else in the country. That is, we need to attack the places where they may be employed or the place where they sleep. So I am asking the landlords to be our first line of defense.

Barletta’s shouting out orders and his usage of terms like ‘attack’ and phrases like ‘line of defense’ make clear that he has positioned himself as a local-level general in the war on crime – indeed, a *small town defender*.<sup>11</sup> He portrays himself as one who is hell-bent on keeping supposedly crime-prone undocumented immigrants out of

his territory at all cost and who is willing to employ local landlords as foot soldiers in his brigade. Without such efforts, he reasons further, the danger is that 'Anybody can walk into the city right now, give the landlord \$400, put their bags in a room and go shoot somebody in the head tomorrow' (Hazleton City Council, 15 June 2006). No longer was it only Romero and Cabrera whose behavior was questioned. Now officials portrayed *all* undocumented immigrants as capable of committing murder. 'Deprived of a place to live and without family or friends who live and work in Hazleton legally,' Barletta went on, 'other illegal immigrants may choose to look elsewhere when choosing a place to commit a crime' (Hazleton City Council, 15 June 2006). As he sees it, undocumented immigrant criminality is so entrenched that it is not a decision of *whether* but rather *where* this group will commit crime. As Councilman Joseph Yanuzzi stated even more frankly, 'if you are illegal you are a criminal, that is the gist here' (Hazleton City Council, 15 June 2006).

The irony is that officials employed such rhetoric without any data to support it. For Garfinkel (1956: 422), this is another hallmark of degradation: 'The unique, never recurring character of the event or perpetrator should be lost.' The police chief presented *no figures* to council about the extent to which undocumented immigrants were actually wreaking havoc on the city. Councilman Yanuzzi later admitted that local lawmakers:

did not receive or review any police reports, shift incident reports, crime data or statistics showing the numbers of crimes claimed to have been committed by illegal aliens . . . City Council heard only from Barletta, who asserted that illegal immigration increased crime. The only crime mentioned was the Kichline homicide. (*Lozano et al. v. City of Hazleton*, 2007: 18)

Indeed, when we look at the numbers, *Latino/a Degradation* – not a genuine concern for crime or public safety – seems to be the primary motive of the IIRA. Despite ruthless rhetoric from officials, the empirical reality is that from the time Latino/a migrants began arriving in Hazleton in 2000 until 2006 when the ordinance was passed, crime in Hazleton *did not increase*, echoing a 'scholarly consensus' regarding the relationship between immigration and crime (Lee and Martinez, 2009). Yet officials denied such realities in their efforts assert cultural superiority. Mayor Barletta has said publicly that 'one-third of all recent drug arrests in the City have involved illegal immigrants' (*Lozano et al. v. City of Hazleton*, 2007: 25–26) and has noted that '30% of the gang members that were arrested here in Hazleton were illegal aliens' (CNN, 2007). Yet only 10 of the 235 drug offenders arrested in the city between 2000 and 2006 were undocumented (4.3 percent) and only five *in total* alleged gang members were arrested in Hazleton between 1997 and 2006 (*Lozano et al. v. City of Hazleton*, 2007: 24).<sup>12</sup>

Aggregately, there were 1358 crimes reported in Hazleton in 2001, compared to 1397 in 2006 – a 2.8 percent increase in *incidence rate*. But when we take into consideration that Hazleton's population increased drastically during this time,



such figures show ‘the per capita crime rate *actually decreased in Hazleton*’ (Lozano *et al. v. City of Hazleton*, 2007: 20, emphasis added). And undocumented immigrants in particular are not nearly as criminogenic as the prevailing narrative suggests. Of the 8571 arrests made in Hazleton between 2001 and 2006, this group accounted for just 21 of all arrestees (Lozano *et al. v. City of Hazleton*, 2007). That is 0.25 percent.

*Extending the reach of undocumented malaise.* Officials further demonized the undocumented by blaming them for a host of the city’s other problems. Such complaints likewise lack empirical validity, and most of these ‘problems’ (i.e. the demand for Spanish language translation) have little or nothing to do with one’s immigration status. We can thus read these criticisms as subtle attempts to have this degrading narrative encompass all of Hazleton’s new Latino/a population. Through the course of the city council debates, ‘the nuisance of illegal immigration’ was blamed for, among other things: causing police to spend hundreds of hours of costly overtime investigating crimes, ‘creating a language barrier for city employees’ because of their ‘refusal to learn English’, being self-interested in demanding that documents be translated into Spanish, overcrowding schools, placing hardships on hospitals, burdening the city with the cost of translating documents and providing English as a Second Language (ESL) courses, and not paying taxes (Hazleton City Council, 15 June 2006, 13 July 2006).

*Redefining belonging in ‘small town, USA’.* The move from incident to ordinance also did the work of bestowing local whites with a sense of belonging as the actual, discrete victimhood of Derek Kichline was transferred to a more general victimhood that encompasses the racial community writ large (i.e. a generic ‘us’). In other words, the demonization of Latinos was ‘clarified by the references it bears to its opposite, the sacred’ (Garfinkel, 1956: 423). The underlying message was not just that *Hazleton is being destroyed* but also that it *deserves to be protected*. The not-so-subtle message of Mayor Barletta in a bulletproof vest at the second council meeting perhaps captures this best. Barletta sees it as his duty as the leader of a city under siege to keep ‘his people’ (i.e. the white working class) safe from the threat posed by supposedly lawless newcomers:

I am the Mayor of Hazleton. I swore an oath to protect the residents of this city – the legal residents of this city. When people are gunned down outside their homes, I cannot sit by and wait for a solution. When residents are afraid to walk down the street, I cannot ignore their complaints. When children – children – are afraid to go to a playground, I must act. (Hazleton City Council, 13 July 2006)

His depiction of seemingly innocent, virtuous residents conjures up not only a particular image of the murder, but also a particular image of the lifestyle undocumented immigrants have allegedly corrupted. We see this again when Barletta later expresses that it is his wish for ‘their’ criminal behavior to be kept outside the



confines of 'his' city – it should not be happening *here*. 'Hazleton is small town, USA. We are an All-American City. We are a place where people should be able to raise their families free of fear.' He echoed this point in comments he later made to the US Senate when he testified that Cabrera and Romero 'should never have been in this country in the first place, *let alone in Hazleton, Pennsylvania*' (US Senate, 2006, emphasis added).

The tragedy caused by undocumented immigrants for Barletta thus extends beyond Kichline's individual victimhood to include all white residents of the city: 'They eventually migrated into Hazleton, where they helped create a sense of fear in the good, hardworking residents who are here legally' (Hazleton City Council, 15 June 2006). Even drug abusers – a contingent who typically occupy the position of town deviant – are seen as being victimized by this incessant undocumented immigrant 'invasion'. In response to accusations that he is a political opportunist and that his proposal of the ordinance was racist,<sup>13</sup> Barletta again depicted Hazleton as a city devastated by an 'illegal alien' barrage:

I am personally offended by those accusations, not because they insult me, I am offended because they insult the children who are no longer allowed on the Pine Street Playground... They insult the fathers and mothers, brothers and sisters, sons and daughters, of those in our community who are addicted to the drugs sold by illegal immigrants. (Hazleton City Council, 13 July 2006)

'*I don't need numbers*'. Only one of Hazleton's five bipartisan council members voted against the IIRA and he did so out of concerns with its legal durability. And whereas 'normally, council waits at least 10 days between the first and final readings of an act', in this case they 'approved all readings within three days' (Jackson, 2007b). This sort of consensus affirms the accomplishment of degradation, for '[i]f the denunciation is to take effect... the alternatives must be such that the preferred is morally required' (Garfinkel, 1956: 423). For council members in Hazleton, voting in favor of the IIRA was a no-brainer; being 'tough on crime' emerged as the commonsensical solution. As Yanuzzi remarked, 'there was a violent crime committed. That's all I needed' (Hazleton City Council, 13 July 2006). Of course, the minimal response to the violent crime committed against Julio Calderon exposes the fallacy of this statement and suggests that tough-on-crime discourse is indeed amendable and used primarily to serve racial ends. There was a violent crime allegedly committed by an undocumented Latino immigrant against a white Hazleton resident – *that is all Yanuzzi needed*. When asked about the questionable practice of moving forward so punitively without valid statistics to support his claims, Barletta further reveals the extent to which degradation takes precedence over any rational discussion about crime: 'When you have violent crimes committed, it takes away and chews at our quality of life. I don't need numbers... The people in my city don't need numbers' (Right Wing Watch, 2007).

## Conclusion: 'The straw that broke the camel's back' revisited

While it may very well be the case that the IIRA is never enforced – at the time of this writing, the ordinance is being challenged in court and its fate remains uncertain – I have shown that the politics surrounding its passage amount to a 'cultural battle over full and equal social citizenship' (Haney López, 2010: 1048). A single crime allegedly committed by two undocumented Latino migrants – a crime for which these men were *never even convicted* – was used as a rallying cry in Hazleton to redefine local notions of belonging and exclusion. Seen in this light, the 'straw that broke the camel's back' idiom takes on a new meaning. The reaction to the Kichline homicide, the proverbial straw, had little or nothing to do with public safety as officials suggested; rather, this case represents, far more viscerally, a *racial tipping point* – the last crossing of the racial threshold white Hazletonians would permit an encroaching population of Latino/as to make. With allegations of a Latino-on-white homicide added to increasingly bleak economic prospects for local white workers and rapidly changing demographics, existing arrangements appeared unable to continue to bear the load of white supremacy. By constructing a moral panic and degrading the Latino/a population with incessant complaints about their alleged criminality and burdensomeness, local officials effectively lightened that load, assuring that white-over-Latino/a arrangements would persist.

I see this research as making three primary contributions. The first is a theoretical integration of racial stratification and moral panic theories. Building on Haney López's (2010) application of racial stratification theory (i.e. Massey, 2007; Tilly, 1998) to contemporary crime politics, I have argued that moral panics can be understood as one of the key ways in which racial hoarding in the form of group degradation is accomplished. In adding to his trenchant analysis, which is national in scope, I presented an application of racial stratification theory that is more locally focused and depicts social position being reasserted through the swift and effective degradation of Latino/a migrants in one small city.

This theoretical integration advances the concept of moral panic as well. As I have discussed, studies employing the moral panic concept have not taken seriously the notion that '*racial categories arise and persist in conjunction with efforts to exploit and exclude*' (Haney López, 2010: 1027, emphasis in original). To that end, I have drawn attention to the importance of considering the racial motives that underlie moral panics and the perceived racial threats that provoke them.

The second contribution is to shed light on how immigration law and politics more generally contribute to the racialization of Latino/as, the social construction of whiteness, and the reaffirmation of racial hierarchies. Although only a case study, Hazleton is not alone. Hundreds of locales and a growing number of states have passed similarly hostile immigration laws (see Varsanyi, 2010 for a review), many of which were 'copycat' IIRAs passed in Hazleton's wake. I have shown here that at least one of these laws is racially tinged and I suspect many others are as well (indeed, see Sáenz et al., 2012). Careful analysis of the discourse

surrounding anti-immigrant backlash reveals that rather than serving the purpose of protecting public safety as supporters imply, such legislation *redefines who belongs*.

Understanding immigration law and politics from this perspective contributes to our understanding of national-level policies as well. In the United States specifically, we have witnessed many sweeping changes in immigration law and policy, many of which were justified by the assumption that immigrants are inherently crime prone (e.g. Provine and Doty, 2011). This, of course, is an empirical myth (Lee and Martinez, 2009), but what seems to be an irony becomes clear from the perspective of racial stratification. Anti-immigrant backlash, according to the perspective I advance here, can be understood as part of a larger process of determining citizenship (see also Chavez, 2008). Here I have focused on degradation, but racial stratification can help explain other trends in immigration law and policy as well. For instance, private detention facilities have been profiting tremendously from record numbers of detained Latino/a immigrants (e.g. Golash-Boza, 2009); politicians have been scapegoating immigrants in order to divert attention away from economic decline (e.g. Longazel and Fleury-Steiner, 2011); racialized Latino/a bodies are the subject of police stops (e.g. Romero, 2006); and exploitable populations are controlled by repressive immigration restrictions (e.g. De Genova, 2002; see Longazel, forthcoming for a review of how the criminalization of immigrants in the USA amounts to racial hoarding). In other words, when examining immigration law we must work diligently to unearth underlying racial motives, which although may now be covered by a color-blind façade, remain, as they have throughout much of US history, an important force driving immigration law and policy.

The third contribution is the revealing of some nuance in the nexus between race and the war on crime. Despite the local nature of the anti-immigrant backlash I described, I reveal here that neither the actual ordinance nor the narrative used to degrade Latino/as in Hazleton was homegrown. In this way, the local-level racialization of immigrants is connected to the broader, equally racialized, war on crime. The symbolic connections between drugs, crime, and people of color that have been forged through decades of 'tough on crime' politics in the USA (e.g. Beckett, 1997) as well as an already-existing adaptable law drafted by hardline anti-immigrant zealots, provided leaders of this racially aggrieved city with a set of tools that would enable the reassertion of local white supremacy.

This finding is particularly significant given questions about the continued relevance of the war on crime. The unsustainability of the penal industrial complex has become apparent and, as such, we have begun asking ourselves 'is this the end of the war on crime?' (Abramsky, 2010; see also Frampton et al., 2008). My research suggests that the answer to this question is a resounding 'no', but it also implies that we need to examine more carefully the war on crime's contours, particularly its relationship to race and to peripheral issues such as immigration. Just as David Garland (2005: 828) has pointed out in his analysis of the

discourses surrounding public torture lynchings, we see here too that ‘criminal punishment and racial oppression [are] intertwined’. While we may have doused some punitive flames, I have clearly revealed here that the fire is still burning in the realm of immigration and in particular local contexts. In this respect, the war on crime is alive and well; but this is not ‘total war’ (see also Barker, 2009). As the relatively calm reaction to the murder of Julio Calderon makes quite clear, the tropes of the war on crime are amendable and likely to arise on an ‘as needed’ basis when it is (in this case, locally) perceived that the criminalization of one group and the symbolic uplifting of another will fortify the racial order. Thus to speak of the ‘end’ of the war on crime in a way that implies a move toward more sensible criminal justice policies is to miss, as Garland (2005: 830) writes, ‘the degree to which the operation of ‘civilized sensibilities’ in punishment depends upon a series of prior social conditions’. Indeed, ‘insecurity, racism, and vengeance are powerful solvents in which refined sensibilities may easily dissolve’ (Garland, 2005: 830).

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### Notes

1. I draw here from Cohen’s (1972: 1) classic formulation of the moral panic concept, which defines moral panic as what happens when ‘[a] condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests; its nature is presented in a stylized and stereotypical fashion by the mass media; the moral boundaries are manned by ... right thinking people; socially accredited experts pronounce their diagnosis and solutions; ways of coping are evolved or (more often) resorted to; the condition disappears, submerges or deteriorates and becomes more visible.’
2. Haney López (2010) builds on Douglas Massey’s (2007) concept of ‘racial stratification’ which is an embellishment of Charles Tilly’s (1998) notion of ‘categorical inequality’. I focus most directly on Haney López’s work given his focus on race and its relationship to crime politics.

3. To clarify my use of the word 'motive': I do not mean to imply that particular actors are (per se) deliberately taking action on behalf of the racial group with which they identify. Following Michael Omi and Howard Winant (1986: 68–69, emphasis in original), I understand race in this article 'as an unstable and "decentered" complex of social meanings constantly being transformed by political struggle'. To that end, I see the social construction of a moral panic over the supposed criminality of undocumented Latino immigrants as connected to (and thus *motivated by*) a larger struggle over racial meaning. Indeed, '[s]uch contestation occurs today throughout American society: it takes place at the level of "personal" relationships . . . it exists in "objective" relationships such as work or political activity; and it occurs in cultural representations.'
4. Concern, hostility, consensus, disproportionality, and volatility have been identified as key features of moral panics (Goode and Ben Yehuda, 1994). I argue that if we are to take race and racial stratification seriously in the study of moral panic, we need to extend this model so as to be more cognizant of racialization.
5. It very well may be the case that we can understand the varying local-level responses to immigration through the lens of racial stratification. For example, some declining post-manufacturing cities such as Dayton, Ohio have passed decidedly *pro*-immigrant measures, suggesting that economic decline alone is not predictive of collective sentiments at the local level. While Dayton's economy may be struggling, its racial hierarchy is not being threatened; it has not experienced nearly the demographic shift that Hazleton has and the city remains very racially segregated. The research of Karthick Ramakrishnan and Tom (Tak) Wong (2010) is also instructive here. Although they did not include a variable measuring 'racial threat' generally, their multivariate analyses suggest that partisanship is the most important predictor of the passage of anti-immigrant legislation (i.e. conservative districts are more likely to pass laws resembling Hazleton's). I would contend that this does not necessarily counter the racial stratification perspective I am putting forth here. In fact, it may very well be the case that partisanship is a mere mediator of the relationship between racial threat and legislative action in the immigration arena. Hazleton, for example, had long been a Democratic stronghold but as of late has had a Republican majority in City Council. Indeed, the historical relationship between party affiliation and the politics of race would suggest that party does not necessarily predict sentiments but that these sentiments may be predictive of party alignment (e.g. Beckett, 1997).
6. In making this argument I do not mean to suggest that racism only materializes when such conditions are met. To the contrary, I acknowledge that the construction of racial meaning is an ongoing process. What I do claim is that these particular conditions are more likely to prompt responses that are more urgent, forceful, and extreme (i.e. moral panics).
7. One alternative explanation is that it was not race but rather the documentation status of the alleged offenders that was responsible for the varying reaction to the two homicides. This explanation is problematic for two reasons. First, it makes little sense to separate race and documentation status. Definitions of citizenship

have been linked to racial identities throughout US history (see Haney López, 1997). Second, as Jonathan Xavier Inda's (2006) trenchant analysis makes quite clear, the production of 'the illegal' as a political construct is a recent phenomenon that has been used to subordinate immigrants in much the same way as other tropes from the war on crime (e.g. drugs, gangs, etc.). Thus while it may be true that the undocumented status of the alleged perpetrators in the Kichline case bolstered politicians' ability to demonize Hazleton's Latino/a community more generally, it would be a mistake to say that their documentation status *independent of race* was responsible for the over-the-top response. The same can be said with regard to the alleged assailants' involvement with drugs as an 'alternative explanation' for the media frenzy. Here again, the social construction of drug use is made *in conjunction with* the social construction of race. The alleged perpetrator's prior involvement with drugs may have in fact strengthened the political response, but this is only because of the symbolic cultural linkages that exist, thanks to the war on crime, between drugs, crime, and people of color.

8. Audio tapes of the 15 June 2006 and 13 July 2006 Hazleton City Council Meetings were obtained, transcribed, and analyzed. Transcripts are on file with the author.
9. Because of a lack of evidence, the Luzerne County District Attorney dropped homicide charges against Pedro Cabrera and Joan Romero. Despite never being convicted (let alone tried), however, the local media covered the Derek Kichline homicide as though these men were in fact the offenders and so I analyze media coverage accordingly.
10. I limited my analysis of these two cases to articles published in the *Standard-Speaker* because no other newspaper covered them in sufficient detail. Using the NewsBank database, I searched all *Standard-Speaker* articles mentioning the names of the victim/offender of each homicide. Because my focus was on officials' use of racial typifications, I selected only articles appearing after the identification of a suspect and eliminated articles appearing more than one month following suspect identification as these articles tended to mention the crimes only in passing. Thus, the reporting analyzed here takes place prior to any determination of guilt or innocence in each case. In all, I studied six articles covering the Kichline case and five articles covering Calderon's murder.
11. This persona is clearly one that Barletta desired to project. The name of the website used to raise funds for the defense of the lawsuit filed against Hazleton is *Small Town Defenders* (<http://smalltowndefenders.com>).
12. The only exhaustive analysis of crime committed in Hazleton between 2000 and 2006 that exists to my knowledge was conducted as part of the legal challenge to the IIRA (see *Lozano et al. v. City of Hazleton*, 2007).
13. Barletta's aligning himself with community values and assuring his constituents that his actions are not for personal gain is indeed another condition of a successful degradation ceremony. According to Garfinkel (1956: 423): 'The success of the denunciation will be undermined if, for his authority to denounce, the denouncer invokes the personal interests that he may have acquired by virtue of the wrong done to him by someone else. He must rather use the wrong he has suffered as a



tribal member to invoke the authority to speak in the name of these ultimate values.'

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