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Rain of Gold's Prison Play: Identity Making and Maneuvering

William Henry Guajardo

A thesis submitted to the faculty of
Brigham Young University
in partial fulfillment of the requirements for the degree of
Master of Arts

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ABSTRACT

Rain of Gold's Prison Play: Identity Making and Maneuvering

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Critics mostly dismiss Victor Villasenor's 1991 *Rain of Gold*—the supposed biography of the author's father who enters the United States during the Prohibition era. Nevertheless, upon closer examination this narrative explores and erodes corroded human categories and racial reductions present in the Southwestern penal system. According to scholars in critical prison studies and critical race theory, the prison functions as a state-sanctioned method for prosecuting criminals and persecuting minority Americans. Juxtaposing *Rain of Gold* with these two areas of academic research, however, reveals that penitentiaries produce faulty and fallible notions of personhood that are, in part, responsible for the racialization and decimation that occur with incarceration. In resistance, *Rain of Gold's* protagonist challenges the carceral's ability to overdetermine identity by outmaneuvering criminal labels, redefining oppressive narratives and refusing to accept a dehumanized existence.

As a thirteen-year-old in the Tombstone penitentiary, Juan Salvador Villasenor preserves his dream of a better future. While criminals, especially Mexican American criminals, have little room for redemption or rehabilitation under state law, Juan carefully contradicts social normalization by learning to read *The Count of Monte Cristo*, escaping several cells and trumped-up criminal charges, and practicing the techniques of a successful bootlegger. Juan, then, changes the material condition of his life, and the lives of his family members, as he turns prison's identity play inside out.

Keywords: critical prison studies, Mexican American, social imaginary, Victor Villasenor

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TABLE OF CONTENTS

Critical Prison Studies: Cells, Terror and Race	5
Prison's Play: Identity Making and Maneuvering via Social Imaginaries	8
Rotten Roots: The Citizen's Savage Past.....	12
Racialization, Deracialization, Decimation	14
Radical Individualization: Domingo's Demise.....	19
Murder.....	21
Out-maneuvering Prison	23
Works Cited	31

In the poem “Immigrants in Our Own Land,” Jimmy Santiago Baca documents the dark strife of minority life, describing crime, punishment, violence and self-repulsion. Influenced by his time behind bars, Baca writes,

Some of the younger ones will become gangsters.
 Some will die and others will go on living
 without a soul, a future, or a reason to live.
 Some will make it out of here with hate in their eyes,
 but so very few make it out of here as human
 as they came in [...]. (62-67)

Just before this critical observation, Baca depicts the optimistic hopes still held by newly sentenced convicts. He writes that “counselors orient us to the new land / where we will now live” (8-9), where “counselor” is a significantly neutral term, connoting helpfulness, and where “new land” to a man of partially Mexican origin alludes to hopes felt by those crossing the border into the United States. Yet the poem’s title foreshadows irony, a rejection of the individuals who “talked about rehabilitation / about being able to finish school, / and learning an extra good trade” (21-23). The irony is that there is no rehabilitation, there is little learning of consequence, and there is no meaningful job training. In his cell, Baca proves to be an anomaly in learning to read and write; not many ex-cons become academics and award-winning authors (Estrada 1). Yet these achievements seem to have occurred in spite of, not due to, his confinement. Prison, he implies, is not as rehabilitative as it promises. Prison does not just confine the body, but infiltrates the mind and the fundamental sense of *being*—influencing the very core of human existence.

Disregarded among prison writers is Victor Villaseñor, whose oblique carceral motifs, if noticed at all, might be taken as overly optimistic about the dehumanization that Baca observed and criticized. For instance, in his national bestseller *Rain of Gold* (1991), Villaseñor allows the text's protagonist (supposedly Villaseñor's own father) to flee Mexico's revolutionary war into the United States, escape the Tombstone Penitentiary, evade additional sentences and arrests, ending happily ever after on a waterfront family ranch. If Juan Villaseñor indirectly suggests that his individual and unconventional Mexican American performance came simply because of self-asserted grit and determination, pessimists might dismiss the narrative as a rosy-lensed gloss over incarceration's troubling functions present in certain Mexican American enclaves and in certain minority-American communities more generally.¹ One might ask how such a seemingly trivialized prison portrayal could account for Baca's harrowing first-hand experience, as well as how such a narrative could open a window of understanding for scholars and academics to better comprehend the inmate's confinement. To provide at least a partial answer to this question, we would do well to dive deeper into the largely unexplored characters, situations and symbols of *Rain of Gold*, which offer a deceptively nuanced collage of punishment and confinement that eventually permeates the entire text when cops, crooks, and citizen close in to catch the young Juan Salvador Villaseñor and his family. Despite seemingly supernatural events present in the text, the author felt strongly enough about this narrative's authenticity that he bought the manuscript back from his first contracted publisher for labelling the text fiction, and eventually found a publishing house willing to acknowledge it as nonfiction. Out of this early controversy regarding the authenticity of the tale, *Rain of Gold* emerged in the eyes of some as not only "a literary reflection of the experience of countless Mexican immigrants to the United States" but also as "a history of a people—a tribal heritage."² While sometimes seen as inspirational, this

text may be read anew as slyly confrontational, yielding Villaseñor's veiled critique not only of the prison's purpose, but also of human essence as understood and theorized by certain veins of scholarship that will be addressed.

In approaching the prison apparatus with which *Rain of Gold* interacts, I draw upon a swath of landmark research relevant to Villaseñor's references to law, prison, punishment and human subjectivity for context, field overview and critique. An understanding of these secondary texts reveals a nuanced image of Villaseñor, whose various subplots and characters place the text in a position to juggle defeatist, reformatory and revolutionary prison perspectives capable of encompassing and even surpassing past and contemporary correctional thought. Placing *Rain of Gold's* methods of operation against a backdrop of critical prison studies and critical race theory allows a more holistic examination of the ensuing conventions and conversations. Ingrained in tropes of humanity and dehumanization, assimilation and exclusion, living and dying, this discussion invigorates *Rain of Gold's* efforts to reimagine the routes of redemption it attempts to assert. As this essay outlines, white or Anglo-inspired legislation and law enforcement has traditionally approached Mexican imprisonment through superimposing a criminal identity over racial identifiers. Despite the obviously bilateral influence of Greater Mexico in the southwestern U.S., the mere presence of Mexican heritage in this region becomes a sufficiently significant infraction as to warrant penalty, while whites or Anglos engaged in clearly nefarious activity have significant leeway, wiggle-room and resources to resist their rightfully incurred convictions. This position, which abuses privilege and authority by liberally identifying and oppressing a categorically excluded "other," in the late twentieth century invokes a postmodern concern with identity making, issuing and maneuvering amid what Louis Althusser would call repressive and ideological state apparatuses. While the New Historicists were particularly

prominent in the 1980s, I assert that their discussions of state punishment, the influence of power and the role of subject determination continue to echo through and inflect ontological prison discussions of the last decade in the increasingly critical need to understand dehumanization, both in *Rain of Gold's* 1991 publication date and beyond. This text is invested in exploring and eroding corroded human categories, racial reductions, and “wills to power” that seem to lead to bleak, suspicious readings and dead endings.³ While several critics and reformers have argued for the entire prison abolition due to its discriminatory procedures, or forewarned against the prison’s calamitous, but seemingly inevitable expansion, I instead suggest that at least part of the problem is that such positions focus primarily on defining or redefining the prison, instead of defining or redefining the contemporary notion of personhood with its ensuing implications.⁴ This discussion not only births *Rain of Gold* within the enduring racial and identity debates, it also permits these discursive contexts to suggest motivations for Villaseñor’s blend of fiction and nonfiction in destabilizing predictable notions of identity.

I conclude by taking *Rain of Gold's* one rosy character as a keystone illustration, one emphasizing the need to reconsider our current critical approaches to prison narratives and Mexican American inmates. To this point, much work has productively addressed the illegal legality present in the U.S judicial systems that function as black sites/war prisons that blot, or should blot, America’s name and character. Partially unaddressed, however, have been literary studies documenting individual-oriented maneuverings or outmaneuverings of the penitentiary’s gaping bars, not only in regards to physical freedom or containment, but also in identity politics. Variability, not rigidity, appears to precipitate distinct character outcomes, suggesting prison play capable of altering the way we approach *Rain of Gold* on issues ranging from racial identity representation to the nonfiction publication status. Just as coming to terms with a partial divorce

from the ideological stance of prison promises to complicate and restructure our understanding of the penal institution's sway over an individual, addressing this shift in orientation changes our understanding of individual potential in relation to identity determination, mass incarceration and systematic dehumanization.

Critical Prison Studies: Cells, Terror and Race

A key passage in *Rain of Gold* highlights the rising anxieties and doubts in critical prison studies. These anxieties surface around the shortcomings of Enlightenment ideals, which originally argued that prison punishment was noble and humane, especially when contrasted with continental monarch barbarity. Such beliefs did not endure, as Villaseñor's text reveals: "It was a dark, overcast day the morning that Salvador went to see [his brother] Domingo before he was shipped off to San Quentin" (511). They talk, reminisce and commiserate. Domingo reflects: "San Quentin, the prison especially made by the *gringos* for our people! [...] The whole prison is full of our people from Los Altos [...], don't worry, I'll serve this time for the both of us" (515). After this exchange, Domingo effectively disappears. His purpose thereafter is to take upon himself a sort of racial penalty, a Mexican penitence or offering to hopefully sufficiently appease the Mexican-hating *gringo* long enough to let Salvador slip off the judicial radar and live his life. In a sense, this incident responds to the concerns that caused the prison riots and protests during the 1970s over the purpose of the expanding prison-industrial complex (Gottschalk 10). What do prisons hope to accomplish? Scholars now toss the Enlightenment promise—of humane treatment, moral reawakening and social rehabilitation, effected through meditative solitude and motivational sermons—out the window.⁵ Responding to unsatisfactory

explanations, the critical prison studies scholar Lorna Rhodes summarizes other angles for insight:

[the] conflicts I describe here all reach back to specific historical moments: the birth of the modern prison in Bentham's utilitarian philosophy of punishment; the intermeshing of psychiatric and penal theories about the individual in the nineteenth century; the prison slavery of Reconstruction; the layers and layers of reform that promised to bring order to the penal systems of Europe and America” (14)

As illustrated, a scholar may argue about a hundred specific developments in carceral history, but Domingo sweeps aside theory oriented penology, utilitarian practicality and political promises to instead imply that prison is simply a state mechanism that enables race-based hatred and decimation when he says “the prison especially made by the *gringos* for our people.”

In light of prison's perversions, John Alba Cutler acknowledges the Gordian knot prisons have become, where “social theorists debate whether it should rehabilitate or punish” (162). Yet emerging from the thicket, he concludes that for Mexican Americans, carceral discipline intends to “destroy personhood” (155). Marie Gottschalk similarly discusses relatively recent historical trends, commenting that the “decade of the 1990s saw the greatest prison population increase in U.S. history,” setting the premise for the rise of the prison-industrial complex, or the political and capitalist entity that “create[s] new markets for law enforcement technology, provide[s] cheap labor for corporations, add[s] to the census of depopulated rural counties, disenfranchise[s] poor and minority people, and lower[s] official unemployment statistics” (10). So rehab dissolves into the “warehousing approach that—despite its physical resemblance to earlier prison experiments—does not rest on any gloss of self-transformation” (Rhodes 16). But in the

conversation referenced above, Domingo vents and rails against the legal system, revealing how discrimination led him to intensified retaliation. He recounts, “I’ve left children everywhere. Just like gringos have done to our women, I’ve done to theirs from Chicago to Texas and back again” (512-13). Far from transformation, as the intellectuals Michel Foucault and Christopher Glazek observe, prison instead seems responsible for Domingo’s deformation and perversion, hardening him into a more ruthless being.

In addressing the varied responses about the real material conditions of imprisonment, Megan Sweeney states that we “need further analysis of the possibilities and limitations of literature and the literary imagination as tools for challenging the hegemony of the prison” (709). Prison as hegemony is a concept on the rise even after *Rain of Gold*’s 1991 publication. Critical prison scholars Colin Dayan,⁶ Diana Taylor and Amy Kaplan note that hegemonic penitentiary power has led to abysmal conditions in U.S. war prisons abroad. As Taylor discusses, this war crime behavior abroad has made it back home, because through prisons the US government goes on an “extrajudicial power trip with no limits and no foreseeable end” (733). In light of such hegemonic penal systems, Domingo’s disparate dismissal of prisons as a *gringo*’s anti-Mexican manifestation of power begins to sound more rational than initially assumed. In the process, power and race dynamics, Sweeney implies, becomes bigger “forces that shape the penal imaginary and penal practices” (709) than we may have realized.

Critical race theory adds depth and dimension to prison studies by explaining the racial currents of mass incarceration, providing a basis for Domingo’s sweeping critique of the *gringos*. Mike Cole, for instance, takes his whole first chapter from his critical analysis of racism to discuss the Anglo racialization of Mexican people, and Richard Delgado and Jean Stefancic in the joint authored *Critical Race Theory: The Cutting Edge* question “neutral principles of

constitutional law” revealing the burden that prison sentences place on minority family members in the community (3, 123-24). As Delgado mentions in his own recently published book, prison sentences in the United States should be recognized as “punitive in orientation” (124). He seems to be right, but that position does not allow much maneuverability. Caleb Smith would nuance Delgado’s distillation by additionally noting penal paradoxes “between assimilation and exclusion, deracination and racialization, subject formation and abjection” (196). Against these dejected outcomes, *Rain of Gold* can not only speak to these paradoxes, but can also serve as a synthesizing springboard for the two broad categories of contemporary critical race scholarship: on the one hand, Villaseñor’s characters are concerned with those Delgado calls the materialist or “real world” school of criminal justice. On the other hand, these characters indirectly invoke the position of the discourse analysts who are “likely to examine the role of ideas, thoughts, feelings, unconscious discrimination, stereotype threat, and implicit associations and their implications for judicial reasoning” (140). As these scholars and critics suggest, critical prison studies and critical race theorists both grimly embrace a burgeoning field that has searched and must continue to search for weaknesses and pressure points present in prison walls.

Prison’s Play: Identity Making and Maneuvering via Social Imaginaries

Sweeney mentions the significance of “forces that shape the penal imaginary and penal practices” (709), but general imaginaries themselves can serve as an explanatory framework for their policies and procedures. Manfred Steger and Paul James explain that “imaginaries are patterned convocations of the social whole. These deep-seated modes of understanding provide largely reflexive, predetermined parameters within which people imagine their social existence—expressed, for example, in conceptions of ‘the global,’ ‘the national,’ ‘the moral

order of our time” (23)—in other words, an imaginary is a common set of values and attitudes that establish certain parameters within which individuals understand their engagements and interactions. Of course, defining the national “moral order” lies beyond the scope of this paper, but Steger and James’ definition aligns with the interests of the discourse analysts that Delgado describes. Juxtaposing the “deep-seated modes of understanding” along with “unconscious discrimination, stereotype threat, and implicit association and their implications for judicial reasoning” can grant access to the cognitive processes of hegemonic prison procedures, or, in other words, can open a portal for “exploring how cultural representation intersects with penal practices” (Sweeney 709). Such ethereal and abstract ideas do not simply feed concrete practices, however, for the relationship is bilateral and interreflective: national practices may expose national thoughts and vice versa. As Smith remarks, the “deepest allure of the prison as an object of inquiry is not its place in the history of crime and punishment but its function as a central institution in modernity’s redefinition of the human” (22). If “modernity’s redefinition of the human” is suggestive of a functioning American social imaginary, then prison policy actively reworks the social conception, and potentially even tries to justify penitentiary practice. While Smith ultimately focuses on the need to dismantle prisons proper—prisons being the root of punitive and corrosive dehumanization—I digress from his proposed culprit to argue that these imaginaries are themselves dependent upon precursory conceptions of personhood posited in terms of criminality and innocence, and that these forerunning notions not only have the capacity to explain regional racism along the US-Mexican border, but also can be traced to the root of problematic definitions for not just the Mexican individual, but any individual. The interplay present between the individual and the penal system generates categorical prisoners: individuals overwritten by the prison proper. In this scenario, the use of the prisoner has the potential to

inflict problematic implications of innate fallibility on the citizen to such an extent as to jeopardize an individual's redemptive potential.

Even as I point to influences on identity formation located deep below the social imaginary, several scholars hypothesize other sites for an individual's determination. First, Foucault's landmark *Discipline and Punish*, principally assumes near-total state power over an individual by containing the body and thereafter the soul—by which I mean the entire essence of a person. Evidence of such power appears in his generalization of Bentham's panopticon, originally intended as a feature of prison architecture deployed to ensure inmate surveillance. Yet for Foucault, this utilitarian mechanism represented a shift in "the history of the human mind" because it militarized the potential for constant social surveillance as an intimidation tactic to domesticate subjects (216). The panopticon promoted normalization, "one of the great instruments of power" (184), as intimidated individuals became self-regulated and state determined (167). For Foucault, it is a state's surveilling power that forms identity, not the imaginary behind the state's practice. However, this argument documenting processes of hegemonic procedures does not adequately account for *Rain of Gold's* description of multiple prison escapes and continued riotous and violent resistance during and even after arrest.

Glazek proposes another alternative, insufficiently suggesting that prisons determine, or rather irreparably damage, individual identity through abuse. He describes "the luckless minority, whose bodies are controlled, and defiled, by the state." Continuing, "[o]nce you go to prison" he says, "you never really come back" due to the "physical and mental horrors" suffered there. Glazek's demonization of the penal system is primarily based on the politicized mass-imprisonment of African Americans, making his work less applicable for literary scenarios, yet he does draw attention to prison as a sort of Petri dish that institutionally breeds hardened

criminals. This process acknowledges—and subtly reinforces—the hegemonic ability for states to determine subjectivity through violent damage and abuse.⁷

Cutler offers a third hypothesis for understanding identity formation, one contingent upon interpersonal relationality, which offers a site of resistance to state-control. Cutler borrows Warner's discussion of publics or the dominant social stance and counterpublics (86). Counterpublics are more than “what some Foucauldians like to call ‘reverse discourse’” or a merely oppositional position (86-87). He elaborates that in merely being defiant, social movements can only “acquire agency in relation to the state. They enter the temporality of politics and adapt themselves to the performatives of rational critical discourse. For many counterpublics, to do so is to cede the original hope of transforming, not just policy, but the space of public life itself” (89). So instead, Warner argues that the counterpublic is “not just strategic [or reactionary, we might say], but also constitutive,” reaching beyond politics to center on processes of “stranger-sociability and its reflexivity” (88). Cutler extends the counterpublic application, arguing that interpersonal relationships counteract the prison's downward assimilation (153). Cutler tailors the counterpublic, making it a space that restores pre-prison relationships to inmates, reminding them of the outside world, of their pre-criminal identity (whether through literature, letters, or face to face communication) which keeps convicts from going insane (155-56). In Cutler's case study, relationships allow Jimmy Santiago Baca to find “a space of encounter and transformation” in prison through written communication with non-prisoners (155-56, 170). Baca thereby resists domestication (Foucault) and degeneration (Glazek) by maintaining alternate networks and channels, allowing associates, not superiors, to mold identity. Yet Baca was keenly aware of a prisoner's “subordinate status”⁸; he is still operating within a system in which external forces and determiners dominate his existence.

A shortcoming, then, in prison ontology is how determining factors are always external and seem to commonly assume dehumanizing side effects. Inadvertently, such assumptions tend to place the penitentiary on a perverted, but powerful, pedestal. In recognizing this foe, Glazek calls for prison abolition and Smith says that “it is not the inmate but the prison, with its harrowing forms of resurrection, that must be sacrificed in order to be redeemed” (209). Each case focuses on the institution to such an extent as to overlook the potentials for a critique on the American imaginary that sustains the cell, for neither the penitentiary nor its legal codes are the primary perpetrator. Rather, the real entity at fault is the idea—rampant especially in *Rain of Gold*’s specific Anglo-American social imaginary—that mere living is punishable. We must, then, revisit these imaginaries, keeping in mind the nuances of their antecedent, ontological understanding of the human before directly critiquing the institutional extensions of these ideologies.

Rotten Roots: The Citizen’s Savage Past

Characters, situations and symbols present in *Rain of Gold* appear to leave watermarks traceable to the foundation of discriminatory social imaginaries present along the US-Mexico border. When the protagonist Juan Salvador Villaseñor started working at a mining company in the U.S., he stole micro amounts of ore with a friend to resell for extra cash after an unreliable relative gets drunk and runs off with two paychecks (213). Juan’s American buyer, however, turned out to be a company-hired plant ready to incriminate Juan and his friend: “They were immediately taken to town, tried, found guilty and taken to Tombstone, Arizona. ‘But I’m only twelve years old!’ screamed Juan” (214) as he received a six-year sentence (215). Juan, of course, is ridiculously young to be arrested, placed in a jailhouse with rapists, or whisked off to

prison, but he is sentenced nonetheless. The trial quoted above happens entirely in the passive tense, eliminating the face, name and figure of the judge or jury. Symbolically, readers are blind to those who pass judgement on Juan; similarly, those who pronounce the sentence were blind to Juan's age, character and intent: the severe penalty was oblivious to the severity of Juan's stealing. His minor infraction, occurring almost immediately upon entering the U.S., appeared to trigger a visceral reflex within the faceless mass of American society. After all, the Copper Queen mining company that hired the fake ore buyer seemed to anticipate Juan's minor deviation. This buyer, we may assume, loitered for a month before Juan slipped up, ready to respond instantly—suggesting that those managing the company entertained preconceived notions of Mexican disposition, one of inherent and complete guilt.

The binary guilty/non-guilty understanding of humanity links to Jean-Jacques Rousseau's thought behind the social contract's explanatory framework. He argued that the individual is a double figure, a savage until civilized. Only through control and discipline would change a "stupid, limited animals into an intelligent being and a man" (268); the natural, bestial figure had to be killed in order to become a being capable of abiding laws and entering contracts. As Theodor Adorno and Max Horkheimer similarly suggest,⁹ savagery precedes civilization, but the individuals can also regress to their prior condition, making this a dangerous binary for understanding humanity. Smith shifts the savage/civil dichotomy slightly substituting "coarse" for "savage," where "coarse" suggests a renegade that is even worse off than a savage. The coarse being is not a sort of premature human, but a subhuman—imprisoned, dejected, dismantled, suggesting that prisons undo civilization's progress (41). This myth of bestial origin follows the reasoning "dust thou art, unto dust thou shalt return," implying, in other words, that the state can take back what it granted—in this case, a civilized identity—leading to

subhumanized animals. This coarse being is worse off than the savage: prison's trapping and caging create the living dead—people unable to live, unable to die (Smith 28). Thus, Smith superimposes the coarse/civilized idea over the former savage/civilized binary, clarifying the imaginary's rationale: since all civilization carries a specter of sub-human origins, prisons only play an auxiliary role. The institution does not make mincemeat of inmates, it just uncovers what is already there, what bestiality was already poking through and supposedly interfering with “civil” society.

In contemporary times, sub-humanization adopts the term “criminal,” carrying a prerogative for mandatory punishment. The coarse or savage role blend into a new dichotomy between the citizen and the criminal. These categorical grouping are mutually exclusive: criminals do not have legal standing, and do not enjoy normal rights or privileges. The designation “criminal” in a sense is a political sense, incurred from breaking laws that are by nature politically legislated. Additionally, this binary can be racially manipulated when social imaginaries along the border considers Mexican immigrants or Mexican-Americans criminal en masse, spreading and engulf racial or ethnic communities incredibly quickly, triggering punishment often culminating in sentences.

Racialization, Deracialization, Decimation

While *Rain of Gold*, I will argue, takes issue with the citizen/savage and citizen/criminal binary reductions, it is important to note how the anti-Mexican social mentality carries through to fruition. Criminal identities are homogeneously lumped together under the assumption that the designation proves the character, and the character proves the designation in a mess of circular logic: a Mexican is a criminal, because Mexicans are criminal. Judges and officers then have

shortcuts: because “criminal” is supposedly deracialized and colorblind, but in actuality allows the prosecution of a whole community. Juan Salvador’s brother Domingo becomes a gruesome example of deracialization as a precursor to decimation as cops beat and scar him, physically stamping his face with criminal implications. We may examine the theoretical touchstones of Antonio Gramsci and John Alba Cutler for help in examining keys for interpreting Domingo’s demise and dismemberment.

Rain of Gold captures social moods that could be characterized as a specifically anti-Mexican social imaginary, full of wistful overgeneralizations and antagonistic moods. Initially, the anti-Mexican social imaginary homogenizes Juan Salvador and Lupe Gomez along with their entire families and Spanish-speaking communities. The law-enforcement officials do not bother distinguishing U.S. citizens, legal immigrants or undocumented Mexicans—“Mexican” for them is a vague but all-encompassing word. Because of Juan’s poverty, he breaks minor laws and once confesses for someone else’s murder in exchange for a hefty bribe (213-15). He is imprisoned but escapes, becoming a successful bootlegger (216-17, 284). While his “crimes” are always victimless and without malice, the legal/corporate arm of the social imaginary is convinced that he, as well as any other “Mexican,” disrupts law and order (214-15, 219). The federal and local police constantly pursue, stop, investigate, arrest and prosecute, often without warrants,¹⁰ while businesses discriminate,¹¹ trick,¹² trap and “accidentally” kill,¹³ and underpay Mexicans due to their Mexicaness.¹⁴ Mike Cole, a scholar invested in critical race theory, documents this mood with the words of one government official who “described the general Mexican population as ‘lazy, ignorant, and, of course, vicious and dishonest’” (*Racism: A Critical Analysis* 109).

This identity clumping by the social imaginary manifests itself through the judicial and corporate institutions. Although both entities are established, regulated and supposedly

professional, they channel social bias, hysteria and antagonism. This treatment mirrors Judith Butler's parallel observation in her discussion of the racial tension between blacks and whites. She argues that the "white racist imaginary" "reads" black individuals in a form of "white paranoia."¹⁵ This assumes black aggression enabling and requiring whites to launch preemptive strikes in a cycle "that repeats that projection on increasingly larger scales, a specific social modality of repetition compulsion" (211). Butler then says that the black-abusing imaginary entails compulsion, or rather, the abuse is compulsive. This makes sense considering the subject of Butler's critique, namely the police and jury who criminalize and beat the unarmed Rodney King, interpreting any movement as a sign of aggression and danger. Compulsory punishment, then, occurs when the imaginary engrains itself in legal contexts. As Butler concludes, a racial reading "performed in the name of the law, has obvious and consequential effects" (211). Similarly, Americans do not "see" Mexicans, but read them and determine their existence as one entitled to incarceration.

Race and crime therefore collide, becoming entangled and almost impossible to disassociate in communal accord. The social theorist Michelle Alexander questions the contemporary incarceration statistics that *Rain of Gold* tends to mirror, finding that—in general—courts are more willing to sentence minority-American to serving time. In her book *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, Alexander argues that the U.S. is not post-racial or colorblind, as some might say. While Jim Crow-esque language no longer exists in written law, the judicial system nonetheless has a new set of Jim Crow-esque implications, leading to profiling, prosecuting and imprisoning. In essence, Alexander argues that although the growing prison-industrial complex denies discriminatory treatment, blacks and

Latina/os suffer on the lower end of a racial caste system. She describes how nefarious racial profiling occurs with recreational drug use:

[I]t appears voluntary. People choose to commit crimes, and that's why they are locked up or locked out, we are told [...]. But herein lies the trap [...]. All of us are criminals. All of us violate the law at some point in our lives. In fact, if the worst thing you have ever done is speed ten miles over the speed limit on the freeway, you have put yourself and others at more risk of harm than someone smoking marijuana in the privacy of his or her living room. Yet there are people in the United States serving life sentences for first-time drug offenses [...]. (215)

She identifies the double standards that tend to classify not acts, but individuals as either benign or evil. She critiques the war on drugs for honing in on poor, ethnic communities and ghettos—like Juan Salvador's, where the little homes have dirt yards and houses covered in chicken poop. Both Alexander and Villaseñor's texts agree with Olguin's theory in *La Pinta: Chicana/o Prisoner Literature, Culture and Politics* that the social imaginary ultimately criminalizes Latina/o communities (20).

When a community is criminalized, race becomes only an auxiliary function to assist in labeling. Criminal stereotypes are so powerful that they overshadow any other distinguishing feature: "criminal" eclipses "Mexican," reinforcing Olguin's assertion that the basic purpose of criminalizing a community is to then "disappear" or remove them (23). Semi-tragically, Juan Salvador's older brother Domingo bears the lion's share of abuse. Domingo starts off on a bad foot, and ends up nearly incapacitated as he gets caught in the crossfire of the Prohibition—the war on drugs of his day. In an odd, but not surprising, bridge between the corporate and legal arm of the imaginary, a corporation in Chicago forces him to work for years, threatening

imprisonment if he leaves early. Eventually, he endures his time there and reunites with his family, joining Juan's whiskey enterprise. Denise Herd in a sense both summarizes and foreshadows Domingo's end when she writes that the "noble experiment" of banning alcohol "played an increasingly important role in the political and economic repression of both blacks and lower class whites" (77). Although she does not specifically mention Latinas/os, Herd makes it clear that the Prohibition mostly hurt individuals on the lower socioeconomic rung, contrasted with the well-to-do who freely drink alcohol in *Rain of Gold*: the priest drinks, the sheriff drinks, the judge who sentences Domingo for bootlegging drinks. Yet only the poor who are bottlenecked into the bootlegging business out of dire necessity are caught, charged and punished.

For instance, undercover agents catch Domingo by buying him drinks and playing pool with him until he is drunk enough to take them back to the hidden brewery. There, the cops break cover, arrest him and beat him. Salvador hopelessly observes, "Domingo was over by the corner, handcuffed to a chair. His face was a bloody mess" (492). Wesseley, a particularly vicious character, wrapped his gloved hand with a string of barbed wire, so that "by the time they got to jail, Domingo had been beaten beyond recognition" (493). Face mutilation is significant because Domingo was noted for having inherited his father's handsome features, so handsome that it had always given him increased social mobility on both sides of the border—meaning that the disfigurement symbolizes both the erasure of his cultural and familial heritage and the imposition of a criminal record. The police mauling permanently, viciously and absurdly scars and disfigures his face intent on disappearing or removing him, making it impossible for him to live a normal life after—despite the fact that there was nothing exceptionally criminal occurring:

Domingo had no former criminal history, he did not initially resist and bootlegging imposed no immediate danger to anyone, making the coldly calculated, premeditated confrontation absurd.

Radical Individualization: Domingo's Demise

This physical effacement dehumanizes victims through a process of atomization—a disintegration of race and all other identifiers. Gramsci explains the theoretical premise of this process when he argues that people are people due to a conglomeration of parts and acts. Joel Wainwright states that the following passage from *The Prison Notebooks* is “[a]rguably the key note” of the text and “a brilliant, concise statement on the nature of humanity.”¹⁶ Gramsci importantly theorizes being by writing:

We can see that in putting the question “what can man?”[sp] what we mean is: what can man become? That is, can man dominate his own destiny, can he “make himself,” can he create his own life? We maintain therefore that man is a process and, more exactly, the process of his actions. (351)

The phrase “man is a process” provocatively indicates that *being* is a process. Inversely stated, the processes of actions constitute being or living: Wainwright elaborates and interprets this to mean that “humanity is praxis” (514). A man or woman exists in conjunction with the actions that allow him or her to “dominate [their] own destiny.” In other words, humankind’s existence requires the freedom to act, suggesting that reducing or eliminating that ability dehumanizes. An individual determines him or herself, unless the state steps in to block that determination.

Prisons dehumanize by intervening and breaking up a person’s praxis, implying an element of splintering or self-severing. For instance, in prison Domingo is not a state-of-nature savage, nor is he a coarse, dejected being. Instead, Domingo is fractured into pieces, atomized,

neither assimilated nor excluded but dismembered, severed from his family, culture, community, and even from his own body. His decline, from what *Rain of Gold* reveals, begins much earlier, when he initially immigrated to the United States. Chained to Chicago for four years, he is splintered away from his family, losing their guiding principles and their social support necessary to live in accordance with his cultural conscience. He experiences dissonance that haunts him and causes permanent tension, which increases as life and isolation separate him further and further away from his inculcated traditions. He becomes violently and consciously disassociated from himself. Domingo meta-conscientiously observes his own decline, becoming semi-complicit in his individualization. For instance, he does not forget God, the Virgin, prayer, or the miraculous stories his mother shares; he does not forget about his family's judgement or religion's mores, nor is he involuntarily seduced. Instead, as he continues to clash with the law, Domingo continues to lose more of his cultural etiquette, self-respect and family values. Memories heighten his sense of estrangement and distance as he purposefully pursues prostitutes, lashes out in anger over his circumstances and blames God for abandonment. Being reunited with his family increases his psychological pain, to the point where he wishes them dead, most likely to justify his sense of division and separation, easing the tension and quieting his conscience after knowingly losing a healthy chunk of his past (447). Far from a docile pet (Foucault) or a coarse corpse (Glazek, Smith), Domingo rages, short-fused and pugnacious very much alive, but radically and destructively fragmented (448-49). Even Salvador, after prison, can be exceptionally brutal, violent and lack empathy—cheering cruelly when Eпитacio, the disliked brother-in-law, gets jail time (414). As desensitized, reactionary individuals unable to connect with those around them, Domingo loses the ability to control his course, putting him on a path towards reduced subjectivity, a precursor to prison's undoing dehumanization.

This atomization has the potential to occur frequently through normalized judicial exceptions, represented in the legal limbo of notorious, underground torture techniques and punishment that Diana Taylor finds outrageous as well as outrageously prevalent (725-26). Despite obviously out-of-bound prosecutions, society appears complicit in its silence, unwilling to acknowledge the unjust encounters Juan Salvador experiences, which permit, through an intense escalation, systemic murder.

Murder

Legal and political exceptions are the bane of critical prison studies. They stem from violence abroad in black sites or war zones, but reach the homeland as well. The implication is that carceral abuse could increase indefinitely. Normally, only political emergencies suspend U.S. privileges of citizen and criminals, such as due process rights, but the anti-Mexican social imaginary normalizes exceptions, treating Juan Salvador and Lupe Gomez like war prisoners under martial law. Emergency politics often revolve around some exigence or impending crisis—such as invasion, war or threats of terrorism—but any social imaginary of influence can tap into the social hysteria and take advantage of real or perceived threats, adopting a mob-like mentality of vigilante justice, where punishment punishes illegally, outside of its established bounds. The public is not blind to these discrepancies, but it does turn a blind eye, perhaps in a futile attempt to quell unease. After all, Baca publicly writes of seeing “prisoners’ bodies, his own among them, mauled and incorporated into the machinery of the institution” (Smith 195). He *sees*; he witnesses, writing and documenting the events experienced, opening up an awareness of what happens on political black sites, but when police beat Juan Salvador and his brother in a well-to-do neighborhood, none of the neighbors come to inquire—in stark contrast to

the poor Mexican communities where everyone comes to support victims of police raids or other misfortunes. These neighbors choose to neither hear nor see. The victim knows there is no recourse.

State justice in the text, then, is not objective but racially-bent and biased. In *Rain of Gold*, the Mexican characters' misdemeanors are punished severely, echoing what Delgado and Stfancic call the state's felon disenfranchisement (120-21, 123-24). Lupe, in fact, is entirely innocent, yet her idyllic box-canyon home in Mexico is overrun by American miners, and then held hostage by Mexican revolutionary factions, becoming an incarcerating labor camp (18). Upon entering the United States, a judge does not think twice about the charges placed on Juan, instead assuming his guilt (215). Juan is also jailed and beaten after his brother's blunders (493), and another brother is jailed for standing up to an enforcement officer who was attempting to take advantage of a woman (438). Additionally, when Juan Salvador instigates a protest for jobsite rights after reckless dynamite detonations kill Mexican workers, the quarry bosses pull out menacing shotguns, breaking up the strike. All of these agents and government representatives seem to be pseudo-vigilantes, safe from bureaucratic oversight to act out sadistic perversions of the U.S. legal system. In *Rain of Gold*, southern California is, as Glazek might say, a black site—"a space where ordinary ethics are suspended" (3), at least in the cases Salvador observes. Although not as intense, the situations and symbols that pursue Juan bear resemblance to how the law works in Guantanamo or Abu Ghraib, both infamous icons of suspended and erased rights where soldiers punish freely and liberally torture. As Smith says, these detention camps are "a monstrous 'exception' to long-standing modern codes and procedures, an island of secret violence in a juridical void, created by a sovereign power that suspends the law under the pretense of a wartime state of emergency" (201) and Kaplan calls the

label “enemy combatant” a whimsical phrase deployed like the term “criminal” to lock people up (817).

Although there is a distance between the United States’ mainland and its nefarious violations abroad, Amy Kaplan claims that the state tracks mud back into the domestic sphere. She argues that this Guantanamo bay “represents the start of the ‘road to Abu Ghraib,’ one island in a global penal archipelago, where the United States indefinitely detains, secretly transports, and tortures uncounted prisoners from all over the world” (831). This “start” begins with an anti-terrorist social imaginary that scapegoats certain Middle Easterners, comparable to *Rain of Gold*’s enforcement officers driven by an anti-criminal mentality. In either case, these imaginaries redefine and endanger certain citizens, stripping away constitutional and human rights. I would add that the dominant imaginary specifically relocates Guantanamo where it sees fit, based on the panoptically present specter of sub-humanization. Antagonistic imaginaries lubricate the hinges of the carceral gate by applying black and white binaries, threatening to eradicate the basis of the fallen citizen’s redemption.

Out-maneuvering Prison

Complicating academic understanding of the penal institution’s sway over an individual, Juan pushes potential limits in response to identity determination, mass incarceration and systematic dehumanization. As Juan’s profitable but risky bootlegging business venture grows, so does his need for “good, honest, law-abiding people to [help him] do illegal stuff” (516). He explains, “You never rob a bank with a bunch of thieves. The temptation will be too great for them to rob you, too. All illegal business, if it is to be done right and succeed, must be done with the most honest of all people. You need complete honesty to be outside of the law” (516). By

calling for upright individuals, Juan implies that he self-identifies as a morally upright person, in contrast to American society, which deems bootlegging an illicit and illegal enterprise. Juan does not embrace that definition or categorization: in the greater context of his work, he sees himself as an outstanding citizen who works hard and contributes to society, donating whiskey to the Catholic Father Ryan, his friend, the Indian officer Archie, and his mother. He does not embrace the role or mindset of a bandit or insurrectionist, and reacts quite strongly against the Mexicans who romanticize violent rebellion—“No matter how badly he was treated, he never lost his respect for the law. No, he didn’t fight the cops; he hid his guns instead” (307). His nephews, though, are not as respectful, and when a teacher makes derisive comments about Mexicans in school, the two boys “took the pants off their teacher and threw him out the window” (306). The more devious of the two boys asks their big, bad, bootlegging uncle if he has ever robbed a bank; Juan responds “No, I never have and I never will” explaining that “I’m an honest man and I think out everything I do. So I’d never put myself in the position of needing to kill people just for money. Do you understand? I don’t want to kill anybody. And I don’t steal either” (313). He later has to teach them not to “play cops and robbers with the law” (309), or in other words, teaching them not to participate in or encourage the state-assumption of Mexican criminality. Salvador rejects the citizen/criminal binary by avoiding, as much as possible, confrontation: a skill that he develops more and more as time goes on. Even when he was thrown in jail as an adult after a bar fight, he attributes his sentence to a lack of preventative self-control, not to his inherent status within Californian society. In this sense, Juan clarifies the label “criminal” and asserts that he is not one.

While “criminals” have little room for redemption or rehabilitation under state law, Juan successfully alters his own material conditions and circumstances. He manages pool halls,

outperforms the Anglo-American workers at the rock quarry, and brews whiskey with a superior recipe, making a small fortune. With more money, Juan Salvador becomes economically and socially mobile, visiting areas of town that are traditionally tabooed for Mexicans, and renting a home in a well-to-do neighborhood to set up a bigger distillery away from the Mexican barrios that risk exposure (302, 295). He buys a fancy car, nice clothes, and an engagement ring with such a big diamond people think it's fake (285, 456). Carefully acting contradictory to social norms, Juan expands a personal network beyond the barrio, befriending Greeks, Jews, Archie (the local Native American police officer), and the Catholic clergy who at different points are all able to help Juan mitigate and respond to anti-Mexican prejudice. Through these strategic maneuverings, Juan does not so much challenge legal or corporate power with its specter of sub-humanization as he challenges himself and his own aspirations.

During the first prison incident, a fat cook calls anyone who cannot read a “puto weakling,” an insult that drives thirteen-year-old Juan to drop his habits of cheeky temper-driven belligerence into something more sophisticated. The cook teaches Juan to read with a book, which we later discover is *The Count of Monte Cristo*. In understanding what reading and *Monte Cristo* do for Juan, *Rain of Gold* leaves much unsaid, yet the text seems to have a significant impact. Learning and reading sets Juan “free as a young eagle soaring through the heavens” with a belief that for the most part “life was wonderful” (216), possibly due to renewing hope in a prison escape: after all, the protagonist Dantes is able to escape his unjustly imposed life sentence in the infamous Chateau d’If, and this could be assumed to cheer Juan up. Perhaps it is as Juan embraces the text that he gets up the nerve to risk a prison break. He signs up for some risky business, mixing with the roughest and most vicious criminals:

[A] new road camp was started outside of Safford, Arizona, near Turkey Flat, and prisoners got to volunteer. The big, fat cook warned Juan not to go because there'd be no guards with them at night and other prisoners would be sure to gang up on him and rape him like a female dog. (216)

However, as wary and ready, he makes the gamble. Sure enough, two inmates sneak up on Juan the very first night intending to serially rape him, “[b]ut Juan was *aprevenido*, and he got the pit boss in the eyes with boiling coffee, but not before his big, black friend cut Juan’s stomach open with a knife” (217). It was a narrow escape, but his placement in the infirmary—with its weakened security—allows him to flee. By feigning lifelessness amid stones whenever search parties approach him, he gets away—a technique perhaps inspired by his reading of Dantes who similarly disguised himself as a lifeless body, weighted with stones (218).

In *The Count of Monte Cristo*, Dantes’ learns from the priest and fellow inmate Abbe Faria. Dantes learns, becomes intellectual and obtains the key to wealth (the location of a massive treasure deposit). Similarly, during a second prison sentence Juan Salvador comes under the wing of a man who will affect his life. Al Cappola, “a professional liquormaker [sp] who’d been brought over from the old country by a group of Italians for the sole purpose of making fine liquor for a big operation in Fresno,” passes on the mysteries and art of the liquor trade (282, 284). Taking his newfound knowledge to Southern California, Juan has no competition among rival bootleggers, and amasses enough money to obtain financial security and eventually buy waterfront property, where he settles down, wedded to his sweetheart. These inferred parallels suggest that as Juan reads the story of *Monte Cristo*, he consciously or subconsciously embraces that narrative. In some ways, Juan becomes the story he reads and tells himself, challenging himself to rise above his “puto weakling” existence and become someone beyond what he

thought was possible, allowing him profit off prison, subvert cell determination and act out his dreams and faith in Mexican humanity (551-52).

Baca did not serve a life sentence; he was released, and he realized that many others would similarly be free again. Yet leaving the prison does not undo what the cell did:

they leave wondering what good they are now
 as they look at their hands so long away from their tools,
 as they look at themselves, so long gone from their families,
 so long gone from life itself. (67-70)

As a poet, he achieves narrative tension by contrasting the dejected defeatism with a lingering longing of residual hope. The poem begins “We are born with dreams in our hearts, looking for better days ahead” (1-2) and despite the arrests (36), “swinging clubs,” “shooting guns” (37) and “dictators” (34) who “broke [...] down doors” (35)—all of which existed in the pre-prison “old world” (61)—these instances of state-sanctioned violence do not exterminate their dreams. Baca observes, “new immigrants coming in [...] / each with a dream in their heart, / thinking they’ll get a chance to change their lives” (55, 58-59). The fundamental question of what happens to these hopes after prison remains unanswered as Baca ends on a solemn note, yet the structural similarity between the old world and the new world could imply that since dreams survived the old, they may yet survive the new. Prison’s promises may be empty, but confining the body, we have found, does not require full mental domestication and subjection. Domingo’s fate proves somewhat contrary, but it acts as a foil to highlight the possibilities that his wiser brother Salvador encounters. As Salvador sees prison anew, he does not become a libertine—concluding that all law is arbitrary and becoming a renegade in the process—but instead asserts his own principles, off of which he can then establish his own sense of self that remains independent of

penal intrusions The text as a whole suggests that such a life may be lived, and that such dreams may be fulfilled.

Prison studies, perhaps, falls into the very dehumanization it critiques, in part because it highlights penitentiary power, rather than highlighting person potential.¹⁷ I do not intend to suggest that the prison problem simply dissolves with positive thinking, nor do I advocate for sidelining continued research and discussion relating to the pragmatic and mechanistic functioning. Yet in addition to relevant work in fields that directly address prison praxis, the characters, situations and symbols embedded in *Rain of Gold* join a camp briefly referenced by some scholars such as Smith, Cutler and Baca,¹⁸ implying that there is something beyond the shrouds of state-power and performance that could lend insight into the makeup of humanity. What *Rain of Gold* reveals is that individuals are not simply good or bad as the social imaginary and state determine, but simultaneously both and neither—which is a simple observation that nonetheless out-maneuvers and blindsides at least part of the penitentiary’s dogmatic predation. After all, Juan Salvador is both an average and extraordinary, both biographically rooted and sensationally fictionalized: “Juan” is an ordinary Mexican name suggesting an ordinary Mexican role, while “Salvador” is rarely a name, but depicts an exception, a deliverer, one who transcends lowly limits. As both aspects blend into one, *Rain of Gold*’s duality provoke internal contradiction dissolving imaginary binaries as Juan flips prison inside out, jamming its gates open.

Notes

¹ For a critique on *Rain of Gold*'s supposed clichés, see Barbato 238. For an overview of its bizarre narrative, see Grandjeat, 67.

² See the *Rain of Gold*'s inside cover review by the Beaumont Enterprise (Texas) and p. xiii.

³ For a bleak reading of prison power, see Foucault's observation that punishment is a punitive emblem of power and Smith's description of coarse beings, both of which will be addressed later on in the essay.

⁴ Regarding prison abolition, consider Caleb Smith and Christopher Glazek's arguments that I discuss later in this essay.

⁵ Notice how the following scholars analyze the Enlightenment rationalization of prison: Joan Dayan's references to the Puritans in Chapter 2, Lorna Rhodes' description of European and American penal system reformers (14-15) and Diana Taylor's reference to the Enlightenment mood (710-11). Taylor additionally stated that "since the Enlightenment, societies have deemed torture immoral and equated it with barbarism and lawlessness," which draws attention to this movement's concern (726).

⁶ See especially Colin Dayan's *The Story of the Cruel and Unusual*, 2007, describing the U.S.' internal responses to the Iraqi war and the war on terror. Also, note that Dayan also goes by both Colin and Joan.

⁷ Here I reference the electronic version of "Raise the Crime Rate," for which there are no page numbers.

⁸ As Warner explains, "A counterpublic maintains at some level, conscious or not, an awareness of its subordinate status. The cultural horizon against which it marks itself off is not just a general or wider public, but a dominant one" (86).

⁹ See Smith's overview, 48.

¹⁰ *Rain of Gold* 281, 338, 414, 492-93, 541.

¹¹ *Rain of Gold* 232, 258.

¹² *Rain of Gold* 334, 446.

¹³ *Rain of Gold* 258, 366.

¹⁴ *Rain of Gold* 397.

¹⁵ See Butler 209, 204 and 211 respectively.

¹⁶ Wainwright 514.

¹⁷ To see how prison studies highlight penitentiary determinism, see how Rhodes describes the “short slide from a criminal class [...] to a criminal species” (190). Similarly, Wacquant bemoans the creation of “the first genuine prison society” among lower class African Americans (121). Dayan’s book concludes with a growling, pursuing white specter and Taylor is similarly foreboding by warning that “we have embarked on an extrajudicial power trip with no limits and no foreseeable end” (733).

¹⁸ Smith suggest that ex-con authors “tell stories of resurrection, as the prisoner discovers in language the possible awakening of new selves capable of previously unthinkable modes of experience and expression” (190) and Cutler explains how “the prison poem provides a space of encounter and transformation” (170).

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