



DISAPPEARED IN AMERICA

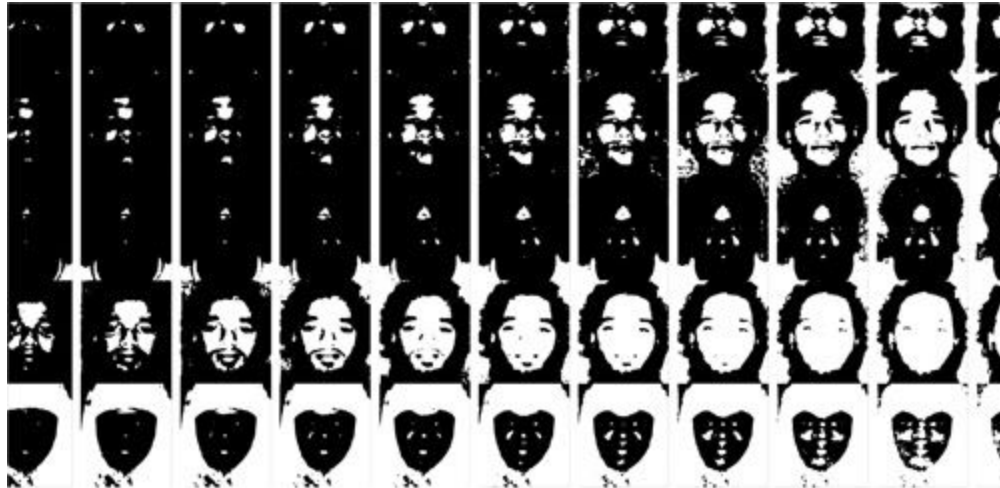
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By Naeem Mohaiemen

DISAPPEARED IN AMERICA is an ongoing project by Visible Collective/Naeem Mohaiemen that uses films, installations, and lectures to trace migration impulses, hyphenated identities, and the post-9/11 security panic. Excerpts of the project have been shown at various venues, including the 2006 Whitney Biennial.

The majority of migrants detained amidst the recent security hysteria have come from the invisible underclass of cities like New York—the shadow citizens who drive our taxis, deliver our food, clean our restaurant tables, and sell fruit, coffee, and newspapers. The only time we “see” them is when we glance at the hack license in the taxi partition, or the ID card around the neck of a vendor. When detained and deported, they cease to exist in the American consciousness.

Visible Collective and Mohaiemen are based in New York City. For more info, go to www.disappearedinamerica.org



...entire Park. "Waking" entered the lexicon and we learned about "to rage with passion," "to rage in the park" (Peter Brabeck, who is the very first immigrant in "Non-Non-Non"), "the coverage of Black Media today. A carefully constructed terror narrative looks for names, accents, and a standard as an indicator of whether the "wings" are here in the "America is a home or free: Freedom Now" -- or not? (I know, let's go). For the last and not just the immigrant? George Clooney's "severe new restrictions" about DHS... the central of the California Department of Corrections in San Francisco... to which I want to do a book on "I could be sent back to prison." Below the table above...

<p>Hamdi v. Rumsfeld 24 S.Ct. 2633, 2646-2649 (2004)</p> <p>"Moreover, as critical as the Government's interest may be in detaining those who actually pose an immediate threat to the national security of the United States during ongoing international conflict, history and common sense teach us that an unchecked system of detention carries the potential to become a means for oppression and abuse of others who do not present that sort of threat. See <i>Ex parte Milligan</i>, 4 Wall., at 125 ("[The Founders] knew--the history of the world told them--the nation they were founding, be its existence short or long, would be involved in war; how often or how long continued, human foresight could not tell; and that unlimited power, wherever lodged at such a time, was especially hazardous to freemen"). Because we live in a society in which "[i]ntense public intolerance or [animosity cannot constitutionally justify the deprivation] of a person's physical liberty," <i>O'Connor v. Donaldson</i>, 422 U.S. 563, 575, 95 S.Ct. 2486, 45 L.Ed.2d 396 (1975), our starting point for the <i>Mathews v. Eldridge</i> analysis is unaltered by the allegations surrounding the particular detainee or the organizations with which he is [associated] to have associated. We reaffirm today the fundamental nature of a citizen's right to be free from involuntary confinement by his own government without due process of law, and we weigh the opposing governmental interests against the curtailment of liberty that such confinement entails."</p>	<p>Rasul v. Bush 124 S.Ct. 2686, 2696 (2004)</p> <p>"Petitioners contend that they are being held in federal custody in violation of the laws of the United States. [FN 15] No party questions the District Court's jurisdiction over petitioners' [custodians. Cf. <i>Braden</i>, 410 U.S., at 405, 93 S.Ct. 1123. Section 2241, by its terms, requires nothing more.] We therefore hold that § 2241 confers on the District Court jurisdiction to hear petitioners' habeas corpus challenges to the legality of their detention at the Guantanamo Bay Naval Base.</p> <p>"[FN 15. Petitioners' allegations--that, although they have engaged neither in combat nor in acts of terrorism against the United States, they have been held in Executive detention for more than two years in [territory subject to the long-term, exclusive jurisdiction and control] of the United States, without access to counsel and without being charged with any wrongdoing--unquestionably describe "custody in violation of the Constitution or laws or treaties of the United States." 28 U.S.C. § 2241(c)(3). Cf. <i>United States v. Verdugo-Urquidez</i>, 494 U.S. 259, 277-278, 110 S.Ct. 1056, 108 L.Ed.2d 222 (1990) (KENNEDY, J., concurring), and cases cited therein."</p>	<p>Th 18 U</p> <p>"If it is m... impr... office... with... deten... testi... further... of a... Cirr</p>
<p>Rumsfeld v. Padilla 124 S.Ct. 2711, 2735 (2004) (Justice Stevens, J., dissenting)</p> <p>"Executive detention of subversive citizens, like detention of enemy soldiers to keep them off the battlefield, may sometimes be justified to prevent persons from [launching or becoming missiles of destruction]. It may not, however, be justified by the naked interest in using unlawful procedures to extract information. Incommunicado detention for months on end is such a procedure. Whether the information so procured is [more or less</p>	<p>Immigration Act 8 U.S.C.A. § 1227 (2005)</p> <p>(i) Classes of deportable aliens (C) Violated nonimmigrant status or condition of entry (i) Nonimmigrant status violators Any alien who was admitted as a nonimmigrant and who has [failed to maintain the nonimmigrant status in which the alien was admitted] or to which it was changed under section 1258 of this title, or to comply with the conditions of any such status, is deportable. (ii) Violators of conditions of entry</p>	<p>Cla 1251</p> <p>The... can... "FN... reac... [or... perk... reas... has... by P... Terr... [ena... B]."</p>

TOP: Detail from "DRIVING WHILE BLACK BECOMES FLYING WHILE BROWN" Digital C Print, 8x2', 2006. Visible Collective/Mohaiemen, Lin

BOTTOM: Detail from "PRUDENT JURIES, OR HOW TO REALLY READ THE LAW" Digital C Print, 8x2', 2005. Visible Collective/Mohaiemen, Roy, Huq



LEFT: Detail from “NAHNU WAHAAD, BUT REALLY ARE WE ONE?” Digital C Print, 8x2', 2005. Visible Collective/Mohaiemen, Roy [Post 9/11 Detainee Names from Migration Policy Institute, Washington DC]

RIGHT: Detail from “IT’S SAFE TO OPEN YOUR EYES NOW, PART3” Digital C Print, 8x2', 2006. Visible Collective/Mohaiemen, Huq

CONTRIBUTOR

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