

## Discursive Displacements and Institutional Transformations in the Practices of Solidarity for Central American Migrants in Mexico

### Desplazamientos discursivos y transformaciones institucionales en las prácticas de solidaridad hacia migrantes centroamericanos en México

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#### ABSTRACT

This article reconstructs the case of Mrs. Concepción, a resident of a rural town in the state of Querétaro, who was arrested in 2005 for providing food and shelter to Central American immigrants in transit. Two years later, she was released. Her case summarizes in a series of modifications in solidarity practices towards immigrants and allows to explore some displacements in the social discourses on immigration and solidarity that have occurred in Mexico during the last fifteen years. This story shows the attacks of the government that oppress the Central American immigrants and break the social grammars that sustain solidarity practices. The solidarity practiced by this rural woman was based on a series of empathies with the immigrants as poor and deprived individuals, but also in a moral of the gift that emphasized the value of giving selflessly.

*Keywords:* 1. Central American immigration, 2. solidarity, 3. human rights, 4. discourse, 5. Mexico.

#### RESUMEN

En este artículo se reconstruye el caso de la señora Concepción, habitante de una localidad rural del estado de Querétaro, que fue detenida en el año 2005 por dar comida y alojamiento a migrantes centroamericanos en tránsito, y liberada dos años después. Su caso condensa una serie de modificaciones en las prácticas solidarias hacia los migrantes y permite explorar algunos desplazamientos en los discursos sociales sobre la migración y la solidaridad ocurridos en México durante los últimos quince años. Su microhistoria muestra los embates del Estado en su persecución de los migrantes centroamericanos y una ruptura en las gramáticas sociales que sostienen las prácticas solidarias. La solidaridad que practicó esta mujer rural se fundamentaba en una serie de identificaciones con los migrantes como individuos pobres y necesitados, pero también en una moral del don que enfatizaba el valor de dar desinteresadamente.

*Palabras clave:* 1. migración centroamericana, 2. solidaridad, 3. derechos humanos, 4. discurso, 5. México.

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## INTRODUCTION

Various researches show the formation of an extensive and complex network of solidarity towards Central American migrants who transit through Mexico (Ambriz, 2016; Olayo, 2014; Olayo, Haymes & Vidal, 2014; Solano, 2017; Squire, 2015). Spread across the country, from the southern border to the border with the United States, this network includes organizations of diverse types, both secular and religious, which provide multiple services to migrants, from housing and food, to legal advice and medical care; although not necessarily connected to each other, they represent a central resource for the travel of these migrants through Mexico. Although the origins of this solidarity network have scarcely been researched, the available data show that it was fundamentally constituted during the first years of this century and grew systematically from 2006 onwards.

The constitution of this network is not only an organizational phenomenon, but also a discursive one. Although two discourses predominate in it, one on welfare and the other on human rights (Solano, 2017, p. 131), both can be read as expressions of a humanitarian discourse, in the sense that Didier Fassin (2016) gives to that term, which includes the unfolding of moral feelings in political affairs, the reference to a condition shared by human beings, in spite of their differences and “an affective movement towards other similar ones” (Fassin, 2016, p. 10). The humanitarian discourse, which has emerged in Europe and the United States over the last few decades, helps in the formation of what the author calls a “humanitarian government,” which manages vulnerable populations in their various forms and sustains “a policy of precarious lives” (Fassin, 2016, p. 14). The solidarity network we are interested in is made up of religious and non-governmental organizations that carry out parallel work to that of the State which, in this case, concentrates police and security activities. The notion of *humanitarian government* proposed by this author exceeds the action of the government and includes a wide range of actors and actions.

While humanitarian discourse and institutional forms today constitute the hegemonic discursive and practical modes of solidarity throughout the history of Central American migratory flows, which has already lasted for four decades, we can still find other manifestations. In this article we identify a case and a paradigmatic moment in the historical displacement of forms of solidarity, which reveals a transformation in the management of these flows in which humanitarian organizations of various kinds acquire an increasingly relevant role. Humanitarian reasoning not only corresponds to a way of managing precarious lives, pointed out by Fassin, it also sustains a moral discourse of enormous public and media importance. In that direction, the case we will analyze represents a moment in which informal and traditional solidarity practices with Central American migrants become a moral example in the defense of their human rights. In this way, the humanitarian discourse turned Mrs. Concepción, a peasant woman who received

these migrants according to ancient cultural guidelines of hospitality, into a remarkable activist.

On March 9, 2005, María de la Concepción Moreno, known as Doña Conchis, was arrested and imprisoned for two and a half years at the Social Reinsertion Center of San José El Alto, Querétaro, accused of trafficking undocumented migrants. In April 2007, a newspaper article reported that “la Samaritana del Ahorcado” was unjustly detained by federal authorities, only for giving food and lodging to Central American migrants who crossed through her town. María Concepción Moreno, known as doña Conchis, says in the article that “in her life she she never imagined that compassion for her fellow men would lead her to prison hell as the most fearsome of criminals” (Escobar, 2007, p. 1). Eight years later, another article about this woman published in the same journal reported that “the human rights defender” who had already been released, was “going blind” and did not have the money to pay for the medical intervention prescribed by the doctors (Escobar, 2015, p. 1).

The time that Doña Conchis spent in prison deteriorated her health and only the help of the state network of organizations dedicated to immigration in Querétaro partially resolved her situation. In the years between the two notes, the *Good Samaritan* became a *defender of the human rights* of migrants. Her case became paradigmatic in the defense of citizens in solidarity with migrants in transit through Mexico (Centro Proh, 2007) and she collaborated with the elaboration of an Immigration Law, which integrates a human rights perspective in the management of migratory flows (Arias, Carmona & Sin Fronteras, 2012; Morales, 2012; González-Murphy & Koslowski, 2011).

The displacement that occurs in the case of this woman, from a religious identity to a political one, condenses a series of modifications in this field. Doña Conchis situates herself in the sphere of traditional and informal forms of solidarity and hospitality with strangers, outsiders and foreigners who cross numerous localities during their travels. Her motivations are fundamentally moral, based on popular Catholicism. At the time of the interviews, Ms. Concepción had not articulated a political discourse about her actions, not even about her arbitrary detention and the years she spent in prison; nor did she think of her solidarity practices as a way of defending or promoting human rights. As we said, her reading was religious, anchored in the local meanings and practices linked to hospitality. She was always a *Samaritan*, never an activist.

In this text we will focus on that movement, which is still ongoing in the field of hospital practices, contrasting the narratives of Doña Conchis with the discourses of the organizations and professionals who have helped her. Although hers is the story of a woman who suffers the onslaught of the government in its persecution of Central American migrants, it also shows a rupture in the social grammars that sustain the practices of solidarity. The story of Doña Conchis is transformed into a judicial case, a humanitarian

example, a social claim and a motive for assistance, but it distances itself from the cultural and subjective configurations of this woman. It is necessary to consider that solidarity with migrants has not been a concern of governments and that the networks of care that exist today are quite recent. From a historical perspective, the solidarity that Conchis practiced precedes that of many civil and religious organizations.

#### A JOURNEY OF THOUSANDS OF MILES: A MULTI-SITU ETHNOGRAPHY

In this article we interrogate some of the micro-social relationships of solidarity with Central American migrants and the structural processes that have transformed the migratory flows that transit through Mexico in recent years. We try to clarify the complex links between both planes from the perspective of an *anthropology of circulations* (Appadurai, 2015), which allows us to explore the dense web of circulations constituted by subjects, discourses, social practices, forms of government, modes of organization, among others, which move in diverse directions and are interpreted, assumed and transformed in multiple ways in different spaces.

The transit of migrants through the country covers thousands of miles, hundreds of cities and towns and dozens of states. The magnitude of this displacement makes it difficult to investigate, so we focus on some key places through a multi-local ethnography.<sup>3</sup> This mode of ethnographic research, says Marcus, “comes out of the local places and situations of conventional ethnographic research by examining the circulation of cultural meanings, objects and identities in a diffuse time-space” (Marcus, 1995, p. 111). We attended to this circulation in the different spaces that were investigated, trying to trace the differences and similarities that would fertilize a specific as well as a global reflection on the forms of solidarity with migrants.

The analyzed case was reconstructed from various ethnographic and discursive records: participant observation, journalistic articles, legal and institutional documents, and interviews with key actors. Using the methodological and analytical principles of dense description, we structured the different social discourses to achieve an intensive interpretation according to the complexity of the social facts (Geertz, 2005 [1973], p. 32). Through this description of microsocial phenomena of dense context, relationships will be established between specific social events and broader social processes.

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<sup>3</sup>We carried out field work in localities and cities in eight states of the country. Semi-structured interviews and participant observations were made in communities and places where solidarity practices were identified, in shelters and homes of migrants and during the work of civil organizations linked to the migratory issue. In total, 121 interviews were conducted: 58 with migrants, ten with local residents, ten with key actors, such as officials and activists, and 38 with volunteers from the organizations.

The fieldwork was carried out in the state of Querétaro in 2015, which followed the beginning and constitution of the Network for Immigration in Querétaro (RMQ). Four visits were made in April, May, June and July of that year, and 14 interviews were conducted in the city and in the localities of Querétaro: La Valla, El Ahorcado and Tequisquiapan. Since Doña Conchis was one of the most important informants, we interviewed her repeatedly to learn about her experiences in the field of inquiry, as well as the motivations and values that guided her actions. Neighbors and family members were interviewed to find out the opinions and perceptions produced around this woman's solidarity actions. Finally, we interviewed members of organizations and of the civil society who showed solidarity with Doña Conchis after her release.

### INHABITING INTERSTICES: CENTRAL AMERICAN MIGRATORY FLOWS AND FORMS OF SOLIDARITY

Since the 1980s, massive flows of Central American migrants have crossed Mexico on their way to the United States (ITAM, 2014; Servicio Jesuita a Migrantes, 2013). The numbers are not precise, but their approximations reveal a movement of thousands of people taking different routes (Casillas, 2008). Since the beginning of this century, this movement of people has become a relevant political issue and today is a priority issue in relations between the countries involved: The United States, Mexico and the countries of the North Central American Triangle, Guatemala, El Salvador and Honduras.

Over the last fifteen years, we can identify two important inflexions in this field: the first occurred after the attacks against U.S. cities in 2001 which transformed border security into a national security issue for the U.S. government (Alden, 2012; Artola, 2005; Calleros, 2010; Castillo, 2005); the second, in mid-2014, when the increased flow of unaccompanied Central American minors being detained in the northern country justified a series of containment measures on Mexico's southern border, through the Southern Border Program (Castañeda, 2015; Villafuerte & García, 2015). Although we will not deepen in those modifications, the case of Doña Conchis is configured in the time which both inflexions mark.

A dense network of actors and institutions of different types and with different and often conflicting objectives has been created around the Central American immigration that passes through Mexico. There are no studies in Mexico that take into account the complexity of this plot. Throughout the research that concerns us, we were able to distinguish five planes of configuration of the Central American migratory processes:

1. Migrants, who are an enormously complex collective, although they have some common characteristics (Servicio Jesuita a Migrantes, 2013);

2. The communities and localities through which this flow passes, which range from villages with few inhabitants to colonies of megalopolis (Flores, 2011; Fuentes & Ortiz, 2012);
3. The government, which deploys heterogeneous policies in this field, ranging from detention and deportation to the protection of human rights;
4. The network of different types of organizations that protect migrants: shelters, canteens, houses or that work around this phenomenon: universities, research centers, non-governmental organizations, media.
5. Several types of migrant delinquency (Amnistía Internacional, 2011; CNDH, 2011).

This network has local and national expressions, even transnational ones, and it extends in almost all the country with density differences. They are not parallel planes, but an intricate, variable and very complex network, in which it is also possible to identify nodes where they intercept each other.

In the studied case, the practices of solidarity occur on three of these planes: among the migrants themselves, among the inhabitants of the localities through which the immigrants transit, between them and the networks of civil and ecclesiastical organizations that assist them in different ways during their journey. The government plays an omnipresent role in the regulation and control of these groups, but it does not deploy solidarity practices; its actions are legally regulated, and its institutional practices operate within a logic of public policies. Criminal actors would not carry out solidarity practices either, or at least they are not their target.

For this reason, the network of survival and attention that collaborates in the displacement of migrants is intertwined, so to speak, with state practices that “secure” migrants and “return” them, and with criminals that assault, extort and/or kidnap them. In one locality, an area where migrants receive help may coexist with another where they are extorted; shelters cohabit with human trafficking sites; in a place where migrants are housed, they may also be detained. This superposition of the actors that inhabit or use a given social space and the practices that are carried out there prevents the generation of univocal descriptions or analyses. Although this ambivalence does not compromise the actors involved and does not imply that they are linked, it does delineate a very complex cartography of solidarity and violence, in which diverse actors, multiple motives and heterogeneous practices are intertwined.

This does not only affect the migrants and their journey, but also the other actors that we distinguish, especially the people or groups that carry out daily practices of solidarity outside the organizational contexts (networks, houses, shelters, canteens). The danger, in that sense, could expand to all those who participate in this incessant flow of people. In

some localities, we have registered cases of people who have been threatened by criminal networks, shelters that were burned by criminals, neighbors who were frightened when they perceived that acts as simple as giving a glass of water or some food could bring them problems.

But the risk does not only come from criminal actors, it could also come from government agencies. This was the case of Doña Conchis, who was arrested by federal agents, accused of human trafficking.

From the perspective of solidarity practices, both risk experiences show that the grammars of everyday life, based on practices of hospitality and generosity, but also on strategies of recognition and bonding with strangers, are altered by these government or criminal interventions.<sup>4</sup> For Mrs. Concepción it was a surprise to be arrested for feeding people who asked for it or for providing them with shelter; in her schemes of significance, these practices did not constitute a crime. This made the intervention of justice institutions incomprehensible to her and her community.

In defining these senses, the actors involved do not have the same power and only two of them can be opposed discursively and practically: the government and the networks of solidarity and human rights organizations. The inhabitants of localities that offer help to migrants, small groups, or the families that host them can develop meanings for their practices, but they cannot participate in the national or international debate that immigration generates.

#### *REQUESTING IN ORDER TO GIVE: TRADITIONAL FORMS OF SOLIDARITY*

The gift has been a fundamental concept in anthropological thought, especially since the publication of Marcel Mauss's classic essay dedicated to that cultural practice (Mauss, 2012 [1925]). As it has had such an extensive development, its conceptualization is full of nuances (Abduca, 2007; Descola, 2012; Godelier, 1998; Testart, 2013). For this reasoning, we wish to recover a distinction, drawn up by some researchers, between gift and exchange. (Descola, 2012 & Testart, 2013). Contrary to the exchange, as Philippe Descola says, "the gift is, above all, a gesture of unique meaning that consists in leaving something to someone without providing for any compensation other than the possible recognition of the recipient, since the return of the benefit is never guaranteed in the gift" (Descola, 2012, p. 451).

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<sup>4</sup>However, we do not consider one threat to be comparable to the other: Doña Conchis was charged by judicial authorities, had a trial and was defended by lawyers, and was eventually released. Her case exposed the arbitrariness of the judicial system and government contradictions in relation to immigration through Mexico, but it happened within recognizable institutional frameworks.

Mrs. Concepción's solidarity practices are entered in that record. She tells how she began to feed some migrants who passed by her house and asked for food.<sup>5</sup> The train tracks trace one of the edges of her community; they are less than half a mile from the nearest houses and mark an imaginary line to make way for the crops. The proximity to the railroad tracks is the reason why, for decades, the inhabitants have had a close relationship with Central American migrants, mostly from Honduras.

As we could testify during the interviews, she gave them what she had for her own or her family's consumption, she did not prepare a special meal for the migrants, nor did she have a dining room to serve them. They waited, outside or inside their house, for the food that was served to them. Basically, it integrated them into their own daily eating patterns. The gift, in her case, was an increase in the number of people eating and in the amount of food available.

I started with a few who passed by and said: "Would you give me a taquito and a glass of water?," and I began to give them a taquito made of... well, just beans or whatever I had available and I gave them bean tacos or soup, and coffee. When I have some, I give them coffee, I make them come in and "sit down," that's how I started to give them a taquito (Doña Conchis, Querétaro, personal communication, July 2015).

The number of guests increased over the years and the informant reports that she sometimes housed more than one hundred migrants in her home. When there was not enough food, she would ask her neighbors so that she could offer something to the travelers. Doña Conchis justified her help in a radical similarity with respect to these people: "they are human beings like us." This identifying equality allowed her to understand their reasons and accept them within their daily life: "not because they come from another side, she discriminates against them, they talk about themselves, about this and that, but nobody knows the reality, why they leave their homes, nobody knows."

Identification, writes Philippe Descola, is "the most general scheme by means of which I establish differences and similarities between existing ones and myself, by inferring analogies and contrasts between the appearance, behavior and properties that I attribute to myself and those that I attribute to them" (Descola, 2012, p. 177). In that sense, the scheme of a shared humanity will be the seat of the practices of solidarity that this woman carried out; it is also the limit of the differences, because although the migrants are strangers and foreigners, it is possible to understand through identifying schemes, their motivations and their experiences. However, this identification does not sustain a humanitarian discourse as described by Fassin (2016), among others. For Mrs. Concepción, the links established with

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<sup>5</sup>The informant lives in the community of Epigmenio González, popularly known as El Ahorcado, in the municipality of Pedro Escobedo, Querétaro. It has approximately 2,828 inhabitants, a health center, an elementary and secondary school and a church. The main economic activity of the area is agriculture and livestock.

the migrants allowed her to know their motivations and their contexts in greater depth: “they talk to me about this and that o; that there is no work for them where they come from, there is no money, and their children are growing up and they have to give them a taco (taco is generally used to refer to food in Mexican slang).”

Doña Conchis' motivation was fundamentally, affective: she liked to help them “with all her heart” and “give them the little she has.” The gift is not sustained by an excess that must circulate but by a systematic scarcity. It is not given what is left over, it is given what is lacking; and at the same time, it is given to those who cannot give anything in return. Although the exchange does not have to be symmetrical, in this context, because of the poverty of migrants and the transitory nature of their stay, any return is impossible. Although the informant does not say so explicitly, we believe that an identifying scheme works here as well, which is integrated with that of shared humanity. Doña Conchis and the migrants are equally poor, although in different situations. Scarcity is not only an availability of goods; it is also a way of reading the world and one's own lives. Being both human and poor: this is what the donor and the recipients share.

When the shortage was very intense, Mrs. Concepción became a petitioner for help. She condenses it in a masterly way: she requests in order to give. In that sense, she says:

When they want to bathe, sometimes I don't even have soap. Sometimes I go there asking my daughters-in-law, and they give me some and then I go: “Take a bath, boys.” It's the same with clothes, sometimes I don't have any clothes or shoes here, so I run to ask: “Hey, could you give me a pair of pants, a shirt for a boy, give me this for this other boy, he's not wearing any shoes, his pants are already very dirty, very dirty,” “Come on, Maria.” I'm telling you, this lady gave me more, she gave me more when all her children were there, you know? because now they're gone. But that's how I do it, I request in order to give (Doña Conchis, Querétaro, personal communication, July 2015).

However, it seems that in any practice of gift there is always the ghost of exchange, that is, of interest as opposed to gratuitousness. Mrs. Concepción places her motivations and her practices in the field of gratuity: “I never charged them, I never told them: “now pay me the lodging, now I'm going to charge you rent or give me soap, give me,” I never charged them anything. Given the tensions and forces it arouses, though not necessarily resolved, Godelier describes the gift as “an ambivalent practice” (Godelier, 1998, p. 23). The obligation to return is one of those tensions: for Mauss it would be in “the nature of the gift” (2012 [1925], p. 145); on the other hand, for Descola (2012) and Testart (2013) a gift does not require offering a counter-gift, “in the sense that the initial favor implies a compelling prescription” (Descola, 2012, p. 452).

Is there a gift that does not demand a counter-gift? Can long-term and systematic solidarity with certain groups be free? The ambivalence and suspicions surrounding Doña Conchis' motivations place her in a conflictive node of contemporary social relations; local

rumors and gossip accused her of thriving with migrants. As we said, in gratuity and interest, significant cultural tensions are concentrated in order to think about social bonds, not only in their formal description, but also in their hermeneutic understanding. Marcel Mauss rejects, through the multiple examples that he exposes in his *Essay*, the possibility of a disinterested gratuitousness and emphasizes that behind the voluntary character of these benefits, “in appearance free and gratuitous,” “there is only fiction, formalism and social lie” and, finally, “obligation and economic interest” (Mauss, 2012 [1925], p. 253-254). Doña Conchis says that:

Some asked me if I sold them food or clothes, I give them to them that way, with all my heart, with good will and with all my heart. I give them everything from my heart because, I don't know, because my mother has always taught us that if we give, things are more rewarding, but if we are stingy, things will not be profitable. That's why I give them, whether I have it or not, just what I get to give them, I give them, and that's my idea, and I continue to support and help them. (Doña Conchis, Querétaro, personal communication, July 2015).

It is as if culturally the gift responded, at least in the field being researched, to the two analytical proposals that we have already outlined: it is only disguised interest, or it is gratuity without return. Some local voices suspect of Mrs. Concepción's generosity, such as Mauss doubts the generosity that disguises economic interest. The anthropologist mentions three relevant words: fiction, lie and formalism. The question is how to distinguish, in this field, what is not fictional, what is true and what is substantive, from what is not.

Perhaps a clue to resolving this intriguing issue is to ask who could or should return what is donated. In this sense, Descola stresses that “the obligation of reciprocity with regard to the benefactor is [...] purely moral” (Descola, 2012, p. 452). If the obligation is not fulfilled, the problem is ethical rather than contractual. But one can also think of a practice of gift in which the donor is restored to his generosity through the intervention of a third party, different from the recipient. Mrs. Concepción recognizes this logic of bestowal/return; she says “I have this idea that if I help you, God helps me; if not, God will not put his hands on someone who will give me some food or something” (Doña Conchis, Querétaro, personal communication, July 2015). Who returns what has been given? God, she answers.<sup>6</sup> This woman perceives that God helped her when she was detained and that the lawyer who took her case and managed to free her was “an angel sent by God.”

But, on the other hand, it also outlines another principle of circulation of goods and wealth, which is moral rather than technical: “if we give, things are more rewarding, but if

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<sup>6</sup>The interviewer took some food to Mrs. Concepción when she went to interview her, and she sees it from that perspective: “as you do now, thank God, it was for God and for you that you bring that.”

we are stingy, things will not be profitable.” In other words, in the interpretation of her practices, this informant triangulates the relationship between donor and donee, adding to this supernatural third that returns in another way and from another plane that which is donated in this world. It also unveils a principle of circulation that holds that if things don't happen, they will *stall* and won't *yield*; abundance would come from being open to giving what you have, even if it's little. Giving is the opposite of grasping. This is a maternal education, which is transmitted between women who have not had salaried jobs, but who have sustained their families.

It is interesting, to return to an argument that was outlined earlier, to see that in both cases it is impossible to distinguish fiction from reality, or truth from lie. They are networks of significance, in which practices are carried out and acquire meaning, which are at stake. There is no other *background* that is not the same culture, with its ambivalences and ambiguities. We are faced with “[...] a multiplicity of complex conceptual structures, many of which are superimposed or intertwined, structures that are at the same time strange, irregular, not explicit” (Geertz, 2005 [1973], p. 24).

We are thus faced with a dense web of interpretations that clouds any univocal understanding of solidarity practices. We have identified two limits: gratuitousness and profit. Not only in the case of Mrs. Concepción, but also in other cases that we have investigated in different parts of the country, in which the possibility of solidarity being a business undermines the moral basis required to legitimize itself.

If we return to Godelier (1998) and the double relationship that the gift would produce, we believe that solidarity becomes a relative status in the case of Doña Conchis. When she faces trial, she does not do so with legal arguments, but above all with moral ones.

I'd been sentenced to six, six years. I said to the judge: “Give me as many years as you want, after all you get your half of the sentence first,” “you are very aggressive, you are very rude,” “it is because you are breaking the law, I didn't do anything wrong. Yes, I recognize it, and I tell it to your face, judge, I don't have anything and I'm poor, I like to give them a taco, let them sleep in my place, I don't deny it, but I don't know any coyotes to help them cross the border, no; and you who have the financial comfort, you don't give them anything, you are stingy,” “I'm going to raise your sentence!” You can raise it to ten or fifteen years, I know you're going to keep your sentence, I have faith that I'm going to get out,” “no, but you're disrespecting us,” “you're disrespecting me more, because I don't owe anything; if I want to feed them, I'll give them a taquito, now, go and take pictures of my house as I it is, I'm very poor!” (Doña Conchis, Querétaro, personal communication, July 2015).

This story, of a rural and peasant Antigone that confronts the judge claiming the moral validity of her conduct, is sustained by the ethical prestige acquired by those who donate without asking for a refund. If a debt has been incurred in this relationship, it does not only concern the donor and the donee, it also involves a complete society that must recognize

the merits of solidarity practices. In this case, we are not faced with explicit regulations; it is common sense that obliges us to encourage those who donate selflessly. Faced with a social order in which relations of exchange and interest prevail, gratuitousness and generosity are *talismans* that safeguard a series of cultural practices and form species of ethical *sanctuaries*, threatened by the prevailing forms of link between subjects and collectives.

Mrs. Concepción acknowledges to the judge her own poverty and generosity as if, in an antithetical movement, the morality of her behavior was intensified. She has nothing, but she gives anyway. She tells the official that she “owes nothing.” Her solidarity practices have not produced a debt; that is to say, after giving she should not repay. It is as if the gift began and ended in her practices. Since she argues with a judge, she somehow tells the state that she is free of debts, but also of crime. We are interested in pointing out that in these words the informant claims a different type of social relations than that which is the responsibility of the law and state institutions. The *antiquity* of the gift as the foundation of social relations proves her right. But this woman lacks arguments that allow her to defend her practices against other relations and other discourses.

#### SAMARITAN OR ACTIVIST?

When the Miguel Agustín Pro Juárez Human Rights Center (Centro Prodh) heard about the case, ordinary remedies had been exhausted. On assuming the integral defense of Doña Conchis, they filed a direct amparo against the resolution that confirmed the sentence dictated by the judge. At the same time, they began a public campaign to demand her release. On August 23, 2007, the First Collegiate Circuit Court of the State of Querétaro granted the reason to the defense; considering that the evidence against Mrs. Conchis presented defects of form and substance that made them invalid, it granted the protection of the federal justice and ordered the issuance of a new sentence. After this resolution, the Court issued a new sentence in which it decided to absolve Concepción on appeal and order her immediate release.

According to this human rights organization, the case of Concepción Moreno is emblematic for exemplifying the discretionality of public policies related to Central American migrants in Mexico. It also highlighted two fundamental issues on the country's human rights agenda: the need to consolidate the reform of the criminal justice system and the vulnerability of human rights defenders (Centro Prodh, 2008).

As a further achievement, on March 5, 2008, the Supreme Court of the Nation ruled that only those who harbor or transport undocumented persons for an economic purpose will incur a crime. This decision exempts from the illicit act those who do it for humanitarian or non-profit reasons, “and who, following the Mexican tradition of assistance, support and aid to the needy, underprivileged or in a situation of disadvantage, shelter or transport

undocumented foreigners, which implies, in any case, good faith” (SCJN, 2008, p. 45). In this case, a state limit is at stake between lucrative and solidarity practices. Again, money and interest will be central to differentiating one from the other. But once Ms. Concepción was arrested and her case defended by a human rights organization, the interpretations that were developed were different from those she proposed. Her story shifted and she abandoned the conceptual schemes of her community. This process of inscription of solidarity practices in other interpretative schemes, but also their translation into another organization of social relations, will be read as a shift towards a humanitarian discourse, in the words of Fassin (2016), of forms of solidarity towards migrants.

Contemporary solidarity practices articulate complex networks of local, national and international actors and resources (Solano, 2017, p. 137). When Centro Prodh assumed the case of Mrs. Concepción, the framework was less dense than the current one, and during the last few years new organizations have been incorporated, or the existing ones have increased their presence. Considering that, as we said, it is not a homogeneous solidarity network and its practices are multiple, its coherence must be sought in a discursive register, rather than practical. The humanitarian discourse gives very powerful meanings to the action of these organizations, given that the vocabulary “of compassion and the humanitarian” is part of political life, both nationally and internationally (Fassin, 2016, p. 11).

Doña Conchis shows the discursive extension of humanitarianism to other spheres, which until recently remained outside its influence. Humanitarian reason triumphs when it manages to articulate discursively the main actors in this field, but also when it encompasses the set of practices of solidarity, including those that arose in other cultural schemes. The polysemy that could surround solidarity with migrants gives way to a humanitarian discursive hegemony.

But it is not only a question of transforming the forms of significance of certain social practices, but also of their registration in another institutional system. As we said, what was basically constituted by face-to-face encounters, more or less sporadic, that took place in some daily spaces, such as houses or streets of the territories through which migrants transit during their journey, was transformed into a network of specific places, dedicated to giving some kind of attention to this population (food, lodging, health or legal care, among others). It is not a matter of different languages; they are different ways of life and discursive formations that intertwine.

When Prodh Center advocates address Mrs. Concepción's case, they describe her as someone who “promotes tolerance for migrants,” who “provides humanitarian aid,” and as “a symbol of peaceful opposition to government discourse.” None of these descriptions correspond to those that our informant makes:

Ms. Moreno has sought to promote greater tolerance towards migrants and to encourage a respectful attitude towards migrants on the part of members of her community. By providing humanitarian aid to migrants, Ms. Moreno has become a symbol of peaceful opposition to government discourse that criminalizes migrants and denies them their basic rights (Centro Prodh, 2007, p. 3).

Although the organization that defends Mrs. Concepción is confronted with the arbitrariness of the justice system, it uses legal language that is understandable to these institutions. She is far from that defiant verbal encounter that this woman relates with the judge who imprisons her. For these plots, Mrs. Conchis is an activist and defender of human rights; for her, her place is that of a generous and maternal woman.

Not all the actors of solidarity practices are located in the same position, nor are the spaces equivalent. The heterogeneity of the practices also implies the inequality of the relations they produce or in which they are sustained. In this sense, Mrs. Concepción is in a particular position: people even more vulnerable than she is reach her home and she only has moral courage that has no institutional repercussions. Far from the languages and technical knowledge, this woman can elaborate a daily story with her conceptual and moral schemes, but she cannot face the attacks of the institutions and requires specialized assistance.

Paradoxically, in the identification schemes at play, this lady is closer to migrants than the organizations that work for them. Humanity and poverty, elaborated in everyday languages, are anchors of her practices, but also ways of linking with others. Institutional forms of solidarity involve technical languages and professional knowledge. Although the humanitarian, says Fassin, “becomes a language that inextricably relates values and affections” (Fassin, 2016, p. 11), the language of organizations is technical rather than affective, international and not communitarian. Without participating in this humanitarian language which is articulated around compassion and shared humanity, Doña Conchis offered shelter and food to the migrants who asked for it. In other words, she satisfied needs that today are part of humanitarian action without establishing relations with the institutions or the discourses that would later take care of them. As a *Samaritan* or as an *activist*, this woman was always a marginal actor on the map of solidarity, who did not see any other languages other than those of gift or justifications other than religious or moral. To some extent, faced with the abstract compassion of humanitarian discourse, she displayed a warm hospitality, in terms of Solano (2017, p. 136), scarcely narrated. It is not only a matter of drawing a distinction between a warm Christian logic and a cold state logic, but also between micropractices based on a random encounter with the other and those that delineate stable modes of solidarity (welfare or critical), which articulate in different ways the macro-discourses of transnational humanitarian compassion.

## A CORPORAL DEBT: REPAIRING THE DAMAGE

When the second journalistic note quoted in the introduction was published, Mrs. Concepción was ill: a diabetes diagnosed before her arrest had advanced and threatened to blind her. During the first four months of her imprisonment, she was unable to take the medications that controlled her illness. After being sheltered and released, her case was forgotten, and she returned to her usual life and deprivation.

In 2015, when we carried out the fieldwork (ten years after her arrest and eight years after her absolution and release), the woman was alarmed by her situation; it was at the same time the journalist who had denounced her arbitrary imprisonment reported her deterioration. The Network for Migration in Querétaro decided to take up the case of Doña Conchis. Health problems and extreme poverty are two conditions that affect her and other members of her family and community.

Mrs. Concepción's position had changed considerably. At this time, she was the one who needed help and it came from networks specializing in migration and human rights. As a result of the Southern Border Program, as of 2014, the transit of migrants through her locality decreased considerably. She continues to claim her generosity, but solidarity practices are increasingly scarce.<sup>7</sup>

Somehow, imprisonment caused a profound deterioration in this woman, although she connected her with institutionalized solidarity networks. That link was diluted over time, but it was reactivated in 2015. Then their interest was how to compensate for the deterioration she experienced; some suggested that she should request a damage repair. She comments on this:

[They tell me] “ask for compensation.” I didn’t ask for anything by then (when she left prison acquitted of charges), because I was happy to be with my children, I was happy to get out of there, and well, it was silly of mine not to ask for the compensation they say they would have given me; now I want to fight for it, but I don't know if I can (Doña Conchis, Querétaro, personal communication, July 2015).

Who can repair the damage? Can injustice be remedied by compensation? We have no clear answer to these questions, but we believe that the last episodes of this story show that Mrs. Concepcion requires institutional networks. She is not an activist, but she is a supportive person affected by government policies around immigration. The practices of the gift are blurred after this institutional entanglement; everyday solidarity gestures

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<sup>7</sup>Since the fieldwork was carried out during 2015 and 2016, our analysis refers to what was happening at that time with migratory flows and solidarity practices. However, the speed of the transformations that have occurred in the last three years makes it necessary to place historically any description of Central American migration through Mexico.

become deep traces of the institutions' action. This lady begins to pay a debt through her own body, as if the penalty were also the calculation of a cost. The suspicion that Mauss extends to selfless generosity is transformed into bodily evidence: the gift is punished; generosity is pursued, and costs are transferred to the one who acts moved by other values or by other cultural schemes other than those of interest and the calculation.

Our informant is irremediably trapped, in our opinion, between the social and cultural debt she is *paying* with her body, but which was imposed by the government, and the technical solutions offered by institutionalized solidarity networks: to demand that the harm be compensated, that is, that her suffering be transformed into an amount of money that would compensate her.

Can the damage to cultural schemes and ways of life be repaired? Can its symbolic and experiential value be monetarily calculated? Is it possible to restore damaged social relationships, broken ties, belied values? Perhaps the most successful intervention would have been to vindicate the social and cultural importance of gift practices, call into question the absolute reign of interest, deny the formalities and fictions of generosity with these everyday, but real stories, in which someone can give something without asking for anything in *return*.

Translator: Yahaira Nava Morán

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