

To: CSLS Workshop Participants

From: Kathy Abrams

Date: January 23, 2018

Attached is my draft for the January 29 workshop. It is a chapter from my book-in-progress that frames, in a more theoretical vein, the central findings of the research. It is longer than I anticipated. Because I wanted to provide you with a kind of overview of the book's argument, I have left in this draft a fair amount of empirical material that will ultimately be moved elsewhere (probably to later chapters that trace these themes through the unfolding of the movement). If you have limited time and would like to get a flavor of the argument, you can read the section on storytelling (pp. 2-23), or the section on performative citizenship (pp. 24-46). If you are particularly interested in the management of emotion in social movements, you can have a look at that section (pp. 46-53), but it is currently more schematic than the preceding sections. I should have a chance to introduce each of these sections at the workshop. I am grateful for your time and attention, and I look forward to our conversation.

Chapter 2 Practices of Authorization

This chapter takes up the primary question posed by the book: *how does a group of activists without formal legal status, organizing in a state that has subjected them to criminalization, surveillance, and material deprivation, develop the sense of authorization necessary to create an effective, engaged social movement?* It introduces the framework that grounds my answer. I argue that three sets of practices common to undocumented organizations in Phoenix have been central in fostering activists’ political authorization. First, I explain how storytelling, a unifying tactic in the movement of undocumented immigrants, has supported and enhanced the personal, moral, and political agency of participants, enabling them to emerge into public visibility and take on the outward-facing tasks of activism. Then I focus on tactics of “performative citizenship”: a claiming of the paradigmatic roles of citizens that allows undocumented activists to apprehend institutional dynamics and understand the accountability of state actors. This knowledge authorizes them to engage state actors, and to expect a response. Finally, I argue that undocumented activism has been enabled and sustained by practices of emotional manifestation and management. These practices have allowed activists to generate the intense, affectively-charged forms of communication that frame the central claims of the movement, and to manage fear, frustration and disappointment in ways that enable long-term persistence.

I. Storytelling

A. Approaching Storytelling as a Unifying Tactic

Experiential storytelling has been a long-standing practice across social movements¹: it highlights the subjectivity of the disenfranchised, and allows neglected experiences that may shed critical light on familiar practices to reach decisionmakers and members of the public.² In the immigrant rights

¹ Although it has been particularly useful for members of disenfranchised groups, the practice of storytelling has also been supported by a broader “confessional” impetus in American culture. See Francesca Polletta, *It Was Like a Fever: Storytelling in Politics and Protest* [intro ch] (2006) (tracing influence back to literal confessions of religious revivalists and 19th century abolitionist discourse).

² These claims for storytelling have been examined in a varied and extensive literature, in law, sociology, and the humanities. In law, storytelling has been examined most systematically by feminist legal theorists and critical race theorists. See e.g., Richard Delgado, *The Rodrigo Chronicles: Conversations about America and Race* (1995); Patricia Williams, *The Alchemy of Race and Rights* (1991); Derrick Bell, *And We Are Not Saved: The Elusive Quest for Racial Justice* (1987); Jane Barron, *Resistance to Stories*, 67 S. Cal. L. Rev. 255 (1994); William Eskridge, *Gaylegal Narratives*, 46 Stan. L. Rev. 607 (1992-93); Kathryn Abrams, *Hearing the Call of Stories*, 79 Calif. L. rev. 971 (1991); Richard Delgado, *Storytelling for Oppositionists and Others: A Plea for Narrative*, 87 Mich. L. Rev. 2411 (1989); Mari Matsuda, *Looking to the Bottom: Critical Legal Studies and Reparations*, 22 Harv. C.R.-C.L.L. Rev. 323 (1987); Robin West, *The Differences in Women’s Hedonic Lives: A Phenomenological Critique of Feminist Legal Theory*, 3 Wisc. Women’s L.J. 81 (1987); For examples of sociological and humanistic works analyzing storytelling, see n. [6], *infra*.

movement, however, first-person, experiential storytelling has played a particularly robust and pervasive role. It is employed in organizational settings, to recruit and socialize new members; it is offered in public communications, in long and short forms, alone and in conjunction with other tactics; it is directed to state actors, to prospective voters, to members of the public, and to activists themselves. It is the product of an intentional and well-developed social practice, that has been honed in recent years by organizations of undocumented immigrants. My research suggests that this practice has been central to enhancing the personal, moral, and political agency of activists.

I employ a non-specialized understanding of agency, as encompassing the ability to direct one's course and make choices that advance one's preferred values.³ Whether person, moral or political, agency is inevitably partial, as it may be constrained by the self-assertion of others, or by the requirements of various collectivities. It is also constrained in a sense that is more internal: to act in these ways, one must see oneself as a functioning agent capable of various forms of responsibility and choice. This can be complicated by a variety of factors, including legal and social structures and depictions that cast doubt on these assumptions. Members of marginalized groups, for example, must contend with structure and depictions that question their capacity for (sound) choice or judgment, or their ability to take responsibility for their circumstances. Understood in this sense, agency may denote the ability to formulate and act on a conception of self that is not decisively shaped by dominant, stigmatizing conceptions.⁴ The sense of efficacy, value, and capacity for self-direction associated with these forms of agency helps activists to assert themselves politically.

Experiential stories, as I define them in this chapter, have several features.⁵ They relate a series of events in the life of an individual: in the case of most undocumented stories, this individual is the speaker herself. These events are organized temporally, so as to present a "beginning, middle, and end."⁶ Finally, this sequence of events gains coherence and meaning through their relation to a

³ See Diana Tietjens Meyers, *Victims' Stories and the Advancement of Human Rights* 60 (2016) (defining agency as the "ability to choose and act" and "pursu[e] activities and goals that ought to be open to [one]"). When I reference political agency, I mean the capacity for self-direction, either individual or collective, in the domains that constitute politics. In using the term "moral" agency, I mean to foreground attributes such as the capacity to reflect on and exercise judgement about one's circumstances, or take responsibility for difficult moral choices. See Elizabeth V. Spelman, *Fruits of Sorrow: Framing Our Attention to Suffering* 68-82 (1997) (discussing demonstrations of moral agency by Harriet Jacobs in *Incidents of the Life of a Slave Girl, Written by Herself*).

⁴ For a discussion of these and other ways in which one can conceive of agency as "partial," see Kathryn Abrams, *Sex Wars Redux: Coercion and Agency in Feminist Legal Theory*, 95 *Colum. L. Rev.* 304, esp. 306 n.11 (1995).

⁵ The understanding of "stories" framed here synthesizes a number of works of narrative theory and the sociology of narrative. See e.g., Diana Tietjens Meyers, *Victims' Stories and the Advancement of Human Rights* (2016); Francesca Polletta, *It Was Like a Fever*, supra note []; Hayden White; Anthony Amsterdam and Jerome Bruner; Marshall Ganz, *Why Stories Matter: The Art and Craft of Social Change*, *Sojourner* (March 2009), at <http://sojo.net>; Patricia Ewick and Susan Silbey, *Hegemonic and Subversive Tales: Toward a Sociology of Narrative*, 29 *Law & Society Review* 197 (1995). My understanding of storytelling as a socially-structured practice draws on the particularly helpful framing of Ewick and Silbey, supra.

⁶ Ewick and Silbey, *Hegemonic and Subversive Tales*, supra note [], at 200.

conceptual structure, frequently an “opposition or struggle.”⁷ The stories undocumented activists learn to tell as they train for civic engagement campaigns, for example, involve “a challenge, a choice, and an outcome,”⁸ although this is not the only conceptual frame utilized in undocumented storytelling. Stories are socially organized. The groups or institutions in which they are told shape not only their content, but the circumstances of their elicitation (ie, when it is considered useful or appropriate to offer an experiential story), the manner in which they are received (ie, what is an appropriate way to respond to a story), and the purposes for which they are told.⁹

In what follows, I will distinguish experiential stories or narratives, from what I call “metanarratives.”¹⁰ Metanarratives are the larger storylines that support the shared values of a particular community. Metanarratives may support the dominant values of a political community, such as the United States. For example, the “Horatio Alger story,” of upward mobility through individualized effort, expresses and supports the dominant norm of individualism and may serve to explain or justify the unequal distribution of resources. These metanarratives may be embodied in full-length, paradigmatic stories (like the original fictions published by Horatio Alger), or signaled by phrases or tropes (ie, the “Horatio Alger story”). Experiential stories told by outsider groups may support metanarratives, as a means of legitimizing the group.¹¹ The DREAMer story, which depicts the striving of a hardworking, upwardly-mobile youth toward American belonging, affirms the metanarrative of the “good immigrant” (itself a “Horatio Alger”-like story of success through individual effort).¹² Outsiders may also challenge metanarratives, as a means of introducing or supporting competing norms. Not1More Deportation stories, that challenge the Obama administration’s distinction between “families” and “felons” (ie, “good” and “bad” immigrants)¹³ contest these same metanarratives. Not all stories intended to be

⁷ Ewick and Silbey, *Hegemonic and Subversive Tales*, supra note [], at 200.

⁸ This frame comes from the theorization of storytelling used by sociologist Marshall Ganz, who organized with Cesar Chavez and the farmworkers’ movement. See Ganz, *Why Stories Matter*, supra. Ganz’s conception of storytelling is used in the training of DREAMers at the national level by organizations such as United We Dream, and in Arizona, and in the training of undocumented canvassers by organizations such as LUCHA and Promise-Arizona.

⁹ See Ewick and Silbey, *Hegemonic and Subversive Tales*, supra note [], at

¹⁰ See Ewick and Silbey, *Hegemonic and Subversive Tales*, supra note [] at 213 (using term “cultural metanarrative”). Ewick and Silbey also use other terms to reference the shared cultural understandings in relation to which experiential tales may orient themselves, such as “existing structures of meaning or power” or features of “hegemony.” I prefer to use the term “metanarrative” for this chapter, because it evokes the sense in which some dominant understandings are framed as narratives or as what Francesca Polletta would call “kernel stories.”

¹¹ Ewick and Silbey describe stories that support dominant norms or metanarratives as “hegemonic” and those that contest them – through exposure of their operation or effects – as “subversive.” See Ewick and Silbey, *Hegemonic and Subversive Tales*, supra note [], at .

¹² See Walter J. Nicholls, *Making Undocumented Immigrants into a Legitimate Political Subject: Theoretical Observations from the US and France*, 30 *Theory, Culture & Society* 82, 92–98 (2013).

¹³ See Abraham Paulos, *People With Felonies, Criminal Records and Gang Affiliation Are Our Friends and Family*, Huffington Post, November 30, 2014, http://www.huffingtonpost.com/abraham-paulos/people-with-felonies-crim_b_6228310.html; Carlos Garcia, *Not1More Means Not One More*, <http://puenteaz.org/blog/not1more->

subversive achieve their goal: their normative divergence may make them unintelligible or unpersuasive to dominant audiences, or they may be interpreted in ways that assimilate them to dominant norms.¹⁴

Metanarratives may also express the shared norms of sub-communities, including social movement organizations and outsider groups. In describing the work of undocumented organizations in, I identify a series of metanarratives that reflect group-based understandings about the political and moral status of undocumented immigrants, and about the norms that govern their collective action. Some of these metanarratives, as I explain in this chapter, concern stories. They are not fully-elaborated narratives, but what Francesca Polletta calls “kernel stories”¹⁵: brief plotlines, phrases, or aphorisms that reflect shared understandings of the way that stories contribute value to the movement. Through a combination of practices relating to storytelling, and metanarratives reflecting shared beliefs about how they function, undocumented organizations construct storytelling as a practice that enhances the agency of activists.

B. Practices of Storytelling in Undocumented Organizations

Storytelling is a prominent and ritualized feature of life in many undocumented organizations. Long before activists tell their stories to state actors or members of the public, they learn to craft, share, and respond to experiential stories within organizations. Although such activity is more conspicuous in DREAMer or other youth-based organizations, even community organizations like Puente,¹⁶ which do not incorporate storytelling explicitly in the format of their general meetings, encourage one-on-one storytelling with prospective members, and encourage the sharing of experience at group vigils. The

[means-not-one-more/](#) (“felon” is status produced by discriminatory law enforcement, or by criminalization of formerly civil immigration violations)..

¹⁴ See Ewick and Silbey, *Hegemonic and Subversive Tales*, supra note [], at .

¹⁵ See Francesca Polletta, *It Was Like a Fever: Storytelling in Politics and Protest* 20 (2006).

¹⁶ In this chapter I will refer to four organizations with which I did ethnographic observation and interviews. [They are described in the first chapter, but I offer a brief re-introduction here.]. **ADAC** (the Arizona DREAM Act Coalition) is a DREAMer organization that formed in response to Proposition 300 (2006), which imposed out-of-state tuition rates on undocumented students and rendered them ineligible for public scholarships. It has focused primarily on educational access, civic engagement, and support for federal action providing a path to citizenship or legalization to undocumented immigrants. **Puente** (also known as Puente Movement or Puente-Arizona) is a community-based organization that formed in response to the aggressive enforcement activities of Sheriff Joe Arpaio of Maricopa County. Puente welcomes youth activists, but organizes predominantly around undocumented adults and their families. Puente’s focus has been on fighting deportations, resisting federal-state collaboration on immigration enforcement, and mobilizing against anti-immigrant legislation and enforcement at the state and local level. **LUCHA** (Living United for Change in Arizona) is a community-based organization that works primarily on civic engagement (the registration and turnout of Latino voters) and provision of services (citizenship training, DACA applications, etc) to immigrant communities. Formed after the passage of SB 1070 (the anti-immigrant state law featuring the “show me your papers” provision), and initially organized around a membership model common to labor organizations, LUCHA has developed an increasing focus on anti-poverty and living wage work. **PAZ** (Promise-Arizona) is an organization that aims to empower youth through civic engagement work. It formed after a 100-day vigil outside the capitol after the passage of SB 1070, led by a small group of middle-aged, undocumented women of faith, some of whom also remain active in the organization.

“circumstances of elicitation”¹⁷ for stories in these organizations are exceptionally broad. The paradigmatic contexts of storytelling within organizations revolve around the socialization of new members, as described in Chapter 3. In some organizations, such as ADAC, prospective members are introduced to the organization by hearing an experienced activist tell a “DREAMer’s story”: a narrative encompassing experience as an undocumented youth, that is organized around the theme of striving in the face of group-based challenges, often with the help of collectivity. In other organizations, such as LUCHA and PAZ, civic engagement volunteers are asked to develop and share their own stories, organized around Marshall Ganz’s framework of “a challenge, a choice, and an outcome.”¹⁸ But these formal contexts only begin to describe the purposes for which stories are offered within organizations. New participants sometimes share short versions of their stories, as a means of introducing themselves to the organization’s membership. Stories may be offered as a form of celebration: one newly-elected officer of ADAC shared an extended version of his story, complete with projected photographs, as he accepted his office. This narrative was offered more as a valedictory than as a vehicle for communicating information, as he had told his “DREAMer’s story” at a meeting only weeks earlier. Stories may also be offered as a point of departure for new kinds of collective thinking: a co-founder of ADAC who returned to the organization to speak about the exploitation of undocumented workers introduced her topic by saying: “you know my story *as a DREAMer*, but let me tell you my story *as a worker*...”¹⁹

Receiving the stories of fellow members is a serious matter: even the common parlance, to “share a story,” suggests a reciprocity between teller and listener that is borne out by organizational practice. Storytelling by new members is greeted as an act of fortitude that merits careful attention and support. Participants listen closely, providing steady eye contact, and nodding, murmuring, or snapping their fingers at critical junctures, to indicate agreement. They may provide explicit forms of moral support if a storyteller shows signs of emotional struggle or narrates a particularly painful event, offering hugs or other supportive touch. Even experienced participants receive respectful attention when they share their stories. Organizational members remain attentive during the telling of a story they have heard several times before, demonstrating that the purposes served by storytelling within organizations²⁰ go beyond the purely informational.

¹⁷ This phrase comes from Ewick and Silbey, *Hegemonic and Subversive Tales*, supra note [], at .

¹⁸ Marshall Ganz, *Why Stories Matter*, supra note [], at [] (framework connecting these “stories of self” to a collective “story of us” and an action-based “story of now”).

¹⁹ Presentation by IS, ADAC General Meeting (February 2013).

²⁰ Although a number of sociolegal scholars have analyzed the content of undocumented stories, see e.g., Tania Unzueta Carrasco & Hinda Seif, *Disrupting the DREAM: Undocumented Youth Reframe Citizenship and Deportability Through Anti-Deportation Activism*, 12 *Latino Studies* 279 (2014), there have been fewer efforts to analyze storytelling as a practice within the movement. In his book *The DREAMers*, supra, Walter Nicholls examines the practice of storytelling within undocumented organizations. His focus is on how practices – superintended first by non-profits and later by DREAMer organizations themselves – disciplined activists to produce a particular kind of “good immigrant” story. My research reaches a different conclusion about the purposes of organizational practices and the content of narratives, finding them more plural than Nicholls’ book suggests. This is likely a function both of the later temporal period I examine (Nicholls acknowledges some recent pluralization of undocumented stories, see Walter Nicholls, *Dreamers Unbound: Immigrant Youth Mobilizing*, 24

Storytelling within organizations serves several goals, which begin the transformation of new participants into activists. First, the exchange of stories serves some functions of “consciousness-raising,” exposing, and disrupting the inevitability of status-based hierarchy. Second, storytelling challenges demobilizing stereotypes of undocumented immigrants, by highlighting the attainments of those present, and emphasizing the resources each person brings to the tasks of activism. Third, undocumented storytelling, like other forms of “coming out,” serves powerful affective purposes: it relieves shame and fosters affective bonds between those who have struggled in isolation. Finally, although the stories they tell inside and outside organizations may be subtly or importantly different, organizational storytelling enables undocumented immigrants to rehearse, for each other, the roles that they will play as they turn outward to the public.

Many undocumented immigrants struggle with feelings about their status that are painful and intensely de-mobilizing. Adults, who have generally been more vulnerable to immigration enforcement, often feel a corrosive sense of fear; and youth, who have often encountered barriers to their continued education or to unexploited adequately paid employment,²¹ may feel thwarted and stigmatized.²² Both groups have become acculturated to lives sequestered from the public, an experience that can make the prospect of activism daunting. Yet many have also been isolated from others who share their status. Parents, struggling with the recognition that they have unwittingly imposed an impediment on their children, often tell them little about their legal status.²³ Many of the youth I spoke to discovered it as they sought to obtain a driver’s license, or apply to college. And the legal consequences of disclosing one’s status make it risky to discuss with people beyond one’s family. For many of Arizona’s undocumented immigrants, the result has been an environment in which “you didn’t ask, and you didn’t tell, even within the family...”²⁴ Several co-founders of ADAC believed that they were the only undocumented student attending ASU, when in fact there were more than 100.

One consequence of this isolation is that undocumented immigrants have complex, conflicted responses to the disadvantages produced by their status. The hierarchy based on legal status is enforced by norms

New Labor Forum, 24: 76 (2015) (with Tara Fiorito)), and of the Arizona context (activists report that national organizations allowed them more scope to determine their own direction because of the distinctively adverse political circumstances they faced). But more importantly, my account goes beyond what might be described as the one metanarrative identified by Nicholls – the value of the conforming to imagery of the “good immigrant – to identify metanarratives about the role that storytelling plays activism, and to demonstrate how these understandings fueled the agency of activists.

²¹ See Roberto Gonzales, *Living in Limbo* (2015); Roberto Gonzales, *Learning to be Illegal: Undocumented Youth and Shifting Legal Contexts in the Transition to Adulthood*, 76 *American Sociological Review* 602 (2011).

²² See e.g., Leisy Abrego, *Legal Consciousness of Undocumented Latinos: Fear and Stigma as Barriers to Claims-Making for First and 1.5 Generation Immigrants*, 45 *Law & Society Review* 337 (2011) (describing fear that characterizes undocumented adults as greater barrier to claims-making than sense of stigma that characterizes undocumented youth).

²³ For an illuminating and nuanced description of youth discovering the pitfalls of illegality, see Roberto Gonzales, *Living in Limbo*, supra

²⁴ Interview with LD (July 2013).

that naturalize it, using stigmatizing assumptions to justify differences in legal rights and resources. This dynamic was evident with Arizona's SB 1070, whose proponents derogated undocumented immigrants as drug traffickers, economic opportunists, and dangerous criminals.²⁵ But it is also present in federal immigration law, which increasingly constructs undocumented immigrants as criminals,²⁶ and, by denying a path to naturalization, places them outside the circle of possible integration or belonging. Immigrants, as Abrego and Menjivar observe, come to "evaluate their condition through these frames, and think of their predicament as normal..."²⁷ Many feel resigned to the inevitability of their oppression: Abrego and Menjivar describe an immigrant detained in the Postville, Iowa, workplace raid, who insisted, over the objections of the lawyer who sought to represent him, that "I'm illegal, I have no rights. I'm nobody in this country. Just do whatever you want with me."²⁸ Others hold themselves responsible for their own disadvantage. Youth I encountered sometimes voiced shame as well as anger that they had been thwarted in their educational ambitions. One young woman described her feelings about attending community college when she could not afford out-of-state tuition at a four-year university. "I had never wanted that my situation be the reason why I couldn't get something done. I didn't want to be the victim of, "I don't have papers so I can't do it." I always felt like I could. And I felt like I had disappointed myself ..." she acknowledged, "... I felt very ashamed of myself because I wasn't where I had expected myself to be ..." ²⁹ Although she understood the barrier created by Arizona's out-of-state tuition requirement, her socialization to individualistic, meritocratic values meant that she blamed herself for her failure to achieve her aspirations.

Like feminist consciousness raising, organizational storytelling can disrupt these ways of thinking about status-based disadvantage,³⁰ highlighting its shared, structural dimensions, and pointing to the need for a collective response. Confronted with a range of stories that are differentiated, yet reflect powerful strands of similarity, participants can grasp the shape of a hierarchy that might not have been clear from their individual experience: how it operates, whom it subordinates, whom it serves. They can see more clearly the extent to which their challenges are the product of state-enacted laws and dominant assumptions. As they come to see their disadvantage as collective, they may also recognize that the answer lies not in the assertion of individual will, but in collective forms of resistance.³¹

²⁵ [hearings on SB 1070.]

²⁶ For a description of legal changes which have expanded the range of deportable offenses and increasingly re-framed civil immigration violations as criminal offenses, see Juliet Stumpf, *The Cimmigration Crisis: Immigrants, Crime, and Sovereign Power*, 56 *Amer. U. L. Rev.* 67 (2006).

²⁷ Abrego and Menjivar, *Legal Violence*, *supra* note [], at 1386.

²⁸ Abrego and Menjivar, *Legal Violence*, *supra* note [], at 1404 (citing Preston).

²⁹ Interview of BBV (April 2013).

³⁰ For a description of second-wave feminist consciousness raising that highlights its similarities to, as well as certain differences from, undocumented storytelling within organizations, see Catharine MacKinnon, *Toward a Feminist Theory of the State* [pages of chapter] (1989).

³¹ Cf. MacKinnon, *Toward a Feminist Theory of the State*, *supra* note [], at 93 ("since a woman's problems are not hers individually but those of women as a whole, they cannot be addressed except as a whole").

Organizational storytelling may also instill a greater sense of capacity to engage in such resistance. The stories told within organizations not only contest the inevitability of disadvantage, they also challenge the stereotypes that have been associated with undocumented status. Seeing youth who have turned their educational struggles into advocacy for the DREAM Act, or adult activists who have transformed their fears into resistance to deportations contests the de-mobilizing assumption that they are, or must be, powerless. Stories offer a new vocabulary for thinking about undocumented status that emphasizes resourcefulness, skill, persistence, and accomplishment of varying sorts. Viewing their experience through this lens affirms their personal agency, highlighting the initiative, skill, or judgment they possess, even prior to organizing, and countering the incapacity they may hear in dominant stereotypes. But even exposure to the range of stories told in organizations helps new members glimpse their application to their own circumstances.

Stories may also show new participants what they may become through collaboration with others. ADAC's "DREAMers' stories" highlight narrators' persistence or achievement; yet they rarely communicate a message of purely individual accomplishment. Narrators emphasize the resources of interdependence on which they have drawn: the insight shared by mentors, or the support offered by family. They also emphasize the resources provided by political collectivity: many describe themselves as having grown and changed through their participation in the organization.³² Adults, in organizations like Puente, may take a different tack, emphasizing their tireless effort and evolving capacity for self-help, notwithstanding their lack of education or financial resources. Both youth and community-based storytelling stress the potential for agency through collectivity: whatever strengths or attributes people innately possess are enhanced and directed by a growing base of collective knowledge and a rock-solid system of interpersonal support.

This insight highlights another contribution of storytelling in undocumented organizations: the powerful affective bonds it creates among participants. Like other forms of "coming out," disclosing and describing one's status as undocumented – even in group of similarly-situated others -- makes public an identity that has been the source of private anxiety and shame. Narrators learn that the disclosure of this identity is survivable: that is it not too shameful to be mentioned, and that it will be met with close attention, manifestations of support, and acknowledgement of shared experience. The lifting of this burden yields a sense of relief, and a deep connection to those who have received one's message with care and attention. This initial act of reciprocity models the relationships of trust that will sustain activists through risky public action: the notion that they have a community that "has their back." The interpersonal bonds formed through this experience, strengthened over time by the intensity of shared political effort, bolster the commitment of the new participant to the organization. As one ADAC member related:

...I remember my very first meeting, I ended up telling my story and bawling my eyes out in front of these strangers ... it just felt amazing being able to talk about [this] to a group of people that know exactly what you're feeling. ... They held my hand, and they told me and my sister that it would be okay. And that's when I knew that I wanted to create that kind of safe space for other

³² As I note below, *infra* at [], this focus on growth in individual empowerment through collectivity is also a theme that activists stress in their outward-facing storytelling, as it balances the vulnerability they demonstrate by recounting their group-based disadvantage, with a show of moral or political agency.

people as well. That was my first moment where I knew that that's where I wanted to be and that's what I wanted to do.³³

Organizational storytelling gives inexperienced participants a new understanding of their circumstances and a new appreciation of the resources they possess to transform them. Yet practices of storytelling within organizations also prepare newer members for the outward-facing dimensions of their activism: when they will begin sharing stories in public, to strangers who may not share their experience. As undocumented immigrants share their stories in organizational settings, they can perform, for each other, the empowered personae they will then manifest in their public activism, much as the mass meeting testimonials of the civil rights movement enabled activists to display for each other the “first-class citizenship” for which they would contend in the public sphere.³⁴ But as they prepare for their more public roles, they also draw on another resource provided by undocumented organizations: a set of shared understandings, or “metanarratives” about the role of storytelling in producing change.

C. Metanarratives: Organizational Stories about Stories

If storytelling within organizations takes many forms and fulfills multiple purposes, storytelling outside organizations displays even greater variety. There are contexts, such as rallies or public vigils, in which the introduction of undocumented immigrants, through full-length “stories of self,” is the primary focus of the activity. There are other contexts, such as canvassing for voter registration,³⁵ in which storytelling may be part of a larger encounter aimed at explaining the importance of the vote. There are still other settings, such as episodes of civil disobedience, in which a brief “kernel” story from participants will illuminate the meaning of an act of resistance that is the primary focus of the action. There are stories aimed at other immigrants, at members of the general public, at legislators or enforcement officials at either state or federal level. There are stories that foreground effort, accomplishment, contribution, pride, anger, or pain. The public context, and the need to address audiences that are variable and less experientially proximate, make these instances of storytelling more challenging for undocumented activists. As activists turn outward to public engagement, they rely not only on the guidance, rehearsal, and support that they have obtained by sharing stories within organizations, but on shared beliefs, or “metanarratives,” about the role of stories in the movement’s politics.

I identified these metanarratives almost serendipitously in the course of my research.³⁶ During my first months in Arizona, I was struck by the ubiquity of storytelling in undocumented activism: storytelling was central not only to organizational meetings but to marches, vigils, canvassing, direct action events, and more. Consequently, I began to question activists about why stories were so prevalent and what

³³ Interview with DV (March 2013).

³⁴ See Francesca Polletta, *The Structural Context of Novel Rights Claims: Southern Civil Rights Organizing, 1961-1966*, 34 *Law & Society Review* 367, 384 (2000).

³⁵ As I explain in Chapter 3, “civic engagement” campaigns, in which undocumented youth canvas extensively in predominantly-Latino neighborhoods in order to register and/or turn out voters, are a focal activity of many undocumented organizations in Phoenix.

³⁶ This paragraph will probably be included in a methodological appendix to the book. I place it in the text here so readers have some sense of the process through which I came to identify these metanarratives.

benefits they offered the movement. I assumed, perhaps unreflectively, that their answers would help me to craft a first-order, descriptive account of how storytelling functioned in the movement. But what I heard in the answers I received was something different. I heard activists speak with conviction about effects of storytelling that they couldn't predictably discern, from their position as storytellers: for example, how, precisely, it functioned to persuade listeners. I heard them offer confident views on questions whose answers struck me as indeterminate or a matter of perspective: for example, what kind of knowledge is most important in making immigration policy. I also noticed more overlap than I had expected in the answers I was hearing. Finally, I sensed in some of the statements about storytelling a kind of affective intensity that gave them more the character of a credo than of a simple description. It gradually struck me that what I was hearing was less a quasi-factual account of how narrative functioned, than an account of the received wisdom, or *shared views, within organizations, about how narrative functioned*. I found support for some of these understandings in the training materials used, for example, in civic engagement campaigns.³⁷ But more of them appeared to be views that were inferred from trainings, from organizational storytelling, or from storytelling in the field, and circulated between activists until they became a kind of received organizational wisdom.

In what follows, I elaborate the most prominent metanarratives told by undocumented activists about stories, describing the kinds of statements from activists that helped me to identify them. I then describe the ways that these metanarratives have constructed storytelling as a source of personal, moral, and political agency for undocumented activists.

Metanarrative #1: Everyone has a story and you can use it to change people's minds

Stories are viewed not simply as exemplary tales, from which new members can draw determination and connection to others, but as resources that every person possesses, that give them the capacity for engaging the outside world. This is the metanarrative communicated most explicitly in the course of organization-based trainings.³⁸ But it is also expressed and reinforced through casual conversations among activists. The following story, from a canvasser at PAZ, is typical:

I was talking to a volunteer, and we were waiting for the bus or the light rail ...I was like, "So what's your story? Why are you here?" And she's like, "I don't have a story." And throughout my [] trainings, they taught me that *everybody has a story*. So I started asking her questions, and she told me why she got involved. Her family's undocumented. One of her brothers went to jail. And she just started telling me basically everything that I didn't know about her. After that, I told her that that was her story, that she could use that when she went out to talk to her friends and to strangers. Then a few days ago, she was out registering people to vote, and I remember they came back in the van, and [she said], "We were going to register this guy, and he didn't

³⁷ See Campaign for Arizona's Future: Where Real Power Begins, Training Guide, June 2012 (Adapted from the work of Marshall Ganz of Harvard University, modified by the New Organizing Institute). This training guide was used in the "Adios Arpaio" civic engagement campaign, led by PAZ, and discussed in Chapter 3, *supra*.

³⁸ See Campaign for Arizona's Future, *supra* note [], at 17 ("each of us has a compelling story to tell"). Note also that some interview responses, such as the one quoted immediately below, trace this metanarrative to training.

want to, but I told him my story and totally changed his mind, and he registered to vote.” So it’s just like giving that voice to people that they don’t know they have.³⁹

There are several elements in this story that tend to recur in narratives communicating this shared insight. The first is the context of an unscripted conversation between fellow activists. The second is the doubt expressed by the newer activist: notwithstanding the emphasis of trainers, the new recruit remains unsure that she has a personal story distinctive or compelling enough to do the work of the movement. The third is a moment in which the more experienced activist elicits and affirms her colleague’s story, by asking a few simple questions about her life. What is striking about this aspect of the story is its non-specificity. The senior activist elicits a few details about her colleague’s life and declares them sufficient to constitute her ‘story.’ These details are closer to annals or chronicles⁴⁰ than to a story: as described by the senior activist, her colleague’s ‘story’ reflects no temporal organization, no unifying theme. Hearing this brief account, we are not certain exactly why this ‘story’ would persuade a listener. But persuade it does: the final element of this type of narrative is almost always the report that the novice’s story has been offered, and has produced a change of mind in a listener. In some stories like the one above, the dynamic that produced the change remains opaque. In other variants, activists report that the story permitted them to reach an unlikely listener through an unexpected connection. One DREAMer’s story, for example, reduced a middle-aged white woman to tears: it emerged that this woman, with whom the DREAMer had little apparent experiential proximity, had also persevered in the face of obstacles to her education.⁴¹

In stories that convey this particular metanarrative, the opacity at the heart of the account may, paradoxically, be its strength.⁴² The vector of change is not important, nor is the specific character of the story that the activist possesses, because this particular metanarrative is not a story about how stories persuade. It is, rather, a story about how the life circumstances of virtually any undocumented activist can yield the desired effect: in other words, how virtually any undocumented immigrant can contribute to the work of the movement. This message is particularly powerful for participants who are young, shy, or believe that their experience has given them no obvious resources – such as a story of detention or deportation – through which they can contribute to the movement. This lesson about the resources that inhere even in apparently undramatic lives, and the sometimes-surprising results they can produce, has helped many reticent organizational members emerge as robust public participants.

There are some activists, who, despite the lessons of this metanarrative, remain reluctant about telling their stories. This may arise from a more introverted temperament, or a sense (described in more detail below) that telling one’s story risks a show of weakness. These participants appeared to occupy a slightly anomalous role in their organizations. Although group members did not press them to share their

³⁹ Interview with D, K, M (Summer 2012).

⁴⁰ As described by Hayden White, annals are simply a list (without temporality or unifying theme), and a chronicle is a temporally organized account without thematic closure. See Hayden White, *The Content of the Form* [pg] (1987).

⁴¹ Interview with Jh (September 2013).

⁴² See Polletta, *It Was Like a Fever*, supra note [], at [chapter on Civil Rights Sit-Ins] (arguing that gaps or ellipses or unexplained features of stories is draw readers in, challenging them to reflect on what they are hearing)

stories, members seemed to be aware of their difference. In ADAC, for example, there were two DREAMers who were identified as being reluctant to tell their stories; these activists were mentioned intermittently as I interviewed other participants. Despite their reluctance to share their individual stories, however, these activists developed other ways of contributing to the storytelling activities of the movement. One, a graphic artist who was fascinated by the challenge of representing the movement, developed a skill at photography, founding a chapter devoted to artistic representations; the other became the internet coordinator for the organization, using a talent for recognizing hashtags and memes that could distill the messages of the movement. These creative adaptations made me wonder if these reluctant storytellers were in some way authorized by the message of this metanarrative. “Everyone has a story” may be read not as a literal statement, but as supporting view that everyone has resources that will contribute to the movement.

The belief that “everyone has a story” may provide the confidence, or sense of capacity, necessary to turn most organizational members into outward-facing activists. But a participant’s “story” as it is referenced in this first metanarrative (ie, the experiential resources that can be deployed in activism) is not identical to the full-fledged narrative (ie, a story with a beginning, middle, and end, organized around a theme or insight) that an activist may construct from these resources and offer prospective audiences. In shaping the stories they share with external audiences, activists must consider what features give experiential stories their distinctive advantage, what substantive insights are likely to be vital, and what makes for a compelling rendition of a narrative. Additional metanarratives, or “stories about stories,” assist in this task. In most cases, the answers they provide also contribute to a sense of personal, moral, or political agency.

Metanarrative #2 – People are persuaded by stories because of their detail, immediacy, and the emotional connection they create between teller and listener

Stories composed and offered by undocumented activists may introduce the primary “frames” of the movement⁴³: the paradigmatic figure(s) of the undocumented immigrant around whom organizing takes place; the injury or wrongs suffered by those figures; the institutional or public response that may ameliorate these wrongs. These messages may be delivered in other ways: as abstract claims, or as arguments buttressed by various forms of quantitative empirical evidence. The claim made by movement activists is that stories improve on these non-narrative methods; they have specific advantages as vehicles for conveying the primary messages of the movement. Though narrative theorists hold many views of how stories persuade and what features makes them uniquely compelling, undocumented activists coalesce around two: their concreteness and immediacy, and the emotional bonds they forge between storyteller and listener.⁴⁴ These advantages, illustrated by activists with

⁴³ See Robert Benford and David Snow, Framing Processes and Social Movements: An Overview and Assessment, 26 Annual Review of Sociology 611, 614 (2000) (frames are means of “simplifying and condensing aspects of the “world out there” ... in ways that are intended to mobilize potential adherents and constituents, to garner bystander support, and to demoralize antagonists”).

⁴⁴ These views of the strengths of storytelling held by activists are also shared, in large degree, by scholars. See e.g., Polletta, *It Was Like a Fever*, supra note [], at (describing power of affective connection between storyteller and audience); Meyers, *Victims’ Stories and the Advancement of Human Rights*, supra note [], at (describing effect of vivid, often painful details conveyed by narrative) and [] (describing strength and range of affective

examples from their own experience, are central to the ways that stories are formulated and narrated in the movement.

Storytelling gains purchase, first, from its concreteness: the description of lived experience lends detail and immediacy that would not be present in a more abstract account. One DREAMer explained this advantage through a specific example:

a lot of people just assume that ... crossing the border is hard. But unless you walk through the desert yourself, unless you felt that kind of thirst, or unless you saw all the little graves out there in the desert from the people that just didn't make it, they don't really know what it means to cross the desert.⁴⁵

An experientially-grounded narrative can provide the small yet revealing details – the searing thirst, the crosses marking the barren landscape of the desert – that engage the imagination of the listener. They help her to see, hear, or feel the details of a situation she may never have witnessed. A first-person experiential story can also command the scarce resource of listeners' attention, through its immediacy and urgency. One canvasser explained how experience worked on distracted voters: "when you're talking to someone and they seem a little absent-minded, they don't have time for you, you say, "Hey! *You have to have time. This is what's going on in your community. I personally am affected because this is happening...*"⁴⁶. A person whose own life embodies the stakes of a controversy can better reach a disengaged or distracted listener.

This last insight points to the second major claim for storytelling: its affective charge creates a bond between storyteller and listener. As the argument from urgency suggests, a story is not simply an array of details; it is an important life experience that evokes an emotional response in its narrator. It may be a powerful response, an echo of the joy or terror evoked by the initial experience; or it may be a subtler response, a moment of wistfulness or pride produced by the process of recollection, a current of impatience or urgency. Whatever their magnitude or coloration, these responses reveal the (familiar) human being, in what might otherwise be an unfamiliar story. They invite listeners to engage the story affectively as well as cognitively, to empathize with the person before them. This empathic connection, in turn, creates receptivity to the narrator's message. Activists convey this insight in different ways. Some convey it more broadly, referencing the heart as the metaphorical seat of affective connection. "[Y]ou can motivate and mobilize an entire community based on stories," declared an ADAC activist. "Of course, you need facts to back up those stories and to reinforce it to the people that are more business-minded, *but everyone has a heart, and you can reach out to them through those stories.*"⁴⁷ Other

responses to narrative). But narrative theorists also point to other qualities that contribute to the persuasiveness of stories in protest, politics, and policymaking. See e.g., Polletta, *It was Like a Fever*, supra note [] at (pointing to ellipsis as a vehicle for engaging listeners), and at (arguing that literary devices such as irony, unexpected reversals, changes in verb tense, may render 'victim' stories more credible and persuasive).

⁴⁵ Interview with DV (March 2013).

⁴⁶ Interview with G (December 2012) (emphasis added).

⁴⁷ Interview with DV (March 2013),.

activists describe a more specific process of empathic identification. With storytelling, one DREAMer explained:

[you] pretty much force your shoes [onto somebody] and tell them to walk a mile. Because a lot of people, they're not open to that, and they try to disassociate ... any type of human connection... [with a story,] you tell them, "No, we're both humans here. Put on these shoes. They fit you too." That's when they start saying, "You know what? I think in your shoes, I would have done the same thing."⁴⁸

By helping listeners to see the storyteller as a human being like themselves, experiential narratives can enlist the empathy of audiences who may be experientially distant from the events that stories relate.

At one level, this metanarrative may seem neutral in its effects on the agency of activists. Its nominal focus is not on activists, but on what makes stories a way to communicate the frames of the movement. These strengths become desiderata that help activists take the first steps toward shaping the raw material of their lives into compelling stories. At another level, however, this metanarrative embodies a strong claim about who can wield the power of storytelling. The qualities that distinguish stories in the minds of activists are not the skills of the artist or expert. While narrative theorists might highlight the unexpected reversal, or the abrupt shift in narrative perspective,⁴⁹ undocumented activists cite the more straightforward virtues of concrete detail and affective valence. If these are indeed the advantages of storytelling, then the vast majority of activists can achieve them. It requires no specialized skill to evoke the details of an experience you had, or offer some version of the feeling an experience produced in you. This shared view of narrative persuasion is democratizing and authorizing: like the view that "everyone has a story," it makes clear that a range of activists can confidently contribute to the movement.

Metanarrative #3: Manifesting vulnerability through storytelling incites action in listeners

The first two metanarratives answer two questions: who can tell a story? and what attributes make storytelling more compelling than other modes of political communication? But they say little about what makes one story better than another – that is, about the content of stories, or the specific ways in which they should be told. A third metanarrative combines a view of the kind of substantive messages that prospective audiences need to hear, with a view of how those messages should be conveyed. As with each of these metanarratives, the question is not whether their claims are factually accurate, it is whether and how they enable storytelling to contribute to the political authorization of activists. In this sense, this third metanarrative is more equivocal than those examined above in its effects. It in junction to manifest vulnerability does not require specialized skill, but it is a directive which many activists approach with ambivalence. Its incitement to vulnerability – particularly emotional vulnerability -- is in tension with their emergent self-conceptions as fighters or resisters, and it conflicts with the stoicism many have embraced as a survival skill. Activists have responded to this ambivalence with a set of hybrid

⁴⁸ Interview with JZ (Phoenix AZ May 2014).

⁴⁹ Interestingly, Francesca Polletta, one of the most astute analysts of storytelling in social movements, highlights these very literary virtues as potential strengths of "victim" narratives. See Polletta, *It Was Like a Fever*, supra note [], at [chapter on victim narratives].

stories that manifest vulnerability while highlighting features of moral and political agency in their lives. For most activists, such narratives represent a satisfying or sustainable compromise between performing vulnerability and feeling agency; yet for some, the imperative of vulnerability is corrosive to their sense of personal agency, even if they believe it contributes to their collective political empowerment.

Most public narratives offered by immigrants describe an injury, arising from status, that explicitly or implicitly points toward a remedy. DREAMers are thwarted in their efforts to secure an education or work in their chosen fields; they require the naturalization provided by the DREAM Act, or the work permits associated with DACA, to allow them to achieve their goals. Undocumented canvassers have suffered the excessive enforcement of SB 1070 or Joe Arpaio; they require the participation of Latino voters to elect more responsive officials. Families sharing stories of detention or deportation have suffered the loss of a loved one through federal immigration enforcement; they require executive relief from deportation. In one respect, then this metanarrative emphasizing the manifestation of vulnerability concerns the content or structure of stories: you must tell a story that explains the harms you have suffered at the hands of state officials, if you hope to motivate listeners to take action.

But this metanarrative also conveys a view about how stories should be told. Because stories work by creating affective bonds between storytellers and listener, storytellers must not only convey (factual) vulnerability to the state; they must also manifest (emotional) vulnerability before their audiences. This means making present to the listener, in a direct and vivid way, their experiences of anguish, fear, or hopelessness, in order to elicit some kind of response. This manifestation of pain is viewed as particularly important if the speaker is fighting the deportation of a family member by describing the anguish of family separation. As the lead organizer at Puente told community members: "... this is going to help your loved ones get out. People need to see what you're going through. That's how we're going to get the people engaged and involved in fighting for this."⁵⁰ But vulnerability, in more (or less) modulated registers, plays a role in more routine canvassing narratives or DREAM Act narratives as well. As one DREAMer put it: "it's like I use the pain to cause pity, that causes a feeling of empathy or anger ... and that can lead to action."⁵¹

Activists describe the process of manifesting vulnerability in a variety of ways, some of which associate it with forms of strength. Some activists describe the process of making uncomfortable feelings present as a challenging discipline, which gives rise to a distinctive kind of leadership. One PAZ canvasser explained:

...sharing that story of self doesn't just make you a leader. Because you can be a leader and not care about anything. But it made me emotional. *I can connect to others the way I could never do it before, because now ... [I allow] myself to be a little vulnerable, in a way.* So it's something that you have to work on a lot. You don't develop being genuine all by yourself. It takes a lot. It takes a village to raise a child, they said, so it takes a village to become who you are in the campaign world...⁵²

⁵⁰ Interview with Carlos Garcia (March 2015).

⁵¹ Interview with IS and RM (August 2016).

⁵² Interview with G (December 2012) (emphasis added).

Others describe vulnerability as a source of power in storytelling, an unlikely form of strength that one can nurture on behalf of one's community. An ADAC organizer referenced this power, when she gave this example: "So I found myself tearing up in front of 300 people. And then I look out to the audience, and then these 300 people are crying. They're hugging each other. And then I knew that that's when my message would come across the strongest..."⁵³

But for storytellers seeking social and legal change, displaying factual and emotional vulnerability can be a double-edged sword. As feminist and other narrative scholars have observed, human responses to suffering can be uncertain and paradoxical. Listeners can recoil from what they perceive as abjection, blaming the storyteller for her own disadvantage.⁵⁴ Empathy or compassion can slide imperceptibly toward pity or even contempt, if audiences view the storyteller as a mere embodiment of suffering, lacking basic capacities for choice or judgment that they ascribe to moral agents.⁵⁵ This last danger can be particularly acute when storytellers are contending for some form of equal membership or status.⁵⁶ These analyses have led some theorists to conclude that storytelling, while depicting social or political wrongs, must describe narrators as more than what has been done to them: it must signal their capacity for moral responsibility, independent judgement, or perspective on their circumstances.⁵⁷

Activists think about these questions differently from theorists; yet they intuitively grasp many of these conundra. They often voice a tension between sharing those feelings that will communicate their plight to listeners, and avoiding the projection of "weakness." Weakness, whether signaled by tears, or despair, or by subtler indicia of inadequate resistance,⁵⁸ is a felt taboo for many activists, which they describe in varying ways. Some note that revealing weakness conflicts with cultural norms: among Latino immigrants, one DREAMer explained, "it's [like] "let's move on" – like "we're strong ... we got it. We have to keep going"..."⁵⁹ Manifesting vulnerability may conflict with their emerging sense of themselves as "fighters" for their communities, or with their ingrained habit of projecting strength for

⁵³ Interview with DV (March 2013).

⁵⁴ Diana Tietjens Meyers makes this point, citing the view of Richard Rorty that audiences' reluctance to take responsibility for moral wrongdoing may lead them to find victimizers brutish and victims abject, and recoil from both.

⁵⁵ See e.g. Francesca Polletta, *It Was Like a Fever*, supra note [], at [chapter on victim narratives]; Elizabeth V. Spelman, *Fruits of Sorrow*, supra note [], at [chapters on *Uncle Tom's Cabin* and *Incidents in the Life of a Slave Girl*]

⁵⁶ Elizabeth V. Spelman, *Fruits of Sorrow*, supra note [], at [ch on *Incidents in the Life of a Slave Girl*] (difficulty for victim storytellers seeking equal political or legal status is that someone who appears to lack will, initiative, or judgment may not appear to be an equal)..

⁵⁷See e.g., Spelman, *Fruits of Sorrow*, supra note [], at 68-82 (highlighting Harriet Jacobs' purposeful manifestations of moral agency in *Incidents in the Life of a Slave Girl*). See also Polletta, *It Was Like A Fever*, supra note [], at 125-40 [highlighting illustrations of moral agency in successful narratives of domestic violence survivors].

⁵⁸ See e.g., Interview with BBV (April 2013); Interview DV (March 2013).

⁵⁹ See e.g., Interview with IS and RM (August 2016); Interview with RH (Spring 2015).

their children or families.⁶⁰ Consequently, some activists struggle to reconcile the demands of this organizational metanarrative with their personal, cultural, familial or even activist norms about manifesting vulnerability. One way in which they try to achieve this reconciliation is by signaling their moral or political agency, even as they describe injury and manifest suffering. The activist who saw a moment of power in the tears she shared with her audience then took the opportunity to tell them: “I know we’re here crying, and we’re thinking we’re the victims, but don’t think like that. We’re warriors too. We can get our message across, and you have rights. Don’t let people mistreat you.” In this brief message, this activist signaled personal agency (“we can get our message across”), moral and political agency (“you have rights”) and the capacity for or impetus toward resistance (“We’re warriors too ... don’t let people mistreat you.”).

This impulse is further reflected in a series of paradigmatic storylines offered by activists that explicitly manifest agency, even as they convey emotional suffering and demonstrate concrete disadvantage. These storylines affirm that undocumented activists can struggle against their disadvantage, grow over time, and fulfill commitments made to others, notwithstanding the pain and impediment produced by unjust governmental policies. They describe what might be defined as “partial agency,” or the assertion of agency under circumstances of constraint that subjects cannot entirely surmount.⁶¹ While some of these stories demonstrate the capacity for political engagement and self-direction, others point more broadly to qualities of moral agency: the kind of responsibility or judgment that could secure undocumented storytellers against the distorting effects of misdirected compassion.

Individual persistence in the face of adversity is a storyline that goes back to the earliest narratives of the movement. An evident theme in the lives of undocumented immigrants, individual persistence was foregrounded in DREAM Act narratives. This choice may initially have reflected its target audience: legislators likely to harbor individuated notions of success, or to value qualities contributing to the upward mobility of “good immigrants.” But individual persistence has survived the post-DREAM Act pluralization of undocumented narratives. In the story below, a middle-aged adult activist describes the effects of SB 1070 on herself and her family, and her response:

“[I saw that SB 1070 would] affect me as a person, because I could not work and or receive state benefits ... I grew frustrated because I didn’t think I would be in a country with so much discrimination, when all we did was bring the best of our effort and work ethic. [It would also affect] my adult children and [because they] could not have a job, a [driver’s] license, drive, or go to college, which is the real reason why I came: so they could get a better education. ... I saw that I needed to put in effort to continue and accomplish my family’s dreams ... I really saw that the community ... sees us in a bad light. That is when I decided to show we are the opposite ... I started off in many organizations as a volunteer and slowly I became educated, until I got to the organization [where] I really learned about my rights and I could come go forward and say, “I am undocumented and I have rights in the country.”

⁶⁰ See e.g., Interview with IS and RM (August 2016).

⁶¹ See Abrams, *Sex Wars Redux*, supra note [], at 306 (contrasting “unconstrained agency,” which is largely a politico-legal fiction, with “partial agency”).

This narrator faces a cascade of effects that will change the lives of her family members, undermining the purpose of their migration. She is professedly “frustrated” and disappointed (“all we did was bring the best of our effort and work ethic”). Yet these painful developments do not defeat her either her moral or her political agency. She retains an independent view of the legislation and her own moral status: SB 1070 is not, as proponents suggest, an effort to enforce the law against those who are present without authorization; it is “discrimination” against those who “bring the best of their effort and work ethic.” She also meets the suspicion of the community with a determination to “show that we are the opposite.” She volunteers in organizations and educates herself, until she is able to speak up, with an empowering message about undocumented status.

The development of strength through collectivity is a second storyline through which activists signal capacity or agency. A pervasive experience among those who are organized, this trope usefully demonstrates growth in political agency over time. It also demonstrates that the narrator is capable of forming and modifying judgments about her experience – an attribute that may reflect moral agency. A story of gaining strength through collectivity finally signals to more vulnerable audience members, such as prospective undocumented activists or reluctant Latino voters, that they too may achieve a greater sense of empowerment through coalition. In this narrative a young ADAC member explains how she came to the organization:

“I had just graduated from high school... And I felt very low, because I wasn’t in a position that I wanted to be in... I had graduated on the top of my class and I had really good grades, and I did everything that I was supposed to do. Or I thought that I was supposed to do. And I ended up at a community college ... And I was ... really sad... I felt very ashamed of myself because I wasn’t where I had expected myself to be ...

[One day], this person comes to my door ... she wanted to register my dad to vote. [When I told her that none of us could vote,] she invited me to come to one of her meetings ... I had never met other people like me, who felt discouraged by their situation but felt compelled to continue on with their education. ... [The people I’ve met] are so inspiring... [and] their positivity ... is just contagious ... that’s something I couldn’t walk away from, because I was tired of living in self-pity... [and] surrounding yourself with so much positive energy—that just brings you up.⁶²

Several features of this narrative identify the storyteller as someone who is reflects actively on her situation and works to change it, in this case with the help of her fellow activists. The first paragraph describes her injury – she is foreclosed from a four-year university because of her undocumented status -- and illustrates her powerful reluctance to identify with that injury. She would rather hold herself responsible for her own-status-based disadvantage (“I felt very ashamed of myself”) -- a misplaced judgment that nonetheless indicates her sense of her own agency – than see herself as a victim. She is also ironic or rueful about her naivete in preparing for college (“I did everything that I was supposed to do. *Or I thought I was supposed to do...*”), marking a difference in perspective between her past and present selves, signaling the potential for learning or moral growth. In the second paragraph she explains how she left this status-based disappointment behind. ADAC introduced her to other people who shared her determination not to be sidelined by status (“people like me who felt discouraged by their situation, but compelled to continue with their education”). Their persistence mirrored and

⁶² Interview of BBV (April 2013).

reinforced her own, and their positivity helped her to reject self-pity, a stance that felt alien her disposition or character (“I was tired of living in self-pity”). Although the narrator has always been inclined to reach for her goals, becoming a member of a group helps to restore her energy and spirits, when her efforts are thwarted.

A final theme that demonstrates agency in undocumented stories is *the unreciprocated performance*. This storyline emerges more frequently when activists are engaging state actors, particularly members of the ambivalently-receptive Obama administration. The narrative adverts to the implicit bargain or understanding between immigrants and state actors; it takes the position that immigrants have delivered on their part of the bargain and have been disadvantaged by the state’s failure to perform its part. Immigrant performance may consist of living a life of law-abiding effort, in education or employment. It may consist of persistent efforts to achieve change over time, or in conducting such efforts in the “right way.”⁶³ This notion of unreciprocated performance informs the narrative of an Arizona DREAMer, announcing the beginning of a fast for the DREAM Act:

“My name is [DJ]. I was brought here by my mother, at the age of 5. I’ve been in the process of fixing my documentation. I am a student without the proper documentation. I’m going to be graduating this December in two weeks with my masters’ in higher education. And I will be fasting for as long as it takes, to pass the DREAM Act. We will be fasting outside McCain’s office ... We are looking and learning from past teachers such as Gandhi, Martin Luther King, and Cesar Chavez, who also engaged in this type of sacrifice ... to spread the message that we want to get across: that we want this relief so badly; that we are asking for our human right to have an education, we are not asking for something out of the ordinary, we deserve to have an education ... I have been waiting for the past 10 years and I still have 5 more years to go; if I leave this country I will lose my case, but if I stay here I might be deported. So I’m stuck in limbo ... [M]y story’s an example of great students who want to contribute, that want to belong to this country, but are not given that pathway, and the DREAM Act does that for us.”⁶⁴

Although this narrative, directed to lawmakers and their constituents, is not short on distress (“I have been waiting for the past 10 years and I still have 5 more years to go” “I’m stuck in limbo...”), it is also studded with tropes of unreciprocated performance. The speaker has performed her commitment to law, striving to “fix” her status since she was brought to the US as a child. She has performed her commitment through her education, completing not only a bachelor’s but a master’s degree, despite her undocumented status. She is now prepared to perform her commitment through the spiritual, mental, physical “sacrifice” of a fast, invoking the trinity of civic heroes who lived out similar commitments. She suggests, in a moment of moral reflection, that such efforts may be supererogatory: the right to education is “not something out of the ordinary,” it is a basic “human right”; it should not require such strenuous efforts in order to be redeemed. But she is prepared to make these efforts to earn the reciprocal performance of the state, the passage of the DREAM Act.

⁶³Gabriel Cruz, Daniel Rodriguez speaks about “Dream Act 5” outside McCain’s Phoenix Office, YouTube (May 18, 2010), <http://www.youtube.com/watch?v=fviT-u7DMSQ> (explaining that DREAM 5 resorted to civil disobedience after pursuing the DREAM Act in the “right way” and avoiding ruffling feathers, without effect).

⁶⁴ Find cite for DJ hunger strike narrative.

For many undocumented activists, these narrative strategies allow them to serve the movement's need for affective engagement with listeners, while preserving their sense of agency. In fact, these storylines may be affirmatively authorizing: helping storytellers to reflect actively on how they have asserted themselves, and what they have achieved, notwithstanding the pain and the barriers they have encountered. But for some activists, even sharing these more complex narratives may not be enough. Particularly for participants who have experienced stark traumas, such as detention and deportation, the costs of sharing vulnerability, with different audiences and across time, may be uncomfortably high.

I witnessed this with IS, a co-founder of ADAC and a long-time DREAM activist. IS was detained for 36 hours, at age 19, when the car in which she was traveling was stopped for exceeding the speed limit. A veteran of "Know Your Rights" trainings, IS reached for that knowledge as the police approached. She whispered instructions to the others in the car, telling them to memorize the number of a lawyer that she carried with her. Throughout her detention, IS resisted questioning, insisted on her rights, and asked to speak to her lawyer. She was ultimately released: she perceived that her persistent defense of her rights led ICE officials to see her as a well-informed student, a "good immigrant."⁶⁵ Though it did not result in her deportation, this experience of detention shook IS deeply. She explained:

Coming here [to the United States] I knew that I needed to be always a good girl. I always followed the rules, you know? I went to school, I learned English, applied for scholarships, tried to keep my scholarships, I was even in the honors college ... [S]eeing myself in there... I realized even through all the sacrifices that my parents made, all the hard work to try and stay out of trouble, [] what spoke more was the color of my skin ... I was there in that jail because of the color of my skin, because of my accent.⁶⁶

Yet despite this disorienting discovery, she made a choice: to share her story and commit to the movement, in order to stop these practices. Years later, IS reflected ambivalently on the outcome of this choice. She has found satisfaction in being part of the movement; yet telling her story, particularly to older, white audiences, has given her an uncomfortable feeling: "[i]t's like I need to be able to show my pain so that you can feel something for me, so that you can take action from this."⁶⁷ This feeling, she notes, is not the same, when she talks to undocumented community members at Know Your Rights trainings:

... it's different. I think it's not about the pity, it's more about the – this is *real*. I never thought this would happen to me and this happened to me, and this is what I did and this is why it's important to know our rights, and it's right for us to take action because nobody else is going to do it if we don't do it ourselves.⁶⁸

⁶⁵ Interview with IS (February 2015).

⁶⁶ Interview with IS (February 2015).

⁶⁷ Interview with IS and RM (August 2016).

⁶⁸ Interview with IS and RM (August 2016)

I was initially surprised by IS's sense that she had been collaborating in her own victimization: not simply because I have heard her tell her story, with grit and composure, on many occasions, but because what I have always heard in this story is her uncanny self-assertion. When I mentioned this to IS, however, she demurred: "I just recently went to give like a sermon [at a largely white church] and I talked about the story," she said, "the feeling that I got afterwards, even though it wasn't the feeling that I wanted to bring, was more like the victimization. I felt more like the pity instead of like, "oh, we can do something.""⁶⁹ IS remains committed to the movement; but when she conveys her pain to those outside her community, she feels not the possibility of agency ("oh, we can do something"), but a compromising sense that she is presenting herself to be seen as an object of pity.⁷⁰ This metanarrative presents a challenge to activists' contextually-formed sense of their own agency, to which many develop enabling ways of responding. But for some, the tension remains sufficiently vivid that the effect of storytelling on their agency – personal if not political -- remains an open question.

Metanarrative #4 – *The stories of the "most affected" convey unique knowledge essential to immigration policymaking*

The final 'story about stories' told by undocumented organizations is distinctive in that it moves from the descriptive or strategic to the more explicitly epistemological. The view embodied in this metanarrative is not simply that experiential narratives communicate information in a way that is more illuminating or persuasive than other forms of political communication. The claim is that experiential stories convey a unique kind of understanding, that cannot be secured elsewhere, and that is the *sine qua non* of sound policy-making. As articulated by organizations and activists, this understanding teeters between a claim that experiential knowledge is *necessary* to state decisionmaking (ie, that it is at least as valuable as other forms of knowledge) and a claim that experiential knowledge is epistemically superior. Strains of this view emerge first as a comparative, critical perspective on the deficits of policymakers' understanding. In summer 2012, riders on the Undocubus intervened in a meeting of the US Civil Rights Commission, which had invited the architect of SB 1070 to speak, but had not invited any undocumented immigrants. Explaining the intervention, Undocubus rider Gerardo Torres, cited the shortcomings of policymakers' views:

The world they live in, they don't understand what it is like to be undocumented. They don't understand what it is like to live in a poor neighborhood. Therefore they do not have the right to have an opinion about our lives. They don't understand what we are living and feeling. That's how it is, and that's why we're here, shouting our truths.⁷¹

⁶⁹ Interview with IS and RM (August 2016).

⁷⁰ As I will explain in the Postscript, one way IS has dealt with this ambivalence is by participating in a new organization that promotes healing from experiences of detention and deportation through participation in the arts. IS finds communicating her experience through music (her chosen art form), and teaching others to reflect on and share experience through artistic expression, allows for greater creativity and ease the feeling that she is compromising herself.

⁷¹ *No Nos Invitan, Nos Invitamos Solos: No Papers No Fear Protest in Alabama*, <https://www.youtube.com/watch?v=laj95A8ac8U> (statement of Gerardo Torres, translation in subtitles).

The deficits of experientially-based understanding Torres identified among decisionmakers could only be remedied by the inclusion of undocumented voices.⁷² In other statements, activists seek to convey more concretely the substantive insight provided by the experience of undocumented immigrants. In announcing the start of a 21-day hunger strike, activists from Puente declared:

The purpose of this Hunger Strike is to demand the release and halt the unnecessary deportation of our loved ones. *We also wish to expose the most important piece missing from this debate, the human cost caused by the extraction of members from our community.*

This hunger strike doesn't begin with the blessing of someone famous or anyone of any more importance than the rest of us, but it comes from the authenticity of the pain that exists in our communities...

*Politicians may tell us to be patient. Advocates may say that our tactics threaten the debate. But if there is not room for us, mothers who miss our sons, at the center of this conversation, then we hope our empty stomachs change that conversation.*⁷³

The experiential knowledge of those directly affected conveys the human cost of deportation policies – something that would otherwise be lost in policy debates.

As the Puente statement suggests, incorporating this knowledge may also require changing the structure of debate and decisionmaking, so that “mothers who miss our sons” and other directly-impacted people are “at the center of this conversation.” As will be demonstrated in Chapter 5, this epistemic insight about the kind of knowledge embodied in experiential stories informed not only the decision to shift from a campaign for citizenship to a campaign for relief from deportation. It also informed the claim, increasingly prevalent in that campaign, that undocumented immigrants had to be “at the table” as the federal government created its immigration enforcement policy.

This final metanarrative, about the centrality of experiential knowledge, is in some ways distinct from those examined above. It is a stronger claim: stories or other arguments drawn from experience are not simply appealing or persuasive, they constitute an indispensable, possibly superior, form of knowledge. Moreover, this metanarrative is directed not by organizations to their members (or by some members of organizations to other members), but by organizations to other actors involved in public decisionmaking on immigration. This inter-institutional focus may be why iterations of this metanarrative are more likely to be found in official organizational statements than in received wisdom or aphoristic injunctions that activists communicate to each other. Finally, the effects on agency of this metanarrative are not so much individual as collective: although it may empower individual immigrants to voice experientially-based perspectives, its more evident effects are to empower undocumented groups, in relation to pro-immigrant non-profits, policymakers, or other actors engaged in immigration policymaking. Such effects

⁷² In this quote Torres not only makes clear that experiential knowledge is the *sine qua non* of sound policymaking, he takes the further analytic step of suggesting that the lack of such knowledge may be disqualifying in policymakers (“they do not have the right to have an opinion about our lives”). This goes farther than many claims based on this metanarrative, which tend to argue for the inclusion of those directly affected by particular policies, rather than for the exclusion of others.

⁷³ Puente-Arizona, “Our Hunger Strike Makes Public The Heartache We Endure In Private Every Single Day.”

could be transformative for the movement as a whole: these arguments have the potential not only to shift the substantive focus of debates – as in the 2013 shift from advocating for comprehensive immigration reform to stopping deportation – but to result in the inclusion of undocumented immigrants in formal policymaking bodies.⁷⁴

In all of these ways, storytelling and organizational beliefs about stories support and enhance the agency of undocumented immigrants. They not only loosen the hold of the most debilitating forms of stigma; they allow activists to grasp new and robust ways of conceiving themselves, both individually and collectively, and understand their distinctive capacity to contribute to the movement.

II. Performative Citizenship

If storytelling fosters in undocumented immigrants the sense of personal, moral, and political agency necessary to be outward-facing political actors, a further form of authorization is necessary to permit them confidently to engage the agents of the state. In this section, I will argue that authorization necessary to critique state policies or hold state actors accountable to their demands is fueled by a second practice: a practice best described as “performative citizenship.” Through this practice, Arizona activists have claimed and publicly performed roles typically occupied by citizens, in some cases manifesting a kind of super-citizenship that exceeds the contributions of those who belong formally to the polity.⁷⁵ This performance of political belonging does not simply create an impression on observers, although it may do that. It permits undocumented activists to experience a range of citizen-like roles from the inside out, developing a granular understanding of institutional dynamics and the accountability of state actors. This understanding of the state, and experience of their relation to it, foster forms of consciousness that are in important ways “citizen-like,” enabling confident political claims-making and the expectation of official response.

A. From “Grassroots Citizenship” to Performative Citizenship.

1. Theorizing the Activity of Undocumented Immigrants

Activists in Arizona are not the first undocumented immigrants to take on roles traditionally performed by citizens. In the US and in other immigrant-receiving nations, undocumented activists have participated in a variety of public campaigns, in which they have exhibited the institutional knowledge and civic commitment traditionally associated with citizens. These campaigns may seek rights or

⁷⁴ In this respect, this metanarrative (and related political claims) resemble the experientially-grounded claims of the direct action AIDS network ACT-UP, which rearticulated the knowledge of people with AIDS as expert knowledge that needed to be incorporated in scientific and policymaking bodies. See Deborah Gould, *Moving Politics: Emotion and ACT-UP’s Fight Against AIDS* (2009).

⁷⁵ Muneer Ahmad has made this point in a related context, arguing that lawyers framing rights claims for undocumented immigrants must present them as having the practical if not formal attributes of “supercitizenship”: “A rights asserting immigrant is a model citizen in every way but for status citizenship. Indeed, not only are the clients made out to conform to citizenship scripts, they over-conform, performing a kind of supercitizenship that is neither expected nor typical of the status citizen, and yet is demanded of them precisely because they are definitionally noncitizen.” Muneer Ahmad, *Developing Citizenship in Leti Volpp, ed., Denaturalizing Citizenship, Issues in Legal Scholarship* Vol 9, Art 9, 8 (2011).

benefits paradigmatically associated with formal membership, such as the right to vote in school board or local elections, or access to in-state tuition at educational institutions. They may seek legislation that makes the lives of undocumented residents less precarious, such as protections from retaliation or wage theft in the workplace. Some scholars have characterized these efforts as reflecting an alternate form of citizenship, often focused on but not limited to local institutions, which contrasts with the weak engagement that has become typical of formal membership. Rachel Meyer and Janice Fine, for example, highlight what they call “grassroots citizenship,” a practice by undocumented immigrants of “acting like citizens in arenas where no formal rights exist.”⁷⁶ This alternate mode of participation, in which they identify the distinctive attributes of solidarity, critical analysis, and collective action, not only benefits undocumented immigrants; Meyer and Fine also see in it the potential to reinvigorate the increasingly attenuated practices of formal citizenship. Other scholars argue that political contestation by undocumented activists will go beyond reinvigoration to transform conventional understandings of citizenship. Ann McNevin sees this potential in “urban citizenship”: mobilizations by non-citizen immigrants⁷⁷ in “global cities” created by broader patterns of transnational movement.⁷⁸ As migrants claim roles that are more typical of citizens, mobilizing for labor or political rights, they present themselves as “equal political subjects,” despite their location beyond the bounds of formal citizenship.⁷⁹ Their robust activity has the power to frame citizenship less as a status than as a “process,” which could challenge the “fixed relationship between state, citizen, and territory,”⁸⁰ characteristic of conventional, Westphalian citizenship.

Other scholars aim to promote a more rapid, pragmatic transformation of citizenship, using patterns of activity by undocumented immigrants to frame new norms, by which conventional definitions of citizenship can be contemporaneously revised. Monica Varsanyi argues that migrant campaigns for non-citizen voting in local elections or in-state tuition point to a norm of “citizenship as inhabitance”⁸¹ –

⁷⁶ Rachel Meyer and Janice Fine, *Grassroots Citizenship at Multiple Scales: Rethinking Immigrant Civic Participation*, __ *International Journal of Culture, Politics & Society* __ (forthcoming 2017), at 4..

⁷⁷McNevin uses the category “irregular migrants.” Irregular migrants, “are those who have crossed state borders or remain in state territory without the explicit and ongoing sanction of the host state.” McNevin, *Doing What Citizens Do*, supra note [], at 70. This category, which includes those who cross without documents or overstay their visas, also includes asylum seekers.

⁷⁸ See e.g., Anne McNevin, *Doing What Citizens Do: Migrant Struggles at the Edges of Political Belonging*, __ *Global-Local* 67 (2009). See generally Anne McNevin, *Contesting Citizenship: Irregular Migrants and the New Frontiers of the Political* (2011).

⁷⁹ McNevin, *Doing What Citizens Do*, supra note [], at 74.

⁸⁰ McNevin, *Doing What Citizens Do*, supra note [], at 68.

⁸¹ Varsanyi, *Interrogating “Urban Citizenship,”* supra note [], at 240. In the end, Varsanyi’s “citizenship as inhabitance” is sufficiently distant from current Westphalian notions that I am not convinced that it will conduce to more timely or pragmatic revision than accounts such as McNevin’s that mainly illuminate the transformative potential of “urban citizenship.” But I appreciate her recognition of the trade-offs a vision of long-term transformation creates for undocumented immigrants, and see her theory as a kind of bridge to accounts such as

where presence is a significant factor in granting formal rights -- that can pose a more immediate challenge to notions bounded by the consent of the territorial state. Mary McThomas argues, more categorically, that we should “flip” current notions of citizenship, in which the state’s grant of citizenship gives rise to political obligations in those who are formal members. Instead, the “performative citizenship” of undocumented participants – forms of integration in state or local communities signified by economic, political, or civic contribution – should give rise to an obligation in the state to grant formal citizenship.⁸² State legislators are already citing these contributions, McThomas argues, in debates about in-state tuition and driver’s licenses for undocumented immigrants.⁸³

2. Performative Citizenship: Meanings and Effects

My focus here is on a notion performative citizenship that occupies a ground between campaign-focused practices of political action, such as those described by Meyer and Fine, and the transformation of contemporary visions of citizenship envisioned by McNevin or McThomas. The performative citizenship I describe creates a bridge between these alternate, informal modes of engagement, and the formal membership to which many participants in the movement aspire. They may also prompt observers and theorists to question the binary, territorial assumptions at work in prevalent conceptions of citizenship. As undocumented activists resist state-based “enforcement by attrition” and mobilize to secure federal protections for immigrants, they have embraced – often self-consciously – political roles traditionally performed by citizens. These practices do not revise the formal criteria for citizenship; but they lay the groundwork for concrete, and perhaps for conceptual, change by shaping public views of undocumented immigrants and revising immigrants’ own sense of their relationship to the polity.

When I describe particular tactics of the movement as “performative” in relation to citizenship, I mean this in several senses. The first is reflected in the work of political theorist Cristina Beltran.⁸⁴ Writing about the immigrant marches of 2006, Beltran argued that protesters did not simply “express a desire for national belonging”⁸⁵: they dramatically and unexpectedly *claimed the space of citizenship*, challenging citizens’ expectations and inaugurating a new political reality in which non-citizens – even those with no formal status – could be engaged participants. Through the “extraordinary and unanticipated act of noncitizen mass protest,” immigrants “were actualizing a power they did not yet have.”⁸⁶ Beltran connects this act with the “performative vocabulary”⁸⁷ of Hannah Arendt, who

McThomas’s, that are more concerned with formulating a new, practically-applicable conception of nation-state citizenship, grounded in the activity and claims of undocumented immigrants.

⁸² Mary McThomas, *Performing Citizenship* (2016).

⁸³ See McThomas, *supra* note [] at (chapters on legislative debates on drivers’ licenses and in- state tuition).

⁸⁴ Christina Beltran, *Going Public: Hannah Arendt, Immigrant Action, and the Space of Appearance*, 37 *Political Theory* 595 (2009).

⁸⁵ Beltran, *Going Public*, *supra* note [], at 596.

⁸⁶ Beltran, *Going Public*, *supra* note [], at 597.

⁸⁷ Beltran, *Going Public*, *supra* note [], at 598.

describes the political as the creation of “spaces of freedom and common appearance where none existed before,”⁸⁸ and with Bonnie Honig’s image of the “taking foreigner,” who does not receive power as a grateful subject, but rather claims and redistributes it through popular action, “stretch[ing] the bounds of citizenship and modeling transgressive forms of agency.”⁸⁹ Through this assertion of agency, this claiming of political space that had been presumed to be the purview of citizens, undocumented marchers shifted the expectations of the public and the contours of the political landscape.

This surprising, and transformative, dimension of undocumented protest is facilitated by what legal theorist Linda Bosniak identifies as a tension between the “hard outside” and the “soft inside” of immigration law. Although our system of immigration recognizes the sovereign power to create boundaries that exclude persons or groups from the polity, our constitutional democracy acknowledges the presumptive equality of those who are present within the nation’s territory.⁹⁰ The Constitution, to take a concrete example, secures certain rights to “persons” within the jurisdiction of the United States, rather than to “citizens.” Thus the political activity of undocumented immigrants is simultaneously surprising, considered as a activity of those whom the nation-state has the power to exclude, and plausible, considered as an activity of presumptively-equal subjects who are present within the polity.⁹¹ It is this tension between the status of undocumented immigrants as the excludable objects of the “hard outside,” on the one hand, and the legitimate subjects of the “soft inside,” on the other, that gives their activism its riveting, paradoxical character. As with the gender performativity analyzed by Judith Butler,⁹² this activity demonstrates that categories long viewed as self-evident and mutually exclusive

⁸⁸ Beltran, *Going Public*, supra note [], at 597. This dimension of performative enactment is also resonant with the work of J.L. Austin, for whom words uttered in a particular context bring new (legal) relations into being. See J. L. Austin, *How to Do Things with Words* (1962).

⁸⁹ Beltran, *Going Public*, supra note [], at 607-08 (discussing Bonnie Honig, *Democracy and the Foreigner* 8 (2003)).

⁹⁰ Linda Bosniak, *Democracy and the Alien* (2006) [first chapter].

⁹¹ Not all political activities are presumptively legitimate for undocumented immigrants. There are some activities, such as civil disobedience, that are illegitimate because they violate a specific law. But such activities are no more warranted for citizens than they are for undocumented immigrants; the difference – and it is a substantial one – is that apprehension and arrest could trigger immigration consequences for undocumented immigrants (and potentially invigorate stereotypes of lawlessness) that they would not for citizens. There are other categories of activities, such as casting a ballot in federal and most state elections, that are reserved to citizens (in this case by the laws of individual states); these activities would be without warrant for undocumented immigrants, yet legal for citizens.

⁹² See Judith Butler, *Performative Acts and Gender Constitution: An Essay in Phenomenology and Feminist Theory*, 40 *Theater J.* 519, 527-28 (1988). See generally, Judith Butler, *Gender Trouble* (1990). Butler aims, through her emphasis on performativity, to challenge or disrupt the presumed character of gender categories *as natural*, as well as given or fixed. The distinction between documented and undocumented residents of the United States, is a product of law and is not presumed to be natural in the same sense as gender categories. However, it is sometimes naturalized in the thought and discourse of critics of undocumented immigration, as when they describe undocumented immigrants as “illegals” rather than as persons who have violated a provision of the immigration law. (Thus the rejoinder of activists and allies in the wake of SB 1070, that “no human being is ‘illegal’”).

may actually have a more complex, fluid relation, that can be shaped and reshaped as they are occupied and invested with more tangible meanings. Beltran explains: “immigrants challenged familiar scripts regarding the undocumented, unsettling traditional notions of sovereignty and blurring the boundaries between legal and illegal, assimilation and resistance, civic joy and public outrage.”⁹³ In using activities made possible by the “soft inside” to try to shift the boundary of the “hard outside,”⁹⁴ activists confront the expectations of the public, as well as their own socialization, in which their sense of their “illegality” may initially be more powerful than their sense of themselves as a part of the political community in which they reside.

B. Tactics of Performative Citizenship: Three Dimensions

The performative citizenship I analyze in this chapter has several dimensions: undocumented immigrants act as rights-bearers, as institutional political participants, and as engaged adversaries of the state. Each of these practices contributes to a sense of authorization by fostering a distinct form of political consciousness. They may also shift the perspectives of the public, redefining their view of the relationship between undocumented immigrants and the public domain: institutional political participation, such as legislative lobbying or voter registration, has secured some approving notice and has become normalized in some contexts. But my primary focus will be on the perspective of undocumented participants themselves. As the incidence of rights-bearing or political activity by undocumented immigrants increases, activists gain a fuller experience and understanding of individual rights, the dynamics of representative democracy, or the role of political resistance or dissent. They may feel a greater sense of connection to or investment in the polity as they exercise these roles. Over time, their participation is normalized – in their own eyes, if not indeed in the eyes of others – and they come to anticipate the same kinds of responses with which the state meets the participation of citizens. This development is not a foregone conclusion: some undocumented immigrants may feel frustrated by the legal limits on the ways they may engage, rather than empowered by the practical potential to blur boundaries and create change. There may also be activists who continue to assert themselves without fully believing that their engagement is authorized or that the state has a responsibility to respond. My work, however, suggests that these tactics shape the consciousness of participants in varying ways, which produce a stronger sense of connection to the polity, and a more robust feeling of authorization: to participate, make substantive claims for the amelioration of their circumstances, and expect some constructive form of state response.

⁹³ Beltran, *Going Public*, supra note [], at 598. Although Beltran’s essay does not draw explicitly on Butler’s earlier work on performativity, it does reference Judith Butler and Gayatri Spivak, *Who Sings the Nation-State: Language, Politics, Belonging* (2007) (emphasis added).

⁹⁴ The Trump administration, in its broad actions against undocumented immigrants – and in its ominous, intermittent efforts to de-legitimize their political activity [see claims re: voting by immigrants contributing to Clinton victory; see also arrest of DREAMer who spoke publicly about her parents detention and pending deportation; see also Austin event [June 1-3] when state legislator called ICE, which arrived to apprehend protesters] – could be understood to be using the “hard outside” of the immigration system against the “soft inside” of constitutional democracy. This effort is discussed further in the Postscript chapter.

1. Rights-Bearing

One role that undocumented immigrants often perform is that of rights-bearer.⁹⁵ Undocumented immigrants do not enjoy all, or even many, of the rights that are conferred upon citizens: they lack a right to remain in the United States; they are not eligible to vote in federal or state elections⁹⁶; they may be denied many of the entitlements conferred by state law on the basis of their status. Yet as “persons” living under the jurisdiction of the United States, undocumented immigrants enjoy certain constitutional protections, under the Fourth and Fourteenth Amendments, for example. Immigrants have been introduced to these rights through the instrumentality of “Know Your Rights” (KYR) trainings. As will be described in more detail in Chapter 3, these trainings teach undocumented immigrants how to respond in encounters with an ICE agents or state or local law enforcement officials. KYR trainings explain the contexts in which such encounters may occur, the kinds of questions that may be asked, and the ways in which undocumented immigrants are, and are not, obliged to answer. Although KYR trainings were a staple of efforts to calm, inform, and organize undocumented communities after SB 1070, they received little media attention until Trump’s executive orders made them a nationwide phenomenon. Thus, the effects of these trainings have rarely shaped the experience or expectations of the public. Consequently the people whose expectations are most likely to be touched by KYR trainings are those who receive them.

Not all undocumented immigrants report a change in their expectations, or their consciousness, as a result of attending KYR trainings. One activist who conducted such trainings noted that it can be difficult for immigrants to abandon a deference to authority to which they may have become acculturated in their countries of origin:

[T]here’s a lack of understanding that they have the right to question officers, and they don’t want to question authority, which I think it’s also a cultural thing. Especially for migrants coming from Latin America, there’s a lot of things that revolve around culture ... not wanting to question authority but wanting to comply with the law...⁹⁷

Immigrants may also feel frustration with questions that have no easy answers, such as what documents, if any, they should show to an Arizona law enforcement official, if they lack a state ID or

⁹⁵ My typology of performative activities here tracks a well-known theorization by Linda Bosniak. She distinguishes different forms or modalities of “citizenship”: although the most comprehensive is “citizenship as formal legal status,” she also identifies “citizenship as rights,” “citizenship as political activity,” and “citizenship as identity.” The latter forms of citizenship may be asserted, in certain contexts, by people who do not enjoy citizenship as formal legal status. See Linda Bosniak, *The Citizen and the Alien: Dilemmas of Contemporary Membership* (2006); Linda Bosniak, “Citizenship Denationalized,” 7 *Indiana Journal of Global Legal Studies* 447 (2000); Linda Bosniak, “Membership, Equality, and the Difference that Alienage Makes,” 69 *New York University Law Review* 1047 (1994). Although “citizenship as identity” is often asserted by DREAMers, I will focus here on two other kinds of performative assertions of (non-formal) citizenship: citizenship as rights, and citizenship as political activity.

⁹⁶ [note that citizenship was not, historically, a requirement for voting, and that some municipalities have extended to noncitizens the right to vote in some kinds of local elections]

⁹⁷ Interview with DJ (Jan 2013).

driver's license. This activist continued: "[if you tell them] there is no right answer to this ... then they get upset, and they're like, "But you're saying that I have rights, but these aren't really rights."⁹⁸

The activists I have interviewed, however, tend to draw a positive message from such trainings.⁹⁹ At the most basic level, KYR training creates a sense of recourse. Participants learn that there are some limits to the way they can be treated by police, and they have some power to defend themselves. One DREAM activist explained:

[I]t affected me personally, because after [the KYR training], I'm not afraid anymore as I used to be ... between [my nervousness] and not knowing what to do, I would have really given up all the information to the police to make it easier for them to deport me. [A]fter that training, I was like, "Well, you know, I have the right to say no. I have the right to remain silent and I want to call a lawyer." Just by doing that and not signing anything, I have a better chance of fighting my deportation.¹⁰⁰

This activist, moreover, viewed her response as typical rather than unique:

... I think that all the other people leave those forums with that sense and with that feeling of, "Now I know what to do and what not to do especially." Because that's the thing. When you don't know ... You give the advantage to the police when you're in that situation. So you make their job easier—and not in your favor. So when you know and understand ... [that] if they're pressing and pushing, all you have to say is no, give your name, your date of birth, and tell them ... "I want to use my right to remain silent" ... that, I think, makes a difference.¹⁰¹

Rights assertion may be performative in expanding the *effective* scope of rights. Immigrants who have completed KYR trainings may avoid making unnecessary statements that unwittingly point to their status, or signing "voluntary" departure forms without translation or legal advice – thus vindicating the full extent of their rights. It may occasionally be performative in shaping the substantial discretion of enforcement officials: one ADAC activist opined that she may have been released from ICE detention because her refusal to answer questions, and her ongoing requests for a lawyer, persuaded officials that she was a "good" immigrant – ie, educated and knowledgeable.¹⁰² But rights assertion is, most

⁹⁸ Interview with DJ (Jan 2013).

⁹⁹ KYR is unique among the activities of performative citizenship I examine here because both activists and non-activists may engage in it. It is possible that undocumented activists, or those inclined toward activism, draw a more positive set of expectations or messages from KYR training than undocumented immigrants more generally: they may feel more comfortable challenging state authority. Because my research took place almost solely among activists, my data do not enable me to speak to the question of how KYR trainings affect undocumented immigrants more broadly, or groups of immigrants comparatively.

¹⁰⁰ Interview with KR (May 2014).

¹⁰¹ Interview with KR (May 2014).

¹⁰² Interview with IS (February 2015).

importantly, performative in that it shapes the political consciousness of activists. As activists assert themselves against law enforcement officials, for example, they begin to develop attitudes, affective responses, and ways of understanding their choices that infuse their encounters with enforcement and other state officials and ultimately enable their activism. I glimpsed strands of such thinking in activists' discussion of their experiences with KYR trainings.

Some participants develop a kind of proceduralism that structures their response when an encounter with law enforcement is imminent. Those who have had KYR trainings may maintain a mental checklist of their rights and a vigilance about protecting them. One DREAM activist recalled her response when a car in which she was traveling was stopped for exceeding the speed limit.

I will never forget that day, because it was the first time that I saw the blue and red lights in the view mirror. I was frozen, I didn't know what to do, but I remembered one month before ... [they] gave us a presentation about how to talk to the police, what to say what not to say, what were our rights under the constitution. My brother [who was driving] had not been through that training. I remember telling him, "...I have the phone number of the attorney who gave us the presentation in my pocket, I'm going to try and memorize it; but right now, just stop -- don't get out of the car. You can tell them your name, date of birth, and your address, but if they start asking you about your social security number, don't answer those questions. You're not forced to answer those questions: you have rights under the Constitution, the Constitution is protecting us.

... one of the officers asked me to answer their questions ... I was the passenger, but they asked me "where are you going, where are you from?" I said, well this is my name, this is my information, this is my student ID from Arizona State University: I'm a student. He said "yeah but where are you from?" I remember saying I'm from Arizona, I live here in Arizona. He said "Yeah. "But where are you from, where did you come from?" At that moment I realized ... it's better for me to just exercise my right to remain silent. I said [to the] officer, "this is all the information I can give you."¹⁰³

Another effect of these trainings is a shift in attitude toward law enforcement. Undocumented activists may become more confident, even adversarial, when they are stopped by state or local police. One activist described an experience that she has subsequently shared during KYR trainings:

The officer gets out, and ... he asked me for an ID and license and registration, basically. And I let him know I don't have a license. I gave him the registration and I gave him my ASU ID, actually. So when I gave him my ASU ID, he asked me, "Where's your license?" and I'm like, "Well, I don't have one." "Why don't you have one?" I was like, "I just don't." And that's all I kept on saying...¹⁰⁴

¹⁰³ Interview with IS (February 2015).

¹⁰⁴ Interview with YG (May 2014).

As this activist explains, even this limited power to control the information provided to law enforcement conferred a sense of empowerment that infused the entire encounter:

...Being able to just say, “I don’t have one,” and then being pushy about it and knowing that I didn’t have to answer that, and then transmitting that to people, is really empowering... I’m like, “What do you want?” That’s how people end up [after KYR training], too. Like at the beginning, they do role plays, and [they’re] like, “What do you say?” And then towards the end, just the way you can see the shift in the mentality and the tone of voice that they have. And they’re like, “What do you want?” So it’s nice to see the transformation from the beginning of a know-your-rights [training].¹⁰⁵

Both the proceduralism and the confidence or adversariness resemble the stances of citizens who understand their rights. Activists’ reflections, moreover, suggest that these are more than rote responses, or superficial displays. They reflect a belief that the subject of interrogation enjoys some constitutional protection in encounters with law enforcement, that there are limits to the ways that law enforcement may impose upon her. The rights of undocumented immigrants in such encounters are ultimately constrained: though they may remain silent in response to particular questions, or seek the assistance of an attorney, for example; but they may be unable to resist a process of fingerprinting that will reveal their status. Yet for these youth and adults, simply knowing that they possess some rights, and learning how best to assert them, can produce a shift in self-conception or in their relationship to law enforcement that, for many, enables their action and changes their expectations about encounters with law enforcement.

Another way that undocumented immigrants may act as rights bearers is by enlisting the courts to curtail the excesses of state officials. While early legal challenges to “attrition by enforcement” were brought by the federal government or mainstream civil rights organizations,¹⁰⁶ organizations of undocumented immigrants have played a growing role in constitutional litigation against Arizona officials. Puente and the Respect/Respeto hotline shared information with the Department of Justice, and civil rights organizations in the investigations that culminated in Melendres v. Arpaio.¹⁰⁷ Beginning in late 2012, local organizations themselves became named plaintiffs in constitutional actions against prominent elected officials. ADAC sued Gov. Jan Brewer for her executive order denying drivers’ licenses to DACA recipients.¹⁰⁸ Puente challenged the workplace raids staged by Sheriff Joe Arpaio, and the

¹⁰⁵ Interview with YG (May 2014).

¹⁰⁶ United States v. Arizona, 567 U.S. ___ (2012), the challenge to SB 1070, was brought by the Obama administration; Melendres v. Arpaio, 989 F. Supp. 2d 822 (D. Ariz, 2013) (findings of fact and conclusions of law) was brought by a coalition of civil rights groups, and the named plaintiffs were Latino citizens who were allegedly racially profiled by the Maricopa County Sheriff’s Office. .

¹⁰⁷ Ortega Meledres v. Arpaio, supra.

¹⁰⁸ ADAC v. Brewer, 757 F.3d 1053 (9th Cir. 2014)

subsequent prosecution of undocumented workers under state statutes that redefined identity theft and forgery.¹⁰⁹

Such actions have the potential to empower organizational litigants. The power of undocumented organizations to hale the highest state officials in the state into courts of law could confer a robust, tangible sense of *de facto* membership. Francesca Polletta has written movingly, for example, of the strength that black community activists in 1960s Mississippi drew from the trials of whites accused of racial violence.¹¹⁰ Even when defendants were acquitted – as they almost inevitably were – the trials demonstrated that whites could be made answerable to the law. The same claim could be made, in the present context, about state officials. Local organizations’ lawsuits against Arizona officials, moreover, have conferred benefits beyond the symbolic: they have produced concrete victories for undocumented immigrants. ADAC ultimately prevailed in its action against Jan Brewer,¹¹¹ leading the state to grant drivers’ licenses to DACA recipients. Shortly after Puente filed its lawsuit, the Maricopa County Sheriff’s Office’s disbanded the unit responsible for the workplace raids; and the district court granted a preliminary injunction against the raids and prosecutions which lasted more than a year, before it was reversed by the Court of Appeals (the action on the merits continues).¹¹²

However, the response of activists to participation in these actions, as I explore in Ch 5, has been notably ambivalent. Some activists acknowledge litigation as an instrumental good. One ADAC leader emphasized the range and flexibility it provides the movement:

...it shows how the movement is attacking on different fronts. And it’s not just doing direct action. You need everything. And I’m very happy the organization has been able to be diverse in that aspect. You see A, and you are going to see direct action. You see A, you’re going to see legal action. And we’re trying to solve this problem from the three fronts, right? Executive, legislative... [a]nd judicial.¹¹³

In addition, as scholars have recognized, litigation – whether the plaintiff is an undocumented organization or a named citizen implicated in anti-immigrant enforcement -- creates events around which activists can organize, staging protests, press conferences, or direct actions, that can bring

¹⁰⁹ Puente v. Arpaio, 76 F.Supp. 3d 833 (D. Az., 2014), rev’d 821 F.3d 1098 (9th cir. 2016).

¹¹⁰ Francesca Polletta, The Structural Context of Novel Rights Claims: Southern Civil Rights Organizing 1961-66, 34 Law and Society Review 367 (2000).

¹¹¹ See ADAC v. Brewer 757 F.3d 1053 (9th Cir. 2014) (reversing district courts’ denial of motion for preliminary injunction, finding equal protection violation and irreparable harm). See also ADAC v. Brewer, No. 15-15307 D.C. No. 2:12-cv-02546- DGC (9th cir, April 5, 2016), affirming district court grant of permanent injunction, using constitutional avoidance doctrine to ground decision on preemption).

¹¹² Puente v. Arpaio 76 F.Supp.3d 833 (2015) (granting preliminary injunction against workplace raids based on two state statutes) , rev’d 821 F.3d 1098 (2016).

¹¹³ Interview DM (July 2014).

visibility to their cause.¹¹⁴ This kind of coordination was formalized in the Puente action, which was litigated under an innovative “law and organizing” approach.¹¹⁵

But recognizing the value of litigation in some contexts has not led all activists to feel invested in or authorized by it. One difficulty is the narrowness of the substantive claims available. As Vasanthi Venkatesh has argued, many constitutional arguments provide only limited purchase to undocumented immigrants.¹¹⁶ The motion for a preliminary injunction in ADAC succeeded only because the court found DACA recipients similarly situated to two other non-citizen groups who were permitted to rely on employment authorization documents to qualify for drivers’ licenses. In the Puente case, the barriers to an equal protection claim were almost insuperable because a claim of discrimination against undocumented immigrants does not trigger heightened judicial scrutiny.¹¹⁷ Though an equal protection claim was included in the complaint, the motion for preliminary injunction rested primarily on a claim of federal pre-emption, a claim that unsettled Puente because it failed to contest the federal power to deport undocumented immigrants.¹¹⁸

Another difficulty is the lack of control that activists experience in the context of litigation. Even an ADAC activist who is now an attorney acknowledged: “[e]lectorally when we have been sort of claim makers, we have had a lot of control in that process. When it comes to legal claims, we have very little control ...”¹¹⁹ Lawyers control the framing of the legal action, often choosing the experiential stories that convey that frame to the court and the public. This perturbs some activists, who regard themselves as the movement’s storytellers.¹²⁰ They may also have difficulty understanding the implications of a given decision for their day-to-day lives.¹²¹ And some feel if the purposeful insulation of the judiciary from political pressures deprives them of their most effective tools. As one undocumented organizer put it:

[F]or us, it’s easy to explain, Look, this is how we can pressure the [state] legislature; this is how we can pressure the president and Congress. These pressures work ... For us in [ADAC v.

¹¹⁴ See e.g., Doug NeJaime, *Winning Through Losing: (even litigation loss, properly managed, can build group-based identity and help mobilize social movement actors)*, 96 Iowa L. Rev. 941 (2011). But see Catherine Albiston, *The Dark Side of Litigation as a Social Movement Strategy*, Iowa L. Rev. Bulletin (2011).

¹¹⁵ For a thoughtful discussion of the “law and organizing” approach, see Michael Grinthal, *Power With: Practice Models for Social Justice Lawyering*, 15 U.Pa. J L & Soc Change 25, 33-59 (2011).

¹¹⁶ Vasanthi Venkatesh, *Mobilizing Under Illegality*, __ Harvard Latino Law Review __ (2015-6).

¹¹⁷ Interview with Carlos Garcia and Annie Lai (April 2016).

¹¹⁸ Interview with Carlos Garcia and Annie Lai (April 2016) (“The preemption argument is something I’ve always hated. It seemed like a competition to see ... who has the right[] to deport us”).

¹¹⁹ Interview with DR (September 2014).

¹²⁰ Interview with EA (April 2015).

¹²¹ Interview with DM (July 2014); Interview with EA (April 2015).

Brewer], our role was mostly telling the story. And other than that, we catch the judge on the street, we talk to him, but does that even make a difference?¹²²

A litigation process that operates outside the movement's strategic wheelhouse, requires compromises in narrative framing and substantive claims, and constantly threatens to evade activists' understanding may be viewed as a strategic necessity for a movement that seeks to influence the law.¹²³ It may even foster feelings similar to those of citizens, who often experience a sense of distance from adjudicative processes.¹²⁴ But participation in litigation does not reliably produce feelings of affinity or authorization, even among those who have begun to consider themselves as rights-bearers

2. Institutional Political Participation

In a second kind of performative assertion, activists engage as participants in institutionalized political processes: they register or turn out voters; they meet with or testify before members of Congress or state legislative bodies. Because these activities are unlikely to trigger immigration enforcement, they are not performative in the sense of clarifying the scope of permissible action by immigrants. But they can be performative in the sense of shaping whether a particular kind of activity comes to be accepted as a predictable or legitimate form of engagement by those who have no formal legal status: either by those who witness it or by those who take part. For example, before 2007, neither undocumented immigrants nor documented members of the public would have expected to see DREAMers testifying before or lobbying members of Congress. Yet over the next several years, as Congress considered different iterations of the DREAM Act, both citizens and undocumented activists gradually became acclimated to the legislative participation of undocumented youth: to their public education activities, their storytelling at Congressional hearings, and their legislative lobbying. This shift in expectations occurred, in part, because these activities became so common in the period between 2007 and 2010. The legislative testimony that was surprising at the beginning of that period, for example, became unexceptional (albeit still potentially influential) by the end. This change in expectations was also fueled by the way the practice aligned with certain normative assumptions of each group: DREAMers viewed themselves as distinctively equipped storytellers, and members of the public viewed them as exceptional examples of immigrant integration. For those involved, participation in institutionalized political processes also came to feel familiar; and participants developed the networks, the detailed institutional knowledge and the practical judgment relevant to those institutional settings. This knowledge provided one important ground of authorization for continuing political action. Yet congressional activity did not always engender in undocumented immigrants a sense that officials would be responsive or accountable to their concerns. If the failure of the DREAM Act in 2010 was a deeply

¹²² Interview with EA (April 2015)

¹²³ Interview with CC (June 2016) ("I knew that it had to be a lawyer's thing, because we could only do so much...." So I think it was necessary that they were there. I don't think it would have had the same outcome if they wouldn't have been there..."). CC was a named plaintiff in the ADAC case.

¹²⁴ See Susan Silbey and Patricia Ewick, *The Common Place of Law: Stories from Everyday Life* (1998). See also Kristin Bumiller, *The Civil Rights Society: The Social Construction of Victims* (1988).

disappointing experience,¹²⁵ the failure of CIR in 2013 proved more disillusioning. As described in Chapter 5, ADAC members who went to Washington in Fall 2013 experienced frustration with Democrats, purported allies who seemed more interested in embarrassing Republicans than in helping immigrants, and with members of both parties who proclaimed outward commitment to legislative progress, while permitting efforts to languish inside Congress. This frustration was one factor in ADAC's decision to shift from legislative efforts to more contentious forms of direct action aimed at the President.¹²⁶

A more durable sense of authorization and accountability arose from a second kind of institutional participation: campaigns that sought to register or turn out Latino voters. These "civic engagement" efforts have long been the focus of national organizations, such as Voto Latino or Mi Familia Vota, who believed that expanding the franchise would benefit immigrants. In Arizona, however, the relation between these goals is tighter and more apparent: the lopsided character of voter registration and turnout enabled the passage of legislation that not only targeted undocumented immigrants but surveilled and stigmatized documented Latinos. The first campaigns to enlist undocumented activists as canvassers sought to harness the political fallout of SB 1070: an unsuccessful 2010 campaign to deny an independent term to Governor Jan Brewer (who had replaced Janet Napolitano when she went to DHS); and a successful 2011 effort to recall the lead sponsor of SB 1070, State Senator Russell Pearce. The 2012 "Adios Arpaio" campaign, described in Chapter 4, registered 35,000 new voters by tapping into Latino anger at the anti-immigrant sheriff. While these were the first campaigns in which undocumented canvassers illustrated the stakes of the vote by sharing their experiences under "enforcement by attrition," they were not the last. Promise-Arizona has continued to train hundreds of youthful volunteers for local election work. Civic engagement campaigns have not only increased the number of Latino voters and Latino elected officials; they have also shaped the expectations of observers, and the self-conceptions of participants.

Civic campaigns did not clarify or extend the limits of permissible legal action for undocumented activists. The legal boundary for undocumented immigrants between voting, on the one hand, and educating or assisting voters, on the other, was clear both before and after these campaigns. Civic engagement campaigns did, however, challenge assumptions about the relationship between undocumented immigrants and institutionalized political processes held by voters, public officials, and undocumented canvassers themselves. Through the broad scope of canvassing, and ongoing media coverage of these campaigns,¹²⁷ local citizens, and sometimes their national counterparts, saw undocumented immigrants enabling the signal act of American political participation. Undocumented immigrants not only appeared as visible actors on the political landscape; they appeared as deeply

¹²⁵ Interview DM (July 2014) ("we all just cried...it was like someone died...").

¹²⁶ See Interviews with RM (January 2014); EA (April 2015); JP (May 2014).

¹²⁷ See e.g., Hector Tobar, Letter From Maricopa County: Can Latinos Swing Arizona? *The New Yorker*, August 1, 2016; Monica Alonzo, SB 1070 Fuels a Movement of New Voters, *Phoenix New Times*, July 5, 2012, <http://www.phoenixnewtimes.com/news/sb-1070-fuels-a-movement-of-new-voters-6454767>.

engaged participants, often experts, in a process from which they had been presumed to be excluded. It was they who described to citizens the means by which they could cast their ballot, how the vote could shape policymaking, or how it enabled voters to hold elected official accountable.

Many of those canvassed lauded the participation of undocumented activists. The trust that many citizens placed in canvassers, to do everything from informing their participation to delivering their ballots, showed a respect for their efforts that likely shaped their broader perceptions. They saw the act of registering others, when canvassers could not vote themselves, as a sign of their integration and their commitment – particularly in the hot Arizona sun.¹²⁸ Some also viewed it as a sign of their integration. A DREAMer explained: “[People] were supportive. You see a kid, you see someone, a young person, come to you to tell you their story. And ... they understood the fact that you’re a Dreamer, you were brought here and you bec[a]me so American, American enough to go out there and register people to vote. People saw that.”¹²⁹ Some public officials echoed this view, emphasizing the impact that the canvassers’ stories and their commitment produced on their constituents.¹³⁰

Others, however, resisted the political reorientation canvassers’ efforts portended. In early 2016, the Arizona legislature passed a law that made ballot collection a felony, punishable by a year in jail and \$150,000 fine.¹³¹ Ballot collection, for those voters on the permanent early voter list, had been a key activity for canvassers engaged in registration and get out the vote efforts.¹³²

A more decisive shift in consciousness arising from the campaign, however, appears among canvassers themselves. This experience at the heart of the electoral process gives participants a specifically-political

¹²⁸ The weather in the Phoenix area makes canvassing in the months preceding November elections the political equivalent of an extreme sport. Canvassers reported that prospective voters often acknowledged this, sometimes inviting them into their homes for a drink. See [check to see which interviews recorded this response]

¹²⁹ Interview BL (August 2013).

¹³⁰ Interview with Daniel Valenzuela (September 2013) (“People were walking into that [polling place] ... But they were voting for Vanya Gabara. They were voting for Tony Valdevinos, for Lydia Hernandez, for one Dream Act student after another. That’s who they were voting for..”). See also Monica Alonzo, SB 1070 Fuels a Movement of New Voters, *supra* note [] (describing assessments of City Council member Valenzuela, Rep. Gallego, and candidate Richard Carmona).

¹³¹ The law, HB 2023, was temporarily enjoined by the Ninth Circuit Court of Appeals immediately before the election; that injunction was then stayed by the Supreme Court. Adam Liptak, Arizona Can Ban ‘Ballot Harvesting,’ Supreme Court Says, *New York Times*, November 5, 2016, <https://www.nytimes.com/2016/11/06/us/politics/arizona-supreme-court-absentee-ballots.html>.

¹³² Hector Tobar, Letter From Maricopa County: Can Latinos Swing Arizona? *The New Yorker*, August 1, 2016. Although the primary target of the law appears to have been the prospective voters, rather than the canvassers who enlisted them, the sponsors’ association of undocumented canvassers with the possibility of voter fraud suggests that, for some officials, stigmatizing views of undocumented immigrants may have survived even the committed efforts of canvassers.

sense of confidence and authorization. This gain has several distinct dimensions. The first is the acquisition of a variety of skills that are useful in campaigns of many kinds. There is learning connected to the task of “door-knocking” itself: how to read and follow a map; to keep track of homes visited; to enter relevant data when a day’s canvassing is complete. Although the core of the encounter between canvassers and voters involves telling one’s story – or at least providing a glimpse of elected officials have affected one’s life – there are other communication skills involved in engaging and persuading complete strangers. Canvassers learn how to ‘read’ a listener’s response, and to elicit opinions or preferences that might aid in the task of persuasion. One young woman described an encounter in which she was totally failing to engage a voter on the need to oust Sheriff Joe Arpaio. Then she spotted small children playing in the next room, and she explained that Arpaio’s persistent focus on undocumented immigrants was leading to a large inventory of uninvestigated sex crimes, which finally gave her some traction.¹³³ Some interviewees also point to their nascent skills as organizers, noting that they’ve recruited people whom they registered to join them, or brought in family and friends. Finally, canvassers gain political knowledge: about the offices or ballot issues in contest; about how the larger government of the municipality functions; about the stakes of the specific election, particularly for immigrant or Latino voters.

Putting these skills to work, and witnessing their capacity to change voters’ minds, gives canvassers a sense of efficacy, and of connection to the political process. They are surprised to learn that they see more potential in the electoral process than many citizens they approach. “They are the hopeless, and we are the hope,”¹³⁴ one canvasser declared, with a mixture of affirmation and wonder. More importantly, they begin to see themselves affecting that process by educating and motivating voters. One adult canvasser related:

One time I got a man who right away wanted to close the door on me. He said, “I don’t want to vote! They always do whatever they want anyway.” He was very angry: “I don’t even know anyone and I don’t know anything about politics!” I told him, “Pardon, but you don’t need to know about *politics*, you only need to know a little about *justice*. Or do you like what’s going on?” “No, what Arpaio is doing makes me really angry!” “*That’s why Arpaio is there, because the people who want him vote and the people who don’t want him don’t vote, like yourself.*” [He said:] “Ok then, give me the ballot!” And that was it.¹³⁵

Witnessing such effects persuades canvassers that they have a role in the political process, despite the fact that they cannot themselves vote. As one canvasser explained, “I do have a voice in that sense,

¹³³ Interview with [check if this was AG or another LUCHA member].

¹³⁴ Interview with AG (September 2012).

¹³⁵ Interview with RMS (February 2013).

because even though I might not have the right to vote, I have made the choice to empower those who can.”¹³⁶

Finally, canvassers come to appreciate a crucial dynamic of the electoral process: holding elected officials accountable for the effects of their choices. One goal of canvassing is to help voters see that, if officials fail to meet the needs of their communities, they can vote them out, just as they voted them in.¹³⁷ Yet over time, as I explain in Chapter 4, undocumented canvassers come to see themselves as part of communities of accountability. They live in the same communities as the voters they canvas; they are affected by officials choices like the voters they canvas; they participate in the electoral process, if not in the same ways, then with the same knowledge and commitment as voters. This leads them to view elected officials as answerable to them as well. One canvasser exclaimed:

...I can go to any street, and I can tell you ... this neighborhood wanted this. And when I see that ... the roads are cracked; they're old, they need fixing... I want to go up to somebody and tell them, "You know what? This is going on, and this community wants this, this, and this. How do I know? I knock on these doors... *[T]his is what's burning inside of me. I want to hold somebody responsible for what's going on.*"¹³⁸

Or as another canvasser put it succinctly: "*at the end of the day, you work for us. You work for the community.*"¹³⁹

The constellation of beliefs and orientations instilled by civic engagement work are in many ways similar to those of citizens: citizens who understand the electoral process and its potential to confer voice and influence on voters. But as scholars such as Meyer and Fine have understood,¹⁴⁰ this example of political self-assertion also has a collective, oppositional strand. Unlike many citizen voters, undocumented canvassers do not act solely or even primarily on their own behalf: voice and accountability matter because state action has left them with a collective grievance, or shared sense of injustice. Elections are one vehicle for highlighting and relieving it.

3. Engaged Opposition

A third kind of performative assertion involves demonstrative action or protest outside formal institutional channels. The activity may be a march or rally, a form of lawful direct action such as a mock graduation or hunger strike, or an action that intentionally violates established law, such as civil disobedience. This kind of performative assertion can clarify and extend the scope of action by

¹³⁶ Interview with RM (August 2012).

¹³⁷ See e.g. SR (September 2012).

¹³⁸ Interview SR (September 2012).

¹³⁹ Interview AG (September 2012).

¹⁴⁰ See Meyer Fine, *Grassroots Politics at Multiple Scales*, supra note [].

immigrant protesters. Demonstrative action poses risks for undocumented immigrants because it increases the chance that they will come to the attention of law enforcement agents, who can transfer them to the jurisdiction of federal immigration officials. Civil disobedience courts such risks, in particular, because it purposefully creates grounds for arrest. Executing such actions can help activists to understand whether or when particular forms of action will elicit immigration enforcement consequences.¹⁴¹ This knowledge can help undocumented organizations to evaluate the risks that accompany particular tactical choices. If activists have observed that particular kinds of action do not trigger enforcement responses, participants may more widely or regularly choose to take part in them, thus extending the repertoire of action. On the other hand, some participants may decide to engage in an activity that runs a stronger, or as yet unexplored, risk of enforcement response, in order to underscore the urgency of, or direct public attention to a particular issue.¹⁴² In either case, the understanding of enforcement response that is produced by demonstrative action can serve as a tactical resource that strengthens the movement.

For citizens, demonstrative action poses the broader, normative question whether it is legitimate for those lacking formal status to engage in contentious politics, working in a critical or oppositional vein outside the formal institutions of the state. Does visible protest action demonstrate an admirable commitment to improving the shortcomings of a political or legal system? Or does it demonstrate unearned entitlement in those who are not formal members of the political community? Is the answer different when such activity is not simply oppositional, but knowingly violates specific laws? These have proved to be complicated questions. Some forms of demonstrative action appear to have had positive consequences: most activists view the DREAMer sit-ins at Obama campaign headquarters in spring 2012 as having pressed the president toward the announcement of DACA, without undermining broad public support for DREAMers as a group.¹⁴³ What dynamics have shaped public reception of DREAMer protest, whether and when it extends to adults, and how it will withstand escalation to more contentious activities, such as the Not1More Deportation protests explored in Chapter 5, remain ongoing questions.

¹⁴¹ These forms of protest do not, of course, alter the legality of the underlying practice. Civil disobedience, for example, is “unlawful” for citizens or undocumented immigrants: indeed, breaking a law is the whole point of the exercise.

¹⁴² This was part of the thinking behind the decision of the first DREAMers to engage in civil disobedience. Perhaps the most daring or controversial example of such deliberate risk-taking was the re-entry of the “DREAM 9.” In this action three DACA-eligible DREAMers left the United States for Mexico, to join six undocumented immigrants who had recently been deported or had left the US to accompany deported relatives. The nine then approached the US-Mexico border from the Mexican side, presented themselves to border authorities, and sought humanitarian parole and/or asylum in order to enter the US. In this action protesters literally used their identities as recent occupants of the “soft inside” of the United States to challenge the “hard outside” where its operation was strongest: at the border. For an illuminating discussion of this action, see Leti Volpp, *Civility and the Undocumented Alien*, in Austin Sarat, ed., *Civility, Legality, and Justice in America* (2014).

¹⁴³ [polling data from Latino Decisions on majority support for DREAMers]

For undocumented participants and their fellow activists, however, the effects of demonstrative action have been clearer. Participation in demonstrative action – forms of protest that reflect public resistance to state action and expose participants to risks of adverse enforcement – fortifies the “oppositional consciousness” of undocumented activists. Jane Mansbridge argues that group members develop an oppositional consciousness when they “claim their previously subordinate identity as a positive identification, identify injustices done to their group, demand changes in the polity, economy, or society to rectify those injustices, and see other members of their group as sharing an interest in rectifying those injustices.”¹⁴⁴ Rights-bearing and institutional forms of performative citizenship, as examined above, reflect strands of oppositional consciousness. But these elements become a dominant theme in demonstrative action. Taking place outside, and in opposition to, official institutional decisions, demonstrative action imbues undocumented activism with an adversarial posture. The emphasis in protest actions, whether communicated discursively or bodily, is on state injustice, rather than on the pragmatic forms of remedy emphasized, for example, in the electoral context. The shared affective dimensions of demonstrative action foster feelings of love, pride, and familial connection among participants; and its physical extremity or risk-taking bonds group members together through shared sacrifice.

A march is perhaps the simplest form of demonstrative action. It may feel unfamiliar or even risky to undocumented immigrants who are accustomed to living below the radar of public visibility. But in other ways, it is among the most accessible forms of political activity. It demands neither specialized knowledge, nor significant exposure, nor major commitment of time, to achieve activating, solidaristic effects. As one DREAMer explained:

A lot of time, people are not comfortable with going to [lobby], because they don't know how ... they feel intimidated by speaking to a congressman or a staff person. But by going to a march, it's a way that they can own and they can lose that fear that they have, and they can feel empowered without feeling intimidated, because they are in a group, they are with their community, they are with friends, and they're together.¹⁴⁵

The first responses of a marcher may be those of individual discovery: that it is possible – and feels good -- to raise your voice on your own behalf. One LUCHA member described her reaction to her first marches:

I wasn't happy, but it kind of was a joy ... Something that I want to come back and have this feeling again. Because I feel good shouting out, it felt good finally being in the streets and no longer ... hiding behind someone else... I was no longer, you know, hiding behind my husband or hiding behind my mother-in-law. It was more of, I'm actually standing for myself; I'm standing there.¹⁴⁶

¹⁴⁴ Jane Mansbridge, *The Making of Oppositional Consciousness*, in Jane Mansbridge and Aldon Morris, *Oppositional Consciousness: The Subjective Roots of Social Protest* 1 (2001).

¹⁴⁵ Interview MG (August 2013).

¹⁴⁶ Interview LF (June 2013).

In the context of a march, however, these individual feelings of capacity quickly morph into a shared sense of feeling, responsibility, and purpose. The same activist explained:

[Y]ou think, “Oh, I’m only feeling these emotions and nobody else knows how I’m feeling,” but ... no matter where you look around you see the same emotion in everybody’s face. ... And then it came to the point I’m doing this not only for myself, but for those who are afraid to come out. Because there are those that want to come out, but don’t know if it’s right to go out ... it gives you this boost of confidence, of I can do this. And also, I’m doing something good for myself and for the community.¹⁴⁷

Over time this perception of responsibility and voice may ultimately give rise to a more adversarial consciousness: a nascent feeling of “us,” and a dawning sense that “they” need to hear and respond. An ADAC activist described this change in her feeling about marching:

[N]ow that I’m more aware, I understand ... this is my life that depends on it. This is the life of my family. So I feel more compelled to do something. And it means more to me. Like, when I shout, I feel like I shout from my heart: *we can do this, “si, se puede”; we are together. And people need to hear us; they need to hear us shout.* If anything, I feel more empowered now than when I was younger. Because in a way I feel like I helped do this.¹⁴⁸

For some activists, marching and rallying are sufficient and satisfying forms of political response. Others turn to more confrontational tactics that may achieve greater visibility, or exert greater pressure on specific political targets. Direct action, which may include boycotts, hunger strikes, physical occupation of targeted spaces, and confrontations aimed at specific elected officials, has also become prevalent among undocumented activists. Direct action is motivated by some of the same concerns as institutional political participation, or less confrontational forms of demonstrative action. There is a desire for voice, and an impetus to educate and inform members of the public. There is also a demand for accountability by public officials. As a member of Puente noted:

[D]uring their election [representatives] offer to help us with immigration, and when they are in power ... they no longer give us what was promised. And it is then up to us to go to them with other tactics so that they can remember we are waiting for what they promised us. We need to pressure them so that we will be heard and treated equally because we are a very important part of this country ... so that they take us into account and they see our value.¹⁴⁹

In direct action, this demand for accountability is framed in a more oppositional vein: it takes place outside the formal institutions of the state; and it uses forms of physical extremity, self-sacrifice or confrontation to replace the more conventional pressure of the ballot box. Through it undocumented immigrants highlight their exclusion from formal membership: undocumented immigrants must

¹⁴⁷ Interview LF (June 2013).

¹⁴⁸ Interview BBV (April 2013).

¹⁴⁹ Interview with MCR (April 2015).

“pressure” officials through direct action because they cannot directly exercise the power of the vote. But it also expresses their grounded skepticism of state actors: because they have seen that that officials will neglect their promises to immigrants once they are elected, they favor public, punishing vehicles for reminding them of their commitments.

The physicality and extremity of many direct action tactics also communicates and fosters an oppositional stance. The bodily expression of resistance – much like marching and shouting – carries an affective charge that fortifies connections among activists and sharpens their opposition to their target. Direct action tactics modeled on or borrowed from earlier movements may also communicate to participants the oppositional consciousness of those liberatory campaigns. The tactic of coming out as “undocumented and unafraid,” helped impart to the movement the defiant, stigmaphillic stance pioneered by LGBT activists of the Harvey Milk era, and shared by the “undocuqueer” activists who inaugurated the practice in Chicago.¹⁵⁰ Direct action tactics of the civil rights movement, from freedom rides to sit-ins to challenges at the Democratic National Convention, brought to the voyage of the Undocubus the improvisational, yet unshakable resistance of that earlier movement.¹⁵¹ These more contentious examples of performative citizenship will be discussed in Chapter 4.

At the more challenging end of the spectrum of direct action is civil disobedience. While some examples of direct action may clarify the scope of possible activism – no one knew, until they attempted it, whether coming out as “undocumented and unafraid” or even wearing a DREAM Act t-shirt in the wake of SB 1070 would expose activists to enforcement -- many operate clearly within the boundaries of the law. Civil disobedience, on the other hand, involves the purposeful violation of a law,¹⁵² undertaken in circumstances of high visibility, designed to call attention to the injustice of the law itself or of an immigration policy embraced by state actors. Civil disobedience is not, technically speaking, legal for anyone. But because it exposes participants to the a heightened risk of arrest and custody, it has holds particular dangers for undocumented activists, who could be transferred to ICE, detained, or deported. Prior to 2010, there was no precedent for civil disobedience by undocumented protesters; so no one knew what consequences it would produce for those who lacked legal status or legal presence. One ADAC member described the reaction at a meeting in 2010, the night before first DREAMER sit-in:

¹⁵⁰ See e.g., Cristina Beltran, *Undocumented, Unafraid, and Unapologetic: DREAM Activists, Immigrant Politics, and the Queering of Democracy*, in Danielle Allen and Jennifer Light, eds., *From Voice to Influence: Understanding Citizenship in a Digital Age* 80-104 (2015);

¹⁵¹ For a description of that influence by a rider on the Undocubus, see Mari Cruz Ramirez Jimenez, *In Admiration: Learning About the Civil Rights Movement*, August 15, 2012, <http://nopapersnofear.org/blog/post.php?s=2012-08-16-in-admiration-learning-about-the-civil-rights-movement>. For a broader comparison, see Kathryn Abrams, *Performative Citizenship in the Civil Rights and Immigrant Rights Movements*, in **A Nation of Widening Opportunities: The Civil Rights Act at 50** (2016).

¹⁵² Participants may be arrested and charged with violating the law they aim to expose, or some ancillary law (such as a regulation of trespassing) that helps them highlight a central issue in their campaign.

And the students, the other folks from other states came, and they were like, “tomorrow we’re going to be going to [McCain’s Tuscon office], and we’re going to be getting arrested.” Oh my god, everybody was crying. Everyone was like, “You guys shouldn’t do it, that you’re going to get deported. What’s going to happen? What are we going to be doing about it?”¹⁵³

Civil disobedience was thus performative in the sense of clarifying and extending the boundaries of undocumented activism. As undocumented activists, such as those in McCain’s office, were able to stage a sit-in, or stop a deportation bus, without triggering immigration sanctions,¹⁵⁴ they expanded the repertoire of tactics that could be used to challenge public officials.

Participation in this form of protest has, more centrally, enlarged activists’ own sense of authorization, to engage state actors, to critique decisions or policies, and to demand change. This empowerment occurs both through the preparation for these actions, and through the experience of civil disobedience itself. Civil disobedience in this movement is rarely undertaken by novice participants. It is generally the province of more experienced activists; yet the decision to rely on this tactic may be weighed and debated throughout organizations. Most organizations are deliberate about preparing individual activists for civil disobedience in the context of a planned action, particularly if they have never engaged in this form of protest before. There may be discussions of the role of contentious tactics in American movements for social justice. There are meetings with lawyers, who counsel individual activists on the risks that they run through participation, and guide them in preparation for possible detention. Prospective participants may talk among themselves, bonding and fortifying each other for the planned action.¹⁵⁵ These preparatory activities give participants context, and serve to underscore their commitment to the shared goals of the organization.

Many undocumented activists describe civil disobedience as an extension of, rather than a break with, more conventional, institutional forms of politics. As with less contentious forms of direct action, its bodily extremity and risk-taking serve to amplify the message communicated to political actors. One

¹⁵³ Interview EA (April 2015).

¹⁵⁴ Because civil disobedience usually results in arrest by local police, or other officials responsible for enforcing the law in question (e.g., if the protest takes place on federal property, such as an ICE office, enforcement may be by federal officials), whether the action results in immigration sanctions depends on the degree of cooperation between state and federal officials, or whether federal officials – such as those in ICE or DHS – exercise their discretion to enforcement immigration laws which render any given undocumented immigrant removable.

¹⁵⁵ I had the opportunity to observe these preparations, for example, in October 2013, during a conference held by Puente, in Phoenix. This national conference, co-sponsored by the National Day Laborers Organizing Network (NDLON), was intended to mark the transition from a movement strategy that focused, at least in part, on the prospect of comprehensive immigration reform in the legislature, to a strategy that focused entirely on pressing the executive branch to end deportations, ultimately through a policy of deferred action. The conference included comprehensive training in civil disobedience for those who aimed to pursue this strategy, both in Phoenix at the culmination of the conference, and in cities across the country in the year that followed. This training encompassed the several elements mentioned above. See Field notes, Puente Conference (October 12-14, 2013).

activist described ADAC's decision to stage its first organizational civil disobedience at the Phoenix ICE Building: "[politicians] didn't understand the urgency of it all. So we saw that we needed to make it urgent, that we needed to quote-unquote "be in their face." So we planned an action at ICE, and we chained ourselves to the gate."¹⁵⁶ For individuals, the decision to be part of this amplification is a serious one because of the potential risks. Each activist weighs the pros and cons differently when deciding whether to take part in a civil disobedience action. Some experience the individual risk as modest. As one ADAC participant put it: "I've done everything I could; this is just one more piece of [what] I can do and [] I'll be fine."¹⁵⁷ But for others, particularly those with family or individual histories of detention or deportation, there is real soul-searching involved. They consult with relatives, or ask themselves whether the goals of this action make the risk of losing everything they have attained in the US worthwhile. One activist who had previously been in deportation proceedings described her decision to become involved in an ADAC action to stop a deportation bus:

...it was always in the back of my mind, like what if they can reopen my case? ... my case was terminated by a judge ... And my attorney had told me if it's terminated, it means if they want to put you in proceedings again, it has to be a new case. They cannot reopen it. But it was still like, What if they deport me? ... But it made sense for me in that time. I wanted to do it ... [If] I would ever get arrested [] I would do it in front of the bus ... Because it was a sense of like, *if I am able to stop somebody's deportation, I'm okay with being deported*, because I know that my community is going to be there for me, regardless.¹⁵⁸

These discussions and deliberations themselves have important effects on a group of activists whose experience has already conferred a degree of authorization. They may gain in tactical sophistication and become more aware of the values and goals that bind them to other members of the group. But even more powerful in shaping the consciousness of participants may be the action itself.

For most activists, civil disobedience involves at least a moment of confronting their greatest fear: the risk of deportation they have struggled individually and collectively to prevent. One ADAC leader, who took part in a United We DREAM Senate sit-in, to compel a vote on the 2010 DREAM Act, described her feelings as she awaited arrest: "as things were getting closer and we started getting our warnings, then it was like ... I was in Disneyland, because when you go into this roller coaster, how you start feeling ... It felt like, oh, we're going up. You see the entire seaport from top, and they drop you. And so that's how I felt."¹⁵⁹ Experiencing, and surviving, that moment of the roller-coaster drop produces in many participants a great feeling of empowerment. Activists may feel that they have faced down their fears, won a moral victory over their state adversary, and delivered on their commitments to their community

¹⁵⁶ Interview with YG (May 2014).

¹⁵⁷ Interview YG (May 2014).

¹⁵⁸ Interview with IS (February 2015).

¹⁵⁹ Interview DM (July 2014).

and to the system whose injustice they decried. “I have done everything possible for me to fix this situation... so if I get deported tomorrow, it’s fine,” declared the ADAC participant in the Senate sit-in, “when I got arrested, that was the first time I felt free in a very long time ... it was ironic because I was in zip-ties.”¹⁶⁰

In many respects, it is not surprising that participation in civil disobedience delivers this boost in political confidence. The tactical and emotional work that civil disobedience requires – deciding what circumstances require an intensification of tactics, assessing the trade-offs between collective benefits, and collective and individual risks, managing the inevitable fears that arise from participation in high-risk tactics – is some of the most challenging an activist can undertake. Engaging in that individual and collective labor, and seeing it bear fruit in a dramatic, visible action creates a powerful sense of efficacy. Participants may also experience solidarity and pride as their acts mobilize others in their communities. A second ADAC Senate protester described her satisfaction as the willingness to engage in oppositional action spread:

I think that was one of the moments where I honestly, I felt really, really empowered. Not necessarily just the action, but when we came back from DC ... A lot of people were like really scared of what was going to happen to [D and me]. So when we came back, we had tons of people going to support us at the capital. We did a rally at the capital. For me, one of the really awesome things that I saw was that a lot of other youth were starting to be a lot more empowered. And from there on, you started to see a lot of the youth being like, I would do this; I would do that. I mean, they were willing ... A little bit after that, we did a month-long camp outside of McCain’s office, and we literally slept outside of McCain’s office for almost a month. And folks were willing to do it. And that was not the case in [2009]... I mean, we were arguing about putting a freakin’ newspaper at ASU.¹⁶¹

It would be misleading, or inadequate, to say that those who take part in such actions begin to “think like citizens,” for reasons that Meyer and Fine explain.¹⁶² Most US citizens do not even approach the vexed territory of breaking the law in order to protest its injustice. Yet undocumented activists who practice direct action and civil disobedience learn to approach the state in a stance that is engaged yet critical, their sense of connection to the polity mediated by their powerful affinity for their group. It might be more accurate to say that they begin to think and act like a specific sub-group of citizens: those who are members of liberatory social movements.

III. Manifestation and Management of Emotions

If storytelling answers the corrosive force of “legal violence” and prepares activists for an outward facing public role, and performative citizenship fuels the sense of authorization necessary to make demands on

¹⁶⁰ Interview DM (July 2014).

¹⁶¹ Interview EA (April 2015).

¹⁶² See supra at notes [].

the state and expect a response, there is another set of practices that works less directly but no less powerfully on activists in the movement: the cultivation, expression, and management of emotion. Acquiring the kinds of experience that fosters authorization requires commitment, and perseverance in the face of risk and frustration. Emotion, the current that runs among activists, catalyzing their action and binding them to each other, is vital to their activation and persistence.

Emotions make a conspicuous yet puzzling appearance in the work of this movement. On the one hand, emotion pervades this movement, including many of the practices examined above. Marches are flooded with feeling: buoyed by solidarity, and by turns dignified, hopeful, and defiant. Speakers at rallies or vigils project emotions readily and accessibly: whether pride or resolve or anger or despair, potent feelings infuse the content shared by participants. In organizational settings, emotions also run close to the surface – people tear up or even weep in the course of meetings; they express their affinity for each other verbally and physically through touches, hugs, shouts, enthusiastic snaps. As we have seen, organizers welcome and support many of these emotional displays; emotion makes these forms of activism meaningful and contributes to their authorizing effects. Yet, on the other hand, emotions seem to be the object of careful monitoring and sometimes strenuous management. Organizers seem constantly to be scanning the horizon for fear, frustration, or disappointment, dispelling them almost before they can be experienced. People are steadily reminded that “DREAMers never quit,” or that undocumented communities “thrive on adversity.” They are reassured of solidarity – that the community “has their back” and the safest place is “out, in the setting of an organized community.”

While these might seem like contrasting impulses, they may point to a more coherent practice of emotion management. Organizers and activists foster and support potentially mobilizing emotions, while neutralizing or managing potentially demobilizing emotions. This kind of emotion management is not unfamiliar in social movements – scholars have written, for example, about the fostering of indignation or the management of fear in social movement organizations.¹⁶³ Yet in the circumstances of undocumented activism both cultivation and management require ongoing, purposeful efforts. Most undocumented immigrants are unaccustomed to public visibility, emotional or otherwise. Their lack of status, and their targeting by the legal regime of enforcement by attrition may engender feelings of fear, shame, or demoralization that can impede public action. The emotional transparency required for storytelling and other forms of public self-disclosure may be particularly challenging for undocumented participants who have often mastered stoicism as a kind of survival skill.¹⁶⁴ Beyond these initial barriers, activists in this movement face unusually high risks, including real dangers of apprehension, detention and deportation, and high levels of frustration and disappointment. These difficulties require emotion work, including purposive strategies; in this section I examine two facets of such work. First organizations cultivate an emotional “habitus” or environment that stabilizes ambivalent affects in favor of mobilizing emotions, and fosters emotional transparency. Second, organizations control or manage potentially demobilizing emotions, including fear and frustration, through practices of reinterpretation, circulation of “emotives” and other strategies.

¹⁶³ Cite Jasper and Goodwin on mobilizing emotions; Goodwin and Pfaff on managing fear in high-risk movements.

¹⁶⁴ See supra at n [] (Interview of RM and IS).

A. Emotional “Habitus” and the Activation of Undocumented Participants

Organizations foster what theorists of emotion have called an “emotional habitus”¹⁶⁵ -- a shared set of emotional understandings and practices -- that responds to the distinctive emotional difficulties of organizing as undocumented. In explaining how this emotional habitus functions, I follow theorists like Brian Massumi¹⁶⁶ and Deborah Gould¹⁶⁷ in making a distinction between “affects” and “emotions.” Affects, according to Gould, are “nonconscious and unnamed but nevertheless registered experiences of bodily energy and intensity that arise in response to stimuli impinging on the body.”¹⁶⁸ Although affects are experienced by the individual, they are formed through the interaction of the individual and the broader environment or society of which she is a part. Affects may arise in the body; but they may also be experienced as incompletely differentiated, inchoate feelings: as Gould describes, diffuse “fears, resentments, anxieties, desires, aspirations, senses of belonging or non-belonging.”¹⁶⁹ Emotions, on the other hand, are conscious, linguistically-framed feeling states that are widely identifiable, culturally understood, and predispose people toward particular kinds of actions. Emotion, as Massumi describes it, is “the expression of affect in gesture and language, its conventional or coded expression.”¹⁷⁰ When affect is shaped, defined, or fixed into identifiable emotion states – when we identify a particular bodily intensity or inchoate feeling as hope, for example, or anger – there is a “capture of affect”¹⁷¹: that affect becomes culturally intelligible as a specific emotion, and more amenable to being turned to

¹⁶⁵ Deborah Gould argues that an emotional habitus “provides members [of a social group] with an emotional disposition, with a sense of what and how to feel, with labels for their feelings, with schemas about what feelings are and what they mean, with ways of figure out and understanding what they are feeling.” Deborah Gould, *Moving Politics: Emotion and ACT-UP’s Fight Against AIDS* 34 (2009). Following Bourdieu’s notion of habitus, Gould argues that the emotional habitus of a group or organization “operates beneath conscious awareness,” *id.* I am not entirely persuaded of this claim, given Gould’s focus on the shift in the emotional habitus of the anti-AIDS movement, which was in part the product of an intentional effort to transform grief into anger or outrage. Moreover, it strikes me that some elements of the “emotional habitus” of the organizations I have studied are the products of cultivation that reflects some level of intentionality: the cultivation of solidarity, for example, or the fostering of emotional transparency in the narration of undocumented experience. [I should also note that while I use the term “emotional habitus” in this draft because it is a commonly used term in the sociological literature on emotions and social movements, my ambivalence about invoking Bourdieu for an audience that may be largely unfamiliar with his work, and my own sense that undocumented organizations employ emotional strategies with some level of intentionality may make “environment” or some similar term a better choice.]

¹⁶⁶ Massumi, *Navigating Moments: An interview with Brian Massumi*, in M. Zournazi, *Hope: New Philosophies for Change* 232 (2003).

¹⁶⁷ Deborah Gould, *Moving Politics*, *supra*.

¹⁶⁸ Gould, *Moving Politics*, at 26.

¹⁶⁹ Gould, *Moving Politics*, at 29.

¹⁷⁰ Massumi, *Navigating Moments*, *supra* note [], at [].

¹⁷¹ Gould, *Moving Politics*, at 27.

particular purposes.¹⁷² I want to argue, following Gould (who uses this frame to analyze the direct action AIDS organization, ACT-UP), that the emotional habitus of the social movement organization mediates between the affects with which prospective activists enter the organization and the emotions that allow them to move into their roles as public participants. The emotional habitus, which includes dominant moods or emotional tones, characteristic emotional displays, and emotional directives offers what Gould calls an *“emotional pedagogy.”* It instructs people in how to interpret the affects they are experiencing in ways that enable them to participate in activism.

Consider several kinds of affects with which undocumented immigrants enter organizations. These affects are neither inevitable nor inherent for undocumented immigrants; they are formed through interaction with the environment, including laws that exclude, stigmatize, criminalize undocumented immigrants, and public assimilation of the message of such laws. One salient example is a sense of wariness or vulnerability. This is particularly strong among undocumented adults but it emerges also among youth. They understand they are susceptible to enforcement and exclusion, and they are unsure how to keep themselves safe, particularly in an environment like Arizona. This set of affects often causes them to live far below the radar screen, and to be reluctant to discuss their status, even within their own communities. As one activist explained, when it comes to your status “you don’t ask and you don’t tell – even within your family.”¹⁷³ These inclinations create a sense of invisibility – a sense of not existing or mattering to the society to which they’ve given their lives and their labor. They also create a sense of isolation. These affects can result in a feeling of wary ambivalence: undocumented immigrants may suffer in their isolation, and desire greater recognition or connection; but it conflicts with their desire to remain safe.

Two other kinds of ambivalence are prominent among undocumented immigrants. These ambivalent affects are traceable to the very mixed messages they receive from mainstream society about their contribution and relationship to the polity. First, undocumented immigrants may feel a precarious combination of pride, on the one hand, and stigma or shame, on the other. Many of them are working very hard either at workplace or at school: the adults are making sacrifices for the sake of their children; the kids are working hard to learn a new language and culture, to make a future for themselves that makes their parents’ sacrifice worthwhile. They feel rightfully proud of their efforts: this is what they tell themselves, say within their families, and share with their neighbors, if they get to know their neighbors.. But they also receive more difficult messages from the larger society and from laws that comprise “attrition by enforcement”: that they are lawbreakers, criminals, opportunistic drains on society, responsible for bringing Mexican drug wars over the border, and more. Though these messages are painful and frequently untrue, they are dominant in places like Arizona; sociologists of immigration

¹⁷² There is also an “escape of affect,” Gould, *Moving Politics*, at 27, meaning that something of the experienced intensity is lost in this actualization. It may linger in an inchoate state or emerge in some other way, demanding a new linguistic framing or articulation.

¹⁷³ Interview with LD (July 2013).

suggest they are often assimilated by those they target.¹⁷⁴ These mixed messages leave immigrants feeling confused about their contribution, and whether they are worthy of better treatment than they are receiving. This confusion and tendency to embrace stigmatizing messages can make political self-assertion difficult.

A final form of ambivalence is more specific to youth: this is ambivalence about belonging. As a consequence of the Supreme Court's decision in Plyler v. Doe,¹⁷⁵ undocumented youth are required to be educated in grades K-12 alongside their citizen peers. In this environment, they come to feel that they belong – linguistically, culturally, and politically. Then they reach 16 or 17 and they realize they have no social security number: no drivers' licences, no job, no in-state-tuition, no financial aid. In the most multi-faceted, inescapable way, they learn that they don't belong (a phenomenon that's been described by sociologist Roberto Gonzales as "learning to be illegal"¹⁷⁶). This kind of ambivalence is extremely confusing and often demoralizing – youth report feeling depressed or immobilized when they have grown up virtually as citizens but are foreclosed from most of the opportunities their citizen peers enjoy.

These affects are not conducive to generating confident, outward-turned activism. So a key task of social movement organizations by and for undocumented immigrant is to actualize these inchoate, ambivalent affective states as emotions that are more conducive to public action: in many cases, to move ambivalent feeling states in the direction of the more positive emotions they encompass. As I describe in Chapter 3, organizations do this in several ways. First they cultivate a positive emotional tone. This may be conveyed by the content, and feeling, of stories shared. But it is also communicated by many subtler, and less explicitly narrative, means, including the carriage of organizational leaders, the choice of empowering terms or slogans, the response of discussion leaders at general meetings, the mood of mentorship sessions. This tone varies from organization to organization: meetings at ADAC, a DREAMer organization, often projected a sense of confidence and capacity, while gatherings at Puente, a community-based organization composed primarily of adults, tended to convey implacable determination. Organizational tone may also shift the with goal of a campaign or action: as ADAC moved from a legislative campaign for immigration reform to the direct action campaign to end deportations described in Chapter 5, activists' confidence was manifested less as pragmatic optimism about change than as fierce commitment to vulnerable family members. New participants in these organizations have noted the positivity of the organizational environment and how it helps them to see themselves and their potential in a more positive light.¹⁷⁷

¹⁷⁴ See e.g., Leisy Abrego and Cecilia Menjivar, *Legal Violence: Immigration Law and the Lives of Central American Immigrants*, 117 *Amer. J. Sociol.* 1380 (2012).

¹⁷⁵ 457 U.S. 202 (1982).

¹⁷⁶ See Roberto Gonzales, *Learning to Be Illegal: Undocumented Youth and Shifting Legal Contexts in the Transition to Adulthood*, 76 *American Sociological Review* 602 (2011).

¹⁷⁷ See supra at note [] (Interview with BBV).

Organizations also meet immigrants' sense of isolation and invisibility with a powerful message of affirmation and solidarity. Perhaps the most palpable emotional pedagogy of undocumented organizations is to make clear to participants: *you are not alone; you are seen and understood, by people whose experience is similar to your own*. This message may sometimes be articulated explicitly: reciprocal storytelling conveys similarity of circumstances and affirms individual worth¹⁷⁸; leaders may literally remind their members that "you are not alone."¹⁷⁹ But solidarity is also conveyed symbolically, through the Cesar Chavez unity clap that closes meetings, by practices of forming circles or holding hands.¹⁸⁰ It is demonstrated as activists offer political, emotional, and financial support to families facing detention or deportation.

This message shapes the affects of undocumented immigrants, in a direction that enables public action. New members feel seen and valued, after years or decades of invisibility or stigma. This may loosen the hold of shame, or of feeling "less than," in ways that permit immigrants to turn outward, or contemplate public visibility. This experience of mirroring, affirmation, and solidarity also creates intense emotional bonds between members of organizations. Such bonds are prevalent in social movement groups generally; but the depth of connection between undocumented activists – who say they come to feel "like family" – is something that continually struck me in my research. The motivation to act for those they care about becomes part of the motivation for group mobilization. As one teenage participant put it, "the fact that they're your friends, you're pretty much doing it ... not [so] much for yourself but for them as well, in honor of the friendship."¹⁸¹ These connections build not just a sense of affinity, but a sense of empowerment. New members feel less vulnerable because they see that others are willing to act on their behalf. Even if they retain some ambivalence about their power as individuals, they feel confidence in the collectivity.

Yet while organizations project and foster capability, solidarity and affirmation, they also encourage activists to access certain painful emotions. Although this focus on the manifestation of painful feelings may be in tension with the affirmation and positivity described above – a tension that undocumented activists inhabit daily -- both serve the larger purpose of enabling group-based mobilization. Rendering the pain of undocumented experience vividly in public is not simply a means of reaching prospective supporters. It is a vehicle for reminding participants why action is imperative. Affective transparency may be modeled by more experienced activists, who readily evoke the suffering caused by their status. The candid narration of pain is also supported close attention and audible, sometimes physical support. The injunction to access difficult emotions may even be explicit: families suffering detention or deportation during the Not1More Deportation campaign described in Chapter 5 were advised that the visible manifestation of their anguish was the best way to help their loved ones. These practices keep the pain of undocumented experience in a productive equipoise in the emotional habitus of

¹⁷⁸ See supra TAN [].

¹⁷⁹ Fieldnotes January 26-27 (2017).

¹⁸⁰ See e.g. Fieldnotes, October 2012; June 2014, January 2015.

¹⁸¹ Interview with D, M, & K (August 2012).

organizations: it is rendered accessible to activists, but bounded by emotional and narrative strategies, that preserve its impetus while preventing it from overwhelming participants.

B. Emotion Management: Strategies of Persistence

As new participants turn outward, they become increasingly aware that they are participating in a demanding, high-risk environment. There is often a steep learning curve for people with little public experience or exposure¹⁸² and activists face an ongoing danger of detention and deportation. Participants in this young movement have also endured ongoing frustration and disappointment, even before the advent of the Trump administration. Some participants, moreover, confront these challenges even as they are managing the fallout from a family member's detention and deportation.¹⁸³ Consequently, organizations regularly engage activists who are feeling fearful, frustrated, disappointed or generally overwhelmed. Organizations in Phoenix have developed a subtle, multi-faceted practice to address these challenges.

Undergirding this practice is solidarity, which eases de-mobilizing emotions, such as fear and despair, even as it fuels mobilization. Deep ties to similarly-situated others do not simply persuade activists that they have value, and that their capacity will be extended through collectivity. These ties also form a defense against the possibility of enforcement that moderates fears of apprehension, detention, and deportation. In a practice that is part meta-narrative and part organizational memory, participants affirm that the safest place for an undocumented person facing the possibility of enforcement is “out, proud, and part of an organized community.”¹⁸⁴ Activists remind each other of those occasions when community response has mobilized the public, or moved the government to exercise its discretion, when members are detained. They report that they feel more willing to come out as undocumented, to engage in direct action or civil disobedience, because they know that their colleagues will do everything to secure their release if they are taken by immigration enforcement.¹⁸⁵

Another part of this practice is explicitly discursive: organizations devise powerful ways of characterizing affects and emotions that help participants to manage potentially demobilizing feelings. One example is aphorisms that help participants to reinterpret what they are feeling. Activists in ADAC, for example, often tell new participants that “working outside your comfort zone is the way you grow.”¹⁸⁶ This aphorism – an organizer's version of “pain is weakness leaving the body” – tells new participants to reinterpret their often-anxious sense of being out of their depth as a sign that something positive is happening.

¹⁸² This is a repeated theme in interviews with youth activists, see e.g., [] this can evoke a sense of excitement but also produce emotional and physical exhaustion.

¹⁸³ See e.g., Interview with RM and IS (August 2016); Interview with EA (April 2015); Interview with JZ (May 2014).

¹⁸⁴ Carlos Garcia, Arizona, Arpaio, and SB 1070 Spur Crusade for Immigrant Rights, Politic365.com, June 20, 2012.

¹⁸⁵ See e.g., Interview with GT (March 2015); interview with IS (February 2015).

¹⁸⁶ See e.g., Interview with DV (April 2013); Interview with G (December 2012). But see also Interview with DM (July 2014) (maybe this expression means “we need to do more mentoring...”).

Another example is the use of “emotives”: descriptive statements about what people are feeling that function as normative directives, encouraging the feelings they purport to describe in others.¹⁸⁷ Some emotives tie the identity of activists to a particular emotional response: “DREAMers never quit” or “we thrive on adversity.” The normative force of the description arises from its connection to a new and valued identity. Perhaps the most powerful emotive in the movement is its now-famous rallying cry, “we are undocumented and unafraid.” This phrase is not a straightforward description of what people are feeling: in fact, many activists have described using it when they felt very much afraid.¹⁸⁸ In part, it articulates an aspiration: it is the stance in which undocumented activists aim to engage state actors. But it also produces effects on both the speaker and on other prospective participants who hear it. Among activists, this emotive helps to resolve ambivalence in the direction of pride, belonging, and self-assertion. Describing how the phrase functioned for her, one activist explained:

[E]ven now ... there are things that make me afraid. I mean, speaking publicly is very scary. Sharing your story is very scary. Having a one-on-one civil debate with an anti-immigrant person is very scary. It’s terrifying, but ... I refuse to be a victim of my circumstances. I refuse to be turned into this little person because of a situation that I’m in.¹⁸⁹

The phrase may also become performative over time. As activists repeat it, and others – including state actors and members of the public -- respond to it, it can become a self-fulfilling prophesy. Another youth activist explained:

[in the beginning] it was ... I guess, like an empowerment phrase ... even if [people] were still afraid, they didn’t have to show they were afraid to the public ... even if they were dying inside... you had to put that face on where it was – “you know what? I’m not afraid.” As people started telling their stories and started coming out, they started noticing that it really wasn’t something to be afraid of; that it was something you could live with, that you were ok with. [And] when you sa[id] so, certainly people believe[d] you ...so even if it started as ... an empowerment phrase, it became true over the years.¹⁹⁰

A final strategy for mitigating fear and discouragement is the purposeful fostering of counter- emotions: specifically, the cultivation of joy. This strategy has a legacy among high-risk movements: Jeff Goodwin and Steven Pfaff describe the role of song in the civil rights movement as bringing solidaristic joy and

¹⁸⁷ William Reddy, *Against Constructionism: The Historical Ethnography of Emotions*, 38 *Current Anthropology* 327 (1997). Reddy argues that emotives are neither strictly constative (descriptive) nor strictly performative, but they have “1) a descriptive appearance; 2) a relational intent; 3) a self-exploratory or self-altering effect.” William Reddy, *Emotional Liberty, Politics and History in the Anthropology of Emotions*, 14 *Cultural Anthropology* 256, 268 (1999).

¹⁸⁸ See e.g., AS (March 2012); DV (April 2012).

¹⁸⁹ Interview with DV (April 2013).

¹⁹⁰ Interview with CC (July 2013).

release to fearful participants.¹⁹¹ As Sheriff Joe Arpaio and SB 1070 began to tighten the noose around undocumented communities in Maricopa County, Puente adopted an approach members referred to as “the open hand and the closed fist.”¹⁹² If the “closed fist” meant teaching community members how to resist oppressive enforcement, the “open hand” meant cultivating a sense of enjoyment and connection among community members, giving undocumented immigrants facing “enforcement by attrition” a reason to remain. Joy and pleasure, experienced collectively, may ease the perceived weight of negative emotions, and fortify community members for the struggles ahead. This approach has remained part of Puente’s practice, with parties, cultural events, and art displays punctuating the group’s more overtly political tactics.¹⁹³ The practice of cultivating joy in the face of fear or frustration also infuses the resistance of the group’s most seasoned activists. At the outset of the Not1More Deportation campaign described in Chapter 5, Puente staged a fiesta on the grounds of the Phoenix ICE Building, after ICE closed its doors to avert a mass civil disobedience action.¹⁹⁴ The fiesta was an act of defiance in the face of ICE’s defensive strike; but it was also a vehicle for fueling release, cohesion, and joy among a committed group of activists.

IV. Conclusion

¹⁹¹ Jeff Goodwin and Steven Pfaff, *Emotion Work in High-Risk Social Movements: Managing Fear in the US and East German Civil Rights Movements*, in Jeff Goodwin, James Jasper, and Francesca Polletta, *Passionate Politics* 282 (2001).

¹⁹² Interview with Carlos Garcia (March 2015).

¹⁹³ I began to focus on this practice when a particular member repeatedly asked me if I was going to attend a dance or party planned by the group. At first, I thought she was simply being hospitable; but I gradually realized she saw these events as much part of the activism as the rallies and protests I scrupulously observed.

¹⁹⁴ Fieldnotes on Puente Conference and Action (October 12-13, 2013).