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# Sovereign intimacies:

## The lives of documents within US state-noncitizen relationships

### ABSTRACT

In the United States, the doctrine of plenary power grants the federal government considerable discretion in formulating US immigration policies. With only limited court review, the executive and legislative branches of government can create or abrogate immigration policies quite suddenly. This produces extreme uncertainty in the lives of noncitizens, who must collect check stubs, bills, medical records, and other documents in hopes of eventually being able to submit them as part of a legalization case. Such record-keeping practices enable noncitizens to speak back to the state in its own language, thus exploiting opportunities to challenge illegalization. The discretion that has been deemed key to US sovereignty therefore makes not only immigrants but also the state vulnerable as it endows documents with transformative potential. [*immigration, sovereignty, documents, vulnerability, intimacy, law, United States*]

En los Estados Unidos de Norteamérica, la doctrina de poder plenario le otorga al gobierno federal discreción considerable en la elaboración de políticas de inmigración. Con revisión mínima de la corte, los poderes Ejecutivo y Legislativo del gobierno pueden crear o abrogar políticas de inmigración repentinamente. Esto produce incertidumbre extrema en las vidas de los no ciudadanos, pues les obliga a recopilar talones de cheque, cuentas de gasto, expedientes médicos u otros documentos con la esperanza de poder someterlos como evidencia en una petición de estatus legal. Tales prácticas de recopilar documentos habilitan maneras de resistir al Estado usando su propio idioma, y por consiguiente los no ciudadanos hacen uso de la oportunidad para retar a la «ilegalización». Por lo tanto la discreción que se considera la esencia de la soberanía estadounidense crea no solo para los inmigrantes sino también para el Estado una situación de vulnerabilidad, lo que dota un potencial transformador a los documentos. [*inmigración, soberanía, documentos, vulnerabilidad, intimidad, ley, Estados Unidos*]

**I**n 2014, President Obama issued an executive order creating Deferred Action for Parents of Americans (DAPA). This program allowed certain undocumented immigrants who were parents of US citizens or lawful permanent residents to apply for “deferred action,” that is, a deferral of deportation, making it possible for them to temporarily remain in the United States with work authorization. One such immigrant was Dora, a 35-year-old from Mexico and the mother of two US-born children. She immediately began preparing to apply for DAPA.<sup>1</sup> When we interviewed her two months after the president’s announcement, she told us,

I am gathering everything having to do with my children’s schooling, everything in order, like the vaccination records. So that they [officials] see that I am not just getting [public benefits] for them [her children] but rather that I have raised them [...] doing my part as a mother, and that they see. And evidence such as the light [bill], the gas [bill].

Before Dora could submit this evidence, however, Texas and 25 other states sued the federal government, questioning the president’s authority to issue this executive order, and in February 2015, a district court judge enjoined the program.<sup>2</sup> The Obama administration appealed the injunction, and *United States v. Texas* soon came before the US Supreme Court. Sonya, another interviewee who could potentially qualify for deferred action under the president’s order, told us in June 2016 that she was getting up early every Monday and Thursday, the days that Supreme Court decisions were issued, to learn how the court would rule. On June 23, 2016, the decision came: the Texas court’s injunction was “affirmed by an equally divided court.” Because the eight-member Supreme Court was deadlocked (thanks to an unfilled vacancy left by the death of Justice Scalia), the appeals court decision would stand and the injunction would remain. Neither Dora nor Sonya would be able to apply for deferred action in the foreseeable future.

Dora's and Sonya's experiences are reminiscent of an 1889 case, *Chae Chan Ping v. United States*, which established that US authorities have complete discretion—known as plenary power—over immigration policy (Cleveland 2002; Wadhia 2010).<sup>3</sup> Chae Chan Ping, the plaintiff, had immigrated to the United States from China in 1875, at a period of US history when racialized stereotypes constructed Chinese as “crafty and dishonest” (Statz 2016, 1641). Although Congress later prohibited further Chinese laborers from immigrating in 1882, those such as Ping, who were already in the country, were allowed to leave and return as long as they first obtained a reentry certificate. Ping did so, traveling to China in 1887 and setting sail for the United States in 1888. During his return voyage, Congress revoked the reentry certificates. When he arrived in San Francisco, Ping was detained by the ship's captain, despite holding a valid reentry certificate. His lawsuit challenging this action made its way to the Supreme Court, which ruled unanimously that his detention and exclusion were constitutional. Writing for the court, Justice Field explained,

That the government of the United States, through the action of the legislative department, can exclude aliens from its territory is a proposition which we do not think open to controversy. Jurisdiction over its own territory to that extent is an incident of every independent nation.<sup>4</sup>

Like Dora and Sonya, Chae Chan Ping saw his eligibility for relief suddenly evaporate. This decision established the principle that immigration policy is a political matter over which the executive and legislative branches of government have full authority. This principle came to be known as the *plenary power doctrine* because it gives the political branches of government—Congress and the executive—full and complete (or “plenary”) control, as a matter of sovereignty, over US relationships to noncitizens within or seeking to enter the country. As legal scholar Mae Ngai explains, “The doctrine of plenary power privileged the nation's sovereignty absolutely over the rights of individual persons” (2003, 71).

The relationships through which the state enacts plenary power can be understood through relational frameworks according to which entities, objects, and beings are formed through and exist in relation to—and not independently of—other entities, objects, and beings (Barad 2007; Haraway 2003). In effect, relationships themselves “do” things, because they are a web of shifting configurations from which social beings and entities emerge (Desmond 2014). The state-noncitizen relation is such an entanglement.<sup>5</sup> In this understanding, the sovereign state is not a substantive configuration existing independently of its relationship to noncitizens; rather, it comes

into being at least partially through this relationship. According to the *Chae Chan Ping* decision, one of the hallmarks of sovereignty is that the state can exclude noncitizens. Sovereignty is thus a relationship—not a property or possession. Indeed, sovereign power “needs bodies and ‘bare life’ to manifest itself” (Hansen and Stepputat 2005, 31). Ironically, since alienage derives from the member-nonmember divide, the sovereign state needs noncitizens to constitute the possibility of absolute rule, even as the presence of undocumented workers demonstrates the limits of this possibility. Likewise, noncitizens would not exist as such were it not for the very power that can exclude them. Thus, the sovereign state and noncitizens are interdependent.

This interdependency creates vulnerability for both noncitizens and the state, though the nature and extent of this vulnerability differ for each. Noncitizens come to know the state intimately in that they seek to anticipate and thus shape its actions, even as this effort in turn shapes them. Intimate relations exist within diffuse networks of power and are hence embedded in regulatory processes that are either discursive or material (Berlant 1998; Povinelli 2006) and that include state and colonial administration (Stoler 2010). Intimacy is more than a private or personal experience that happens in domestic spaces because it is also entrenched in external political and economic forces operating across local and global scales. We can see this intimacy in Chae Chan Ping's reliance on his reentry document, Dora's effort to gather medical and school records, and Sonya's adjustment of her sleep schedule around the Supreme Court's calendar. In addition, the state depends, to some degree, on noncitizens both for their labor (De Genova 2002; Ordoñez 2016) and for the opportunity to perform sovereignty, whether through enforcement (Hansen and Stepputat 2005), exclusion (Reiter and Coutin 2017), or humanitarianism (Ticktin 2011). This dependence creates political and economic vulnerability because the state needs migrants to be present, yet their very presence—in the case of those who are unauthorized—suggests that the state has failed to control its borders, thus potentially exposing the state to criticism, disruption, or economic challenges. Paradoxically, then, acts of boundary making expose the state's fundamental vulnerability: boundaries are permeable; they can be crossed.

Such intimacy and vulnerability are mediated by documents. By collecting records that seemingly hold out a promise of legal inclusion (documents like the reentry permit and vaccination records), migrants seek to speak back to the state in its own language. As recent feminist discussions of vulnerability have demonstrated, vulnerability can be mobilized as resistance (Butler, Gambetti, and Sabsay 2016). Rather than potentially justifying paternalistic practices and institutions by thinking of vulnerability as a universal trait of womanhood, these discussions

acknowledge a pattern of vulnerability among women while also theorizing how this vulnerability can be a source of agency. Likewise, vulnerability creates opportunities for ingenuity on the part of noncitizens, whose actions may in some circumstances compel the state to act differently.<sup>6</sup>

The complex yet intimate relationship between the US state, its noncitizen subjects, and documents creates opportunities for control and resistance. Noncitizens are subject to seemingly arbitrary abuse (such as suddenly rescinding a document or an opportunity) from the same entity that they depend on for legalization and to which they must appeal.<sup>7</sup> Even as the state exacts violence by pushing border crossers into inhospitable desert terrains (De Leon 2015), it can also beneficently exercise “administrative grace” in immigrants’ favor.<sup>8</sup> Despite the sovereign state’s apparent omnipotence and untouchability, the mutually constitutive nature of the state-noncitizen relationship creates openings through which noncitizens can try to influence the state. As Thomas Blom Hansen and Finn Stepputat write,

Sovereignty of the state is an aspiration that seeks to create itself in the face of internally fragmented, unevenly distributed, and unpredictable configurations of political authority. . . . Sovereign power . . . is always a tentative and unstable project whose efficacy and legitimacy depend on repeated performances of violence and “a will to rule.” (2005, 3)

Migrants’ presence threatens to undermine state performances of sovereignty and humanitarianism by demonstrating that the state cannot fully control entry and that enforcement excesses result in harm.

The (il)legalization that the US state accomplishes through discretionary power produces a sort of doubling, as the US state demands that noncitizens not only live their lives but also produce a documentary record that they can submit to US immigration authorities. Such multiplication of a self that exists both on and off paper and in relation to multiple nations produces an ambiguous experience of presence, as sometimes expressed by noncitizens’ statements that “I’m here but I’m there,” referring to how their lives both transcend and are divided by national borders (Coutin 2016; Hondagneu-Sotelo and Avila 1997; Zavella 2011). Doubling is further reflected in the multiple identity documents that undocumented migrants obtain so that they can work, such as false documents or others’ IDs (Horton 2015). Through their dress style and physical comportment, the undocumented also attempt to “pass” as legal residents and thus avoid detection (García 2014).<sup>9</sup> As they experience dislocation, produce multiple records of their existence, and hide or perform particular identities,

noncitizens come to inhabit and counter the sovereign state’s impossible demands. The ambiguity associated with illegalization therefore reflects not only the omnipresence of plenary power but also the subterfuge or ingenuity that enables migrants to exist despite laws prohibiting their presence.

Doubling thus gives the documents that noncitizens accumulate transformative potential. Paperwork can be a means of dissimulating structural violence, in that the bureaucratization of procedures allows the state to appear to “care” for the needy while creating barriers that prevent services from actually being delivered (Gupta 2012). Leaving things or people undocumented can also exert “control through the uncertainty, ambiguity, and fear” (Hull 2012, 258). At the same time, those who regularly deal with papers develop their own “collateral knowledge,” that is, “a sidelined, technical activity, a point of view that is crucial to and yet always self-consciously on the margins—collateral to, yet sustaining” (Riles 2011, 20), about the force of documents (Riles 2006). Undocumented immigrants, whose lives are in many ways defined by a lack of papers, are no exception. Many told us they were saving check stubs, receipts, tax records, bank statements, medical records, and letters in case they were useful someday. Some characterized such documents as agents in their own right, saying, “Los papeles hablan” (Papers speak). Papers, for example, can demonstrate immigrants’ moral worth—and therefore their deservingness—by documenting their work history and establishing that they are fiscally responsible, law abiding, and good parents (Menjívar and Lakhani 2016).<sup>10</sup> Noncitizens’ record-keeping practices maintain hope in the face of extreme uncertainty, while the traces of presence, productivity, and morality that are recorded in documents can be understood as a scar that demonstrates that one has transcended the prohibitions to which one was subjected. These traces reveal not only the violence of illegalization but also the very instability of the sovereign—an instability that noncitizens can exploit.

Our analysis of immigrants’ record-keeping practices derives from fieldwork conducted in Southern California among legal-service providers and the immigrants they serve—largely Spanish-speaking people from Mexico and Central America. From 2011 to 2015, one of us—Susan—spent one day a week shadowing legal staff and volunteering in the offices of a Los Angeles-based nonprofit that serves immigrants. The other of us—Gray—joined in this shadowing and volunteering during the 2014–15 academic year. Together, we interviewed 41 people who approached the nonprofit for legal help or who attended a presentation on immigration law. The interviews lasted one to two hours and covered interviewees’ journeys to the United States, immigration histories, and record-keeping practices. Our examination of this material suggests that noncitizens’

relationship with documents is a key entry point into exploring their intimate interrelation with the state.

### Sovereign intimacies: Juana María and Diana

Because immigration is an intrinsically discretionary area of US law, the undocumented are uncertain about whether they will have the opportunity to regularize their status and, if so, what sorts of evidence they will need to produce. Herein lies the paradox: to remain in the United States, undocumented immigrants must be invisible to authorities, yet to regularize their status, they must document their presence. Much like a Panopticon (Foucault 1995), this paradox creates a need for noncitizens to defend themselves against implicit accusations of undeservingness (Menjívar 2011) and of seeking to live off state resources (Quesada 2011). Not knowing when they may be able to present this defense produces a habitus such that the act of collecting papers is a response to uncertainty and an attempt to document deservingness. Uncertainty is thus an everyday experience. Temporary legal statuses create lives that are “in limbo” (Mountz et al. 2002; Abrego and Lakhani 2015; Hallett 2014), placing people along the borders of legality (Menjívar 2006), exposing them to material and emotional deprivation (Abrego 2011), and contributing to abjection as individuals cope with the contradictions of living without permanent legal status (Gonzales and Chavez 2012). Indeed, “endless waiting” can seem to suspend time, creating a feeling of paralysis (Andersson 2014), or even become “a time of non-existence” (Hasselberg 2016, 103).

Two interviewees, Juana María, who was on the verge of naturalizing, and Diana, who had been unable to do so, illustrate the lived experiences of plenary power and the intimacy of the state-noncitizen relationship. In 2012 we met Juana María, a Salvadoran woman in her mid-60s, in the offices of the nonprofit where we conducted our fieldwork. There, she was taking classes in English and civics in preparation for naturalization. During a focus group interview, Juana María spoke animatedly of her engagement with documents. In 1989, when she left El Salvador to come to the United States as an unauthorized immigrant, she left behind official identity documents that, by identifying her as Salvadoran, could put her at risk while traveling through Mexico. But in a small pant pocket, she hid a tiny paper bearing her name and the words “El Salvador.” If anything happened to her while traveling, she said, she wanted her body to be identified.<sup>11</sup> A Catholic, she also made a bargain with God. If he gave her the opportunity to apply for papers, then the first thing she would do when she returned to El Salvador would be to visit the cathedral in San Salvador.

Shortly after Juana María arrived in the United States, there arose an opportunity to acquire papers. A friend

advised her, “They are giving out work permits,” and loaned her \$200 to apply, most likely for political asylum, though Juana María did not specify which program it was. She renewed her work permit each year until she became a lawful permanent resident in the early 2000s through the Nicaraguan and Central American Relief Act (NACARA), which, among other things, allowed residency applications from Guatemalans and Salvadorans who had entered the United States before October 1, 1990, or September 19, 1990, respectively, and from those who had applied for asylum or registered as a member of a class that sued the US government for discriminating against Central American asylum seekers. Only then could she return to El Salvador, where she immediately fulfilled her promise by going to the San Salvador cathedral. To qualify for NACARA, she said, she had to submit her birth and marriage certificates, work permits, a letter from her church, letters from friends and relatives, her previous addresses and workplaces, financial records, and information about any public benefits that she had received. Among these many documents, Juana María singled out her tax statements as particularly important: “Taxes, above all. The taxes. They asked me for them from ’90 to—what year was it that they gave me? It seems that [it was in] 2003. It seems that they gave me residency in ’04. But from there, all the taxes. All of them! And it was a good thing I had saved them!” Juana María explained why she had kept this evidence: “In the first place, that’s how I have always been. I like to keep things, important papers. And in second place, there was a person who told me, ‘Someday you are going to *arreglar* [fix your papers] here, and they are going to ask you for your taxes. Keep them.’”

Juana María’s two young nephews have since come to the United States, and she advised them to keep their paperwork as well. “It is the first thing that I told them,” she said. “Here the government needs to know how you are making a living. [ . . . ] Because those will be of use to you one day, and you are going to be keeping them.” She reported that when her nephews asked, “Do you think, Tía, that one day they will give us papers?” she replied, with faith, “An amnesty is on the way.”

Juana María’s experiences convey the uncertain yet mutually constitutive relationship that (il)legalization establishes between the state and noncitizens, and the ways that documents mediate this relationship. As Juana María’s references to her faith suggest, there is a sense in which, in saving documents, noncitizens seek to save themselves from the horrors of being unauthorized—horrors in which one has to contemplate being abandoned and dying anonymously (Magaña 2008) or enduring protracted separations from one’s children (Abrego 2014). Juana María’s account also shows the interdependency that noncitizens develop with the documents that can enable them to exit horrific spaces—the intimacy of keeping a handwritten paper



close to one's body or of depending on one's accumulated pile of tax returns to demonstrate moral worth. As such, the discipline of repeatedly producing paperwork when asked can constitute a self that is productive and organized (Quesada 2011). There is a mirroring in the moment when Juana María discovers that she is the subject imagined by law, a subject who has her tax returns and other evidence and who can demonstrate "good moral character"—a legal requirement for many immigration processes (Lapp 2012). In a context in which immigrants, regardless of their formal legal status, may experience a disjointed relationship to a state whose desire may both fluctuate and be impossible to satisfy (Ngai 2004), saving the mundane documents of daily life can become a strategy for bringing about a desired future in which immigrants attain status. At the same time, Juana María's sense that divine intervention was necessary for her to become a lawful resident indicates how the state's demands for papers produce an experience of omnipotence and omnipresence.

We met Diana in 2014 at the nonprofit, which was holding an informational forum on DAPA. Diana had come to the United States from Mexico in 1994 when she was 17 years old, only five years after Juana María. She graciously agreed to meet a few weeks later at a local Korean tea house for an interview. Unlike Juana María, who was naturalizing, Diana was still undocumented and anguished about her status in the United States. "Always," she said, "there is the fear, due to being very limited [in the ability to move about]. Like for many years, when I would see the police and be like, 'Oh!' Always afraid. [. . .] And the terror, I feel the terror that we experience."

Diana's fear was a consequence of her complicated legal history. Unlike Juana María, who obtained a work permit by paying a service provider, Diana used someone else's identity documents during her first four years in the United States. These documents enabled her to work and attend school, but someone eventually reported her, and the authorities came to a relative's home asking for her. Terrified, she fled to another part of the state and stopped using these documents, even though she kept the records that had been generated under this earlier name. Diana had consulted several attorneys and was told that there is no waiver or pardon for using someone else's identity, so she should never apply for legal status. Yet she was also told that her records from only the past seven years were relevant, so her having used other people's documents did not matter after all. One attorney had advised her to submit her fingerprints to the FBI to see if she was on the "most wanted" list. She had had her fingerprints checked twice, and though no record of her "offense" was found, she still worried. "When you use someone else's identity, *ya!* That's it, there is no pardon," she said. "And maybe this can change, I don't know. But maybe I can leave it out, I just keep it to myself, and I don't tell anyone. And I am just going to pray that

this never comes to light, that no one is verifying people's fingerprints."

Uncertainty shaped Diana's everyday life. She felt that by using false documents, she had entangled herself in a web that required "creating more lies and more lies [. . .] a never-ending thing." For example, she could not participate in her employer's retirement program because she would have to provide numbers that would then be checked against federal records. But by not participating, she felt that she looked suspicious to her employers, who were bewildered by her decision not to enroll. She said she had recently overcome such fears, realizing that authorities would not likely take her to be an "important person, as though there were a sign on my body, 'Here she is! Here I am!'" Yet by imagining such a sign, Diana showed her sense of visibility to an omniscient gaze. Diana felt not only trapped in the United States but also unable to put down roots. When she saw herself in the mirror, she said, she felt ashamed, thinking of the government's definition of immigrants as "set apart," "like an alien, like an animal in a movie, like that is you." Her use of the terms "alien" and "animal" highlights the dehumanization that she experienced. She told us that she struggled to feel proud but nonetheless felt ashamed. For example, she pointed out, she is now eligible to apply for a driver's license in California, but after 20 years of using only the bus, "I am, like, blocked. I feel that there is a block [in learning to drive]. It is horrible."

Like Juana María, Diana had saved many records of her presence in the United States. "I'm the kind of person that doesn't discard anything," Diana said when asked why she stored all her documents, laughing as if she were secretly a hoarder. Diana had kept her and her son's birth certificates and Social Security numbers, along with years' worth of check stubs under the multiple names that she had used. Unlike Juana María, however, Diana was uncertain that these records would benefit her. If she submitted all of them, they would reveal that she had used false identities. Her electricity bills were in the name of a friend, she had often had informal rental agreements instead of formal tenancies, she had never had a credit card, and only recently was she able to open a bank account and rent an apartment in her own name. A case in point was her tax records. Fearful of becoming visible to the government, Diana avoided filing tax returns for years. Then she decided to approach a tax preparer. "When you come out of the closet [as undocumented], you become empowered," she said. "It is like saying, '*Ya!* I am here, I am here!' This is everything." Yet her effort to file taxes did not turn out as planned. Because she had had taxes deducted from her paycheck, Diana expected to be told that she was owed a refund. To her shock, the tax preparer told her that she owed the government \$2,100 in back taxes. "So, I black out, as though a cassette were erased. [. . .] I was scared. 'Oh, I'm a debtor!'" As a result, instead of acquiring a set of tax returns

to document her presence, Diana has continued to avoid filing.

Diana saw herself as someone who had inadvertently become caught up in circumstances that made it seem as if she had committed wrongs, when in fact, “I am doing what one supposes that one should do, or I am behaving well as best I can.” She was extremely frustrated with her inability to obtain legal status. “There is nothing, nothing for me,” she said, expressing the fear that she would have to return to Mexico with as little money as she had had when she first arrived in the United States. Although she had been involved in advocacy, she was disillusioned with what the immigrant rights movement had achieved. She described going to downtown Los Angeles to watch President Obama’s televised announcement of the DAPA program at a rally in front of a detention center. But because longtime undocumented residents without children were not included in the executive relief, the mood of those who heard the announcement was somber. She herself could potentially qualify because she has a son who is a US citizen. Nonetheless, she seemed to see the DAPA work permit as tenuous and fragile—a perspective borne out by the court injunction that has prevented DAPA from being implemented. Yet, speaking of her desire to obtain an ID from the Mexican consulate, she insisted, “I’m somebody. I am not a ghost. I am a person.”<sup>12</sup>

Our point in bringing these two cases together is that, whether noncitizens are successful or unsuccessful in obtaining legal status, the relationship they develop with sovereign power is characterized by desire, control, and violence. The differences between Juana María’s and Diana’s experiences reveal the unpredictability of plenary power, as well as how noncitizens potentially embody uncertainty, both physically and psychologically, in response to this unpredictability. Though the mechanisms through which each obtained identity documents appear somewhat similar—Juana María paid a service provider to generate a work permit through some sort of application, whereas Diana purchased false identity documents—the moral valence and legal efficacy of these two strategies were treated very differently by US law: Juana María eventually gained residency, while Diana was in danger of being apprehended. Diana used a false ID because she lacked access to the mechanisms to generate an official US ID. She then internalized the unspoken accusation that she had committed a moral wrong and was undeserving. Her efforts to exert agency and to resist identification (e.g., her desire to show pride by revealing her undocumented status or to file taxes) therefore in some ways further entrapped her in illegality. Noncitizens’ relationship to the state therefore creates the conflicting message that they are morally deficient insofar as they experience the sovereign as a moral authority to whom they must prove worthy. Yet this dynamic intimacy between noncitizens and the

sovereign state generates possibility as well as violence and trauma.

### Sovereign binds: Living a double life

The state-noncitizen relationship compels noncitizens to internalize and embody the contradictory characteristics of the sovereign. This leads them to experience a kind of double bind (Bateson 2000; see also Cattellino 2010) wherein the sovereign state’s obsession to surveil is expressed as noncitizens’ compulsion to stay invisible while having to produce a record of their presence. Yet noncitizens must navigate the fine line between lacking enough documents and having too many, since the records themselves can be damning. Thus, noncitizens’ awareness of authorities’ gaze can split or fragment their lives while they seek to prove that they have lived them.<sup>13</sup> The unequal relationship between sovereign power and undocumented immigration therefore produces something of a double life: noncitizens carry out daily activities while considering how their lives look to an imagined external gaze. In the process, versions of the self can proliferate, as in Diana’s experience of having multiple identity documents and Juana María’s experience of keeping her name and country of origin hidden on her person even as she sought to pass as Mexican. Living a double life requires ingenuity as people cope with the challenges of being undocumented. For example, young Fujianese immigrants to the United States have demonstrated ingenuity by constructing legal narratives of being victims of neglectful parents in order to qualify for Special Immigrant Juvenile Status (Statz 2016). Living a double life thus produces a layering of identities and documentation as individuals strive for both visibility and invisibility, creating “partial representations of who they are and wish to become” (Berg 2015, 14).

One context in which the doubleness of immigrants’ lives was ethnographically visible was in the many encounters that we observed between people who hoped to gain legal residency or another form of status and the service providers who evaluated their documents and histories in light of the opportunities created or foreclosed by immigration law. For example, in April 2015, one of us—Gray—observed and provided clerical assistance as Magaly met with a paralegal about adjusting her status to that of a lawful permanent resident. Magaly was authorized to remain and work in the United States under her U visa, which is given on humanitarian grounds to crime victims who suffered substantial harm and who collaborated with police during the investigation. After holding the visa for three years, U visa recipients may apply for lawful permanent residency if they can prove that they have been continuously present in the United States for the three-year period. Magaly had brought about 25 awkwardly folded papers to the appointment as proof of presence, along with a file containing a copy of her passport, her birth certificate, and passport-sized

	2011	2012	2013	2014	2015
January			✓		✓
February			✓		✓
March	✓		✓		
April	✓	✓	✓		
May			✓		
June		✓	✓		
July			✓	✓	
August			✓	✓	
September					
October	✓		✓	✓	
November		✓	✓		
December			✓	✓	

**Figure 1.** A grid used to determine which months and years noncitizens can document their continuous presence in the United States. (April 29, 2015/Gray Abarca) [This figure appears in color in the online issue]

photos. The paralegal asked Gray to assist in sorting each document by month and year (see Figure 1) while she filled out the necessary application forms. Gray's notes recorded the types of documentation Magaly had brought:

a payment receipt for a violation citation; a letter from her landlord verifying tenancy; clinical records, which included lab results of the time during which [Magaly] was pregnant . . . a notification from Cal Works; other clinical documents with dates of her visits (spanning only 2 years); a library registration form from the Los Angeles Public Library; a school registration form for adult classes; an intake form for Salvation Army services; a copy of her Anthem Blue Cross [health insurance] membership card; a letter from her daughter's school supporting the mother's "partnership" or involvement with school; a computing score examination certification from the web; and a report letter from her daughter's teacher, with his and her signature.

Alongside the life that Magaly lived, the mix of mundane and intimate paperwork—prenatal records, a library registration form, a tenancy letter—constitute "papereality" (Dery 1998), a documentary version of her life that can be submitted for immigration purposes.

The people we met during our fieldwork spoke eloquently of how they lived their lives while maintaining a documentary record of their existence. Juana María, for example, saved her children's letters from El Salvador for sentimental reasons, but then these letters turned out to be useful for immigration purposes. After arriving in the United States in 1989, she had enrolled in a program and happened to save the registration form, which later became an important proof of her presence. "They gave me the record, and I kept it," she said. "Imagine how useful it turned out to be." Similarly, Arnulfo, a US citizen who had become a lawful permanent resident through NACARA,

stressed that "here, proofs are the most important [things] because if I speak to Immigration and if they ask me for evidence, if I don't have it, how are they going to be certain of what I am telling them? They need proofs." The ambiguity of presence is encapsulated in this need to document one's existence even as one tries to control one's visibility. For instance, Magdalena, a US citizen, was petitioning for her siblings. To prove her kin relationship with them, she had to submit her own birth certificate as well as theirs, showing that they had the same parents. But there was an error in one of the certificates, which incorrectly listed her father's birth date, thus creating a discrepancy that could raise doubts about whether she and her siblings had the same father. Magdalena was therefore skeptical of the paper's evidentiary value and instead advocated proving relationships through a DNA test. "On a paper," she said, "a person's future is not written."

Multiple versions of the self are also produced by the need to borrow or purchase identity documents, as did Diana, or to try passing as Mexican while en route from Central America. Noncitizens told us of their efforts to fit the profile of a lawful resident in order to avoid being stopped and questioned by authorities. For example, when asked what advice she would give to a newly arrived migrant on how to best prepare for potential legalization, one non-citizen said, "Well, first of all, one would have to lead their life without violating any laws. They are very strict here." Transgender people faced particular challenges in trying to reconcile their identity documents. Maricela, a transgender woman from Honduras, told us that she had officially changed her name and gender through a US judge and then secured a work permit, Social Security card, and driver's license with her new name and gender. But the US judge's action did not change her Honduran documents, which continued to identify her as a man. She explained, "The [Honduran] ambassador warned me, 'If you change your name legally, remember in Honduras you still have your native name. We are not able to recognize you. The only way that we can recognize you is for you to make the change in Honduras, legally.'"

The multiplication of selves and identities created challenges for immigrants who feared becoming visible in ways that would lead them to be criminalized or detained. Yet these same immigrants also desired the sort of visibility that could accompany legal recognition. Drawing on her experience as an organizer, Diana, for example, spoke of

the isolation in the community—some women who are in their homes, who work at home, who don't have jobs, anyone to pay them, they don't have a way of proving how long they have been here in this country. Like actually invisible people. Totally invisible. They are here in downtown Los Angeles, but they are in a hole under the ground, do you know what I mean? It's not like,



“Oh, someone paid me a check that is in my name,” or “I have a”—nothing. Absolutely nothing.

In this quote, Diana draws attention to the spatialization of documentation. Women who do not work lack documentation (even check stubs) and are invisible. It is as though they are absent, in a hole or underground, perhaps occupying a space of clandestinity (Coutin 2005), even though they are in the center of Los Angeles. The multiplication of identities bifurcates physical presence in that these women are located in multiple sites (in their homes yet underground, downtown yet in a hole). Not only individuals but also communities can become divided along lines of visibility and invisibility, suspicion and risk (Talavera, Núñez-Mchiri, and Heyman 2010). Diana’s description of undocumented women’s absent presence conveys the sense in which they are located in multiple yet incompatible realities, thus evoking “the movement between what might be termed official and unofficial realities” (Coutin 2007, 5). Diana’s question, “Do you know what I mean?” points to the challenges that she (and other noncitizens) faced in communicating the intensity of their experiences.

Yet, while some noncitizens want records to prove their presence and thus become legally visible, noncitizens also know that they do not control the documentation process. Records that authorities have kept about them may cause them problems. Authorities might have records of immigrants’ entry into the country, their apprehension, arrest, conviction, or their prior use of a false documents. Recall Diana’s concern that her having worked under someone else’s identity might come to light. “Maybe I can leave it out,” she said. “I just keep it to myself and I never tell anyone.” Likewise, Efraín, who was undocumented, was constantly afraid of surveillance. Because he had used false documents to work—which he now regarded as a mistake—Efraín was ambivalent about applying for potential legalization opportunities (in his case, a U visa or a family petition). He commented,

When one comes from [...] El Salvador, from other countries, one thinks that Immigration is watching you all the time. And [one thinks] that because you submitted a paper in a computer or in an office, that Immigration will come to take you from your house. That is the fear that you have.

The mere fact that immigrants like Juana María, Diana, Arnulfo, and others keep their check stubs, receipts, and other records on file indicates the degree to which they already feel accused of illegality by an omnipresent but invisible authority. It is as though unauthorized noncitizens always have a pending legal case, even if they do not.

Their familiarity with the challenges of living double lives gives unauthorized noncitizens a type of documentary expertise akin to what Annelise Riles calls “collateral

knowledge” (2011, 20). Thus, the noncitizens we met knew the names of immigration forms, had ideas about how they might legalize their presence, were aware of procedures through which they could change their status or petition for relatives, knew the limitations of whatever type of status they held, and had ideas about which documents they should save for the future. They had developed strategies for surviving as unauthorized. Some, as recounted above, resorted to getting false documents, which indicates that their collateral knowledge extended to navigating the market in false papers. Familiar with the “geography of risk of movement” with which migrants contend (Talavera, Núñez-Mchiri, and Heyman 2010, 169), they knew which places to avoid because of checkpoints or police surveillance, how to travel without attracting suspicion, and which jobs were available to those without work authorization. Yet this expertise and ingenuity had their limits. For instance, Isabel, who hoped to qualify for relief if President Obama’s 2014 executive order went into effect, had been detained at the US-Mexico border when she first entered the United States, so she found it difficult to gauge the potential impact of applying for legalization. Although Isabel had collected her receipts, bills, bank statements, references from employers, printouts of Facebook messages, and educational records, all of which were organized in a box by month and year, Isabel could neither control nor fully access the file that Immigration presumably had kept about her.

Noncitizens’ need to lead a double life imbued documents with an animating force. As told to us by Laura, who hoped to apply for deferred action, papers are all that matter; they get things done. Laura observed that no matter how long she claimed to have been in the United States, her reality was contested unless she had proof. As entities that could “speak,” papers acquired lives of their own, lives that could create a juridical existence for the undocumented.

### “Pueden servir por algo”: The life of documents

The transformative possibilities of documents are demonstrated by the following history of a student ID that we encountered while observing an application to the program known as Deferred Action for Childhood Arrivals (DACA). Like Juana María’s and Diana’s accounts of their life experiences, the story of this document’s “life,” which we reconstruct here based on our interaction with Carlos and our knowledge of case preparation, is instructive.

In 2006 a Los Angeles school issued an ID card to a student named Carlos, who was entering the ninth grade. The card was made out of plastic and featured Carlos’s school picture from the eighth grade, his full name, the name and mascot of the school, Carlos’s student number, and a small hole so that he could attach it to a lanyard and wear it around his neck. One can imagine that during the 2006–7 school year, Carlos presented his school ID in the

cafeteria when he was getting his school lunch, and he may have worn it at school, but otherwise, he likely kept it in a pocket of his backpack. Gradually, the card became dirty and worn, and the lamination cracked and became unfurled at the edges.

When the school year ended, Carlos's mother put his ninth-grade ID away in a box, where it resided alongside his earlier school IDs, his birth certificate, his report cards and awards, and his vaccination records. Every so often, Carlos's mother would open the box, add an item, and shuffle through the contents. But the school ID stayed in the box.

Then, in 2012, when Carlos was 20 years old, he and his mother emptied out the contents of this box. On June 15 of that year, Department of Homeland Security (DHS) secretary Janet Napolitano had announced that DACA would accept applications from people who could prove that they had arrived in the United States before turning 16, had lived in the United States continuously since June 15, 2007, had graduated from a US high school or were still completing their educations, and were in the United States on June 15, 2012. If their applications were approved, DACA recipients would obtain work authorization and relief from deportation for two years. Carlos attended an informational forum and screening at a local nonprofit organization, and based on the information presented, he decided to apply.

Carlos took his ninth-grade school ID to a store, where he made a photocopy. Then he placed the ID and the photocopy along with photocopies of the other contents of his mother's box into a binder, and to prepare the DACA paperwork, he brought it to the nonprofit where we were doing fieldwork. There, he handed it to a volunteer, who examined it (along with other documents) and told Carlos that the ID would help establish that he had been present in the United States since 2007, the required period. She handed the ID back to Carlos and kept the photocopy, which she also scanned into the client and case records that she had created for Carlos in the organization's database. Although the ID would go back home with Carlos at the end of the appointment, this image would remain in the organization's records, and the photocopy, as part of Carlos's DACA application, would be submitted to US Citizenship and Immigration Services (USCIS, a division of Homeland Security). The image would appear yet again in the photocopy of the entire application that the organization would give to Carlos to keep once everything was ready to be submitted.

Thus, an ID, which Carlos had initially used to qualify for school services, had become evidence in an immigration case. In the process, the ID proliferated, reproduced in the photocopy that was part of the application, the image maintained in the organization's database, and the photocopy given to Carlos. Yet its reproduction was inexact. In the photocopies, the color plastic card was reproduced as a black-and-white image on a piece of paper, the frayed edges of the card no longer discernible, and Carlos's face blurred



**Figure 2.** One non-US citizen's collection of documents that she kept stored in a red bag. (April 28, 2015/Gray Abarca) [This figure appears in color in the online issue]

through repeated photocopying. Even so, something of Carlos's own being, the trace of his presence and the hope for his future regularization, was contained in these multiple images, which would circulate still further as USCIS officials considered his request.

This example shows how plenary power, sovereign intimacies, and immigrants' archival practices give life to documents of various sorts. Carlos's school ID was generative—a characteristic associated with life—in that it gave rise to additional documents. The ID took material form but also existed to prove a truth outside the document, namely that Carlos had attended a particular school at a particular time. The instrumental significance of the document changed from allowing Carlos to access school services to establishing that he was in the United States. The meaning of Carlos's ID shifted as it moved from a child's backpack to a box of documents kept at home to an official DACA request.

This reconstructed life history of Carlos's student ID demonstrates how saving documents can create possibilities for legalization. The need for documents coupled with uncertainty about how or when they could ever be used is captured by the phrase "Pueden servir por algo" (They might serve some purpose), which we often heard non-citizens say. By collecting documents, immigrants who have to contend with invisibility and lack of recognition can aspire to a future when they will have status. Noncitizens' hopes, anxieties, and fears come together in the moment when documents are actually submitted as evidence in an immigration case. The papers they carry—sometimes organized carefully in a binder, other times gathered loosely in a shopping bag or purse (see Figure 2)—come to stand in for their lives in the United States. These documents approximate certainty, but because documents can never fully depict what lies outside their boundaries, they, like the images on Carlos's ID, are inexact. For example, documents designed to establish individuals' continuous presence in the United States can never document every moment. Likewise, no matter how many documents an applicant has,

nor how convincing they are, the state reserves the right to deny an application. Nonetheless, the performative act of collecting these documents is a way of acquiring voice (but through the “voices” of others—employers, schools—that have issued documents) even as submitting them out the applicant as undocumented. Furthermore, the account that immigrants document must fit state understandings of deservingness and therefore reflect the voice of the state. The documents that immigrants gather can be compared to an abuse victim's scars: they are a record of survival in the face of mistreatment.

Our conversations with Juana María, Diana, and others, as well as our observations of preparing applications for legal status, suggest that record keeping is a moral practice. Of course, this practice poses risks—the risk of becoming visible, of being found to have inconsistent records, or of retroactively discovering that a particular strategy (such as purchasing false documents) jeopardizes the entire endeavor. While not all immigrants save their paperwork as consistently as Juana María, Diana, or Carlos (in fact, we have heard immigration attorneys complain that their clients failed to follow instructions about keeping particular sorts of records), our analysis suggests that for noncitizens, records themselves gesture toward certainty. Documents therefore not only form part of oppressive bureaucratizing processes (Gupta 2014) but also have a performative quality: they enable the person who keeps them to demonstrate a certain frugality as a person who saves, is prudent and orderly, pays taxes, obeys the law, works, studies, and is part of a family. The temporality of this performance is complex. Saving documents is anticipatory, a way of orienting oneself temporally (Adams, Murphy, and Clarke 2009, 247). Documents also have a retrospective quality—they bring the past forward in time. There is a fortuitous nature to the saving process: sometimes someone happens to have a paper that turns out to be critical. On June 15, 2007, for example, no one knew that in 2012, this date would turn out to be key to proving individuals' presence in the United States for the five years before DACA was created.

Just as migrants come to internalize characteristics of plenary power manifest in their everyday lives, so too do the documents that migrants save contain traces of the intimate relationship between migrant and the state. Whether stored loosely in a plastic bag or assiduously organized in a binder, collections of documents—what Aurora Chang (2011) refers to as “hyperdocumentation”—countered the accusation that their owners were “undocumented.” And when documents were actually submitted as part of immigration cases, their meanings were transformed. When applicants used bank statements to prove their presence in the United States, the important aspects of these documents were the dates and names, not the financial information. Likewise, as part of an immigration file, family letters that could be deeply personal were significant primarily for their

dates. Even documents produced by prohibited activities (e.g., working without authorization) might nonetheless establish a person's presence. Documents acquired a degree of agency through such repurposing, in that they did work—as did Carlos's ID when submitted as part of his DACA file. Sometimes the material quality of a document mattered: if it was too dilapidated, it could be viewed as invalid.

As individuals collect their own records, they are aware that documents about them are being collected by other agencies (e.g., the police), and immigrants do not always know what could be in these other collections. Submitting applications for legal status is therefore both an act of hope and somewhat risky. Yet, as Juana María experienced, the hope associated with saving documents is not uncalled for: sometimes documents compel the state to grant noncitizens legal status.

### Conclusion: Vulnerable power, powerful vulnerability

In 2017, as we finalize this essay, the lives and futures of 800,000 immigrants are in jeopardy following an executive decision to terminate the DACA program—a decision made by an administration unapologetically driven by sentiments that immigrant rights advocates have denounced as racist and xenophobic. Once again, immigrants are reminded that they are not wanted, even as they display “good character” and stress their economic contributions. In the context of such fear and hate, hopelessness could fester. Yet our analysis suggests otherwise.

US sovereignty is capricious. Plenary power does produce hardship (e.g., migrants cannot leave the country to visit their family or access many public benefits). But it also produces the possibility of protection (e.g., DACA) through administrative grace. Thus, interviewees' voices and experiences lay bare not only the anxiety and emotional scars caused by continued uncertainty over immigration law but also noncitizens' own hope and resilience. As noncitizens collect documents, they experience a split existence of both living their lives and generating proof of having done so. This doubleness entails internalizing the sovereign's gaze as noncitizens attempt to prove that, despite being excluded and denied opportunities, they nonetheless lived a morally admirable life. This moral life, in turn, becomes externalized through behaviors and practices of saving documents for a future when legalization may become possible. Documents are therefore materio-semiotic proxies for layers of doubling, and as such, they provide insight into the workings of plenary power.

Though migrants gather documents as evidence of their lives, there is also a sense in which storing documents reflects the sovereign's own being. This reflection is much like a colonial mirror (Taussig 1984), through which the cruelty of colonizers is reflected in their projection of savagery

on so-called natives. In the case of immigrants, the impulse to appease the sovereign state through documented presence, disciplined visibility, and performance of legal and moral deservingness can be said to emerge out of the sovereign state's desire to disown or disguise its contradictory need for noncitizen migrants' presence and absence. The feelings of powerlessness that noncitizens sometimes experience in some ways reflect the sovereign state's own vulnerability and, consequently, its intrinsic instability as a political entity. This reflection develops because, much like noncitizens, sovereignty operates under a shared double bind, one that resembles the paradox of omnipotence: Can the state create borders and bureaucracies so authoritative that no migrant can ever enter unseen? If not, then state sovereignty is limited. But even if so, state power is undermined by the borders that mark its limits or by the lack of noncitizen migrants who are its constitutive Other.

Thus, documents collected through immigrant record-keeping practices are inscribed with both vulnerability and instability insofar as they mediate the state-noncitizen relationship. The sovereign state embodies itself forcefully through noncitizens. The need to document one's existence (even as one attempts to control one's visibility) mirrors the sovereign state's own obsessions—such as continual surveillance, a fixation on the figure of the migrant, and constant interrogation of noncitizens' moral standing (e.g., the many questions about criminal activities that must be answered on immigration forms). The sovereign state's instability is linked to its very appearance of omnipotence, untouchability, and invisibility. In addition to containing traces of state violence, documents stand in or speak (*hablan*) to the relationship linking sovereign and noncitizen. Thus, in a twist of events, storing documents inscribes undocumented immigrants' own vulnerability within the state through a kind of productive mimesis. As proxies of state-noncitizen intimacy, documents become, in their own way, proof of the sovereign state's vulnerability, bearing the imprint of its own undoing. And as the state collects these records—meant to sway the sovereign—the state is potentially archiving its own demise. After all, double binds can generate transformation.

## Notes

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1. Pseudonyms have been used for all interlocutors. Interviews were conducted in Spanish and translated into English by the authors.

2. *United States v. Texas*. 579 U.S. \_\_\_ (2016).

3. Chae Chan Ping v. United States. 130 U.S. 581, 600 (1889).

4. *Ibid.*, 603–4.

5. We use the term *noncitizens* throughout this article, for two reasons: First, some have argued that the terms *immigrant* and *migrant* are stigmatizing, so we seek to use an alternative where possible. Second, using *noncitizen* rejects the “legal”-“illegal” dichotomy that has characterized much public debate over immigration. In reality, many “legal” immigrants were once undocumented, and even lawful permanent residency is insecure in that it can be revoked, for example, after criminal convictions.

6. For instance, youth activists arguably compelled the Obama administration to create the 2012 Deferred Action for Childhood Arrivals (DACA) program and influenced the Trump administration's approach to DACA. Although he had promised to immediately rescind DACA when he was a candidate, Trump did not do so until September 2017, and even then, he expressed sympathy with DACA recipients, urging Congress to develop a legislative solution.

7. This is what Cecilia Menjívar and Leisy Abrego call “legal violence,” namely “the harmful effects of the law that can potentially obstruct and derail immigrants' paths of incorporation” (2012, 1383). While it may not be immediately physically damaging, legal violence can cause pain while also being “potentially harmful for the long-term prospects of immigrants in U.S. society” (1383). Migrant illegalization (De Genova and Peutz 2010) has been analyzed as a form of structural violence (Holmes 2013) and a response to capitalism's need for an exploitable and expendable labor force (De Genova 2002; Bach 1978). It has also been linked to the racialization entailed in “governing immigration through crime” (Dowling and Inda 2013).

8. *Matter of Compean*, Bangaly & J-E-C-, 24 I&N Dec. 710 (A.G. 2009), *vacated*, 25 I&N Dec. 1 (A.G. 2009).

9. Colonial subjects who mimic colonizers experience a similar sense of fragmentation or doubling (Bhabha 2004).

10. Immigrants' record-keeping practices are reminiscent of Max Weber's (2002) account of the Protestant ethic, according to which Calvinists sought material evidence—the accumulation of wealth—to navigate the uncertainty of whether they were predestined to be among the saved.

11. In a study of border-crossing deaths, Jason de Leon (2015) found that such pieces of paper quickly disintegrated and disappeared, leaving human remains without identification.

12. Interestingly, immigrant farmworkers use the term *ghost* (*fantasma*) to refer to those who are working under someone else's identity (Horton 2016).

13. The sovereign state is also fragmented and ambiguous (Hansen and Stepputat 2005), as illustrated by the court injunction placed on the DAPA program.

## References

- Abrego, Leisy J. 2011. “Legal Consciousness of Undocumented Latinos: Fear and Stigma as Barriers to Claims-Making for First- and 1.5-Generation Immigrants.” *Law and Society Review* 45 (2): 337–70. <https://doi.org/10.1111/j.1540-5893.2011.00435.x>.
- . 2014. *Sacrificing Families: Navigating Laws, Labor, and Love across Borders*. Stanford, CA: Stanford University Press.



- Abrego, Leisy J., and Sarah M. Lakhani. 2015. "Incomplete Inclusion: Legal Violence and Immigrants in Liminal Legal Statuses." *Law and Policy* 37 (4): 265–93. <https://doi.org/10.1111/lapo.12039>.
- Adams, Vincanne, Michelle Murphy, and Adele E. Clarke. 2009. "Anticipation: Technoscience, Life, Affect, Temporality." *Subjectivity* 28 (1): 246–65. <https://doi.org/10.1057/sub.2009.18>.
- Andersson, Ruben. 2014. "Time and the Migrant Other: European Border Controls and the Temporal Economics of Illegality." *American Anthropologist* 116 (4): 795–809. <https://doi.org/10.1111/aman.12148>.
- Bach, Robert L. 1978. "Mexican Immigration and the American State." *International Migration Review* 12 (4): 536–58. <https://doi.org/10.2307/2545450>.
- Barad, Karen. 2007. *Meeting the Universe Halfway: Quantum Physics and the Entanglement of Matter and Meaning*. Durham, NC: Duke University Press.
- Bateson, Gregory. 2000. *Steps to an Ecology of Mind*. 2nd ed. Chicago: University of Chicago Press. First published 1972.
- Berg, Ulla D. 2015. *Mobile Selves: Race, Migration, and Belonging in Peru and the U.S.* New York: New York University Press.
- Berlant, Lauren. 1998. "Intimacy: A Special Issue." *Critical Inquiry* 24 (2): 281–88.
- Bhabha, Homi K. 2004. *The Location of Culture*. 2nd ed. London: Routledge. First published 1994.
- Butler, Judith, Zeynep Gambetti, and Leticia Sabsay, eds. 2016. *Vulnerability in Resistance*. Durham, NC: Duke University Press.
- Cattelino, Jessica R. 2010. "The Double Bind of American Indian Need-Based Sovereignty." *Cultural Anthropology* 25 (2): 235–62.
- Chang, Aurora. 2011. "Undocumented to Hyperdocumented: A Jornada of Protection, Papers, and PhD Status." *Harvard Educational Review* 81 (3): 508–20.
- Cleveland, Sarah H. 2002. "Powers Inherent in Sovereignty: Indians, Aliens, Territories, and the Nineteenth Century Origins of Plenary Power over Foreign Affairs." *Texas Law Review* 81 (1): 1–284.
- Coutin, Susan Bibler. 2005. "Being En Route." *American Anthropologist* 107 (2): 195–206.
- . 2007. *Nations of Emigrants: Shifting Boundaries of Citizenship in El Salvador and the United States*. Ithaca, NY: Cornell University Press.
- . 2016. *Exiled Home: Salvadoran Transnational Youth in the Aftermath of Violence*. Durham, NC: Duke University Press.
- De Genova, Nicholas. 2002. "Migrant 'Illegality' and Deportability in Everyday Life." *Annual Review of Anthropology* 31:419–47. <https://doi.org/10.1146/annurev.anthro.31.040402.085432>.
- De Genova, Nicholas, and Nathalie Peutz, eds. 2010. *The Deportation Regime: Sovereignty, Space, and the Freedom of Movement*. Durham, NC: Duke University Press.
- De Leon, Jason. 2015. *The Land of Open Graves: Living and Dying on the Migrant Trail*. Oakland: University of California Press.
- Dery, David. 1998. "'Papereality' and Learning in Bureaucratic Organizations." *Administration and Society* 29 (6): 677–89. <https://doi.org/10.1177/009539979802900608>.
- Desmond, Matthew. 2014. "Relational Ethnography." *Theory and Society* 43 (5): 547–79. <https://doi.org/10.1007/s11186-014-9232-5>.
- Dowling, Julie A., and Jonathan Xavier Inda, eds. 2013. *Governing Immigration through Crime: A Reader*. Stanford, CA: Stanford University Press.
- Foucault, Michel. 1995. *Discipline and Punish: The Birth of the Prison*. Translated by Alan Sheridan. New York: Vintage. First published 1975.
- García, Angela S. 2014. "Hidden in Plain Sight: How Unauthorized Migrants Strategically Assimilate in Restrictive Localities in California." *Journal of Ethnic and Migration Studies* 40 (12): 1895–914. <https://doi.org/10.1080/1369183X.2014.883918>.
- Gonzales, Roberto, and Leo Chavez. 2012. "Awakening to a Nightmare: Abjectivity and Illegality in the Lives of Undocumented 1.5-Generation Latino Immigrants in the United States." *Current Anthropology* 53 (3): 255–81.
- Gupta, Akhil. 2012. *Red Tape: Bureaucracy, Structural Violence, and Poverty in India*. Durham, NC: Duke University Press.
- Hallett, Miranda Cady. 2014. "Temporary Protection, Enduring Contradiction: The Contested and Contradictory Meanings of Temporary Immigration Status." *Law and Social Inquiry* 39 (3): 621–42. <https://doi.org/10.1111/lsi.12081>.
- Hansen, Thomas Blom, and Finn Stepputat. 2005. Introduction to *Sovereign Bodies: Citizens, Migrants, and States in the Postcolonial World*, edited by Thomas Blom Hansen and Finn Stepputat, 1–38. Princeton, NJ: Princeton University Press.
- Haraway, Donna. 2003. *The Companion Species Manifesto: Dogs, People and Significant Otherness*. Chicago: Prickly Paradigm.
- Hasselberg, Ines. 2016. *Enduring Uncertainty: Deportation, Punishment and Everyday Life*. New York: Berghahn.
- Holmes, Seth. 2013. *Fresh Fruit, Broken Bodies: Migrant Farmworkers in the United States*. Berkeley: University of California Press.
- Hondagneu-Sotelo, Pierrette, and Ernestine Avila. 1997. "'I'm Here, but I'm There': The Meanings of Latina Transnational Motherhood." *Gender and Society* 11 (5): 548–71.
- Horton, Sarah B. 2015. "Identity Loan: The Moral Economy of Migrant Document Exchange in California's Central Valley." *American Ethnologist* 42 (1): 55–67. <https://doi.org/10.1111/amet.12115>.
- . 2016. "Ghost Workers: The Implications of Governing Immigration through Crime for Migrant Workplaces." *Anthropology of Work Review* 37 (1): 11–23. <https://doi.org/10.1111/awr.12081>.
- Hull, Matthew S. 2012. "Documents and Bureaucracy." *Annual Review of Anthropology* 41:251–67. <https://doi.org/10.1146/annurev.anthro.012809.104953>.
- Lapp, K. 2012. "Reforming the Good Moral Character Requirement for US Citizenship." *Indiana Law Journal* 87 (4): 1571–638.
- Magaña, Rocio. 2008. "Bodies on the Line: Life, Death, and Authority on the Arizona-Mexico Border." PhD diss., University of Chicago. Accessed October 16, 2017. <http://gradworks.umi.com/33/22/3322610.html>.
- Menjívar, Cecilia. 2006. "Liminal Legality: Salvadoran and Guatemalan Immigrants' Lives in the United States." *American Journal of Sociology* 111 (4): 999–1037. <https://doi.org/10.1086/499509>.
- . 2011. "The Power of the Law: Central Americans' Legality and Everyday Life in Phoenix, Arizona." *Latino Studies* 9 (4): 377–95. <https://doi.org/10.1057/lst.2011.43>.
- Menjívar, Cecilia, and Leisy J. Abrego. 2012. "Legal Violence: Immigration Law and the Lives of Central American Immigrants." *American Journal of Sociology* 117 (5): 1380–421. <https://doi.org/10.1086/663575>.
- Menjívar, Cecilia, and Sarah M. Lakhani. 2016. "Transformative Effects of Immigration Law: Immigrants' Personal and Social Metamorphoses through Regularization." *American Journal of Sociology* 121 (6): 1818–55. <https://doi.org/10.1086/685103>.
- Mountz, Alison, Richard Wright, Ines Miyares, and Adrian J. Bailey. 2002. "Lives in Limbo: Temporary Protected Status and Immigrant Identities." *Global Networks* 2 (4): 335–56. <https://doi.org/10.1111/1471-0374.00044>.
- Ngai, Mae M. 2003. "The Strange Career of the Illegal Alien: Immigration Restriction and Deportation Policy in the United States, 1921–1965." *Law and History Review* 21 (1): 69–108.



- . 2004. *Impossible Subjects: Illegal Aliens and the Making of Modern America*. Princeton, NJ: Princeton University Press.
- Ordoñez, Juan Thomas. 2016. "Documents and Shifting Labor Environments among Undocumented Migrant Workers in Northern California." *Anthropology of Work Review* 37 (1): 24–33.
- Povinelli, Elizabeth A. 2006. *The Empire of Love: Toward a Theory of Intimacy, Genealogy, and Carnality*. Durham, NC: Duke University Press.
- Quesada, James. 2011. "No Soy Welferero': Undocumented Latino Laborers in the Crosshairs of Legitimation Maneuvers." *Medical Anthropology* 30 (4): 386–408.
- Reiter, Keramet, and Susan B. Coutin. 2017. "Crossing Borders and Criminalizing Identity: The Disintegrated Subject of Administrative Sanctions." *Law and Society Review* 51 (3): 567–601.
- Riles, Annelise, ed. 2006. *Documents: Artifacts of Modern Knowledge*. Ann Arbor: University of Michigan Press.
- . 2011. *Collateral Knowledge: Legal Reasoning in the Global Financial Markets*. Chicago: University of Chicago Press.
- Statz, Michele L. 2016. "Chinese Difference and Deservingness: The Paper Lives of Young Migrants." *American Behavioral Scientist* 60 (13): 1629–48.
- Stoler, Ann Laura. 2010. *Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule*. Reprint with new preface. Berkeley: University of California Press. First published 2002.
- Talavera, Victor, Guillermina Gina Núñez-Mchiri, and Josiah Heyman. 2010. "Deportation in the U.S.-Mexico Borderlands: Anticipation, Experience, and Memory." In *The Deportation Regime: Sovereignty, Space, and the Freedom of Movement*, edited by Nicholas De Genova and Nathalie Peutz, 166–95. Durham, NC: Duke University Press.
- Taussig, Michael. 1984. "Culture of Terror—Space of Death. Roger Casement's Putumayo Report and the Explanation of Torture." *Comparative Studies in Society and History* 26 (3): 467–97.
- Ticktin, Miriam. 2011. *Casualties of Care: Immigration and the Politics of Humanitarianism in France*. Berkeley: University of California Press.
- Wadhia, Shoba. 2010. "The Role of Prosecutorial Discretion in Immigration Law." *Connecticut Public Law Journal* 9 (2): 243–99.
- Weber, Max. 2002. *The Protestant Ethic and the 'Spirit' of Capitalism and Other Writings*. Edited and translated by Peter Baehr and Gordon C. Wells. New York: Penguin.
- Zavella, Patricia. 2011. *I'm Neither Here nor There: Mexicans' Quotidian Struggles with Migration and Poverty*. Durham, NC: Duke University Press.
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