

SANCTUARY REGIONS AND THE STRUGGLE FOR BELONGING AND RECOGNITION AMONG  
UNDOCUMENTED IMMIGRANTS IN THE UNITED STATES

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UNDOCUMENTED IMMIGRANTS IN THE UNITED STATES

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## ABSTRACT

This thesis argues that local governments and institutions across the state of California that offer various forms of sanctuaries to undocumented immigrants create what I call 'sanctuary regions'. These regions create a 'safe zone' for undocumented immigrants and facilitate their ability to make claims for human rights. This dissertation also argues that these regions create an important form of resistance to federal state authority in terms of immigration and the management of borders – something that is typically attributed to state power in the study of International Relations (IR). Through the analysis of sanctuary movements across the state of California, interviews with local organizers and undocumented immigrants; and the analysis of stories published and written by undocumented immigrants, I make three major conclusions. One, sanctuary policies that provide greater protection to undocumented immigrants facilitate the path for them to acquire rights, access services and perform acts of citizenship. Second, the regional dynamic of these sanctuary regions makes them more powerful in contesting state authority on deportation and immigration policy. Finally, citizenship is performed by undocumented immigrants in these regions based on their sense of belonging and contributions to the communities within sanctuary regions. Through my analysis, this dissertation also theorizes the potential for non-state-based citizenship and the conditions which allow certain individuals to access human rights and citizen rights by advocating to local governments and institutions.

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## LIST OF ABBREVIATIONS

DACA	Deferred Action for Childhood Arrivals
DAPA	Deferred Action for Parents of Americans
DHS	Department of Homeland Security
DMV	Department of Motor Vehicles
DOJ	Department of Justice
ICE	Immigration and Customs Enforcement Agency
IIRIRA	Illegal immigrant Reform and Immigrant Responsibility Act of 1996
IR	The Field of International Relations
IRCA	Immigration Reform and Control Act of 1986
LA	Los Angeles
NPR	National Public Radio
NSM	New Sanctuary Movement
NYC	New York City
SIREN	Services and Immigrant Rights and Education Network
SMT	Social Movement Theory
UN	United Nations
UNCHR	United Nations High Commissioner for Refugees
US	United States of America
WHTI	Western Hemisphere Travel Initiative

## **CHAPTER 1: INTRODUCTION**

This dissertation investigates the ruptures created and experienced by undocumented immigrants in the United States (US) and their attempts at overcoming some of the barriers created by these ruptures. By ruptures, I refer to the disruptions in both normal day-to-day lives of migrants and in the political structures that have led certain immigrants to leave their home country as well as the structures that make it difficult to seek permanent legal status in the United States. I focus on this concept of ruptures and disruption because irregular migrants (including refugees, stateless people and undocumented immigrants) push the boundaries of what is considered normal and redefine the realm of politics by their presence and the movements that they create in demand of justice, recognition and belonging. They also push the boundaries of scholarship as their status has led us to rethink conceptions of agency, citizenship and power. Irregular migrants push the boundaries of belonging and redefine terms of inclusion into a political community – a right that has been traditionally the purview of the state.

Understanding the way in which the undocumented immigrant rights movement challenges state authority on borders and migration as well as notions of state-based citizenship is best demonstrated with an analysis of the sanctuary movements in the United States. This sanctuary movement can be defined as a movement that seeks to create inclusive and safe spaces for undocumented immigrants to live freely as participant members of the community. Traditionally, the sanctuary movement began by encouraging sacred spaces, particularly churches, to offer protections to undocumented immigrants and others facing deportation. This trend has expanded into a more secular form that seeks to

promote sanctuary policies in local governments, institutions and organizations. In this dissertation, I argue that sanctuary movements in the US and the creation of sanctuary regions poses significant challenges for conventional understanding on state borders, sovereignty and state-based citizenship.

When I refer to sanctuary regions, I not only refer to cities and states that have passed sanctuary ordinances. I use the term more broadly to refer to regions that include various municipalities, districts, states and areas that extend beyond federal state boundaries and provide sanctuary and access to rights and services to undocumented immigrants. In my research, I found that there is a deeper meaning to understanding sanctuary policies. In many cases, activists and organizers shape policies that affect more than one city while others may shape policies that affect only certain sites within these cities. For this, I use the concept of sanctuary regions to identify spaces that might have cities with sanctuary ordinances, but it also includes colleges, universities, public school boards, hospitals and neighborhoods that have openly welcomed undocumented immigrants into their communities. These regions encompass multiple institutions that provide sanctuary to undocumented immigrants by creating open spaces that do not discriminate based on legal residency status. Sanctuary regions are also local forces that form domestic activist initiatives that challenge state authority on immigration, citizenship and borders. In essence, there are multiple kinds of ‘governance’ bodies that can establish (but also resist) sanctuary policy, and can become interconnected and coordinated in a decentralized fashion that can be difficult for state authority to disrupt or undo.

My focus in this dissertation is twofold: to understand the challenges that undocumented immigrants face within the United States with regard to recognition, how those challenges are overcome within sanctuary regions and how those same challenges redefine our traditional conceptions of territoriality, borders and state sovereignty. The large population of undocumented immigrants in the United States (US) exists as a product of a political system that continues to deny legal residency or recognition to a group of immigrants that have been living in the US for a number of years. Many of them have been denied refugee status or any other pathway to legal residency status. The existence of over 11 million undocumented immigrants (Zong & Batalova, 2017) living in the country creates classes among residents that strives to gain recognition and legal residency status.

Undocumented immigrants in the United States have made strides since the 1980s by acquiring fundamental human rights that are historically only accorded to citizens from within the state. The movement originated primarily through grassroots organizing and expanded to a national scale. In some areas, undocumented immigrants gained the right to vote in local politics, access public health care, education, and transportation services. While undocumented immigrants in the US continue to live under the threat of deportation throughout the country, there is something to be said about the ways in which communities gain access to public services and recognition as contributing members of a society in cities, states and their broader local communities.

How can the gap of inequality between undocumented residents and citizens be reduced? How have undocumented immigrants been able to acquire political grounds for making human rights claims? How can citizen rights be achieved by non-citizens? What strategies enable these individuals to gain recognition by the community, and by actors

invested with various kinds of authority? How do non-citizens acquire human rights? How do experiences of undocumented immigrants across the US challenge state-centric understandings of citizenship? These are all questions that drive this research and are addressed in this dissertation.

Some scholars argue for a more cosmopolitan worldview, one that makes borders less stringent where individuals belong to a greater global entity – a form of cosmopolitan citizenship (Benhabib, 2004; Carens, 1987; Pogge, 1992). Others argue that the United Nations (UN) and particularly the United Nations High Commissioner for Refugees (UNHCR) are organizations that, for certain individuals, can potentially replace the state by virtue of their ability to guarantee human rights to populations that do not belong to a nation-state. These organizations can also serve to create norms that ensure that states comply with international human rights policies (Finnemore & Sikkink, 1998; Finnemore & Barnett, 2004; Barnett, 2001). Yet, in both of these cases, states remain as some of the most powerful actors in global politics. Actors that, despite the presence of global institutions, continue to 'house' non-citizens and irregular migrants. Individuals continue to live within these states as stateless, undocumented, refugees, or as migrants with very precarious status. Furthermore, within the literature in the field of international relations, this means that scholarship is void of discussions on how those local politics challenge state institutions and their ability to grant or withhold human rights to their residents. It also omits any discussion on the 'power of the people' and of these actors' agency within the wider global realm.

The immigrant rights movement and the pursuit of legal permanent residency status among large groups of undocumented immigrants is not a new phenomenon. That being said, it is important to place the current movement in the context of the securitization of

migration and reinforced military and border control. Immigration policies in the United States, Canada and many parts of Europe are impacted by a politics of insecurity. Issues such as immigration are securitized as they are presented as posing a potential threat — the threat of terrorism and internal enemies. Governmental officials can then take advantage of these trends by increasing this sense of insecurity through by continually reinforcing the idea that society and the state are at risk (Bigo, 2002, 2006; Huysmans, 2010). Through this dynamic, states begin to govern through the management of fears and anxieties by legitimizing certain policies or laws based on the notion that they are security concerns, creating and maintaining what Ulrich Beck calls a 'risk society' (Beck, 1992). The formation of threats or ideas of what the threat consists of, involves a process in which certain characteristics or acts that might not normally be considered dangerous (such as human mobility) become elevated to posing an 'existential threat'.

This was not the case in 1986 when US President Ronald Reagan presented the Immigration Reform and Control Act, a group of policies that allowed undocumented immigrants to apply for temporary residency status and then potentially for permanent status. This Act was implemented as strategy to regulate the immigration system, and while it provided some relief for undocumented immigrants, it also established much more stringent policies with regard to regulation. For instance, the main goal of the policy was to clamp down on unauthorized migration and commit to increasing resources for immigration enforcement by 50%. It also made it illegal for employers to knowingly employ undocumented immigrants, despite the fact that most efforts were focused on policing migrants. The section on naturalization for immigrants was later added as a result of the mobilizations, public pressure, and demands from advocacy groups and organizations, but

only protected individuals who had lived consecutively in the United States from 1982 and onwards (Nichols, 1987; Cooper & O'Neil, 2005). These individuals could apply for temporary residency (and later for permanent residency) within a year of the policy's enforcement. I note this here because it is important to illustrate the pressures that the immigrant rights movement places upon various levels of governments. In the past, advocacy groups gained relative success in their lobbying efforts, as pressure on state entities to grant undocumented immigrants legal residency status is not without precedence. Yet, the current context also differs in that states are reinforcing control over borders and immigration in response to the perceived weakening of borders due to the effects of globalization including, but not limited to, the movement of goods and global terrorism.

### **Sanctuaries and the Sanctuary Movement**

My concept of sanctuary regions builds upon the notions of sanctuary cities. Sanctuary cities refer to city governments and municipalities that have passed a sanctuary ordinance – turning the city into a relative 'safety zone' and a 'zone of rights' for undocumented immigrants. Here, it is also important to distinguish the way in which these sanctuaries provide a relative 'safety zone' for undocumented immigrants and the way in which they facilitate human rights claims and acquisition.

My notion of sanctuary regions is also developed from an understanding of regionalism in the field of International Relations (IR), which is defined by early scholars of regionalism as "the growth of societal integration within a region and to the often undirected processes of social and economic interaction" (Hurrell, 2003, 39). These sanctuary cities provide an avenue in which refugees, stateless people and undocumented residents can and

do make claims to rights outside of the avenue of the state. Sanctuary regions are regions that normatively accept undocumented immigrants by granting them access to basic services related to education, health, local voting rights and a voice. Many of these go beyond the acquisition of basic services and incorporate undocumented immigrants as part of the political community with access to the rights and privileges of other members of the community. I will elaborate further in the following chapters on how this concept can be applied to regions within states, since the concept of regionalism within International Relations is aptly reserved for states and international order. However, in order to understand the impact and power of these regions, it is also important to develop a clear understanding of the history of sanctuary practices and of undocumented immigrants in the United States.

There are some debates with regards to when sanctuary movements actually began, but some have argued that these practices can be traced back to the sixteenth century (Shoemaker, 2013). In many cases, they were founded within religious settings, often created with a rationale that lies in a responsibility to protect others from facing injustices or harm. At the time, people who had been unjustly accused of a crime and were fleeing state authorities could find sanctuary in churches. In fact, the concept of sanctuary can actually be found in most faiths groups (Michels and Blaikie, 2013, p. 38). There is also significance to sanctuaries provided within places of worship. They are established with a sense of 'Godly authority' that is above that of the state or the federal government and there is sacredness to the space (Abramsky, 2008; Houston & Morse, 2017; Marfleet, 2011; Nawyn, 2007). This is not a legal relationship as the state has the legal authority to enter sanctuary spaces and exert its laws and authority. However, there are historical and societal norms that (usually)



prevent authorities from entering a ‘sacred space.’<sup>1</sup> It is these norms that have allowed faith organizations to exert their own influence and power in protecting undocumented immigrants as many continue to find refuge and safety in houses of worship. As places of religious worship, there is also, at least in the United States, an expectation of privacy within these spaces under the Fourth Amendment (Mertus, 1986). In many ways, these spaces also “locate the sacred in the American landscape” (Nelson, 2006, p. 2).

While the concept of sanctuaries may not be necessarily new, one thing that is certain is that the idea and purpose of sanctuary behind different movements have shifted throughout the years. While sanctuaries continue to be found within institutions of faith, the movement has taken on a much more vast, and multidimensional approach that includes people of different faiths, cultural and ethnic backgrounds. In this case, sanctuary refers to the process of protecting and providing services to people, particularly immigrants and refugees that have been ‘rejected’ by the state or in some cases are still waiting for their claims of refugee status to be approved. I also view these sanctuary practices as “heterogeneous, as enacted by an array of actors with differing interests and objectives, and as often fiercely contested” (Czajka, 2013, p. 45).

There are two main kinds of sanctuary movements that I highlight within the United States which help shed light on some of these differing objectives and motives. The first is sanctuary that is provided by institutions, predominately sacred spaces such as churches and

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<sup>1</sup> While there are certain norms established that protect sacred spaces from state authority, state power continues to thrive on its capacity to decide upon the exception to these norms (Agamben, 2003; Schmitt, 2007). As such, there have been notable examples of the state intervening to enforce its authority within sacred spaces. See for example, the case of Mohamed Cherfi who sought protection in a Quebec church. In 2004, police authorities forced their way into the church and deported him to the United States (Séguin, 2004).

synagogues. The other form of sanctuary is one that includes institutionalized policies by cities that provide citywide access to services for undocumented residents. These are each important in their own way, yet pose interesting dilemmas when it comes to studying the purpose and outcomes of these sanctuary practices and how they challenge state authority on different levels.

A major factor that distinguishes these two forms of sanctuaries is that one provides sanctuary 'spaces' while the other promotes sanctuary practices. Both provide sanctuary to undocumented immigrants, but the latter is more actively engaged with policy formation at various levels of government in order to change the laws that govern the lives of undocumented immigrants. Sanctuary spaces, by contrast, are intimately connected to the space of sanctuary (such as in the cases of churches). In its more secular form, sanctuary practices are not tied to a singular space and are more diffused throughout the city and (in some cases) region.

Sanctuaries provided by institutions in the US have been present for a number of years. As noted above, these spaces provide a safe haven for people who were seeking protection from government authorities. They provide sanctuary to individuals and families fleeing violence in their home country as well as migrants who are seeking a better life. The hypocrisy of the immigration system was evident in the 1980s when the refugee claims of many immigrants from Central America were being rejected, in comparison to the high rate of acceptance of those spurring from the Soviet Union. In fact, between 1983 and 1986, only 2.6% of the refugee claims made by Salvadorans were approved in comparison to 37.7% of Afghans where the average approval rate for applicants of all nationalities was 23.3% (Ridgley, 2008, p. 65).

It is important to note here that sanctuary spaces also have their own 'bordering practices'. The United Church of Canada has developed a document that serves as a 'guide' for parishes when considering to provide sanctuary to migrants. The basis for providing sanctuary is presented within a foundation that recognizes a 'holiness' in helping people in need. The document notes that "sanctuary as a prophetic action displays ultimate respect for the law and the justice it demands of it" (The United Church of Canada, 2004, p. 1). As such, they recognized that providing sanctuary has a foundation within divine law and that the state may not be upholding. At the same time, the document also contains a lengthy section that describes the ways in which churches can determine whether or not people are in fact 'genuine refugees'.

The guide includes a description on how to determine if one is in fact a 'legitimate refugee'. Some of these questions include the following: Has the individual exhausted all administrative and legal provisions? Are there compelling compassionate or humanitarian reasons for the individual to stay in Canada? Does the individual have a history of criminal activity? (The United Church of Canada, 2004, p. 7). These questions are almost identical to the ones included in Canada's application form for refugee claims.<sup>2</sup> Yet, one of the significant difference is that the Church claims to do it as an objective organization that only has the interest of safety in mind for the individuals. Here, the church enforces its own immigration policy by acknowledging that the only people worthy of sanctuary are those that are fleeing

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<sup>2</sup> The application for refugee sponsorship to Canada includes form IMM0008 that asks potential refugees similar questions about their history and request that they describe their own trajectory and struggles in their home country. These forms are then used to determine whether or not there are compassionate or humanitarian grounds to grant an individual refugee status. See Government of Canada, 2017.

violence and persecution. Thus, someone who simply decided to migrate to Canada or the US in pursuit of a 'better life', may not be eligible for such sanctuary if they cannot accurately prove that they were facing suffering in their home state. The point here is that it is a non-state actor who takes matters into their own hands, thereby establishing themselves as an authority and engaging their resources to meet these ends.

The other form of sanctuary is a type that is institutionalized, and includes formal city policies. Some of the first sanctuary cities emerged in California in the 1980s. In many cases, these cities implemented policies that prevented local authorities from participating in 'anti-immigration' laws that were established by the federal government. As Ridgely notes: "From 1984-1987, more than 20 cities and two states (New York and New Mexico) adopted resolutions declaring themselves as sanctuaries for central American refugees, many issuing states of noncooperation with INS" (Ridgely, 2008, p.67). Again, much of this correlates with the surge in immigration coming from South and Central American countries.

The emphasis in these cities not only rests upon a foundation of protecting undocumented immigrants and everyone living within their boundaries, but also a refusal to cooperate with federal officials with regards to immigration and policing activities. The refusal to cooperate with federal officials is based on a conviction that the government is acting outside of the law and also an acknowledgement that law abiding individuals living within the city benefit and contributes to its long-term success. The interests of the federal government and that of municipal governments do not coincide with each other.

These types of policies, predominantly administered by city governments, are in clear defiance of federal policies and are continuously in conflict with federal authorities with regards to the deportation and detention of immigrants, contrary to many sanctuary 'spaces'

that typically do not enter into confrontation with the federal government. In other words, they will not ask, or report individuals whom they find out are undocumented, but will not interfere in the event that agents arrest or detain individuals. In some cases, these institutions function within cities that have sanctuary ordinances and are in relative harmony with city officials. However, there are cases, such as in Sacramento, of cities without sanctuary ordinance that have institutions that protect and advocate for undocumented immigrants in the area.

These policies were highlighted once again following the attacks on September 11, 2001. The FBI sent out a formal request to local police departments to gather information on people living within their district including their political views and opinions on the events of September 11. Yet, this went against some cities' sanctuary policies, while others believed that such a practice would infringe on people's civil liberties.

The most widely publicized refusal was by the Deputy Police Chief in Portland, Oregon, who said that city's force would not assist the DOJ after the City Attorney declared that local police participation in the interviews would violate two state privacy laws (*ORS 181.575 and ORS 181.850*). The first was Oregon's "anti-McCarthyism" law, which prevented state and local police from keeping files on people or groups who were not suspected of a crime. The second was passed in 1987, and it limited involvement of state and local police in the enforcement of immigration law (Ridgley, 2008, p. 54).

Following the election of President Donald Trump, various municipal and state government have reaffirmed their commitment to protect all of their residents – documented and undocumented. The Mayor of New York City (NYC), Bill De Blasio, announced that "if all Muslims are required to register, we will take legal action to block it" (Ford, 2016). NYC has had explicit policies that limit cooperation with immigration and Customs Enforcement through their sanctuary ordinance. The San Francisco Board of Supervisors also passed a resolution declaring that "no matter the threats made by President-elect Trump, San

Francisco will remain a Sanctuary City. We will not turn our back on the men and women from other countries who help make this city great, and who represent over one third of our population. This is the Golden Gate—we build bridges, not walls” (San Francisco Board of Supervisors, 2016). In addition, a number of other cities have also declared that they will not comply with the federal government if the administration decides to enforce its deportation policies including Philadelphia, Providence, Los Angeles, and Seattle.

There is also a third type of sanctuary policies that are important to note here, but are more frequently present across the European Union, these focus more on integrating and ‘welcoming’ people with status, typically waiting to hear back on their immigration applications or claims for refugee status. They focus on integrating people who are socially excluded from the political community of citizens within the country. This type of sanctuary focuses on community cohesion. The two main movements are the City of Sanctuary and Strangers into Citizens (Squire, 2011). The goal of City of Sanctuary is to “build a culture of hospitality for people seeking sanctuary”, while Strangers into Citizens is more focused on “undertaking traditional lobbying activities” that seek to provide better access to social services (including the right to work and contribute to economy) to migrants who have lived in the UK for four years or more (Ibid, p. 296).

This type of movement in the UK challenges the ways in which the state and the various communities within the state exclude people from the political community — despite their legal right to be ‘present’— due to their immigration status. City of Sanctuary provides hospitality to those who have been marginalized or excluded from social citizenship. Squire and Darling (2013) note that this type of sanctuary movement does in fact push the state’s agenda in the sense that it provides more than simply the right to be

present in the UK, but stretches towards making communities more welcoming. However, they also note that these movements are not necessarily disruptive since “it entails explicitly or implicitly the refusal and contestation of the victimization or subordination of those who are conventionally defined as ‘refugees’, and is fixed instead to an account of equality” (Darling & Squire, 2013, p. 70). Thus, the premise of the movement is one that recognizes the subordinate status of people, and then turns to providing them with hospitality instead of treating them as ‘equals’. Yet, while this type of movement certainly does not challenge state authority in terms of its distribution of citizenship and the legal right to be within its territory, it certainly challenges the ways in which belonging to the community is determined. This changes the way communities determine who belongs and who does not, by removing this ultimate authority from state power.

### **State Control of Borders and Resistance**

The enforcement of borders and the right to exclude migrants from state territory is inherent to our understanding of state sovereignty. The power to deny entry to anyone is exercised daily by the US government and by many other governments across the world. Yet, at the same time, conventional ideas of sovereign authority and power are challenged within the sanctuary regions across the country. These sanctuary regions disrupt the conventional understanding of state sovereignty and control over borders within the field of international relations (IR). Sanctuary regions are spaces where subjectivities, notions of belonging and community are actively redefined as they are not bound to the nation-state, but within those smaller city-region communities. State authority is challenged as these sanctuary regions

provide a safe space for undocumented immigrants by providing access to basic services and rights including access to education, health care, and in some cases, local voting rights.

Sanctuary regions, and sanctuary policies more generally, offer a path for non-citizens to enact citizenship rights and claims. Sanctuary regions create an opening for citizenship to be performed and for citizenship rights to be claimed by individuals that have been denied entry from the state. Undocumented immigrants, while lacking legal status in the state, have established community ties and belonging at a local level which facilitate rights claims for certain populations. These rights claims, while often localized within communities, also expand to the global front, shaping US policy on immigration. While sanctuary regions enable undocumented immigrants to enact citizenship, it is important to note that they have also been created through these acts of citizenship (Isin, 2008). By ‘acts of citizenship’, I refer to the performative dimension of citizenship, which can be performed and claimed without legal or formal citizenship. Undocumented immigrants and the immigrant rights movement enable the creation of these sanctuary regions. Thus, these regions are not a prelude to the ability for undocumented immigrants to enact citizenship. In fact, there are numerous undocumented immigrants residing in various other parts of the country that continue to be part of the movement in demand of rights that do not reside within these sanctuary regions. Rather, these regions facilitate and empower individuals to enact their citizenship.

Throughout this dissertation, I argue that the creation of sanctuary cities and regions enable undocumented immigrant to enact citizenship rights and challenge state authority on borders and immigration. In addition to some of the theoretical responses to the problem of statelessness, migration and human rights, I draw primarily on the work of scholars within critical citizenship studies that have developed a framework for understanding the potential



for citizenship that is not founded within a nation-state (Isin E. , 2008; McNevin, 2011; Rygiel, 2010). This research has established that there are ways in which migrants have successfully made claims to certain rights through various global movements. Essentially, these migrants can claim citizenship by enacting citizenship wherein strong claims can be made to achieve rights and recognition, particularly in association with transnational entities. I elaborate on this in Chapter 2, where I discuss my theoretical framework and concepts including citizenship.

It is important to reiterate here that in theorizing about alternative forms of citizenship that are not state-based, I am not looking to replicate state-based citizenship within other entities, including the city. Such pursuits, I believe, would be futile as the system that governs state-based citizenship are then just replicated within other entities, but the oppressive and exclusionary practices still remain. Rather, I focus on the ability for migrants themselves to make claims to certain rights. Cities, regions and local institutions are certainly beneficial in facilitating this process, but I am not claiming that city based citizenship has been established in many of these cases. This has already been discussed at length by other scholars (Baubock, 2003; Isin & Wood, 1999, Sassen, 2002). Rather, my argument lies in understanding the agency, and power of migrants themselves to enact citizenship and to claim recognition and belonging. In this case, rights and recognition are not necessarily 'given', but can be taken and claimed by migrants themselves – through their own agency, despite intentional exclusion from the political process by state governments. The state in this case, is not necessarily the only 'rights giver'. I seek to understand the conditions under which these claims can be made.

Given that this dissertation draws upon critical studies within international relations, borders and migration, it is important to elaborate how the concepts of citizenship, transnationalism and sanctuary regions challenge conceptions of state based citizenship and borders. For one, this research establishes the specific ways and conditions under which individuals can conduct acts of citizenship. Second, their ability to perform citizenship and successfully acquire certain rights to membership challenges our conception of the state as the sole 'rights' giver, and for that matter speaks to state sovereignty and the way it is challenged by local authorities. There have been numerous studies that address the power of 'global cities' and their position as actors on the international front (Curtis, 2014B; Sassen, 2006; Harvey, 2014; Kangas, 2017) however, this work highlights a form of transnational community. These communities, or regions, are not necessarily based within cities, nor is it the power of the city that is enacted. Rather, it is influenced and formed within communities and lead by undocumented immigrants themselves. What is critical here is that the community in which these claims are made is significant in facilitating these rights claims. There must be a capacity for communities to develop a widely shared normative consensus to uphold and recognize the claims of undocumented immigrants as legitimate and these communities are strongest within the sanctuary regions.

The reason why it is important to understand the case of undocumented immigrants in the US in light of this, lies in the fact that the movement has been partially successful in allowing undocumented immigrants to access citizen rights. This is a strong example of the ways in which 'acts of citizenship' and social movements can be successful in granting people access to basic services despite their legal status within their host country. This movement is unique among migration patterns worldwide as it has been successful in granting some

form of recognition for large populations of undocumented immigrants. It has been successful in granting health care to some communities, access to education, including postsecondary education, voting rights, police protection, and other rights associated with citizenship. But, more importantly, they have also been welcomed into certain local communities as part of the political community. These communities are composed of local institutions, neighborhoods and cities, despite the federal government's denial of their presence within its territory. I call these 'sanctuary regions'. These regions are powerful as they create local spaces wherein which undocumented residents are able to enact citizen rights and gain some form of recognition.

### **Methodology**

The research for this dissertation was compiled over a two-year period between April 2015 and February 2017 and consisted of a mixed methods approach. I chose this approach as it allowed for a level of flexibility that allowed me to collect enough information within the shortest amount of time by minimizing the resources needed. This included field work, where I was able to conduct a total of 15 semi-structured interviews and take part in participant observation within activist networks in California. Conducting field work in California is a costly endeavor, and I was limited to two months there due to limited resources. With a short span of time to conduct field work, I chose to focus on interviewing people who were directly involved in the sanctuary and the immigrant rights movement in the area. This included politicians, policy makers and community organizers.

Conducting my field work was important because it provided me the ability to set the framework for this research by understanding the political dynamics within sanctuary

regions in California. This method allowed me to “establish personal interaction with research [participants] in their own setting” (Wood, 2007, p. 123). Beginning with field work was also important as it allowed me to gather data and information that is not accessible anywhere else (through books, online documents etc.). According to Wood (2007) and Howard (2004), the main purpose of field research is to acquire data. However, this can also include a pursuit of information that would not normally be classified under ‘data’ such as one that is searching to understand meaning and concepts within a research project. This is particularly the case with regards to understanding sanctuary spaces and their role in the immigrant rights movement. Much of the literature discusses sanctuary cities from a policy perspective (i.e. only relevant with regards to cities with sanctuary ordinances). However, during my field work, I was able to get a better sense of various organizations and institutions that were functioning as sanctuaries and providing a valuable space for the movement. These elements are often left out of literature on the sanctuary movement.

I began my field work in California, mostly within regions across Sacramento and San Francisco between June and August 2015. Prior to going on field work, I began reaching out to various organizations that serve undocumented immigrants in San Francisco, Los Angeles and Sacramento. I was able to schedule several meetings before my arrival. My first was with a contact that worked with undocumented immigrants through the Catholic Diocese of Sacramento. I was then introduced, through my initial contact, to a number of organizers that then connected me to other members of the undocumented community.

During the two months I spent in the area, I was also able to sit in on three strategic and stakeholder meetings for activist organizations. I also collected participant observations at planning meetings that addressed strategies for lobbying local governments for

community health access. I was also able to join an activist organization on a trip to a Immigration and Customs Enforcement Agency (ICE) detention centre in Sacramento, where we visited and spoke with ICE detainees.

I chose to do my fieldwork in California as it has one of the largest population of undocumented immigrants in the USA (Passel & Cohn, 2011). San Francisco is also one of the oldest cities in the USA with a sanctuary ordinance. Sacramento was also chosen as it is the capital of California, where much of the statewide policies were being developed. Sacramento, in and of itself, is interesting because public opinions with regards to undocumented immigrants is divided in the city. The city itself does not have a sanctuary ordinance, but there is a strong presence of undocumented immigrants in the area. The city council has also passed a number of laws that I consider to be part of a larger set of ‘sanctuary laws’ that include giving access to healthcare for undocumented immigrants, education etc. Yet, at the same time, certain regions within the greater Sacramento County tend to be populated by higher proportions of Republican voters. The county Sheriff of Sacramento has also been known to collaborate with the Immigration and Customs Enforcements (ICE).<sup>3</sup>

In order to fill in the gaps and understand how the lives of undocumented immigrants have been directly impacted by the sanctuary movement, I conducted narrative inquiry of public stories told by undocumented immigrants across the US. Narrative inquiry was also important because it provided me with the opportunity to understand the lives of

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<sup>3</sup> The County Sheriff has criticized sanctuary cities across California, stated that he collaborates with ICE as much as possible and invited the Director of ICE, Thomas Homan in 2017 for a town hall meeting. In response to this meeting, the mayor of Sacramento along with a number of council members organized a rally in protest of the event. See Comstock 2015 & Di Garzia 2017.

undocumented immigrants in the way that they have chosen to portray themselves, but also how they define their own sense of belonging to their communities. Initially, my goal was to interview undocumented immigrants during my field work. However, I quickly realized that it would be difficult to tap into the undocumented community within a short span of time. These stories provided me with a level of context and detail that I would not have been able to collect during my field work due to time limitations as well as difficulties in gaining access to a community that is skeptical and (rightfully) fearful of talking about their situation with someone they have had little contact with in the past. This would have been more feasible for ethnographic research, which this dissertation does not set out to do. What I did want to understand, is the ways in which undocumented immigrants have used their life stories in order to shape their demands for recognition and human rights. In this regard, I am most interested in their understanding of belonging to the United States or to local communities; how they define being American, and how they navigate those elements with being undocumented.

I recognize that using narratives and stories in a dissertation that is mainly focused on addressing issues within international relations and citizenship studies might seem as unusual. In this case, I draw upon the work of scholars that have heralded the “narrative turn” in IR (Brigg and Bleiker, 2010; Doty, 2004; Inayatullah, 2010). While, this literature emphasizes the need to scholars and academics to write in narrative form, my goal in this dissertation is rather to recognize the voices and narratives of those individuals who are specifically influenced by the immigration policies in the United States and that shape the sanctuary movement. In both cases, it is important to recognize the individual lived experiences of myself, but more importantly of those that are included in this study.

One of the main aims of this dissertation is to emphasize that individuals and communities have the power to shape and shift policies at an international and global level. In this regard, my dissertation is not just about how cities and regions challenge state policies, but how individuals can shape those cities and challenge those policies. The immigrant rights movement within the US is a movement that has been built from the 'bottom up' and that it is the social activism and struggles of individuals within the movement that has shaped its success. This is why these narratives are important within the field, because they provide us with insights into how individuals shaping the movement view their own political community and the policies they are seeking to change. "It is impossible to understand human conduct while ignoring its intentions, and it is impossible to understand human intentions while ignoring the settings in which they make sense" (Czarniawska, 2004, p. 15). The narratives in this case provides insights into motivations behind the rights claims made by undocumented immigrants, while my field work provided me with context in which to understand those stories.

The stories I collected were compiled over a two-year period between August 2015 and April 2017. I selected stories that contained enough details about the individual's life and journey in the United States. Specifically, I looked for details containing their journey to the United States, whether they had DACA status (and how it affected their life) and any information about how they feel about their own contributions to the country and their community as well as their sense of belonging. There are certainly more than 115 available to the public, but I only include stories that contain enough details presented by immigrants themselves. I began by reviewing stories that were the most public and published by major media outlets, including *The Huffington Post*, the *New York Times* and *National Public Radio*

(NPR) as well as documentaries that were produced by undocumented immigrants. I then moved on to analyze stories that were presented through the *Define America* organization that presents various stories and narratives from both immigrants and non-immigrants. Stories are also included from *iNation Media*, an organization that “creates personal and powerful stories about the immigrant experience in the United States” (iNation Media, n.d.). These organizations do not limit the stories published to undocumented immigrants, but only those narrated in the first person are included. I also include stories presented in anthologies and books written by reporters. Several of the stories have also come from the semi-structured interviews that I conducted while doing my field work in Sacramento and San Francisco. More comprehensive details on my methodology can be found in chapter one.

My intention in collecting these stories was not to develop a general understanding of undocumented immigrants’ experiences in the United States – this would require a much larger sample. Rather, the stories were documented and analyzed because they are the most public narratives that describe the lives of some immigrants in the United States. As such, these narratives are shaping the immigrant rights movement and the perceptions of undocumented immigrants in the country. I use these narratives to understand how undocumented immigrants represent and project themselves onto the national stage in demand for equal access to rights and legal residency. The majority of these are first person narratives.

Furthermore, it is important to recognize that the sample I collected is based on convenience and availability of the publication. These narratives are also biased as they are intended for a specific audience and represented within media outlets that are typically sympathetic to the struggle of undocumented immigrants and do not represent a ‘neutral’



perspective to the stories. However, my goal in this case is not to develop an unbiased understanding into the lives and experiences of undocumented immigrants, but rather to understand how these performative acts of citizenship are constructed and expressed.

I also recognize that, while my research and main arguments are focused on developing a theory or regional efforts within the United States, these narratives are taken from places and regions across the country – and not just from California. However, the stories are drawn upon because they shape a representation of the ways in which undocumented immigrants make claims for rights and ‘enact’ their citizenship. This is an important element to the development of the sanctuary region that I discuss at length in this dissertation. Without these acts, many of the movements could not have taken shape, despite the fact that these regions have not been established across the majority of the country.

## **Contents**

One of the elements that this research highlights is the way in which undocumented immigrants exercise their agency in claiming rights in contexts where their recognition is continually denied by the federal government. In order to represent the profundity of this, I have structured this dissertation to follow the development of the immigrant rights movement and the lives of many undocumented residents across the US. There are two main parts to this dissertation: the first deals with ruptures and the challenges they pose for migrant rights, but also for our understanding of state power with regards to border and territorial control. This section presents some of the context regarding undocumented immigrants in the US as well as much of the theory that has informed this work. The second

part addresses the subsequent attempts at eliminating or reducing those ruptures and some of the challenges that arise from those attempted closures. This section essentially addresses the successful efforts of the immigrant rights movement and the condition which have allowed certain successes to take place. It also addresses some of the limitations and effects of these movements. These chapters present my empirical data.

The majority of undocumented immigrants in the US arrived in the 1990s at a time when there was an increase of unauthorized migration from Mexico and parts of South and Central America (Passel & Cohn, 2011). This initial rupture creates a struggle in understandings of belonging, 'home', and essentially how to build a better life in a new place and community. Yet, there is deep rooted politics that are involved in the creation of a new home, politics affected by racism, prejudice, special interests and territorial control.

The second major rupture, which this dissertation is primarily concerned with addressing, involves the struggles for citizen rights led by undocumented immigrants through presence in the US and the conditions which have allowed the creation of these sanctuary regions. The failure of the US government's willingness to grant these individuals any form of legal permanent status has created a population of over 11 million people (Passel & Cohn, 2011) without any legal residency status. This situation leaves these individuals without any formal forms of recognition or rights within the country in which they call home. It also leaves them outside of the framework of the political community in which they live. Without citizenship or recognition of their existence by the state, their voices are left unheard. Thus, for the past thirty to forty years, the immigrant rights movement has been trying to grapple with understanding how to close the gap, and to achieve a voice, recognition and political power within a system that they do not have any official claim to.

To contextualize this complex history, a review of existing theory is helpful. To that end, chapter 2 elaborates on the theoretical foundations that inform my research. Drawing upon the recent critical literature, I outline and elaborate on the conception of citizenship, belonging, rights claims and transnational politics that will be employed in this study. This chapter also includes an analysis of the current situation – a general overview of the immigrant rights movement in the US.

Chapter 3 discusses in depth the development of the immigrant rights movement and the emergence of sanctuary cities across the US. In this section, I also discuss the influence of the immigrant rights movement on US national policies regarding immigration. This is where I begin to address some of the development within the immigrant rights movement and successful policy initiatives.

Chapter 4 provides a deeper analysis into the development of sanctuary regions and the elements that have facilitated the ability for undocumented immigrants to make human rights claims. In this chapter, I also include an analysis of what this research means for traditional understanding of state power and border. Here, I focus particularly on the challenge my research poses for our understanding of the state, its monopoly on border and human rights. I develop my concept of ‘regions’ and city regions as well as their role in challenging state authority on immigration and border control.

Chapters 5 and 6 elaborate on some of the key elements that I have found to be important for acts of citizenship and discuss the ways in which these acts are performed through speech acts and documentation. These elements include strong community support, a developing sense of belonging to community and region in addition to increased documentation of undocumented immigrants as well as documentation through various

institutions within sanctuary regions. All of these elements are considered 'achievements' for the immigrant rights movement, but they are also elements that empower the movement and individuals to make further demands for recognition and belonging vis a vis the political community. Also, despite the fact that there are elements considered to be 'accomplishments', these developments within the immigrant rights movement have also created ruptures within the community itself that pose additional challenges. These are ruptures created by the development of those policies by the federal government, but their development also speaks to the complexities of acquiring rights for everyone.

It is important to note here that the majority of the research conducted for this dissertation was completed prior to the election of Donald Trump in 2016. I recognize that the Trump administration has had a significant impact on the development of sanctuaries, the immigrant rights movement and the enforcement of deportation across the US. However, in order to maintain some coherence to this dissertation, it does not address some of these changes comprehensively. The conclusion includes a section on how the Trump administration has potentially shifted some of the narratives around undocumented immigrants – for better or worse in some cases. I then discuss some potential key issues for further research in order to better understand the impact of the Republican and conservative gains in the US on the immigrant rights movement – something that is beyond the scope of this dissertation.

## **CHAPTER 2: ACTING LIKE A CITIZEN: THEORIZING CITIZENSHIP, RIGHTS CLAIMS AND BELONGING**

### **Introduction**

At the core of it, citizenship is a relationship between individuals and a state government. This is commonly interpreted through legal recognition – the state recognizes people as members, and grants them the benefits of membership. In turn, individuals are expected to perform the duties of citizenship, such as voting, obeying the law, and contributing to civil society, among other things. What happens when individuals, without legal citizenship, begin to act like citizens and demand recognition from political entities? There are several ways in which undocumented immigrants make these claims. For one, the undocumented immigrant rights movement has been shaped by portraying undocumented citizens as ‘ideal citizens’ that contribute to their community. From this, they have shifted many of their rights claims to local communities as well as state and municipal governments. In this chapter, I develop my theoretical framework and provide a theoretical background to understanding how non-citizens claim citizenship and access the rights and privileges that come with this membership.

My theorizations on citizenship are based within a broader analysis of the dimensions of citizenship (legal and performative) and how those relate to rights claims and the development of city and regionally-based forms of citizenship within smaller communities. This allows us to think about ways in which individuals can make citizen rights claims through institutions other than the state. As such, I address and unpack the concepts of transnational citizenship, borders, and belonging in this chapter as they relate to the concept of enacting citizenship.

In the first section, I discuss my use of concepts including ‘undocumented immigrants’. There are several different terms in which migrants, immigrants or ‘expats’ are referenced throughout the literature, and it is important to specify what it means to be an undocumented immigrant and why I have chosen to use this term throughout the dissertation. The following section addresses the concept of performative citizenship – here I elaborate on the importance of reflecting on the potential for citizenship that is not based within the nation-state by drawing on the possibilities of transnational citizenship. I then elaborate on the concept of ‘acts’ in order to develop a framework for understanding how individuals can enact citizenship. In the last section, I discuss the importance of belonging as I believe it is foundational for the enactment of citizenship in addition to demand for rights. In my discussion on belonging, I emphasize the relationship of belonging that individuals build in relation to local communities and away from national forms of belonging to the state.

### **‘Illegals’, Non-Status, Immigrants, Migrants**

Within the literature on migration, there are several terms used to define migrants with precarious status. These include simply the use of migrants, irregular migrants, immigrants and refugees. The use of the term migrants can be problematic as it is placed within contexts and ‘configurations of racialization, gender, class and nationality’ (Kunz, 2016, p. 89) and is often exclusively used to refer to individuals from the global South (Fechter & Walsh, 2010). Other terms such as ‘illegals’ are also highly problematic as an individual cannot inherently be ‘illegal’, merely by their existence. Rather, their acts can become illegal based on the laws created within various political institutions. The term itself

is also disempowering and derogatory, again assuming that individuals have committed a crime, whereas claiming human rights cannot be considered a crime.

Other terms such as immigrants, or non-status immigrants can also be used to discuss the group of individuals in this dissertation as it potentially represents their situation accurately. However, the immigrant rights movement within the US specifically defines individuals living in the country without legal residency status as undocumented immigrants. Within the movement, there has also been pressure to request that the public and various media outlets use the term undocumented immigrants as the term to refer to this particular population (Vargas, 2015)<sup>4</sup>.

I chose ‘undocumented immigrants’ in order to honour that request and to refer to individuals as they refer to themselves. It is also important to recognize that the term ‘undocumented immigrants’ is a self-defining label and is significant in recognizing the agency of undocumented immigrants within the US. There has generally been an attempt by those immigrants to self-name – and thus to partially control the discourse around their own representation. Throughout this dissertation, I use the term undocumented immigrants to refer to individuals living within the US without any form of legal permanent residency status. Some of them have only lived in the country for a few years, while others have been there for several decades. In either case, their legal situations, in the country, remains the same and they are continually at risk of deportation.

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<sup>4</sup> There has been a significant amount of discussion within various media outlets debating the terms that should be used to describe undocumented immigrants. Organizers and leaders among undocumented immigrants have attempted to intentionally lobby various organizations to use the term ‘undocumented’ instead of ‘illegal’. For more details see Stribley, 2017 and Vargas, 2012.

## **Multiple Forms of Citizenship**

This dissertation does not deal exclusively with the concept of citizenship as a legal status. Scholars have distinguished different forms of citizenship including legal, psychological and performative (Carens, 1996; Joppke, 2017). These can further be broken into other categories:

Citizenship as status, denotes formal state membership and the rules of access to it; citizenship as rights, which is about the formal capacities and immunities connected with such status; and, in addition, citizenship as identity, which refers to the behavioral aspects of individuals acting and conceiving of themselves as members of a collectivity, classically the nation, or the normative conceptions of such behavior imputed by the state (Joppke, 2007, p. 38).

In this dissertation, I am more concerned with participatory citizenship, citizenship as identity and the spaces in between citizenship and non-citizenship that allow individuals to access human rights through their membership to political communities.

It is well documented within studies on race that citizenship as a legal status does not inherently provide everyone with the same treatment, despite the fact that it should in theory (Benhabib, 2004, 2002; Bigo, 2006; Miller, 2000, Soysal, 2012). There are various class differences as well as the dynamics of race, gender and ethnicity that have privileged some people over others. How do some people get access to citizen rights, while others are excluded? I am interested in understanding how those that do not hold legal status are able to gain access to certain rights and entrance to the political community in which they live. As will be discussed in subsequent chapters, I have found that citizen rights can be claimed by those that do not have the legal status, while others, holding legal status, may also not access the full spectrum of citizen rights. All of this relates to the various ways in which citizenship (and the rights that come with it) are respected, but also in the ways in which they are



dismissed based on race, gender, class and the various agents that create barriers to accessing those rights. The line between citizens and non-citizens has never been clear, and my focus here is understanding those spaces in between and how people can cross those lines.

There are also distinct ways in which government institutions leave certain populations outside of the fold of citizen rights. The fact that undocumented immigrants living in the US are without legal status, is not solely caused by their inability to attain legal recognition through regular means of application. Ngai (2004) argues that the US government has created the illegal alien regime through the creation and implementation of problematic policies which sought to exclude a certain population of migrants. One notable example of this is the *bracero* program which promoted the import of contract laborers into the US from Mexico, primarily for agricultural work. When the ‘*braceros*’ entered the US, many of them found deplorable working conditions and fought to claim fair wages and better treatment. The desertion rate in this program was at about 10% shortly after its implementation and many left their employment due to the difficult conditions. What this meant is that, once these workers, who entered the country legally, deserted their contracts, “they became illegal aliens [and] joined an even larger population of undocumented Mexican migrants living and working in the Southwest” (ibid, p. 147). This essentially points to the ways in which citizen rights<sup>5</sup> are often arbitrarily accorded and denied for certain populations and individuals.

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<sup>5</sup> Citizen rights in this dissertation also refers to the rights and privileges accorded to individuals with legal residency recognition within the US. I recognize that migrants, including temporary workers, students, and

## **Citizenship and Access to Rights**

As noted above, citizenship is important because it allows individuals to access human rights and protections. Arendt (2001) long theorized on the development of ‘human’ rights as not being human, but rather represent ‘citizen’ rights because without association to a state, individuals could not have the protections afforded to them by a state. Furthermore, some people have greater access to rights than others depending on the issuing country. In other words, citizenship grants individuals the ‘right to have rights’ and association with a nation-state is a prerequisite for recognition as political subjects. This is indeed a significant problem that Arendt identifies as a significant cause of global inequality.

No paradox of contemporary politics is filled with a more poignant irony than the discrepancy between the efforts of well-meaning idealists who stubbornly insist on regarding as ‘inalienable’ those human rights, which are enjoyed only by citizens of the most prosperous and civilized countries and the situation of the rightless themselves. (Arendt 2001, 279)

This has certainly been understood to be the case by scholars for some time. However, this also means that states are essentially the ‘rights givers’. Arendt highlights this in her discussion on the creation of the stateless population, following World War I, by shedding light on the hypocrisy of a rights system that is embedded in state centralized power. The increase of stateless people across the world post-World War I demonstrated the ways in which people are excluded from these ‘human rights’ in the absence of citizenship. “The first damage done to the nation-states as a result of the arrival of hundreds of thousands of stateless people was the rights of asylum, the only right that had ever figured as a symbol of

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visitors still have access to certain rights within the country based on their status. In some cases, migrant students, for example are granted access to education.

the Rights of Man” (Arendt, 2001, p. 280). This process of naturalization that permitted individuals a right to asylum eventually broke down in the face of mass-naturalizations and overwhelming demands. This led to increased barriers put in place by state governments in order to limit immigration and naturalization, particularly among certain populations which left large populations across the globe without any status – and thus without any rights or ability to claim those rights. Understanding human rights as rights of citizens became obvious in a post-World War II era, when large populations of Jewish people were stripped of their citizenship and left without any rights, or entities in which to make those human rights claims.

States do not inherently have to be the sole ‘rights givers’ and this dissertation seeks to fill in some of those gaps with regards to understanding access to rights without citizenship. There have been incidents in history that have demonstrated the ways in which people can claim and ‘take’ those rights and that actors aside from the state can provide certain protections. Citizenship in this sense begins with the ‘right to claim rights’ (Isin, 2012, 109). “If we approach citizenship as acts, we would be interested not only with what people do but also how the things they do break away from norms, expectations, routines, rituals, in short, their habitus” (Ibid, 110).

The case of undocumented immigrants in the United States presents an alternative narrative where individuals create and establish a movement that is formed from the ground and moved upwards by the seemingly ‘rightless’ living within the boundaries of the state. The agency of those undocumented immigrants is at the core of the movement and cannot be ignored. This is also a strong empirical case that suggests the ways in which ‘acts of citizenship’ allows individuals to obtain the ‘right to claim rights’ and be heard.

Undocumented immigrants have been performing ‘acts’ of citizenship within a country that has denied them formal citizenship. The rest of this dissertation discusses the empirical case at length, but I am focused in this chapter on elaborating the theoretical foundations that support the case.

The struggle in this case is about gaining access to the political community wherein rights can be claimed (Arendt, 1958). Recent work on citizenship studies presupposes that one can claim rights prior to entering into the realm of legal citizenship. I suggest in this dissertation that access to a political community is indeed important – but that community does not have to be the national community of a sovereign state. Rather, in the case of undocumented immigrants, belonging to local communities within cities and some states enables individuals to enact their political power and will, both locally and at a national level. Belonging to local communities has the potential to empower individuals in making claims on a national scale.

### **Acts of Citizenship**

In this case, it is useful to discuss citizenship as something that is performed and claimed, which leads us to think about acts of citizenship. Much of this dissertation draws from the work of critical citizenship studies scholars including Isin and Nielson (2008), and Rygiel (2010). This work seeks to theorize the potential of non-state based citizenship. Acts of citizenship refer to actions that individuals take in performing citizenship outside of the boundaries of traditional citizenship. When speaking of ‘acts’, I refer to the ways in which undocumented immigrants create and drive the movement in the US in pursuit of rights and belonging. There is contention in this case with regards to thinking of undocumented

immigrant as agents in the demand for human rights and recognition. How have undocumented immigrants developed the power to demand citizen rights, when their existence in the domain of politics has been denied and rejected by the state government?

In *Citizenship Without Frontiers*, Isin (2012) discusses the ways in which citizens of states have enacted the role of the citizen across the globe, without authority or permission from that state – through activist networks. Citizens can provide assistance and access to rights to others across the globe without ‘authority’ from the state in enacting those rights. In this case, their status as citizens is not confined to the borders of the nation-state. One of the most notable cases presented in Isin’s book is that of *Medecins sans frontieres*. Individual members of this organizations are all citizens of various states that travel the world to provide necessary medical assistance. Their work fills the void that is left by states that fail to provide those protections and access to basic necessities. They do not necessarily have authority from the government to act on behalf of the government, instead they are acting on a transnational scale without that authority. Isin interprets “these heterogeneous acts in contemporary politics whose subjects constitute themselves as citizens beyond both figurative and literal frontiers that constrain them” (2012, p. 9).

Isin uses the term ‘acts of citizenship’ (Isin and Nielsen, 2008) to describe actions that people take to provide rights and accommodations to people that may not have access to the same rights. These acts of citizenship happen when citizens disobey what he calls the regular ‘script’ that is provided by the state. There is a general expectation in which citizens are expected to act in conformity to what the state deems appropriate actions. In other words, they are no longer acting in accordance with what the state has determined to be appropriate or in the way that ‘good’ citizens are supposed to act (Isin, 2012). In many cases, these

individuals act to fill in gaps that various nation-states have either failed or decided not to fill.

These acts can be considered ruptures according to Isin because they challenge assumptions and notions about how the state and citizens are supposed to act and their abilities to provide access to rights. Disruptions also provide something 'new' to the usual script – it is in this way that they disrupt the narrative of citizenship and state power. Citizens can act independently and replace state authority and services across the globe, redefining the realm of state authority and citizen authority.

He also highlights the power of 'speech' in enacting citizenship. The ruptures through speech acts create these forms of disagreements between the state and the citizen. This is a realm of insurgent citizenship where people make claims to entities other than that of the state such as through activist networks and, in some cases, cities. I discuss the power of speech acts at length in chapter 5, but it is important to note here that the ability to speak publicly and disrupt narratives is an inherent tool towards enacting citizenship and making claims for recognition and human rights.

Isin's work also highlights the agency and power of both individuals and social movements in traversing boundaries and acting without frontiers. The center of his narrative includes the power that social movements have in acting at a transnational scale, and the importance of those individuals at the center of those movements. These movements also act by recognizing some of the inherent inequalities across the globe and seek to grant access and services to people who do not have them. "Implicit in its traversing is the recognition and revelation that there are vast inequalities in the world that divide those who have access" (Ibid, p. 12) to certain rights and privileges and those who do not.

While it is important to highlight the power of the individuals in this case, it also dismisses some of the important conditions that facilitate and enable citizens to traverse frontiers. Citizens traverse frontiers and perform acts of citizenship, but the locations in which those occur are also important to the analysis for fully grasping the ways in which citizenship can be enacted at a supranational level. This dissertation is not only focused on highlighting the ways in which undocumented immigrants can traverse frontiers and enact citizenship within a state that has denied them legal citizenship – it is also interested in understanding the conditions under which that has been possible, and the spaces where those acts are performed.

To that effect, the creation of what I call sanctuary regions has been an important part of this development. I discuss these regions at length in the next two chapters, but they are areas in the United States that include various cities and municipalities that have created safe spaces wherein immigrants feel a certain level of security to demand rights and speak openly. The important thing to be emphasized here is that both these regions and the undocumented immigrants living within, act 'beyond frontiers' and that this facilitates the rights claim and rights acquisition for undocumented immigrants at various levels. What I mean by this is that the institutions within those regions transcend state politics and established their own bordering policies, while undocumented immigrants enact their citizenship within those regions. These regions contest the state's claim to have a monopoly over issues of safety and security. It is through the provision of protection to citizens that states legitimize their authority and these regions outwardly contest this legitimacy. Thus, a deep challenge emerges when other space and authorities, such as the sanctuary city/region claims this role of protector to its residents.

Sanctuary cities and sanctuary practices provide an avenue in which acts of citizenship can be performed. Sanctuary regions, which completely redefine who should be included into the political community, provide a space in which the ‘script’ can be rewritten, thus creating a form of disobedience to the state — yet still within the legal limits of the city. This is a major rupture that is created with regards to understanding who has the right to claim rights. In many ways, acts of citizenship are facilitated through these city policies by providing a ‘safe haven’ for contesting the state’s judgment on who it lets in and out. This challenges the state’s authority on regulating borders, but it also means that cities are acting alongside the state at a global level. Those sanctuary regions have established a transnational network that facilitates the rights claims for undocumented immigrants.

These regions provide a critical potential for challenging the way we understand relevant and important actors within international relations while also creating a basis for a form of regionally based citizenship. There has been some literature (Sassen, 2006; Soja, 2004; Ridgley, 2008; Pluijm & Melissen, 2007; Ljungkvist, 2014; Harvey, 2013; Magnusson, 2014) that explores the power of cities within international relations as important actors that function with their own interests. Yet, one of the elements that make sanctuary regions an interesting location for the study of local politics is due to the ability of undocumented immigrants to enact citizenship within those regions. These individuals and the immigrant rights movement are able to exert their influence due to the dynamics created within those regions. It is not just cities that are powerful entities in this case, but the people (as individuals and as a collective) enacting citizenship within those regions. This type of citizenship does not conform to a traditional nation-state legal understanding of citizenship. Rather it is a communal based citizenship that is shaped by a strong demand for rights,



belonging and trust in community. These relationships, and this form of citizenship, enables people to take part politically and socially within certain communities while gaining the rights and privileges that that citizenship can give.

The concept of ‘enacting citizenship’ cannot be fully understood without a larger discussion on the importance of transnationalism. ‘Acts of citizenship’ implies that various people are able to make claims for rights to entities her than the state and within undefined boundaries. States and international organizations are not the only global institutions that protect human rights. Rather, there are localities and agencies that overcome the boundaries of the state and have been able to create a foundation for individuals to make rights claims. One of the areas where this argument has been made has been through the literature on transnational citizenship, which seeks to establish the ways in which citizenship can be positioned within entities other than the state. Consequently, this leads us to a critical reflection on the relationship between citizenship and states, and to think of alternative ways in which citizenship can be claimed.

Roseneau (1976) argues that the changes within international relations — and particularly as the nation-state is no longer the primary actor in global politics — have led to a necessary shift in understanding international relations by introducing the concept of the transnational actors in order to understand the influence of other factors. This points to the wide range of important actors within international relations that are not states, yet act alongside states and must be accounted for and measured in studies on global politics. This includes individuals, organizations, social groups, and activist networks, among others. As such, “these societal actors have significant effects on the flow of material resources, know-how and ideas around the world and cannot be ignored in any full account of international

relations” (Peterson, 1992, p. 371). In other words, the transnational refers to the powerful forces and actors that do not fit within the framework of the nation-state.

That said, there are increasing disagreements on what citizenship means and entails within the field of politics and transnationalism. Benhabib, for example, argues that “national citizenship is a legal and social status which combines some form of collectively shared identity with the entitlement to social and economic benefits and privileges of political membership through the exercise of democratic rights” (Benhabib. 2009, p. 79). Within the field of globalization, scholars have been theorizing about alternative ways of conceptualizing citizenship, which may not necessarily be confined to a particular state, but a form of transnational citizenship. More specifically, Baubock (2007) defines transnational citizenship as ‘a triangular relationship between individuals and two or more independent states in which these individuals are simultaneously assigned membership status and membership-based rights and obligations’ (Baubock, 2007, p. 2395).

Membership-based rights and obligations are foundational within the sanctuary region. Within this space, undocumented immigrants are included into the fabric of those regions, by their presence, contributions and vocal demands for recognition. In other words, undocumented immigrants meet the obligations of citizenship through their civic participation and this, in turn, provides them with legitimacy to claim the rights of citizens within their communities. These ‘acts’ also present the various ways in which undocumented immigrants contribute to their communities (by working, attending school, being involved in charitable work, etc.), and present the way in which they are meeting the conditions of citizenship. In addition to this participation, undocumented immigrants also

claim a sense of belonging to those communities which strengthen their ability to make demands based on their association to the region.

## **Belonging**

One of the problems with the concept of transnational citizenship is that it creates a tension with our understanding of belonging and citizenship. How do individuals create a sense of belonging at a transnational scale? According to Isin (2012), the creation of a political community in its modern understanding of citizenship is tied to the existence of the nation-state. Thus, modern citizenship is more than the legal association to a nation-state, it is inclusiveness into a political community and it gives individuals access to human rights and protection provided by the state, at its core.

This understanding of citizenship is strongly tied to understanding political community and belonging. The inherent existence of human rights, presupposed political subjectivity (Arendt, 2001; Isin, 2012). “The idea here is that the existence of rights presupposes political subjectivity and rights are effective only in practice” (Isin, 2012, p. 90). Therefore, the idea of a nation or a political community with rights and privileges can exist outside of the state – but it rests upon mutual recognition among co-citizens.

Theoretically, citizenship grants individuals access to a the ‘nation’ and one of the most fundamental ways in which it is supposed to do this is through legal recognition. In other words, when one obtains legal recognition and belonging to the state, they can claim that belonging and request access to the rights and privileges that come with that citizenship. Yet, what I discuss in this dissertation implies that there is more to it than that. Citizenship in some cases does not guarantee belonging or access to rights. For instance, prisoners in

the majority of states in the US cannot exercise their right to vote – a fundamental right of citizenship. Undocumented immigrants in some parts of the US have gained access to citizen rights by invoking citizenship through belonging and by claiming membership to a political community prior to acquiring legal status within the federal state.

Soysal argues (2012) that the growing rate of migration and diversity among citizens of states creates a form of transnational citizenship, where individuals create associations of belonging to transnational communities, while continuing to hold legal status within states. With this, she argues that legal state based citizenship is no longer premised on the inclusion of individuals into the political community and that belonging and performative citizenship can be found elsewhere. In other words, they can shape belonging to transnational (ethnic, religious) communities, while continuing to ‘be’ a citizen of another country. This is important because it allows us to think about the ways in which belonging and legal state based citizenship can be disassociated from one another. And, while I do not argue that sanctuary regions promote a form of transnational citizenship, undocumented immigrants within those regions are able to forge a new type of belonging at a local level that enables them to perform citizenship and demand rights and inclusion.

What this means is that there is more to citizenship than the legal recognition from the nation-state. Other entities, including municipal governments and local communities, can grant individuals recognition and belonging. This dissertation presents the case for an alternative form of belonging that forms a strong basis and foundation for acts of citizenship within sanctuary regions. Belonging is a strong factor that enables people to increase their sense of trust and attachment to a collective people – this is what enables them to speak out, demand rights and create ruptures within the status quo.

While citizenship has been traditionally used to identify one's membership and belonging as part of a particular nation-state, much of the literature that I have mentioned here attempts to critically reassess how this citizenship can be enacted, but also how it is defined. The authors in question make reference to the ways in which people can achieve certain rights and privileges through transnational entities, while others have emphasized the role of transnational activism in providing these rights. This also points to the importance of an emerging transnational community that is established based on mutual interests that do not necessarily rest within a common culture and shared territory.

Balibar (2004) has also discussed some of the transformations that the concept of citizenship is undergoing, partially caused by a shift in our understanding of state borders and territory and perhaps the negative side of belonging as attachment to the political community. In *We, the People of Europe?* Balibar takes a critical perspective on the potential problems that can arise out of the unification of Europe. While it may seem like the European Union is creating more supra-national unity, it can also create conflict, and increase class divisions and racism. In this case, the particular shifting of borders within states creates different forms of memberships and forms of belonging. Global forms of connectivity are changing the modes of inclusion and exclusion. "Europe is multiple; it is always home to tensions between numerous religious, cultural, linguistic, and political affiliations, numerous readings of history, numerous modes of relations with the rest of the world" (Balibar 2004, 5). The borders of 'belonging' can be redrawn, and in some cases within city boundaries.

Local institutions also play a key part in the establishment of those sanctuary regions and the sense of belonging they may create among its population. Saskia Sassen (2008) demonstrates the ways in which cities gain increasing power in international relations and

challenge the power and authority of the state. The emerging power of sanctuary cities is an example that can help us understand how the borders that shape who belongs and who does not, change. Cities that enforce sanctuary policies include “symbolic declarations of city space as sanctuary, restrictions on the use of local resources for enforcing federal [immigration] law, and policies to ensure all city residents have equal access to rights and entitlements” (Lippert and Rehaag, 2013, p. 19) regardless of their official membership status to the state. The power of the city can transcend that of the state which functions to create a form of political community that provides rights to people living within its borders. In this case forming a type of membership that is confined to the borders of the city.

In Hannah Arendt’s discussion on the ‘rights of man’, she highlights the difference between the rights of man and the rights of citizens. There are two main losses that the ‘rightless’ experience. The first, is the loss of their homes “and this means the loss of the entire social texture into which they were born and in which they established for themselves a distinct place in the world” (Arendt, 2001, p. 293). She further notes that what is unprecedented here is “not the loss of a home, but the impossibility of finding a new one” (Ibid). In this context, Arendt is particularly referring to stateless people and in those particular people's exclusion from places across the world. I am noting this here, because Arendt recognized the importance of a ‘home’ and its link to access of certain rights.

Although undocumented immigrants are not necessarily stateless (some certainly are), they still do not entirely belong to the country in which they reside – a country that has rejected their claims for belonging by denying legal permanent status and recognition in the country. That being said, the establishment of a home and sense of belonging is an important precursor to the acquisition of rights and citizenship. Undocumented immigrants within

sanctuary regions have established a certain level of belonging that has enabled them to make stronger rights claims. I discuss this concept further with some of my empirical findings in chapter 5, but I briefly present here some of the literature around the power of belonging and the acquisition of rights.

As noted, one of the benefits of holding citizenship status within a state is that it comes with a sense of belonging to the political community of that state. And, that belonging enables individuals to make claims for human rights and enact citizenship. In this case, belonging enables individuals to perform their citizenship within the US without having direct access to legal citizenship. In fact, studies have shown that people may hold legal status within a state (whether through citizenship or permanent residency), and still be excluded from the political community (Benhabib, 2004, 2002; Bigo, 2006; Miller, 2000). In this regard, people may belong to an underclass, where the law is not necessarily applied similarly to all other citizens — or they may be expected to ‘declare’ their loyalty to the rest of the community.

Seyla Benhabib, in *The Rights of Others* (2004), investigates the ways in which belonging to a community is constructed. While her focus is on people within a territorial boundary (France and Germany to be specific), she points out that even in cases of citizenship communities, the constitution of this community can be unequal as it can exclude the voices of people within its own community. Making this issue apparent is an important step before attempting to identify the inequalities in the construction of the ‘who’ on a global scale because it highlights the fact that the political dimension of justice, accorded by the state is also unjust in its own shaping of the ‘we’. Benhabib makes an important contribution

to this debate by exposing the misrepresentations between a same ‘people’ and the ways in which the state plays a part in creating this division.

This indicates that citizenship does not necessarily entail an automatic recognition of belonging to the state, but that there is a certain process that takes place for people to become accepted as part of a community — yet also feel part of that community as well. More so, it also means that while states may ‘reject’ people from the wider community of citizens, there is a potential for belonging at different levels.

Political geographers have also sought to disassociate the concept of belonging from nationalism, and more importantly from territorial belonging (Ralph and Staeheli, 2011). In this case, belonging does not necessarily attach to a territory but rather is socially constructed and represents a condition relating to personal experiences (Bromley 2000; Colombo et al., 2009). Ralph and Staeheli (2011) argue that the concept of home can be both sedentary and mobile. There has been a strand of research that understands home as that which is associated physically to territory and land. But, this has recently been challenged by scholars that see a concept of home to shift from seeing a “home as a fixed, bounded and enclosed site, as the analytical focus shifts to the threshold-crossing capacity of home to extend and connect people and places across time and space” (Ibid, p. 518).

Such research is particularly relevant to migrants, as this means that the concept of a ‘home’ also shifts with different locations. “Ethnographic work on migrant survival strategies has demonstrated the variety of ways in which undocumented and desperately low-income migrants also sustain senses of home that are spatially extensible, even as grounded” (Ibid, p. 521). Therefore, belonging is not just defined by how people fit in, but also relates to how others define who belongs and is excluded. In this regard, there needs to



be a recognition of legitimacy for 'belonging'. This can be both positive (in the case of sanctuary cities) but also negative in cases where people may be excluded because of their 'otherness' or failure to be considered similar on a socio-cultural level.

Further studies on the politics of belonging have also sought to understand the conditions under which belonging is established. While it should not be used interchangeably with the concept of citizenship, establishing a concrete sense of belonging internally, and vis-a-vis the community comes with certain privileges. One thing that the literature certainly points to, is that there are various different forms and conditions involved in how people establish belonging, all depending on differing social circumstances and experiences (Antonsich, 2010). Belonging is often associated with a sense of security and stability within a particular social environment. "Home might be understood here not simply as a secure and stable location, but also as a set of relations, connections, and emotional attachments that stretch feelings of belonging beyond the bounds of a particular house" (Darling & Healey, 2012).

Finally, Geddes and Favell (1999) argue that the politics of belonging is in fact a distinct approach to understanding how migrants shape their identity within different communities. In this regard, belonging to a political community is a requirement that ensures a secure place for migrants and minorities. "The idea of 'belonging' is an attempt to give a 'thicker' account of the political and social dynamics of integration, while remaining sensitive to the important insights of the comparative perspectives sketched earlier" (Geddes and Favell, 1999, p. 22). Beyond thinking of belonging, there are several other factors that contribute to the ability for undocumented immigrants in making rights claims

within sanctuary regions. This relates to the processes in which those claims are made which are addressed throughout the rest of this dissertation.

### **The Importance of Sanctuaries for Claiming Rights and Performing Citizenship**

While the creation of sanctuary regions is an important factor in the creation of a space that facilitates rights claims for undocumented immigrants, there still remains the question of making rights claims and claims of recognition directed at the state. Local governments do not have the power to provide legal citizenship to undocumented immigrants, and they cannot provide access to some fundamental rights including the right to free movement beyond their districts. As a result, much of the efforts from the immigrant rights movement focuses on changing policies at a national scale. This also serves to highlight the fact that the state still remains an important actor with regards to the global regulation of migrants. However, internal dynamics within the state have a stronger impact on state policies with regards to immigration. This also does not negate the power of those sanctuary regions and the ways in which they continue to give access and protection to individuals that have been denied recognition from the federal government.

Sanctuary regions are not the only force that enables undocumented immigrants to make progress with federal and local policies. The creation of these sanctuary regions did not occur in a vacuum, but was influenced and established by strong organizations that have been led by immigrants. How are those whose voices recognized by the government gain recognition to demand rights? How do people reach the level or space in which they can enact citizenship? There are several things to consider here. The first is the power and

ruptures the movement creates national discourses on belonging. The second relates to the strategy of the immigrant rights movement.

Isin (2012) discusses the ways in which acts of citizenship disrupt the *status quo* and question the norm within societies in which those claims are being made. This is taken from Rancière's theorizations on the political, which I draw upon as well. Rancière (2004) argues that politics is established with disruptions that shake the norms of what is normal, and thus seek to change those norms. "Politics exists when the natural order of domination is interrupted by the institutions of a part of those who have no part" (Rancière, 1995, p.11). The voices of those that should not exist in this case are heard very loudly, even when the voices are quiet or silent such as in the case of hunger strikes. When undocumented immigrants come out and declare that they are undocumented while emphasizing their belonging to the United States and their contributions to various communities, they also disrupt normative assumption on who is a citizen, who belongs, but also what characterizes undocumented immigrants. Isin also highlights the importance of 'speech acts' within acts of citizenship and rights claims. It is important for the voices of the seemingly rightless be heard and that they disrupt the status quo. "Derrida believes that for an act to be a speech act proper, it has to be a rupture in the sense of an interruption between the sender and receiver of a speech" (Isin, 2012, p. 124).

Many of these immigrants have children that have now grown to become contributing members of those communities which has created one of the biggest disruptions in the perception of undocumented immigrants in the US. The voices of undocumented immigrants (including younger generations of individuals who grew up in the US, attended college, and speak English without accents) create a disruption in the understanding of who and what an

undocumented immigrant represents. In late 2010 and into 2011, a movement took rise across the USA that encouraged undocumented immigrant youths to ‘come out’ and declare that they are undocumented. This began with the rise of the DREAMers, a group of younger undocumented Americans who began to lobby the federal government to provide policies that would give them legal residency, equal rights and recognition, based on their long-standing contributions to the country. This movement later evolved and also gave rise to the ‘coming out’ movement. This movement presented a host of undocumented youth that were largely hidden in the public eye and only came out when they were being deported and/or committed a crime. The face of the undocumented immigrant in US politics was often represented as a criminal who entered the country illegally. However, their presentation on a public front disrupts the idea of an undocumented immigrant that is a ‘law breaking Mexican’. The demand for equality and belonging also creates a disruption in the general foundation of who is American.

This is a fundamental and important part to the movement. The ‘coming out’ of undocumented immigrants as contributing members of society essentially creates a disruption in the status quo and that this act is in and of itself the beginning of many ‘acts of citizenship’ that enable them to claim rights. “Politics only exists through the bringing off of the equality of anyone and everyone in a vacuous freedom of a part of the community that deregulates any count of parts” (Rancière, 2004, p. 61). One of the leading organizations in the ‘coming out’ movement is called ‘Define America’ and seeks to display the different ways in which America is defined by including the voices of undocumented immigrants and members of the political community. There are various important elements to this movement, particularly as it relates to expanding the question of belonging and rights claim,

but this will be address further in chapter 4. The point of introducing this concept here is the highlight the ways in which the movement ruptures understandings of ‘who belongs’ and ‘where they belong’. The next chapter outlines these various movements and their influence in depth.

Despite all of this, the relationship between undocumented immigrants and the federal government is a complicated one that has involved various levels of negotiations in the rights claims process. This dissertation does not undermine that complexity or the role that the federal government plays in it. However, this chapter serves to highlight the various elements that play a key part in the rights acquisition of undocumented immigrants at a transnational scale, where rights can be granted and taken by non-state actors. The subsequent chapter sheds further light on the establishment of sanctuary regions and details the immigrant rights movement in that context.

### **Social Movements and Acts of Citizenship**

I recognize that much of the work presented in this dissertation can be analyzed and understood by drawing heavily from social movement theory (SMT). And, while I also recognize that SMT has much to offer in understanding this movement, my focus is to present the significance of this movement on both understanding ‘acts’ of citizenship and highlighting how these influence state politics in IR. In this context, I emphasize the ways in which SMT can be relevant in my study, while highlighting its relationship to the study of ‘acts of citizenship’.

The immigrant rights movement in the US as a social movement can be characterized and understood as contentious politics defined by McAdam, Tarrow and Tilly as “episodic,

public, collective interaction among makers of claims and their objects when (a) at least one government is a claimant, an object of claims, or a party to the claims and (b) the claims would, if realized, affect the interests of a least one of the claimants” (McAdam, Tarrow & Tilly, 2001, p.5). Further to that, SMT in sociology focuses on structural and interest-oriented explanations (Davis, 2002, p.4). In this regard, SMT is concerned with understanding how a movement takes rise, gains influence and how those claims are made.

Tarrow (1998) emphasizes that “movements characteristically mount contentious challenges through disruptive direct action against elites, authorities, other groups, or cultural codes. Most often public in nature, disruption can also take the form of coordinated personal resistance or the collective affirmation of new values” (Tarrow, 1998, p. 5). This is significant in understanding the influence of the undocumented immigrant rights movement because the movement itself can be considered to fit within the framework of contentious politics, but it does not fully address the unique spaces that are created *in lieu* of making claims to a government. While organizers and activists make demands for rights to various government, they are also able to claim certain rights by local collaboration and through community based institutions. That is in essence the focus of my work – to highlight how those claims are made and by using the framework of acts of citizenship in order to develop that understanding.

Consequently, I do not deny that SMT can potentially provide insights into the emergence, success and ultimate goals of the immigrant rights movement in the US. In fact, the sanctuary movement has already been heavily studied by social movement theorists and there are several theoretical foundations that can be mentioned here as they relate to this dissertation. To name a few: Lippert and Rehaag (2013) develop a comprehensive

understanding of how sanctuary practices and the sanctuary movement affects international political dynamics and influence policies in other states. Nicholls (2013) provides an in-depth analysis into the dynamics that have made the DREAMers' movement successful in the US – and the various ways in which it has been challenged. Wiltfang and McAdam (1991) provide a perspective into the struggle of undocumented immigrant activism. Lippert (2005) provides an analysis into the characteristics and motivations behind the sanctuary movement in Canada. Finally, Golden and McConnell's (1986) provide a description of the movement's origins and direction which include narratives in the victims' own words as illustration of their courage and strength.

One of the main concerns in this dissertation is the shifting terrain of 'belonging' among undocumented immigrants. My approach of understanding the sanctuary movement through acts of citizenship is important, because it provides an appropriate lens through which to assess how sanctuary cities and regions provide new questions and insights into an acts of citizenship approach. Furthermore, greater emphasis needs to be made on the ways in which this particular movement, not only seeks to gain new rights for a particular population, but can also shift our understanding of citizenship and state authority, who can make those claims and the institutions to which those claims can be made. This is better understood through my analysis of acts of citizenship because it is through these acts that individuals and communities change the narrative around the authority of a government to issue rights. This framework also allows me the ability to think about the ways in which individual actors can essentially 'take' rights by enacting citizenship and the dynamic created between local governments and federal state authority.

Acts of citizenship focus on how individuals enact their citizenship rights outside of the traditional framework for general understanding of citizenship rights. In other words, how do non-citizens claim citizenship and demand recognition through various forms of activism and political influence? SMT is important here because it can help us understand how those acts, conducted by the undocumented community, how the movement has been shaped and how it has influenced policy and lead to change in government, but it is not the focus of this dissertation.



### **CHAPTER 3: 'WE, THE UNDOCUMENTED IMMIGRANTS': THE CREATION OF A POLITICAL GROUP WITHIN SANCTUARY REGIONS**

#### **Introduction**

One of the key questions addressed in this dissertation relates to understanding how the undocumented immigrant rights movement in the US has been able to garner power and influence on a large scale and the ways in which creates the space for citizenship to be enacted. While there are different dynamics across the US in terms of immigrant rights, sanctuary regions are hubs created, primarily, by citizens, undocumented immigrants and politicians that have recognized immigrants as contributing members of society and their local community. My argument in no way claims that the United States, or even sanctuary regions, are homogeneous in their support for undocumented immigrants. In the Trump presidency-era, the hostility towards immigrants and other visible minorities has become more evident.<sup>6</sup> However, sanctuary regions still espouse a certain level of ideals in support of undocumented immigrants. While some citizens may still condemn immigrants within those regions, some people within positions of power have openly welcomed undocumented immigrants into the space – thus, normatively speaking, there is a widespread and significant acceptance of immigrants.

When I began this research, I was particularly interested in sanctuary cities across California and the power that undocumented residents are able to generate in those areas. However, during my fieldwork, I came to find that the movement spans wider than I had

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<sup>6</sup> Several civil rights and advocacy groups across the United States have reported a dramatic increase in hate crimes against minorities across the country since 2015. See: Council on American-Islamic Relations, 2015; Anti-Defamation League, 2016; Southern Poverty Law Center, 2016.

initially understood and found that there are numerous sanctuary movements that are interconnected. Most significantly, I found that cities and local institutions have formed regional networks that spread across state and city lines. This is the case with cities and movements across San Francisco, Los Angeles and Sacramento. The focus of my next chapter elaborates on the ways in which those alliances are formed and the power that is generated from these alliances and networks within those regions, but this chapter is focused on developing an understanding of the dynamics that lead to the creation of sanctuary regions in order to generate an analysis of the immigrant rights movement and the ways in which it is shaped by immigrants. As such, I begin with a deeper analysis of the information collected through my interviews and field work in California and then complement that information with a greater understanding of the development of the movement.

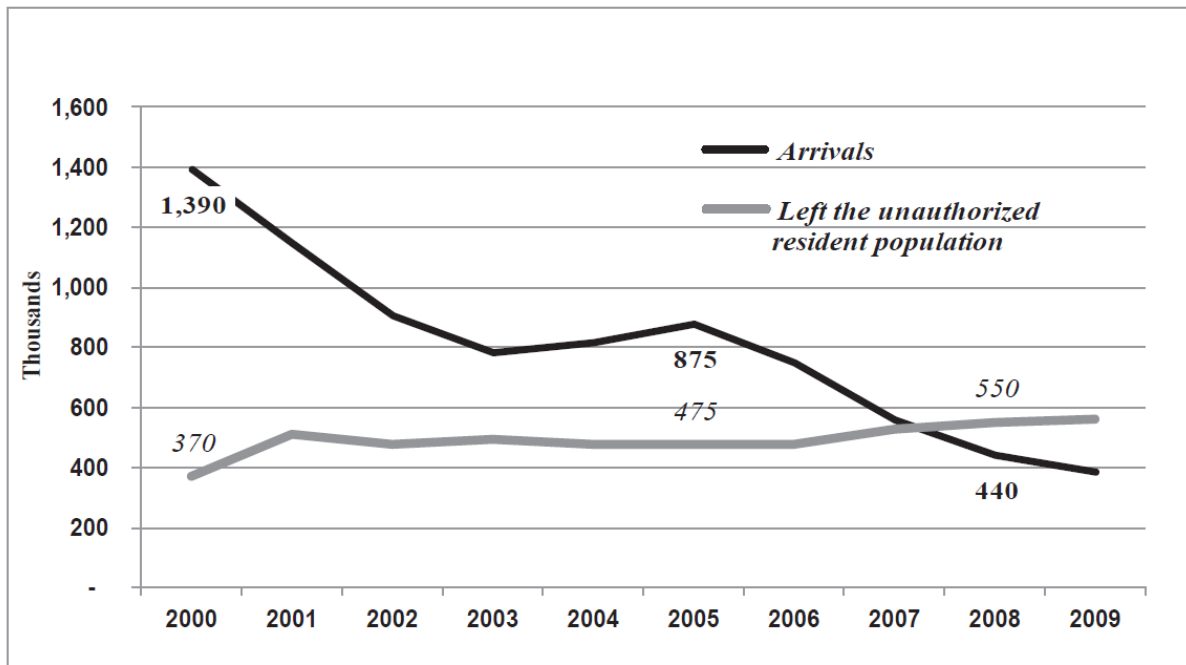
### **Undocumented immigrants in the United States**

California has been a main focus for my research, particularly as it hosts some of the oldest sanctuary cities in the United States and the majority of undocumented immigrants in the country. The case for a sanctuary region is most evident there due to the dynamics created across the state and the networks established between the northern part of the state (San Francisco and Sacramento) and further south (Los Angeles County). There is a strong network of support for undocumented immigrants across those areas. Their histories and experiences have shaped the movement throughout the past 30 years. In order to fully understand the dynamics created across regions in the state, it is also important to understand the state of undocumented immigrants in the country to place it in perspective.

Despite the seeming difficulty in gathering data about undocumented immigrants, several institutions have been able to develop that information using data sets from the US Census Bureau's American Community Survey. Statistics from 2014 indicate that there has been a significant decrease of undocumented immigrants entering the United States (Warren and Kerwin, 2015). To be precise, the population of undocumented immigrants was about a million lower in 2013 than in 2007 and annual arrivals are at their lowest since the 1980s (Ibid, p. 80). This further reasserts that the majority of these immigrants arrived prior to 2007 and that many of those currently living in the country have been there for over ten years.

Another interesting element observed from this data is that the influx of undocumented immigrants coming from Mexico has steadily been decreasing, while there has been an increasing occurrence of immigrants overstaying their visas – individuals arriving through regular ports of entry (Ibid). This also indicates that there is a stronger diversity among undocumented immigrants. While the first large wave of undocumented immigrants arrived from Central America throughout the 1980s, many now come in from various parts of the world including parts of Asia and the Middle East. Table 2.1 shows the population of undocumented immigrants arriving into the United States in comparison to individuals leaving the country since 2000.

**Table 1. Number of Unauthorized Immigrants Who Arrived and the Number Who Left the US Between 2000-2009**



Source: Warren and Warren 2013, Table 3.

California has the highest rate of undocumented immigrants in the United States with over two million undocumented immigrants living there. Los Angeles County has the highest number of undocumented immigrants in the state with nearly 815,000 residents (Hill & Hayes, 2015).

With these numbers, it is a bit easier to understand how and why undocumented immigrants have been generally more welcomed across various parts of California than many other states and cities. With about two million undocumented immigrants in the state, they have become an asset to the economic and social development of the region. They have also shaped various parts of the state throughout the last thirty years. All of the activists, organizers and politicians that I interviewed during my fieldwork confirmed that one of the reasons they do the work they do in supporting undocumented immigrants is because they

believe that they belong and continue to contribute to the community. In 2016, the Institute on Taxation and Economic Policy released an updated report documenting the amount of tax revenue that undocumented immigrants contribute to states and the federal government. In California, they estimate that undocumented immigrants contributed over 3 billion dollars towards state and local taxes a year (Gee, Gardner & Wiehe, 2016, p. 3).

With widespread support for undocumented immigrants in those areas, the immigrant rights movement has had a number of successes in recent years. Some of those most significant achievement at the federal level relate to the DREAM Act and Deferred Action for Childhood Arrivals (DACA). The political movement surround the DREAM act has resulted in small achievements at a national scale. I want to highlight these two movements first, in this chapter and then discuss some of the more localized successes in the next chapter. In many ways, the local achievements are more significant in their frequency across numerous cities, but also in the ways in which they grant rights and access to undocumented immigrants. It is also significant to understand the national movement as it provides a perspective into the impact of forming allegiance across cities and states in support of undocumented immigrants. It also places into context the state of undocumented immigrants in relation to state government and authority, while shedding light on the amount of influence and power that undocumented immigrants have been able to yield on state policy with regards to borders and immigration.

## **Contextualizing Sanctuary Practices in Parts of California**

The interviews I conducted in California are meant to provide perspective into the processes and challenges of making rights claims for undocumented immigrants in California. In this section, I present a more thorough analysis of the details and information gathered through those interviews. Since I did not interview everyone involved in the sanctuary movement in California, it should be important to note that the perspectives of these interviewees provide a partial look into some of the issues facing organizers and individuals involved in the sanctuary movement across the state of California and the country as a whole.

My first physical interview took place in California with an organizer working with an institution that provides sanctuary to undocumented immigrants throughout the country. This interviewee works with multiple churches and assists in developing internal policies with regards to welcoming undocumented immigrants into their spaces. This participant describes his work and involvement as part of a duty to protect some of the most vulnerable members of his communities. Part of what facilitates this work is staying out of political discourses on immigrant rights issues. Consequently, this organization does not actively advocate for change in policy or pressure the government to make changes with regards to undocumented immigrant rights. In his perspective, this enables them to continue to do their work, uninterrupted by federal state forces. As such, if an individual that has been protected by this intuition gets detained by the government, they make it a point not to intervene in order to avoid political tension.

Despite the fact that this organization does not outwardly advocate for immigrant rights or lobby the government, it has created additional lobbying organizations to do that work. This interviewee identified two major victories achieved through his organization's efforts during the 5 years prior to our interview. The first is winning health care, both through Obama Care as well as health access for undocumented immigrants in Sacramento which grants some undocumented immigrants access to limited health services in the city. Second, they were to dedicate 15 million dollars to assist churches across the country help immigrants apply for permanent residency. When it comes to undocumented immigrants, their main priority has been to provide safety to families that might be impacted by deportation policies.

Because this organization is not outwardly one whose purpose is to advocate for immigrant rights, it has received a significant amount of resistance from its members across the country – many of which may be followers of the church, yet against granting any form of assistance or amnesty to undocumented immigrants. This is one of the most significant challenges that this organization has been faced with despite their emphasis on not directly interfering with the government concerning these issues

Through this first interview, I was able to schedule two additional interviews with an organizer as well as an employee of a lobbying organization that is linked with the Catholic Diocese of Sacramento. Both of these interviews shed some light on the role of faith-based institutions in promoting undocumented rights. During my interview with the employee at the lobbying institution, I learned of the depth in which some organizations are involved in the planning and negotiations that come with new policies. CC discussed how she believes that the state of California is a leader in promoting immigrant rights in the country and that

this facilitates some of her own work in lobbying local and state officials. Her organization was a key stakeholder in pushing legislation that allows undocumented immigrants get a driver's license. Along with several other organization, and the government of California, they collaborated with the Federal government in determining how to implement the policy. They were also able to provide training to staff at the California Department of Motor Vehicles (California DMV).

One of the challenges in developing this legislation was the resistance received from the federal government with regards to what the license should look like. Despite the fact that this is legislation that is mandated by the state, federal officials continued to have a limited amount of control – putting restrictions on what this form of ID would consist of, yet acknowledging that it the legislation will pass despite it providing a legal form of ID for undocumented immigrants. While state governments were able to put some restrictions on the driver's license (see chapter 6 for further details), they could not prevent the legislations from going into effect.

One of the other challenges CC expresses also relates to public push back – particularly in a city that has a strong a Republican presence. In her experience, most Republicans “do not want to see any public money going to undocumented immigrants”<sup>7</sup>, particularly in response to the state government funding programs that support undocumented immigrants in the state (including health access and DMV).

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<sup>7</sup> Interview with CC , July 15, 2015, Sacramento CA



My other interview was more personal as GA had been involved in the movement both on a personal level (she grew up undocumented in California), and on a professional level as she worked with an advocacy group that promotes the rights of undocumented immigrants – through lobbying government and providing undocumented youth with access to services in the city. GA is primarily involved with local municipal institutions and is well connected with the undocumented community across the area. She was instrumental in providing me with additional contacts of undocumented immigrants in the city – and helped me establish a relationship of trust with others, including many of the DREAMers that I interviewed.

We met at a coffee shop and she went through much of the work that her organization is involved in and some of the milestones that the movement has achieved throughout the past five years. This involves working on the driver's license legislation, advocating for access to health care for undocumented immigrants and building awareness in communities about the rights of immigrants. One of the main issues she was focused on at the time was a 'live free campaign' that addresses mass incarceration. This was interesting as it highlighted the intersectional work that many of these undocumented activists find themselves in. Her work, not only supported undocumented immigrants, but also addresses issues that face other minority groups across the country such as the mass incarceration of black Americans and the privatization of prisons – many that detained undocumented immigrants.

One of the biggest barriers to this line of work is police enforcement. GA notes that the Sacramento Sheriff has been one of the biggest challenges to promoting rights for undocumented immigrants. Sheriff Jones had collaborated with ICE officials on numerous

occasions and also allowed ICE to review prison records to help identify undocumented inmates that would have been detained on charges unrelated to their immigration status.

When I met with PS, a county supervisor, he confirmed much of what I had already discussed with the other interviewees, but also emphasized the important role of community and advocacy groups. He also mentioned that despite the fact that Sacramento does not have a sanctuary ordinance, it is still able to pass legislation that supports undocumented immigrants – including access to health care for undocumented. In fact, he also highlighted the fact that it was unlikely for Sacramento to pursue a sanctuary ordinance due to strong resistance within the county. A sanctuary ordinance would attract strong resistance from the county, but they could continue to pass smaller legislative measures that would provide wider access of services to undocumented immigrants. This interview is one that allowed me to think more broadly in terms of sanctuaries in the United States. In cases where full sanctuary ordinances could not be passed, other minor legislations within the community could potentially provide the same type of services.

I conducted another interview with CG who works at the San Francisco county with San Francisco supervisors and also confirmed the importance of grass roots mobilization in granting access services and protection to undocumented immigrants. CG works with a county supervisor that came to the United States as an undocumented immigrant. He was then able to gain permanent residency and eventually hold public office. CG emphasizes that her work and the work of promoting access to human rights for undocumented immigrants is highly driven by grassroots mobilization among the undocumented immigrant community.

The remainder of my interviews were conducted with DREAMers and individuals working with them to provide them with protections. Those interviews focused primarily on the experiences of living as an undocumented immigrant in various parts of the state and how those challenges were mitigated. These stories were incorporated into my analysis in Chapter 5. One of those contacts, RA is heavily involved with Dreamers across the state and provides them with the resources they need in order to mitigate their status. This participant is the one that was able to connect me with the majority of undocumented immigrants and have them tell their story.

### **The DREAM Act, DACA and DAPA**

The immigrant rights movement has come a long way since the initial establishment of sanctuary cities. The movement has been able to facilitate access to rights and services for individuals living without legal status or recognition from the state. Some of these rights include the right to vote in local elections, access to (limited) health care benefits, access to school and higher education, and employment opportunities.

Some of those most publicized demands have been advocated for in the DREAM Act, Deferred Action for Childhood Arrivals (DACA) and more recently Deferred Action for Parents of Americans (DAPA). The DREAM act is a legislation introduced into the US Senate which “would support the Development, Relief and Education for Alien Minors” (DREAM Act). If passed, it would have essentially granted permanent residency to undocumented youth who entered the US on or before their 16th birthday. There are several versions of the Act that have been introduced. The first one was introduced into Senate in 2001 (107 Congress, 2001) and it, along with all other versions of this Bill, have not successfully made

it through the legislature. Yet, despite the fact that various versions of the Dream Act have never passed through legislature, the movement surrounding the bill has changed the narrative around immigrant rights in the United States and has opened doors to numerous other potential legislations that would grant undocumented immigrants rights in the country.

The Dream Act is a result of a movement that focused predominantly on the younger generations of undocumented immigrants. The children of undocumented immigrants that arrived in the 1980s and 1990s had reached the age of majority and were able to form a unified voice advocating for their rights. These youths or 'DREAMers' established a movement around undocumented youth immigrants. By doing this, they were able to create a group of undocumented immigrants that strongly resemble the image of 'good Americans' as perpetuated through media and pop culture. For the first time, young undocumented immigrants formed themselves as a unique people that were identifiable and presented in relatively positive light. These were "good immigrants who deserved permanent residency status, but they were also human beings who had the right to a public and political life" (Nichols, 2013, P. 2). These DREAMers established themselves as a political group that could demand the rights to have rights based on their status as young, English speaking, school going and law-abiding individuals (Ibid). There is a very strong significance to this because the DREAMers presented as a 'people' disrupts the image of undocumented immigrants that is often portrayed in the media and by anti-immigrant activists.

There is fundamental strength, and in some cases weakness, that comes with the establishment of a group of undocumented immigrants as 'a people'. The formation of a 'people' that demand certain recognition can be seen as a powerful act of citizenship. This

disrupts the narrative of who counts to be part of the – taken for granted – concept of the ‘American people’.

Badiou (2016) emphasizes that there are two essential negative uses of the word ‘people’ when referring to a collectivity or nation: “the first and most obvious is the one saddled with a closed – and always fictive – racial or national identity [...] The second, more subtle one, though on a large scale, is even more harmful – because of its adaptability and the consensus that it fosters – is the one that subordinates the recognition of a ‘people’ to a state that is assumed to be legitimate and beneficent by the sole fact that it organizes when possible the growth [...] of a middle class.” (Badiou, 2016, p. 30). One positive way in which a ‘people’ can be used, relates to the “existence of a people who declares itself as such, beginning from its central core, which is precisely what the official state excludes from its supposedly legitimate ‘people’” (Ibid). This is a political strategy that seeks to redefine who qualifies as people and how the state is defined as a whole. It is also a strategy that is centered around self-definition where the interests of that group are self-defined and not necessarily in the interest of a state government.

According to Badiou, the word people is only positive when it is used alongside the non-existence of the state. In the case of undocumented immigrants, and particularly the DREAMers, speech acts which have created a certain group of immigrants as a people has been made in contrast to the current state – the state which has denied its existence. In many regards, these demands are also made to local entities, to cities and local institutions formed within sanctuary regions.

Furthermore, Butler (2016) also notes that the right to assembly presents itself as a right which serves to create a people. The first move towards the right to claim rights relates

to their right of publicly voicing their demands. The protests and public demonstrations of the DREAMers has been significant as it was those particular gatherings that initiated and created this group of people into a political group. “The ‘we’ voiced in language is already enacted by the assembly of bodies, their gestures and movements, their vocalizations, and their ways of acting in concert” (Buter, 2016, p. 50). These rights are generally ascribed to citizens and legal residents and we often see them organizing in various fashions to demand policy changes. The mass protests among undocumented immigrants that began in 2006, led by the DREAMers, had for the first time displaced that right to assembly to individuals that were excluded from that group. The fact that the DREAMers had never been constituted as part of the political community serves a significant purpose. The legitimate creation of their public image is established by an act of “self-designating and self-constituting” forms of assembly that articulates itself as the ‘people’” (Ibid) and this occurs independent of the national state.

The creation of the DREAMers as a political group was intentionally orchestrated to present undocumented immigrants within a particular light. For instance, some protests have been criticized for the overuse of the American flags. But this was part of the strategy to create an image of the undocumented immigrant that can be identified with the general narrative of what it means to be a ‘good American’ (Nicholls, 2013). Uses of ethnic flags are often discouraged at mass protests. One organizer I interviewed provided training to undocumented immigrants on how they should behave around law enforcement. In my interview with RA, she notes that they often tell the individuals to never place identifying marks on their vehicles that might indicate their relationship to Mexico or any other foreign country when advising and training undocumented immigrants in the community. “Instead,

we ask them to put ‘I love Tahoe’ bumper stickers on their cars”<sup>8</sup>. Tahoe, or more precisely Lake Tahoe is a region in Northern California where many of the upper middle class northern Californians go to vacation. ‘Tahoe’ represents an accomplished middle class and integrated Californian. This all functions to create a very specific and intentional image of what the undocumented immigrant represents. In an era where these immigrants were continuously being defined by the media, politicians and anti-immigrant rhetoric, it is a moment in which they can take claim of their identity as a people – albeit one that is crafted by organizers for a strategic end.

“The political logic of the people can be said to operate according to the principle of a constitutive outside in at least a double sense: by choosing the people, or a people, as a privileged term for articulating the sphere of modern politics, contemporary thought inevitably marginalizes or bans from the discussion a number of other terms, while raising the even more troubling issue of how to name and take stock of whoever falls outside the political realm” (Bosteels, 2016, p. 2-3).

This has been the case with the DREAMers which has resulted in the creation of a number of other categories of ‘peoples’ which has pushed some outside of the margins of those eligible to claim rights. This includes groups of immigrants, particularly those who did not fit within the policy framework of the act (parents, individuals who arrived when they were older than 16, criminals, etc.).

Despite the inherent exclusion of numerous individuals from the fold of this ‘people’, the creation of the DREAMers as a political group has been powerful in that it allows undocumented immigrants to disrupt the image of undocumented immigrants as criminals

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<sup>8</sup> Interview with RA, July 30, 2015, Sacramento CA

who have no place in the country. With that, comes power with the ability to publicly speak out and announce to the country that they are undocumented.

What we have seen is that the local political institutions particularly within the sanctuary regions have been the ones receptive to these demands made by undocumented immigrant activists. One of those ways is through Obama's executive action on DACA. The Dream Act was initially introduced during a turbulent time. Following 9/11, President Bush committed to reinforcing security regulation, particularly as it relates to immigration. Between 2001 and 2005, in addition to the DREAM Act, numerous other restrictive immigrants on laws were initiated and passed by Congress and enforced by Homeland Security. These initiatives essentially reinforced border regulation and protection, and accelerated the deportation of undocumented immigrants (Nichoprovlls, 2013). The election of president Obama did not provide much change with regards to deportation. In fact, Obama's presidency has been a contradictory period for immigrants in the county. While Obama supported the integration of young undocumented immigrants through DACA and the Dream Act, he also deported a record number of immigrants during his presidency. Between 2009 and 2015, Obama deported over 2.5 million immigrants. These statistics only include individuals that were deported through immigration order (and does not include individuals who 'self-deported') (U.S. Immigration and Customs Enforcement, 2015).

Despite Obama's record on deportation, he supported the DREAM Act and when it failed a number of times, the President initiated an executive action that led to the implementation and enforcement of DACA in 2014. DACA offers deportation relief to undocumented immigrants that arrived to the United States as children. In order to be eligible, immigrants must have been younger than 31 as of June 15, 2012; they must have



come to the United States before their 16<sup>th</sup> birthday and not been convicted of any crimes (U.S. Citizenship and Immigration Services, 2016). The target population that became eligible for a two-year relief from deportation is the group of DREAMers across the country. As of early 2017, DACA “remains the only large-scale initiative that affirmatively offers relief from deportation to [undocumented] immigrants” (Hipsman, Gomez-Anguiga, & Capps, 2016, p. 1).

DACA is also a significant achievement for the DREAMers as it gives some level of relief from deportation. In addition to giving them the right to work and go to school (and in-state tuition), it also provides these undocumented youths with the power to continue to speak publicly in demanding rights as it takes away some of the fear that comes with public advocacy. By March 2016, about 63% of the eligible population had applied for DACA status. However, since DACA was an executive order and Congress has not codified it into law, other administrations have the discretion to terminate the program (Hipsman, Gomez-Anguiga & Capps, 2016).

Since DACA targets a very specific population of undocumented immigrants (the DREAMers), it has created a rift between the younger and educated population and the older generations which are often ‘blamed’ for the problem. One of the reasons in which the DREAMers have been successful is because the blame for their existence as undocumented immigrants living in the US can be shifted to the parents or guardians that brought them there. One of the eligibility criteria relies on this basis as they must have arrived before their 16<sup>th</sup> birthday as minors. In one interview, ST1 notes that the movement, in his perspective, plans to use their power through DACA in order to expand services and protect those that

are not eligible<sup>9</sup>. Thus, the immigrant rights movement has indeed been pushing for an expansion of DACA. This has been introduced in the form of DAPA (Deferred Action for Parents of Americans). This legislation would have provided protection to undocumented immigrant with children that were born in the United States. The Obama administration introduced the program in November 2014, along with an expansion of DACA (extended status, and decrease of the age of eligibility). However, 26 states challenged the president's executive order in court and the Supreme Court issued a split decision which put a temporary hold on the implementation of an expanded DACA program and DAPA. This, however, did not affect the initial DACA program (Hipsman, Gomez-Anguiga, & Capps, 2016).

The movement created by the DREAMers, and the implementation of DACA provides an avenue for the later movement, “the coming out movement”, to take rise. It is difficult to pinpoint exactly when the “coming out movement” started. It was initiated by the DREAMers and the mass protests that took place in 2006. These movements essentially placed numerous immigrants at risk of deportation, by marching the streets and declaring that they are undocumented. Later, a number of prominent and successful people began to publish their stories in the media, on blogs and YouTube declaring that they are ‘undocumented and unafraid’. One Pulitzer Prize winning journalist, Jose Antonio Vargas, was among those first prominent individuals to announce their status publicly. He wrote an article in 2011, outlining his story of how he came to the United States as a child, was educated in the United States and worked as a successful journalist at the *Washington Post* (Vargas, 2011). Not only was he among some of the first notable people to come out as undocumented, he founded an

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<sup>9</sup> Interview with ST 1, August 5, 2015, Davis CA

organization that encouraged others to ‘come out’. *Define American?* is “a non-profit media and culture organization that uses the power of story to transcend politics and shift the conversation about immigrants, identity, and citizenship in a changing America” (*Define American?*, 2016A). The organization also changes the narrative around undocumented immigrants by placing a human face and story to the movement – thus shaping who the undocumented ‘people’ are and what they represent.

*Define American?* is an important organization in the development of the ‘coming out’ movement. While it encourages, and empowers undocumented immigrants to publicize their narratives and stories of how they became undocumented, it also recognizes the power of assembly in defining a people. Undocumented immigrants, and particularly, younger generations, suddenly felt comfortable and relatively safe to declare that they were indeed undocumented – some felt a sense of safety through their DACA status, but many were still left without any nationally recognized legal status to exist in the country. There is a tremendous amount of empowerment that comes with the ability to declare one’s status, and as a result demand that the government acknowledge their right to live in the country.

All of these programs, including the DREAM Act, DACA and DAPA are in a continuing state of uncertainty. The DREAM Act has not passed in Congress and DACA is only an executive action, which means that changing administrations will often place these policies at risk. When Obama first implemented the program, it was at the end of his first term and the uptake among immigrants was low as numerous immigrants feared that their information would be in the hands of a Republican presidency.

It is, however, important to note that the state of the DREAMers and other immigrants in the country does not rest solely in the hands of the federal government. This is where the

power of sanctuary regions is significant. lobbiesDuring the Obama presidency, the federal government either worked with local authorities to grant certain protections to undocumented immigrants, or simply ignored the work that was being done on a local basis. However, a federal government that will come in conflict with local city and state governments will highlight the power of these regions starkly. As noted above, many state and city governments have issued strong statement against president Trump and promised to continue to protect undocumented immigrants residing within their constituencies.

Despite the achievement that the immigrant rights movement seems to have gained at a federal level, it is minimal in comparison to the protection and rights received in local sanctuary cities and regions. It is also due to the power within these regions that the movement has been able to expand to the federal government in a goal to acquire some form of legal status granted by the nation-state.

#### **CHAPTER 4: CITY REGIONS AND SANCTUARY REGIONS**

Understanding the development of sanctuary practices and the immigrant rights movement are important for the analysis of state control over borders and territory within international relations for two main reasons. One, the movement has been able to garner a significant amount of influence on immigration policies at various levels of government, which has shaped the narrative around immigration policy and conceptions of nationhood within the United States and in defining who belongs to the political community of Americans. With shifting national policies and a regular change in administrative policies, understanding the power of cities and regions in their ability to resist state policies is even more fundamental. What type of influence do cities have in contesting state authority? How do these narratives on who belongs and who does not challenge the main fabric of US democracy? How can regional leaders within the state resist federal policies on immigration and deportation?

One of the ways in which this study challenges traditional conceptions of territory and state borders is by shedding light on the sanctuary region as an actor within international relations. By referring to it as an actor, I refer to its ability to influence global politics independent of policies held by the federal state government. Sanctuary cities in the United States have not only influenced the federal government on its immigration and border policies, they have also shaped themselves by developing their own immigration policies that compete with federal authority. In this case, they can be considered to be an additional actor within international relations – one that can act in providing individuals with residency and is in contestation with federal state authority.

This chapter highlights the ways in which the city-regions develop a stronger ability to influence federal policies and changes the nature of the city-state relationship within IR. While it is important to recognize the influence that cities have been able to uphold against the federal state government in terms of citizenship, borders and belonging, the dynamics established in these areas has also changed the nature of international relations. Cities, counties and regions have been increasingly taking part in creating their own border and immigration policies – in ways that compete with states at the international front.

In order to conceptualize the importance of cities – entities within a defined state – as important actors, I discuss how they permeate traditional border control. As such, I begin with a discussion on the changing nature of borders within IR. This is followed by a discussion on the importance of cities and how the immigrant rights movement in cities has expanded to sanctuary regions that have gained increasing influence. The sanctuary regions in California developed from policies that emanated from within cities and were enforced in those areas. By understanding the influence of cities on state sovereignty and these regions, we can come to understand the power through which the immigrant rights movement and undocumented immigrants have been able to achieve significant influence on policy change and prevent deportations. I then end the chapter in situating urban citizenship within these regions and develop a stronger understanding of the forms of global resistance and challenges that these regions present in IR.

### **Borders and Territory in IR**

Much of the work in this dissertation deals directly and indirectly with the concept of borders. What defines these sanctuary regions? And, how are their borders defined? Who

enters and leaves these regions? Within traditional IR, borders have been the defining element of sovereign states. They are what defines the inside and outside of states and limit authority to that region within international relations. “The concept of the border of the state can be thought of as a sort of compass. It orients the convergence of people with a given territory and notions of common history nationality, language and culture” (Vaughan-Williams, 2009, p. 3). Yet, borders are not only present in defining state territory, they can be found in multiple locations within and across states – particularly when we consider the various institutional barriers present that delimit ‘insiders and outsiders’. In order to develop this notion more aptly, I take from the work of scholars whom have theorized the fluidity and permeability of borders including Balibar (2009) Rumford (2006, 2008), Walters (2002, 2006) and Vaughan-Williams (2009).

Before delving into the theorization of borders, I place this discussion into context with the shifting territorial dynamics in the field. Scholars within IR have not completely omitted discussions of territory and critical reflections on borders. Much has been done on the ways in which the state and borders have shifted in an era of globalization and the development of transnational actors, including non-state based global terrorist organizations. Yet, even within these debates, the sovereign state and traditional understanding of territory have remained at the core of IR theory. This reflects what Agnew has termed as the ‘territorial trap’ (1994). Many of the foundations that have informed the basis of scholarship in international relations lie within strict understandings of the role of territory and state borders. Unfortunately, the territorial trap does not allow for critical reflections on non-state and transnational actors and their influence on global dynamics and

international affairs. The use of the term ‘territorial trap’ implies that one is continuously seeking to divide notions of ‘enemies’ and ‘allies’ within geographical spacing and that state power and authority over strict borders enable it to decide who comes in and who leaves. This makes it very difficult to see beyond state borders as the distinctions that delimit state sovereignty.

The changing nature of international politics, including the rise of transnational terrorism, has led to a form of deterritorialization of the state. In this sense, the state’s sovereign power can often expand beyond its borders, while other influences can infiltrate its own territory. For example, U.S. borders can be located on the geographical border of the state, but are also present in numerous other countries including Canada, where customs and border security enforcement takes place at airports in other countries. The U.S. government has “established border posts within Canadian territory at several airports. American-bound travelers are inspected and administered into the United States” within several major Canadian cities (Salter, 2007, p. 56).

The ‘deterritorialization’ of the state enables central governments to enact stronger controls over population and territory as a response to a seeming loss of power and control over its borders and territory. The seeming loss of power over traditional territory and borders is mitigated with an increase in power over its population and movement. I discuss this in more detail in chapter 6 with regards to population control through documentation. However, it is important to note here the ways in which the late 1990s and early 2000s has produced the emergence of a securitization of citizenship and borders (Bigo, 2002; Muller, 2004; Rygiel, 2008; Huysmans, 2006). As a result, states have increasingly spent larger



amount of power and finances towards protecting certain ideals of citizenship (who gets rights) and border control. “Under these conditions, territoriality has become an anachronistic delimitation of material functions and cultural identities [wherein] monopoly over territory is exercised through immigration and citizenship” (Benhabib, 2004, p. 5). In other words, the control of territory and borders is enforced by the regulation and control of individuals and the state’s national identity.

States have reclaimed authority of territory through the reinforced control of borders and it is precisely for this reason that the sanctuary movement should be studied more in depth. These cities, counties and regions challenge state authority and the basic presumption of state sovereignty that is often at the core of research in IR. Here, it is useful to think about the ways in which these cities and regional dynamics challenge state borders, while also creating and establishing their own borders.

When I refer to borders in the context of sanctuary regions, I do not intend to refer to physical and geopolitical borders. In other words, it is not a fence, or wall with strict rules of entry. Although numerous states and cities have geographical borders, they do not function in the same manner as state borders (i.e. there is no border control or regulated entry). Balibar (2009) discusses the ways in which borders can be found anywhere in less stringent ways. They are the elements that restrict and regulate access to individuals across and within countries. Access is not always restricted by denying entry, but can also be done by taking away access to services or rights. These borders are found for example at the subway station and public transit, where individuals must present their identification cards to enter,

and various other institutions and locales that regulate the entry and flow of people including schools and hospitals. As Vaughan-Williams aptly puts it:

There are many different types of borders that can be identified: divisions along ethnic, national or racial lines; class-based forms of stratification; regional and geographical differences; religious, cultural, and generational boundaries; and so on. None of these borders is in any given sense given but (re)produced through modes of affirmation and contestation and is, contingent, politically charged, dynamic phenomena that first and foremost involve people and their everyday lives (Vaughan-Williams, 2009 p. 1).

I note this here because sanctuary regions and institutions within cities can create their own borders. Not all undocumented immigrants are always welcomed into these spaces. Many of the institutions involved in the sanctuary movement have some form of guidelines (whether explicit, or assumed) that determine whether or not people are welcomed into those spaces. In some cases, the sanctuary movement can create their own borders that limit access to certain individuals. Nyers (2013) argues that the Sanctuary City campaign in Toronto was able to, for a time, force immigration enforcement officers to stay away from women's shelters and, in a sense, created borders within the city where deportation officers could not pass.

In this context, it is useful to employ Walters' concept of borderwork (Walters, 2002). Borders are often made and unmade in various circumstances, and they can be created by individuals as well as institutions. This is mostly relevant when reflecting on the way in which the immigrant rights movement influences government and other organizations through their own borderwork. Walters notes:

Individuals and organized interests at the local level can engage in borderwork. Citizens may apply pressure on governments and political parties to adopt stricter immigration policies and apply more rigorous border

controls. Conversely, they may campaign against the use of detention centres in the UK to house asylum seekers – as is the case with the campaign group ‘no borders’. (Walters 2002, p. 9)

Borderwork does not necessarily involve the creation and enforcement of borders. In some cases, it consists of efforts to remove borders. Sanctuary regions do not fall under one or the other. Certain institutions within those regions create their own borders in determining who they will give sanctuary to. This is particularly the case with faith based spaces. In another sense, sanctuary cities seek to remove borders to their residents, but they do not treat all individuals equally.

### **Assemblages and the Development of sanctuary regions**

It is useful in this case to think about the creation of these borders and others like it through what Deleuze and Guattari (1987) have termed as ‘assemblages’. An assemblage can be considered to be “an ensemble of heterogeneous discursive and non-discursive practices, and regimes of trust and conduct, which possesses an overall coherence without answering to any determinative principle or underlying logic” (Dean, 1992, p. 245). The concept of assemblage is particularly used within geography and sociology and allows researchers to “question what kinds of entities we can legitimately commit ourselves to assert exists” (DeLanda, 2006, p. 7) through an ontological investigation. This concept is useful in theoretically contextualizing the development of sanctuary regions as entities.

Interpersonal networks and institutional organizations are assemblages of people, social justice movements are assemblages of several networked communities, central governments are assemblages of several organizations, cities are assemblages of people, networks, organizations, as well as of a variety of infrastructural components, from buildings and streets to conduits for matter and energy flows; nation-states are assemblages of cities, the geographical regions organized by cities, and the provinces that several such regions form (DeLanda 2006, p. 11).

In this sense, sanctuary regions are assemblages of multiple elements that I discuss in further detail below. I discuss in the previous chapter the rise of the immigrant rights movement which was one of the fundamental elements that lead to the creation of these regions. The social movement that led to the development of advocacy networks in support of undocumented immigrants consists of the assemblage of people that fight for access and human rights. These individuals, some of which were and are undocumented, also lead the movement within governments that have created a shift in policies. For instance, David Campos, a well-known politician and former County Supervisor for the City of San Francisco began his life in the US as an undocumented immigrant.<sup>10</sup> Individuals, like Campos, who have ties to undocumented immigrants and/or are sympathetic to the struggles of undocumented immigrants as well as the large population of undocumented immigrants in these cities shape the cities that form some of the oldest sanctuaries in the United States.

The sanctuary movement, the individuals in positions of power and the community of undocumented immigrants have played a significant role in shaping these cities and their policies. Consequently, as these cities are not isolated in their support for undocumented immigrants, networks began to take shape between municipal governments, social services organizations and activists. This is what led to the creation of these regions which have established norms around the treatment of immigrants in the region.

### **Cities and International Relations**

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<sup>10</sup> Interview with CG, July 9, 2015, San Francisco CA

The study of domestic political influence on federal state governments is not new. In fact, numerous scholars within international relations have analyzed the importance of understanding local state dynamics as they shape state and foreign policies (Brown, 2002; Putnam, 1988; Walker, 1993). Research on global cities has “been to illuminate the role of cities in international political economy and on the functions that they fulfil as spatial command posts for globalized capitalism” (Ljungkvist, 2014, p. 33).

The case of sanctuary regions is unique as the immigrant rights movement in the United States is shaped by non-citizens or individuals that have not been granted any type of legal residency rights. The study around this type of movement is significant and must be analyzed separate from other forms of social movements and their influence on state policies. It is important to include the study of how non-citizens can begin to claim citizen rights and influence state policies – how one becomes part of the ‘nation’ without explicit recognition from the federal government.

The influence of cities within international relations is also very limited. Most of the work done on the impact of cities on a global front has been done within geography and sociology (Curtis, 2014B, p. 2). This work tends to focus on economic development and the ways in which cities shape the global economy. More recently some work has begun to look into the various ways in which cities have an impact on international treaties and global policies on climate change. As major centers for economic development, it is no wonder that studies have focused on cities in this regard. Within international relations, there has been very little research done on the impact of cities. This comes from an ongoing focus on a state-based international system, wherein cities are considered to be part of the fabric of states.

Within the field of political science, there is a hierarchy to the order of actors and the way they are studied:

The politics of one's own state, the politics of other states in comparison with one's own, and 'international relations' or relations between states. In the first instance, the presumption is that the focus is mainly on 'national' politics, for national politics is supposed to be the most important. In turn, this leads to the presumption that comparisons are to be between the national politics of one country and the national politics of another. That makes it easier to accept that the most important relations between countries are relations between states (Magnusson, 2014, p. 1565).

Consequently, the study of cities only goes so far as to discuss the ways in which they influence state policies. Yet, the work on economic development conducted by scholars in other fields unfortunately does not address the political dynamics present when cities act as international agents, as opposed to actors that are part of the state. In other words, it is presented as a topic of study that is independent of itself without analysis of how these actions challenges state authority – if they do at all.

I do not wish to make the claim that the state is 'retreating', or that it is becoming less relevant to the study of IR. Rather, I want to emphasize that a study of cities and the local dynamics within states call for an understanding of alternative actors on the international front. David Harvey (2013) theorizes the potential forms of resistance that can be garnered within cities. Harvey argues that cities hold much of the financial power and (in a capitalist society) also hold much influence over state and federal policies. The capitalist mass 'suburbanization' that was created post World War II has focused much of the state's economic and social development within localized city regions. This generated much of the state's power with regards to productivity and capitalist accumulations within the urban centers and developing these urban centers has facilitated the development of the state as a

whole. Harvey writes as a Marxist with a conviction that the anti-capitalist struggle has the potential to emerge from within cities, due to the influence they can have on various elements of the state (education, the environment, economic development etc.). “The right to the city is, therefore, far more than a right of individual or group access to the resources that the city embodies: it is a right to change and reinvent the city more after our heart’s desire” (Harvey, 2013, p. 4).

Simon Curtis edited a book in 2016 that compiles a collection of articles focused on understanding the role of cities in international relations. In this anthology, authors discuss the ways in which a focus on understanding the dynamic of cities can provide renewed insights into the nature of the state and global world order. This edited volume pushes the boundaries of international relations by calling for a study on the significance of cities beyond the global economy:

In this sense, any analysis of the significance of global cities must rest not only on their standing in relation to circuits of production and exchange within the global economy, but also must penetrate to deeper currents, such as the problematisation of the nature of sovereignty at the contemporary conjuncture, the continuing dialectical tension between capitalist transnational logic and the logic of a territorial state-system and the nature of international transformation. (Curtis, 2014B p. 17)

This research falls in line with the work on the developing ‘global cities’ that was first brought forward by John Friedman in 1986. “This was the first real linkage of a new type of city morphology to the restructuring of the global economy in the wake of the Bretton Woods settlement” (Curtis, 2014B, p.19). Yet within the literature on cities, there is a general consensus that they still lack a certain amount of power, and that state authority still overpowers these cities.

Even in Curtis' writings, he continues to affirm that states have 'supreme' authority over these cities. None of this work questions the power relations between federal authorities and state authorities in a way that creates space for understanding cities – or city regions – as actors in international relations. The research presented here pushes these boundaries and I suggest that when cities collaborate with other cities, and form regions, they are able to form stronger linkages that in some cases overshadows and overpowers state authority. This is what some geographers have identified as 'city regions'. IR scholars have been for some time trying to justify the study of cities in IR, while geographers have for some time been developing theoretical framework to try and understand their influence on an international scale. Consequently, very little has been done to understand the ways in which these studies could change the way understand state power, sovereignty and the international system.

Warren Magnusson has also theorized on the relationship between cities and states within international relations. A statist ontology within IR "tends to regulate the urban to the domain of 'low' politics" (Magnusson, 2014, p. 1563). This leads scholars to continue to place cities within politics of the state and not abstract from it, in its own domain. The concept of sanctuary cities and regions tends to prove otherwise. The actions of these urban political entities, in creating their own policies and defying the federal government indicates a different trend. That cities and sanctuary regions are in fact involved in 'high' politics that challenge state authority and statist ontology within the field. One of the ways in which these sanctuary regions are significant in their involvement in 'high politics', is that they have also created frameworks for belonging for the community living within its boundaries. I discuss



in the next chapter the ways in which undocumented immigrants identify a sense of belonging to the urban community – and not the national state, but it is important to highlight this as it shapes the identity of these regions and their influence in creating community belonging.

The potential for influence on state policy as well as the ability to develop alternative policies on border control and populations lies within many of these sanctuary regions. The immigrant rights movement within these regions also allows for the development of unique goals with regards to protecting and welcoming undocumented immigrants. This understanding is based on the interviews I conducted with politicians and organizers across California. These leaders continue to reinforce the fact that ‘Californians’ protect undocumented immigrants because they are part of the community. Here it is important to emphasize that these cities have also established norms around accepting undocumented immigrants as members of their political community. Additionally, numerous cities across the state of California have also been very vocal advocates on the inclusion and protection of these immigration into their cities.

While cities have the ability to develop their own policies on migration and protect undocumented immigrants, they continue to be part of the state as whole. That means that there are no actual borders that can protect individuals inside the city from state power. This has become even more evident as the U.S. Immigration and Customs Enforcement Agency (or better known as ICE) has been arresting individuals across California, despite the fact

that these areas are protected as ‘sanctuary cities’.<sup>11</sup> Between May 18 and May 24 of 2017, ICE reports that they arrested 188 individuals in the city of Los Angeles (U.S. Immigration and Customs Enforcement, 2017). Within these cities, and Los Angeles in particular, local law enforcement does not cooperate with federal authorities. However, they do not have the ability to prevent federal officers from entering the city and conducting their raids and arrests.

What this points to is that when referring to sanctuary regions, I do not use it to describe specifically outlined territory with strict borders – or a state within a state. Many of these borders are malleable and cannot be coherently defined, particularly when we refer to sanctuaries within institutions such as schools and hospitals. What this means is that, while sanctuary regions challenge state authority, we cannot view them as reified and bounded entities. However, it is precisely this uncertainty about their structure that makes them a unique actor within international relations. Despite their lack of clear structure and coherence, they continue to persist in changing the narrative around borders and control of migration.

This also points to some of the challenges that accompany resistance to federal authority from within the federal state. Much of the resistance occurring within these regions often competes with the interests of federal authorities. It should be clear here that I do not make the claim that cities are another form of the ‘state’ within international

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<sup>11</sup> Numerous reports from local organizations (including the Coalition for Humane Immigration Rights of Los Angeles (CHIRLA) and United We Dream) have announced ICE raids across Los Angeles during the week of February 5 and 12, 2017. ICE has also reported that they have detained 160 individuals in Los Angeles within a week (Yuhas & Laughland, 2017)

relations. Rather, these regions present a transnational actor that is not modeled off of the traditional state as it does not have some of the common characteristics of states, including very strict borders that delimit its sovereignty. Yet, considering the study of urbanism and cities in this way leads to the conclusion that “urbanism is not subject to the state system, but is rather the form within which the state appears. Within urbanism the question of how people are to organize themselves or how they are to do things is always present, never resolved” (Magnusson, 2014, p.1570).

### **The Emergence City Regions**

The theory of regionalism within international relations was presented in order to understand some of the political dynamics within Europe and later, other parts of the world (Fawcett, 2012). To be more precise, regionalism presents the theory that states that are within proximity of each other establish policies and strategies that function to promote their own interests. Regions are developed to “secure welfare gains, promote common values, or to solve common problems” (Hurrell, 1996, p. 43).

There are several traits that characterize a region. This includes the creation of formal institutions and agreements that lead to regional integration. This relates to cooperation that involves the reduction or removal of “barriers to mutual exchange of goods, services, capital, and people” (Hurrell, 1996, p. 43). Additionally, these regions develop a form of cohesion and identity.

While this identity is often very unclear and imprecise, it is certainly present. This identity is based on similar interests and goals, wherein states, and individuals living within those states share common values. One of these most notable examples is characterized in

Adler's 'Imagined Security Communities' (1997). Based on Benedict Anderson's 'imagined communities', Adler develops the notion that the conditions for the development of regional communities are socially constructed when "people imagine that, with respect to their own security and economic well-being, borders run, more or less, where shared understandings and common identities end" (Adler, 1997, p. 250).

My concept of sanctuary regions extends the concept of regionalism within international relations, by implying that the emergence of city regions within the United States have gained stronger influence at an international scale and within 'high politics'. This is partially due to their regionalization. They also have established stronger influence on the international realm. While they are not states, their regionalization certainly establishes them as a new actor. More importantly, the regionalization of sanctuaries across California has also enabled the immigrant rights movement to gain strength in its ability to influence federal policies on immigration and border control. Finnemore and Sikkink (1998) and constructivists in international relations have developed the theory that states and regions are affected by what they called 'norm-entrepreneurs'. In this sense, states act based on established norms created by various institutions that shape state policies. These norms are established by 'norm-entrepreneurs' that can be states, regions, or international organizations.

The concept of city regions is also generally not new. Curtis has touched on this briefly in his anthology, noting that cities have increasingly formed alliances across the globe and that this enables them to affect policies. These "networked actors, city alliances are developing the ambition and, perhaps the capabilities to have a real impact on global

governance outcomes. By doing this, Curtis argues that cities are ‘norm-entrepreneurs’ (Curtis, 2014A, p. 28) and through this, we can understand the ways in which cities, not only shape the global economy, but also have the capability to shape global policies and the development of international organizations.

Further research by political geographers has confirmed this concept of city-regions. This regionalism “has been playing a particularly important role in making theoretical and practical sense of globalization, economic restructuring, technological change, and other processes shaping contemporary life. Underpinning the New Regionalism is a significant re-theorization of the key concepts of region and regionalism” (Soja, 2004). This regionalism seeks to understand the cross-state collaborations between cities, particularly as it relates to economic development and environmental protection.

In this case, cities, have undertaken ‘foreign policy’ initiatives. Some of these include for example the “Mayors for Peace, with over 5000 city members [and] comprises a cooperative network of cities that strive to place the abolition of nuclear weapons on the international agenda, as well as issues surrounding poverty and refugees” (Curtis, 2014A, p. 28). There are additional organizations including the World Organization of United Cities and Local Government, The World Association of Major Metropolises.

While cities have certainly impacted global norms and dynamics, I want to focus on their impact on our understanding of state sovereignty. Most of the work on the power of cities still centers and focuses on the relationship of the city to the state – in that it continues to be overshadowed by the power of states. In this sense, states continue to have ‘supreme’ authority in international relations and over cities. And, despite the work on the power of

cities within International Relations, it is always placed in the greater context of states allowing these cities to continue to exert their influence as it serves the state as a whole. “Little has been said about the social and political construction of city regions from the perspective of the contested and often contradictory geopolitical interests and strategies of the national state” (Jonas & Moisiso, 2016, p. 2).

This, I would argue, is the result of the fact that the study of cities in international relations has been predominantly conducted by non-political scientists or theorists of IR. That being said, little attention is focused on the ways in which politics is negotiated between the state and the city. This is specifically the case in sanctuary cities and regions, which I will elaborate on towards the end of this chapter. Thus, much of the research already conducted seeks to understand how these cities have shaped global dynamics, without explicit attention paid to the way in which this shifts our understanding of borders and state sovereignty.

The impact of city diplomacy or foreign policy on international relations has not been well documented by scholars in the field of international relations Pluijm and Melissen describe the relationship between city diplomacy and state diplomacy as a form of ‘competitive cooperation’ (Pluijm & Melissen, 2007, p. 13). This implies that cities may work alongside states in establishing mutually beneficial policies. However, when their interests diverge, cities do often work in opposition to state authority. The international organizations shaped by cities are also fairly new, and their impact has yet to be fully understood (Ibid). Yet, many of these cities have been able to achieve this type of power by forming alliances and creating ‘regions’. In effect, these regions form alliances and have the potential to advocate on behalf of particular movements. “City regions play a strategic role

in constructing new imaginaries of national economic development” (Jonas & Moio, 2016, p. 11) and in the case of regions within California, they have the potential of constructing new imaginaries about notions of belonging to the political community.

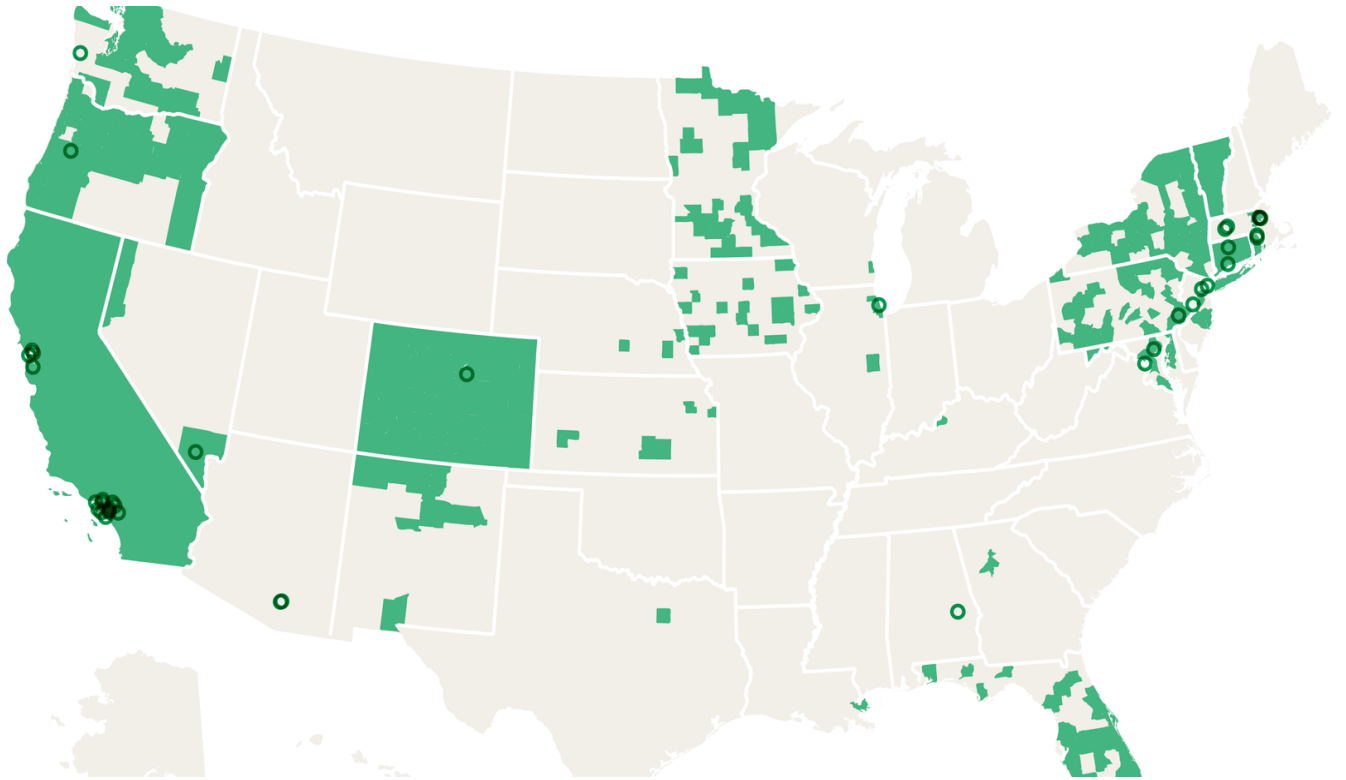
My intention in this chapter has been to develop the claim that cities and counties across California and the Western Coast of the US have formed city regions that change the narrative around immigration. They also provide protection and ‘sanctuary’ to individuals that were ‘rejected’ by the state. Thus, these policies outright contradict the federal government’s border policies. What shapes this region is the collaboration among various part of the country to promote these interests. The regions in California and other areas within proximity, including Oregon and Washington have all predominantly established some form of sanctuary practices.<sup>12</sup>

The map below highlights the ways in which these regions have been shaped. The areas marked in green include counties that have declared sanctuary and/or have policies limiting cooperation with federal immigration agents. The areas with a green circle indicate cities with explicit sanctuary ordinances in place. It is important to note here, the regional distribution of the sanctuaries. The West coast, including three states have all come to be portrayed as a ‘safe space’ for undocumented immigrants. Areas within the North East, including New York and Boston have also developed sanctuary policies.

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<sup>12</sup> Not all of the cities in these states have explicit sanctuary ordinances. However, the majority do in fact have some policies limiting cooperation with federal authorities. See the previous chapter on sanctuaries and their definition.

**Figure 4.1: Sanctuary Regions in the United States**



(Lee, Omri, & Preston, 2017)

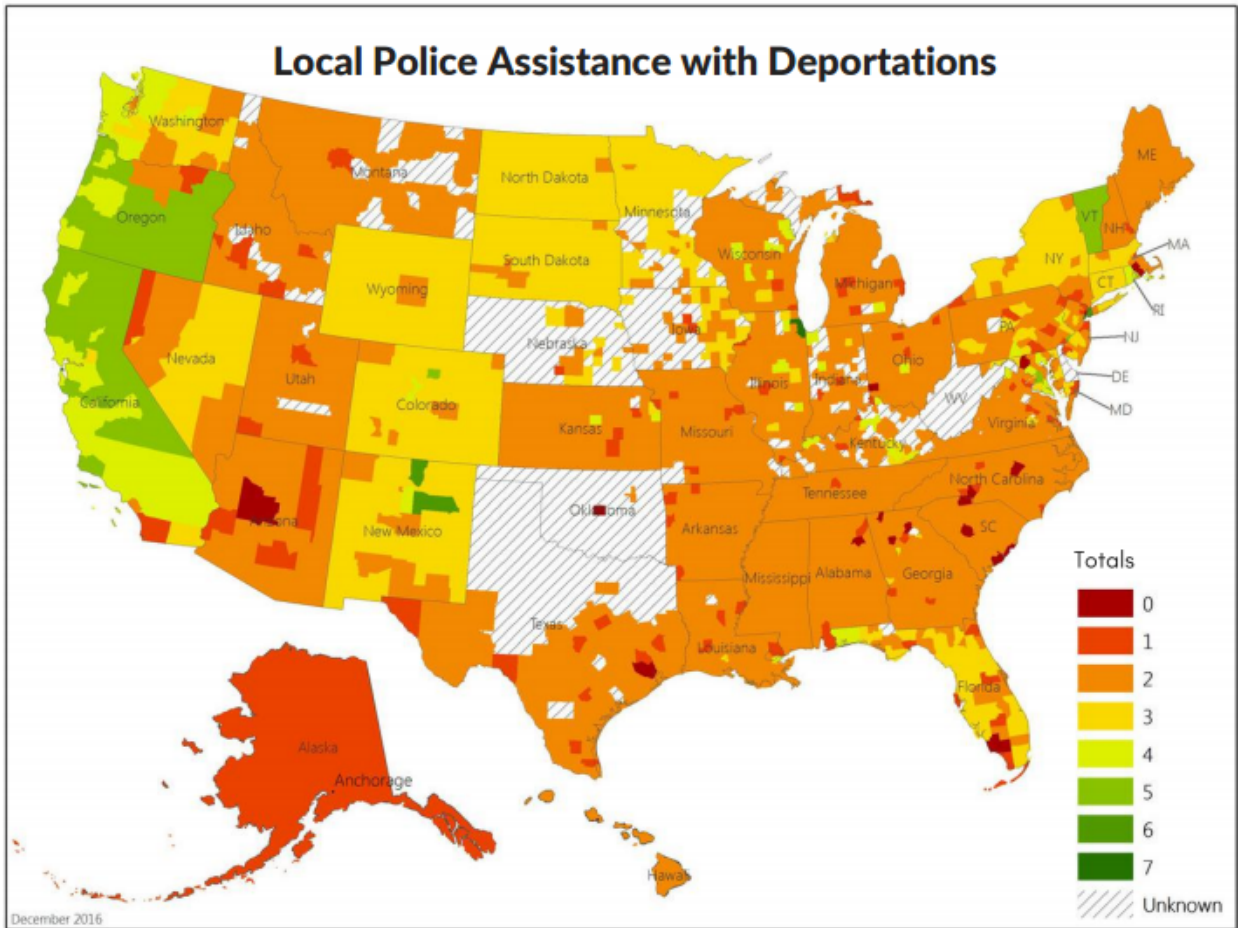
This map may lead to further questions about this sanctuary region. Where does it begin and end? Where are its borders and how are they maintained? Here, I want to go back to the concept of borderwork and assemblages. The borders that shape this region are not defined, but are continuously reasserted, redefined and undone by the cities, municipalities and individuals living within those regions. The border that define this region is not fixed in the same way we understand the state's geographical border. Even within these regions, borderwork continues to take place. There are still certain institutions that deny access to undocumented immigrants and continue to create barriers or borders that limit access to undocumented immigrants. What is key here, is that these regions have historically been zones wherein undocumented immigrants have been able to claim rights and receive relative security from deportation. Yet, the movement that shapes these regions and the individuals



that shape these cities are multifaceted and as a result the characteristics and details that shape these regions continue to be redefined.

Furthermore, the map below also demonstrates the level at which local authorities refuse to collaborate with federal immigration authorities. The areas marked with the darkest colours indicate jurisdictions that spend substantial time and resources assisting ICE and/or have an existing agreement with ICE. The areas in orange offer “more limited assistance to ICE, and are largely defined by their non-compliance with ICE detainees. Because multiple federal courts have found ICE detainees to be illegal, these jurisdictions are willing to provide ICE information and notice of when someone in custody will be released, but will not hold anyone for transfer to ICE” (Graber & Marquez, 2016 p.10). The areas marked in green completely refrain from asking individuals about their immigration status or place of birth and have comprehension protections to prevent local resources from being used to support immigration enforcement (Graber & Marquez, 2016).

**Figure 4.2: Local Police Assistance with Deportation by Region**



(Immigrant Legal Resource Center, 2016)

Figure 4.2, shown above also emphasizes the regional localization of resistance to federal efforts of deporting undocumented immigrants and refusal of cooperating with federal officials on immigration policy. The resistance is not limited to just sanctuary cities, but expands across a number of cities and communities across the Western Coast of the US.

### **Coalitions and networks that shape the region**

The sanctuary policies across these regions are shaped by members from the immigrant rights movement across the country. This is shaped by coalitions across cities and counties that work together in the interest of the sanctuary movement. Some of these

organizations include the California Immigrant Youth Justice Alliance that works across the state to promote the interests and rights of undocumented immigrants across the state. This alliance brings together numerous organizations including DREAM advocates from San Fernando, Los Angeles, Antelope Valley, the Napa Valley, San Diego, San Gabriel, and eight other organizations across the state (California Immigrant Youth Justice Alliance, n.d.).

Another prominent organization that lobbies for the development of policies that serve undocumented immigrants include Health Access California. This organization is shaped by a coalition of over thirty member organizations across California. Most notably, Health Access is not only comprised of advocacy organizations, but also brings together various professional organizations and medical services including the American Cancer Society, and various labour councils (Health Access, 2017A). Health Access California brings together the efforts of activists, undocumented immigrants, professionals in the medical field and policy makers from across the state<sup>13</sup>.

What is most interesting about this organization is that it works beyond the interests of the sanctuary movement. In other words, it is not an organization that necessarily advocates for the sanctuary policies or for the protection of undocumented immigrants within California. Rather, it is motivated by a mission to provide “quality, affordable healthcare for ALL Californians” (Health Access, 2017B). As such, the organization has not only been lobbying to grant access of care to undocumented immigrant, but also to others living within the region that lack access to healthcare. In 2016, Health Access was able to

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<sup>13</sup> Interview with MH, August 18, 2017 Los Angeles, CA

successfully lobby the state of California to extend the affordable care act and extend health care access to undocumented immigrants. However, in order to do so, it requested an exemption from the federal government in order to extend access to health care to undocumented immigrant – a request that was repealed following the inauguration of President Donald Trump.

When the Dream Act failed at the federal level, the ‘DREAMers’ took it to a more local level within California. The California DREAM Act is a collection of policies that have been passed in 2011 and make education more accessible to undocumented students. Undocumented students within California can access federal financial aid and in-state tuition fees through several policies including A.B.540, A.B.130, A.B.131 (California Legislature, 2011A; 2011B). The state also passed a law in 2014 that allows undocumented immigrants to apply for professional designation. This, essentially allow individuals to practice law, despite their immigration status (California Legislature, 2014). These policies have also enabled the creation of information centers across university campuses in California including the AB 540 center that employ and provide information to undocumented immigrant students at the University of California Davis (UC Davis, n.d.).

There are a number of other advocacy and coalition groups across the state, including for example the Services and Immigrant Rights and Education Network (SIREN), the Emerald Cities Collaborative and Lucid Connected Cities Network. However, I focused this section on highlighting the collaborative and regional work that is focused on advocating for undocumented immigrants. There are additional collaborations that focus on other areas including the environment and economic cooperation. This highlights the extent to which these regions form collaborations across wide sectors.

It is important also to note here, that these coalitions work beyond sanctuary cities. Health Access California has a very strong presence within Sacramento as the state's capitol. Yet, on its own, the City of Sacramento does not have any official sanctuary ordinances. The regional collaboration between various actors enables wider progress on policy that provides access to undocumented immigrants within that region. This highlights the significance of these regions. Influence garnered within a particular city or county with laws in place can shift its influence into areas wherein which that form of support and protection has not yet been established.

This region is characterized by efforts that are part of what is being called the 'new sanctuary movement' (NSM) which is a movement that advocates for comprehensive immigration reform in addition to promoting sanctuary policies (Freeland, 2010). During the 1980s the Sanctuary movement was, in large part, successful due to the regional collaborative efforts, primarily from religious institutions, to support undocumented immigrants (Golden & McConnell, 1986). The NSM is modeled by the efforts of the early sanctuary movement, in that it is a coalition between various organizations supporting undocumented immigrants within the larger regions – and is not confined to a city.

The NSM is an interfaith movement that collaborates with secular immigrant and allied organizations. Clergy and Laity United for Economic Justice-California (CLUE-California), along with a coordinating committee of representatives from Interfaith Workers Justice (IWJ) and the New York Sanctuary Coalition/Asociacion Tepayac, has been coordinating NSM activities. NSM also has a working group of representatives from participating cities and denominational/interdenominational institutions who participate in the coordination of NSM operations (Freeland, 2010, p. 490).

There are two key elements that the NSM uses to gain effectiveness in changing policies. The first relates to developing discourses that promote undocumented immigrant rights based on a 'common humanity' (Freeland, 2010). The other rests on developed an image of undocumented immigrants as contributing members of society (Nicholls W., 2013). This is facilitated within the sanctuary region across California due to the large part of undocumented immigrants that live, work and attend school in the area. They have also become part of the movement itself and therefore are intrinsically involved in the rights claims and policy changes across the state.

The significance of the region is that these efforts are localized within a certain part of the US and are not equally distributed throughout the country. Because these efforts are localized, they are able to influence policies at a city and state level and can then use that influence to affect state policies from the state. California law makers are among the strongest advocates of undocumented immigrant rights in the country.

## CHAPTER 5: GETTING TO KNOW UNDOCUMENTED IMMIGRANTS AND THE VOICES THAT SHAPE THE MOVEMENT

*“The moment I was smuggled into this country at the age of seven, my body ceased to be my own. DREAMers’ bodies have been debated, regulated, rounded up, and biometrically measured under Obama’s Deferred Action. The stakes have risen with its potential repeal. We find ourselves repeating what we’ve done before, convincing you that we exist, while allowing you to ignore that our parents are the original dreamers”.*  
Fidencio Fifield-Perez, Undocumented Immigrant.

### Introduction

The above quote expresses the struggle for self-identification and belonging in the United States that is experienced by many undocumented immigrants. The statement is taken from a special column in *The New York Times*, where Fidencio has described his own story and struggle for belonging and recognition in the country. There are numerous stories like this one that have all been made public as part of the ‘coming out’ movement among undocumented immigrants – many of whom are young and recipients of DACA. This chapter focuses on bringing those narratives together to understand the ways in which these voices shape the immigrant rights movement. The move towards publicizing these stories, and placing countless immigrants at risk of deportation, has been intentional to create the narrative and presence of undocumented immigrants as present in the United States. It is a way in which these immigrants ‘convince you that we exist’. Yet, it is also an avenue in which claims for citizen rights can be made.

In chapter two, I discussed the importance of belonging on the creation of sanctuary spaces and the process of ‘enacting’ citizenship. Individuals must express a sense of belonging in order to make claims for citizenship within the regions in which they live and

this plays a significant role in the ability for individuals to make claims for rights. While the stories outlined here come from individuals living across the US (and not just from the sanctuary region), the narratives that they create in the public imagination help establish an image of the undocumented immigrant. This is a portrayal of immigrants that belong and contribute to the country and to their local communities.

In presenting and highlighting these stories, my intentions are two-fold. On the one hand, analyzing these stories provides a general understanding in the ways in which the immigrant rights movement and the image of the undocumented immigrant is presented to the public. There is a focus in many of the stories that seeks to define undocumented immigrants in the way that they see and define themselves, but also against the backdrop of what it means to be an American. The voices that shape these narratives are presented as voices of ‘Americans’ with limited rights.

On the other hand, these stories and public speeches are also a strategy for demanding inclusion into the political community, despite the lack of legal documentation that says these individuals are ‘American’. I also discuss in chapter two the ways in which ‘acts of citizenship’ give birth to political subjectivity, and these narratives are acts that shape belonging within the United States, and in some cases, belonging that is specific to sanctuary regions. “What makes subjectivity political is not only that it is creative, inventive and autonomous, but that it also articulates an injustice and demands or claims its redress” (Isin, 2012, p.109). These narratives create a disruption in the image of what it means to be undocumented or ‘illegal’ in the United States, all the while redefining what it means to be an ‘American’. In this case, citizenship becomes “a practice that disrupts social–historical patterns in that subjects ‘constitute themselves as citizens’. As such, acts of citizenship



contest the meaning of citizenship itself. Ultimately, such a relational definition of citizenship focuses on ways of being with others in the same geographical space” (Muller, 2016, p.2).

I should be clear here that I do not presume that these speech acts and stories are completely objective. The context in which they are presented is a context in which undocumented immigrants are in control of their narrative and these stories are intended to project this population in a positive light. The nuances in these individuals’ lives is not evident, nor do I seek to uncover them. My goal is to understand how undocumented immigrants have gained control of their narratives and the ways in which they are publicly portrayed through these speech acts.

In order to understand how these stories can be understood as ‘acts’ of citizenship, I reviewed 115 stories published through various outlets. There are certainly more than 115 available to the public, but I only include stories that contain enough details presented by immigrants themselves. I use frame analysis to study these stories and draw the themes developed in this section. This approach is a “process of culling a few elements of perceived reality and assembling a narrative that highlights the connections among them to promote a particular interpretation” (Entman, 2007, p. 164). Frame analysis is a methodology that is commonly used within communication studies in order to understand the type of ‘frames’ used by journalists in conveying stories and narratives (Linström and Marais, 2012). Here I use it to understand the frames in which undocumented immigrants portray their own stories and the narratives in which this is presented. This approach allows us to “view new texts as consisting of organized symbolic devices that interact with individual agents’ memory for meaning construction” (Pan and Kosicki 1993, p. 58).

In order to do this, I used Nvivo to analyze the stories through the themes presented here. This type of approach “to frame analysis examines the key words and metaphors in the text, identifying what was included in the frame, as well as what was left out” (Linström and Marais, 2012, p.27). The themes have been developed by analyzing the frequency in which they appeared in the stories. In other words, the themes were determined after my analysis of the stories.

I began by reviewing stories that were the most public and published by major media outlets, including *The Huffington Post*, the *New York Times* and *National Public Radio* (NPR) as well as documentaries that were produced by undocumented immigrants. I then moved on to analyze stories that were presented through the *Define American* organization that presents various stories and narratives from both immigrants and non-immigrants. Stories are also included from *iNation Media*, an organization that “creates personal and powerful stories about the immigrant experience in the United States” (iNation Media, n.d.). These organizations do not limit the stories published to undocumented immigrants, but only those narrated in the first person are included. I also include stories presented in anthologies and books written by reporters. Several of the stories have also come from the semi-structured interviews that I conducted while doing my field work in Sacramento and San Francisco. More comprehensive details on my methodology can be found in chapter one.

The majority of stories collected have come from DACA recipients, and are therefore younger individuals that entered the United States at a very young age. DACA has provided an important medium of safety that allows young immigrants – and not many others – to engage in certain kinds of citizenship claims. Not all of the stories shared, explicitly describe

whether or not the individuals are DACA recipients, but among those analyzed, where the story teller's status is clear, 82% identified as DACA recipients. The emergence of the DREAMers has allowed for the rise of these voices. Individuals with DACA, are temporarily safe from deportations and therefore have less to be afraid of when speaking publicly about their situation. Since my goal here is to understand the voices that shape the movement (as opposed to all undocumented immigrants), these stories are appropriate for this analysis.

There are several major themes that come about through these stories. Prior to going into details on these themes, I begin with an overview on the importance of these stories and what they mean for citizenship rights and the immigrant rights movement in the United States. I then structure the remainder of this chapter to address each one of the themes. The first is that of belonging. Concepts of belonging to the United States and identifying cities and states as 'home' is overwhelmingly present in these narratives. It is the basis in which many of these rights claims are made, yet it still comes with the complexity of feeling 'rejected' by the federal government. In this section, belonging was determined by several indicators in the narratives. This includes a description of contributions to their community and a desire to 'give back'. Individuals that describe their home and community as areas within the US or the country as a whole, also describe their sense of belonging. Belonging was also indicated by explicit articulation from the narratives identifying home as the US.

The second major theme that comes about is the idea of the 'American Dream'. Many of the undocumented immigrants share their stories within the context of pursuing the 'American Dream'. This speaks to the ways in which these narratives are built with a particular audience that is familiar to them. The third major theme falls back onto the conditions in which undocumented immigrants live – and particularly as it relates to a fear

of deportation. While many undocumented immigrants share their stories of belonging and of being ‘typical’ Americans, the stories are most often cast with the shadow of deportation and that of exclusion. I want to highlight this last theme because it is important to the disruption of the narrative around immigrants in the United States. While many of these individuals emphasize their belonging to their communities, there remains a strong fear of exclusion and deportation.

### **Speech Acts as Acts of Citizenship**

Why are these stories important? Why have so many undocumented immigrants risked deportation from the United States by ‘coming out’ to tell their own stories? In short, these stories motivate collective action. Research on the power of stories has shown that “in the grip of a collective narrative, participation in collective action becomes an act of deep personal meaning, an expression of identity politics” (Mayer, 2014, p. 126). The stories published by undocumented immigrants have generated a sense of solidarity among the population, and have become a critical part of the way in which mass mobilization occurs across the United States, via social media and the internet. For many, sharing stories online has also provided strength and relief by rallying individuals in support of those that are struggling for recognition.

These stories create a common narrative where speech acts performed by undocumented immigrants gain a stronger performativity. In Judith Butler’s discussion on the creation of a people, she emphasizes the importance of assembly that takes place in a significant space where a group can declare themselves as a ‘people’ (Buter, 2016). While these stories are not necessarily bringing individuals together into a public and physical

space to declare that ‘we are here, and we exist’, and they do that through public media. Individuals have shaped their performance and declared that they exist and belong through the ‘coming out’ movement. Of course, many of these stories do not tell the same story or recount the same experience. Yet, through the diversity of stories, the ‘coming out’ movement has been able to disrupt the image of undocumented immigrants and declare that they belong and that they demand equal rights.

It is important to emphasize that while these stories can be interpreted as a form of assembly, their declaration and the speech acts imprint their existence into the American political community. Sharing stories in the public also provides a sense of safety to some of these undocumented immigrants. There is scene in Jose Antonio Vargas’ documentary, *Documented* (2013), where he discusses his own life and experience as an undocumented immigrant. In this scene, he calls ICE and when is reached by someone on the other side of the phone, asks the person why they have not deported him yet. He continuously repeats this question to the ICE representative until the person hangs up. Two years after the documentary has been released, Jose continues to live in the United States and remains public about his legal status.

I do not claim that sharing the stories of undocumented immigrants necessarily protects them from deportation. This level of causation would be difficult to prove and is beyond the scope of this dissertation. What I do want to emphasize is that the ‘coming out’ movement has generated support from the community that has left some undocumented immigrants feeling ‘liberated’. As one immigrant notes in their story: “I realized that sharing my story would be therapeutic, raise awareness, and help other underprivileged people” (Seow, n.d.). Consequently, undocumented immigrants and the immigrant rights movement

as a whole has stood to benefit from ‘coming out’. This is attributed to the level of mobilization that can be created through these speech acts. Social Movement Theory also suggests that individuals who join this type of movement later run a reduced risk – in contrast ‘early joiners’ run greater risks. The timing and context in which someone goes public in their narrative likely matters with respect to their weighing the personal and collective costs and benefits.

In the *Politics of Narratives*, Mayer (2014) discusses at length the power of telling stories in generating support for social movements. Mayer argues that public narratives have the power to rally communities and individuals within that community towards a particular cause. Stories are also a tool in which people use to shape a common identity that enables individuals to see themselves as actors (Ibid, p. 9). While, I do believe this to be the case with sharing stories among undocumented immigrants, the greater audience in these stories is the general American public and not necessarily other undocumented immigrants. This does not dismiss the fact that it also serves to create a common identity among immigrants, but that there are multiple purposes generated through these types of public performances.

These stories also shed some light on the lived experiences of undocumented immigrants. The testimonials and documentaries also provide unique insights into the ways in which undocumented immigrants shaping the movement have chosen to portray themselves. I consider these stories as speech acts because the acts of making their status public is a leap towards recognizing themselves as part of the American community.

The main point here is that the immigrant rights movement in the United States, is a movement that is led by non-citizens whose existence within the country is contested

regularly. In the absence of certain legal recourse to make human rights claims, undocumented immigrants resort to voicing their concerns, demands to the public – drawing on some of the foundations of democratic institutions and recognizing themselves as part of the represented population. In many cases, these demands have been responded to within sanctuary regions.

One of the most important elements in these stories is that undocumented immigrants are one of the main agents in these stories. They decide how to portray themselves and the avenue in which their story becomes public. It should be important to recognize here that these immigrants are not the sole agents as they often work with other sympathetic agents, including journalists, local officials, governance bodies and voluntary organizations. This allows them to enhance their legitimacy and strengthen citizenship claims. In all cases, where organizers and activists are working together to demand rights, their stories are often blended with that of others. These stories emphasize their agency as the drivers behind their narratives. This is one of the most significant benefits to studying these stories as it allows us to understand and see the story tellers as agents and drivers of their own demands.

### **Belonging Without Recognition**

Among the stories I analyze, there is a strong recurrence of the concept of belonging. Numerous individuals emphasize that America is all they know and that the United States is the only home they have ever known. This is still placed within the context of not fully feeling like an ‘American’ based on their understanding of what an American represents. Prior to conducting my fieldwork, I hypothesized that many of these undocumented immigrants felt

a sense of belonging to their local community and sanctuary regions. These were spaces that provided undocumented immigrants with access to services and a certain level of safety from deportation. For those that have lived in the United States for most of their lives, how could they not feel belonging to these areas?

The majority of undocumented immigrant I interviewed during my field work did not express a strong sense of belonging to the US and did not feel ‘American’ without the legal recognition. Many did not feel like they belonged to America because it had rejected them and there was a certain level of resentment present against the federal government. ST 1 notes, “I grew up with a lot of resentment about it [not being accepted] and now, I always yearn for a sense of belonging and it’s always about finding a place where you belong, in K-12 or in college and in social relationship. I always told myself that I’m like a nomad. I have no anchor”<sup>14</sup>. At the same time, this interviewee continued to identify his place of upbringing as ‘home’. After analyzing the narratives presented by numerous other undocumented immigrants across the country, I realized that many of them identify being ‘American’ with legal citizenship. A study conducted by Bloemraad (2006) also found that among undocumented immigrants, being American is equated with “racial majority status, affluence and privilege” (Bloemraad, 2006, p.58). Despite not feeling like a ‘true American’, numerous undocumented immigrants still identify with their local community and that is partially due to some of the supports received within those areas that have helped create a sense of security and belonging.

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<sup>14</sup> Interview with ST 1 – August 5, 2015, Davis CA



Furthermore, in a study by Bhimji (2010) on undocumented street vendors in Los Angeles, the author finds that street vendor women gain access to citizenship and belonging through their varied experiences and struggles in their communities. These vendors are defying the law, and have to frequently defend themselves against police that hassle them for not having a permit. Yet, their customers and the community in which they live have continuously offered support to them, and they have gained that support through their street vending. It is important to note that her use of the term citizenship in this case is defined by an individual's "sense of collectivism, their ability to negotiate the system, their knowledge of the city scapes, and their relationship to the community" (Bhimji, 2010, p.457).

These relationships are not only formed by street vending, but they are formed by the multiple layers of relationships created in schools, the library, on the bus and through the various institutions that undocumented immigrants have been given legal access. These institutions and organizations play an important role in enabling undocumented immigrants to establish stronger voices and demand more rights. They have been able to establish a strong sense of belonging to local communities (despite not belonging to the US). "Activist organizations and community mobilization are important parts to developing both belonging, but also a strategy in which certain communities increase their capacity to mobility. Stronger communal ties, and a stronger sense of belonging has the potential to empower" (Bloemraad, 2006, p. 162). Citizenship is essentially created by a 'total relationship inflicted by identity and a sense of belonging' (Bhimji, 2010, p. 461).

While not many of the undocumented immigrants included in this study necessarily feel American, the overwhelming majority identify their place of residence as 'home'. In other words, discussions of home are not necessarily tied to visions of what it means to be

an American. In fact, the majority of these stories identify ‘this place’ as home, without specifying it to be the United States. And, while many undocumented immigrants define what it means to be an American in their perspective, they do not express a feeling of being one – rather that is what they are trying to achieve. This is where the distinction between ‘being at home’ and being a ‘true American’ is important. The stories presented here, and the speech acts are done in demand of recognition based on their presence within the country and their identifying it as ‘home’. This is where citizenship becomes a performative act. It is also important to note that this potentially indicates that while these undocumented immigrants may feel ‘rejected’ by the federal government and the US, they still feel a strong sense of belonging and that citizenship is not a prerequisite for that belonging. Identifying ‘this place’ as home is one of the strongest themes in many of these stories. Most feel short of actually declaring that they are American. Instead the majority continue to identify as being ‘close’ to an American. I have listed below notable quotes on belonging to the US and to a local community found in the stories I collected:

Expressions of belonging to the local community

*“My plans after graduation from Alverno College consists of making healthcare accessible to all and giving back to the community that I love so much”. Alejandra Gonzales*

*“Most of all, we give back to our community by helping educate high school students and their families on the importance of STEM and how to prepare for a degree in STEM”. Alfredo Avila*

*“The time is now for our communities to relinquish their fears and use them to empower us for what the uphill battle that lies ahead”. Blanca Gomez*

*“Born in Brazil, but raised in Tampa, Florida, my parents always pushed us to excel in school, in leadership positions and in sports. We planned to go to college, travel the world, volunteer and to make a difference in a country that had generously welcomed us”. Bruna*

*“After many years and several delays, I managed to graduate with my bachelors’ degree and join the workforce, all actively participating in helping my community. Through hard work and*

*faith, I can finally say I have a world of new opportunities, and the ability to not only dream but make an effort to make said dreams a reality". Carlos Sucre*

*"The state of New Mexico is not only the place I call home but it is also the State that has nourished my deep love and passion for civic engagement and policy". Cindy*

*"Okay, if I really had to choose, I wouldn't say I'm either Mexican or American, or even Mexican-American, but I'm Texan. But that's not to say that I partly identify as all of the above". Enrique Ramirez*

*"I desire to stay in the only place I've known as home for the last twenty-four years". H. Lorenzo*

*"I now work as a paralegal in the Veterans' Assistance Project at NYLAG. I have the opportunity to work with a team that is committed to helping the low-income veteran population in NYC get access to the benefits they earned through their service". Isabelle Muhlbauer*

*"Since that day I have taken every opportunity to grow, learn, and contribute back to my community". Juan Escalante*

*"I am extremely passionate about helping others and I currently volunteer for One Family Memphis, a foundation that is building from the group up. I am looking forward to making a difference in the Memphis community as well as raising my kids to see the light hidden in every darkness". Julyanna Carvalho Rogers*

*"Everything I've worked so hard for is here in Michigan. All my goals and aspirations are based around me living in the United States. This is the only country I can call home and I love this country more than anything" Luis Medina*

*"I was under the impression that I had a "home" once. The volatile land west of Michigan, with its beautiful summertime, colorful autumns, and brutally long winters; this is the stuff I use to think of when that cozy word "home" was thrown around" Marco Ornelas-Mendoza*

*"I fought for acceptance in a country that did not welcome me, I fought for my degree, I fought to keep my family together and now I'm fighting for my students. I want to teach my students acceptance, tolerance and love for one another. I want to teach them that the color of their skin or the language in their birth certificate do not dictate their futures. I want to believe in the power in their dreams like I believed in anything" Priscilla*

*"The uber small and not very well known village of Eau Claire, Michigan is the place that raised me since I was seven years old. My elementary school teachers never treated me differently because I came from somewhere else and didn't speak the language at the time and for that, I loved them." Victor Esparza*

### Expressions of Belonging to the US

*“Simply because of the rural South’s lack of diversity, all of my friends were white, and for years I struggled to balance being a normal “American” girl with the silent demands from my family that I remain Mexican. But I felt American. Anonymous 1*

*“We just want to be acknowledged in this society as human beings. I just want to be acknowledged that I exist” Armando Ibanez*

*“DACA allowed me to finally feel like part of a country that has long felt as my own” Aurelio Rodriguez-Medrano*

*“After that, I returned to Pennsylvania to assist refugees become economically self-sufficient and advocated for the state DREAM Act. [...] Those who encourage me to seek refuge in another country fail to see that my desire to stay in the United States is no longer motivated by economic opportunities. The United States is my home.”*

*“The United States is my home – not by entitlement, but sheer, unadulterated love and devotion. A place where my family deposited their hopes after the heartbreak of leaving our past lives and loved ones behind” Carlos Sucre*

*“This country is our home. We are Americans.” Claudia Jimenez Contreras*

*“I may not have been born on U.S soil, but my home is here, my friends and family are there, and my aspirations and dreams are here. All the choices I make, I make as an American, because that’s what I am” Daniel*

*“For now, I will continue on pledging allegiance to the only flag I know and love; the American Flag” Eduardo Solis*

*“I tried to excel in my studies, even though this prompted comments that I was “acting white.” I made friends, consumed popular culture, played video games. I assimilated well because of that immense pressure known only to those who leave their homes for the Land of Opportunity.” Giovanni*

*“We are as American as the person standing next to us at Subway other Jimmy John’s” Hiram*

*“The country I’ve been calling ‘home’ for the last 15 years, my friends, my job and most importantly, the newly found freedom I’ve gained with DACA can be gone with a stroke of a pen.” Ilknur Eren*

*“I am educated here and America is all I know, with me being undocumented I am unable to find work and if I do it’s only for the day or its seasonal and for low pay which makes it impossible to sustain myself and everyday I’m just trying to survive by trying to find work where ever I can” Jair*

*“I was a difficult concept for me, a child at the time, to understand; that spending the vast majority of my life in the U.S. did not make it my home, even though it’s the only home I know. My “real home,” according to some, is the country I don’t even remember, the country I have zero memories of.” Jessica Astudillo*

### **What and who is an American?**

There are certain ways in which these undocumented immigrants define ‘American’. In many of the stories, it is presented as a given, but the characteristics that are associated with this notion of an American are significant in demonstrating how individuals within the immigrant rights movement view and understand the concept of Americanness and belonging to the US. I noted above the ways in which Bloemraad’s research shows how undocumented immigrants define ‘American’. Based on my analysis of the narratives, one of the ways in which individuals identify as being American is often linked with having been physically present in the country. One person notes in their story “I’ve been raised an American, you know? That’s all I know. Heck, I’m playing jazz. How more American can you get?” (Samuel, 2009). In this case, playing jazz and establishing himself as a musician is significant in his understanding of being an American.

A number of the stories also emphasize the language abilities and educational achievements of undocumented immigrants. I want to emphasize here that these undocumented immigrants have made a choice to publicize their own stories, and the elements they choose to emphasize are important to understand the narrative because that is how they have chosen to represent themselves. It does not necessarily indicate that they are ‘good’ or ‘bad’ traits. Being and acting American is often defined in many ways by various people living within the country. There is no right answer, but what these stories present is an ideal image of what individuals believe to be characteristics that are traits of the racial

majority within the US. Consequently, speaking ‘perfect English’ has come out as an important factor. One individual emphasized that he had forgotten his ‘mother tongue’ (Ramos, 2017), while another one notes that she “spoke English fluently” (Muhlbauer, 2017).

Achieving high standards in education also stands out as an important indicator. The majority of these stories include individual educational achievements – whether it is being on the honors list or getting a bachelor’s degree. When educational achievements are not mentioned, there is often an emphasis to express a desire to pursue higher education, and the difficulties in pursuing it due to barriers caused by being undocumented.

Several other individuals emphasize the importance of working, volunteering and paying taxes (i.e. being a good citizen). By highlighting that they already did all of those things, in addition to speaking English and going to school, these narratives develop an image of an undocumented immigrant that is based upon a particular image of what it means to be an American. In this case, Blomeraad’s research is similar in that being an American is equated with racial majority status. Below are quotes that describe how ‘Americanness’ is defined:

#### Pursuing Education

*“Since DACA I have been able to acquire the funds to go back to school. While some have seen DACA as a form of amnesty, and have pledged to fight against it, it should be stated that it’s far from that” Alejandra Gonzales*

*“I am currently enrolled in the Honors College at the University of Texas at San Antoni and am majoring in Electrical Engineering while working part-time as a math and science tutor.” Alfredo Avila*

*“I have graduate with two bachelor degree, have a job in the realm of work I studied for am looking forward to pursuing a masters or law degree in the near future, and all of this was because DACA made it a possibility to continue pursuing my dreams and ambitions.” Blanca Gamez*

*“DACA has given me the ability to drive without fear, work legally without fear and earn jobs where I am not exploited. DACA has given me the ability to use my college degree which I earned through private donations in the form of a full-tuition scholarship through years of hard work, perseverance and many many tears.” Brisa E. Ramirez*

*“After many years and several delays, I managed to graduate with my bachelors’ degree and join the workforce all actively participating in helping my community” Carlos Sucre*

*“I have taken every opportunity to grow, learn, and contribute back to my community. In 2013, DACA allowed me to re-enroll at Florida State University and pursue a Master’s degree in Public Administration.” Juan Esclaante*

*“I’ve spent endless nights doing homework and keeping my grades up so that I can get into a good college” Libbing Barrera*

*“I plan on studying computer engineering and moving to the West coast with my girlfriend after I graduate” Luis Medina*

*“After struggling to afford my undergrad education at Mercer University (Macon, GA), the passing of DACA gave me the new found drive and motivation to continue on the long arduous journey that is medical education” Belsy Garcia*

*“Born in Brazil, but raised in Tampa, Florida, my parents always pushed us to excel in school, in leadership positions and in sports. We planned to go to college, travel the world volunteer and to make a difference in a country that had generously welcomed us” Bruna*

*“Despite excelling academically, I graduate high school uncertain of where I would be able to continue my education. For years I struggle to afford tuition at my local community college. Finally, Amherst College embraced me. On campus, I feel safe.” Carlos Adolfo Gonzales Sierra*

*“With DACA I was able to work while in school so I could support myself. The summer going to my junior year I was accepted to a research program at Princeton University’s Chemistry Department. The following year the project I worked on was published in the Journal of American Chemical Society, and the reagent we reported is now commercially sold. For my thesis, I worked on a project dealing with the uneven trajectories of undocumented young adults, and through this work I was able to travel to various states and present my research. I’m currently at the Icahn School of Medicine at Mount Sinai.” Christian Ugaz*

*“I began my college life at the Santa Fe Community College and then transferred to the University of New Mexico where I obtained a BA degree in Political Science in 2014. I did not obtain DACA until Spring 2016 due to a local attorney who advised me not to apply. However, this did not stop me from continuing my education. I served as an intern and fellow for more than a dozen State and National political organizations regardless of the fact that they could not hire me” Cindy*

*“Having that mentality engraved into my brain I graduated high school with a high g.p.a., two cords of distinction, and in my mind I was ready to give it my all after high school until I learned I was undocumented and stumbled on many obstacles. I was devastated, discouraged, but regardless, I continued” Daniel Vasquez*

*“With the help of DACA, I am currently attending UCLA aspiring to major in either psychology or Sociology in order to continue on helping others who are struggling. My main goal is to keep on advocating and helping others.” Eduardo Solis*

*“We are not asking for handouts, only for an opportunity to work hard, pay taxes like other citizens” Miriam Santamaria*

*“I just want to contribute to the foundation of the United States” Justino Nora, Define American?*

### Speaking ‘perfect English’

*“My mother had proudly shown me my Mexican report card. I had perfect grades. It was then with incredible confusion that I saw my English scores in the United States sink dismally low. But I learned, because I had to. I learned English at what I’m told was a remarkable pace. I became a little prodigy, and I proved to myself and to my mother that I was still smart and that I could not only float but swim in this foreign American culture. I was in all the advanced classes offered at my school” Anonymous 1*

*“I never felt out of place in Union City. It’s a predominantly Latinx community, so integrating into the American fabric wasn’t hard. I learned English, rose to pledge allegiance to the flag and did all the things my US citizen friends did” Christian Ugaz*

*“After graduating college summa cum laude, I helped mobilize unlikely voters in Chicago. I then collaborated on federal legislation to increase access to English language courses as a congressional fellow in the U.S. House of Representatives.” Carlos Adolfo Gonzales Sierra*

*“From the moment I arrived in the United States, I tried my hardest to fit in. I learned English quickly and dropped my Spanish accent” Giovanni*

### Service and Financial Contributions

*“We are a group of hard working individuals who just want the opportunity at a better life. My parent’s choice to smuggle me across the border was irresponsible but I understand why they did it.” Alejandra Gonzales*

*“I now own my own home, car and I work in the health care system.” Gladys Klamka*

*“I could be deported back to a country I do not know, and the United States will lose out on thousands of young people who live this country, work hard, and want to stay here” Claudia Jimenez Contreras*



*“We ask only to let us contribute freely. Let us walk along you, shoulder to shoulder, on that same road our hands help to pave. Human decency and morality demand it. The American people, our people, demand it.” Denis Montero Diaz*

*“9 digits should not define our ability to contribute to society and neither should a document saying we are temporarily able to. I’m not asking for the entire pie, I’m simply asking for acknowledgement and acceptance.” Hiram*

*“Since childhood, I have always wanted to make a tangible difference in the world. Growing up in adversity inspired me to obtain a college degree; I wanted to become someone who could right the wrongs experienced by those living in poverty” Brisa E. Ramirez*

*“You see, what all of us want is simple. We just want the opportunity to emerge from the shadows, to work and support our families, to contribute back to our communities, to love our partners/spouses without the fear of being deported at a moment’s notice.” Giovanni*

*“I finished school, worked full time and contributed back to the community. I received a tax payer ID issued by the IRS in 1997. I always thought it was funny that the government will take our money but not let us work legally in this country” Gladys Klamka*

### **Pursuing the American Dream**

Another major theme that resonates through these narratives is the emphasis on a form of American patriotism – one that highlights the idea of the ‘American dream’. This is quite significant as for many of these individuals, it would ironically seem like the ‘American dream’ has failed them as they continue to strive for access to basic rights. Yet, there is a sense of hope that by declaring that they are pursuing the American dream, the majority within the United States will welcome them as part of the community. One individual went as far as to state that he is the American dream, “I Define American” (Gustavo Ospina). Also, “To be American, to live and grow up in this country, is to dream” (Fernando Espino Casa).

Not only is the American dream referenced quite often, ideas of individual freedoms and liberty are also echoed as well. “Being American is about self-identity” (Alejandro Hernandez). Another one writes, “I am a fighter, I am American” (Emma Brown).

Emphasizing his sense of patriotism, Denis Montero Diaz writes that “every morning, I pledged allegiance to the flag, I meant it” and “we ask only to let us contribute freely”.

In this regard, there is a strong sense of wanting to make a difference in their community. As noted above, many of these undocumented immigrants emphasize their contributions, whether through volunteerism, by paying taxes or through their pursuits of education. Highlighting these contributions is a way in which these undocumented immigrants claim that they belong because they already ‘act American’. Yet, this definition of being an American continues to be modeled based on the racial majority in the United States – thus, emphasizing difference seems to be absent and discouraged in many cases. “I define American [...] I don’t understand why my American dream needs a paper to prove it” (Gustavo Ospina). Nicholls (2013) has theorized that this strategy has been a key strategy among the DREAMers. “If they are to gain recognition as legitimate ‘voices’ and avoid being dismissed as impossible ‘noises’, they must construct representations of immigrants and their cause in ways that cohere with the core normative and moral values of the nation” (Ibid, p. 84).

By using this strategy, undocumented immigrants can claim injustices and demand recognition because they have proved that they belong. This process is facilitated within sanctuary regions as they do not present a hostile environment. “The more hostile the environment, the more undocumented immigrants need to stress their identification with national cultures” (Ibid, p.85). The stories presented here are stories presented on the national front as they are relayed through public media and meant for Americans as a whole. Stories related within the sanctuary region I visited present a different dynamic. For example, the California museum located in Sacramento had an exhibit in 2015 called the ‘we

are all California' exhibit. The museum showcased the stories of different immigrants and encouraged others to share their stories. The stories relayed there include narratives of personal stories that did not necessarily fit within the national imagination of what it means to be a good American. One individual did not mention her education or other ways she was 'contributing', but that she was simply looking to improve the life of her family by bringing them to the United States, and she tells the story in Spanish, not English (Chavez, 2015). Below is a list of quotes that address perceptions of the American Dream and its pursuit in the stories collected:

*"It's courageous to come to the US, struggle to support your children" Aishai Bibbs*

*"We are the ones we've been waiting for. We are the change that we seek. In this time of uncertainty, we must carry that lesson and fight so that ALL people, including Dreamers, can continue working towards the American Dream." Bruna*

*"The United States is my home- not by entitlement, but sheer, unadulterated love and devotion. A place where my family deposited their hopes after the heartbreak of leaving our past lives and loved ones behind." Carlos Sucre*

*"Every morning I pledged allegiance to the flag. I meant it. I excelled in school. That's why our parents worked so hard; why we risked so much; opportunities that'd come through education and hard work." Denis Montero Diaz*

*"I am no criminal, I am a leader in my community and I pursue my American Dream. Many share my story" Eduardo Hernandez*

*"To be American, to live and grow up in this country, is to dream. Like the generations of immigrants before them, my parents understood that, beyond all the economic opportunities and relative political stability of this country, the United States is a place that allows you to dream, to believe that hard work will allow for a better tomorrow. It's a country of immigrants, and it offered the best opportunities for their family." Fernando Espino Casas*

*"I get emotional thinking about this because the American dream is real, you can make your dreams come true here" Gabriel*

*"My mother decided to move to America because it is where reams of hard work, sprinkled with luck, equal success." Gargi Y. Purohit*

*“The only one that is living a successful and productive life is my 24 year old brother who was born here who took advantage of the American dream as it is his right to do so as a American, went to college and during that process got cancer, took a year off, beat cancer and bounced right back and finished college and is in Japan to further and advance his degree.”* Jair

*“We didn’t come to this country to commit crimes, steal anyone’s job, or take advantage of it. We came to this country to live, prosper, and make it better.”* Kenia Calderon

*“This journey has taught me that I’m a fighter, a survivor and I won’t stop pursuing my dreams to thrive in this country.”* Libbing Barrera

*“I was using a piano box as a dinner table. Three years later, I was sleeping on the floor. Four years later, I was calling a stranger my stepfather. All along I was just looking to be rescued by the “American Dream,” - the idea that hard work and determination would allow me to build a life without so many struggles.”* Ludguin Ruiz

*“I am proud to be Mexican but I’m also proud to be part of America’s great educational system. DACA has given me the opportunity to dream of my own white picket fence one day.”* Miriam Ochoa-Garibay

*“It was in Houston, TX that I went to school, learned a second language, graduated from high school with honors, and paid my way through community college. I grew up with a vision of achieving the “American Dream” – the same “Dream” they teach you in school, the dream that anyone with honest character and conduct can succeed in this country. Yet, none of that matters if you do not have the “right” identity card.”* Miriam Santamaria

*“Today, I am working at Sachs law Group, Office of Wayne Sachs, Esquire, a well-known Immigration Attorney in Pennsylvania. Also, a full time student at Eastern University concentrating in Community and Human Services. Part of chasing the American Dream means multitasking between school and work to show determination.”* Yamilet Sanchez

### **Life as an Undocumented Immigrant Emphasized**

Despite the fact that many of these stories display the lives of undocumented immigrants as contributing members of society that belong to the community, the stories continue to be clouded by a sense of fear of being excluded. This is important because it is this part of the narratives that can be served to rally individuals in support of undocumented immigrants, but also to demand human rights.

These narratives are most often not explicit in their demands, but rather focus on highlighting the struggle to achieve certain outcomes. Several immigrants emphasize difficulties in pursuing higher education. While this is struggle for many undocumented immigrants – particularly as they do not have access to financial aid – the pursuit of higher education is also a struggle for many Americans with the increasing costs of colleges and universities across the country. Thus, while this struggle is highlighted, it still fits within the larger narrative of challenges and struggles faced by many other legal Americans.

The additional struggle that is often highlighted through these stories is placed within a context of being able to contribute to American society. In this case it is not that these individuals demand a passport, access to financial aid or any other forms of citizen rights and benefits. Rather it is expressed through a desire to give to the country. There is an inherent acknowledgement of the responsibilities of citizenship that cannot be dismissed. These undocumented immigrants demand rights as the movement has done for over twenty years. Yet, the language in the public stories that shape the image of the undocumented immigrants is not that of one requesting assistance, but one that is offering to contribute with the assumption that they will receive citizen rights in return and protection from deportation. In essence, these undocumented immigrants want to continue to live their lives in their 'home' without the fear of being removed and taken to a foreign land. Below is a list of quotes that highlight these issues:

*"I had to settle for jobs that didn't allow me to use my full potential because I didn't have a social security number, and it was then that I started to live a life full of anxiety, stress and depression because of the uncertainty of my future and the threat of deportation" Alejandra Gonzales*

*“The dreams I had growing up of a limitless future were mainly overshadowed by the fear of my family being separated or deported from the U.S. and because of DACA, I am able to see those same dreams again in a much clearer light” Alfredo Avila*

*“Deportation is the biggest fear” Angie Rivera*

*“Everyday people leave their homes and go to work and go to school with fear that when they come back their families are not going to be the same” Armando Ibanez*

*“Growing up undocumented and living the obstacles that come with a lack of immigration status has allowed me to understand on a personal basis the struggles that a large population of the US population tries to overcome daily” Belsy Garcia*

*“With the threat of being deported looming above my head, I did everything I could to help re-elect President Obama” Bruna*

*“Fear, stress, anxiety, hunger, anger, pain...these are all the symptoms the typical American doesn't feel on a daily basis but unfortunately for many of us it is our everyday reality” Hiram*

*“After the raid, my mother said we could no longer do that and I didn't know how to explain to an 8 and 5 year old why it no longer felt safe on our neighborhood streets” Itzayanna Aritz hail Rubio*

*“I thought about giving up many times. I've always been afraid to tell my story because so many times I've felt judgement towards immigrants. I'm no longer afraid, I feel that if everyone shares their story others will empathize and realize we all have the same story” Julyanna Carvalho Rogers*

*“I was always worried that I would stare at a police officer for too long. My family and I attempted to follow every law to avoid getting pulled over. I even covered the scar on my upper-right arm from a tuberculosis shot I received in Mexico at birth – all to hid the fact that I was foreign-born” Luis Gallaro*

*“Growing up, I bore witness to fears, discrimination, and the lack of health care experienced by the undocumented community, and I realized the importance of having access to good resources.” Maira Hernandez-Rico*

*“It wasn't until I got to high school where I realized that maybe it was going to take more than just good grades to go to college. I became really aware that I was undocumented, I became fearful that I wasn't going to have a 'better future' because I was undocumented” Miriam Ochoa-Garibay*

*“I started working at my uncle's restaurant at a young age in order to save money for college. I never knew I was undocumented until I went to get my driver's license. I started*

*to think that all the AP classes, straight A's, community involvement etc. would mean nothing because I would be deported.” Jay*

## **Conclusion**

These stories play an important role in developing public portrayals of undocumented immigrants in the public imagination. And, as noted in the previous chapter, one of the important factors in the success of rights claims made by undocumented immigrants rests on the receptiveness of the community and the agencies that grant those rights. This is relevant in the context of performative citizenship which rests on a form of co-citizen recognition. There is certainly a difference between official legal citizenship that is recognized by the nation state and co-citizen recognition. The later involves citizens and residents and provides them with an ability to forge their own connections and influence the shape of their political community.

By highlighting this element, we can begin to see a more holistic understanding of citizenship – and the (in)equalities people experience despite their legal status, or lack thereof. How citizens recognize and acknowledge one another shapes their lived experiences as ‘members’ of that community. Within the sanctuary region, governments and local institutions recognize individuals as citizens through their contributions to the community, residency and involvement – regardless of what their official federal documentation says. As such, this type of membership to a political community and belonging rests upon knowing others and welcoming them. These stories provide a way for undocumented immigrants to be ‘known’ by the community, and it also allows for the creation of empathetic connections. By sharing their stories at a personal level, with the community, they are providing space for empathy and belonging to be felt among the readers

and listeners (Frost, 2016). This type of storytelling also works to provide undocumented immigrants with a form of documentation that allows them to claim a space within the community as participating members. This is further discussed in the next chapter.



## **CHAPTER 6: DOCUMENTING UNDOCUMENTED IMMIGRANTS: NEGOTIATING AUTHORITY AND BELONGING WITHIN THE CITY, THE STATE AND WITH FEDERAL OFFICIALS**

### **Introduction**

Cities offer sites that can provide alternative access to services and rights within its boundaries to undocumented immigrants. One of the ways in which this has been achieved is through the distribution of various forms of documentation that is accessible to anyone living within the boundaries of the city, regardless of their legal or immigration status. Cities, are certainly not the only sites where these types of documentation can be issued. They are also available across states and sanctuary regions (for example through driver's licenses). The acquisition of any form of documentation provides a significant amount of freedom to undocumented immigrants and provides a limited sense of security, yet also potentially comes with its own set of risks.

Documentation provided through the federal government is also significant. After all, that is what many undocumented immigrants in the US strive to attain – permanent legal status recognized by the federal government. The implementation of DACA by the Obama administration was widely considered a success by the immigrant rights movement in the United States. It allows a large population of undocumented youth to work, go to school and live without a constant fear of deportation. Yet, the federal government has also been able to wield a great amount of power in controlling those individuals through federal policies, without giving undocumented immigrants a pathway to formal citizenship. What are some of the political dynamics created by policies like DACA in comparison to documenting policies across municipalities and states (such as a municipal ID cards)? How can

undocumented immigrants gain access to recognition, while mitigating the power of governments to control their movements? How do undocumented immigrants negotiate some of these boundaries created by a lack of legal citizenship status?

In this chapter, I argue that implementing policies like DACA serve as a tool for federal state officials to (re)gain some control over a population it has lost control over, while documentation and IDs across localities and sanctuary regions are a push against federal control. In addition to this, I emphasize the ways in which undocumented immigrants create their own form of documentation through public narratives. One of the key aspects of the immigrant rights movement has been the publication of stories and narratives of immigrant lives. While these stories are important as they have the potential to disrupt images of undocumented immigrants across the US, they also provide an important tool where their lives are documented and released to be incorporated into the public imagination.

I begin this chapter with an introduction into the importance of documentation, particularly as it relates to citizenship and belonging. In this section, I also draw on Foucault's writings in discussing the ways in which documentation can present itself as a governing tool for controlling populations. Foucault's theories build a framework for understanding the shift in politics, where power is derived by controlling populations. In the following section, I address the establishment of identity documentation provided by institutions within sanctuary regions. The last section addresses a form of self-documentation through the narratives and stories told by undocumented immigrants. Here I emphasize that this form of document is a most significant form of 'act of citizenship' as undocumented immigrants seek to document themselves within the imagination of the political community.

**Documentation: Is it necessary and what is the point?**

One of the main arguments I make in this chapter is that government issued documentation is often used as form of control. That being said, documentation is also something that the majority of undocumented immigrants strive to attain (through legal and permanent residency status) as it also provides access to services and recognition. This invites us to understand the role of such documentation and the ways in which undocumented immigrants are constrained by federal state policies, sovereignty and border control. The state, in its design, requires individuals to obtain physical, and in some cases, electronic forms of documentation that prove their existence and their identity in order to access basic services and rights. This is inherently tied to the development of the nation-state as a rights giver. In order to acquire human rights, one must essentially belong to the state – and belonging requires physical proof of association. With this form of power, comes an ability to require state documentation.

In this sense, documentation serves two main purposes that are highlighted in this chapter. On the one hand, it facilitates access to some freedoms, rights, and privileges for undocumented immigrants. It also provides tangible proof of identity and documentation that justifies one's belonging. Yet, on the other hand, documentation can also be oppressive as it allows individuals and institutions in power to collect detailed and sensitive information about the lives of individuals – information that can be used to the detriment of those individuals. While lacking recognition from the federal state, undocumented immigrants still have extraordinary natural freedom as undocumented individuals that are not regulated by the state – as the federal government cannot keep track of them. Thus, deportation forces have to rely on investigative work and reports from local citizens and authorities. This also

means that they do not have access to some of the privileges that come with obtaining documented identification.

Foucault (1975) argues that the modern nation-state governs through control of its population. This is often executed through the control of 'bodies', what he called biopolitics. In this sense, state control over populations is achieved by maintaining knowledge of citizens' bodies (through surveillance, biometric identification, etc.). Knowledge of individuals and their bodies is power as it allows governments to control the narratives around these bodies and their movement. This reinstates some of the elements discussed in chapter 4, particularly with regards to the ways in which states reinforce their own sovereignty by controlling territory through the control of populations and their movement.

To emphasize this, I point to some of the political conflicts between the state and local institutions with regards to documentation. One of the most significant changes implemented by the US state came in the form of the REAL ID Act. This Act was implemented following recommendations from the federal government's commission on 9/11 and sets out to create a regulated platform for identification cards issued by states. It was implemented in 2005 and "established minimum security standards for state-issued driver's licenses and identification cards and prohibits Federal agencies from accepting for official purposes licenses and identification cards from states that do not meet these standards" (U.S. Department of Homeland Security, 2017). The REAL ID Act cannot force states to comply, and it is based on voluntary compliance. As a result, a number of states, including California have not complied with the requirements. What this means is that individuals with state identity cannot travel or access federal facilities – they would instead require federal forms of documentation.

The federal government has also implemented numerous other policies that limit the rights of undocumented immigrants in the country – and particularly limit their movement. Some of these include the Illegal Immigrant Reform and Immigrant Responsibility Act of 1996 (IIRIRA), which increases border patrol, implements heftier penalties for individual that assist in smuggling immigrant into the country and improves “the verification system for the eligibility for employment” (104 Congress, 1996). This Act was implemented in addition to Reagan’s Immigration Reform and Control Act of 1986 (IRCA), which also sought to implement regulatory pressures that limit the ability for undocumented immigrants to work in their communities.

### **Documentation as a population control**

One of the most significant forms of documentation issued by states is the passport. With growing populations within countries, states have to come up with strategic ways in which citizenship can be regulated and administered. This came in the form of the passport which originates back to the post world war era when the first passport regime was implemented (Salter 2003). The utility of the passport has certainly evolved with the development of the state and international relations since its first inception. However, there are several reasons for which the passport regime was institutionalized. First, it was “seen as a necessary security measure to prevent the influx of spies and malcontents” (Ibid, p. 78). Second, it was a way to control the refugee population, and third it was understood as a method to “regulate the labour market” (Ibid). However, a historical analysis of the passport and passport controls can be a “way of illuminating the institutionalization of the idea of the

“nation-state” as a prospectively homogeneous ethnocultural unit, a project that necessarily entailed efforts to regulate people’s movements” (Torpey, 2000, p. 1).

Passports enable state governments to identify their citizens, and regulate their borders by making it easier to determine which individuals can enter and leave the country. More significantly, it is also a strategy in which state attempt to “naturalize the cultural borders of a ‘nation’ (Ibid, p. 123). In states where national identity cards are not administered, passports are the next most significant ways in which states identify their citizens. “The design of passport control spaces reveals that the state constructs international society as a source of danger and itself as the ‘creditor’ of rights (Ibid, p.142). Thus it is a space in which the state reasserts its authority over rights and its borders.

There are several other forms of identity documents that are frequently used including drivers’ licenses, social security cards, and health cards. These forms of identification grant the ability for individuals to exercise certain rights or access services such as the ability to drive and access services. Yet, more profoundly, they also regulate who has access to those services and how much access individuals can receive. They also transform citizens and residents into ‘knowable’ individuals since all forms of documentation require individuals to disclose a certain amount of information about their lives. Torpey (2000) argues that passports and other forms of documentation enables the state to monopolize legitimate means of movement among its citizens:

“Their development as states has depended on effectively distinguishing between citizens/subjects and possible interlopers, and regulating the movements of each. This process of “monopolization” is associated with the fact that states must develop the capacity to “embrace” their own citizens in order to extract from them the resources they need to reproduce themselves over time. States’ ability to “embrace” their own subjects and to make distinctions between nationals and non-nationals, and to track the movements of persons in order to sustain the

boundary between these two groups (whether at the border or not), has depended to a considerable extent on the creation of documents that make the relevant differences knowable and thus enforceable. Passports, as well as identification cards of various kinds, have been central to these processes, although documentary controls on movement and identification have been more or less stringently developed and enforced in different countries at various times” (ibid, p.2).

Muller (2010) also argues that the securitization of the border and the emphasis on border control reshapes citizenship in notable ways. He notes that the development of programs such as NEXUS and the Western Hemisphere Travel Initiative (WHTI) (which requires a passport to cross between the US and Canada borders) are leading to the creation (or rather redesign) of a ‘safe’ citizenship. That is the safe citizen is constructed in parallel to the knowable. In essence, the NEXUS program allows certain people to cross the US/Canada border much faster with the use of special ID cards. However, the ability to acquire this NEXUS card is possible through advanced security screenings that determine any past history of criminal activity and determine whether or not the person is ‘safe’ to cross without a passport. This points to the ways in which the increasing practices of surveillance and documentation shape the ‘safe’ citizen depending on how much we may know of the person. This also constructs the notion of the good citizen as the knowable one. “Where the failure to self-identify itself becomes a basis for suspicion and risk-based targeted searching” (Amoore, 2008).

Forms of identification are all the more significant within the context of the securitization of identities, which describes the “proliferation of sites where individuals are made responsible for establishing their official identity as a condition of access to the rights and responsibilities of citizenship” (Gates, 2008, p. 219). Complicated with the securitization of migration, where migrants and immigrants are often cast as security risks – undocumented

immigrants pose the ultimate challenge to that control. They do not have any identities (known by the state) and yet are able to live productive lives within their communities. In other words, their lack of identification and documentation makes them difficult to ‘control’.

### **DACA and its impact**

The United States government has been expanding its deportation regime of undocumented immigrant, especially during the Obama administration. The ability to remove these individuals from their communities and from the national state enables the state to reinforce its territorial control over a population it cannot control otherwise. DACA allows the government to grant a certain population of undocumented immigrants temporary legal residency status. While DACA provides individuals with a sense of relief from deportation, it also enables the federal government to collect a wide range of information on its undocumented population.

The immediate effects of DACA have not been very well documented. One study by Gonzales, Terriquez and Ruszcyk (2014) seeks to understand a more holistic approach to the ways in which DACA has impacted local communities and undocumented immigrants. Their findings suggest that at least in the short term, “DACA is reducing some of the challenges undocumented young adults must overcome to achieve economic and social incorporation (Gonzales, Terriquez and Ruszcyk, 2014 p. 1853). While it reduces some of the barriers faced by undocumented immigrants, they also found that there are disparities in how diverse groups are able to advance their incorporation into communities.

The Centre for American Progress has also conducted research to try to understand the impact that DACA has had on the lives of undocumented immigrants. Their report notes



that numerous undocumented immigrants have been able to get their first jobs as a result of their new status. This extends into higher tax earnings for states and the federal government. It also allows individuals to access higher education, by making tuition fees more affordable, particularly at public colleges and universities. However, more profoundly, DACA also created a greater sense of connection and belonging for individuals to their communities and to the United States (Pérez, 2014).

It is no surprise in this case that DACA has certainly provided numerous undocumented immigrants with a certain level of relief as they are able to work and pursue higher education freely. However, DACA has also made it significantly easier for state officials to control undocumented immigrants – a population they had little control over previously. DACA must be renewed every two years, which means that individuals must return, update their information (addresses, employment, schools, etc.) in order to remain a DACA recipient. Additionally, it also sets restrictions on the immigrants themselves. One significant example is the inability to travel outside of the United States. In order to leave, individuals must get permission from the government – permission that will only be granted in special circumstances such as travel for school, work or for humanitarian purposes. One's right to the freedom is limited by DACA.

DACA was implemented by the Obama administration, which was sympathetic to the DREAMers and their ambitions. Yet, not all government will remain sympathetic to DACA recipients. Since DACA must be renewed every two years and does not lead to any form of permanent legal status, DACA recipients can often feel like they are at the mercy of administrations in power.

## **Documentation within Sanctuary Regions**

The issuing of documentation across cities and states is often framed within a narrative of ‘community safety’. When cities grant access to public services to undocumented immigrants, they do so under the purview of community development and sustainability. The political language is often removed from the justification. This could be due to several reasons. It can serve to maintain a stable relationship with the federal government. In other words, attempting to give access to undocumented immigrants without necessarily ‘taking sides’ or claiming to have authority over immigration and border control. Indeed, that is the most significant justification used, even in cases when local authorities decide that they will not cooperate with federal immigration agents, and that their resources will not be used to enforce immigration policy as that is the role of the federal government.

What much of this does is highlight the differing interests between local governments and national governments. Cities and municipalities that have taken steps towards protecting the undocumented community do so in the interest of their municipality and not necessarily that of the federal government or the ‘nation’. Councilwoman Margaret Chin of Manhattan has been quoted saying that “The IDNYC Program [which provides municipal ID cards to residents] represents a fundamentally powerful step forward in unifying and strengthening our city [...] I’m particularly excited about the positive impact the program will have within our immigrant communities” (Silva, 2015). Indeed, these claims are not unfounded. A study conducted by the Centre for American Progress found that sanctuary counties have a significantly lower crime rate than non-sanctuary counties. The data was

collected by comparing the rate of violent and property crimes among counties that ICE identified as not willing to accept detainees (Wong, 2017).

In an analysis of the strategies that led to the successful implementation of state issued driver's licenses to undocumented immigrant in the state of Tennessee, Anseley (2010) emphasizes that the campaign succeeded because the focus was not on access or citizenship, but rather on road safety. One of the groups that first pushed the campaign for issuing drivers licenses in Tennessee was called "health and safety for Tennessee Highways" and the group "developed talking points that stressed things like the value of having these potentially dangerous Latino drivers properly trained, tested, license and insured" (Anseley 2010, p.171). There is less likelihood for disagreement and resistance from federal authorities when these initiatives are placed within a framework for increasing community safety.

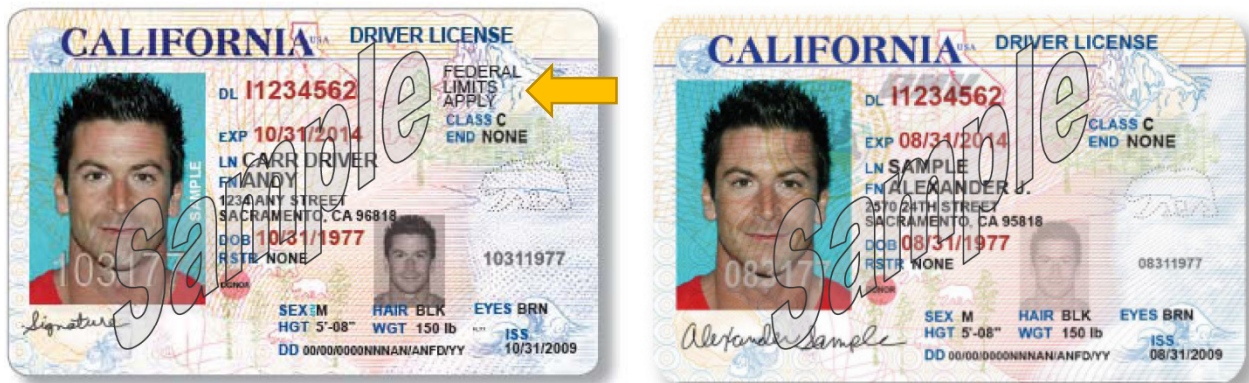
This is similar to much of the rationale provided for the AB 60 law in California which grants access to driver's licenses to undocumented immigrants beginning in 2015. Not only does this improve the safety of drivers on the road, in theory, it also provides relief to undocumented immigrants as they can now drive legally, gain access to a host of public and private services and employment opportunities. In one interview, GA notes that her undocumented friend's insurance was reduced by \$400 a month now that he had a valid California driver's license instead of using his foreign Mexican license.<sup>15</sup> This is a significant amount for families struggling to maintain a certain living standard.

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<sup>15</sup> Interview with GA, Sacramento CA, July 13, 2015

The case of AB 60 in California is also interesting because the state of California negotiated with the federal government the terms of the policy. When the initial sample of the driver's license was sent to the federal government for approval, they sent back a modified version that did not resemble the one that legal residents received in the state of California. It had a different colour and numerous markers that clearly identified people as undocumented.<sup>16</sup> Eventually the state of California, organizers and the federal government agreed on a driver's license with a small marker on the top right of the license. The image below demonstrates the difference between a regular license (on the right) and an AB 60 license.

**Figure 6.1: California license comparison**



(Drive California Coalition, n.d.)

The AB 60 license cannot be used for travel through the country and does not comply with the requirements set out in the REAL ID act. It is interesting to note here that even this modified version was met with some resistance from the undocumented community. The DREAM Team LA came out in opposition to the law as it was drafted. They deemed the license on the left as a 'deport me' card and were worried what it would represent to the

<sup>16</sup> Interview with CC, Sacramento CA, July 15, 2015

policy in the event that undocumented immigrants get pulled over in a city with hostile police force or if they drive to other states (LA Dream Team, 2013). Thus, while the driver's license grants individuals a significant amount of freedom to move across regions and can impact the cost of insurance – it also presents a significant risk of deportation and exposure.

State and city authorities continuously emphasize that they will not be involved in immigration control and border enforcement. This emphasis allows them to focus on the development of their own municipal policies, while avoiding confrontation with the federal government on matters of immigration. Municipal ID cards are also significant because they are not developed specifically for undocumented immigrants, but rather all residents living within the boundaries of the city. This is important for a number of other individuals including the homeless who may have difficulties acquiring an ID and accessing some of the basic services they need. Despite the fact that the narratives around municipal ID card are not framed within the context of national citizenship, they do protect undocumented immigration from federal immigration enforcement. For one, they have the potential to protect individuals from law enforcement. Individuals may be stopped by police, asked for ID and when they are undocumented will often fail to have any on them. The ID cards allows them to 'prove' their identity and communicate with law enforcement while minimizing their own risk of deportation. In this regard, cities and states can use their own discretionary power to enhance the life of undocumented immigrants – but they can only do that within their jurisdictions. Thus, the state continues to be the main enforcer for border control and immigration.

### **Self-Documentation through Public Narratives**

In the previous chapter I elaborated on my findings from analyzing the stories and narrative of undocumented immigrants. I will not repeat those findings here, but rather, I emphasize the ways in which these forms of public displays shape their belonging within the communities in which they live and their belonging within the US. In addition to the ‘coming out’ movement which features these public stories, the immigrant rights movement also put out numerous other forms of artistic expressions including documentaries and theatre productions. Here it is important to reflect on the role of these types of performances and what there might to be gain from them. In brief, public spaces serve as the “terrain where urban dwellers engage in contestations over the meaning(s) of belonging and not belonging; it is where membership – in its multiple expressions – is enacted, negotiated, and embodied” (Becerra, 2014, p. 332). Although the recognition of belonging among numerous undocumented immigrants has yet to be acknowledged, these narratives open up the space for contesting and challenging those assumptions.

Becerra (2014) has shown that the way in which Mexican undocumented immigrants in New York City perform public acts of displays and belonging to the community. The cultural community’s involvement through public performances such as a Mexican Day parade and Mexican soccer team within the city expresses an inherent imprint of belonging onto the political community. In this sense, these acts or performances are “acts of representation” and “participants make use of the streets to create a space – physically and temporarily constrained – whereby the articulation(s) of community can be enacted” (Ibid, p. 342).

Definitions of citizenship take place in public spaces, especially when individuals do not have the recourse to other forms of citizenship rights (such as appealing to one's elected official, or running for office). In this case, undocumented immigrants provide their citizenship through innovative ways. What they can do is present themselves through public narratives of belonging. In addition to being an advocacy organization that has promoted discussion on immigration, citizenship and belonging through public stories, *Define American* has expanded to take on a stronger presence within numerous communities across the US. The organization began presenting a travelling film festival where it presents a selection of documentaries and lives of immigrants. Following each viewing, a panel discussion takes place involving local activists, actors and filmmakers (Define American?, 2016B). In addition to the film festival, the organization also hosts a series of events with local entertainment industry to open dialogues about citizenship and immigration.

These stories are not being published in the public sphere solely for the intention of putting stories in the public narrative – they also function to create a dialogue on what it means to belong. This is one of the foremost initial “acts of citizenship” where individuals are able to open conversations with legal citizens to discuss their own belonging to the community. It should be important to note here that these narratives are not necessarily going unheard by the wider political community of Americans. These stories and public claims of belonging are supported by individuals and organizations. For one, the Define American film festival is sponsored by corporations including American Airlines, which is the official sponsor for the festival. I note this here because these open displays of support are a way in which the wider community demonstrates acceptance of these individuals. In other words, citizenship is not just about legal status, it is about recognitions of belonging:

Citizenship is not just a matter of formal legal status; it is a matter of *belonging*, which requires *recognition* by other members of the community. Community members participate in drawing the boundaries of citizenship and defining who is entitled to civil, political, and social rights by granting or withholding recognition (Glenn, 2011, p. 3).

One of the most significant responses to the work of this organization and its founder Jose Antonio Vargas came from *Time Magazine* which published an issue with a number of undocumented immigrants on the cover with the title “We are Americans, *just not legally*”. This is significant because it indicates that a major print magazine that has a significant role in American popular culture presented a story in support of undocumented immigrants and recognizing that ‘they belong’. Below is an image of the cover photo.

**Figure 6.2: Undocumented Time Magazine Cover**





(Time Magazine, 2012)

## Conclusion

Public narratives on belonging and individual stories allow undocumented immigrants to establish their own form of documentation on their own terms. They are able

to reveal as little, or as much personal information and detail that they wish as well as to whom they will share that information. This is one of the ways in which forms of control through documentation provided by local and federal authorities is mitigated. In this sense, they are able to claim their own narratives of belonging, despite the information that federal officials may collect on them, and how it is used – without complying with the framework of the nation-state that seeks to control and regulate its population.

This does not in any way remove the risks that may come from official forms of documentation provided by political authorities. There is still a significant difference between self-documentation and government documentation as they cannot be treated within the same categories. For one, self-documentation does not provide direct access to a particular service or a right within the community – rather it is a process in which individuals seek recognition and belonging within the space they call home. Additionally, the forms of self-documentation presented here also do not present themselves in physical and identifiable ways similar to a state or city issued ID card. This does not mean that they are not physical and identifiable at all. There is still some significance to the documentation produced through printing these stories and documenting them in the form of public media productions (through documentaries and online videos).

That being said, documentation that provides direct services and rights continues to be a risk for undocumented immigrants in the US and there is no clear way to mitigate this risk – it is one that numerous individuals choose to take regardless. Publicizing their stories allows individuals to take claim and ownership over some of those forms of identification.

## CHAPTER 7: CONCLUSION

I began this dissertation with a discussion on the concept of ‘acts of citizenship’ and the potential for non-state based citizenship – particularly as it relates to the development of sanctuary regions across the United States. It is important here to return to those concepts as they drive this work forward which is continuously informed by the following question: Is regional citizenship an alternative to state and national based citizenship? Is regional citizenship the only concept that we can use to identify a form of citizenship that does not replicated the exclusionary practices of state based citizenship and identity? What are the conditions that allow the enactment of this type of citizenship to take place?

The case of undocumented immigrants that I have presented here is not founded within a pursuit of transnational citizenship *per se*. Rather, what is more accurate would be to situate it within a form of local citizenship located within sanctuary regions. What this work has set out to do is argue that the ‘urban’ cannot be contained to the space of the city or the federal state, but rather extends beyond to a more amorphous space of the ‘region’. This is characterized by multiple levels of influence that includes grass-roots mobilization, support from various local institutions and governments as well as strong advocacy and belonging from the undocumented immigrant population.

This type of citizenship is founded within communities at a local level and driven by all of those individuals involved in the movement. What is key in this case is that individuals that have been placed outside of the fold of the political community, can reclaim their belonging by advocating on their behalf within their own local communities. Strength, and recognition at the local community enable individuals to make larger claims either to the federal state or to alternative entities that may enable their acquisition for human rights.

Since this study focuses on understanding the sanctuary movement through an ‘acts of citizenship’ approach, my focus is to draw on the importance of individuals performing citizenship, by highlighting their agency. And, while this is at the core of my arguments, it is important to highlight some of the factors that allow individuals to enact citizenship within those regions. There are certain traits that relate to the political structures within the sanctuary region that facilitate the acquisition of rights and recognitions that can be summed up in three categories: the nature of US federalism, demographics and ability to mobilize and influence policy.

The nature of US federalism allows state and municipal governments a sense of control over the management of their regions. Despite the fact that immigration and border enforcement are under the mandate of the state government, under the constitution, local governments can refuse to cooperate with federal authorities or enforce federal laws. In 1992, the Supreme Court ruled that the Tenth Amendment grants local and state officials the right to not enforce federal laws. Federal officials, in this case, can enforce their own laws.<sup>17</sup> This means that, while the central state government has authority over the management of borders and immigration, it cannot force those policies onto local governments. What this also means is that institutions, including hospitals and schools also do not need to support the federal government in its regulation and enforcement of immigration policies. All of the local institutions that function to support people in their communities and in their day to day

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<sup>17</sup> This ruling was a result of the *Printz V. United States* case in 1997. The Clinton administration passed a legislation that would force local law enforcement to enforce federal gun registration laws. The supreme court, then invalidated this law deeming that the Federal government could not force local government to enforce state laws based on the Tenth Amendment that asserts that “[t]he powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people”. For details see (United States Supreme Court, 1996).

lives are regulated by municipal and state governments. Therefore, while undocumented immigrants cannot apply for a state issued US passport, they can continue to participate in their local communities that provide sanctuaries.

The population demographics are also an important factor that determines the success and ability for individuals to make claims – and for those claims to be reciprocated. As noted earlier in this dissertation, California hosts the largest undocumented immigrant population in the country. This means that a large population of the state is involved at a community level: they work, send their kids to school, attend school and generally contribute to the overall development of the communities within the region. In April, 2017, the Institute on Taxation and Economic Policy released a report which claimed that undocumented immigrants contribute an average of 3 billion dollars to the California economy (Institute on Taxation and Economic Policy, 2017). This means that it is in the best interest of governments and institutions to support undocumented immigrants and include them into the fabric of the overall community.

Further to that, based on my research, I found that there is a general understanding in California that undocumented immigrants are a part of the fabric of the state of California. For instance, the report by the taxation institute mentioned above called undocumented immigrants ‘Californians’. During my field work I attended a stakeholder meeting relating to the Sacramento Health for All Act (which provides undocumented immigrants with access to health services). Individuals at this meeting included representatives from the health industry as well as some advocates for undocumented immigrants. One of the most striking things about this meeting was the normative assumptions that people had about undocumented immigrants. No one questioned their immigration status, and their

participation and inclusion into the community is something that was simply understood as a fact. Furthermore, the California state museum – a not-for-profit California museum – held a display in the summer of 2015 called “we are all Californians”. This exhibit showcased the stories of undocumented immigrants and how they represent California. This is indicative of the presence of strong allies with power in the region that are able to advocate on behalf of undocumented immigrants, but also provide spaces where they can perform and enact their citizenship.

Undocumented immigrants are better equipped to influence policy, when there are already policies in place that facilitate their access to certain rights. Many of the sanctuary policies currently in place in some of the major cities, including San Francisco and Los Angeles, serve to protect people from deportation. These policies provide undocumented immigrants with an ability to access services and demand recognition without a strong fear of deportation. One of the most notable policy changes in California, the AB1024 policy, passed in October of 2013. This law allows undocumented immigrants, who attend law school and pass the bar exam, the practice law in the state of California (California Legislature, 2013). This is particularly significant, because here undocumented immigrants are given the rights to practice law and advocate for others, despite their precarious legal status in the country. It is policies like the AB 1024 that allow certain undocumented immigrants to take part in public life and advocate for the rights of undocumented immigrants.

I have discussed these issues at greater length throughout the dissertation. Chapter 3 discusses the ways in which the sanctuary movement has gained influence and power and

the various ways in which it has affected policies. In this chapter, I also highlight some of the challenges the movement has been faced with and the circumstances that have made it difficult for some undocumented immigrant friendly policies to pass at a national level. Chapter 4 discusses at greater length the ways in which the region is created through the establishment of various alliances that support undocumented immigrants – and therefore provide a stronger basis for the enactment of citizenship.

Furthermore, one of the other major arguments made in this dissertation is highlighting the importance of studying citizenship and human rights claims within the field of IR. The study of citizenship and cities has been framed under ‘low’ politics as it is considered to be part of the fabric of the state, and therefore irrelevant to the study of IR. This dissertation and the work presented here indicates otherwise. Cities and municipalities have been able to form strong linkages among each other in order to develop their own policies that contradict that of state and federal policies on immigration. This means that local governments can essentially create their own policies around issues that are typically under the purview of federal state authority. More importantly, I have highlighted that individuals are important actors in the international realm. Throughout this dissertation, I have highlighted the importance of undocumented immigrants in establishing their own rights claims within a state that has denied them recognition.

There are still several challenges and questions to my arguments. On the one hand, it is important to recognize that despite the achievement that the undocumented immigrant community has gained, particularly in the sanctuary regions, they remain unable to fully gain access to citizenship and continue to be burdened by a fear of deportation – particularly if they choose to leave that area. There are structural barriers that make it difficult to achieve

this including the structure of political institutions at a federal level. What my dissertation has done is to argue that the sanctuary region has the potential to challenge some of those institutional barriers.

### **Sanctuaries in a Trump Era**

During the process of writing this dissertation, Donald Trump was elected president in November 2016. This major shift in US political governance evidently placed much of my work in contention. The Trump administration issued numerous statements admonishing undocumented immigrants and sanctuary cities during the campaign and once elected into office. An executive action declaring that funding will be withdrawn from sanctuary cities was issued in early 2017, which was later blocked by a federal judge in April of that same year (Kopan, 2017). This small struggle and later, minor victor, is indicative of some of the dynamics that the immigrant rights movement faces in light of shifting federal policies. What is significant however, is that this is indicative of both the strength and resilience of sanctuary regions in light of strong federal oppositions. There are some leaders of sanctuary cities that have revoked their support for undocumented immigrants. Just one day after Trump's executive order on sanctuary cities was signed, the Mayor of Miami-Dade ordered jails to comply with federal immigration detention centers, and essentially report undocumented immigrants (Samuelson, 2017). Miami was never officially declared a sanctuary, but has in the past refused to cooperate with federal immigration officers. The response from representatives across the sanctuary region in California has been significantly different. Leaders across the state have issued strong statements denouncing



the executive action and the Trump administration's policy on immigration and have maintained a strong stance in support of undocumented immigrants.

Since taking office, the Trump administration is no longer allowing individuals to apply for DACA and has revoked that executive order. DACA recipients are now living with permits that will eventually expire and place them, once again, in a precarious situation that will create increased barriers. Despite this, sanctuaries and sanctuary regions remain strong in their support for undocumented immigrants. This has proven that the local regional political dynamics are not significantly influenced by a change in Congressional policies or Federal state administration. One of the most significant developments since Trump's election is the passing of the Sacramento state Senate Bill 54, in October 2017, which deems the whole state as a sanctuary. This bill:

“prohibits state and local law enforcement agencies, including school police and security departments, from using money or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes, as specified, and would, subject to exceptions, proscribe other activities or conduct in connection with immigration enforcement by law enforcement agencies” (California Senate, 2017).

One of the other issues that is significant in light of this change in federal policies is that it is also indicative of the ways in which social movements evolve and that citizenship is performative and continuously enacted. In this case, the pursuit of human rights claims and recognition does not move forward in a linear fashion. Some victories are achieved, while simultaneous new challenges arise. Even with the acquisition of legal residency status, undocumented immigrants continue to face challenges in being recognized as full members of the community – due to social and racial barriers inherent to the society in which they are located.

This dissertation does not directly address the effects of the Trump administration, or any other administration on the development of the immigrant rights movement. These elements are continually shifting and changing and it is difficult to accurately capture some of these changes. This was also not the intention behind this work. Further comparative research will need to be conducted in order to fully understand the impact of the federal administration and to understand why some sanctuary cities may respond to these demands differently from those found within sanctuary regions. However, the intention behind this work was to highlight the ways in which undocumented immigrants are agents in claiming their own rights and shaping the sanctuary movement in the US.

### **Public Stories as Forms of Resistance within Sanctuary regions**

There are a few cases where individuals, not previously considered citizens, have been able to advocate for citizenship rights. The case of undocumented immigrants is unique as their mere presence within the confines of the United States is contested. They are not recognized and often not registered with any national body. Yet at the same time, they continue to be recognized informally, by employers who take advantage of their labour in the case of farm workers for example. On the other hand, their presence is almost 'forced' onto the national imagination – they are there, but the federal state refuses to grant them legal permanent status or even a path towards permanent residency. A large part of society is more than willing to take advantage of the benefits that they bring to their community. Documentation and public narratives play a key part in this achievement.

The context within the stories I present in chapter 5 do not necessarily break ground or create ruptures within predominant perceptions of what it means to be an American. What is significant is that these stories are told by individuals that have not received recognition by the national political community as individuals that belong. This is one of the most significant ‘acts of citizenship’. These stories are often modelled off of an image of “Americanness” that has, in many ways led to their exclusion. In essence, these undocumented immigrants declare that ‘we are just like you, ordinary Americans’. In many of these cases, “instead of serving as agents for universalizing rights, they help reinforce national belonging as a principal criterion for determining the distribution of ‘inalienable’ rights” (Nicholls 2013, p. 84).

This has some interesting consequences for groups of undocumented immigrants that do not fit the image of the immigrant that belongs. What happens to immigrants who are unable or do not wish to pursue education or speak English fluently? The creation of a particular group of undocumented immigrants that represent successful contributors to the national community has also led to the creation of other groups of undocumented immigrants that may not be perceived as positively.

A recurring theme that comes up from the DREAMers is that they came to the United States, without consent, and were brought by family members. Many others have emphasized that they did not even know they were undocumented until they went to apply for a driver’s license or financial aid for school. Consequently, parents are then blamed for making those decisions. In one of my interviews, participant B emphasizes how angry he was at his father for having ‘made him’ undocumented. The individuals discussed how when their visa expired, their father never renewed it or told them about their legal status. This

inherently creates a hierarchy among these undocumented immigrants. One of the ways in which the immigrant rights movement has tried to mitigate that is attempt to create alternative groups such as the ‘parents of citizens and legal residents’ whose rights are being advocated for under DAPA.

I want to emphasize here that this dynamic is unique to undocumented immigrants as they are present within the national front and that this is not the case everywhere. Within sanctuary regions, the contributions of these undocumented immigrants are more obvious. They have become part of the community by registering for school, working, starting their own business and in some cases obtaining a driver's license and accessing health care. One of the circumstances that has fostered this movement are the sanctuary regions that have recognized many of the undocumented immigrants as ‘citizens’ within the confines of their community.

It is precisely this reason for why sanctuary cities and regions are important. Within these spaces, the hierarchies among undocumented immigrants is less likely to occur because undocumented immigrants are less inclined to demonstrate how well they fit within the national imagination of being an American. Sanctuary regions have already declared, to varying extents, their openness to all undocumented immigrants and residents regardless of their legal status. By accessing those rights and the freedom to feel like they already belong within those regions, the movement can take stronger shape within the national front.

### **Seeing ahead**

There are still numerous questions that arise from this dissertation – questions that cannot be adequately answered here without beginning a new dissertation and major

research project. I have argued that individuals can enact citizenship to claim and acquire human rights to local and municipal governments. I have also highlighted how these initiatives are also limited in that they cannot provide what the state provides, including for example passports, freedom of movement and access to a host of other national benefits. Could municipal and local institutions eventually provide access to some of these benefits? This will only be the case if and when states no longer remain as the sole authorities on rights or remain as the sole actors within the world. The creation of the modern-nation state has indeed led to numerous issues that have deprived individuals the ability to live freely and equally. It has led to the rise of nationalistic and exclusionary racial issues that continue to dominate public discourse in the majority of states. Could this be the beginning of reflections on the potential for local institutions and the removal of borders globally?

This research was initially motivated by a need to understand how precarious migrants, including refugees and stateless people can make claims for human rights in the absence of a state to make those claims to. The immigrant rights movement in the US is an indicator that this can certainly take place. Yet, this case must be contextualized. The movement in the US takes place within a particular democratic context. Can this be replicated elsewhere? In other words, could stateless people, including Palestinians and Armenians for example develop their own model for acquiring human rights? To which institutions would these claims be made? What are some of the challenges that they could be faced with in light of their own context?

There is still much to find out about the needs of various migrants and how the problem of human rights claims or of 'citizen' rights can be overcome. This dissertation and

the research I present here serves as a small part of that discussion. I demonstrate, with empirical evidence, the possibility for individuals without ‘citizen rights’ to push the boundaries of state authority and use their ‘people power’ to drive change and demand recognition. This is a significant step towards understanding the importance of such movements, but also in understanding some of the challenges that come with the development of such movement, and of challenging the authority of the state as a rights giver. Time will only tell whether or not such movement will lead to the destruction of exclusionary practices that have resulted from nationalistic and racial lines in which the modern nation-state was based upon.

## **LIST OF INTERVIEWS**

Below is a list of all interviews collected in the course of this study. These interviews are categorized into different groups. I have outlined a description of each category under each section. The letters are not initials, but were chosen at random to represent the interviewees.

### **Policymakers/government workers**

These are individuals that are either involved in municipal government or work with various not-for-profit and advocacy groups involved in policy formation. Some of these individuals are elected officials or government workers.

CG – July 9, 2015 San Francisco CA  
PS – July 16, 2015 Sacramento CA  
CC – July 15, 2015 Sacramento CA  
HB – August 18, 2015 Glendale CA

### **Organizers/activists**

These are local activists and organizers involved in the sanctuary movement. The majority of these participants are also undocumented, have been undocumented and are advocates for other undocumented immigrants.

RF – July 7, 2015 Sacramento CA  
AJ – May 25, 2015, (Skype interview)  
GA – July 13, 2015, Sacramento CA  
RA – July 30, 2015, Sacramento CA  
LW – July 30, 2015, Sacramento CA  
MH – August 18, 2017 Los Angeles, CA

### **Undocumented Immigrants and Dreamers**

This includes a list of participants that identify as undocumented, and are not necessarily directly involved with the movement. The majority of these participants are also 'DREAMers' and students.

MA – July 30, 2015, Sacramento CA  
ST 1 – August 5, 2015, Davis CA  
ST 2 – August 5, 2015, Davis, CA  
ST 3 – August 5, 2015, Davis, CA  
PR 1 – August 6, 2016, Sacramento, CA

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