UNDOCUACTIVISM:
LATINA/O UNDOCUACTIVISTS FIGHTING FOR CHANGE IN THE U.S.

BY

JOANNA BEATRIZ PEREZ

DISSERTATION

Submitted in partial fulfillment of the requirements for the degree of Doctor of Philosophy in Sociology with a minor in Latina/Latino Studies in the Graduate College of the University of Illinois at Urbana-Champaign, 2016

Urbana, Illinois

Doctoral Committee:

Professor Assata Zerai, Chair
Associate Professor Anna-Maria Marshall
Associate Professor Julie Dowling
Professor Jonathan Inda
Assistant Professor Roberto Gonzales, Harvard University
ABSTRACT

Given the increasing anti-immigrant rhetoric, sentiment, and policy advocacy, it is important to understand the development, maintenance, and power of undocuactivism, which is the mobilization of undocumented immigrants. Through in-depth interviews, physical and virtual fieldwork, archival online research, analysis of social media and protest art, as well as the use of history, critical theory, law, and interdisciplinary literature, this qualitative study examines the experiences and agency of Latina/o undocuactivists. In this study, undocuactivists are defined as undocumented immigrant young adult activists who are no longer remaining in the shadows due to their lack of legal status in the U.S. and are fighting for the rights of all immigrants. The guiding research question is, “How do Latina/o undocuactivists understand and contest illegality?” Using an intersectional methodological and theoretical approach, I investigate the way that illegality shapes the identity and activism trajectory of Latina/o undocuactivists. My findings reveal that Latina/o undocuactivists contest and resist illegality, which reflects a significant critique of the legal system and its power to construct oppressive social relations. At the same time, I find that Latina/o undocuactivists also see changes to the law as a means to expand their opportunities to claim citizenship, thus articulating a more aspirational role for the power of law. These counter-intuitive findings highlight the complexity of the legal system, intersectional identities, and community organizing. Additionally, my study highlights how and why the movement goals of Latina/o undocuactivist extend beyond the fight for the DREAM Act, a federal legislation that if passed, would allow eligible undocumented immigrants who pursue a higher education and/or enlist in the military access to a pathway to legalization. Based on their evolving movement goals, Latina/o undocuactivists are dismantling the narrative of the “good” versus “bad” immigrant while engaging in political lobbying, protest, and civil disobedience. In spite of facing serious risks of arrest and deportation while engaging in the aforementioned mobilizing efforts, I find that Latina/o undocuactivists are shifting the immigrant rights movement and witnessing the power of mobilizing to create social change. Indeed, understanding the experiences of Latina/o undocuactivists reveals key pathways by which historically castigated and stigmatized social groups are capable of using the legal system to rectify and potentially reverse their prescribed positions in society. While much theoretical and empirical work has been devoted to the civil rights efforts of African Americans in the Jim Crow era, Latina/o undocuactivists force a new framework for studying social movements in a so-called “post-racial” America. Therefore, this study will contribute to Latina/o sociology, immigration, education, socio-legal studies, and social movements.
DEDICATION & ACKNOWLEDGEMENT

I dedicate this dissertation to my Mamá, Maria del Rosario Pérez Montenegro, and Papá, Jose Victor Pérez, who courageously crossed multiple borders to provide us with better life opportunities. I also dedicate it to my siblings Evelyn, Janira, and Victor, who have always provided me with the necessary encouragement, inspiration, and support to make my dreams a reality. Last, but not least, I dedicate this dissertation to all Latina/o undocuactivists, who manage to survive and thrive in spite of being dehumanized, criminalized, and marginalized.

There are many people whom I owe my deep gratitude for motivating and helping me finish my dissertation and obtain my PhD. First, I thank God for giving me the opportunity to obtain my PhD and grant me the strength, wisdom, and grace to finish the dissertation. Also, I thank my immediate family: Mamá, Papá, Evelyn, Janira, Victor, Vico, Natalie, Marilyn, and Emily for always believing in me and being by my side every step of the way. Thank you to my extended family including my Abuelita Wicha, tías, tios, and primos. Thank you to my amazing, dedicated, and supportive committee: Dr. Assata Zerai, Dr. Jorge Chapa, Dr. Julie Dowling, Dr. Jonathan Inda, Dr. Roberto Gonzales, and Dr. Anna-Maria Marshall. I especially want to thank my chair, Dr. Zerai, for always guiding me and pushing me to be a better scholar activist. Thank you to my dearest Illini family: Shari Day, Dr. Belinda De la Rosa, Sheri-Lynn, Soo-Mee, Mariana, Mayra, Sarai, Gabriel, Eddie, Maria, John, Trini, Moises, Laura, Alicia, Mina, SooYeon, Nicole, Rodrigo, Becky, Bin, Dr. Anderson, Dr. Trent, and many others who kept me grounded throughout my entire graduate education at the University of Illinois. I thank all my dear friends from California who always encouraged me to remain strong while being away from home: Susana, Nancy, Jennifer, Evelyn, Caroline, Xochitl, Eloina, Juny, and so many others. Lastly, thank you to all of my academic mentors in my life: Janna, Carolina, LT, Forrest, Cristina, Leisy, Cecilia, Mary, Jose, Octavio, and many others for providing me with vital resources to successfully finish my undergraduate and graduate degree. Certainly, without everyone’s prayers, unconditional love, support, and words of encouragement, I would have not been able to be where I am today. I will forever be grateful and will pay it forward throughout my entire career as a professor! #GodisGood #ChapinaPhD #SiSePudo
# Table of Contents

Chapter 1: Introduction.................................................................1

Chapter 2: Law and Illegality: “I’m Not ‘Illegal,’ I’m a Human”....................27

Chapter 3: Movement Goals: Defying the System......................................57

Chapter 4: Undocumented & Unafraid: Becoming an Undocuactivist: Moving Beyond the DREAMer Narrative & Becoming an Undocuactivist.......88

Chapter 5: Conclusion..................................................................119

References......................................................................................135
Chapter 1
Introduction

In my dissertation, *UndocuActivism: Latina/o Undocuactivists Fighting for Change in the U.S.*, I draw on fifty in-depth interviews, physical and virtual fieldwork, as well as an analysis of social media and protest art to examine the experiences and agency of Latina/o undocuactivists, which I define as undocumented immigrant young adult activists who are no longer remaining in the shadows due to their lack of legal status in the U.S. and are fighting for the rights of all immigrants. The guiding research question is, “How do Latina/o undocuactivists understand and contest illegality? Using an intersectional approach, I investigate the way that illegality shapes the identities and activism trajectory of Latino undocuactivists. My findings reveal that Latina/o undocuactivists contest and resist illegality, which reflects a significant critique of the legal system and its power to construct oppressive social relations. At the same time, I find that Latina/o undocuactivists also see changes to the law as a means to expand their opportunities to claim citizenship, thus articulating a more aspirational role for the power of law. These counter-intuitive findings highlight the complexity of the legal system, intersectional identities, and community organizing. Additionally, my study highlights how and why the movement goals of Latina/o undocuactivist extend beyond the fight for the DREAM Act, a federal legislation that if passed, would allow eligible undocumented immigrants who pursue a higher education and/or enlist in the military access to a pathway to legalization. I find that through their change in movement goals, Latina/o undocuactivists are dismantling the narrative of the “good” versus “bad” immigrant. Lastly, my research also explores the mobilizing efforts of Latina/o undocuactivists, including their use of political lobbying, protest, and civil disobedience. In spite

---

1 I use the term “Latina/o” to refer to individuals tracing their ancestry to Latin America. While, ‘Latino’ is a pan-ethnic category, Latinos are viewed and treated as an inferior race, which is further explained in the theoretical framework section. Also, I use Latina/o instead of ‘Latino,’ in order to deconstruct the patriarchal nature of the Spanish language.
of facing serious risks of arrest and prosecution while engaging in the aforementioned mobilizing efforts, I find that Latina/o undocuactivists are shifting the immigrant rights movement and witnessing the power of mobilizing to create social change. I also find that Latina/o undocuactivists are not only advocating for the rights of immigrants but also for the rights of all marginalized communities. Hence, Latina/o undocuactivists are working towards creating an equitable society by building coalitions with other marginalized communities.

**The Latina/o Undocuactivist Identity and Activism Trajectory**

Certainly, instead of becoming impaired by their lack of legal status, many Latina/o undocuactivists have developed an oppositional consciousness to resist their illegality. Oppositional consciousness “is an empowering mental state that prepares members of an oppressed group to act to undermine, reform, and overthrow a system of human injustices” (Mansbridge & Morris, 2001: 5). Once undocumented immigrant young adults reach an oppositional consciousness about their illegality, many seek to create social change through activism. In an effort to capture the diverse experiences of Latina/o undocuactivists, I develop a trajectory to explain how their consciousness informs their identity and activism development (See Model 1). Certainly this trajectory does not capture the identity and activism development of all Latina/o undocuactivists since their consciousness and eligibility for immigration policies varies.\(^2\) Rather, the trajectory visually represents how a mature oppositional consciousness informs the identity and activism development of the majority of respondents in this study.\(^3\) More broadly, through this trajectory I intend to demonstrate how Latina/o undocuactivists are critical of the structural power of law in social movements by explicitly pointing out the

\(^2\) Not all Latina/o undocuactivists have a mature oppositional consciousness nor would currently qualify for the DREAM Act if it were passed because they are not or have not been enrolled in a higher education institution, desire to enlist in the military, and/or because they have aged out of the eligible age limits.

\(^3\) The identity and activism trajectory from ‘Illegal’ to ‘DREAMer’ to ‘Undocuactivist’ visually captures the experience of forty-two out of the fifty interviewees.
shortsightedness of immigration policies like the DREAM Act, which confers citizenship to only a small group of undocumented immigrants. Accounting for the intersectionality of race, ethnicity, class, gender, sexuality, and citizenship status, I argue that where respondents are situated along the trajectory reveals how law affects their oppositional consciousness, identity, and activism.

Model 1: The Latina/o Undocuactivist Identity and Activism Trajectory

On one end of the trajectory, Latina/o undocumented immigrants who internalize the ascribed identity of “Illegal” tend to live in the shadows and are hesitant to engage in any form of activism due to fear of apprehension and deportation. As depicted in the literature and public discourse, some Latina/o undocumented immigrants have been identified as ‘ideal’ U.S. citizen candidates, especially “DREAMers” who would benefit from the passage of the DREAM Act. Thus, Latina/o undocumented immigrants who self-identity as DREAMers engage in activism to expands the rights of DREAMers. Although mobilizing efforts among DREAMers have drastically transformed the immigrant rights debate, some Latina/o undocuactivists believe that self-identifying and advocating for DREAMers can be problematic because it is exclusive. As such, on the other end of the trajectory, Latina/o undocumented immigrants who self-identify as ‘undocumented and unafraid,’ are critical of the DREAMer narrative and engage in activism that fights for the rights of all undocumented immigrants, regardless of their background, educational attainment, and social capital. Those who proclaim being “undocumented and unafraid” are
directly responding to the negative impact of immigration policy enforcement by engaging in community mobilizing efforts, rallies, marches, congressional hearings, acts of civil disobedience, and partaking in anti-deportation campaigns nationwide (i.e. #Not1More). Certainly, although all of the participants in my study have diverse experiences, I found that they have all gone through some, if not all, phases of the Latina/o undocuactivist identity and activism trajectory. Overall, in an effort to examine the lived experiences of undocumented immigrant young adults, this research contextualizes how they understand and contest illegality. More specifically, this research highlights how the identity and activism trajectory shift of Latina/o undocuactivists has challenged and changed the framing, goals, and strategies of the immigrant rights movement.

Methodology

The Research Process: Qualitative Inquiry Phases

Qualitative inquiry scholars have outlined the research process into five phases (Denzin & Lincoln, 2011; Creswell, 2013). In Phase 1, the researcher accounts for their positionality, which includes “their personal history, views of themselves and others, and ethical and political issues” (Creswell, 2013: 16-18). Phase 2 incorporates the researcher’s theoretical paradigms and perspectives, which includes their philosophical stance regarding their “beliefs about ontology (the nature of reality), epistemology (what counts as knowledge and how knowledge claims are justified), axiology (the role of values in research), and methodology (the process of research)” (20). During Phase 3, research strategies are discussed followed by methods of collection and analysis in Phase 4. Lastly, the researcher’s interpretation and evaluation of the data is explained in Phase 5. Certainly as a qualitative inquiry scholar that is invested in social justice, it is
important to carefully and critically consider all five phases in my research process in order to produce meaningful work that is geared towards creating social change (Charmaz, 2011).

**Positionality**

As a first-generation and low-income Latina who grew up in a predominantly immigrant community, I have had particular experiences and have been afforded certain opportunities that ultimately shape my interpretation of life. In fact, I am aware that it is my personal experiences along with what I have learned in my postsecondary education that have instilled in me a critical consciousness (Ellis, 2009; Madison, 2005). Hence, I recognize that my positionality as a woman of color in a predominantly white-male discipline has instilled in me the need to advocate for knowledge production that is guided by a social justice agenda (DeVault, 1999; Cannella & Manuelito, 2008; Creswell, 2013). In other words, through social justice inquiry, my research investigates how systems of power and inequality as well as the intersectionality between race, class, gender, sexuality, and immigration status impact marginalized communities. I am particularly invested in understanding how members of marginalized communities use their agency to challenge injustice and generate social change.

**Theoretical Paradigms and Perspectives**

Given the complexity in contextualizing and analyzing the experiences of undocuactivists, the theoretical interpretive framework that guides my research is social constructivism, also known as interpretivism. The purpose of social constructivism is to describe, understand, and interpret what is being studied. In social constructivism, “knowledge is produced by exploring and understanding the social world of the people being studied, focusing on their meaning and interpretations” (Ormston et.al., 2014: 12). In this sense, qualitative researchers attempt to “make sense of or interpret phenomena in terms of the meaning
people bring to them” (Denzin and Lincoln, 1994: 2). Besides relying on participants’ views and agency, the researcher understands that “subjective meanings are negotiated socially and historically, [meaning], they are formed through interaction with others (hence social construction) and through historical and cultural norms that operate in individuals’ lives” (Creswell, 2013: 25). In other words, social constructivism focuses on understanding lived experiences from the points of view of those being studied while also acknowledging that their views are shaped by the interrelatedness of social, historical, cultural, and psychological factors.

While social constructivists approach data analysis and develop a theory inductively, they also “acknowledge how their interpretation flows from their own personal, cultural, and historical experiences” (Creswell, 2013: 25). For instance, as a daughter of formerly undocumented immigrants and growing up in a predominantly immigrant community, I am aware that the limited economic, social, and political opportunities that are available to the members of my community are due to larger social forces. In particular, I use the intersectionality of race, ethnicity, class, gender, sexuality, and immigration status as a conceptual tool in order to explore the social conditions that marginalize and criminalize undocumented immigrants in the U.S. As such, my research is guided by the voice, personal experience, and perspective of undocuactivists in order to deepen the understanding of academics, government officials, public leaders, and the greater U.S. society as well as work towards social transformation. Indeed my positionality, interpretation, and research agenda are founded on certain philosophical beliefs.

As with all interpretive frameworks, social constructivism is associated with particular philosophical beliefs. Ontologically, I acknowledge, “multiple realities are constructed through our lived experiences and interactions with others” (Creswell, 2013: 36). In other words, reality
is socially constructed. Epistemologically, reality is co-constructed between undocuactivists and myself, which is affected by the research process and shaped by our individual experiences. The axiological beliefs in my study are that “individual values are honored and are negotiated among individuals” (36). Therefore, rather than aspiring to be objective, I value and recognize that subjectivity is rooted in the research process. Lastly, the methodological framework of this study draws from in-depth interviews, observations, as well as the analysis of social media and protest art with the purpose of inductively contextualizing the experiences of undocuactivists for social justice purposes. In summary, these philosophical assumptions are the central tenets that elicit reflexive, emancipatory, and empowering inquiry, which provides a holistic understanding of the lived experiences of undocuactivists in order to construct knowledge that marginalized groups, especially undocumented immigrants, can use to improve society.

**Research Strategies**

Research strategies are the methods employed to achieve one’s research goals. In order to advance social justice inquiry, my study employs grounded theory methods. According to Charmaz (2014), “grounded theory methods consist of systematic, yet flexible guidelines for collecting and analyzing qualitative data to construct theories from the data themselves” (1). For instance, grounded theory methods “begin with inductive logic, use emergent strategies, rely on comparative inquiry, and are explicitly analytic” (Charmaz, 2011: 359). Grounded theory methods are inductive and interactive tools for learning and analyzing social justice issues.

Grounded theory methods have evolved over time. In 1967, Barney Glaser and Anselm Strauss developed grounded theory, which was modeled based on “the notion of generating new theory from the data, as opposed to testing existing theory” (Birks & Mills, 2015: 2). More specifically, grounded theory “is a qualitative research design in which the inquirer generates a
general explanation (a theory) of a process, an action, or an interaction shaped by the views of a large number of participants” (Creswell, 2013: 83). Despite its popular use among several qualitative inquirers, when Glaser and Strauss “disagreed about the meaning and procedures of grounded theory,” several scholars began to critique and further develop the grounded theory framework (Creswell, 2013: 84). For instance, in an effort to change the positivist approach of grounded theory, Kathy Charmaz developed constructivist grounded theory, which “views knowing and learning as embedded in social life...[where] subjectivity is inseparable from social existence” (14). Constructivist grounded theorists acknowledge subjectivity and engage in reflexivity by highlighting “social contexts, interaction, sharing viewpoints, and interpretive understandings” (14). Hence, the research strategies in my study reflect a constructivist grounded theory approach, where I “view data analyses as constructions that not only locate [my] data in time, place, culture, and context but also reflect [my] social, epistemological, and research location” (Charmaz & Belgrave, 2012: 349).

There are several features of constructivist grounded theory that are integrated into a research study. First, a constructivist grounded theorists “focuses on a process or action that has distinct steps or phases that occur over time” (Creswell, 2013: 85). The constructivist grounded theorists collects data of the process or action being studied, often through interviewing but can also include “observations, documents, and audiovisual materials” (88-89). Once data is collected, the researcher then develops a “theory of this process or action” (85). In order to develop a theoretical model, the constructivist grounded theorists must go through a series of coding exercises and memo-writing. The coding process involves categorizing the data collected and memoing entails writing down ideas in order “to formulate the process that is being seen by the researcher and to sketch out the flow of this process” (85). Certainly the ability to develop a
theoretical model requires a careful and extensive examination of the data collected in order to highlight the voices of participants while also provide a critical explanation of their experiences and social conditions.

Beyond providing a theoretical explanation for the process or action studied, the reason why I made the decision to use a constructivist grounded theory approach is because it provides a lens to examine social justice issues. According to Charmaz (2011), the constructivist grounded theory approach “is particularly useful in social justice inquiry because it (1) rejects claims of objectivity, (2) locates researcher’s generalizations, (3) considers researchers’ and participants’ relative positions and standpoints, (4) emphasizes reflexivity, (5) adopts sensitizing concepts such as power, privilege, equity, and oppression, and (6) remains alert to variation and difference” (360). For instance, constructivist grounded theory “can help social justice researchers attend to the construction of inequities and how people act toward them” (Charmaz, 2011: 361). In this sense, constructivist grounded theorists pursuing social justice inquiries think, “about being human, creating good societies and a better world, and what national and world citizenship means” (Charmaz, 2014: 326). More broadly, constructivist grounded theorists studying social justice issues critically examine the ways in which subjective and collective experiences are constructed through larger social structures. Thus, the constructivist grounded theory approach accounts for the complex experiences of undocuactivists, a group that is constantly oppressed, marginalized, and criminalized.

Methods of Collection and Analysis

The data collection process has various phases, including “locating a site or an individual, gaining access and making rapport, sampling purposefully, collecting data, recording information, exploring field issues, and storing data” (Creswell, 2013: 145). In a grounded
theory study, it is important to study a group of individuals who are participants of the process being studied, locate a homogeneous sample, gain access to informants, obtain approval of the institutional review board (IRB), conduct and record interviews using an interview protocol, explore interview issues (e.g. logistics, openness) and field issues (e.g. accessibility), and store interview transcriptions in a safe and secure location (Creswell, 2013: 148-149). As such, these multiple phases of data collection are integrated in my constructivist grounded theory study.

Given my involvement with various organizing efforts advocating for immigrant rights over the past ten years, I located undocumented immigrant young adults who self-identify as activists (i.e. undocuactivists) in the immigrant rights movement. Through my involvement and genuine interest in getting to know undocuactivists, I was able to gain access to and the confidence of informants without having to deal with a gatekeeper. Prior to collecting data, I received approval from the Institutional Review Board at the University of Illinois, Urbana-Champaign. In addition to conducting, recording, and transcribing in-depth interviews, I also conducted fieldwork, physically and virtually. Lastly, I conducted online archival research as well as analyzed social media and protest art. All forms of data were stored in my password-protected computer.

The key informants and knowledge bearers guiding my study are Latina/o undocuactivists, meaning undocumented immigrant young adult activists who are no longer remaining in the shadows due to their lack of legal status in the U.S. and fighting for the rights of all immigrants. I conducted interviews with fifty undocuactivists using snowball sampling (Babbie, 2007; Seidman, 2006; Taylor & Bogdan, 1998). Prior to conducting an interview, every interviewee was given an oral consent form, which is given to vulnerable individuals whose signature can be detrimental to their wellbeing. In other words, rather than signing a
consent form, each interviewee verbally indicated that they agreed to conduct the interview as well as allow me to record the interview for transcription purposes.

Using an in-depth and semi-structured interview guide (Scott Jones and Watt, 2010), I gathered as much insider knowledge as possible in order to contextualize the experiences of undocuactivists. In each interview, I began asking them background questions (e.g. demographics, migration journey, family history, etc.) proceeding with questions relating to their experiences growing up in the U.S. (e.g. first impressions of the U.S., educational trajectory, and working experiences). Further, I asked them questions about their identity (e.g. describe when they found out they were undocumented and what that meant, their perception of the ‘dreamer’ label) and ended with questions about their activism (e.g. when did they decide to become activists, what have they done in the movement, and what they hope to achieve through their activism). While I was in Illinois and California, I conducted most interviews face-to-face. Additionally, I conducted interviews virtually through skype or on speakerphone with undocuactivists throughout the U.S. Each interview lasted anywhere between 1.5 to 3 hours, which I recorded on my voice recorder and later transcribed. Regardless of the length of the interview, all informants were willing to share their experiences even if they did not receive any direct compensation for their time and openness. Overall, I conducted interviews with fifty Latina/o undocuactivists from a variety of backgrounds, experiences, and perspectives (See Table 1).

Table 1: Interviewee Demographics

<table>
<thead>
<tr>
<th>Category</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ethnicity</td>
<td>Mexican (41), Guatemalan (4), Columbian (2), Peruvian (2), Ecuadorian (1)</td>
</tr>
<tr>
<td>Age</td>
<td>18-35</td>
</tr>
<tr>
<td>Gender</td>
<td>Female (28), Male (22)</td>
</tr>
<tr>
<td>Queer</td>
<td>21 Undocuqueer: Female (12), Male (9)</td>
</tr>
<tr>
<td>Region</td>
<td>West (22, mainly CA), Midwest (18, mainly IL), East (6), South (4)</td>
</tr>
</tbody>
</table>
All interviewees traced their ancestry to Latin America. In particular, forty-one interviewees were born in Mexico, four in Guatemala, two in Colombia, two in Peru, and one in Ecuador. When describing their migration journey, interviewees mentioned how they either entered the U.S. by crossing the border without proper documentation or whether they entered the U.S. by plane but overstayed their visa. Furthermore, interviewees mentioned that they migrated alongside other family members, mostly with their parents and siblings. Eight of the interviewees particularly migrated with single mothers. Interviewees mentioned that they migrated to escape poverty, war, violence, and crime. In most cases, interviewees described that their parents were either displaced from their lands, had limited working opportunities, were unable to make ends meet, could not afford to enroll their children in school, and were confronted with having to live in a dangerous environment whether because of a war, neighborhood violence, and/or corrupt government officials. In some cases, interviewees mentioned that their parents did not intend to stay in the U.S. but when they realized that they would never be able to save enough money to move and sustain themselves in their home countries, they had no other option but to remain in the U.S. As such, interviewees commonly said that the reason for their migration and decision to stay in the U.S. was to have access to better life opportunities. The residing destination for interviewees in this study varied across the nation. However, all interviewees mentioned that their decision of where to reside while in the U.S. was influenced by family migration patterns and work opportunities. For instance, interviewees mentioned that their parents would make a decision based on whether immediate or extended family had previously migrated to a certain destination and had already built a social network that would help them get a job and enroll their children in the local schools. The

Every interviewee came at a young age, no later than when they were eleven years old. Thus, upon their arrival to the U.S., interviewees described their transition to a new country and culture. For many, the first time that they felt inferior was during their first day of school, especially given their lack of English proficiency. The experience was often harsher for those who were in predominantly white schools where they not only struggled with the English language but were also discriminated because of the color of their skin. Although they all become fluent in English and were integrated in school, they had diverse experiences during elementary and middle school. However, interviewees described similar high school experiences. For instance, while in high school, interviewees began to experience what it meant to be undocumented as they were unable to do many of the common things that people their age do including getting a driver’s license, job, internship, traveling, applying for financial aid and in some cases, even college. Consequently, interviewees described how even though they were integrated in primary and secondary public schools, these institutions, especially high school, represented institutions of exclusion. This meant that although interviewees felt a sense of hope while integrated in schools, schools also ignited a sense of frustration and disappointment. Nevertheless, all interviewees managed to graduate from high school.

After graduation, forty-two of the fifty interviewees enrolled in a higher education institution. The reasons why eight interviewees did not go to college after completing their high school education was because they did not have access and/or the means to go to college or had to work to help their families make ends meet. Of the forty-two that pursued a postsecondary education, twenty-two enrolled in public universities, five enrolled in private universities, and
fifteen enrolled in community colleges. Twenty of the twenty-two in public universities and all five in private universities completed their baccalaureate degree. Ten of the fifteen in community college completed their associate degree and seven transferred to either a public or private university. Six of the forty-two in higher education institutions pursued a graduate degree, which includes two interviewees who recently obtained their master’s degree, one who is currently in law school, and three who are currently pursuing a doctoral degree. Whether as an undergraduate or graduate student, interviewees pursued degrees in various disciplines including social science, humanities, science, and mathematics. In spite of their educational attainment, several interviewees described how difficult it is to put their degree to practice given their limited access to jobs due to their lack of legal status. Thus, some have had to start working in jobs that do not directly relate to their educational expertise. However, several are currently working for social justice organizations, including non-profits and legal aid offices.

As previously mentioned, the majority of interviewees have undergone three major phases of identity and activism development. In the first phase, they internalize an ‘illegal’ identity, which leads them to live in the shadows and be uninvolved in the movement. In the second phase, whether in high school or in college, they embrace an identity as a DREAMer and their activism directly addresses the needs of DREAMers. Although interviewees acknowledge the importance of the DREAMer movement, they have grown critical of the DREAMer identity and activism that solely focuses on the needs of DREAMers because it is exclusive and divisive. In particular, their critique of the DREAMer movement was that it embodied the model migrant myth, which is that only DREAMers should be eligible for citizenship. Thus, forty-two of the fifty respondents transitioned from DREAMer to Undocuactivist as they began to identify as undocumented and unafraid, which is also reflected in their activism by mobilizing for all
undocumented immigrants. These shifts are influenced by the consciousness of interviewees, which develops based on their educational attainment, personal internal growth, family dynamics, and having to deal with direct consequences of illegality in the U.S. For instance, interviewees mentioned how reading about the struggle of marginalized communities, engaging with diverse people in their daily lives, seeing their own family members struggle to live with dignity simply because of their immigration status, and directly being affected by deportations shaped their identity and activism trajectory. The ways in which undocuactivists have responded through activism is direct action, civil disobedience, and capitalizing on their access to online spaces. When describing their activism, they all mentioned how their parents were highly concerned because of the risk of being deported. However, as years passed, their parents and other community members witnessed the power of mobilizing and became more receptive to undocuactivism. In some cases, the parents of interviewees became involved in the movement whether by participating in marches, rallies, and/or direct actions as well as by notifying their co-workers and neighbors about knowing their rights as undocumented immigrants in spite of not being eligible for a pathway to citizenship.

Within the shift in the movement goals and tactics, the struggle of undocuwomyn (undocumented women) and undocuqueers (undocumented queers) began to be acknowledged and they actually began to be at the forefront of the movement. Although the majority of interviewees mentioned how they were in agreement with the shift of goals, tactics, and leadership, interviewees that self-identified as women and/or undocuqueer were specifically vocal about their critical role in the movement. For instance, undocuwomyn and undocuqueers talked about deconstructing the patriarchal and heteronormative nature of leadership in social movements. More specifically, undocuqueers mentioned how having to come out twice was a
tough but necessary step in their identity and activism trajectory because their identities could not be separated, especially in such a radical movement. As such, this study highlights the words of undocuwomyn and undocuqueers in order to contextualize the necessary and powerful shift in the movement.

While interviews provided me with extensive insider knowledge, I wanted to better understand the experiences of undocuactivists while engaging in activist related activities. As such, I conducted fieldwork, which is the process of “studying among people in their own context, with their permission and cooperation” (Sunstein and Chiseri-Strater, 2007: 417). In particular, fieldwork refers to “close-up ground observation of people and institutions in real time and space, in which the investigator embeds herself near (or within) the phenomenon so as to detect how and why agents on the scene act, think, and feel the way they do” (Wacquant, 2003: 5). Typically, when conducting fieldwork, a researcher can obtain “a broad range of data generation activities that include observations and informal conversations, in addition to formal interviews,” documents, and artifacts (Birks & Mills, 2015: 75). One of the common ways to conduct fieldwork is by becoming a participant observer, which means that “the researcher is participating in the activity at the site [and] the participant role is more salient than the researcher role [in order to] gain insider views and subjective data” (Creswell, 2013: 166-167). Since a participant observer is able to obtain a variety of data while in the field, it is important to write fieldnotes, which are descriptive accounts of events, activities, and conversations as well as personal reflections (Birks & Mills, 2015; Emerson, Fretz, and Shaw, 2011; Jones and Watt, 2010). The process of conducting fieldwork, becoming a participant observer, and writing fieldnotes is facilitated by being involved in the ‘field,’ which is where the investigator can examine a phenomenon in a designated space (Mann and Stewart, 2000).
The field provides “the languages, emotions, ideologies, taken-for-granted understandings, and shared experiences from which the [participants’] stories flow” (Denzin, 1989: 73). Traditionally, the field refers to a physical space, yet given the technological advances and increasing usage of the Internet, this notion is changing. For instance, the notion of space has expanded to include virtual reality (Lee et al, 2008). Virtual space, also known as ‘cyberspace,’ refers to the online experience of those who engage in computer-mediated communication (CMC), including the Internet (Markham, 2008: 252). According to Markham (2004), “whether conceptualized as a communication medium, a global network of connection, or a scene of social construction, the Internet offers the qualitative researcher many means of observing and/or interacting with participants in order to study the complex interrelation of language, technology, and culture” (97). As a result, “Internet technologies have the potential to shift the ways in which qualitative researchers collect, make sense of, and represent data” (98). Legitimizing the use of Internet communication as a tool for qualitative research thus initiated the legitimization of online social research. Nevertheless, online social researchers must be cognizant of their positionality and “must always be sensitive to the political and economic dimensions of their work…[as] the Internet as a commodity is bound up in issues of gender, race, class, and power (Denzin 2004: 10-11).

Given that online activism is a key component of the undocuactivist experience, I conducted fieldwork in both physical spaces and virtual spaces (Boellstorff et al., 2012; Ardevol, 2012; Denzin, 2004; Mann & Stewart, 2000). The physical fieldwork took place mainly in California and Illinois, where I attended organizational meetings, rallies, and other activist related activities. Since I had limited access to physical space, I conducted virtual fieldwork on activist related activities online, including congressional hearings, sit-ins, and other forms of
civil disobedience through live video streaming (i.e. ustream). At the same time, the virtual fieldwork consisted of expanding my social networks and becoming more actively engaged in social media outlets. Although the integration of fieldwork in both physical and virtual spaces is not considered a traditional qualitative method, as in the case of ethnography, my method produced rich data for analysis.

As I conducted in-depth interviews and fieldwork, I found that activism among undocuactivists has changed overtime, in terms of movement agenda, goals, and mobilization tactics. Consequently, I conducted online archival research to become aware of the initiation of the movement, the people and organizations involved, the evolving purpose and agenda, and the transformation of mobilization tactics. The online archival research process consisted of accessing and reading previously published material in the Internet (e.g. websites of undocumented-led organizations) as well as familiarity with artifacts and other public visual data (e.g. newspaper/magazine clippings) (Boellstorff et al., 2012; Babbie, 2007; Emmison, 2004). Additionally, I analyzed various forms of social media used by undocuactivists to spread awareness, disseminate information, and record their mobilization (e.g. facebook, youtube, twitter, blogs, instagram, snapchat). At the same time, I found primary sources (e.g. protest art), comprised of written, visual, and media clippings. The protest art produced by “undocuartivists” (undocumented art activists) encompassed poetry, spoken word, drawings, paintings, pictures, videos, and books. The combination of online archival research as well as analysis of social media and protest art is crucial in understanding activism among undocuactivists.

Certainly all of the aforementioned methods of data collection have limitations. However, by drawing on diverse forms of qualitative data, including in-depth interviews, physical and virtual fieldwork, online archival research, as well as analysis of social media and
protest art, this study accounts for the various components and complexities of the Latina/o undocuactivist experience. Further, the combination of all methods captures the various tools of dissent used by Latina/o undocuactivist to contest illegality and fight for the rights of all undocumented immigrants. Although a generalization cannot be made, these methods, along with an extensive process of coding, can offer a counterhegemonic theoretical understanding of the lived experiences of Latina/o undocuactivists.

**Interpretation and Evaluation**

Given the lack of literature on activism among undocuactivists in the U.S. that extends beyond fighting for the passage of the DREAM Act, I determined that the constructivist grounded theory approach would be best suited for my study. In order to understand the process of contesting illegality through activism among undocuactivists, I drew from in-depth interviews, physical and virtual fieldwork, online archival research, social media, protest art, and by making critical use of history, law, and critical social theory (Denzin & Lincoln, 2008; Kincheloe & Steinberg, 2008; Madison, 2005; Schutt, 1999). Once the data reached saturation, I began the initial and focused coding process (Charmaz, 2014; Babbie, 2007). The initial coding process is known as open coding, which involved going line-by-line through each interview transcript and each set of fieldnotes and then designated segments of information into categories based on conceptual similarity. For instance, some of the hundreds of open codes included: crossing the border, overstaying their visa, unaware of illegality, feeling like an outsider, living in the shadows, fear, finding support, creating safe spaces, decision to voice concerns, participating in direct action, hope for a better future, etc.

Upon completing the initial coding process, I began the focused coding process, which involved becoming aware of the frequency of open codes and identifying the core concepts of
my study (Charmaz 2014). Some of the focused codes included: migration, memory, education, childhood, adolescence, identity, activism, consciousness, etc. Throughout both the process of initial and focused coding, I also wrote informal analytic notes, known as memoing or memo-writing (Creswell, 2013; Charmaz, 2014). According to Charmaz (2014), “memo-writing constitutes a crucial method in grounded theory because it prompts you to analyze your data and codes early in the research process” (162). In particular, memos “describe and define concepts, deal with methodological issues, or offer initial theoretical formulations” (Babbie, 2007: 388). As such, through the process of coding and memoing, I critically and inductively formulated the undocuactivist identity and activism trajectory theoretical model.

Certainly it is important to be reflexive as I write and explain the process of the undocuactivist identity and activism trajectory theoretical model. Creswell (2013) points out, “how we write is a reflection of our own interpretation based on the cultural, social, gender, class, and personal politics that we bring to research” (215). As such, in my work, I seek to “contextualize the social construction of meaning [and] examine the relationships between structure (e.g. race, class, and gender) and biography (e.g. individual accounts) separately, together, and simultaneously” (Cuadraz and Uttal, 1999: 16). At the same time, my work incorporates “the social location and situational location, informed by the forces of history, ideologies, and contemporary political events and policies”(16). In other words, I analyze the “data within multiple intersectionalities of historical structures, cultures, ideologies, and policies, resulting in [a] more accurate [study that] reflect[s] the social realities of inequality and power in society [while] not losing site of the individual experiences that reflect, shape, and construct those social structures” (17). In particular, given that Latina/o undocuactivists must overcome multilayer and interlocking forms of oppression, it is important to understand that in addition to
their immigration status, notions of race, ethnicity, class, gender, and sexuality also deeply affect their social position in the U.S. Therefore, my analysis and writing accounts for the interconnectedness between systems of power and social inequality, which is known as intersectionality (Collins 2000; Zerai, 2000; Anderson & Collins, 2006). More specifically, intersectionality provides a critical lens to understand the transition of participants within the undocuactivist identity and activist trajectory theoretical model.

**Theoretical Framework: Intersectionality**

Rather than adopting an additive approach to contextualize the experience of undocuactivists as well as their identity and activist trajectory, I implement an intersectional approach. Intersectionality refers to the intersection of multiple identities as well as experiences of exclusion and subordination, which acknowledges interlocking inequalities and systems of oppression (Crenshaw, 1991; Collins, 2000). In other words, intersectionality “provides a unique lens of study that does not question difference; rather, it assumes that differential experiences of common events are to be expected” (Thorton Dill & Kohlman, 2012: 154). For instance, the intersectionality of race, ethnicity, nationality, class, gender, sexuality, disability, family, culture, and other forms of oppression demonstrate how the interconnectedness “simultaneously structures the experiences of all people in this society” (Andersen and Collins, 2006: 5). The intersectionality framework considers the interlocking systems of oppression in order to “understand domination and resistance, social inequality, and the social world” (Zerai, 2000: 184). In this sense, intersectionality acknowledges that injustice does not derive from a singular form of oppression but rather from the intersection of multiple forms of oppressions. Hence, the purpose of the intersectional approach in data analysis is to promote social justice by deconstructing social structures, institutions, power, domination, and privilege.
According to Lorde (1984), “in a society where the good is defined in terms of profit rather than in terms of human need, there must always be some group of people who, through systemized oppression, can be made to feel like surplus, to occupy the place of the dehumanized inferior, [which] is made up of Black and Third World people, working-class people, older people, and women” (114). In the U.S., the ‘mythical norm,’ “is usually defined as White, thin, male, young, heterosexual, Christian, and financially secure” (116). The struggle of those who do not fall under the mythical norm, including Latina/o undocuactivists, must thus be analyzed through an intersectional approach to combat the maintenance of a nativist, racist, classist, sexist, and heteronormative U.S. society. Through data collection, coding, and memoing, I found that the intersectionality of race, class, gender, sexuality, and citizenship status plays a central role in shaping the identity and activism trajectory of undocuactivists. Although all of the aforementioned systems of oppression are social constructs, they all serve as “powerful social determinant[s] in the United States (Cobas, Duany, & Feagin, 2016:1).

Race is “a master category—a fundamental concept that has profoundly shaped, and continues to shape, the history, polity, economic structure, and culture of the United States” (Omi & Winant, 2015: 106). Conceptually, “race signifies and symbolizes social conflicts and interests by referring to different types of human bodies” (110). More specifically, “groups have been assigned racial identities in relation to whiteness” (Dowling, 2014: 9). Given that for centuries whites are racialized as the dominant group and people of color are racialized as the subordinate group in the U.S., being a racial minority has definite social consequences (Omi & Winant, 2015; Rumbaut, 2016). In fact, although ‘Latino’ is considered a pan-ethnic category not a race, Latinos are viewed and treated as an inferior ‘race’ who pose a threat to the status quo (Rumbaut, 2016; Chavez, 2013).
Stuart Hall (1980) asserts, “social divisions which assume a distinctively racial or ethnic character can be attributed or explained principally by reference to economic structures and processes” (306). The American class structure serves as a ‘system that differentially structures group access to economic, political, cultural, and societal resources,” (Andersen and Collins, 2006: 72-79). Hence, besides race and ethnicity, working-class Latina/os have limited life prospects.

Gender is not biologically determined but is a socially imposed division of the sexes (i.e. women and men), which is rooted in social institutions. In particular, there are “patterns within society that structure the relationships between women and men and that give them differing positions of advantage and disadvantage within institutions” (80). Surely “people of color, both men and women, have encountered severe economic and social dislocations from the time of their arrival in the United States until the present” (Baca Zinn and Thorton Dill, 1994: 4). Yet, for women of color, “gender is part of a larger pattern of unequal social relations; how gender is experienced depends on how it intersects with other inequalities” (3). In other words, “women of color, [including Latinas], carry the additional burden of race and class, which relegates them to the lowest socioeconomic positions in society” (Ortiz, 1994: 13; Davis, 1983).

Sexuality is often understood as a person’s sexual orientation or preference. Despite the progressive outlook of sexuality in the U.S., “heteronormativity has established heterosexuality as the [norm and] privileged expression of sexuality” (Gonzalez-Lopez, 2010: 107). Queers of color have a hard time being accepted not only among the dominant society, but also within their own communities. Latina/o queers thus often experience social stigma and rejection (Gonzalez-Lopez, 2010).
For Latina/o undocumented immigrants, not only does race, class, gender, and sexuality impact their daily lives, but also citizenship status (Romero, 2008). Latina/os who are noncitizens are deemed as illegitimate members of society who are undeserving of the rights and privileges of U.S. citizenship (Chavez, 2013). Consequently, given that Latina/o undocuactivists are deeply impacted by race, class, gender, sexuality, and citizenship status, using an intersectional approach in my study highlights “the ways in which categories of identity and structures of inequality are mutually constituted” (Thorton Dill & Kohlman, 2012: 154).

As Thorton Dill and Kohlman (2012) point out, “intersectionality is intellectually transformative not only because it centers on the experiences of people of color and locates its analysis within systems of ideological, political, institutional, and economic power as they are shaped by historical patterns of race, class, gender, sexuality, nation, ethnicity, and age but also because it provides a platform for unifying different kinds of praxis in pursuit of social justice: analysis, theorizing, education, advocacy, and policy development” (157). As an intersectional scholar activist driven by a social justice agenda, I am committed to “diversity, multiculturalism, and human rights, combined with a desire to create a more equitable society that recognizes, validates, and celebrates difference” (157). Furthermore, rather than producing knowledge merely within the ivory towers of academia, I am committed to praxis, linking theory and practice. Hence, my work is intersectional because it “validate[s] the lives and histories of persons and subgroups previously ignored or marginalized, and it is used to help empower communities and the people in them” (160). In this study, my hope is that the experiences and resilience of Latina/o undocuactivists will empower the larger undocumented immigrant community and other marginalized groups to rise up and fight for their rights.

**Purpose and Significance of Study**
Research on undocumented immigrants in the U.S. has largely focused on the historical, political, economic, social, and cultural aspects of the undocumented immigrant experience (Portes and Rumbaut, 2014; Chomsky, 2014; Waters, Ueda, and Marrow, 2007; Ngai, 2004). In regards to undocumented immigrant youth and young adults, much of the literature has primarily focused on their educational experience (Abrego, 2006; Abrego and Gonzales, 2010; Collins & Reid, 2009; Gonzales, 2010; Gonzales, 2009; Gonzales, 2007; Perez, 2009; Perez, 2012; Rincon, 2008; Seif, 2004). Yet, there is a lack of research that focuses on how undocumented immigrant young adults mobilize to fight for their rights despite their lack of legal status. This study fills the gap in the literature by highlighting and contextualizing the experiences of Latina/o undocuactivists in the U.S.

Through in-depth interviews, physical and virtual fieldwork, archival online research, analysis of social media and protest art, as well as the use of history, critical theory, law, and interdisciplinary literature, this qualitative study seeks to understand the development, maintenance, and power of undocuactivism in the midst of the rising anti-immigrant rhetoric, sentiment, and policy advocacy. In the process, this study contextualizes the intersectionality of race, class, gender, sexuality, and citizenship status as it pertains to the experiences of Latina/o undocuactivists in the U.S. Furthermore, this research aims to deconstruct the ways in which Latina/o undocuactivists disrupt the legal, economic, social, and everyday notions of illegality in the U.S. through their activism. For instance, although Latina/o undocuactivists are not recognized as U.S. citizens, I highlight who they are as students, workers, activists, and important contributors to American society in spite of their lack of legal status. Also, this study expands law and social movements scholarship by demonstrating how law affects oppositional consciousness, how law is violence, and how marginalized activists target the criminal justice
system in spite of their inferior status in society. Indeed, understanding the experiences of Latina/o undocuactivists reveals key pathways by which historically castigated and stigmatized social groups are capable of using the legal system to rectify and potentially reverse their prescribed positions in society. While much theoretical and empirical work has been devoted to the civil rights efforts of African Americans in the Jim Crow era, Latina/o undocuactivists force a new framework for studying social movements in a so-called “post-racial” America. My study will contribute to Latina/o sociology, immigration, education, socio-legal studies, and social movements.
Chapter 2
Law and Illegality: “I’m Not ‘Illegal,’ I’m a Human”

“I remember waking up early in the morning and it was still dark outside. My mother got us dressed and made us a quick breakfast. I then put on my small backpack and shoes. I remember that my mother told us that we were going on an adventure to be reunited with my father in California. At the time, I didn’t know that I was going to walk hundreds of miles, cross the dangerous U.S.-Mexico border, and never return. When I got here, I remember being mesmerized by all the lights, the paved roads, and the different languages being spoken. I was excited but I was also scared. At first, I loved being reunited with my father because after five years, we were finally all together. But when I started school, it all changed because I didn’t understand anything and I vividly remember one of my classmates saying he is one of those wetbacks. Although I didn’t quite understand, I knew that by the stares and laughter of the kids around me, being a ‘wetback’ was not a good thing. As I got older, I became aware that I was what they call an ‘illegal.’ Along the way, I faced many limitations because I lacked nine numbers (social security) and was constantly reminded by my parents to never disclose my status. For the longest I felt inferior and incapacitated by my status. But when I became an activist, I understood that my status as an ‘illegal’ does not define me. After all, I’m not ‘illegal,’ I’m ‘human.’ ~ Juan, 26 (CA).

Like Juan, the Latina/o undocuactivists in this study shared their migration journey, whether by crossing borders or overstaying their visa, initial reactions upon their arrival to the U.S., experiences along their educational trajectory, and when and how they felt when they realized what it meant to be undocumented. Throughout their in-depth interviews, it was clear that their ascribed illegality not only impacted how they were perceived and treated by others, but also how they viewed themselves. Although illegality is legally, socially, culturally, and politically constructed, Latina/o undocuactivists had to strategically learn how to navigate their daily lives in order to prevent being placed into deportation proceedings. As such, law and

4 In order to appropriately cite interviewees’ direct quotes, this in-text citation format refers to the interviewee’s pseudonym, age, and state of residence.
illegality have and continue to play a significant role in the experiences and activism of Latina/o undocuactivists.

Law impacts people’s cultural understanding and social behavior (Saguy & Stuart, 2008). Law is particularly implemented to establish social order, which means that if people break the law, they are likely to become categorized as deviants and or criminals who deserve punishment. In other words, “because the law is presumed to be both ethical and irreproachable, the act of law-breaking reflects poorly on a person’s moral character” (Cacho, 2012: 4). Yet, laws “are made and enforced by humans, in historical contexts, …and they are often created and modified to serve the interests of some groups—generally the powerful and privileged—over others” (Chomsky, 2014: 1). Thus, “if following the law (legitimate or not) determines whether a person is moral or immoral, it is all but impossible for people assigned to certain status categories to represent themselves as moral and deserving” (4). For instance, contrary to the dominant belief that the U.S. is a nation that grants justice for all, there remains a persistent cycle of injustice and exclusion that targets individuals whose race, class, gender, sexuality, and citizenship status does not fit the status quo. Among these marginalized, dehumanized, and criminalized individuals, there exist noncitizens who “in the United States are continuously subject to a complex, ever-changing, relatively insular, flexible, and highly discretionary legal regime called immigration law” (Kanstroom, 2004: 641). As Natalia (24) from Arizona mentioned, “I know that all of these anti-immigrant laws at the federal and in the state are directly targeting brown bodies, they want us to leave and some even to die...that’s the only way that the U.S. will continue to predominantly white.” Hence, in order to contextualize the experiences and activism of Latina/o undocuactivists in this study, like that of Juan and Natalia, there is a need to understand
immigration law, the militarization of the border, interior policing, illegality, and the double-edge nature of law in the immigrant rights movement.

Immigration Law & Implications: Brief Overview

Although immigration has existed prior to the foundation of the U.S., not all immigrants have been welcomed nor given the opportunity to gain a pathway to legalization (Glenn, 2002; Menjivar 2006; Portes & Rumbaut, 2014; Haines, 2007; Daniels, 2002; Allen, 2011; Bean & Lowell, 2007). In fact, since the late nineteenth century, immigration law has excluded several immigrants, particularly those from non-western European countries (Chomsky, 2014; Lytle-Hernandez, 2010; Ngai, 2004; Volpp, 2001; Espenshade, 1995). As such, the U.S. passed immigration policy to maintain an Anglo-Saxon European majority and leave out certain “unfit” populations (Schrag, 2010). Some of these anti-immigrant policies included the Chinese Exclusion Act of 1882, the 1907 Gentleman’s Agreement restricting immigration from Japan, the passage of the 1924 Johnson-Reed Act with the purpose of implementing discriminatory national origins quotas that predominantly excluded Asian immigrants, and the establishment of the Border Patrol in 1924 to control Mexican migration (Motomura, 2014; Ngai, 2004). Further, “before 1952, the law barred most nonwhite immigrants from naturalizing to become citizens, thereby forever relegating noncitizens of color to alien status and effectively defining them as permanent outsiders in U.S. society” (Johnson, 1997: 266-267). Meanwhile, “the Anglo-Saxon, [western and] northern European preference in the immigration laws remained intact until 1965” (Johnson, 1998: 1130). Certainly, “racism, along with nativism, economic, and other social forces, has unquestionably influenced the evolution of immigration law and policy in the United States” (1119). As Nestor (29) from California summarizes in his interview, “our struggle is not new or very different from that of other immigrants who were not Anglo-Saxon, straight, or
rich...this racist, homophobic, and classist struggle has been happening for hundreds of years and it is the basis for the creation of immigration law to keep those that don’t fit the status quo outside of the U.S.”

In 1965, Congress passed the Hart-Celler Act to end “racial exclusions for Asians and promoted family reunification and a new quota system as the basis for obtained legal entrance and permanent residence” (Hondagneu-Sotelo & Salas, 2008: 211). Also, for the first time, immigration from the Western Hemisphere was restricted in order to limit Latin American migration (Johnson, 1998). Nevertheless, during this second major wave of immigration, immigrants of color were increasingly entering the U.S., especially from Asia and Latin America (Waters & Ueda, 2007; Schrag 2010). When compared to the first wave of immigration, these immigrants differed in national origin, racial and or ethnic identity, socioeconomic status, formal educational attainment, as well as social and human capital (Portes and Rumbaut, 2014; Ueda, 2007; Borjas, 1999). These changing demographics became a great concern for the dominant society and resulted in the ‘illegal alien’ problem. Despite its liberal reform, the Hart-Celler Act “invariably reproduced—at ever higher levels—illegal immigration and made it the central problem preoccupied American immigration policy throughout the late twentieth century and into the twenty-first” (Ngai, 2004: 14). In particular, the undocumented population “increased rapidly between 1965, when the first restrictive measures were passed against Mexican and other Latin American immigrants, and the beginning of the twenty-first century” (Chomsky, 2014: 47). As such, Latino immigrants began to be portrayed as ‘illegal aliens’ who were a threat and a burden to society, as detailed in Chavez’ (2013) book The Latino Threat: Constructing Immigrants, Citizens, and the Nation. Certainly, the image of the Latino ‘illegal alien’ invading the nation reinforces the legal and social construction of noncitizenship, criminality, and
deportability without accounting for the historical, economic, and political reasons for the changing demographics of Latinos in the U.S.

Latinos, especially Mexicans, have had a long history in the U.S. dating before the arrival of European colonizers (Acuña, 1998; Gonzalez, 2011). Yet, Latinos have been treated as invaders and outsiders (Chavez, 2013). For instance, while Latinos have often been welcomed as laborers, as in the case of the Bracero Program, they have been treated as disposable bodies undeserving of basic human rights. This, before deconstructing notions of ascribed illegality, criminality, and deportability among Latinos, it is important to understand why Latinos now account for one of the largest immigrant populations in the U.S. During the 1980s, Mexico suffered from an economic crisis with the devaluation of the peso and Central America was undergoing civil war and violent oppression (Cornelius, 1995, 2). At the same time, income inequality and poverty was rapidly spreading throughout South America and the Caribbean (Cruz, 2008). Cubans were trying to “seek asylum from the Castro regime” (Bean & Tienda, 1987: 28). Central Americans were deeply affected by economic devastation, displacement, military violence, and civil war (Hamilton & Stoltz Chinchilla, 1991). Overall, throughout Latin America, various countries were in debt and were severely affected by the democratization of their regimes (Cruz, 2008). As such, various Latin American immigrants decided to migrate to the U.S. to “escape political, religious, or ethnic persecution, while others migrated for economic reasons” (Suarez-Orozco & Suarez-Orozco, 2001, 6). This is encapsulated in the interview with Sandra (26) from New York, “we didn’t just one day wake up and said let’s go to the U.S. My parents come from a strong indigenous ancestry who sustained themselves by taking care of their land and lived freely but all that stopped when the U.S. decided to displace my family from our land, attempt to eliminate their spiritual practices because of notions like civilization and
globalization. So when my parents could no longer find work and could not afford to send us to school, they were pushed to make the tough decision to leave everything behind and migrate to the U.S. in search of a better life.” Certainly, the U.S. has played a major role in Latin American migration (Gonzalez, 2011). However, Latino immigrants, especially those who are undocumented, have constantly confronted racial nativism and have been deeply affected by anti-immigrant legislation (Sanchez, 1997).

Although some of the Latino immigrants in the 1980s were legally allowed to enter the U.S., there was also an increasing Latino undocumented immigrant population. As a result, Congress passed the Immigration Reform and Control Act (IRCA) in 1986, which sought to impose sanctions on employers who hired undocumented immigrants while also provide amnesty to long-term undocumented immigrant residents (Chapa, 2008; Cruz, 2008; Sierra et al, 2000). Given that IRCA did not grant all undocumented immigrants access to a pathway to legalization, there were numerous Latino immigrants that remained undocumented, which led to an increased anti-immigrant sentiment and xenophobic attitudes towards Latinos. Nevertheless, the undocumented Latino immigrant population continued to grow, especially “during the economic boom between 1997 and 2000” (Flores & Chapa, 2009). At the same time, the passage of trade agreements, including the North American Free Trade Agreement (NAFTA) in 1994 and Central American Free Trade Agreement (CAFTA) in 2004 forced out-migration rather than decrease the rates of migration (Sierra et al, 2000). These shifting demographics of Latino immigrants led to the passage of restrictive immigration legislation beginning in the 1990s.

At the federal level, Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), “the most punitive legislation to date concerning undocumented migration in particular” (De Genova, 2014: 51). In particular, IIRIRA “included
extensive provisions for criminalizing, apprehending, detaining, fining, deporting, and imprisoning a wide array of ‘infractions’ that significantly broadened and elaborated the qualitative scope of the law’s production of ‘illegality’ for undocumented migrants and others associated with them” (51). For instance, IIRIRA led to an increase in hiring Border Patrol agents and investment in surveillance equipment along the border. At the same time, border patrol agents were granted the authority to decide whether a migrant is admitted to the U.S. or immediately deported upon entry. Additionally, section 133 of IIRIRA, “also known as Section 287(g) of the Immigration and Nationality Act (INA) passed in 1952, created a new method to engage state and local police in the enforcement of federal immigration law” (Waslin, 2010: 98). At the same time, the “Antiterrorism and Effective Death Penalty Act (AEDPA) of 1996 explicitly authorized state and local police to arrest and detain immigrants who are unlawfully present in the United States (a violation of civil immigration law)” (98). IIRIRA also “altered the very nature of the sorts of offenses that could be counted as deportable crimes” (De Genova, 2014: 51), which makes it easier to deport undocumented immigrants for minor offenses. In fact, “a noncitizen who has been convicted of an offense that for a citizen would be classed as a misdemeanor must now be deported as an ‘aggravated felon’ – simply because the law says so” (52). Furthermore, “migrants who have been wronged by immigration officials were stripped of all access to an immigration court to challenge any discretionary decision – regardless of how flagrantly discriminatory, abusive or cruel – with respect to their status, including the determination to incarcerate or deport them” (52). As for undocumented students, section 505 of IIRIRA denied them any higher education benefits, including federal financial aid, and prevented states from passing any legislation, including in-state tuition, that aids undocumented students who wish to pursue a higher education (Perry, 2006; Frum 2007; Flores & Chapa, 2008). The
draconian nature of IIRIRA and criminalization of undocumented immigrants continued to prevail through the passage of federal and state legislation.

In addition to IIRIRA, Congress passed the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) in 1996, also commonly referred to as the Welfare Reform Act, which prevented noncitizens from being eligible for public benefits available under federal law (De Genova, 2014; Motomura, 2014). While, “unauthorized migrants were already ineligible for most federal public benefits, the Welfare Reform Act made it harder for state and local governments to provide benefits for unauthorized migrants” (Motomura, 2014: 73). Prior to the passage of stringent federal laws, states also proposed legislation to respond to “a growth in nativist in the 1990s, most dramatically expressed in California’s Proposition 187,” which was enacted in 1994 (Ngai, 2005: 268). Proposition 187 sought to deny all public services to undocumented immigrants as well as “require every public employee, teacher, physician, and social worker to report all illegal aliens to the head of his or her agency, to the attorney general, and to immigration authorities” (Schrag, 2010: 170). While Proposition 187 was overturned by the courts and deemed unconstitutional, its language and purpose continues to permeate in proposed state legislation today. Both at the federal and state level, “the legislation of the 1990s reconfigured the line between legal and illegal alienage, enlarging the grounds that turn legal immigrants into illegal aliens and making it nearly impossible for illegal aliens to legalize their status” (Ngai, 2005: 269). Undoubtedly, the criminalization of undocumented immigrants in the 1990s has continued to intensify.

In the aftermath of September 11, 2001, undocumented immigrants have been treated as a threat to national security. Specifically, “because the violent acts of September 11, 2001 were perpetuated by noncitizens…the U.S. government reorganized many of the immigration
administrative institutions and consolidated them under the umbrella of the Department of Homeland Security (DHS)” (Chacon, 2013: 78). Hence, “in early 2003, the operations of immigrant detention and removal were transferred to ICE (Immigration and Customs Enforcement), as part of the overall restructuring of the INS and the creation of DHS under the Homeland Security Act of 2002” (Golash-Boza, 2012: 40). Given that the budget of DHS has been substantially increasing, there are now more resources allocated to arrest, detain, and deport noncitizens, especially undocumented immigrants. In particular, the passage of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, resulted in an “increased budget for immigration enforcement, both on the border and internally, which has led to more detentions and deportations” (40). In 2002, the Enhanced Border Security and Visa Entry Reform Act “was quickly ushered in to deepen and intensify the material and practical interconnection between counterterrorism and immigration enforcement including the implementation of surveillance strategies and technologies that aspired toward a more comprehensive supervision of all foreign nationals in the United States” (De Genova, 2014: 54). In 2005, the REAL ID Act made undocumented immigrants ineligible for driver’s licenses or identification cards. Furthermore, the REAL ID Act “extended and intensified many of the specifically judicial aspects of the 1996 laws, further inhibiting judicial review for immigration legal proceedings, further curtailing the due process rights of noncitizens, and broadening the purview of inadmissibility as well as deportability in immigration matters that could be construed to be related to ‘terrorism’” (De Genova, 2014: 55). The REAL ID Act also “introduced more stringent and restrictive criteria for assessing the claims of asylum seekers [while also] proposed to nullify any existing laws that might interfere with the further physical fortification of U.S. territorial borders” (55). Evidently,
“the rhetoric of ‘national security’ [has been] used to justify the ongoing expansion of the immigration enforcement apparatus and the implementation of harsh new immigration regulations that increasingly criminalize immigrants” (Chacon, 2013: 78). In other words, “given that undocumented migrants have largely been constructed as criminal ‘illegal’ immigrants who harm the well-being of American citizens and threaten the security of the nation, the measure employed to govern them have been extremely exclusionary and punitive” (Inda & Dowling, 2013: 7). As Raul (26), from Washington mentioned, “Our criminalization as undocumented immigrants did not happen overnight, it has been established for decades through immigration law that establishes us as inferior, criminal, and disposable individuals. But today, what makes it harder is that we have to fight against both immigration and criminal law.” This process has been facilitated by the combination of immigration and criminal law.

Immigration and criminal law “primarily regulate the relationship between the state and the individual” (Stumpf, 2013: 61). In other words, criminal and immigration law regulates who is included or excluded from society. For instance, both “primarily serve to separate the individual from the rest of the society through physical exclusion and the creation of rules that establish lesser levels of citizenship” (61). In the process, “both are designed to create distinct categories of people—innocent versus guilty, admitted versus excluded, or as some say, ‘legal’ versus ‘illegal’” (61). The intersection of immigration and criminal law, known as crimmigration law, has resulted in the treatment of undocumented immigrants as guilty, excluded, and ‘illegal’ individuals in society. Through crimmigration law, “instead of continuing to treat undocumented immigration as a civil matter, law enforcement agencies have begun to enforce criminal sanctions against undocumented immigrants” (Androff et al. 2011:80). More specifically, according to Stumpf (2011), crimmigration law magnifies “the government’s
exclusionary power...[which] manifests in four ways” (1726). First, crimmigration law “expands the circumstances under which government imposes immigration consequences for crimes, including expulsion, detention, or incarceration” (1726-1727). Secondly, “legislatures have increasingly defined immigration-related conduct as criminal” (1728). Thirdly, “immigration-enforcement strategies draw heavily from criminal law enforcement, including the use of criminal databases, increased use of investigative tools, arrests, seizures, prosecutorial approaches, and reliance on subfederal police forces” (1729). Lastly, decisions whether to exclude noncitizens from belonging in U.S. society are increasingly made by Congress on a categorical level or by prosecutors, police officers, or Border Patrol agents” (1729). Overall, crimmigration law, at the federal, state, and local level, has justified the criminalization of immigrants by making undocumented immigrants synonymous with criminals.

Equating undocumented immigrants with foreign, invading, and criminal bodies in public discourse has led to the passage of policies that advocate for border enforcement in order to deter and diminish the undocumented immigrant population. For example, in 2005 the U.S. House of Representatives passed the Border Protection, Antiterrorism, and Illegal Immigration Control Act, more commonly referred to as HR 4437, which sought to “impose a number of restrictions on federal immigration policy, such as making both undocumented immigration and the aiding of undocumented immigrants felony crimes, mandating the building of a massive border fence, and authorizing the immediate deportation of undocumented immigrants” (Cisneros, 2013: 255). As a response, millions of undocumented immigrants and allies across the nation organized protests throughout the spring and summer of 2006 (Cisneros, 2013). In particular, they “mobilized in an effort to defeat this drastic shift in federal immigration policy and in an effort to resist the alienating representations of immigrants circulating in public discourse” (254). Eventually, HR
4437 did not pass, as it did not receive enough votes in the Senate. Yet, “in the post-9/11 context, the policing of the border as a way of managing unauthorized migration has only accelerated, as the fight against immigrant illegality has become conflated with the ‘war on terror’” (Inda & Dowling, 2013: 8). Thus, the Department of Homeland Security launched the Secure Border Initiative in November 2005 to secure the nation’s borders and reduce the entrance of undocumented immigrants through “a mixture of ‘manpower,’ technology, and infrastructure” (8). This has meant an increase in Border Patrol agents, technological surveillance enhancements, and infrastructure by “installing more stadium-style lights along the border, building access roads to enable Border Patrol agents to respond quickly to illegal crossings, and most important, increasing physical barriers to entry (9). In fact, Congress passed the Secure Fence Act of 2006, which was “dedicated to providing for further presumed fortification of the U.S.-Mexico border with hundreds of miles of new physical barriers to be added to the existing 125 miles of fence” (De Geova, 2014: 56). In addition to increasing border enforcement, “the federal government has recently (since the early 2000s) intensified its policing of the nation’s interior” (Inda & Dowling, 2013: 10). Thus, the anti-immigrant rhetoric has been implemented at the border and within the nation.

Certainly, “in addition to border militarization, we are now witnessing an unprecedented surge in interior enforcement” (Golash-Boza, 2012: 45). While “border militarization refers to the use of military-style techniques along the border to prevent the entry of undocumented immigrants, interior enforcement describes policing strategies designed to find undocumented immigrants within the borders of the United States” (45). Undocumented immigrants have been deeply impacted by interior enforcement in every aspect of their daily lives. In fact, “certain spaces of everyday life—workplaces, homes, neighborhoods, and a variety of public spaces—
have been identified as strategic sites and become subject to intensified policing” (Inda & Dowling, 2013: 10). In other words, due to their lack of legal status, undocumented immigrants live under constant stress and fear of being discovered without the proper documentation in both the public and private spheres of their daily lives. For instance, immigration raids, growth of immigrant detention facilities, and other federal programs have been detrimental for undocumented immigrants.

Immigration raids consist of U.S. Immigration and Customs Enforcement (ICE) agents entering homes, workplaces, and other public spaces in search for and with the intention of apprehending undocumented immigrants without prior notice. Similar to “border policing, the raid is a practice that seeks to securitize the nation through the abjection and exclusion of individuals and populations deemed threatening to the social body” (Inda & Dowling, 2013: 11). For example,

“Early in the morning, when most occupants are sleeping, the agents surround a house and pound on the door and windows. If the occupant opens the door, the agents enter the home, frequently without properly identifying themselves or gaining the consent of the occupant. Once the agents enter the house, they order all the occupants—including children and the elderly—to a central location. Although the agents are often looking for a particular person who is suspected to be a fugitive or criminal alien, they frequently interrogate all occupants of the house and arrest anyone who they suspect is unlawfully present in the United States.” (Golash-Boza, 2012: 48).

Immigration raids in homes “are traumatic for those arrested and those not directly subject to deportation by the government, such as U.S. citizen children who witness the arrests of parents and other relatives” (Thronson, 2008: 400). This happened in the home of Marcela (25) from Illinois, as she mentioned in her interview, “I remember that we were all asleep and all of a sudden we heard several loud knockings in our main door. My parents jumped out of bed and
we all gathered in the living room. I peaked through the door and I heard the voices of three men ordering me to open my door. At the time, I did not know about my rights so I opened the door and they asked for our identifications. To make a long story short, they ended up handcuffing my uncle and (with tears in her eyes), they deported him. I will never forget that horrible experience and honestly that’s what motivates me to remain active in the movement. I don’t want anyone else to go through what I went through.” As such, immigration raids in homes “reach deep into immigrant communities and contribute to a climate of fear on the part of immigrants who previously might not have felt targeted by immigration law enforcement. Similarly, ICE raids in workplaces are conducted to “ensure fail labor standards and eliminate the ‘job magnet’: the existence of jobs that attract undocumented labor migrants to the United States” (Golash-Boza, 2012: 51). Those who are “arrested in workplace raids are often quickly relocated to distant detention centers” (Thronson, 2008: 401). Besides the possibility of being apprehended during workplace ICE raids, undocumented immigrants have also been targeted and discriminated in the workplace by the federal government’s electronic employee verification program, known as E-verify, which requires employers to verify the immigration status of job applicants. Since the aftermath of 9/11 in 2001, both home and worksite raids “have occurred with growing frequency over the past few years, despite limited evidence of their efficacy at removing dangerous people or reducing the number of undocumented employees in the United States” (Golash-Boza, 2012: 47). Yet, “while immigration raids formally are targeted at adults, it is the ripple effects of the raids for children and families that give them impact, as an unmistakable message of loss and fear is communicated to immigrant families” (417). Undoubtedly, immigration raids have deeply affected immigrant communities, including mixed-status families, workplaces that thrive
on the labor of undocumented immigrants, and other social institutions, including schools and churches.

Besides causing devastating effects on immigrant communities through raids, “another strategy that ICE has employed in policing the interior is to partner with local and state police forces, sometimes using them as proxy immigration officers” (Inda & Dowling, 2013: 13). The purpose of “these partnerships, and the devolution of immigration authority from federal powers to nonfederal law enforcement agencies, is that they serve as a ‘force multiplier’ for the DHS, significantly expanding the reach of immigration policing authority” (13). More specifically, “ICE has placed its partnering initiatives under an umbrella program called ICE ACCESS (Agreements of Cooperation in Communities to Enhance Safety and Security)” (13). Since the end of 2007, ICE ACCESS has implemented thirteen programs, including the Criminal Alien Program (CAP), Secure Communities, and Delegation of Immigration Authority Section 287(g), which are “three of the most significant and widespread programs involving states and localities in immigration enforcement” (Keaney & Friedland, 2009: 1). The CAP program “focuses on identifying ‘criminal aliens’ detained in federal, state, and local jails and prisons in the United States” in order to deport them before the end of their sentence (Inda & Dowling, 2013: 13). Through the Secure Communities program, “local and state police are able to run the fingerprints of anyone they arrest, regardless of guilt or eventual prosecution, through DHS immigration and other databases” (13). The 287(g) federal program was created under the passage of IIRIRA in 1996, which allowed “local law enforcement agencies to partner with U.S. ICE in order to perform certain duties of federal immigration officers” (Michaud, 2010: 1085). In 2009, “the Department of Homeland Security (DHS), under the leadership of Secretary Napolitano and the then-new Obama Administration, issued a set of policy changes that significantly altered the
nature of the 287(g) program” (1085). The revisions of the 287(g) program has resulted in “subvert congressional intent, undermine local and federal goals for immigration enforcement, whittle the once broad and flexible 287(g) program down to impotent redundancy, and foster an environment that encourages states and localities to not only take immigration enforcement into their own hands via state and local laws and regulations, but to do so in a manner that rejects the ‘prioritized’ enforcement scheme that the Administration had attempted to uniformly impose” (1085). To summarize, the 287(g) program now “permits state and local law enforcement agencies, on the basis of a memorandum of agreement (MOA) with ICE, to function as immigration agents” (Inda & Dowling, 2013: 13). This means “ICE can authorize local police officers to carry out certain immigration enforcement functions, ranging from arresting people for immigration violations and screening local jails for ‘criminal aliens’ to working with ICE on immigration investigations” (13). Hence, “ICE has created a three-part framework within the criminal justice system for immigration enforcement: physical presence in jails (CAP), technological presence (Secure Communities), and actual transfer authority (287(g))” (Keaney & Friedland, 2009: 2). Although the main purpose of these programs are to apprehend and deport ‘criminal aliens,’ the majority of those being apprehended are “individuals who have committed minor transgressions such as speeding, driving without a license, and jaywalking” (Inda & Dowling, 2013:13). In fact, data analysis of CAP, Secure Communities, and 287(g) programs demonstrates that “the majority of individuals are identified because of their race or ethnicity and for crimes which do not pose a serious risk to public safety” (Keaney & Friedland, 2009: 7). At the same time, “these programs significantly expand the reach of immigration policing as well as the numbers of immigrants who are pushed into the category of ‘illegality’” (Mejivar & Kanstrom, 2014: 20). As Alexa (24) from Illinois mentioned in her interview, “there is nothing
‘secure’ about the secure communities program, instead it targets, criminalizes, and establishes fear in our communities. No longer can we assume that it’s safe to walk down the street to go to the supermarket or pick up kids from school. We can’t assume that our parents will be coming home after work. It’s a horrible program and that is why it needs to be dismantled!” These programs thus aim to maintain the status quo by targeting and racially profiling undocumented immigrants of color in order to deny them access to full membership in society even if they have not committed serious crimes.

Aligned with the agenda of ICE raids and ICE ACCESS, states and localities that are unsatisfied with the federal government’s approach to controlling and stopping the flow of undocumented immigrants have implemented interior immigration policing strategies. For instance, “on April 23, 2010, Governor Jan Brewer signed into law SB 1070, widely regarded as highly punitive anti-immigrant measure” (Inda & Dowling, 2013: 14). In particular, the objective of the Support Our Law Enforcement and Safe Neighborhoods Act (SB1070) “was to make ‘attrition through enforcement’ the local policy, meaning that conditions for immigrants in the state were going to be so inhospitable that they were going to deter and discourage immigrants from coming in, and create enough of a disincentive for those already in the state to leave voluntarily, [essentially] ‘self-deport’” (Sáenz, Menjívar, Garcia, 2013: 169). In particular, SB 1070 “required local law enforcement agents to determine the immigration status of any person with whom they interacted during the course of their duties” (Golash-Boza, 2012:41). SB 1070 “included the provision that officers may not solely consider race, color, or national origin with this law [but] House Bill 2162 amended the law” (Sáenz, Menjívar, Garcia, 2013: 169). HB 2162 “eliminated the word solely and changed ‘lawful contact’ to ‘lawful stop, detention, or arrest’” (Sáenz, Menjívar, Garcia, 2013: 170). Yet, the law would have made “it
illegal for undocumented workers to seek work in public places and for employers to stop on a street to pick up and hire undocumented workers (the last two are directed at day laborers)” (170). Also, the law “would allow law enforcement agents to arrest a person without warrant if there is probable cause to believe the person has committed a public offense that makes the individual removable from the United States” (170). While “the more controversial portions of the law have been temporarily blocked, the effects of signing the law have reverberated through neighborhoods and meeting halls, as other states consider passing similar legislation and immigrants and their families throughout the country wait and hope that this will not be the case” (166). More specifically, although “not the first (or last) attempt to criminalize the presence and activities of undocumented immigrants (in Arizona or in other states), SB 1070 is unique in its reach and in its inclusion of a variety of behaviors and actions associated with Latino immigrants” (Sáenz, Menjívar, Garcia, 2013: 169). In other words, the increasing Latino immigrant population has “upset the comfortable white space of Arizona for so many whites [which has resulted in] the creation of practices and policies, such as SB 1070, and the patrolling of its border by vigilante and reputed neo-Nazi groups” (169). The changing Latino immigrant demographics across the nation along with the change in settlement destinations have intensified the notion that Latino immigrants pose a national security risk. As a result, there are now more states and localities that have implemented copycat versions of SB 1070 and in some cases, even harsher immigration enforcement legislation.

Even if Arizona was prevented from enforcing federal immigration law through SB 1070, “this did not discourage at least sixteen states from considering similar measures” (Provine & Lewis, 2014: 303). For instance, in 2011 two of the most punitive and draconian versions were Georgia’s HB 87 and Alabama’s HB 56. Under HB 87, all companies, including both public and
private, must implement E-verify and undocumented immigrants with fraudulent documents are to be treated as felons (Arrocha, 2012). Consequently, Georgia promoted a “new kind of segregation where the spatial separation is achieved through colorblind laws which disempower those who, due to their legal status as undocumented workers, cannot reaffirm the power of their race” (Arrocha, 2012: 272). In this sense, “undocumented workers remain perceived as inferior, and in many cases, as being part of a subhuman Other” (272). HB 56 also aims to criminalize all undocumented immigrants including their children as it “openly exclude[s] children of undocumented migrant families from public schools and colleges” (275). Furthermore, HB 56 “instills a deep fear in the Hispanic community that, even if legally residing in the state, they will inevitably be segregated from the rest of the non-Hispanic population [while also] sends a clear message regarding which children are most valuable to the state and the community” (275).

Similarly, “at the local level, since 2006, hundreds of cities and towns across the nation—from Escondido, California, and Farmers Branch, Texas, to Hazleton, Pennsylvania, and Prince William Country, Virginia—have passed ordinances or strategically deployed existing laws to manage the presence of undocumented immigrants in their localities” (Inda & Dowling, 2013: 14). According to Gilbert (2013), “immigrant-related municipal ordinances, resolutions, and declarations are some of the latest neoliberal strategies deployed in the governance of immigration, the delocalization of border control, and the re-bordering of state power” (182). In the process, “the most alarming aspects of anti-immigrant municipal measures are that they seek to authorize the legitimacy of socio-spatial exclusion, the denial of racism, and the erosion of civil rights—in the name of a governmentality of unease” (192). Ultimately, when bills like SB 1070, HB 87, HB 56 and other similar state and local immigration enforcement strategies pass, it represents “an amazing victory for a historic bloc that is determined to reach the unreachable
dream of a White-Anglo-Saxon-Protestant country under an also unreachable state of ‘absolute security’” (Arrocha, 2012: 277). In particular, “the heavy policing of migrant illegality has had a profound and highly negative impact on immigrants and their communities, with Latinos bearing the major brunt” (Inda & Dowling, 2013: 18). As a result, “the targets of immigration policing are not just any bodies, but physically and culturally distinct ones” (18). This means “immigration enforcement functions as a form of racial governance, that is, as a mechanism for managing the conduct of somatically different, and putatively ‘unruly’ populations” (Inda & Dowling, 2013: 18). The racialization of interior immigration enforcement at the state and local level is sustained by equating undocumented immigrants of color to ‘illegal,’ criminal, and inferior members of society.

To be sure, undocumented immigrants are deeply affected by the draconian anti-immigrant policies, militarization of the border, interior policing strategies, as well as a rising number of apprehensions, detentions, and deportations. Yet, the U.S. has played a major role in recent migration patterns and undocumented immigrants continue to be imbedded in the social fabric of many communities across the nation. Nevertheless, while “attrition through enforcement is not an official government policy, it does appear to be the de facto way that undocumented immigration is being governed” (Inda & Dowling, 2013: 23). Undocumented immigrants are thus faced with living in a discriminatory, racist, and hostile environment. Given their lack of legal status, undocumented immigrants are always at risk of being apprehended while driving, working, at church, and even, at their children’s schools. In other words, their ascribed illegality has led undocumented immigrants to become incapacitated to a certain extent. Consequently, “such practices serve to dehumanize immigrants, undermine workers’ rights, break families apart, and generally deny immigrants human dignity and peace of mind” (Inda &
Dowling, 2013: 23). Given that this research focuses on the experiences of Latina/o undocuactivists, it is important to not only understand the aforementioned immigration laws and their implications among undocumented immigrants, but also to know how illegality, along with race, class, gender, sexuality, and other social categories play a role in sustaining these conditions.

**Illegality**

Through the implementation of exclusionary immigration laws, immigrants who are considered unauthorized border crossers or visa violators are legally classified as ‘illegal aliens’ (Chomsky, 2014; Gunkel and Gonzalez Wahl, 2012; Inda, 2006; Ngai, 2004). In other words, the U.S. government particularly refers to undocumented immigrants as ‘illegal aliens’ due to their “violation of U.S. immigration law” (Inda & Dowling, 2013: 6). More specifically, “as people move across ever more porous national boundaries, their status is determined by those nation-states” (Chavez, 2007, 192). Similarly, Willen (2007) asserts that, “an enduring manifestation of traditional modernity – the ostensibly rational bureaucratic state regime – continues to play a fundamental role in structuring ‘illegal’ and ‘irregular migrants’ experiences of space, time, personhood, collectivity, and embodied subjectivity” (2). Based on the work of Coutin (2000), De Genova (2002), Menjivar (2006), Suarez-Navaz (2004), and Willen (2007), “as a condition, being ‘illegal’ contributes to subjective understandings of the world and to identity” (Gonzales & Chavez, 2012, 258). Being classified an ‘illegal’ is thus maintained through immigration law, borders, social constructions, social forces, and social structures which in turn shape the lived experiences of undocumented immigrants, including undocuactivists, based on their everyday constraints, resistance, embodiment, and performativity.
When undocumented immigrants are labeled ‘illegal aliens,’ they are ascribed illegality. In this sense, “‘migrant illegality’ is lived through a palpable sense of deportability—which is to say, the possibility of deportation, the possibility of being ‘removed’ from the space of the state” (De Genova, 2002: 439). Put otherwise, the visibility and mobility of undocumented migrants is controlled by reinforcing “a constant fear of discovery, apprehension, deportation, and discrimination” (Hiemstra, 2010: 81). This is especially true given the rise of exclusionary immigration strategies, policies, and enforcement (Golash-Boza, 2012; Varsanyi, 2010; Inda, 2006; Ngai 2004). For instance, increased border enforcement, interior policing, draconian anti-immigrant legislation, and the rise of deportations, symbolizes the governing of undocumented immigrants through crime (Menjivar & Kanstroom, 2014; Dowling & Inda, 2013; McDonald, 2011; Strumpf, 2006; Kanstroom, 2004). In the process, the criminalization of undocumented immigrants results from the blurring of the boundary between noncitizen and criminal. Undocumented immigrants are thus “prevented from being law-abiding” individuals in society and thus, inherit the status of “rightlessness” (Cacho, 2012). Illegality has thus been explicitly sustained through the differentiation between the citizen and the ‘illegal alien’ (Nakano Glenn, 2011; Ngai, 2004; Buff, 2008; Cohen, 1999). In other words, “‘citizen’ and ‘noncitizen,’[including ‘illegal alien,’] are concepts used to imagine and define community membership” (Chavez, 2013: 5). According to Hiemstra (2010), “labeling a person ‘illegal’ is a subtle yet powerful tool for creating, marking and magnifying perceived difference and exclusion” (78). For instance, the construction and legitimization of illegality marks undocumented immigrants as irresponsible lawbreakers and are also used as scapegoats for the cultural, social, and economic ills of society (Inda & Dowling, 2013: 6). Consequently,
undocumented immigrants are ineligible for legal personhood, leading them to be excluded and
criminalized in society.

Undoubtedly, “‘illegality’ is the product of U.S. immigration law – not merely in the
generic sense that immigration law constructs, differentiates, and ranks various categories of
‘aliens’ but in the more profound sense that the history of deliberate interventions beginning in
1965 has entailed an active process of inclusion through legalization” (De Genova, 2014: 47-48).
Illegality as the product of immigration law is legitimized through the creation and
maintenance of borders. According to Dudziak & Volpp (2005), the “law defines national
borders; it delineates the consequence of borders for the people within them” (593). In fact,
“borders are constructed in law, not only through formal legal controls of entry and exit but also
through the construction of rights of citizenship and noncitizenship, and the regulation or
legitimation of American power in other parts of the world” (594). The construction of borders
thus legitimizes the power of citizenship through the existence of noncitizens, including
undocumented immigrants. Therefore, immigrant ‘illegality’ is a historically and legally
produced concept (Menjivar & Kanstroom, 2014).

Although “illegality is rooted in legal classifications, its strength lies not just in law, but
also in the discourses, politics, and practices which accompany the interpretation and
implementation of law” (Hiemstra, 2010: 78). Thus, illegality is also “socially, culturally, and
politically constructed,” which is often through public discourse and mainstream media (Chavez,
2007, 192). Furthermore, illegality has particularly become attributed to Latino immigrants,
especially through the pervasiveness of the Latino threat narrative (Chavez, 2013). Illegality is
thus tied to the racialization and criminalization of undocumented immigrant bodies. For
instance, several scholars have pointed out that Latinos, especially Mexicans, have been and
continue to be categorized as ‘illegal aliens’ regardless of their legal status in the U.S. (Chavez, 2013; Lytle Hernandez, 2010; Schrag, 2010; Inda, 2006). Also, “unquestioned motives and behavior attributed to Latino immigrants and their children permeate discussions over amnesty for undocumented immigrants, employer sanctions, driver’s licenses, prenatal care, education for the children of immigrants, citizenship for ‘anchor babies’ (U.S.-born children with undocumented-immigrant parents), and even organ transplants for immigrants” (4). Interestingly, “while making immigrants’ contributions as workers and community members invisible, these images and discourses also make immigrants’ very presence in the country hypervisible – but only through the lens of illegality” (Abrego, 2014: 140). In other words, undocumented immigrants are constantly depicted and treated as ‘illegals’ who are physically present but legally non-existent in society (Coutin, 2007). Even when “undocumented status is largely a matter of civil law, the mainstream media tends to portray matters related to persons who are categorized as undocumented as criminal issues,” including when they are being apprehended in order to be placed into deportation proceedings (Abrego, 2014: 140). Certainly, “these repeated images are powerful and compelling despite the fact that official statistics confirm that the majority of immigrants who are deported through local, state, and federal programs such as 287(g) and Secure Communities, do not have criminal records” (140-141). Further, “these persistently negative visual representations shape the general public’s view, but also affect how immigrants understand and experience ‘illegality’” (141). The legitimization of illegality through immigration law, public discourse, and mainstream media regulates who belongs and who remains excluded in society, which in turn, impacts the daily lives of undocumented immigrants (De Genova, 2002). Illegality is thus a sociopolitical condition that often prevents undocumented immigrants from living a normal life.
Given the dehumanization, criminalization, and limited life opportunities of undocumented immigrants, they represent docile bodies that are constantly under surveillance and subject to punishment. Particularly, Dudziak and Volpp (2005) note that the law marks bodies as either citizen or alien (595). This means “which bodies can enter and which bodies are expelled, and the attempted enforcement of those decisions, bounds American identity through the incorporation of some and the exclusion of others” (598). Bodies are thus tied to notions of power (Foucault, 1977). In fact, based on Foucault’s conceptualization of the body, the bodies of those who are excluded from the dominant society are subject to discipline and control (Cacho, 2012). Willen points (2007) out, “illegality becomes ‘incarnated’ on the immigrant body through processes of racialization, regardless of national origin, and even actual legal status” (Hiemstra, 2010, 79). At the same time, “in the contemporary sociopolitical context, immigrants racialized in particular ways are covertly criminalized regardless of actual behavior” (79). In fact, based on the work of De Genova (2005), Nevins (2002), and Smith (2005), “because many Americans do not differentiate between one brown body and another, illegality involves the criminalization of all brown bodies” (79). Consequently, “illegality, vis-à-vis racialization and criminalization of immigrants, come to be embodied” (Coutin, 2005, 79). This means that the ‘illegal’ body of an undocumented immigrant of color is not only lived but also acted upon (Crossley, 1996).

Latino undocumented immigrants, including the undocuactivists in this study, are deeply affected by their ascribed ‘illegal’ identity and their ‘illegal’ brown body based on immigration law, borders, interior policing, as well as by the intersectionality of illegality, race, class, gender, and sexuality. Undocumented immigrants thus “exist in a space outside of society, a space of ‘nonexistence,’ a space that is not actually ‘elsewhere’ or beyond borders but that is rather a
hidden dimension of social reality” (Gonzales & Chavez, 2012, 258). For instance, undocumented immigrants are physically present in the U.S. workforce yet because they lack legal status, they are not given the same rights nor treated the same as their U.S. citizen or permanent resident counterparts. Undocumented immigrants are invisible in all workforce sectors but instantly become visible when they are used as a scapegoat to explain social ills in the U.S. In the case of undocuactivists in this study, they are allowed to participate in some aspects of society, like schooling, but are not given the same opportunity to “legally work, vote, receive financial aid, or drive in most states, and deportation remains a constant threat” (Gonzales, 2011, 605). This means that even when undocumented immigrant young adults grow up in the U.S. for most of their lives, they “are forced to confront consequences of illegality and must learn to live as an ‘illegal’” when they transition into adulthood (Gonzales & Chavez, 2012, 262). The process in which undocuactivists deal with and disrupt their ascribed illegality through activism can be understood through Willen’s (2007) three-dimension critical phenomenological approach to ‘illegality.’ According to Willen (2007), this approach examines illegality first, “as a form of juridical and political status, second, [as] a sociopolitical condition, and third, [as a] mode of being-in-the-world” (11). Among Latina/o undocuactivists, the first dimension is the legal construction of illegality, which consists of experiencing exclusion through immigration law and enforcement. In the second dimension, Latina/o undocuactivists recognize that their sociopolitical condition as an ‘illegal alien’ is racialized and criminalized. Lastly, border enforcement at the border and in the interior forces Latina/o undocuactivists to strategically navigate their daily lives in spite of their lack of legal status. Even with the inferiority experienced and constantly being at risk in all three-dimensional framework of illegality,
Latina/o undocuactivists have drawn on various tools of dissent to alter their social position in the U.S.

Illegality is theorized as a legal, racial, and spatial condition attributed to marginalized immigrants (Menjivar & Abrego, 2012; Hiesmtra, 2010; Chavez, 2007; Willen, 2007; De Genova, 2005). Consequently, illegality plays a central role in determining the social position of Latina/o undocuactivists. Yet, Latina/o undocuactivists in this study are pushing legal boundaries to contest and resist illegality, which reflects a significant critique of the legal system and its power to construct oppressive social relations. At the same time, I find that Latina/o undocuactivists also see changes to the law as a means to expand their opportunities to claim citizenship, thus articulating a more aspirational role for the power of law. These counter-intuitive findings highlight the complexity of the legal system, intersectional identities, and community organizing.

**Law as Oppressive and Liberating: Latina/o Undocuactivists Resisting Illegality**

Law is a complex social structure that holds institutional power, which has the potential to oppress and/or liberate an individual in society. For instance, “law imposes constraints in the form of elaborate regulations, codes delineating prohibited conduct, and social norms designed to maintain existing arrangements of power and order” (Marshall & Barclay, 2003: 617-618). According to McCann (2006), “law thus is a significant part of how we learn to live and act as citizens in society” (21). At the same time, law is also used to alleviate social problems that disproportionately impact disenfranchised communities (Kessler, 1990). Therefore, law plays a significant role in people’s everyday lives, by “both shaping the meaning that people make of their experiences and providing a set of tools and resources for resolving conflict” (Marshall & Barclay, 2003: 619). In the case of Latina/o undocuactivists, one is able to understand the
double-edge nature of law, meaning law can be harmful while also beneficial, through their movement goals and activism.

Although the social construction of law can be explained by examining the ways in which culture shapes law and the ways that law shapes culture, scholars have examined law as culture in order to analyze human action in the midst of structural constraints (Saguy & Stuart, 2008; Ewick & Sibley 1998). Through an outlook of law as culture, human action is informed by people’s legal consciousness, which refers to people’s understanding and enactment of legality (Marshall & Barclay, 2003; Marshall, 2005). Legality is a cultural schema that refers “to the meanings, sources, authority, and cultural practices that are commonly recognized as legal, regardless of who employs them or for what ends” (Ewick & Sibley, 1998: 22). The model of law as culture thus acknowledges, “the powerful role law plays in constructing social relationships and in producing order and change” (Saguy & Stuart, 2008: 161). Based on the model of law as culture, it is thus possible to analyze how ordinary individual, including Latina/o undocuactivists, use law to create social change.

In an effort to deconstruct legal hegemony and its negative impact on marginalized individuals, law can be used as an instrument of social change (Vago, 2012; Silbey, 2005; Marshall & Barclay 2003; McCann, 1994). According to Dror (1968), “law plays an important indirect role in social change by shaping various social institutions, which in turn have a direct impact on society” (673). In this case, “social change refers to a restructuring of the basic ways people in a society relate to each other with regard to government, economics, education, religion, family life, recreation, language, and other activities” (Vago, 2012: 309). One of the ways that law can be a tool of social change is by transforming “social conflicts into legal actions” through legal mobilization (Marshall & Barclay, 2003: 618). Legal mobilization is thus
considered a social movement tactic (Burstein, 1991). As such, several social movements “use legal strategies to advance their public policy goals… [and litigation] not simply to win favorable precedents from the courts, but also to raise public awareness about their cause and to mobilize activists into the movement” (Marshall & Barclay, 2003: 618-619). This social phenomenon has been demonstrated through several social movements aimed at advocating for the rights of those who are marginalized, including the immigrant rights movement.

Currently, a social movement that is problematizing the meaning and purpose of law, the model of law as culture, legal consciousness, legality, legal mobilization, and the potential of social change through law is the immigrant rights movement. The immigrant rights movement particularly acknowledges the double-edged nature of law. On one hand, the immigrant rights movement acknowledges that “law generally works to support status quo conventions and hierarchical relationships” (McCann, 2006: 17). For instance, immigration law, border enforcement, and interior policing seek to differentiate who is included and excluded in the dominant society based on citizenship, race, class, gender, sexuality, and other social categories. As such, law establishes a societal hierarchical relationship based on an individual’s intersectional identity. On the other hand, within the immigrant rights movement, “law can be mobilized to challenge and even reconstitute the terms of institutional order” (McCann, 2006: 17). In the words of Brandon (23) from Florida, “We know that changing the law is important in order for all undocumented immigrants to have an opportunity to legalize their status but at the same time, we know that changing the law will not resolve everything because we will continue to be marginalized based on our race, class, gender, sexuality, and so on... basically nothing will change until the structure of this society is changed.” Law thus has the ability to deconstruct the misguided connection between immigration and crime by transforming the life circumstances of
undocumented immigrants who are criminalized because they lack legal status. In an effort to understand the complexity of the immigrant rights movement, this socio-legal research draws from the experiences of Latina/o undocuactivists who are both challenging the law while also using the law as a source of empowerment.
Chapter 3
Movement Goals: Defying the System

“When you are being denied basic human rights, you have to rise up and work towards social change” ~Daniela, 19 (GA).

Most of the Latina/o undocuactivists I interviewed, including Daniela, came to the U.S. at a young age. Upon their arrival, they realize that they must live with an ascribed ‘illegal alien’ identity. For instance, they are surrounded by anti-immigrant rhetoric in the media, classrooms, and through everyday life interactions. Their undocumented status is constantly conflated with dehumanizing terms such as ‘illegal alien,’ ‘wetback,’ ‘criminal,’ and ‘invader.’ Additionally, from a young age, Latina/o undocuactivists witness how dangerous it is to disclose their undocumented status given the prevalence of interior immigration policing and rise of deportations in their communities. While the risk of being apprehended and deported is higher for undocumented immigrant adults, undocumented immigrant children and youth fear family separation. Consequently, Latina/o undocuactivists share how prior to becoming activists, they tended to live in the shadows. In fact, even when Latina/o undocuactivists were among those whom they trust, including friends, partners, and others, they were hesitant to disclose their status. Living in the shadows becomes even more complex when Latina/o undocuactivists come of age because it is when they begin to experience several barriers and limitations due to their lack of legal status. As opposed to their peers, Latina/o undocuactivists often are not able to get a driver’s license or job/internship as well as unable to travel, apply to certain universities, apply for federal financial aid, vote, or partake in other opportunities that are limited to U.S. permanent residents or citizens. This process of dehumanization, criminalization, and marginalization is best described by Alejandra (26, CA), “growing up as an undocumented immigrant means that you are an eternal child because even though you get older, there are so many things you cannot
undocumented immigrant thus face structural, economic, political, social, cultural, and emotional constraints due to their lack of legal status regardless of their age. Yet, not all hope is lost for undocumented immigrant children and young adults.

**Education is a Human Right: The Struggle of Undocumented Students**

While undocumented immigrant adults have not been granted a pathway to legalization, undocumented immigrant children and youth have been granted certain rights. In 1982, the *Plyler v Doe* Supreme Court case ruling used the equal protection provisions of the Fourteenth Amendment to prevent schools from denying any student, regardless of their immigration status, enrollment in the K-12 public educational system (Perry, 2006). In other words, the *Plyler v Doe* Supreme Court decision guarantees undocumented immigrant children the right to obtain a primary and secondary education, marking it one of the most important decisions addressing the needs of undocumented immigrants in the U.S. (Olivas, 2012). More specifically, the *Plyler v Doe* case sought to prevent undocumented children from facing a lifetime of hardship and becoming part of the permanent underclass (Gonzales, Heredia, & Negrón-Gonzalez, 2015).

Although undocumented students can legally become integrated in public primary and secondary schools, they are not able to escape the reality of having to live in the shadows due to their lack of legal status. Nevertheless, because schools represent primary social institutions, undocumented students experience illegality differently than their parents and other undocumented immigrant adults, as they are more likely to become integrated into the social fabric of communities across the nation as well as possibly experience socioeconomic upward mobility. In fact, Gonzales (2016) argues, “open access to public school affords them the important opportunity to integrate into the country’s legal and cultural framework, albeit temporarily” (9). Also, “as members of a community of students, many young immigrants
achieve a social status that has profound implications for their transition into new identities as American children” (9). While temporary, being integrated in the K-12 public school system “provides positive messages about belonging, and their cultural, social, and political lives are rooted inside the circle” (9-10). This means that prior to adolescence, “their exclusion from the American way of life is temporarily suspended [as they are able] to leave the liminal phase, crossing over socially and culturally although still not legal” (10). Overall, since schools play a major role in their socialization, undocumented students in K-12 schools are able to gain social and cultural capital that is critical to their integration and development. Through education, undocumented students are thus able to find a sense of hope and belonging in spite of their lack of legal status.

Certainly undocumented students in the K-12 public school system experience ‘illegality’ differently than undocumented immigrant adults because they are integrated into a primary American institution. However, “the notion that today’s schools are a meritocracy through which disadvantaged youth can acquire the tools needed to access social mobility overlooks structural inequalities that undercut opportunities” (Gonzales, Heredia, & Negrón-Gonzalez, 2015: 319-320). For instance, “undocumented children often grow up in communities of concentrated poverty and attend schools in large, overcrowded, underresourced, and segregated school districts” (320). Therefore, “these structural contexts limit their access to critical experiences that assist young people in achieving social and economic mobility” (320). At the same time, “though meaningful, their participation in schools neither suspends their undocumented status nor guarantees broader societal integration, social membership, and opportunities for civic and political engagement” (320). Yet, there are approximately 65,000
undocumented students who graduate from U.S. high schools every year (Passel, 2003; Drachman, 2006).

While obtaining a high school degree symbolizes a significant accomplishment for undocumented students and their family, they continue to face “inequality and silent discrimination” (Stevenson, 2004, 553). For instance, since the *Plyler v Doe* decision did not address education beyond K-12, undocumented students do not have the same rights when it comes to pursuing a postsecondary education (Chapa, 2008; Drachman, 2006; Pabon Lopez, 2004; Barasaba, 2007; Alfred, 2003). At the same time, as undocumented students transition to adulthood, they are “accompanied by a *transition to illegality*” (Gonzales, 2016: 11). This means “given that undocumented children have no practical way to adjust their immigration status, as they near the end of high school and begin adult lives, their lack of legal citizenship closes off access to good jobs, creates barriers to enrolling in college, and heightens the changes for detainment and deportation” (11-12). In the words of Ricardo (30) from California, “we basically come to truly understand what it means to be undocumented when we become adults, no longer are we safe inside the bubble that categorizes us as youth or students.” Therefore, in spite of overcoming structural inequalities, undocumented high school graduates are denied the means to pursue a higher education and are no longer protected from the daily repercussions of being an undocumented immigrant in society.

In addition to their lack of legal status, undocumented immigrants face many social, political, and economic barriers that often prevent them from pursuing a higher education and or allow them to reach their full potential (Frum, 2007; Stevenson, 2004; Flores and Chapa, 2009; Seif, 2004; Perry, 2006; Gonzales, 2009; Gonzales, 2007; Perez, 2009; Rincon, 2010; Arriola & Murphy, 2010; Abrego, 2006). Essentially, by denying undocumented immigrant students the
opportunity to obtain a higher education, they are unable to contribute to the betterment of society because they cannot compete for professional positions in the U.S. labor market (Gonzales, 2010; Jefferies, 2008; Chavez, Soriano, & Oliverez, 2007).

**In-State Tuition**

In an effort to capitalize on the potential contribution of undocumented students, states have passed policies to make higher education more affordable and attainable for undocumented students. For example, in an effort “to address the lack of higher education access to a growing number of undocumented high school graduates, starting in 2001, Texas, followed by California, Illinois, Kansas, New Mexico, Nebraska, New York, Oklahoma, Utah, Washington, Wisconsin, Maryland and Connecticut took matters into their own hands and passed in-state tuition policies that began to open the doors to higher education” (Perez, 2012, 7). While more states have passed in-state tuition policies, the majority of states still do not consider undocumented students residents even if they have lived in the respective states for most of their lives.

The purpose of in-state tuition policies is to classify undocumented students as residents so that they can pay in-state tuition rates (Flores & Chapa, 2009; Ruge & Iza, 2005; Yates, 2004; Reich & Barth, 2010; Salinas, 2006). Generally, in order “for undocumented students to be eligible for in-state tuition, they must reside in or attend school in the state for a specified number of years (two to four), graduate from a high school in the state or complete a GED, and submit an affidavit stating intent to file for legal residency” (Russel, 2007, 2). Although in-state tuition policies make college more affordable for undocumented students, they have not yet fully resolved the issue (Salsbury, 2003; Kaushal, 2008). For instance, in-state tuition policies are not available throughout the nation, do not grant undocumented students access to any financial assistance (i.e. financial aid, grants, scholarships, loans), nor provides work-study opportunities.
or other higher-income jobs that would help them pay for their postsecondary education (Perez et. al., 2010; Ortiz & Hinosoja, 2010).

Given the limitations of in-state tuition, many undocumented students who decide to pursue a higher education must work multiple low-wage jobs underground and constantly withdraw from school in order to save enough money to pay for their education while also overcome a series of other obstacles (Perez, 2009; Perez et. al., 2010; Diaz-Strong et. al., 2011). Even when states like Texas, New Mexico, California, and Illinois have passed legislation that make undocumented immigrant students eligible “for various grants under their state financial aid programs” (Perez, 2012, 7), undocumented immigrant students remain in a legal limbo until they are able to formalize their status (Shah, 2008). In other words, since states are not allowed to regulate immigration, even when they pass the aforementioned policies, they are not allowed to provide undocumented immigrant students with a pathway to legalization (Filindra, Blanding, & Garcia Coll, 2011).

College Undocumented Students

Although it is difficult for undocumented students to pursue a higher education, there are approximately 7,000 to 13,000 enrolled in universities across the nation (Passel, 2003). On some campuses, these students have become known as the underground undergrads because they face unique experiences including not being able to live on campus, attend office hours, and have the entire college experience because of their immigration status (UCLA, 2008). There are even a few undocumented immigrant students who are in graduate school, including pursuing a doctoral degree (Chan, 2011). Both undergraduate and graduate undocumented students are able to beat the odds and surpass several obstacles in order to obtain their degrees (Perez & Douglas Cortes, 2011; Clark-Ibañez, Garcia-Alverdin, & Alva, 2012; Gonzales, 2010; Contreras, 2009; Enriquez,
2011; Perez, 2010; Rincon, 2008; Dozier, 1992). However, upon college graduation, they have limited opportunities to put their college degrees to practice because of their lack of legal status (Abrego & Gonzales, 2010; Pabon Lopez & Lopez, 2010; Perez et. al., 2010; Arriola & Murphy, 2010; Gonzales, 2007; Frum, 2007; Garcia, 2006; Stevenson, 2004). As such, in order to “improve [undocumented youth’s] economic prospects, productivity, and contribution to the US economy” (Kaushal, 2008, 2), policies that grant access to an affordable postsecondary education and a pathway to legalization must be enacted (Connolly, 2005; Protopsaltis, 2005).

**DREAM Act**

Since 2001, a federal legislation, known as the DREAM Act has been proposed in U.S. Congress. The Development, Relief, and Education for Alien Minors (DREAM) Act would ultimately provide a way for undocumented youth to attain legalization by pursuing a higher education or joining the military (Olivas, 2012; Olivas, 2004; Batalova & McHugh, 2010; Mariscal, 2007). In order for the DREAM Act to be enacted, a process of conditional legal permanent residence must take place. For this reason, the process asserts that an undocumented individual must have been living in the U.S. for a minimum of five years, must have entered the U.S. before the age of 16, must obtain a high school diploma or its equivalent in the U.S., and must maintain a good moral character in order to fulfill the requirements if the law is passed (Perez, 2012, 8). If undocumented individuals meet the above qualifications and have either graduated or completed 2 years of a baccalaureate degree or served two years in the military, they would be able to “apply for removal of the conditional basis for permanent residence” (Frum, 2007, 88). Once undocumented students “adjust their status to lawful permanent residence,” they would be eligible to apply for “student loans, federal work study programs, and certain benefits for armed service members” (89). In addition, Olivas (2004) mentions that the
DREAM Act would provide “protection from deportation and work authorization, for certain young students” that are over the age of twelve and have yet to obtain their high school diploma (462). Overall, the DREAM Act provides undocumented immigrant young adults the opportunity to become legalized and ultimately alleviate many of the principal fears undocumented students face when trying to make their dreams a reality (Lee, 2006; Morales, Herrera, & Murry, 2011; Collins & Reid, 2009). Also, the DREAM Act would have positive economic effects in the U.S., as it would increase the number of eligible citizens who could work towards maintaining an economically strong society (Hinojosa et. al., 2010; Jimenez, 2010).

Initially, the National Immigration Law Center (NILC), Center for Community Change (CCC), and other organizations along with Senator Dick Durbin initiated a campaign to pass the DREAM Act as a response to the draconian initiatives followed by passage of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) in 1996 (Nicholls, 2013: 31). Although the DREAM Act has had bipartisan support, it has not been passed in Congress. The inability to pass the DREAM Act has left many undocumented immigrant young adults in a legal limbo, which prevents them from fully exercising their accumulated social, cultural, and human capital (Annand, 2008; Olivas, 2011). Thus, unless a policy is enacted that does not discriminate against undocumented students because of their immigration status, they will remain part of the underclass population (Olivas, 2011; Boggioni, 2009; Olivas, 2008; Jefferies, 2008). Certainly there are many issues with the DREAM Act, as it is exclusionary and does not address the issues faced by all undocumented immigrants (Bruno, 2010). Yet, undocumented immigrants who would benefit from the passage of the DREAM Act, commonly referred to as “DREAMers,” are depicted as ‘ideal’ candidates for U.S. citizenship. Therefore, several politicians, businesses, think tanks, non-profit agencies, and community leaders have advocated for extending the rights
of DREAMers. For many, advocating for DREAMers is a strategy to enact the DREAM Act or a similar policy in hope that eventually it will lead to comprehensive immigration reform. In other words, given the hostile anti-immigrant environment, “the possibilities for major reforms, amnesties, and legalizations are extremely limited, encouraging immigrant rights advocates to push for narrow groups and issues that stand much greater changes of success” (Nicholls, 2013: 11). As such, “in 2001, national immigrant rights associations and their allies in Congress believed that a niche opening existed for undocumented youths, precipitating the creation of the decade long DREAM campaign” (11). Since 2001, several undocumented immigrant youth, including several Latina/o undocuactivists in this study, began their activism trajectory when they self-identified as DREAMers. Regardless of the exclusionary nature of the DREAM Act, the mobilization of DREAMers has drastically impacted the immigrant rights movement.

**Evolution of the “DREAMer”**

Prior to 2001, DREAMers were not considered a political group. While undocumented youth have been pushing the boundaries of the DREAM Act campaign, “leading immigrant rights associations created the public figure of the ‘DREAMer’ [by] investing considerable cultural and symbolic capital” (Nicholls, 2013: 13). The argument in the campaign was “that these youths were exceptionally good immigrants and particularly deserving of legalization” (13). For instance, DREAMers are often depicted as undocumented immigrants that have grown up in the U.S. for most of their lives, have assimilated, are college-eligible or want to enlist in the military, and are invested in advocating for policies that benefit young undocumented immigrants, especially the DREAM Act. Through specialized training sessions, leading immigrant rights organizations “developed a complex and integrated infrastructure to produce a common message and to train activists in localities around the country” (14). In fact, “training
sessions helped socialize youth activists into the DREAMer discourse, shaped their views of their place and rights in the country, and contributed to forming individual undocumented youths into a common political subject with common worldviews, aspirations, and emotional dispositions” (14). By stressing “high levels of assimilation, education, and innocence as the attributes that make the case of undocumented youths compelling and exceptional,” DREAMers were able to gain legitimacy as a political group (15). This made it easier to argue that DREAMers have “deep culture and social ties to the United States and [focus on] their ongoing contributions to the country” (49). Hence, “by representing them as virtuous Americans, immigrant youths would be transformed from threats to the national community into sources of economic, civil, and moral rejuvenation” (49). This was possible because “as individual youths became DREAMers, their common subjectivities, identity, and emotions fueled commitment to their case” (49). Through this process, DREAMers were framed as the exceptional immigrant group deserving of a pathway to legalization even if it meant that those who “failed to possess these same attributes were by default less deserving” (49). For instance, in an effort to prevent DREAMers from being stigmatized by their illegality, DREAMers are depicted as individuals who did not “choose’ to cross the border and therefore cannot be held accountable for breaking the law” (52-53). Also, by stressing their exceptional participation in the public educational system in the U.S., including being straight-A students and civically engaged youth, DREAMers are grouped with the ‘best and the brightest’ within their generation. Lastly, in order to assure the public that they are genuinely invested in being integrated in the American dominant culture, DREAMers are depicted as individuals who deeply embrace American symbols, including the U.S. flag and graduation gowns (Figure 1). As Susana (33) from Illinois recalls, “when I first heard of the word DREAMer, I remember that I thought that it was such a clever way to identify
those who would qualify for the DREAM Act. I also remember that it was also symbolic of the American dream because DREAMers were often dressed in their caps and gowns standing besides an American flag. It was like a patriotic migrant, it was interesting and ironic at the same time.” Indeed, the DREAMer movement frame was crucial in establishing DREAMers as a political group capable of fighting for their rights even if they lack legal status in the U.S.

**DREAMer Movement: Goals & Strategies from 2000 to 2010**

While the ultimate goal of the DREAMer movement has been to pass the DREAM Act, the broader goal has been to shed light to the needs of undocumented immigrants. Since 2001, DREAMers have been implementing several strategies to fight for their rights at the local, state, and national level. DREAMers have created community organizations while also participated in lobbying, congressional hearings, mock graduations, public protest, online activism, and more recently, engaged in acts of civil disobedience. The mobilization of DREAMers has even led to the creation of various publications, films, and various forms of protest art. Although the DREAM Act has not yet passed in Congress, the DREAMer movement has transformed the immigrant rights debate through the expansion of rights mobilization.

**Hope and Empowerment: Creating Undocumented-led Organizations**

Nationwide, undocumented immigrant youth have created umbrella organizations like Dreamactivist, United We DREAM, and more recently, the National Immigrant Youth Alliance (NIYA). Within these umbrella organizations there exist regional Dream Teams and Youth Alliances. Often times, these organizations “are affiliated with high schools and higher education institutions, non-profit organizations, or are independent” (Seif, 2011, 70). Although the initial purpose of these nationwide and regional organizations was to fight for access to postsecondary education through assuring the passage of the DREAM Act and nationwide in-
state tuition, the purpose has expanded to create strong social networks invested in fighting for the human and civil rights of all undocumented immigrants. In fact, during an interview, Melissa (27, PA), a co-founder of an umbrella nationwide organization shared,

“When I was growing up, there was little talk about the DREAM Act and there was not a place where someone, like myself, could get more information. Like back then, being undocumented was taboo and even if we were eligible and wanted to go to college, we could not ask anyone because we could not disclose our undocumented status. So, I started looking into information and somehow I got connected with a few other undocumented students across the U.S. that were going through my same experience and we got together to create what is now known as Dreamactivist.org and it has expanded beyond what we ever imagined.”

Although immigrant rights organizations initiated the DREAMer narrative in order to pass the DREAM Act, the creation of undocumented-led organizations began to take control of the DREAMer movement.

Despite the time it took to create Dreamactivist and United We Dream (Figure 2a and 2b), both quickly became the most recognized and resourceful national organizations for undocumented immigrant youth and young adults. Through these nationwide organizations, the struggle of DREAMers became more visible in Congress, popular culture, and online. Across the nation, the voices of DREAMers were being heard and DREAMers no longer felt alone. For instance, Daniel (24) from California mentioned, “Before I heard about United We Dream, I felt like I was the only one in need of resources for undocumented students who wanted to go to college. Once I reached out to UWD, I was happy because I realized that I am not alone and that people care…it renewed my hope for a better tomorrow.” Like Daniel, undocuactivists in this study expressed how these organizations represented safe spaces that provided them with a sense of belonging and hope.
While Dreamactivist and United We Dream provided support for DREAMers across the nation, there was still a need for other undocumented-led organizations to address issues at the local and regional level. As such, through grassroots organizing, several state and local DREAM Teams and Youth Alliances were formed. These state and local organizations proved to be especially crucial in places that were not welcoming to immigrants. For instance, Kevin (22) from Kentucky mentioned,

“I definitely appreciate the work of Dreamactivist and UWD but the more questions I had pertaining to issues in my community in Kentucky, the more I realized that there was a need for a local undocumented-led organization. I began to ask questions about how to organize and create an undocumented-led organization while also talk to other undocumented folks in my community. Although the process was not easy and we got a lot of pushback from anti-immigrant community members, we created the Kentucky Dream Team, which we continue to be involved in today. We meet regularly to check-in with each other, talk about issues that affect us as undocumented immigrants, and plan our activism agenda. Overall, being a co-founder and member has really made a difference in my life.”

Given that several DREAMers, including Kevin, live in a hostile and xenophobic environment, local and regional organizations are essential for their daily survival.

State and local organizations not only serve as support systems, but they also represent spaces where members can mobilize their communities. Although often the main focus of these organizations is to address issues related to access to higher education, they also work towards finding innovative ways to disseminate information and resources to the larger undocumented immigrant population within their respective communities. Thus, several DREAM Teams and Youth Alliances have created innovative ways to fight against the criminalization of undocumented immigrants. For instance, the Kentucky Dream Team and others have created a mass listserv with the cell phone numbers of undocumented immigrants within their respective
communities in order to text alerts of police checkpoints, ICE raids, and any other relevant information. Also, within these organizations, members have worked alongside other community advocates to organize immigrant friendly events and fundraisers (e.g. raising funds for scholarships). Through the growing visibility and credibility of these local and regional organizations, several undocumented immigrants have become empowered and now mobilize in order to change their social conditions.

Certainly, nationwide, state, and local organizations are currently providing a safe space and network for undocumented immigrant young adults to gain resources, disseminate information, plan events, fundraise, and take action towards trying to pass pro-immigrant policies while also fight against draconian anti-immigrant legislations. The expansion of nationwide and regional undocumented-led organizations has addressed the various issues that impact undocumented immigrants, including access to worker rights, healthcare, and housing, as well as finding common ground with the issues that impact other marginalized communities.

**Lobbying & Congressional Hearings**

When the DREAM Act failed to pass in 2001 and also failed later as an amendment in the comprehensive immigration reform bill in 2006 (S. 2611), DREAMers began to mobilize to assure that it would pass as a standalone bill in 2007 (S. 2205). Although the 2007 version of the DREAM Act acquired a bipartisan majority vote of 52-44 in the Senate, it did not pass because it did not reach 60 votes. Within these various campaigns to pass the DREAM Act, DREAMers “organized using traditional methods such as interviewing with the press, placing pressure through petitions and phone call mobilizations, meeting with their elected officials in their home states [and even] travelled to Washington, D.C. to lobby, protest, and testify in congressional hearings” (Seif, 2011, 70). Throughout these forms of mobilization, DREAMers drew heavily
from their networks within national, state, and local organizations. Together, they organized groups of DREAMers that were committed to meeting with their state senator(s) and local representative(s). During these meetings, DREAMers would share their personal narratives and describe the benefits from gaining access to a pathway to legalization in an attempt to convince elected officials to vote for the passage of the DREAM Act. DREAMers would also do the same at Congressional hearings in order to take advantage of a larger audience of elected officials and community leaders. At the same time, DREAMers would further place pressure on elected officials by organizing phone banks and collecting stacks of signed petitions in support of the DREAM Act. Furthermore, DREAMers gained more support by making the DREAM Act campaign visible through local newspapers, radio, and television. These forms of mobilization even took place on college campuses, including UCLA. Eduardo (29), a student at UCLA, recalls:

“\text{I was part of a group of students who organized a Congressional hearing on campus. We invited several elected officials, community leaders, student groups, our families and communities. We also notified local reporters. I remember how nervous I was the day of because for the first time, I publicly disclosed my status as undocumented student and shared my story. Honestly, what gave me strength was seeing my family and community in the audience and understanding that this cause was bigger than myself because the DREAM Act would help thousands of other people like me across the nation. Throughout the day, we cried, we laughed, and we stood together in solidarity fighting...it was a beautiful and liberating experience. By the end of the day, we gathered hundreds of signed petitions, and more importantly, the support of so many people who have the power to vote. Oh and I can’t forget how amazing it felt when later my mom was watching the local Spanish news and snippets of our hearing came out, it was a proud moment for all of us.”}

As Eduardo points out, participating in Congressional hearings was a tough yet rewarding experience. For many DREAMers, engaging in such lobbying efforts allowed them to find a
sense of hope and the ability to cope with life obstacles due to coming of age as an undocumented immigrant. By lobbying, testifying, and publicly sharing their experiences as undocumented students, DREAMers gained the resources and support necessary to expand their mobilizing efforts, especially as they were confronted with lack of opportunities because of their lack of legal status. Thus, even after multiple failed attempts to pass the DREAM Act, DREAMers continued to push forward and fight for their rights, including participating in various forms of public protest.

**Public Protest and Direct Action**

As undocumented students approach the completion of their high school and or college degree, they are faced with an uncertain future, as they have limited opportunities due to their lack of legal status. Consequently, DREAMers began to mobilize to encourage people in power to support the DREAM Act. Besides lobbying, testifying, and engaging in Congressional hearings, this message became visible through the artwork of Julio Salgado, a prominent undocuqueer artist who has documented the entire movement through protest art (Figure 3). One of the most powerful manifestations declaring this message in the DREAMer movement has been a series of mock graduation ceremonies. Since 2003, “these mock graduations symbolize the desire of undocumented students to fully belong to that educational world and provide a visual representation of the diversity of the immigrant youth movement” (Ramos, 2012: 63). More specifically, these mock graduations demonstrated the waste of human capital post-graduation given that undocumented students are not easily able to use their educational attainment in the workforce. Often times during mock graduation ceremonies, undocumented students wore their caps and gowns while holding a diploma that says “now what?” in order to bring awareness to the issues that they face after high school and college graduation (Figure 4).
Since the early 2000s, mock graduation ceremonies have not only occurred in public spaces across the nation, but also in Washington D.C. In particular, after the DREAM Act failed to pass in 2007, DREAMers were encouraged to organize one of the largest mock graduation ceremonies. Upon the election of President Obama and the formation of United We Dream in 2008, DREAMers organized a mock graduation ceremony, now known as the National Dream Graduation. On June 23, 2009, over five hundred undocumented students from states across the U.S. wore their caps and gowns and participated in a mock graduation ceremony in front of Capitol Hill. At the same time, “integrating a press conference as part of the ceremonial rally provided the opportunity to bring together mass action by undocumented students and vocal support from public advocates” (Ramos, 2012: 64). Through the mock graduation ceremony, rally, and lobbying efforts, “undocumented students were able to take a public stand and see themselves as part of a large contingent of young people advocating for social change” (64). Also, “members of Congress, as well as supporters representing labor, business, education, and faith-based public interest groups, articulated the many reasons to support the DREAM Act.” (64). The prevalence of mock graduation ceremonies gained significant public attention in the media, which increased their support network and also resulted in the making of a documentary called “Papers: Stories of Undocumented Youth” (Figure 5). This documentary became a source of powerful visibility for undocumented youth across the nation including Rosa (24) from California as she recalls, “when I first saw this film, I couldn’t help but to smile because for the first time I could visibly see the power of undocumented youth as they bravely shared similar experiences like me and they were not afraid to come out of the shadows and demand for their rights. It was a moment in my life when I felt validated and motivated to also join the movement.”
The power and support gained from mock graduation ceremonies also became prevalent on college campuses throughout the U.S. The purpose of campus mock graduations was to shed light to the experiences and needs of undocumented students among fellow students, faculty, staff, administrators, and other spectators. In some cases, these mock graduations have led universities to not only publicly support the DREAM Act, but also to find ways to meet the needs of undocumented students on their respective campuses. This was the case for Mateo (26) in California,

“I felt like no one knew about my struggle as an undocumented student on campus. So when the DREAMer campus organization was organizing a mock graduation, I decided to participate. I remember that day when I along with nine other undocumented students on campus were wearing our caps and gowns and we shared our personal story, talked about what we wanted to do with our college degree, and ended with why we needed the support of others to pass the DREAM Act and force this campus to embrace and help undocumented students on our campus. I was definitely nervous but I was glad I did it because weeks later, we got a meeting with university administrators and together we worked on figuring out resources and creating programs that focus on addressing the needs of undocumented students.”

DREAMers like Mateo witnessed how mock graduations often increased support for their campaign. Certainly publicly sharing their stories proved to be powerful for DREAMers and their supporters.

Besides mock graduation ceremonies, DREAMers began to expand their mobilization by engaging in various forms of public protest, including marches, rallies, and eventually, acts of civil disobedience. Among undocuactivists in this study, several who along their identity and activism trajectory identified as DREAMers participated in mock graduation ceremonies and other forms of public protest with the hope of passing the DREAM Act in 2010. As Sandra (26) from New York recalls,
“I, like many others, began my activism with the DREAMer movement. I was part of a network of undocumented students determined to do whatever it took to pass the DREAM Act. While I was going to school and working, I went to countless meetings to strategize with other undocumented students. In 2009, I went to Washington D.C. to participate in a mock graduation and talk to legislators. I knocked on people’s door to collect signed petitions in support of the DREAM Act. I walked miles while carrying signs with ‘pass the DREAM Act’ at immigrant rights marches. I shared my story at rallies and even in front of the press. Oh and I was also posting a lot online through Facebook and other social media. I also wrote poetry to express my frustrations with this broken immigration system and about my future aspirations. I was really involved and I still am…but now, I am more critical about my narrative and involvement.”

For DREAMers like Sandra, their determination and resilience spoke volumes, as they demonstrated that they were no longer going to be bystanders in an unequal society that structurally denies undocumented immigrants basic human rights. At the same time, through innovative ways of using social media, many were able to also engage in online activism.

Rather than replacing physical and public activism, online activism transformed the DREAMer movement by providing the means for DREAMers to voice their concerns to a larger audience and disseminate information at a faster rate. This can be exemplified through Edgar’s involvement in California,

“I have always been involved in one way or another, especially with the Los Angeles Dream Team. I’ve always liked technology so I have used my skills to set-up press conferences, petitions, blogs, and keep up with a variety of social media like Facebook and Twitter to spread the word and gain more support...like during mock graduations, hearings, and all kinds of direct action.”

Like Edgar, various DREAMers across the nation began mobilizing through social media, which garnered more support for their cause. Social media has been particularly crucial in putting pressure on elected officials and other key leaders to support their cause.
Through public protest, online activism, and direct action, DREAMers began to change the infrastructure of their movement. Rather than continuing a “largely top-down in design and execution…the new infrastructure is grounded in local DREAM organizations firmly rooted in their local environments, namely, college campuses, community organization, networks, and so on” (Nicholls, 2013: 107). Furthermore, following a grassroots model, “DREAMer groups acquire their own resources to circulate them to other activists in their networks.” (107). Thus, the DREAMer movement underwent a shift in 2010 through an escalation of undocumented-led mobilization.

During 2010, DREAMers renewed their strength and hope in a cause that could potentially change their social conditions. For example, on January 1, 2010, four DREAMers—Felipe Matos, Carolos Roa, Juan Rodriguez, and Gaby Pacheco—embarked on the Trail of Dreams, a 1,500-mile walk from Miami, Florida to Washington, D.C. (Figure 6). According to these DREAMers, the purpose of their journey was to “share our stories, so that everyday Americans understand what it’s like for the millions of young immigrants like us, unable to fully participate in society. It’s time that our country comes together to fix a failed system that keeps millions in the shadows, with no pathway to a better life” (http://trail2010.org). For Gaby Pacheco (2012), she asserts, “the Trail of Dreams was my way of challenging the distorted depiction of immigrants in this country. We set out to dispel the myths by talking by talking to the average American. It was time to claim our humanity and change people’s hearts and minds by walking through our country one community at a time” (57). In particular, Pacheco mentions that through the Trail of Dreams, “we used nonviolent methods and had strategic conversations with people from across the political spectrum” (57). Hence, the Trail of Dreams represented a
non-violent public protest that gave DREAMers the opportunity to put a human face to the immigration debate.

Meanwhile in Chicago, undocumented youth who were members of the Immigrant Youth Justice League (IYJL) were organizing the first ‘Coming Out of the Shadows’ event to keep Senator Durbin (IL) and President Obama accountable of their promise to take action towards passing the DREAM Act and comprehensive immigration reform in order to provide a pathway to legalization for undocumented students, youth, and their parents. Their plead is encapsulated by the words of Ireri, an IYJL member, “We cannot wait any more. Not while our parents are getting deported and our youth’s dreams fall apart due to an obsolete immigration system that has failed us and the country. I have supported Senator Durbin and President Obama, and now we need them to act. This country cannot wait anymore, we will not wait any longer” (http://www.iyjl.org/ national-coming-out-of-the-shadows-day/). Coming Out of the Shadows represented a powerful direct action to fight for their rights and defy the system that silences them due to their lack of legal status.

The first Coming Out of the Shadows event occurred on March 10, 2010. Undocumented youth and community members marched from Union Park to the Federal Plaza in Chicago carrying several signs, including “Immigrant Rights are Human Rights” and “Undocumented and Unafraid” (Figure 7), while also chanting,

“Education, Not Deportation”
“What do we want? LEGALIZATION, when do we want it? NOW!
No Papers, No Fear! Immigrants are marching here!

Upon arriving to the Federal Plaza, a group of undocumented youth gathered on stage and began to publicly ‘Come Out of the Shadows’ by sharing their stories and declared to be ‘Undocumented and Unafraid.’ One by one, they briefly shared their background, frustrations,
aspirations, and their desire to be treated like human beings that are integrated into society (Figure 8). As tears came down their cheeks while sharing their story, the crowd would cheer them on and continue to chant ‘undocumented and unafraid.’ The crowd consisted of community members, families, teachers, allies, and spectators. People were holding pro-immigrant signs, reporters were taking notes, and all eyes were on the brave youth who were publicly coming out of the shadows for the first time. After each of them shared their story, one could notice their smiles as they gazed at the crowd who stood in solidarity and cheered them on. This courageous act began to completely change it what it meant to put a face to the issue, no longer where undocumented immigrants allowing others to speak on their behalf. Their brave form of direct action in the movement encouraged others across the nation to also organize ‘Coming Out of the Shadows’ actions. Thus, throughout the month of March, undocumented youth were liberating themselves by taking stance against systems of oppression that dehumanizes, criminalizes, and marginalizes them simply because of their immigration status as well as the intersection of race, gender, sexuality, and other socially constructed markers.

Inspired by the Trail of Dreams and Coming Out of the Shadows actions, a group of undocumented students embarked on a 250-mile journey from New York to Washington D.C. on April 10, 2010 (Figure 9). Similar to the Florida Dreamers, they educated communities along their journey about their experiences and how undocumented immigrants contribute to the betterment of society. Eventually, they and the Florida Dreamers all arrived to D.C. When they arrived, other undocumented students and supporters joined them in solidarity. On May Day (May 1, 2010), everyone participated in a rally and protest in front of the White House to demand that President Obama to take immediate action to stop the deportation of DREAMers. The rally including DREAMers talking about why it was necessary to rise up, including those
that participated in the Trail of Dreams while wearing shirts saying “I walk to pass the DREAM Act” and “Undocumented, Notice Me” (Figure 10). The resilience, bravery, and perseverance of DREAMers in Washington D.C. continued to encourage and inspire undocumented immigrant youth across the nation to share their stories and take action within their communities.

Between the months of May to December, undocumented students and youth across the nation began to engage in various forms of direct action, including civil disobedience and hunger strikes in order to put pressure on their respective elected officials to support the DREAM Act. In fact, for the first time, DREAMers risked arrest and possible deportation. Most notably, “On May 17, 2010, on the fifty-sixth anniversary of Brown v. Board of Education, four undocumented students—Lizbeth Mateo, Mohammad Abdollahi, Yahaira Carillo, and Tania Unzueta, along with one ally, Raul Alcaraz—became the first youth to risk deportation by staging a sit-in inside Senator McCain’s office in Tucson, Arizona, to demand the immediate passage of the DREAM Act” (Mateo, Abdollahi, Carillo, Unzueta, & Alcaraz, 2012: 68) (Figure 11). Although Senator McCain once supported the DREAM Act, he did not support it in 2010. Thus, the purpose of their sit-in was to demand that he revert to supporting the DREAM Act. After the DREAMers and ally refused to leave until Senator McCain pledged to support the DREAM Act, they were apprehended. According to the McCain five, “three of us (Yahaira, Mohammad, and Lizbeth) were arrested and turned over to ICE. We knew in our hearts that deportation was a risk we were willing to take and that even if we were deported, we would leave knowing that we fought until the end, giving everything we possibly could to make our dream a reality” (Mateo, Abdollahi, Carillo, Unzueta, & Alcaraz, 2012: 69-70). More broadly they expressed, “as DREAM-Act eligible youth, we recognize the advantages we have as educated young people who have the capacity to organize and resist oppression” (Mateo,
Abdollahi, Carillo, Unzueta, & Alcaraz, 2012: 69). This first non-violent act of civil disobedience encouraged other undocumented students and even U.S. citizens to join the cause and mobilize.

On May 20, 2010, only a few days after the McCain Five action, nine students who were U.S. citizens demonstrated their solidarity through a sit-in on Wilshire Boulevard, one of the busiest main streets in Los Angeles, in front of the West Los Angeles Federal Building (Meza, 2012). The ‘Wilshire Nine’ wore their graduation caps and shirts that said “The DREAM is Coming” while holding hands in a circle (Figure 12). Although U.S. citizen students conducted the non-violent direct action, the designated media spokesperson was Nancy Meza, an undocumented student. Consequently, an anti-immigrant conservative AM radio talk show began “selling a printed t-shirt advertised online…[stating] “Deport Nancy Meza” on the front of the shirt, with a phone number for Immigration and Customs Enforcement on the back” (72). As a response, Nancy Meza mentioned,

“Although exposing myself as an undocumented student sparked a national call for my deportation, that same act informed and mobilized my community and other supporters about the realities we face and motivated them to take action. I have not faced deportation, but it is a risk that I am willing to take for justice. If I can do anything to advance the fight for human dignity and justice, I will do so, even if it means being separated from my family and loved ones” (72).

Like Nancy, several other undocumented students and youth decided to escalate their mobilizing efforts even if it meant facing the risk of deportation.

Between June and December, hundreds of undocumented students and youth participated in a series of hunger strikes from a few days to over a month in front of the offices of their respective elected officials, including California, New York, Texas, Kentucky, Minnesota, North Carolina, Arizona, Indiana, and other states. These hunger strikes were held “as part of the
escalating campaign to demand that the DREAM Act be introduced as a stand-alone bill” (Amador, 2012: 81). For example, an undocumented hunger striker in Los Angeles, Carlos Amador, recalls,

“As the hunger strike began, many of us felt a sense of empowerment because we were taking ownership of our lives by engaging in direct action, despite the physical and political uncertainty. Our fast took place on a busy intersection in Los Angeles, the corner of Santa Monica and Sepulveda Boulevards. For fifteen long days, twenty-four hours each day, we cramped out in front of Senator Feinstein’s office. The fast allowed me to reflect on the journeys undocumented immigrant youth embark on to survive in American society” (Amador, 2012: 80).

For undocumented hunger strikers like Carlos, they knew that they were risking their lives not only in terms of the deterioration of their health but also the possibility of being apprehended and put into deportation proceedings. Yet, undocumented hunger strikers persisted because they knew that they were fasting for their dreams to become a reality. In the case of Jorge Gutierrez, he fasted for fifteen days in the Los Angeles hunger strike along with his mother and “he discussed the challenges of being both undocumented and queer and how the hunger strike made him appreciate these intersecting identities” (81) (Figure 13). For Jorge and other undocuqueers, “the hunger strike was an affirmation of the importance of creating inclusive spaces in [the] movement that allow[s] queer, undocumented dreamers to develop as leaders and heal as individuals” (81). The participation of DREAMers in hunger strikes across the nation not only pushed elected officials and the larger society to reconsider their lack of support of the DREAM Act, but it also demonstrated the power of undocumented immigrants in this nation.

While local and state non-violent direct actions were gaining support for the DREAM Act, it was also important to continue to collectively put pressure across the nation and in Washington D.C. During the summer of 2010, twelve undocumented students drew from the
Civil Rights Movement and embarked on a Dream Freedom Ride “to lobby in key states, engage in direct action, and publicize [their] campaign for the DREAM Act” (Benduzu, 2012: 73). Similar to the Freedom Riders who risked their lives to fight against segregation, undocumented students drove “in vans across the country, risking legal persecution and threat of deportation, especially in state with staunch anti-immigrant policies” (73). Before beginning their journey, they “arranged to connect with various faith-based, labor, youth, and immigrant rights groups in each state along the way and to meet with key Senate leadership to urge them to pass the DREAM Act as a stand-alone bill” (73). Their journey included stops in Nevada, Arizona, Utah, Colorado, Nebraska, Illinois, and then Washington D.C., through which they were able to build mass support for their cause. The Dream Freedom Riders shared that by the end of their journey, “we came to realize that we are fighting for more than just a piece of legislation; we are fighting for our lives. And our fight will not end until we win education, justice, and freedom for all” (74). Thus, while gaining support for the passage of the DREAM Act was the main goal, the Dream Freedom Riders understood that the cause was larger than immigration policy reform.

During the journey of Dream Freedom Riders to D.C., “United We Dream launched Dream University on July 14, 2010, [which was] a series of public teach-ins in Washington DC” (Aguilar, 2012: 78). Their slogan was “If they don’t let us go to school, we will build our own.” According to Maricela Aguilar (2012), the designated Admissions Director of Dream University, “over the next few weeks, hundreds of undocumented students came to chant, dance, teach, and learn, while we fought for the DREAM Act. Professors, advocates, and young leaders from the region served as guest lecturers, sharing their insight into topics as varies as American history, legal studies, and organizing theory” (79). As Aguilar reflected on her experience at Dream University, she mentioned, “Dream University contributed to our growing movement because we
ourselves created the change we needed in our lives. We hope to ensure quality education for all students, for those who participated in Dream University, and for many more who have yet to discover the power of their identity and struggle” (79). Dream University demonstrated that DREAMers were determined to create safe spaces of learning within the larger society.

Besides the Dream Freedom Ride and Dream University, DREAMers “occupied congressional offices in Washington, DC, which led to the arrest of twenty-one undocumented students” (Nicholls, 2013: 85) (Figure 14). Among those arrested, one DREAMer was Laura Lopez, a Dream Freedom Rider. Laura describes her experience,

> While thirteen students were arrested in the lobby of the Senate building, eight of us sat in key Senate offices to urge congressional leadership to take action and pass the DREAM Act. After two months of coast-to-coast actions, we were ready to bring the cause of our lives to our nation’s capital. The immigrant youth who participated in this action came from Illinois, Virginia, New York, California, Arizona, Kansas, Missouri, and Michigan.” (76-77).

For the twenty-one undocumented students who participated in this civil disobedience action in the halls of Congress, not only did they wanted to push for the DREAM Act, but they also wanted to honor all the sacrifices that their families had made in order to provide them with a better life, even if it meant crossing multiple borders and facing uncertainty upon their arrival to the U.S.

Certainly, DREAMers played a major role in the push for the re-introduction of the DREAM Act in 2010. However, in spite of their courageous public protest, online activism, direct action, and even, civil disobedience, the DREAM Act did not pass in 2010. Fortunately, the DREAM Act passed in the House by a vote of 216-198 on December 8, 2010. However, on December 18, 2010, the DREAM Act did not pass in the Senate by a vote of 55-41, only five votes away from passing. It was on this day, when DREAMers who had worked tirelessly to
secure the votes realized that although the DREAM Act had not passed, the fight continued. With great devastation and tears in their eyes (Figure 15), DREAMers began to plan the next steps in their movement.

The Fight Continues

At the turn of 2010, the DREAMer movement shifted their movement goals in order to fight for the rights of all undocumented immigrants. While the DREAM Act continues to be a critical policy that would alleviate many life obstacles for undocumented students and youth, it is only part of the solution, as undocuactivists recognize its exclusionary nature. At the same time, given the rise of exclusionary and draconian anti-immigrant policies, undocuactivists have become more critical of the ‘DREAMer’ identity and narrative. Thus, rather than solely focusing on access to higher education, undocuactivists have been addressing the various concerns of all undocumented immigrants including the rise of deportations, harsh conditions in detention centers as well as access to housing, health care, and labor rights. This shift in movement goals has also shifted the identity of undocuactivists from DREAMer to ‘Undocumented & Unafraid’ as well as a shift in their activism, especially in regards to civil disobedience.

Figures

Figure 1: DREAMer

![DREAMer](image1.png)

Figure 2a: Dreamactivist Logo

![Dreamactivist Logo](image2.png)
Figure 2b: United We Dream Logo

Figure 3: Julio Salgado’s Depiction of the Power of DREAMers

Figure 4: An Example of a Mock Graduation Ceremony

Figure 5: “Papers: Stories of Undocumented Youth” Documentary Cover

Figure 6: The Trail of Dreams

Figure 7: The First ‘Undocumented & Unafraid’ March Leading to the Coming Out of the Shadows Rally in Chicago
Figure 8: The First ‘Coming Out of the Shadows’ Rally in Chicago

Figure 9: The Journey from New York to Washington D.C. to Support the Passage of the DREAM Act

Figure 10: Walkers with Protest T-Shirts During the Trail of Dreams Rally

Figure 11: First DREAMer sit-in at Senator McCain’s Office in Tucson, Arizona

Figure 12: Civil Disobedience of Allies in Solidarity with DREAMers in California

Figure 13: Julio Salgado’s Depiction of Undocuqueer Activist Jorge Gutierrez
Figure 14: Julio Salgado’s Depiction of a DREAMer Being Arrested During the Washington D.C. occupation

Figure 15: A DREAMer Reacting to the Senate’s Failure to Pass the DREAM Act
Chapter 4
Undocumented & Unafraid:
Moving Beyond the DREAMer Narrative & Becoming an Undocuactivist

“When I was growing up, my parents would always tell me to never tell anyone about my status. I remember thinking, I can’t believe that I am what they call an ‘illegal alien,’ like I am not human or something. Then when I became aware of the DREAM Act, I considered myself a DREAMer, I finally felt like I belonged. At the time, I didn’t know how problematic the label ‘DREAMer’ was, but through my involvement in the movement, I became conscious and am now proud to say that I am Undocumented and Unafraid” ~Raquel, 25(IL).

While the parents of undocuactivists, including Raquel, discourage their children from disclosing their status, it is important to note that it stems from a desire to protect them not to cause a sense of shame. The sense of fear and shame is caused by a system that dehumanizes, criminalizes, and oppresses undocumented immigrants. Yet, instead of becoming impaired by their lack of legal status, many Latina/o undocuactivists, including Raquel, have developed an oppositional consciousness to resist their illegality. Oppositional consciousness “is an empowering mental state that prepares members of an oppressed group to act to undermine, reform, and overthrow a system of human injustices” (Mansbridge & Morris, 2001: 5).

Once undocumented immigrant young adults attain an oppositional consciousness as a way to understand and deconstruct their ascribed illegality, many seek to create social change through activism. As depicted in the literature and public discourse, some Latina/o undocuactivists have been identified as ‘ideal’ U.S. citizen candidates, especially those who would be eligible for the DREAM Act (Perez 2012; Perez 2009). They have become popularly identified as “DREAMers.” Certainly, as discussed in chapter three, mobilizing efforts among DREAMers have drastically transformed the immigrant rights debate (Nicholls, 2013; Truax, 2015; Muñoz, 2015).
After the failed attempt to pass the DREAM Act in 2010, most Latina/o undocuactivists in this study, including Raquel, shifted their identity and activism trajectory from self-identifying and mobilizing as a ‘DREAMer’ to ‘Undocumented & Unafraid.’ These Latina/o undocuactivists believe that self-identifying and advocating solely for DREAMers is problematic because it is exclusive. This means that rather than engaging in activism that solely focuses on expanding the rights of DREAMers, Latina/o undocuactivists engage in activism that advocates for the rights of all undocumented immigrants, regardless of their background.

Latina/o undocuactivists are coming out of the shadows as well as engaging in acts of civil disobedience to fight against anti-immigrant policies, stop deportations, and shed light to the harsh conditions in detention centers. At the same time, Latina/o undocuactivists have increased their visibility through their presence online and in the media. Aligned with their goal to fight for the rights of all undocumented immigrants, Latina/o undocuactivists have also become critical of their movement frame, leadership, and strategies. Hence, the voices of undocuqueers, undocumented women, racially and ethnically diverse undocumented immigrants, and non-eligible DREAM Act undocumented immigrants have been incorporated, and in many instances, have been at the forefront of the movement. It is within this shift, that this chapter focuses on the identity and activism trajectory transition from DREAMer to Undocuactivist. In particular, this chapter highlights their critique of the DREAMer narrative and their activism as undocuactivists.

**Undocuactivists Moving Beyond the DREAMer Narrative**

When asked to describe their activism experience, several undocuactivists described how their involvement first began through their membership in an undocumented-led organization. Their activism particularly aligned with the organization’s goals and strategies. As
undocuactivists became aware of the DREAM Act, they often became involved with organizations that primarily focused on expanding the rights of DREAMers. Their activism included lobbying, congressional hearings, public protest, online activism via social media, and even, civil disobedience in order to push for the passage of the DREAM Act. For most Latina/o undocuactivists who became activists when they self-identified as DREAMers, they participated in these mobilizing efforts because they believed that the passage of the DREAM Act and/or similar policies could eventually lead to comprehensive immigration reform.

During their mobilizing efforts as DREAMers, several undocuactivists recall how in order to convince elected officials, community leaders, and the larger society that they deserved access to a pathway to legalization, they needed to position themselves as ‘deserving’ DREAMers. In the words of Celia (27) from Wisconsin, “being a DREAMer meant that you had to establish yourself as a deserving migrant by focusing on your good moral character, assimilating into the dominant culture, getting the best possible grades, and basically being a model citizen without the papers.” In particular, it was important to differentiate themselves from the larger undocumented immigrant population. As such, the argument made was that DREAMers should not be punished for their parent’s decision to come to the U.S. without authorization because they came at an early age without knowing the repercussions of their status. More specifically, the dominant DREAMer narrative is that “they are those who are high-achieving students, who graduate at the top of their class, who garner accolades in leadership and service within their community and who society deems as being most ‘deserving,’ or as ‘wasted talent’ because they were unable to continue their educational pursuits” (Muñoz, 2015: 83). Meanwhile, “other immigrants who lack these attributes, including adults, unassimilated, poor and dependent, ‘guilty,’ and so on, may find it more difficult to make arguments in support of
themselves and their cause” (Nicholls, 2013: 15). Consequently, “the notion of the ‘perfect DREAMer’ perpetuates the assumption that only those with high scholastic abilities or those who most resemble assimilationist perspectives of ‘American’ values are most deserving of legal status” (Muñoz, 2015: 83). Indeed, most Latina/o undocuactivists began their activism trajectory as ‘DREAMers.’ However, given the exclusive nature of the DREAMer dominant narrative, the majority of Latina/o undocuactivists in this study are now challenging the DREAMer narrative.

Latin/o undocuactivists in this study challenge the ‘DREAMer’ narrative by 1) not self-identifying as ‘DREAMers’ 2) challenging stereotypes attributed to those demarcated as ‘bad/undeserving’ immigrants, including not blaming or being apologetic about their parents’ decision to migrate to the U.S. without authorization and 3) account for the intersectional identities as well as advocate for the rights of all undocumented immigrants. This process is best described by an undocuqueer activist in California, Jose (29):

“I used to call myself a DREAMer but now I don’t because it is so problematic. Like in my view, there is no such thing as a ‘bad’ immigrant. We are all human beings that deserve basic human rights. Just because my parents don’t have a college degree or just because I am undocuqueer, doesn’t mean that we don’t deserve a pathway to legalization. Even more important, we need to fight against the rise of deportations. No one should have to live in fear.”

For Jose and several undocuactivists, moving beyond the DREAMer narrative was essential because of its exclusive nature, as it does not address the daily struggle of all undocumented immigrants. Thus, for undocuactivists, moving beyond the DREAMer narrative symbolized a shift in their identity and activism trajectory, with the main goal of fighting against the dehumanization and criminalization of all undocumented immigrants.
“No Papers, No Fear!”: The Oppositional Consciousness of Undocuactivist

Although undocumented immigrants lack power, they are not powerless (Gonzales & Chavez, 2012, 259). Contrary to accepting their position as an oppressed and vulnerable group in society, undocuactivists challenge dominant notions of power, structure, and citizenship. This means that rather than being ashamed of their status in society, undocuactivists are empowered to use their subordinate status in order to deconstruct a system of domination that dehumanizes and criminalizes undocumented immigrants. Prior to engaging in activism, undocuactivists draw from their oppositional consciousness to make sense of their position and experiences as undocumented immigrants. Besides facilitating an empowering mental state, oppositional consciousness includes four elements: “1) identifying with members of a subordinate group, 2) identifying injustices done to that group, 3) opposing those injustices, and 4) seeing the group as having shared interest in ending or diminishing those injustices” (Mansbridge & Morris, 2001: 5).

Based on the first element of oppositional consciousness, undocuactivists not only identify with undocumented immigrants, but they also account for their intersectional identity based on their race/ethnicity, class, gender, and sexuality. Thus, they also identify with groups who have and continue to be treated as subordinates in the U.S., including but not limited to, people of color, socioeconomically disadvantaged individuals, women and gender non-conforming individuals, and queers. Furthermore, based on the second element, undocuactivists have identified injustices experienced by undocumented immigrants, broadly including dehumanization, criminalization, and marginalization and specifically including the militarization of the border, expansion of draconian anti-immigrant policies, rise of deportations, and harsh conditions in detention centers. Lastly, based on the third and fourth element, as a
collective, undocuactivists oppose these injustices and are working together to end these injustices through activism.

Beyond the four elements, oppositional consciousness recognizes “some systemic quality to the patterns of injustices, based in the greater power of a dominant group” (Mansbridge & Morris, 2001: 240). This means that oppositional consciousness “identifies the holders of power as oppressors in a system of domination rather than merely as guardians of the common good” (240). More specifically, a mature oppositional consciousness “incorporates a well-worked-out, internally coherent set of ideas and beliefs, analyzing the injustices at the core of the system of domination, suggesting how they came into being, and identifying individuals and interests that benefit from the injustices and/or have intentionally produced them” (241). In short, a mature oppositional consciousness “incorporates what might be called an ‘ideology’ and a repertory of strategies and potential lines of action” (241). Furthermore, a mature oppositional consciousness “includes a sense of efficacy, the belief that acting collectively can bring about change, [which] should rise when political opportunity structures open up and decline when repression sets in” (241). Often times, those who possess a mature oppositional consciousness particularly gain a sense of efficacy when they know and understand “comparable moments in history when similar groups succeeded in their goals” (241).

While the process of acquiring an oppositional consciousness is not linear and varies among all undocuactivists, it is evident that undocuactivists possess some level of oppositional consciousness given their willingness to put their lives at risk in order to rectify injustice. Hence, attaining an oppositional consciousness is crucial in the identity and activism trajectory shift of undocuactivists. First, undocuactivists target dominant groups who oppress undocumented immigrants through policy and everyday interaction including elected officials,
policing officers (e.g. ICE officials, border patrol agents, etc.), and the larger xenophobic society. More specifically, for undocuactivists who either take social justice classes, work alongside other marginalized individuals, were civically engaged in their community prior to their activism, and/or whose family has engaged in collective action prior to their arrival to the U.S., they possess a mature oppositional consciousness. Through this level of consciousness, undocuactivists are able to identify the roots of their struggle within larger systems of power that have historically and systematically continues to oppresses communities that do not fit the status quo, including colonialism, slavery, genocide, imperialism, globalization, neoliberalism, racism, xenophobia, classism, sexism, and homophobia. This means that although the undocumented immigrant struggle is unique in many ways, undocuactivists recognize their connection with the struggle of other subordinate groups.

Oppositional consciousness not only informs their ideology, but also their activism. The strategies and collective action that undocuactivists hope will create social change are similar to that of other ‘successful’ social movements, especially the Civil Rights Movement and the LGBTQ Movement. For instance, undocuactivists are directly responding to draconian immigration policy enforcement by engaging in grassroots organizing, direct action (e.g. ‘Coming Out of the Shadows’), and non-violent acts of civil disobedience. More recently, besides fighting for the rights of undocumented immigrants, undocuactivists have also joined forces with others, most notably, the #BlackLivesMatter movement. In this case, undocuactivists see how the #Not1More Deportation campaign, which fights to stop the rise of apprehension and deportations of undocumented immigrants, relates to the rise of incarceration and murder of Blacks. Together, they target government authority figures including elected officials, police enforcement, and ICE officials in order to keep them accountable for their discriminatory policy
initiatives, racial profiling, abuse, and even murder of black and brown bodies. At the same
time, they also seek to abolish institutions of power like prisons and detention centers. As
Jessica (26) from California mentioned, “our movements is beyond fighting for immigrant rights,
our movement is about social justice for all. We cannot be content with the passage of pro-
immigrant policies, we need to stand in solidarity with our brothers and sisters who are suffering
from police brutality, poverty, gentrification, and so many other social issues. The fight does not
end until we are all free of racism, classism, sexism, homophobia, and so on. So that’s why right
now it is so important that the undocumented immigrant population sees the similarities with the
#BlackLivesMatter movement, it’s time for us to join forces and keep those in power accountable.”

Undocuactivism: The Mobilization of Undocuactivists

Certainly the identity and activism trajectory of Latina/o undocuactivists has transformed
over time. Since 2010, undocuactivists have moved away from embracing the notion of the
deserving ‘DREAMer’ and instead proclaim to be “undocumented and unafraid.” During this
shift, undocuactivists continued to fight for their access to higher education through the passage
of in-state tuition policies and state-versions of the DREAM Act. However, undocuactivists
have been more invested in addressing the needs of all undocumented immigrants, including
their parents who have sacrificed everything and left their families behind in order to provide
their children with better life opportunities (Figure 16). In fact, the heightened militarization of
the border, raids, implementation of Secure Communities and 287(g), and mass deportations
made undocuactivists focus their organizing efforts on stopping the criminalization and rising
departures of undocumented immigrants nationwide. This shift among several Latina/o
undocuactivists is exemplified by Marissa’s (26:CA) experience,
“DREAMer is a very complex concept that is actually highly problematic. I mean, at the beginning, many of us self-identified as DREAMers because all of our activism was around passing the DREAM Act. But eventually we realized that the DREAM Act would not help our families and that focusing solely on the DREAM Act was leaving out a big portion of our community. We were witnessing the harsh reality of heightened deportations and the impact of separating families. So we began to incorporate the stories and struggles of those who were not eligible for the DREAM Act, like our parents. We want all undocumented immigrants to know that it is important to come out of the shadows because together we can stop living in fear and fight for our rights. I mean like I know saying “I’m Undocumented & Unafraid” and being an activist can be a scary thing but like we can’t be content with DACA, we need more! We will not stop fighting until we all have the right to legally work, go to school, and no longer have live with constant fear. We already contribute to this country so it only seems fair that we are treated like human beings that deserve basic human rights. After all, the U.S. has played a major role in forcing our families to migrate so now we must demand for our rights.”

Similar to Marissa, several undocuactivists mentioned that rather than solely focusing on legal mobilization, it was essential to shift the narrative, strategies, and demands of the movement in order to address the real life consequences of illegality. In other words, Latina/o undocuactivists are working tirelessly to shed light to the injustices experienced by those who are classified as ‘illegal aliens.’ At the same time, besides not being afraid to be vocal and make their identities visible, Latina/o undocuactivists are demanding that the U.S. take responsibility for creating and sustaining the harsh life circumstances of undocumented immigrants.

**Undocumented & Unafraid**

After the Chicago Immigrant Youth Justice League (IYJL) organized the first Coming Out of the Shadows event in March 2010, several other undocumented immigrants throughout the nation have been participating in Coming Out of the Shadows events. Since 2011, March 10th was declared as the National Coming Out of the Shadows day. In addition to declaring
being ‘Undocumented & Unafraid,’ those who participated in Coming Out of the Shadows events, also stated that they were Unapologetic. In an effort to spread their message and encourage others to participate in the National Coming Out of the Shadows day, IYJL created a promotional video where undocumented immigrants explained why they were coming out of the shadows (https://www.youtube.com/watch?v=jPNlpsykojE#t=70), including Cindy:

“My name is Cindy. I’m 21 years old. I’m undocumented. I’m unafraid. And I’m unapologetic. On March 10, 2011, we are going to have undocumented youth proclaim their undocumented status. They will tell everyone that they should not be sorry for being in the United States. That they should not apologize for getting an education, that they should not be sorry for their parents trying to make a living in the U.S. By coming out we share our stories. We put our face to this issue. We are human.”

For Cindy and other undocuactivists, after seeing others participating in Coming Out of the Shadows events in 2010, they were encouraged to also be part of a movement that seeks to humanize the experience of undocumented immigrants and fight for change. In fact, in the video, Cindy later mentions, “I actually decided to come out last year after March 10th...my first introduction to the Immigrant Youth Justice League and seeing all of these people say you know I’m undocumented but I’m not afraid anymore you know changed everything for me” (Figure 17). Rather than keeping their status private, a voice in the video mentioned “Coming Out means...using our lives and stories as a political tool for change.” Therefore, Coming Out of the Shadows is a form of resistance that has been transformational for participants and the movement.

On March 10, 2011, marching alongside undocumented immigrants and allies chanting “Undocumented, Unafraid” while carrying protest signs, I was able to witness the power of Coming Out of the Shadows rally. As each undocumented immigrant who courageously shared his or her story and declared to be “undocumented, unafraid, and unapologetic,” we stood in
solidarity, cheered, and became emotionally sentimental listening to the struggle of each individual. Their stories included stating their appreciation for their parents’ decision to migrate, obstacles they had to overcome because of their status, explaining how hard they had to work to prove that they deserved to be here, and how they were tired of being scared, especially with the possibility of being deported.

Similar to the experience in Chicago, undocumented immigrants across the nation also took this step of courage by participating in Coming Out of the Shadows rallies in their respective communities. Each year, the support and amount of participants in National Coming Out of the Shadows day has increased. The participants and narratives have also become more diverse, since besides undocumented students, participants have also included undocuqueers, parents, and citizens who have undocumented immigrant loved ones (Figure 18). In fact, on March 6, 2013, the IYJL blog stated, “This year, those ‘coming out of the shadows’ will not only include youth and students, but also relatives of those in detention, immigrants facing deportation, and children whose parents have been deported, as we say together that DEPORTATION, DETENTION, DACA will not stop us.” Furthermore, on March 30, 2016, Julio Salgado, a prominent undocuqueer artivist (art activist), shared on Facebook: “It is undeniable that Coming Out Of The Shadows (COOTS) has been a key moment in recent immigrant rights movement history. From its roots in Chicago 2010 and organized by undocumented queers, COOTS made it possible for folks like myself to be empower to come out of various shadows. It's been six years since that first COOTS and I am so glad to see that a lot of the narratives have shifted from "look at me America, I'm a good immigrant student" to "FUCK YOU ICE!" These set of illustration highlight some folks that are challenging and pushing these narratives” (Figures 19, 20, and 21). At each Coming Out of the Shadows rally, the participants have made
it clear that no matter what policies, institutions, or authority figures target undocumented immigrants, they will no longer conform and live in fear. Instead, undocuactivists will join forces to demand to be treated as human beings. Certainly, Coming Out of the Shadows rallies have demonstrated that although undocumented immigrants lack legal status, they have the power to change the public discourse of immigrant rights.

**Exposing Injustice: Non-Violent Civil Disobedience**

As Seif (2011) points out, “rejected by the nation-state, these young immigrants understand that their life chances and those of their loved ones depend on social change” (73). Consequently, “despite their limited socioeconomic, educational, legal, and political capital and their civic engagement by traditional measures,” (Seif, 2011: 72) Latina/o undocuactivists promote social transformation and provide a unique counter-narrative to the dominant outlook of undocumented immigrants in the U.S. Put otherwise, although Latina/o undocuactivists are part of a highly criminalized, vulnerable, and marginalized community, their identity and activism trajectory depicts their critical outlook about their social status and how they use activism to contest illegality. For instance, besides coming out of the shadows, Latina/o undocuactivists have “taken less conventional forms that address intersectional identities and political commitments [by partaking in] creative and militant actions” (Jones, 1997: 71). More specially, Latina/o undocuactivists have escalated their collective action through civil disobedience, including but not limited to, sit-ins, infiltrating detention centers, and self-deportation. Through these acts of civil disobedience, undocuactivists are fighting against draconian immigration policy enforcement. In other words, Latina/o undocuactivists are deconstructing hegemonic structure, discourse, and power that systematically have prevented undocumented immigrants from living a life without access to justice, equality, and liberty. Indeed, through their
experiences, Latina/o undocuactivists shed light to why and how marginalized communities organize to promote social change.

In an effort to demonstrate solidarity with undocumented immigrants across the nation, Latina/o undocuactivists have participated in civil disobedience outside of their respective communities. For instance, after the Georgia Board of Regents voted to ban undocumented immigrant students from attending the state’s top five public universities, seven undocumented students including Georgina Perez (GA), Andrea Rosales (IL), David Ramirez (IL), Viridiana Martinez (NC), Jose Rico (NC), Dayanna Rebolledo (MI), and Maria Marroquin (PA), risked arrest and deportation. Inspired by the Civil Rights Movement, especially the risks that students took in order to abolish segregation in the South, the Atlanta seven staged a sit-in front of Georgia State University on April 5, 2011, to demand that this discriminatory policy be repealed.

The Atlanta seven addressed the supporters and spectators by telling their stories and why it was important for them to stand in solidarity with their fellow undocumented students in Georgia. As David mentioned, “If you are undocumented, don’t be afraid to defend your dignity. If you are an ally, don’t be afraid to be an advocate. We need to come out of the shadows and show the State of Georgia we are not afraid.” Together, they chanted “Undocumented, Unafraid” and “Education, Not Deportation! Education, Not Segregation!” and encouraged other undocumented immigrants and allies to join their efforts to fight for their dignity. Eventually, police authorities arrived to the scene and when the Atlanta seven refused to move, they were arrested and would not be released until each of them paid their $2000 bond. Once their arrest went viral on several online social networks, supporters across the nation mobilized to raise the necessary funds ($1400+). Upon the release of the Atlanta seven (Figure 22), undocuactivists were encouraged
to create their own safe spaces and resources while also continue to fight against anti-immigrant policies across the nation.

In response to the university ban and not passing an in-state tuition policy in Georgia, undocumented immigrant students and academics founded Freedom University, a modern-day freedom school in Atlanta (Figure 23). The mission of Freedom University states,

“Our faculty are fully committed to providing students with college courses equivalent to those taught at the state’s most selective universities. In addition, we provide college application and scholarship assistance, leadership development, and movement skill-building to empower a new generation of undocumented youth leaders. We believe that all human beings -- regardless of race, ethnicity, class, religion, gender, sexual orientation, or citizenship status -- have a universal right to education. As a result of our work, one out of every five students that walks into Freedom University banned from public higher education in Georgia leaves with a full merit scholarship to a college out of state.

Certainly, Freedom University has provided a safe space and resources for undocumented students in Georgia as well elicits a sense of hope for a better tomorrow. Yet, these students continue to have to live in a hostile anti-immigrant environment, given the passage of HB 87, a policy that targets and criminalizes undocumented immigrants (Figure 24). Nevertheless, undocuactivists in Georgia continue to fight for their rights and continue to inspire others to do the same across the nation.

Although every state and even local communities within states have differing immigration policies, the U.S. Immigration Customs Enforcement (ICE) Secure Communities program has deeply impacted all undocumented immigrants across the nation. This program instills massive fear among undocumented immigrants given that allows local law enforcement officers to work alongside ICE in order to increase the number of apprehensions and deportations of undocumented immigrants. Hence, undocuactivists have been participating in acts of civil
disobedience in hope to abolish this draconian system of control. In Chicago, Governor Pat Quinn withdrew Illinois from the Secure Communities program on May 4, 2011. However, on August 5, 2011, the Department of Homeland Security (DHS), decided to prevent any state from withdrawing from the program by making it mandatory across the nation. DHS began to host hearings in order to gain input on how they could ‘repair’ the program to address every state’s concern with the program.

When DHS hosted a hearing on August 17, 2011 in Chicago, Alaa Mukahha provided a testimony during the hearing and ended with saying:

“Enough! Enough with the lies to us and to yourselves that somehow you will fix something that is designed to deport our families.

I can’t in good conscience stay at a hearing that’s a front for something so irreparable and insecure. Sometimes words are not enough, hearings are not enough, press conferences and speeches are not enough. I am here today with my undocumented friends, because there comes time when we need to take greater action. We are tired of fear, and today, today we will break that fear from Secure Communities. I and five others are going to walk outside of this building right now.

We are going to intentionally block traffic and put ourselves under arrest, knowing full well that under Secure Communities, this act of protest, this minor offence, will mean that we could get placed in deportation. This is the risk that immigrants all across the country take every day.

We ask the community to follow us outside, and we ask the people on the task force to have courage for your communities and do the right thing. We resign from this hearing, we think you should resign too and join us outside.”

After Alaa finished her testimony, over three hundred individuals walked out and supported their act of civil disobedience. The IYJL six proceeded with a sit-in at a busy street intersection and then blocked the highway exit on the expressway while chanting and carrying protest signs
against Secure Communities (Figure 25). Upon resisting to move, the IYJL six were arrested but later released. Across the nation, undocumented immigrants felt a sense of empowerment by the act of civil disobedience of the IYJL six. For instance, Marisa, (26) from Pennsylvania mentioned, “as I was streaming into the civil disobedience of the IYJL six, I couldn’t help but feel overwhelmed with joy and pride with their courageous act as well as feel empowered to fight against secure communities and polices alike that target and criminalize our communities.” In the following months, similar acts of civil disobedience occurred in California and North Carolina.

For undocuactivists of color, it is important to participate in these acts of civil disobedience because the possibility of being racially profiled is heightened with the implementation of programs like Secure Communities. As Fanny, one of the IYJL six, stated, “as a Latina I know that I’m at higher risk of being arrested since this program has been shown to have connections to racial profiling. “Secure Communities” is a program that makes us feel less safe. We can no longer trust the police because we know that they can be the ones sending us to ICE.” Through these acts of civil disobedience, undocuactivists are able to address the various issues that result from their intersectional identities.

Although the escalation of non-violent acts of civil disobedience was transforming the framing and strategies of the movement, the majority of participants were undocumented youth and young adults who had some sort of state protection and were thus less likely to be deported, even after being arrested because of their activism. However, for the first time, on November 15, 2011, undocumented parent risked arrest and deportation by participating in a civil disobedience in Montgomery, Alabama in hope that the harsh anti-immigrant law (HB 56) would be repealed. While staging a sit-in in front of the State capitol and refusing to move, the thirteen
participants were arrested and later released. Fortunately, “both parents were released two days later after paying fines and dealt with charges in February 2012, and ICE made no attempt to contact them or initiate deportation proceedings” (Pallares, 2015: 125). When asked why he would risk being deported, Martin Unzueta, one of the undocumented parents, mentioned: “I am risking deportation because I'm tired of seeing the suffering of our children, tired of the lies of Immigration and Customs Enforcement. We do civil disobedience because we are not afraid of those who persecute us.” The fearless participation of Martin Unzueta helped to demystify the politics and ramifications of being active in the movement.

From 2012 until today, Latina/o undocuactivists continue to engage in non-violent acts of civil disobedience, which has led to several changes at the policy level and in public discourse. For instance, undocuactivists forced President Obama to take executive action to stop the rise of deportations of undocumented immigrants given that he failed to keep his promise of passing comprehensive immigration reform during his first term. During the summer of 2012, several undocuactivists engaged in a series of acts of civil disobedience in order to keep him accountable prior to his second term. For instance undocuactivists occupied “several of President Obama’s campaign offices…to increase pressure on the White House before the November elections” (Nichols 2013: 153). The purpose for occupying various Obama campaign headquarters was to “not only to communicate their disapproval of the lack of action, but to also remind voters that immigration as a platform issue had not been resolved within Congress” (Muñoz, 2015: 114). Consequently, President Obama was forced to take action.

**Becoming UnDACAmented**

On June 15, 2012, President Obama issued an executive order known as Deferred Action for Childhood Arrivals (DACA), which was implemented on August 15, 2012. Under DACA,
eligible undocumented immigrants have access to “work authorization and temporary relief from deportation” (Batalova et al. 2012: 1). In other words, DACA allows eligible undocumented immigrant youth and young adults a two-year period of ‘deferred action,’ which guarantees that they will not be deported and can receive a temporary work authorization (Department of Homeland Security, 2012). As of August 3, 2012, the Department of Homeland Security disclosed the DACA eligibility requirements (Passel and Lopez 2012: 4). In order to qualify for DACA, an undocumented immigrant must meet the following requirements: be “under the age of 31 as of June 15, 2012; entered the U.S. before the age of 16; have continuously resided in the U.S. since June 15, 2007 and up to the present time; physically present on June 15, 2012 and at the time of application; are currently in school, have graduated from high school or earned a GED, or honorably discharged veterans of the US armed forces; have not been convicted of a felony, significant misdemeanor, or three or more misdemeanors, or otherwise pose a threat to public safety or national security; entered the country illegally or overstayed their visa prior to June 15, 2012” (Batalova and Mittelstadt 2012: 1). Furthermore, DACA “is granted for a two-year period and can be renewed for an additional two years” (Batalova et al. 2012: 2). For “unauthorized immigrants who are currently in removal proceedings or have a removal order, [they] also may apply for deferred action if they meet the eligibility guidelines set by DHS” (Passel and Lopez 2012: 4). Given the specific requirement guidelines, DACA functions on a case-by-case basis and is subject for renewal.

Currently, “the U.S. Citizenship and Immigration Services (USCIS) confirmed that people granted deferred action under DACA are authorized by DHS to be present in the U.S. and are therefore considered to be lawfully present during the period for which they’ve been granted deferred action” (NILC 2013: 1). As such, DACA recipients are able to “obtain work
authorization and social security numbers” (1). Given that DACA recipients are lawfully able to work, those who pursue or have attained a higher education and desire to enter the formal sector greatly benefit from DACA (Batalova et. al 2012: 11). Furthermore, having work authorization and a social security number has allowed many DACA recipients to apply for state driver’s licenses, except for Arizona and Nebraska (NILC 2013; Batalova 2012). Certainly, those who are granted DACA, have access to better economic opportunities, can live without the fear of their own deportation, and are able to become more incorporated into society (Gonzales and Terriquez 2013: 1).

According to Gonzales (2016), “as of March 31, 2015, over two and half years later after the initiation of DACA, over 664,000 cases had been approved and almost 244,000 renewals granted” (226). Undocumented immigrants from Latin American, mainly from Mexico (~75%), represent the largest portion of approved DACA applications, followed by those from Asia (Betalova and Mittelstadt 2012; Singer and Prchal Svajlenka 2013; Betalova et al. 2013). Furthermore, it has been documented that there are more women than men who have applied for DACA and “men are 1.4 times more likely than women to have their applications denied” (Wong et al. 2013: 4). Although DACA applicants reside in various states nationwide, “successful DACA implementation is not uniform across states” (Wong et al. 2013: 4). For instance, 153,571 approved applicants are from California while 30,008 are from Illinois, and 2,730 are from Alabama (USCIS 2014). Besides the rigid DACA eligibility requirements, the varying implementation rates of approved applications across the nation can be explained by the varying size of immigrant populations in each state. Also, the varying implementation of approved DACA applications depends on whether eligible applicants have access to immigrant
organizations, social media, and other means to disseminate the information on DACA (Wong et al, 2013).

Overall, DACA “has provided an opportunity for a segment of the undocumented immigrant population to…become more integrated into the nation’s economic and social institutions” (Gonzales, 2016: 226). In fact, “they have started new jobs and paid internships, increased their earnings, opened bank accounts and obtained credit cards, and enrolled in health care programs and obtained driver’s licenses” (226). DACA has particularly been highly beneficial for college-bound and currently enrolled undocumented students. Yet, “of those potentially eligible for the program, more than half have not applied” (226). Gonzales (2016) argues that DACA-eligible individuals might not be applying due to their lack of awareness, educational barriers, living conditions (e.g. geographical immigration climate), and lack of resources. Also, even though becoming UnDACAmented has provided several eligible undocumented immigrants with more opportunities, DACA has several limitations. Gonzales (2016) further points out that DACA is temporary, does not provide its beneficiaries with a pathway to legalization, and “DACA status does not confer the right to vote, travel freely, or qualify for federal financial aid” (227). Lastly, “despite the program’s two-year reprieve from the threat of deportation, enrollees can still be removed in the future” (227). This means that DACA “offers its beneficiaries no respite from long-term uncertainty and the possibility of legal limbo” (227). In other words, even when an undocumented immigrant becomes ‘UnDACAmented,’ they are only provided a liminal legal status in the U.S., which is subject to change at any time. As Efrain (27), from California mentions, “Being UnDACAmented is helpful in terms of being able to legally drive and work, but it is only temporary. Also, there are only a few of us who are privileged to be eligible for DACA. It is neither a permanent nor an equal
solution because just like the DREAM Act, DACA is also exclusive. There is a need for something more than DACA and even then, we will still have to fight against so much injustice, after all, papers are just papers, they don’t change the fact that we will always be inferior to the dominant white racist society in the U.S.” Although undocuactivists were glad that DACA was enacted, they understand that it is exclusionary and liminal. Since the passage of DACA, undocuactivists thus continue to fight for the rights of all undocumented immigrants.

**DACA is Not Enough: The Fight Against Deportations Continues**

With over 400,000 deportations a year, undocuactivists have engaged in direct action and several acts of civil disobedience that specifically aim to stop deportations. From 2008 to 2012, President Obama deported more than one million people, more than any other president in U.S. history. As a response, forty undocumented immigrants, including several from Illinois, embarked on the “No Papers, No Fear: Ride for Justice” in a bus, identified as the ‘Undocubus’ (Figure 26). According to the undocubus riders, they represent “undocumented mothers, fathers, students, sons and daughters [that] will challenge the champions of hate with stories, voices, and action through key states in the Southern US because [they’re] tired of facing deportation, harassment, and being taken from [their] loved ones and [they’re] ready for a new day” ([http://nopapersnofear.org](http://nopapersnofear.org)). In an effort to bring awareness to the undocubus efforts, Julio Salgado drew a collective of pictures of undocubus riders, including prominent undocuqueer activist Ireri (Figure 27). From July 28th to September 3rd, 2012, the undocubus riders traveled from Arizona to North Carolina. Besides sharing their stories, they wanted to end their journey in North Carolina because 1) they wanted to build community with undocumented immigrants who live in this hostile anti-immigrant environment yet are surrounded by social justice activism, including advocating fighting for the rights of the LGBTQ community, formerly incarcerated
people, and working-class individuals, and 2) because it was where the Democratic National Convention (DBC) was going to be hosted, so the undocubus riders could engage in civil disobedience to keep these ‘progressive’ elected officials, especially President Obama, accountable of their lack of action to stop the deportations of thousands of undocumented immigrants. Upon their arrival, ten of the undocubus riders staged a sit-in, blocking a main street intersection near entrance of the DNC while holding cloth signs stating ‘undocumented’ and chanting “Undocumented Unafraid.” Although all ten were arrested, they were released and not placed into deportation proceedings (Figure 28). Together, they demonstrated the power of the undocumented immigrant community despite their lack of legal status, age, race, class, gender, and sexuality.

Although the Obama administration did not stop their deportation quota, they indicated that they were only invested in deporting people with criminal records. Yet, the deportation proceedings of undocumented immigrants who would be considered low-priority (e.g. convicted of minor infractions) escalated. As such, undocuactivists, mainly those who were DACA-eligible, join forces to infiltrate detention centers. For instance during August, 2012, Viridiana Martinez and Marco Saavedra infiltrated the Broward Transitional Center, in Pompano Beach, Florida. The idea was that they would ‘turn themselves in’ and once they were processed and placed into a detention center, they would become aware of the harsh living conditions within detention centers and more importantly, they would be able to find out which detainees would be considered low-priority deportation cases. As they talked to detainees, they provided them with phone numbers of advocates who could contact their families and establish a campaign to stop their deportation including creating online petitions, organizing vigils, contacting local media, and working alongside lawyers and community leaders. Once the administration in these
detention centers found out what these undocuactivists were doing, they were immediately released. Undocuactivists continued to infiltrate other detention centers across the U.S. and together they have successfully stopped the deportation of various detainees.

In 2013, undocuactivists continued to participate in manifestations to stop the annual 400,000-deportation quota. For instance on May 29, 2013, twelve Chicagoans locked arms forming a human chain in downtown Chicago during President Obama’s fundraiser to push President Obama to stop deportations (Figure 29). Among the protestors, there was an undocuactivist who shared during her interview that she was motivated to be part of this action after she helped to organize a Coming Out of the Shadows rally:

“Since then, I have participated in various events and also in civil disobedience...like when we sat in a circle in [Downtown Chicago] to block traffic and get Obama’s attention since he was hosting a fundraiser at a nearby hotel. We wanted him to know that he needed to stop the high record number of deportations. We even had a banner that said ‘Obama stop the 400,000 quota of annual deportations.’ I also helped with the rally outside of the a Broadview Detention Center, where undocumented immigrants created a human chain in front of the gate where the bus used to transport deportees was to come out and I remember that we chanted loudly that we were Undocumented & Unafraid and that we demanded that the deportees be released. Both times, when the cops came, we knew that we risked arrest but we were ready but I was willing to do it to get our message across and get others to support our cause. I think these types of actions are really important and necessary; I would definitely do it again. That’s why I continue to be involved, because it is important that others get involved and make our voices heard.”

Certainly, it is not easy to put their lives at risk, but the experience of undocuactivists demonstrates the importance of being vocal and taking action into one’s own hands in order to enact social change.

For several undocuactivists, once they experience a sense of liberation and empowerment by engaging in an act of civil disobedience, they tend to continue to be heavily involved in the
movement, including organizing all the logistics of these acts of civil disobedience. This was the case for Yolanda (25:CA):

“Getting involved is just the first step. Once you immerse yourself, you can’t stop. You know that there is a lot of injustice and that we need to be our own advocates if we want to see social change. We put in the time to learn from each other and to work with other organizations. Like all the training is really important for any action. Also, having everything ready for the day of the action and post-action is really important. Luckily, we have access to lawyers who are aware of our action ahead of time so that our time in jail could be minimized and so that we are not put into deportation proceedings. We’ve also made great use of the Internet by streaming the action, having petitions ready to get the direct action participants out of jail, setting up penpal accounts for donations, and press packets. An action is not just about those participating but everyone involved. It takes a lot of time to plan and execute the plan to the very end but it is well worth it.”

The work of undocuactivists like Yolanda has been crucial for the success of various acts of civil disobedience, including the #BringThemHome campaign, which advocated for the release of undocumented immigrants known as the ‘Dream 9.’ During July of 2013, nine Latina/o DREAM Act-eligible activists dressed in their cap and gowns who had either had already been deported or self-deported participated in a highly risky act of civil disobedience the U.S.-Mexico border. Together, they “were planning on crossing the US border through formal port of entry, openly challenging the US government’s policies on detention and deportation of immigrant youth” (Khachatryan, 2015: 71). Although various media outlets covered their act of civil disobedience, “they were handcuffed and sent to the notorious Eloy Detention Center in Arizona, known for its inhumane conditions” (74). In fact, Luis, one of the Dream 9, recalls how he “heard stories from other detainees who were waiting for their deportation proceedings [that] if anyone spoke out against the inhumane conditions, they were sent to solitary confinement,” of which caused some detainees to commit suicide” (74). Despite the harsh conditions, the Dream 9 organized within
the detention facility, which led them to be placed into solitary confinement. The Dream 9 then “waged a hunger strike to protest their unfair treatment [and] Dream 9 supporters generated daily media releases to expose the conditions in Eloy Detention Center” (75) (Figure 30). Eventually, “over forty members of Congress signed a petition calling for the release of the Dream 9 [and] after two weeks...they were released” (75). Fortunately, “this was the first time in history that immigrant youth had voluntarily self-deported and were allowed reentry into the United States” (75). This militant act of civil disobedience was crucial in establishing undocuactivists as a legitimate political group able to change the social conditions of undocumented immigrants.

From 2014 to 2016, undocuactivists have continued to expose injustices experienced by undocumented immigrants through acts of civil disobedience. At the same time, undocuqueer activists have been at the forefront of the movement and playing a significant role in addressing the importance of accounting for the intersectional identities of all undocumented immigrants (Figure 31). Besides coming out as undocuqueer and engaging in civil disobedience, undocuqueer activists have shed light to the importance of fighting against the discrimination of undocutrans individuals not only in detention centers, but also within the movement. Latino undocuactivists have made sure to incorporate the struggle of all undocumented immigrants by demonstrating the power of unity among all undocumented immigrants, regardless of their background. Also, undocuactivists are increasingly using “digital media and communication technologies to create new spaces for self-representation and mobilization” (Seif, 2011: 71). Some of these include “social networking sites, blogs, and websites [to] enable [people] to tell their stories and connect with others” while also provide necessary information on the legislative process, resources, and trainings to help others become their own agents of change” (71). As such, Latina/o undocuactivists have made a widespread use of information technologies like U-
stream and social media including Facebook, Twitter, YouTube, Instagram, and various blogs, as well as participated in local and national news reports. Furthermore, Latina/o undocuactivists have used social media to provide safe spaces to talk about the various issues that they face based on their intersectional identity and also mental health. For instance, the AskAngy YouTube channel (https://www.youtube.com/user/AskAngy) is filled with videos of support for undocumented immigrants and survivors of sexual abuse. Also, the Dreamers Adrift social media project (http://dreamersadrift.com/about) has gained national recognition for their ability to document the lived experiences of undocumented immigrants through videos, art, music, spoken word, poetry, and other creative means. Certainly, though the struggle for dignity and basic human rights for undocumented immigrants continues, through all of these efforts, undocuactivists have played a crucial role in expanding the rights and addressing the needs of undocumented immigrants.

Undocuactivism: An Act of (Non)Citizenship

Throughout this chapter, it is evident that despite their lack of U.S. citizenship, undocuactivists are displaying what Isin (2008) theorizes as “acts of citizenship,” which disrupts the citizen and illegal dichotomy. In particular, Nyers (2010) “investigates acts of citizenship by politicized groups of non-status migrants and refugees, and assesses the normative and political challenges they pose to established norms about citizenship, belonging, and political community” (127). Nyers (2010) argues that acts of (non)citizenship among non-status migrants can be understood as a political subjectivity, which “allows non-status groups to extract themselves from the hegemonic categories by which political identity is normally understood” (141). Indeed, “it is quite a wonderful paradox to say that publicly self-identifying as a non-status migrant is to engage in an act of citizenship” (141). In this sense, non-status migrants “are
not merely the citizen’s Other, but also other claims-making and rights-taking political beings” (141). As Nyers (2006) points out, “despite the considerable risks that come when the non-status interrupt the public realm as speaking beings demanding recognition of a historical wrong, people, find themselves in political situations acting as political actors,” and thus, exercising their political agency” (64).

Given Nyer’s conceptualization of (non) citizenship, the collective action of undocuactivists not only provides them with political agency, but it also facilitates their process of claiming their rights. Undocuactivism in the U.S. thus aims at protesting “migrants’ illegality and to push for means to legalize or regularize their status [by] perform[ing] acts of agency rather than existing as docile bodies, including finding ways to continue living despite the fear of deportation and social stigma heaped upon them” (Chavez, 2007, 194). In other words, undocuactivists enact citizenship without being recognized as citizens in the U.S., even if they “have had to take the strategy of interruption: having to organize their community, mobilize voices, stretch the norms of acceptable behavior, and, at times, even break the law” (Nyers, 2010, 141). Therefore, “rather than falling into completely immobilizing despair and hopelessness, they often engage in personal acts of resistance (Butler, 1997), which range from taking small steps to improve their lives through education and training to political activism aimed at immigration reforms to provide a path to citizenship for undocumented immigrants” (Gonzales & Chavez, 2012, 259). Through a brief overview of the identity and activism shift of undocuactivists from DREAMer to Undocumented & Unafraid, this research closely analyzes the governance, embodiment, performativity, and agency of ‘illegal’ bodies in order to demonstrate how undocuactivists are able to fight for human rights, privileges, membership, and inclusion in the dominant U.S. society in spite of their lack of legal status (Crossley, 1996;
Hiemstra, 2010; Hohle, 2010; Buff, 2008). At the same time, this research demonstrates how undocuactivists who decide to use their ‘illegal’ bodies to display their activism, represent undocumented immigrants that use their body as a tool of dissent.

Although the fight for immigrant rights is not a new phenomenon, undocuactivists have made recent substantial changes within their community and the larger society. In fact, the mobilization of undocuactivists symbolizes a successful grassroots community action. For instance, undocuactivists have managed to expand the rights of undocumented immigrants by pushing for greater access to higher education, worker permits, driver’s licenses, and more recently, stopping deportations and the separation of families. Through protests, marches, rallies, congressional hearings, lobbying, direct action, acts of civil disobedience, and constant use of social media and social networks, undocuactivists have worked towards “opening up the boundaries of citizenship to include non-status peoples [like themselves] who participate in society as if [they were] citizens” but lack legal status in the U.S. (Marciniak, 2013, 263). Hence, although Congress has not passed any immigration reform bill or any other legislation that would grant current undocumented immigrants a pathway to legalization, undocuactivists have played a leading role in creating social change.

**Figures**

Figure 16: Julio Salgado’s Depiction of Undocumented Parents’ Decision to Migrate
Figure 17: A Snap Shot of Cindy’s Coming Out of the Shadows Promotional Video

Figure 18: A Parent Participating in a Coming Out of the Shadows Event

Figure 19: Julio Salgado’s Depiction of a COOTS Testimony

Figure 20: Julio Salgado’s Depiction of a COOTS Testimony

Figure 21: Julio Salgado’s Depiction of a COOTS Testimony

Figure 22: The Release of the Seven DREAMERS in Atlanta
Figure 23: Freedom University in Georgia

Figure 24: Julio Salgado’s Depiction of the Protest Against the Passage of HB 87 Policy

Figure 25: Julio Salgado’s Depiction of the IYJL six

Figure 26: The Undocubus of the “No Papers, No Fear: Ride for Justice”

Figure 27: Julio Salgado’s Depiction of an Undocubus Rider

Figure 28: Julio Salgado’s Depiction of Undocubus Riders
Figure 29: Civil Disobedience to Force President Obama to Stop Deportations

Figure 30: Julio Salgado’s Call to Action to Support the DREAM Nine

Figure 31: Julio Salgado’s Depiction of No LGBT Exclusion
Chapter 5
Conclusion

“We are undocumented immigrants. But we are more than that, we are a community of luchadores (warriors) with dignidad (dignity). We might be dehumanized and criminalized, but we are determined to demonstrate otherwise. We will fight until we are treated as human beings. We won’t live in the shadows, we will rise, and we will fight all injustices, hasta la victoria (until victory)” ~ Raul, 29 (CA).

As of 2014, there are approximately 11.3 undocumented immigrants residing in the United States (Brown & Stepler, 2016), with the largest portion being from Mexico (56 percent) and Central America (15 percent) (Rosenblum & Ruiz Soto, 2015: 2). Among the undocumented immigrant population, there are parents who are “pulled to the United States by the possibility of work and the opportunity of a decent life in a democracy, these parents break civil immigration law because they have no alternatives” (Lopez & Lopez, 2010: 2). Consequently, undocumented children “come to this country when their parents are pushed out of their countries by poverty or oppressive regimes (2). There are approximately 1.8 million are under the age of eighteen (Clark-Ibañez, 2015; Gonzales, 2013). While these young undocumented immigrants are not born in the United States, many have lived in the United States for most of their lives. Thus, they learn the English language and are exposed to the customs and culture of the United States. Yet, given their lack of legal status, these young undocumented immigrants experience integration and exclusion in American society at various stages in their lives (Gonzales, 2016).

Throughout their childhood, “undocumented youth learn the rules of society, discover the world around them, and form attachments to people and institutions and places” (Gonzales, 2016: 12). For instance, undocumented children are integrated and often gain a sense of belonging while pursuing a primary and secondary education in the United States. However,
even Latina/o undocumented immigrant young adults who have lived in the United States for most of their lives are “forced to confront consequences of illegality and must learn to live as an ‘illegal’” when they transition into adulthood (Gonzales & Chavez, 2012: 262). As Gonzales (2016) argues, beginning in their adolescence, “time brings changes that are unexpected, unwarranted, and often cruel” (12). In fact, as they come of age, undocumented immigrants are confronted with harsh life consequences caused by their ascribed illegality. Illegality is theorized as a legal, racial, and spatial condition attributed to marginalized immigrants (Menjivar & Abrego, 2012; Chavez, 2007; Willen, 2007; De Genova, 2005). According to Hiemstra (2010), “labeling a person ‘illegal’ is a subtle yet powerful tool for creating, marking and magnifying perceived difference and exclusion” (78). An undocumented immigrant thus represents a docile body that is subject to discipline and control. Yet, rather than becoming fearful and remaining in the shadows due to their lack of legal status in the U.S., Latina/o undocumented immigrant young adults are using activism to fight for their rights and create social change.

**Latina/o Undocuactivists Navigating a Life of Inclusion and Exclusion**

Latina/o undocuactivists in this study came to the United States at a young age. Upon their arrival, they are confronted with having to learn how to navigate life as an undocumented immigrant. In the process, “school is where the experiences of undocumented children first diverge from those of their parents” (Gonzales, 2016: 90). For instance, “through the institutions of school and work, undocumented children and adults are integrated into very different spheres of American life” (90). On the one hand, undocumented immigrant adults are “incorporated into the very clandestine labor market, where they work alongside co-ethnic who face similar circumstances, speak the same language, and share similar cultural practices” (90). As a result, undocumented immigrant adults “have few opportunities to enter into the American mainstream”
On the other hand, “school provides [undocumented children] with an experience of life outside of the shadows, [as] their legal inclusion in public schools gives undocumented youth opportunities to receive an education, prepare for their futures, embed themselves in social networks, and become familiar with the norms and values of American culture” (90-91). Thus, this differentiation of treatment and experience while attaining a primary and secondary education plays a major role in the identity and activism trajectory of Latina/o undocuactivists.

Public primary and secondary schools are some of the principal institutions of socialization where Latina/o undocuactivists first experience integration and exclusion. Based on the 1982 U.S. Supreme Court ruling of *Plyler v Doe*, undocumented students are legally allowed to attain a public K-12 education (Olivas, 2012). Undocumented immigrant students thus have the opportunity to be immersed into the public educational system, one of the primary American social institutions. This is immensely important given that although “American public schools are sites of stratification, often reinforcing and widening society’s inequalities, most Americans view school as the primary means of producing a class of citizens ready to contribute to America’s social, political, and economic life at all rungs of the mobility ladder” (Gonzales, 2016: 73). At the same time, “many immigrant parents view the public school system as the ideal instrument to realize the American dream for their children” (73). While in elementary school, Latina/o undocuactivists share similar experiences as their citizen peers. However, while in middle school and high school, Latina/o undocuactivists begin to be tracked into distinct paths from that of their citizen peer counterparts. For instance, Latina/o undocuactivists begin to fully understand what it means to be ‘undocumented,’ as they are not able to drive, work, and in many cases, are unable to apply for internships, scholarships, and other opportunities that require legal documentation. Nevertheless, even though several Latina/o undocuactivists attend ill equipped
schools while also have to deal with gatekeepers and institutional barriers, they learn the English language, take college-prep courses, and are civically engaged. As such, several Latina/o undocuactivists honor the sacrifices that their parents have made in order to provide them with better life opportunities by beating the odds and excelling academically. Every year, approximately 65,000 undocumented students graduate from high school (Gonzales, 2009). Despite the esteemed accomplishment of these high school undocumented student graduates, they are confronted with the inability to reach their full potential due to their lack of legal status.

Given that Latina/o undocuactivists do not have access to a pathway to legalization, “as they near the end of high school and begin adult lives their lack of legal citizenship closes off access to good jobs, creates barriers to enrolling in college, and heightens the chances for detainment and deportation” (Gonzales, 2016: 11-12). As a result, “as undocumented youth come of age they transition to illegality, a process that not only shapes their lives socially and emotionally but also redefines their rights, access and ability to stay in the country” (12). It is at this point where they fully begin to understand what it means to be an undocumented immigrant in the United States. By examining the identity and activism trajectory, we can understand how Latina/o undocuactivists make sense of their lives. In particular, understanding their identity and activism trajectory requires that we know how critical consciousness, critical civic praxis, legal consciousness, and a mature oppositional consciousness play a fundamental role in the collective action of Latina/o undocuactivists as they develop a counter-hegemonic project to promote social change.

On one end of the trajectory, Latina/o undocuactivists who internalize their ascribed identity of “Illegal” tend to live in the shadows and are hesitant to engage in any form of activism due to fear of apprehension and deportation. However, when they become aware that
they are eligible for the DREAM Act and that ‘DREAMers’ are depicted as the ideal U.S. citizen candidates, Latina/o undocuactivists shift their identity from ‘illegal’ to ‘DREAMer.’ Also, Latina/o undocumented immigrants who self-identity as DREAMers engage in activism to expand the rights of DREAMers, including but not limited to, lobbying, public protest, and civil disobedience to pass the DREAM Act and/or similar policies. While the DREAM Act has not passed in Congress, DREAMers drastically transformed the immigrant rights debate, as they provided a positive image of undocumented children, youth, and young adults as innocent and deserving human beings with a desire to permanently become part of and contribute to the betterment of U.S. society. After the DREAM Act did not pass in 2010, the majority of Latina/o undocuactivists realized that they needed to change their framing, goals, and strategies in order to assure that their efforts prior to 2010 did not go to waste. More specifically, witnessing at least 400,000 undocumented immigrants being deported annually, Latina/o undocuactivists began to realize that fighting solely for the DREAM Act was problematic. First, the DREAM Act is an exclusive policy that would only benefit a small fraction of the undocumented immigration population. Second, the DREAM Act does not provide deportation relief of all undocumented immigrants, which means that it does not address the high rates of deportations and thus, separation of families. Third, Latina/o undocuactivists that in order to pass the DREAM Act, they had to push for a narrative that ultimately reaffirmed a distinction between a ‘good/deserving’ and bad/undeserving’ undocumented immigrant, as it would essentially place the blame on their parents for their decision to migrate without the proper documentation. Given these critiques of the ‘DREAMer’ identity and activism, Latina/o undocuactivists began to self-identity as ‘Undocumented & Unafraid’ instead of ‘DREAMer’ and mobilize to advocate for the rights of all undocumented immigrants. Latina/o undocuactivists who proclaim being
“undocumented and unafraid” are directly responding to the negative impact of immigration policy enforcement by engaging in community mobilizing efforts, acts of civil disobedience, and partaking in anti-deportation campaigns nationwide (i.e. #Not1More). Overall, although all of the participants in my study have diverse experiences, I found that they have all gone through some, if not all, phases of the Latina/o undocuactivist identity and activism trajectory. In order to fully comprehend the ways in which Latina/o undocuactivists shift in their identity and activism trajectory, it is important to understand the theoretical foundations of intersectionality, identity development, critical consciousness, critical civic praxis, legal consciousness, and a mature oppositional consciousness.

Intersectionality refers to the interconnectedness between systems of race, social class, gender, sexuality, ethnicity, nation, and age (Hill Collins, 2000:320). The idea is that “systems of power, [including race, class, gender, sexuality, ability, age, and citizenship status] cannot be understood in isolation from one another; instead systems of power intersect and co-produce one another to result in unequal material realities, the distinctive social experiences that characterize them, and intersecting belief systems that construct and legitimate these social arrangements.” (455). Intersectionality is thus important not only in terms of understanding the social location of Latina/o undocuactivists in the U.S., but also how it impacts their identity and activism trajectory.

According to Muñoz (2015), ‘identity development’ is a not only “a fluid process in which individuals come to know who they are, but [also] is the umbrella term that includes their worldviews and epistemologies” (7). In other words, “identity development “is fluid, contextualized and constructed by how one’s identity is influenced, validated, or silenced within a particular environment” (8). Furthermore, “rather than being static, the process of constructing
one’s identity involves trying on multiple traits that will ultimately be adapted or discarded, depending on the group’s social standing and individual appraisals of those traits” (Gonzales, Perez, & Ruiz, 2016: 121). Hence, “one’s identity is fluid and reflects the changes one experiences across life stages” (121). Also, “identity is also shaped by competing and complementary personal characteristics, including one’s immigration generation, immigration status, and position within the US racial and ethnic hierarchy (121). For undocumented immigrant children, youth, and young adults, “their process of identity formation is entangled between their experiences as immigrants and those as American-raised students” (122). Given that schools represent crucial institutions of socialization, “in contrast to their parents’ involvement in the low-wage labor force, schooling is the nexus of undocumented students’ legal interaction and social identity formation” (122). Schools are thus not only “the first legal institution that undocumented students encounter, but it is also where they live out their social reality and learn to be ‘American’” (122). The identity development of Latina/o undocuactivists is thus largely shaped by their experiences and interactions with their citizen counterparts while in primary and secondary school.

Certainly, Latina/o undocuactivists “did not choose to be undocumented, yet their bodies, their mere existence, are contested and politicized by the curtain of immigration dogma” (Muñoz, 2015: 7). Also, it is important to note that Latina/o undocuactivists experience life not only as undocumented immigrants, but also as marginalized individuals based on the intersection of race, class, gender, and sexuality. This means that, the identity development of Latina/o undocuactivists is a process that “acknowledges the multiplicity and intersection of identities within sociohistorical and sociopolitical contexts” (8). For Latina/o undocuactivists, their identity trajectory is not only shaped by the intersection of their immigration status, race, class, gender,
and sexuality, but “also shaped by critical moments…[specifically], a life event that ignites reflection on whom she/he chooses to be” (8). Furthermore, I argue that the identity trajectory shift from ‘illegal’ to ‘DREAMer’ to ‘Undocumented & Unafraid’ among Latina/o undocuactivists is also shaped by their critical, legal, and oppositional consciousness, which then also impacts their activism.

In an effort to become fully liberated, oppressed groups of people, like Latina/o undocuactivists in the U.S., gain what Freire (1993) terms critical consciousness, which refers to “an awareness of the systematic forms of oppression that limit one’s capacity for self-determination and thus ability to take action to address the conditions of oppression” (Ginwright & Cammarota, 2007, 699). Gaining critical consciousness is thus imperative because it allows Latina/o undocuactivists to deconstruct and decenter social structures that facilitate cycles of marginalization and dehumanization. Therefore, once Latina/o undocuactivists gain critical consciousness, they become civically engaged in order to promote social change. This means that the collective action of Latina/o undocuactivists exemplifies what Freire termed praxis, “critical reflection and action…through real-world issues that shape the daily life” (699). In other words, Latina/o undocuactivists engage in critical civic praxis, “a process that develops critical consciousness and builds the capacity for young people to respond to change oppressive conditions in the environment” (699).

Besides critical consciousness and critical civic praxis, it is important to note that the identity and activism trajectory of Latina/o undocuactivists is also informed by their legal consciousness, which is their “commonsense understanding of the law” (Abrego, 2011: 341). As undocumented immigrants, Latina/o undocuactivists “constitute a vulnerable group, and their legal consciousness should presumably place them unvaryingly ‘against the law’ within national
boundaries (341). After all, despite the rhetoric of control and integration, immigration laws and policies have one conspicuous effect: Instead of controlling immigration, they control the immigrant” (Calavita, 1997: 560). Given that immigration policies are exclusive, undocumented immigrants must constantly live in fear of deportation. Latina/o undocuactivists “must look toward the law to understand their place in U.S. society—what rights and services are available to them and what is off limits” (Abrego, 2011: 341). While illegality affects all undocumented immigrants, the legal consciousness of Latina/o undocuactivists is “driven less by fear than that of their adult counterparts” (342). This means that rather than living in the shadows and in constant fear, Latina/o undocuactivists critique the legal system and its power to construct oppressive social relations. At the same time, Latina/o undocuactivists also see changes to the law as a means to expand their opportunities to claim citizenship, thus articulating a more aspirational role for the power of law. These counter-intuitive findings highlight the complexity of the legal system, intersectional identities, and community organizing.

Latina/o undocuactivists who have particularly shifted in their identity and activism trajectory from ‘DREAMer’ to ‘Undocumented & Unafraid’ have attained a mature oppositional consciousness. According to Mansbridge (2001), mature oppositional consciousness “incorporates a well-worked-out, internally coherent set of ideas and beliefs, analyzing the injustices at the core of the system of domination, suggesting how they came into being, and identifying individuals and interests that benefit from the injustices and/or have intentionally produced them” (241). In short, a mature oppositional consciousness “incorporates what might be called an ‘ideology’ and a repertory of strategies and potential lines of action” (241). Inspired by their mature oppositional consciousness, Latina/o undocuactivists have drawn on tools of dissent to change the social conditions of all undocumented immigrants.
Research Contribution

Research on undocumented immigrant youth and young adults has largely focused on their educational experience (Clark-Ibañez, 2015; Perez, 2012; Abrego & Gonzales, 2010; Gonzales, 2009; Gonzales, 2007). In particular, there is a growing body of literature on DREAMers both in terms of their higher educational experience and activism (Gonzales, 2016; Truax, 2015; Muñoz, 2015; Chavez, Monforti, & Michelson, 2015; Gonzales, 2013; Nicholls, 2013; Perez, 2012; Perez & Cortes, 2011; Lopez & Lopez, 2010). Yet, there is a lack of research that focuses on how undocumented immigrant young adults who do not self-identity as ‘DREAMers’ mobilize to fight for their rights despite their lack of legal status. Through an intersectional theoretical framework, this study fills the gap in the literature by highlighting and contextualizing the experiences of Latina/o undocuactivists based on a nexus of literature on law, immigration, illegality, education, and activism. Rather than solely focusing on the interlocking forms of oppression that Latino undocumented immigrant young adult activists face based on their race/ethnicity, class, gender, and sexuality, this study expands intersectionality by incorporating immigration status as an additional axis of inequality. Furthermore, this study contributes to the literature on Latina/o undocumented immigrant young adults by highlighting how and why the movement goals of Latina/o undocuactivist extend beyond the fight for the DREAM Act. More specifically, this study contextualizes how Latina/o undocuactivists are advocating for the rights of all undocumented immigrants by dismantling the narrative of the “good” versus “bad” immigrant while engaging in political lobbying, public protest, and civil disobedience even if they risk arrest and deportation. In other words, this study demonstrates how law affects the oppositional consciousness of Latina/o undocuactivists by embracing an activist identity in order to deconstruct the structural power of law. Also, this study adds to the
limited literature on social movements that target the criminal justice system by highlighting the ways in which Latina/o undocuactivists politically challenge the criminal justice system through civil disobedience. In particular, this study shows that law is violence given the rise of deportations and expansion of detention centers as well as through protest art depicting Latina/o undocuactivists in handcuffs during non-violent acts of civil disobedience. Lastly, this study provides innovative qualitative methods to examine activism in the twenty-first century by incorporating virtual fieldwork, protest art, and social media. Indeed, the counter-hegemonic mobilization among Latina/o undocuactivists are shifting the immigrant rights movement and witnessing the power of mobilizing to create social change.

Policy Recommendations

Although the United States is regarded as “a nation of immigrants, most immigrant groups have historically struggled for acceptance and inclusion, particularly immigrants who are not of white, Anglo-Saxon, Protestant backgrounds” (Chavez, Monforti, & Michelson, 2015: 4). Therefore, it is no surprise that since the majority of the current undocumented immigrant population migrates from Latin America, they are not granted a pathway to legalization and instead are dehumanized and criminalized through draconian immigration policies. In fact, “Congress’ failure to devise a consistent and ethical system of immigration laws has forced state and county governments to come up with their own solutions to immigrant integration” (Gonzales, 2016: 224). Immigration policies at the local, county, and state level “run the gamut from immigration integration bills providing in-state tuition and access to health care to punitive laws that deny immigrants access to housing, health care, jobs, and education” (224). Furthermore, we are currently witnessing thousands of undocumented immigrants being deported, Central American unaccompanied children migrating by themselves to the U.S in
search of a better life, and the rise of anti-immigrant rhetoric in public discourse as well as among elected officials and the 2016 republican presidential candidate Donald Trump. Therefore, there is a need for immigration policy reform at the local, county, state, and federal levels.

In the absence of the federal DREAM Act, eligible undocumented immigrants are benefitting from DACA. For instance, they have access to worker’s permit and also have temporary relief of deportation. However, it is only a temporary solution, as it does not provide those who are unDACAmented with a pathway to legalization. Also, only a small portion of the undocumented immigrant population is eligible for DACA. Since comprehensive immigration reform is unlikely to pass in the near future, it will be important to maintain and expand policies like DACA in order for all undocumented immigrants to legally work and not have to live with a constant fear of deportation. More broadly, while legal reform has the potential to rectify injustices experienced by undocumented immigrants, there are still structures and institutions that will continue to marginalize and oppress undocumented immigrants. Consequently, until hegemonic systems of power are dismantled, all subordinate communities, including undocumented immigrants, will continue to be treated as second-class citizens and pushed to live at the margins of society.

Future Research

Contrary to the belief that undocumented immigrants are powerless, unworthy of legal rights, and disposable, Latina/o undocuactivists have demonstrated that illegality can be contested through activism. Although Latina/o undocuactivists view immigration policy reform as having the potential to alleviate several of their concerns, they also recognize that law stratifies people’s lives and thus, law reform will not solve all the social ills that impact
undocumented immigrants in the U.S. As such, in order to witness social transformation, Latina/o undocuactivists must continue to bridge their struggle with the struggle of other marginalized communities. For instance, since brown and black bodies are constantly criminalized, discriminated by police and ICE agents, as well as are disproportionately represented in detention centers and prisons respectively, Latina/o undocuactivists must continue to work in solidarity alongside other activists invested in social justice, including the #BlackLivesMatter movement (Figure 32). Building solidarity with other marginalized groups that accounts for the intersectionality of race, class, gender, sexuality, and immigration status will allow Latina/o undocuactivists to enhance their critical oppositional consciousness and increase their visibility in a supposed “post-racial” America.

My future research will examine how racialized criminality stratifies the lives of Latina/o undocumented immigrants through the creation of the immigration industrial complex. In order to contextualize the rising criminalization, surveillance, and disposability of brown bodies in California, one of my future studies will investigate the impact of deportations among Latino undocumented immigrants. Specifically, it will focus on the #Not1More deportation campaign, a movement that strives to end draconian immigration enforcement. This campaign represents more than a hashtag in social media, as it is a counterhegemonic movement that challenges oppressive power relations while also affirms the dignity and basic human rights of disenfranchised communities. Upon completing this study, I will highlight the power of brown and black activism solidarity by comparing the #Not1More deportation campaign to the #BlackLivesMatter movement. Overall, my future research will contribute to the literature on Latinos, immigration, law and society, social media, and social movements. The purpose of
these future projects is to offer important implications for scholars, policy makers, and activists who are driven by social justice agendas and invested in creating social change.

**Undocuartivism: Encapsulating the Latina/o Undocuactivist Experience**

Certainly this study provides a counter-hegemonic narrative of the experiences of Latina/o undocuactivists through an identity and activism trajectory perspective. However, this study would not be possible without the voices of Latina/o undocuactivists. In particular, although research is important to deconstruct issues of injustice, what ultimately creates social change is the resilience and activism of Latina/o undocuactivists. Thus, as a person who recognizes her privilege as a U.S. citizen and is an ally in the undocumented immigrant rights movement, it is only appropriate to end with the powerful spoken word piece by Yosimar Reyes, a prominent, brilliant, strong, and inspirational undocuqueer artist.

The Legalities of Being
By Yosimar Reyes

My grandmother has never used the word “undocumented” to describe her existence. In fact growing up she never taught me about limitations. Most of the folks on my block share this similar experience so there was no dialogue around our status in this country. We all knew where to get fake micas or any other documents needed to work in this country. I never felt alone or depress. In high school most of my peers were and continue to be undocumented so conversations around our status were not important because there was a common understanding that this was simply a REALITY and not our identity. We were more then the lack of a social security number.

I am beginning a conversation with myself about defining my being by laws that really can NEVER summarize my existence. I am thinking about integration and this going trend to be called AMERICAN. I am thinking about words like DREAMer and Illegal, language that is stagnant, that in no way, shape or form speaks truth about the complexities of being and the connections that we have as humans beyond borders and political systems. It is like defining your being by building fences. Telling folks this is me, read the sign.

I know the importance of visibility and empowering folks to no longer feel ashamed or embarrassed by their status but as a person who was taught that “El Pajaro Donde Quiera Es Verde” I am begging to question these myths I have
learned about my homeland. I am begging to address this fear that I have about one day potentially returning to that place that gave birth to me. Why is that every time I think about my HOME my heart stops at the idea of living in poverty, when in reality I have been living below the poverty line my whole life. There is a social construction in my head that “AMERICA” is better. That “AMERICA” will grant me freedom. That “AMERICA” will grant me a proper education. That “AMERICA” is a place of justice.

When the REALITY is that I have never seen the fruit of all these promises. We are still at the same place since we arrived, under attack, caged, profiled and subjugated to unjust laws. I am thinking about how damaging it is to label my spirit, my essence UNDOCUMENTED, taking something so minimal from the physical world and have it manifest in my body.

Right now there is confusion all around me. There is a national campaign to pass the Dream Act, Obama announced his Deffered Action, folks are constantly inviting me to speak about my experience and I cannot help but feel Bamboozled. There is trend of folks writing about us, documenting us, wanting to hear us, wanting for us to come out of the shadows, wanting to us to feel empowered and for some reason I can not seem to get pass the fact that we are still not addressing our emotional well being, not as undocumented people but as migrants, displaced people, folks whose hearts have been broken by America’s lies.

Abulita has a broken heart
Ella no tiene la lengua para explicarle al presidente de sus milpas de café
She is not a DREAMer
There is no Deferred action for her
No immigration reform for her
She will NEVER be AMERICAN

One day she will pack her bags
Purchase a plane ticket and return home

She will look at the streets
Try to remember how things used to be
But time has not stopped since left Her comadres have passed
Su casita fell

She will look at the dirt
Try to remember where she gave birth to her first-born

Look at the face of a son she has not seen in decades
She will be weak
Spending her days remembering

Abuelita will slowly dig her grave
Crawl back into the land that brought her to this journey
Return to the center
And migrate to the spirit world

There she will no longer need papers
no longer be poor
no longer ache
no longer be broken hearted

There she will whisper to me
And remind me that all this is a dream
That one day we will wake up to a place more beautiful than this.

Figure

Figure 32: Civil Disobedience Bridging the #Not1More Deportation Campaign with #BlackLivesMatter
References


Abrego, L.J. (2006). “I can’t go to college because I don’t have papers”: Incorporation patterns of Latino undocumented youth. Latino Studies, 4, 212-231.


148


Salinas, V.J. (2006). You can be whatever you want to be when you grow up, unless your parents brought you to this country illegally: The struggle to grant in-state tuition to undocumented immigrant students. Houston Law Review, 43(3), 847-877.


