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**Knowing Your Rights in Trump's America:
Paper Trails of Migrant Community Empowerment**

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Bans and Birthdays

On January 27th 2017, just one week after his inauguration as the 45th President of the United States, Donald Trump issued an executive order suspending the entry of temporary visa holders, refugees, and legal permanent U.S. residents from seven Muslim-majority nations. For melodramatic effect, the ban took effect while hundreds of travelers from those nations were in flight, and in Chicago on the evening of the 28th, visa-holders from the affected countries were detained upon their arrival at O'Hare International Airport. As the ACLU and other groups hurriedly filed lawsuits to stay the ban, hundreds of protesters began to converge on O'Hare's international terminal, shutting down traffic outside. Inside the airport, a stream of immigration attorneys began arriving to offer *pro bono* legal services to the detained travelers and their family members. Hours later, a federal judge in New York ordered an emergency stay of the travel ban, dealing the Trump administration its first legal defeat.

I watched this spectacle unfold mostly through live feeds on my cell phone screen. Many of my friends and colleagues had gone to O'Hare that evening, but I decided to make good on a promise to take my son to a birthday party instead. There, in a suburban Chicago basement, surrounded by colorful balloons and giggly six-year-olds, I was not the only one preoccupied by the nearby airport scene and Trump's punitive

immigration agenda. “I am worried that my husband and I will be deported,” one mom confided as we discussed the situation in hushed voices, “and what will happen to our children?” I invited her to a Know-Your-Rights (KYR) workshop at Loyola University Chicago the following week, and when she didn’t come, I took a packet of KYR materials to her house. This neighborly exchange created yet another locus in a community-generated paper trail that connects members of immigrant communities with immigrant rights advocates, *pro bono* attorneys, and grassroots organizations. This community paper trail is both different from and in conversation with its formal, bureaucratic counterpart, as it comprises literature that challenges the interpretation and use of governmental paper trails in aggressive policing, detention, and deportation of US immigrants.¹

As a candidate, Donald Trump promised to take a hard line on immigration, calling for “extreme vetting” of legal immigrants and mass deportations of millions of people living in the United States unlawfully. In the early days of his Presidency, the Trump administration took steps to make good on those promises through a series of executive orders that escalate immigrant policing at consulates, borders, and check points, as well as throughout the U.S. interior.² And while Trump’s agenda has energized and legitimized racist, xenophobic, and Islamophobic movements, it has also given rise to a surge in resistance activities that include local campaigns for “sanctuary,” deportation defense networks, *pro bono* legal aid for detained immigrants, and KYR workshops.

In all of these spaces, documents amass and circulate. The executive orders, lawsuits and stays, passports and visas, applications and forms, and KYR materials constitute elements of legal strategies used by government agents, immigrant advocates,

organizers, and immigrants themselves across a contested sociolegal landscape. While state agents strategically monopolize the interpretation and statutory significance of legal documents to exercise power over immigrant communities,³ immigrant advocates attempt to break this monopoly and exercise their rights via community education and document reclamation.⁴ This chapter draws on Susan Coutin's (this volume) conceptualization of immigrant advocates' "legal craft" as the expertise involved in deciphering and interpreting documents and records in applications for immigration benefits. Here, I argue that advocates rapidly maneuvered their legal craft to not only advance individual cases for immigration relief, but also to mobilize an arsenal of community defense strategies in response to Trump's overtly hostile and aggressive immigration enforcement agenda.

These defensive strategies, such as KYR workshops and campaigns for sanctuary, entail the generation of documentary paper trails that are different from the government's bureaucratic records, but which interface with and contest governmental paper trails used to apprehend and entrap US immigrants. Some of these documents, such as lawsuits and proposed sanctuary ordinances, will ultimately become part of the state's formal legal record, while other types of literature, such as KYR flyers, likely will not and thus constitute a community-generated "gray" literature. The creation and dissemination of a variety of both formal and informal documents—including PowerPoint presentations, wallet cards, signs, flyers, legislative proposals, and lawsuits—are central to contemporary social and political campaigns contesting the policing of immigrant communities.

This essay traces the circulation and changing meanings of documents in community education and empowerment campaigns in the wake of Trump’s 2016 election. In particular, I examine how advocates use community education to create and exploit legal gray areas as they advance competing interpretations and uses of documents in sociolegal arenas. I also explore how local campaigns for “sanctuary” seek to sever paper trails of documents that can expose immigrant community members to federal immigration agencies. Finally, as documents form new paper trails through deportation, I attend to their changing meanings as they travel in new directions, traverse jurisdictional boundaries, and become repurposed for different uses.

The descriptions that I present here are drawn from several sources. Between November of 2016 and June of 2017, I participated in three campaigns for “sanctuary”—one each at the level of my university, community of residence, and state—two KYR workshops, and a binational project to ease the community reintegration of “returnees” in Mexico. While the primary purpose of these activities was to effect political change, and not to produce scholarship per se, participation in these campaigns provided insight into the significance and dynamism of documentation strategies in a period of escalating immigrant policing. As a more formal research technique, I also conducted more than 30 semi-structured interviews with community organizers, legal advocates, government officials, and current and former migrants in and around Chicago, Illinois, Mexico City, and Zapotlanejo, Jalisco.

This essay begins with a consideration of the legal and political contexts of immigrant policing under the Trump administration before moving on to examine how community education campaigns strategically advance particular legal strategies to

protect immigrants from removal. The following section explores how campaigns for “sanctuary” arise to refuse the authority of documents generated by federal agencies that entrap immigrant community members in the localities where they live. The final ethnographic section follows documents across the U.S.-Mexico border as they accompany people who are deported to Mexico, illuminating inconsistencies in the jurisdictional meanings of documents that are issued in one context and used in another. Together, these sections illustrate not only how state agents wield legal documents to exercise power, but also how members of immigrant communities strategically interpret, reclaim, repurpose, and refuse documents in an attempt to protect themselves from deportation and exercise rights where they live.

The Legal Landscape of Trump’s America

At its core, law constitutes a tool of governance that is created and implemented by state agents to uphold the structures of state society. As such, legal policies and practices often disempower, disenfranchise, and regulate non-elite communities, preserving and legitimizing sociopolitical inequalities. Yet marginalized people do not necessarily accept legal subordination passively, and they may undertake a range of strategies to contest it, including deploying legal strategies to their benefit, participating in movements to reform policy, and carrying out radical measures that seek to subvert the state altogether.⁵ In advanced liberal democracies such as the United States, this contestation has resulted in prolonged grassroots campaigns to democratize political power, often intertwined with periods of state restriction and repression.⁶ In all, while law is theoretically enacted

unilaterally from above, its implementation is dynamic and mediated by a variety of actors with diverse interests, interpretations, and responses.⁷

Immigration and citizenship policies legitimize statehood and imbue it with national meaning, mainly by creating legal categories related to nationality. These categories are most directly tied to a person's nation of birth, but they are also shaped by social inequalities related to ethnoracial classification, class status, and gender.⁸ Prior to the 1960s, for example, U.S. immigration and citizenship policies were explicitly designed in accordance with racial ideologies that heralded the biological superiority of Northern and Western Europeans.⁹ In the post-civil-rights era, racial dimensions of U.S. immigration policy became muted, while exclusionary policies created, then targeted, an unauthorized population comprised mostly of working-class Latin Americans.¹⁰ Today's U.S. population of eleven million unauthorized people is one result of a series of recent policy decisions that have barred the legal inclusion of certain immigrants into the polity and have especially impeded access to U.S. citizenship for working-class Latinos.¹¹

As part of this process, state agents maintain a monopoly over the issuance and interpretation of official documents that grant, or, in some cases, strip (see Boehm this volume) holders of status: state agents' authority over "papers" is a key component of their power.¹² Not surprisingly, members of marginalized communities develop strategies to challenge this monopoly, as people create, collect, exchange, and interpret documents on their own accord.¹³ More broadly, legal advocates, community organizers, and activists develop legal strategies to maneuver contradictions and gaps in law: they contest policies such as the travel ban in courtrooms, challenge the jurisdiction of federal documents in local municipalities, and train community members to question the

authority of state agents who try to arrest and deport them. These strategies are limited in their scope and effectiveness, but seek to slow the escalation of U.S. immigration enforcement measures that have increasingly characterized the U.S. immigration system since the 1980s.

Following the passage of punitive immigration bills in 1986 and 1996, exclusionary U.S. immigration practices reached their pre-Trump zenith under the Barack Obama administration (2008-2016), which oversaw record high rates of deportations known as removals. In 2013, the U.S. deportation rate peaked at a historical high of 434,015 then declined some as Obama, facing mounting pressure from immigrant rights activists, rolled back aggressive enforcement campaigns and instituted a program known as DACA in 2012, which protected some unauthorized youth from deportation.¹⁴ And while anti-deportation activism was vigorous during the Obama years, it nevertheless constituted a relatively small component of a larger immigrant rights movement mainly focused on pushing for comprehensive immigration reform legislation.¹⁵

Early indications are that Trump's immigration enforcement agenda involves a return to and expansion of the enforcement regime responsible for mass deportations in the Obama period. During his first five days in office, Trump issued a series of executive orders intended to significantly escalate immigrant policing, detention, and deportation. In addition to implementing the travel ban and "extreme vetting" of visa applicants from select Muslim-majority nations, the orders expand the category of persons in the U.S. who are a priority for deportation from those convicted of a serious crime to those who are convicted or charged with a crime, suspected of a crime, or suspected of fraud or being a threat to public safety; in effect, this change renders all of the eleven million

unauthorized people living in the United States priorities for deportation.¹⁶ As a result, in the first nine months of 2017, ICE agents arrested three times the number of “non-criminal” immigrants over the same period in 2016.¹⁷ The orders also expand a process known as “expedited removal,” in which people who cannot prove that they have lived in the United States for at least two years can be deported by their arresting immigration officer without ever attending a deportation hearing or seeing an immigration judge; they also tighten criteria for asylum, expand the immigrant detention system, and mandate construction of an expanded wall along the U.S-Mexico border. Finally, on September 5th, 2017, the Trump administration sought to end the DACA program and remove the limited protections that program had provided for unauthorized youth.

To execute these heightened enforcement priorities, the executive orders require the Department of Homeland Security (DHS) to add 15,000 new enforcement agents to its roster: 10,000 for Immigration and Customs Enforcement (ICE) and 5,000 for Customs and Border Protection (CBP).¹⁸ In addition to increasing the number of federal agents, the orders re-implement and expand two enforcement programs in the U.S. interior, 287(g) and Secure Communities, which enlist local police agencies in the enforcement of federal immigration law. They also target municipal “sanctuary” ordinances that seek to inhibit such federal/local cooperation.¹⁹ Together, these measures disproportionately target Muslims and Latinos for exclusion and render millions of unauthorized people in the U.S. interior more vulnerable to deportation than ever before.

Resistance to Trump’s agenda has been considerable. Indeed, the airport rallies on the night of the travel ban were just one of many instances of mass community protest in the months following the election. For veteran organizers and legal advocates, this surge

in both immigrant policing and community resistance has increased demand for their work and compelled them to shift additional resources toward community defense. Community education and empowerment programs constitute an important part of this work, and Chicago-area organizations quickly found themselves overwhelmed by demand for KYR trainings in the post-election period. In response to an uptick in calls to their support hotline, one Chicago immigrant advocacy group doubled their offerings of KYR workshops and increased their training of KYR trainers to multiply their effectiveness in the months after Trump's election. The proximate goal of these KYR workshops is to empower community members to take steps to prevent apprehension by immigration agents, and, if that fails, to better prepare them for deportation.

But as an organizer with Jesuit Migrant Services told me, community education campaigns are not merely defensive: they also constitute both a source of empowerment and a tool of political organizing in disempowered communities. "Information is the biggest thing," she explained, "The one who has the information is the one who has the power." One ultimate goal of community education programs is to expand the political engagement of marginalized community members and effect political change. By focusing on the creation and circulation of documents within and across several sites, including KYR workshops, movements for local "sanctuary," and campaigns to assist deportees and their family members in Mexico, the following sections illustrate how legal advocates and organizers use community-generated documents to carve out some autonomy and control from ever more repressive political practices.

Disputing Documents

I arrived at Loyola's first KYR workshop late, having just come from class. I slipped through a back door and squeezed past a row of people standing against the back wall; every seat in the 100-person classroom was taken. I scanned the room for my neighbor from the birthday party before turning my attention to the presentation, which was led by an organizer with the Illinois Coalition for Immigrant and Refugee Rights (ICIRR) and two Loyola students. A close-up picture of a document filled the projector screen. "This is a judicial warrant," the organizer was explaining, pointing to large red letters at the top of the document that read, "Sample Warrant Signed by a Judge." He pointed out distinguishing features of the document that were outlined in red before forwarding the screen. Another document appeared, this one with the words, "Sample ICE Warrant," at the top. "This is an administrative or ICE warrant," the organizer began explaining. As I listened, I picked up some handouts that had been disseminated around the room, including wallet-sized cards, action plan checklists, and illustrated instructions for how to handle encounters with immigration agents.

Such careful attention to documents in immigrant communities is nothing new. Recognizing the power of "papers," those who are denied formal identity documents by the state have long developed documentation strategies of their own.²⁰ Aurora Chang (2011) has called attention to practices of "hyper-documentation," in which so-called undocumented people accumulate awards, diplomas, accolades, certificates, and other examples of material recognition of their value and social personhoods to contest their devaluation and stake claims to sociolegal belonging.²¹ These practices of hyper-documentation are occasionally rewarded by the state, as when criteria for immigration programs require evidence of continuous residence for periods of several years or of

“good moral character.”²² Abarca and Coutin (2018) have shown how people may gather and store such evidence for years and decades in anticipation of immigration legislation with a path to legalization that would allow them to change their status.

In the wake of Trump’s election, the likelihood of immigration reform with a legalization program has dimmed in relation to the possibility of apprehension and deportation, and not surprisingly, migrants’ documentation strategies are shifting in response. In the current period, community education campaigns circulate KYR materials and encourage people who are out of status to accumulate and carry documents that can help shield them from deportation (see also Menjivar this volume). For example, some legal advocates have encouraged clients who are out of status to carry proof of at least two years of continuous U.S. residence on their person at all times, not to help them apply for immigration benefits, but to help them guard against expedited removal. Anticipating increased racial profiling of Latinos, some advocates have even urged naturalized U.S. citizens to begin carrying identity documents such as passports that prove their lawful presence in the United States.²³

As intermediaries between the state and the clients they serve, legal advocacy organizations generate and distribute dozens of texts, including PowerPoint slides, posters, flyers, checklists, copies of forms and applications, and wallet-sized cards, all of which are meant to help members of immigrant communities understand and exercise their rights under US law. The small, bright red wallet cards that we distributed at Loyola’s first KYR workshop, for example, describe constitutional rights in Spanish on one side, including the right to keep your door closed to immigration agents, remain silent, and decline to sign any documents; it also includes ICIRR’s hotline number. The

other side is in English and is intended to be handed over to an immigration agent; this side invokes the card holder's 4th and 5th Amendment rights under the U.S. Constitution to refuse to speak with the agent, to deny the agent entry to their home, and refuse any search of their belongings. The card thus serves the dual purpose of educating the holder as to their rights and invoking those rights to an immigration agent.

While refusing to speak with an immigration agent is unlikely to protect a person against deportation in the long run, stalling and silence are important tactics that obscure migrants' legibility to state agents. Since immigration agents must establish the citizenship of migrants in order to initiate removal proceedings, for example, remaining silent creates a period in which the inscrutability of migrants' citizenship serves as a temporary bulwark against the finality of removal. Advocates also educate members of immigrant communities to interpret and act on the state's own documents. The ability to discern an administrative warrant from a judicial one, for example, empowers a person presented with an administrative warrant to refuse ICE agents entry into their home. When a person refuses to open their door to ICE agents, they reduce the likelihood of imminent arrest and deportation, buying them time to build legal and community defenses against their removal.

Delaying apprehension, obscuring legibility, and contesting the interpretation of legal documents such as warrants are all tactics that erode the monopoly of state agents over processes of immigrant policing. These practices suggest that, much as immigration agents use discretion, control over time, and legal liminality to amplify their power over migrant communities, immigrant advocates likewise use ambiguity, delay, and illegibility to buy time for legal strategizing and create autonomy from immigrant policing efforts.²⁴

When whole communities participate in these tactics, they may hinder the effectiveness of ICE operations and even compel ICE to adapt their policing strategies. For example, one Chicago-area organizer told me that in Chicago and Los Angeles, ICE agents have reduced the number of home raids they conduct because so many people simply refuse to answer their doors. While additional research is needed to corroborate these reports, community-based responses to policing measures remain a key component of broader advocacy campaigns.

Still, such strategies to prevent arrest are often unsuccessful, and KYR workshops also help people prepare for the possibility of detention and deportation. In particular, the workshops provide guidance on the preparation of family action plans that establish guardianship of children and power of attorney in the event of a parent's removal, as well as on the organization of important documents such as passports, birth certificates, and medical records that need to travel with people wherever they go. As people live their lives in the United States, they inevitably accumulate such papers around them. Some of these, such as documents generated through contact with police, can put people at risk of deportation when they extend to the databases of federal agents. In the next section, I explore how local campaigns for "sanctuary" seek to block those trails and protect community members from exposure to immigration agencies.

Refusing Paper-Trails

On an April evening in 2017, a friend and I pulled into the darkening parking lot of the neighborhood American Legion Civic Center and found it full of vehicles. "How many people are going to come to this thing?" I asked my friend, who had grown up in the area.

“Oh, they’ll all come out for this,” she responded, and the knot in my stomach grew. We were attending a town hall meeting that our village government had organized in order to debate the adoption of a “welcoming,” or sanctuary, ordinance. I was scheduled to speak on behalf of the ordinance, along with a few dozen others. More than two hundred residents turned out for the Monday evening meeting: all of the chairs in the large hall were taken, and several dozen people stood in the back of the room. By the end, more than 40 people spoke in support of the ordinance, with some two-dozen others voicing stiff opposition. And while the audience appeared more or less evenly divided on the issue, I did note that the speaker who drew the biggest applause opposed the ordinance and asserted that our village had become a gateway for drug trafficking, as evidenced by “two Mexicans,” he said, who were apparently exchanging something in front of his house. In the end, our village adopted a “welcoming resolution” with the spirit but not the force of the ordinance, joining a bloc of other North Chicago suburbs that pledged to support immigrant residents by refusing to abide by certain paper trails generated by federal immigration authorities.

In the months following Trump’s election, campaigns to adopt “sanctuary” or “welcoming” policies proliferated in left-leaning municipalities across the United States. These policies vary widely in their content, but they typically limit the cooperation of municipal policing agencies in the enforcement of federal immigration laws. Sanctuary campaigns such as these respond to a transformation in immigrant policing tactics that has increasingly enlisted local police agencies in immigration enforcement measures since 1996. Historically, unauthorized presence in the United States has been considered a civil, not criminal, violation, and local police agencies in the U.S. interior are not

typically tasked with immigration enforcement. But in 1996, a provision of the Illegal Immigration Reform and Immigrant Responsibility Act opened the door for greater local law enforcement participation in immigrant policing through a program known as 287(g).²⁵ Implementation of 287(g) was slow, sporadic, fraught with problems, and eventually made largely redundant by the Secure Communities program, which accomplished much of the same ends more effectively.

Secure Communities is a data-sharing program wherein the fingerprints of people who are arrested by local police are run through Department of Homeland Security (DHS) databases.²⁶ If DHS records have the fingerprints on file for an immigration violation, federal agents can issue a detainer request, which bids local police to hold the arrestee until an ICE agent can arrive and take them into custody. This facilitates the identification and removal of unauthorized people throughout the U.S. interior by linking digital paper trails that are established when people come into contact with federal, then local police. The program also generates a paper trail: detainer requests, which are issued by federal agencies and ask local police to use their jails and policing resources to assist in the deportation of immigrants.

Programs such as Secure Communities and 287(g) extend the reach of federal enforcement efforts far from the borderlands and helped drive up deportation rates during the Obama administration. Eventually, Secure Communities proved too indiscriminate for Obama's tastes, and his administration replaced it with a more "targeted" program in 2014. Trump's executive orders announced the return and expansion of both the 287(g) and Secure Communities programs, and ICE boasts that more than 10,000 "convicted

criminal aliens” were removed through the Secure Communities program in the first six months of 2017 alone.²⁷

Because Secure Communities and 287(g) rely on the cooperation of local police, local “sanctuary” policies can inhibit or disrupt the digital paper trails that make them effective. For example, one common component of sanctuary policies directs local police to refuse ICE detainer requests and discharge people from jail when they are otherwise eligible for release. In this way, “sanctuary” policies, such as the one I spoke in favor of, use limited local autonomy to undermine the use of federal paper trails in immigrant policing.

Still, while sanctuary policies are designed to reduce the exposure of some community members to the federal government, they also frequently invoke a distinction between people who are undocumented and “real criminals,” exposing those with criminal records to ICE.²⁸ This is the case in Chicago, a “sanctuary city” that routinely shares city police databases with ICE and even partners with ICE officials to police immigrant residents.²⁹ This contradiction creates another opportunity for organizers to challenge the digital paper trails that are used to surveil and police Chicago immigrants.

For example, the Chicago group Organized Communities Against Deportation has partnered with Black Youth Project 100 to call for the elimination of the city’s gang database, which is shared freely with ICE and used to target people for deportation.³⁰ Chicago police officers can add anyone to the gang database without evidence or charges, a practice that disproportionately criminalizes black and brown men and boys in Chicago.³¹ Chicago organizers are mobilizing against the database and advocating for a stronger sanctuary policy that does not expose any Chicago residents to potential

deportation—even those with “criminal” records.³² By pointing to the ways in which Chicago’s gang database disproportionately criminalizes black and Latino youth, these organizers challenge the legitimacy of paper trails created by local police who use racial profiling to perpetuate mass incarceration and mass deportations of people with criminal records.³³

Both community education and sanctuary campaigns generate literature that encourages noncompliance with certain federal documents such as ICE warrants and detainer requests in order to protect immigrant community members from deportation. Still, the effectiveness of these measures is limited, and, indeed, hundreds of thousands of people are deported from the United States each year.³⁴ When people are deported, a host of new documents become important, including certificates of deportation and identity documents from the home country that people who have been living in the United States for many years are unlikely to possess. Much as documents constellate around education and community defense strategies in the United States, so too does removal lay a host of distinct paper trails.

Documents With(out) Borders

The Civil Registry office in Zapotlanejo, Jalisco, Mexico, is housed on the ground floor of a colonial-style municipal building that spans the eastern edge of the town’s central plaza. In May of 2017, I went there with two students to follow the bureaucratic trail of birth certificates that accompany U.S.-born children of Mexican parents as they move from the United States to Mexico, often as a result of deportation. The civil registry administrator, Silvia, was trying to explain the “problem of the apostille” to us. She

placed a handwritten ledger on the desktop between us and pointed to a numbered list. “Look, I have had 61 applications for dual citizenship since January,” she said (it was then late May). “How many of these have the problem with the apostille?” I asked her. “Mmm, I would say at least twenty people have had this problem,” or roughly a third of all citizenship applications they had received so far this year.

The problem with the apostille, Silvia explained, is that U.S.-born children of Mexican parents are eligible for dual citizenship, but they must provide long-form U.S. birth certificates that have been “*apostilladas*,” or have an apostille affixed, within the past year. An apostille is an official acknowledgment of the authenticity of government documents and their accompanying signatures and seals, and it allows the authority of a birth certificate issued in one nation to be recognized in another. Only birth certificates with the apostille are accepted by Mexican government authorities, who can then issue the holders dual citizenship. But the apostilles are only affixed by specified authorities in the U.S. states where the birth certificates were issued—usually in the Secretary of State office. When parents come to the Zapotlanejo registry to apply for Mexican citizenship for their U.S.-born children, many of them are unaware that they need this additional form of authentication. And because the parents are often unable to return to the United States to get it, U.S.-born children in Mexico can go for long periods of time without Mexican identity documents, during which time they may be unable to enroll in school and ineligible for social services such as health insurance.³⁵ Without Mexican citizenship, U.S. citizen children in Mexico are left “without an identity,” in the words of one parent, or “illegal in Mexico,” in the words of another.

Unable to travel themselves, parents must resort to less secure, and often expensive and prolonged, methods of attaining an apostille. There are “professionals” who leverage their ability to travel internationally to courier documents such as birth certificates to the United States, and they will, for a fee, take the documents to get an apostille affixed. Parents could also mail the birth certificate to trusted family members or friends in the United States and ask them get the apostille, or they could mail the document directly to the Secretary of State’s office—a process that can take months and result in lost documents. Understandably, many parents are reluctant to entrust the only proof of their child’s citizenship to this process, and they are often unable to afford the fees to have the document professionally couriered. Instead, parents whose U.S.-born children are eligible for Mexican citizenship but lack the requisite documents often feel compelled to buy them fraudulent Mexican birth certificates so they can enroll the children in school and government programs. But the presence of two birth certificates with conflicting information creates a contradictory paper trail for these children and has the potential to jeopardize their ability to take advantage of benefits of dual citizenship down the road.

As this example shows, when legal documents cross borders, their jurisdictional authority can be undermined, resulting in inconsistencies in the degree to which documents retain their original meanings and purposes. Interestingly, the apostille was created as part of a 1961 Hague Convention to address precisely this problem, as it is meant to simplify the cross-border authentication of legal documents.³⁶ But cross-jurisdictional reliability is inconsistent: while U.S. birth certificates without an apostille are not recognized by Mexican authorities, other U.S. government-issued documents,

such as deportation orders, not only retain their authority in Mexico but become “breeder documents” that allow access to additional documents, such as Evidence of Repatriation [*Constancia de recepción de Mexicanos repatriados*, or *Constancia de repatriación* for short], which identify holders as deportees and qualify them for certain government programs.

After our visit to the Civil Registry, we crossed the plaza and walked to the shaded gazebo in the plaza’s center, where Zapotlanejo’s Office of Social Programs is housed. From her rounded office underneath the gazebo, a municipal official told us about one 2015 government program that offered deportees modest cash assistance to invest in opening their own business. The problem, she explained, is that their office was only able to identify three residents who met the documentary requirements of the program, even though nearly ten thousand people were deported to the state of Jalisco that year. Other would-be applicants, including those who were compelled to return to Mexico but not formally deported, those who left the United States in an attempt to adjust their legal status and were subsequently barred, or those who merely declined to attain or keep their deportation documents, were ineligible for the program. Much as onerous documentary requirements prevent many U.S.-born children from accessing Mexican citizenship, so too do eligibility criteria for government programs keep Mexican citizens from accessing social services ostensibly designed for their benefit.

In addition to legal documents such as Evidence of Repatriation, Mexican government programs may demand other types of paper trails. My friend Luis was deported from the United States in December of 2016 and returned to his hometown of León, Guanajuato after fourteen years in Chicago, leaving behind his common-law wife

and three U.S. citizen children. Desperate and depressed, Luis was watching television late one night when he saw a commercial advertising a Mexican government program, *Somos Mexicanos* [We Are Mexicans], which is designed to facilitate the social and economic reintegration of people returning to Mexico from the United States. Among other things, the program provides job placement assistance for eligible returnees, and Luis had kept his Evidence of Repatriation, so he could prove that he had been deported. Even so, when Luis called the *Somos Mexicanos* hotline, he was informed that he would need his school transcripts, as well as evidence of his U.S. work history, to qualify for employment assistance. Luis had worked at a car wash in Chicago, and “how am I going to get that?” he asked the operator, frustrated that the program would demand documents located in the United States from people who are unable to travel there. With few employment opportunities and no assistance, Luis began selling used clothing at an outdoor market, where he makes about 600 pesos, or just over 30 U.S. dollars, in a week.

The ability of deportees to retain possession of U.S.-issued documents, such as birth certificates, passports (issued at consulates), and deportation orders is critical to their ability to receive wired money, find jobs, open accounts, access government services, and in general, reincorporate into Mexican society. Yet research by Daniel E. Martinez and Jeremy Slack found that U.S. authorities routinely seize and fail to return the possessions of deportees, including money, cell phones, and identity documents.³⁷ And one official with Mexico’s Instituto Nacional de Migración (INM) told us that U.S. CPB officers have begun deporting Mexican citizens through border ports of entry where the INM does not have offices, in violation of international agreement. This practice leaves deportees unable to attain their Evidence of Repatriation, delaying their

registration for Mexican identity documents and government services upon their return. U.S. policing practices such as these, which undermine migrants' own paper trails, can have deleterious effects on deportees long after their removal from the United States.

Like their counterparts in the United States, advocates and community organizers in Mexico work to help returnees develop documentation strategies to demand and exercise their rights. And whereas migrants in the United States may benefit from obscuring their legibility, advocates in Mexico stress the need for returnees to make themselves visible to the state. Even as they warn of the limitations of Mexican government services, advocates urge Mexican citizens to register with the government and demand access to its resources. Otherwise, as one legal advocate explained, “[Y]ou don’t exist, you disappear. You have to exist for the state, otherwise you can’t invoke your rights.” KYR documents put together by Mexican and binational organizations tell returnees, “You need ‘papers’ in Mexico,” and encourage those facing deportation or considering return to register for Mexican identity documents, including dual citizenship for children, as well as public benefits.

For migrants who spent years grappling with stigma and exclusion in the United States, return to Mexico does not signal an end to their marginalization. “The Mexican government doesn’t want us,” one organizer explained, adding that Mexican politicians seem more interested in protecting their relationship with the United States than assisting Mexican citizens. In the void created by deficient governmental support, non-state actors have emerged to provide assistance and advocacy around deportees’ rights—many of them after having experienced deportation themselves. Indeed, deportation as both threat and actuality connects the experiences of transnational communities in the United States

and Mexico, clarifying the need to work across borders to connect paper trails of community organizing.

No Ban, No Wall, Sanctuary for All

The morning after the airport protest broke sunny and mild in Chicago, good January weather for an “interfaith walk” organized by the mosque in my community. The mosque’s outreach committee had begun planning this event before the election, but Trump’s victory and the travel ban, issued only two days earlier, gave it a new significance. My son and I arrived early to find the basement reception room overflowing with people; mosque members ushered us into a quickly filling upstairs room, where we joined hundreds of others getting ready to set out on a one-mile march through the neighborhood. The walk organizers said they were overwhelmed by the turnout: whereas some two-dozen participants had attended the walk the previous year, this year nearly one thousand marchers showed up. “No Ban, No Wall!” we chanted as we exited the mosque and stepped into the cold winter sunlight.

The chant, “No ban, No wall,” echoed a protest cry from the airport rallies the night before, and it gestured to linkages among community concerns—in this case, the travel ban targeting Muslims and the border wall targeting Mexicans—that became more visible in the wake of Trump’s election. Indeed, “the one good thing” to come from Trump’s electoral victory “is that more people are involved,” one immigrant rights advocate observed. In addition to marches for women’s rights and in defense of science, rallies in support of Muslims took place at mosques across the country, and grassroots

anti-deportation networks have developed to train community members to inhibit immigration enforcement activities in numerous U.S. cities.³⁸

In the long run, the community-generated paper trails described in this essay will only be as significant as the sociopolitical relationships forged along them. From the attorneys providing *pro bono* legal counsel to detained travelers, to advocates for sanctuary campaigns, to members of deportation defense networks, the current political crisis has brought more people “out of the woodwork” and onto the front lines of political organizing. It is too early to speculate about the endurance or outcomes of such organizing efforts, but one challenge for organizers will be to formulate a long-term agenda beyond resistance to Trump that honestly addresses structural bases of discriminatory U.S. policies. The community paper trails that weave among organizers and connect their campaigns will constitute a critical piece of these movements for societal change.

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¹ In this chapter, I use the term “immigrant” to describe people who were born outside of the United States but have resided in the United States for long periods of time, regardless of their immigration status. This usage is problematic, since the term “immigrant” technically presupposes legal admission to the nation-state and, as Nicholas De Genova (2005) has pointed out, is inherently nationalist insofar as it reflects the perspective of the destination nation-state. Nevertheless, I prefer “immigrant” to “migrant” because “migrant” evokes a perception of people as mobile or transient. The people who I describe here are immobilized and deeply embedded in the social fabrics of their Chicago communities. For them, “migrant” not only mischaracterizes their life situations but can contribute to the misperception that they are socially marginal or transient.

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