

# **Drawing the Line: Spatial Strategies of Community and Resistance in Post-SB1070 Arizona**

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## **Abstract**

In North America, and globally, the topics of immigration and immigration policy have become among the most divisive fault lines of political struggle and debate. In this paper, we reflect upon the State of Arizona's embrace of the "Attrition Through Enforcement" (ATE) doctrine as exemplary of contemporary U.S. anti-immigrant policies that target the social reproduction of non-citizens. Reflecting on ATE and movements against it, we argue for the inadequacy of scholarly and



activist approaches that would normatively deploy frameworks of “citizenship” or demands for “no borders” to articulate the stakes and composition of contemporary immigration struggles. Borrowing from political scientist Joel Olson and his concept of “democratic Manichaeism,” we argue instead the imperative to radically confront and unsettle the normative divisions between citizen and non-citizen that anti-immigrant actors and policies would police. Through two case studies in Tucson, Arizona, we examine the possibilities and challenges related to mobilizing such a Manichaean framework through the quotidian spaces of everyday life. We conclude by proposing “community composition” as both a political agenda and a methodological framework through which to attend to everyday geographies of belonging and exclusion while confronting the normative political categories that structure the nation-state and justify its violence.

**Keywords:** borders, citizenship, activism, Arizona, community, abolition

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## Introduction

In North America, and globally, the topics of immigration and immigration policy have become among the most divisive fault lines of political struggle and debate. In the United States, the State of Arizona has served as a laboratory for the implementation of federal and state anti-immigrant policy initiatives during much of the past two decades, while operating as a model for other state and local governments adopting the Attrition Through Enforcement policy doctrine which aims explicitly at destabilizing the mechanisms for social reproduction of non-citizens in order to encourage their “self-deportation” (Vaughan, 2006; Kobach, 2008). This intensification of immigration policing, surveillance, detention and removal has both altered the stakes involved in immigration struggles and generated a countervailing proliferation of activism and resistance by immigrants, their loved ones, and allies. Scholars have deployed a variety of frameworks to interpret and theorize such immigration struggles. Some have viewed the claims and tactics mobilized by undocumented immigrants as articulating a “cosmopolitan citizenship” or a “citizenship from below” – one that would maintain citizenship as an interpretive and aspirational category yet portend a transformation in its content and qualities through everyday “acts of citizenship” (Isin, 2002; Leitner and Ehrkamp, 2006; Grove-White, 2012; McNevin, 2012; Staeheli, Leitner, & Nagel, 2012; Nyers, 2015; Oliveri, 2015). Others have instead focused on militating against the violence involved in the political geographies of *exclusion* that the state would police, identifying mobility as a privileged human and political activity and mobilizing a demand for “No Borders.” However, a primary challenge identified by partisans of this latter framework is how to successfully translate this agenda into the concrete, material spaces of everyday life (see Anderson, Sharma, & Wright 2009; 2012; Borderlands Autonomist Collective, 2012; Burrige, 2014). In

this paper we argue that one reason for this is No Borders advocates' failure to theorize the implicit Manichaeism of their own demand. Drawing from the work of the late political scientist Joel Olson, we explore the ways that a Manichaean politics can provide a democratic alternative to the "acts of citizenship" framework by mobilizing an abolitionist agenda through the strategic appropriation of space. Olson's work pries at the contradictions of liberal citizenship within white settler societies like the United States. At the same time, we acknowledge that Olson's work fails to address the specificity of settler-colonialism as a process that connects racial citizenship to the ongoing dispossession of indigenous land and sovereignty (see Wolfe, 2006; Veracini, 2010; Coulthard, 2014; Bonds and Inwood, 2016) – something we address in our conclusion, below.

We proceed by reflecting on two case studies of political and community mobilization in southern Arizona to combat state and federal anti-immigrant policing activities. As scholars and activists based in Tucson, AZ – and active participants in these campaigns – we build on auto-ethnographic reflections and interviews and focus groups with other participants to unpack the content, stakes and aspirations of each of these struggles, and explore how such reflection might enrich the theoretical perspectives deployed by scholars. We argue that, as immigration policing is increasingly focused on attacking the social reproduction of undocumented residents, and by extension the social and familial networks they are embedded in, a Manichaean intervention becomes necessary for advancing a radically democratic agenda. We conclude the paper by proposing a methodological framework we call "community composition," which would simultaneously attend to everyday geographies of belonging and exclusion while seeking to unsettle the normative categories of nation-state that sustain these. As both an intellectual agenda and a political methodology, we view "community composition" as a strategic lens through which to simultaneously assess and intervene in geographies of state violence and structural inequality; while holding that it is through the strategic appropriation of space that such interventions are likely to have the greatest traction.

### **A geography of immigration policing in southern Arizona**

For more than a decade the State of Arizona has been at the forefront of popular debate in the United States over citizenship, policing, and who is to be a legitimate or rightful member of a broadly-conceived public. Anxieties among white settlers surrounding national identity and the integrity of territorial appropriation against indigenous peoples' resistance and survival trace back to the advent of Spanish, Mexican and Anglo-American colonial expansion into the region that today comprises the U.S. / Mexico borderlands, and were instrumental to both Arizona's recognition as an independent territory in 1863 and the postponement of statehood until 1912 (see Boyce and Launius, 2011; Saldaña-Portillo, 2016). But Arizona's contemporary status as an epicenter of the immigration debate really began in the late 1990s, after the U.S. Border Patrol's

“strategy of deterrence” pushed unauthorized trans-border migration away from crossing areas in California and Texas and into the remote southern Arizona desert (Nevins, 2002; Martinez et al., 2013). White supremacist vigilante groups quickly followed suit, moving operations to rural Cochise County, Arizona and attracting national media attention after their movement largely failed to gain traction in southern California (see Shapira, 2013). In this context of escalating boundary enforcement, militarization, and racially-charged vigilantism, Arizona also became a pioneer in what Monica Varsanyi (2010) calls “immigration policing through the backdoor”: state and municipal laws that indirectly target immigrant populations by denying undocumented people access to jobs, housing, business or driver’s licenses, social services, and other public benefits.

Guiding these Arizona laws is a policy doctrine called “Attrition Through Enforcement” (ATE). The ATE doctrine was first articulated in 2006 by Jessica Vaughan, a policy analyst with the Washington D.C.-based think tank Center for Immigration Studies.<sup>1</sup> It was later taken up and spread by anti-immigrant political operative Kris Kobach and by public policy organizations like the American Legislative Exchange Council.

The premise of ATE is explicitly to render everyday life and social reproduction for non-citizen residents of a given jurisdiction so onerous that these individuals will of their own volition leave and return to their country of origin. Vaughan and Kobach describe this outcome as “self-deportation.” Writes Kobach:

The twelve to twenty million illegal aliens [sic] in the United States need not be rounded up and forcibly removed through direct government action. Illegal aliens can be encouraged to depart the United States on their own, through a concerted strategy of attrition through enforcement. Illegal aliens are rational decision makers. If the risks of detention or involuntary removal go up, and the probability of being able to obtain unauthorized employment goes down, then at some point, the only rational decision is to return home. (Kobach, 2008; 156)

More than anything, ATE accomplishes its objective through fear. The vulnerability associated with everyday activities is instrumentalized and compounded by the possibility that any given social interaction could result in apprehension, incarceration, the seizure of assets, the imposition of bond, the placing of children into state custody, and finally deportation – an outcome that results in permanent separation from one’s home, job, family and other loved ones; or else the expensive, dangerous and laborious task of returning clandestinely across the border.

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<sup>1</sup> It is worth mentioning that the Southern Poverty Law Center officially labels the Center for Immigration Studies a “nativist extremist group.”

Between 2004-2010 Arizona voters and politicians implemented over 30 laws designed to disenfranchise Chicano, indigenous and immigrant residents and to render everyday life increasingly difficult for non-citizens and their families (see figure 1). Combined, these laws: prohibit ethnic studies curricula (and specifically Mexican American Studies) in public k-12 schools; deny any social service assistance to undocumented residents or their children (regardless of whether or not the latter are eligible U.S. citizens); force all state-funded social service providers to act as immigration police by reporting anyone they suspect of being unlawfully present; make English the official language of the State of Arizona; mandate that all employers check all employees' eligibility to work against a federal immigration database; make it a state crime to work without federal authorization; and authorize the state to use trespassing and smuggling laws to criminally prosecute undocumented immigrants. Additional voter-passed propositions prohibit bilingual public school instruction; deny undocumented individuals any damages as an outcome of civil litigation; deny in-state tuition and prohibit any type of public tuition assistance to undocumented youth.

| <b>Year</b> | <b>Bill</b> | <b>Description</b>   |
|-------------|-------------|--|
| 2004        | SB 1345     | Prohibiting undocumented people ownership of firearms.   |
| 2005        | SB 1372     | Local law enforcement empowered to enforce trafficking laws.   |
| 2005        | HB 2592     | Prohibition of an AZ county building "work centers" which facilitate employment of undocumented people.  |
| 2005        | HB 2259     | Immigration status factored into sentencing of an arrestee.  |
| 2006        | SB 1167     | Making English AZ's official language and requiring all government functions to be conducted in English.   |
| 2006        | HB 2448     | Prohibiting undocumented people to receive health benefits.  |
| 2006        | SB 1137     | Prohibiting eligibility of undocumented people for "Comprehensive Care for the Elderly."   |
| 2007        | SB 1157     | Turn presence of undocumented people in AZ into criminal offense of trespass.  |
| 2007        | HB 2202     | Establish division of adult education within Dept. of Education for teaching English to foreigners and the Americanization of participating parties.             |
| 2007        | HB 2779     | Prohibits employers (with penalty) from knowingly hiring undocumented people and requires use of "Basic Pilot Program" to determine potential employee's status. |
| 2007        | HB 2391     | Prohibits undocumented people from acquiring a liquor license.   |
| 2007        | SB 1291     | Prohibits participation of undocumented people on the AZ Board of Appraisals.  |
| 2007        | HB 2016     | Law enforcement allowed to detain undocumented people as material witnesses of a crime.  |

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|------|---------|---|
| 2007 | HB 2781 | Allies Dept. of Corrections with Gang and Immigration Intelligence Team, with \$10 million allocated to the latter.   |
| 2007 | HB 2787 | Bail may be withheld for any arrestee that law enforcement has “probable cause” is an undocumented person.  |
| 2007 | SB 1265 | Allowance for law enforcement to determine an arrestee’s citizenship status.  |
| 2007 | HB 2467 | Requires proof of citizenship and/or legal status to receive public assistance.   |
| 2008 | HB 2403 | Requires proof of citizenship for voter registration.   |
| 2008 | HB 2486 | Changes definition of “prohibited possessor” further restricting who may own a firearm for hunting purposes to exclude undocumented people.   |
| 2008 | SB 1096 | Appropriates \$40.7 million for controversial English immersion programs in AZ.   |
| 2008 | HB 2745 | Employers required to use E-verify to check status of potential employees.  |
| 2008 | HB 2842 | Expands human trafficking to include use of property or “drop houses.”  |
| 2009 | SB 1188 | Funds for English as a Second Language programming and immigration enforcement.   |
| 2009 | SB1001  | Allocation of \$10 million to Gang and Immigration Intelligence Team. (held in rules until 2 <sup>nd</sup> special session, at which point it was enacted)  |
| 2009 | HB 2008 | Specifies identification requirements to receive public benefits, and requires health workers to aid in immigration enforcement. (held in rules until 3 <sup>rd</sup> special session, at which point it was enacted) |
| 2009 | HB 2426 | Prohibits AZ involvement in RealID Act or Federal Western Hemisphere Travel Initiative.   |
| 2009 | HB 2306 | Prohibits undocumented people from acquiring an AZ business license.  |
| 2009 | HB 2569 | Increased penalties for human smuggling.  |
| 2009 | SB 1281 | Expands the definitions of sex trafficking and forced labor.  |
| 2010 | SB 1282 | Extends the definition of human smuggling.  |
| 2010 | HB 2281 | Prohibits Ethnic Studies curriculum in public schools.  |
| 2010 | SB 1070 | So-called “Support Our Law Enforcement and Safe Neighborhoods Act.”   |
| 2010 | HB 2162 | Amendments to SB 1070 wording regarding “reasonable suspicion” as well as establishing punitive fines.  |

**Figure 1. ATE bills enacted (or “chaptered”) in Arizona State Legislature 2004-2010. Excluding voter petitions and proposed bills vetoed during that same time period. (Arizona State Legislature and National Conference of State Legislatures.)**

Passed in 2010, Arizona's notorious SB 1070 represented the capstone to this wave of anti-immigrant laws. The legislation, as written, required all law enforcement in the state to enforce federal immigration law at all times in the routine course of their work; rendered undocumented status a state crime (misdemeanor on first-offense, felony thereafter); rendered criminal such practices as occupying a public thoroughway while seeking employment (e.g., soliciting day labor); made it a crime for *any* non-citizen to fail to carry documentation confirming their legal status at all times; allowed law enforcement officers to arrest someone without a warrant if they have "probable cause" to believe the person has committed a "deportable" offense; required law enforcement to detain and question an individual if they had "reasonable suspicion" that the person is undocumented; and rendered it a crime to "harbor" or transport an undocumented immigrant, so long as one "knows or recklessly disregards the fact" that said individual is without status (ARS Ch. 113, 2010)<sup>2</sup>. Section 1, Paragraph 1 of SB 1070 reads as follows:

The legislature declares that the intent of this act is to make attrition through enforcement the public policy of all state and local government agencies in Arizona. The provisions of this act are intended to work together to discourage and deter the unlawful entry and presence of aliens and economic activity by persons unlawfully present in the United States.

Beyond Arizona, the ATE doctrine has come to shape or be incorporated into a variety of state, county and municipal laws – including the well-known business, residential and anti-day labor ordinances in Hazelton, PA and Prince Williams County, VA (Varsanyi, 2010; Fleury-Steiner, & Longazel, 2010; Theodore, 2011), as well as SB 1070 copycat laws in Alabama, Georgia, Indiana and Utah. And although ATE is not directly referenced in federal policy, the enabling condition of this doctrine is an aggressive expansion of federal immigration enforcement dating back to the mid-1990s and accelerating after the events of September 11, 2001. In 2013 the combined budgets for Immigration and Customs Enforcement and Customs and Border Protection, the primary immigration-enforcement wings of the U.S. Department of Homeland Security, exceeded the budgets of all other federal law enforcement combined (DHS, 2013). There has, simultaneously, been a merging of immigration and criminal law through programs like "Operation Streamline," which redirect court infrastructure and prosecutorial resources to the criminal prosecution of what had previously been treated solely as administrative immigration violations (see Burridge, 2009; Launius and Boyce, 2013; Meng, 2013). Finally, the U.S. federal government has expressly and rapidly encouraged the cooperation of state and local law enforcement agencies through programs like

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<sup>2</sup> Many of these provisions were ultimately ruled unconstitutional by the United States Supreme Court. But Section 2(b), the provision mandating that all municipal and state law enforcement enforce federal immigration law at all times was allowed to stand, and finally took effect on September 18, 2012, following the Supreme Court's June 2012 ruling.

287(g), Secure Communities, and the Priority Enforcement Program, which have trained and authorized non-federal law enforcement to scrutinize and report immigration violations during the course of routine police work (Coleman, 2009; 2012). All of these policies come to a head in areas like southern Arizona, where more than 4,300 U.S. Border Patrol agents are deployed, and where residents must contend with routine immigration checkpoints, roving stops and informal cooperation between border agents and local authorities (see Lyall, Bambauer, & Bambauer, 2015). The aforementioned laws, policy initiatives, and conditions have collectively led the annual volume of individuals apprehended and formally removed from the United States to jump 260% in eleven years, from 165,168 in 2002 to 438,421 in 2013 (DHS, 2013).

Of course, those targeted through these policies have not been passive victims, instead deploying a variety of organized and informal strategies to shape and disrupt these new geographies of policing and exclusion. In Arizona, this has involved community organizing, protest, litigation, and direct action tactics; among others. The passage of SB 1070 catalyzed a dramatic escalation of this resistance. From April through July 2010 hundreds of thousands of demonstrators marched in Arizona cities; national leaders and organizations called for boycotts of Arizona business and travel; and various civil disobedience campaigns occurred, including blockades of downtown Phoenix and Tucson intersections, freeways, the state capitol and Sheriff Joe Arpaio's Maricopa County Jail – disrupting business as usual and impeding the logistical operation of immigration sweeps.

### **Citizenship and its discontents**

Refusing a condition of vulnerability and exclusion based purely on formal citizenship status, many of the activities described above instead base their demands on how Arizona residents *live* – and the social, economic and community bonds that sustain this living. It may therefore be tempting to theorize this activity as mobilizing an *alternative* ethics of citizenship – one that seeks to destabilize the very boundaries of formal citizenship that the state would police. For example, Staeheli et al. (2012) use the actions and aspirations of undocumented residents of the United States as exemplary of their notion of “ordinary citizenship” – a concept that attends to everyday practices and experiences and that would make citizenship both “a general category and a contingent resource for political life” (628). Others, like Leitner and Ehrkamp (2006), view the political claims mobilized in immigration struggles through a framework of “dual” or “cosmopolitan” citizenships corresponding to the multiple spatial and national affinities that transnational migrants might proclaim.

Others still have used “citizenship” to theorize the ways that migrant political subjectivities might be mobilized within working class, counter-hegemonic formations. For example, like Staeheli et al. (2012), Nyers (2015) draws from Isin's “acts of citizenship” framework to theorize what he calls a migrant citizenship “from below.” This refers to “the political paradoxes that arise when



people constitute themselves as political subjects, citizens, prior to being legally or discursively recognized as such by state authorities” (25). In the course of migrant labor struggles in Italy, Oliveri (2015: 500) similarly suggests that unauthorized migrants

stopped appearing as mere *victims* of unlucky circumstances or unjust laws, and started to be seen as *full political actors* and members of the political community, even if not legally authorized. In conclusion, they anticipated an alternative regime of citizenship based essentially on conflictual practices and collective action rather than on a fixed differential status. (emphasis in the original)

Although the above work helpfully draws attention to the *everyday* and *embodied* dimensions of political practice and conflict, there are several philosophical, practical and empirical reasons why *citizenship* may not be the most appropriate concept for theorizing the stakes and composition of political struggles around status and mobility in places like contemporary Arizona. Most basically, of course, are the exclusionary dimensions that are immanent to its logic. As Olson (2004) observes, the concept of citizenship is simultaneously premised on principles of human *equality* (radical equality *between citizens*) and human inequality (radical *inequality* between citizens and non-citizens). As a foundation for human equality it is therefore, writes Tyler (2010), “designed to fail.”

Thus, although substantive claims to citizenship are taken up by scholars as a means to undermine or open-up citizenship as a legal category, such a move may be misguided without critical attention to the new exclusionary boundaries that are drawn in the process. This has been a prominent concern voiced by scholars studying contemporary immigration struggles. Escobar (2008) and Loyd and Burrige (2007) each comment on the ways that efforts among immigrant advocates to mobilize discourses of “good moral conduct” or “innocence” (as in the common U.S. pro-immigration reform mantra “we are not criminals”) fail to challenge criminalization as a political and legislative process in which categories of acts and people become liable for state sanction. At the same time, the effort to fold all political agency, claims and community into a framework of citizenship perhaps over-reads the normative aspirations of participants in immigration-based struggles, and overlooks the *counterpart* of the equality that citizenship would promise – namely, *violence* directed, enabled or condoned by state actors against a particular population *precisely because* these individuals are not citizens.

This violence is the express project of ATE, which seeks to reduce all social and political practices, interactions, relationships and possibilities to the question of formal citizenship status. For this reason, even if millions of undocumented immigrants in the United States are able to remain in their homes, neighborhoods and communities through strategies and tactics that reduce their visibility to federal immigration authorities (Coutin, 2005; Boyce, 2012), under ATE these individuals nevertheless remain subject to extreme vulnerability and violence, resulting in great

harm, suffering, and diminished conditions of social reproduction (e.g., the everyday activities and infrastructures required to sustain life and prepare individuals for formal, waged work).

‘Citizenship’ thus makes an awkward and problematic fit for the theorization and discussion of the content, stakes and aspirations of struggles around immigration in places like contemporary Arizona, because it places as normative, and frames as extra-political, that which precisely needs to be challenged politically. As observed by Fernandez and Olson (2011), there is a need for novel conceptual tools to describe the political subjectivities and communities emergent in and through this conjuncture. A “No Borders” framework, with its emphasis on human mobility and demands for ‘freedom of movement,’ has been floated by some as an alternative. Below, we examine this theoretical proposition and unpack some of its contradictions as well as its promise toward building a radical democratic composition of community.

### **The promise and perils of a “No Borders” politics**

“No Borders” – a political demand and an intellectual framework – has emerged organically from social movements in Europe, Palestine, North Africa, Australia and North America (Sharma, 2003; Walters, 2006; Gill, 2009; Borderlands Autonomist Collective, 2012). Its hallmarks are a philosophical rejection of the legitimacy of nation-state borders and migration controls; and a moral, political and practical opposition to the violence these entail. A number of geographers have taken up a No Borders framework as a promising tool for interrogating contemporary migration regimes – a conversation that has featured prominently in this journal (see Bauder, 2003; Hiebert, 2003; Düvell, 2003; Samers, 2003. For a thorough review of this tendency, see Burrridge, 2014; and for an examination of its articulation with calls for “open borders,” see Bauder, 2015).

To begin, a No Borders perspective challenges explicitly a belief in the state as a protector of the rights, safety or security of migrants, asylum seekers and others (see Loyd, Mitchelson, & Burrridge, 2012). Rather, it views the state as a *purveyor* of violence – as itself responsible for constructing migrant vulnerability, often through the very mechanisms and regimes of policing justified in the name of protecting human life (see Anderson et al., 2012; Burrridge, 2014). But a No Borders framework goes still further, demanding an uncompromising position that seeks to *abolish* rather than merely critique or “reform” these practices and institutions. Discussing migrant fatalities, Nevins (2003: 172) for example asserts that “by not calling for an end to boundary enforcement as it relates to immigration or by legitimating such enforcement, [scholars] are resigning themselves to migrant deaths – albeit in smaller numbers than are currently occurring if what they advocate in terms of remedial measures were to be put in place.”

In advocating the *abolition* of borders and migration controls, then, a No Borders perspective implicitly demands a political horizon detached from the

nation-state and its biopolitical-cum-geographic distribution of rights and community (see Bauder, 2003; Megoran, 2005). For this reason a No Borders agenda articulates an alternative to “citizenship” as a normative framework animating the political, in two specific ways: First, it refuses “citizenship” as a qualifier of humanity, and thus an aspirational identity. Writes Burridge (2014: 80):

...it is necessary, then, as other No Borders advocates have noted, to step beyond state-sanctioned methods of determining who is ‘legal’ and who is ‘illegal’ within nation-state boundaries and recognize that as long as boundary enforcement and immigration controls are seen as legitimate, abuses and deaths of non-citizens will continue.

But an additional point follows, rejecting the geographical scale and imaginary of the nation-state as a starting point or necessary site of institutional redress for political aspirations and demands.

Yet despite calls for “no borders as a practical politics” (Anderson et al., 2009; 2012; see also Borderlands Autonomist Collective, 2012), it is not immediately evident how, then, such a politics should be put into practice. To its critics, this marks the demand for “no borders” as hopelessly utopian, if not naïve. Historically, No Borders political movements have largely developed through periodic and spectacular protests during counter-summit mobilizations and international “no border” camps (Burridge, 2010; Rigby and Schlembach, 2013). Others have sought to advance a No Borders agenda through everyday local acts of migrant solidarity, humanitarian assistance and efforts to prevent individual deportations, in places like southern Arizona, Bristol, Montreal and Calais, France (Burridge, 2009; Rygiel, 2011; Walia, 2013). Still, apart from the mobilization of a militant rhetoric, these efforts do little to combat the *structural* and *material* migration controls that activists oppose (although cf Loyd et al., 2012).

Finally, as Gill (2009) and Hiemstra (2010) each observe, it is not only – or even *primarily* – the nation-state that acts as an instrumental driver of racism, xenophobia or exclusion. Rather, these proliferate in communities and circulate through the mundane spaces of everyday life through a multiplicity of sites, actors and institutions. In rejecting the nation-state as a natural container for political redress or agency, a No Borders politics must simultaneously construct widespread and dispersed mechanisms that can respond in kind and challenge these more mundane and ubiquitous forms of exclusion.

However, even more fundamental a risk is that No Borders, as a political framework, contradicts its own condition of articulation. Like Shakespeare’s Iago (“I am not what I am”) or Russell’s famous mathematical paradox (“the set of all sets that are not members of themselves”), it stakes its philosophical ground on rejecting the very thing that it demands – an exclusion of exclusion, a *border against borders*. Yet in some cases, it is imperative to draw boundaries in order to advance an agenda of radical democratic equality. To explore this further, we now turn to the work of Joel Olson, who mobilizes a conception of the “political”

informed by Carl Schmitt's (1985) seminal binary between friend and enemy to examine the conditions under which an uncompromising, Manichean approach to politics might actually broaden, rather than constrict, the condition of human equality and the radical democratic composition of community.

### **Olson's abolitionist Manichaeism**

There are several reasons why we turn to Olson at this juncture. Olson's theoretical work pries at the contradictions shaping democratic citizenship within liberal settler states, highlighting the need for political identities and movements that concretely challenge and transcend the racial logics structuring modernity (Olson, 2004; 2009; 2014). We furthermore find inspiration in Olson's insistence on the need for a practical, *offensive* politics against capitalism and white supremacy – particularly in the context of the political conjuncture posed by ATE policies.

Olson posits as exemplary the American movement to abolish slavery, identifying in the work of abolitionist agitators like Garrison Wendell Phillips a fanatical approach to politics he describes as “democratic Manichaeism” (Olson, 2009). Key to this approach was an effort to radically divide the public in two – those who would do everything in their power to end slavery and those who would condone it – and to *refuse compromise* between the two, with the goal of moving a ‘moderate’ or passive middle into the abolitionist camp. Olson's Manichaeism is in marked opposition to liberal theories of democratic politics that would insist on compromise, pluralism, moderation or dialogue; and it also contrasts with those who would posit “agonism” as a principle of democratic conduct (see Honig, 1993; Mouffe, 1999; 2000). Instead, Olson embraces *antagonism*. Discussing Phillips, he writes:

The purpose... is not to deliberate in a reciprocal fashion or to turn enemies into adversaries. Rather, it is to forge a new public opinion, one that is abolitionist and antiracist, and through it to win the struggle between friends and enemies, slaves and masters, apostles of justice and traders in human flesh. Phillips does not talk to mend fences but to draw lines. (Olson, 2009: 90)

Thus, although Phillips's is a polarizing politics, it is one intended to mobilize the public, as urgently as possible, to overturn a system of extreme violence and human inequality (chattel slavery). Olson's Manichaeism, then, speaks to an antagonistic, *fanatical* model of political mobilization – but one expressly concerned with human equality as an animating principle.

Yet the danger, as Toscano (2014) observes, is that an embrace of *fanaticism* bleed into a kind of *fundamentalism* that would seek to monopolize the political. To distinguish the two, Olson posits a set of five principles. First is the question of ends – are the ends of a Manichean approach democratic, even if the means are extreme? Do they intend to broaden, or diminish, the goals of human

equality and democratic participation? This is the first distinguishing feature to which a democratic fanatic aspires. Next, Olson insists on the imperative that one never demonize one's enemy. Though one must be uncompromising in one's principles, one must never resort to portraying one's enemy as either monstrous or subhuman – both of which risk sowing moral and intellectual confusion. Third, one must allow – or even encourage – debate, dissent and political participation within one's own ranks, even if the principles determining one's ranks remain firm and absolute (writes Olson: “can the zealot, who like iron is of a piece and entirely consistent, nevertheless allow for tension, disagreement, and contest?” [Ciccariello-Maher, 2014a: *n.p.*]). Fourth, although the fanatic seeks to *simplify* a political conflict, she does not seek to make this conflict *totalizing*. In other words, she does not seek to determine *all* dimensions of collective life according to a fanatical conviction. Finally, a democratic fanatic explicitly desires that one's intransigence be momentary, or to realize conditions in which one's zealotry no longer becomes necessary (in other words, to *win*). For Olson, it is these five principles that distinguish a democratic zealot like Wendell Phillips from a fundamentalist like Osama bin Laden or Timothy McVeigh. “It is this dynamic process” writes Ciccariello-Maher (2014b: *n.p.*) “that makes possible, according to Olson's slightly paradoxical formulation, a fanaticism that is both self-righteous and egalitarian, absolutist and democratic.”

Olson's ideas provide a framework for “No Borders” to transcend its own contradictions, explicitly embracing the radicalism and implicit Manichaeism of its principle demand. But it remains to find ways to materialize this through the mundane spaces of everyday life, such that a Manichean No Borders politics is capable of concretely intervening in the world to unravel the geographical distributions of rights, belonging and violence imposed by borders and their police. To explore this problem further, we now turn to several case studies from post-SB1070 Tucson, Arizona.

### **We Reject Racism: Human Rights Respected Here**

SB 1070 was signed into law on April 10, 2010. Given its profile, implications, and the racially charged atmosphere that accompanied its passage, it immediately began to have consequences that rippled across Arizona communities. A report by the University of Arizona's Southwest Institute for Research on Women found that by mid-summer 2010 SB 1070 already “had many unforeseen consequences,” including leaving “young adults without their primary caregivers, early teen marriages, stress-related health issues, declines in high school attendance and performance” and “increasing reluctance to contact the police,” among other issues (Lopez, 2011: 2). Describing the feeling of many immigrant families, one individual stated: “[People] do not feel freedom to work, to go out, to eat—you're scared to go out and eat! [Even when] you sleep, you feel like immigration [authorities] will be at the door” (*ibid.*: 9).

Arizona merchants with largely Latino clientele reported reductions in business as high as 60 to 80% (Grinberg, 2010; Zeiger, 2010). Churches with largely Latino congregations reported dramatic declines in attendance, leading clergy to organize an attempt to convince the Tucson City Council to issue a moratorium on the bill's enforcement from Friday evening through Sunday to protect residents wishing to attend services.<sup>3</sup>

One participant in a focus group of activists described their recollection of the atmosphere during this period as follows:

The thing that I remember going on at this time, was that like, the impact on people that were connected to us felt like very immediate, real. And the risks felt like very heightened, and so I remember being in a meeting, and then getting a phone call that Norma's<sup>4</sup> dad had been detained, and then Melissa's dad got [detained], you know like, like a whole bunch of people showed up, uhm, to try to respond to that. But there were things happening to people that we knew throughout the course of this time... I think that that that has to be noted because that was very much the feeling of urgency around the overall issue, was the impacts on the people that we had connections with.<sup>5</sup>

In the fall of 2009 members of two Tucson-based organizations - Tierra Y Libertad Organization (TYLO), a barrio-based Chicana youth collective on the Southside of Tucson that focuses on livelihood struggles to promote sustainability and self-determination, and No More Deaths (NMD), a humanitarian aid organization that works with migrants who have recently been repatriated or are currently in the process of crossing the border – began conversations with one another to strategize on how to collectively respond to HB 2008, the 2009 Arizona ATE law that forced state-funded health and social service providers to report anybody they suspect to be unlawfully present to federal immigration authorities, under penalty of criminal prosecution. By the spring of 2010 activists had surveyed and met with area clinics, agencies and other service providers to assemble a list of those who were privately funded and therefore exempt from the law, and who agreed that they would not contact immigration officials under any circumstances. This organizing effort provided the immediate basis for a coordinated organizing campaign almost as soon as SB 1070 passed into law.

The “We Reject Racism” (WRR) campaign was launched to forge relationships and disseminate strategies whereby Tucson residents could practically resist SB 1070 and its enabling geographies of policing. During the summer of

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<sup>3</sup> Field note, May 2010

<sup>4</sup> All names referenced by research participants have been altered in order to protect confidentiality.

<sup>5</sup> Focus group comment, November 2012

2010 Jenna Loyd spent several weeks with us, which informed her 2012 intervention in this journal (Loyd, 2012). As Loyd describes, WRR sought to intervene in the everyday public and semi-public spaces of the city of Tucson – homes, yards, streets, businesses, churches, and non-profit organizations. Throughout the summer of 2010 several dozen volunteers with TYLO and NMD engaged in coordinated, house-by-house and business-by-business canvassing in neighborhoods throughout the city. Through one-on-one conversations participants asked homeowners, residents and shopkeepers to post a sign in their window stating “We Reject Racism: Human Rights Respected Here,” which would signal that police would not be allowed on their premises for the purpose of enforcing immigration law (e.g., except in emergency circumstances). Supporters of the campaign were encouraged to patronize those businesses that had agreed to post a sign, and to boycott those who had not. Campaign participants also asked residents to join “protection networks” that would provide a neighborhood response to police activity in their vicinity, both in the actual moment of arrest (filming and documenting police activity) and in its aftermath (by constructing contingency plans for peoples’ children, homes and court logistics).

As Loyd (2012) discusses, important to the above strategy was outreach to non-targeted residents and areas of the city with a predominantly Anglo population, demanding that those residents who claimed to oppose the law do so publicly, and encouraging relationships of solidarity to transcend previously-existing divisions of race, class, residential location and citizenship status. One campaign participant reflected on the sentiment behind this approach:

This is not a time for civil debate; this is a time for action. And you will either be a party to this law or you will speak out and act out against it and you have to choose. People in the community are going to know which way you choose. A lot of people responded favorably to that intervention.<sup>6</sup>

WRR principally targeted Tucson’s Anglo/Latinx divide, without addressing deeper problems of land and territory that include the liminal positionality of Chicana peoples vis-à-vis the region’s first peoples and successive waves of settler colonial dispossession. Nevertheless, as the quote above suggests, the campaign’s strategy targeting a diverse cross-section of the city’s population generated a tremendous response. Between June and July 2010 more than 3,000 Tucson residents joined the WRR campaign, including at least 200 businesses comprised of restaurants, laundromats, car mechanic shops, bars, and grocers, among others (see figure 2). On July 27, 2010 an entire southside Tucson business district, “Plaza Azteca,” held a press conference where business owners declared the district an anti-racist zone and announced that every shop in the plaza had agreed to join WRR. The control of business owners over semi-public space, and the proliferation

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<sup>6</sup> Interview, May 2011

of stores and services declaring noncompliance with SB 1070, gave residents safer locations where they could travel and take care of everyday needs, and gave all Tucson residents a constructive way to channel their economic activity in sympathy with the national boycott campaign.



**Figure 2: homes and businesses in Tucson, Arizona displaying We Reject Racism signs. Photos courtesy of No More Deaths, Tierra y Libertad Organization.**

This also, of course, generated controversy – which itself attracted even greater attention to the WRR campaign and its goals. The Tucson business press featured hostile editorials and debates, with one local periodical describing the attitude of WRR campaigners as “bullying” and describing their tactics as “nothing short of the old-time extortionist protection racket” (Inside Tucson Business, 2010; see also Matas, 2010; Powers, 2010).

But the economic pressure generated by the larger national boycott and efforts like WRR proved critical. In the spring of 2011 Arizona Senate President Russell Pearce, the legislative sponsor of SB 1070 and a champion of ATE, introduced a slate of new bills that would have forced public schools to keep a register of undocumented students and report them to the state; required public hospitals to report on undocumented persons seeking treatment; and denied Arizona birth certificates to children born to non-citizen parents – effectively making an end run around the 14<sup>th</sup> amendment to the United States constitution. In response to this, the Arizona Chamber of Commerce – usually a solid backer of the



state's Republican Party agenda – broke its silence on immigration policy, successfully lobbying swing legislators against passing any of these bills. Then in November of 2011 Russell Pearce was successfully recalled from office through a popular referendum. These two interventions effectively ended Arizona's streak as a laboratory for new ATE policies.<sup>7</sup>

Although the United States Supreme Court overturned much of SB 1070 in June 2012, Section 2b, requiring law enforcement to check the papers of anyone who they have "reasonable suspicion" may be undocumented, was allowed to go into effect by U.S. District Court judge Susan Bolton on September 18, 2012. But the initial wave of organizing against the law continues to pay dividends. A coalition of protection networks continue to mobilize resources to support individuals detained by immigration authorities, and their families; Tucson has remained a hotbed of direct action tactics against local and federal immigration policing (Ingram, 2013; Woodhouse, 2013); through a series of successful efforts to stop the deportation of individuals detained by Tucson police, WRR laid the seeds for "Keep Tucson Together" (KTT), a volunteer-run free community immigration clinic; and the KTT clinic, in turn, helped relaunch a wave of churches across the United States providing Sanctuary to protect individuals from immigration authorities and prevent their deportation. It is to this latter effort that we now turn.

## **Sanctuary**

On May 13, 2014 Daniel Neyoy Ruiz entered Sanctuary at Southside Presbyterian Church (SPC) in Tucson, AZ. In a classic case of SB 1070-type law enforcement, Ruiz had first been apprehended by immigration authorities following a routine traffic stop in 2011, and subsequently spent one month in detention and another three years fighting his case in immigration court. Daniel's case was not reviewed for administrative closure—a discretionary measure available to U.S. authorities at the time to close low-priority cases like his—and he was ordered to be deported from the United States.

In welcoming Daniel to SPC, members of the congregation publicly announced that they would use the power of the church as a barrier to the state's ability to enforce his order of removal. Congregants also announced that they would continue to stand up to immigration authorities until ICE granted a stay of deportation that would ensure Daniel's ability to remain in Tucson.

For SPC's congregants, the tactic of Sanctuary was far from novel. During the 1980s, SPC had been the first congregation in the United States to publicly declare itself a Sanctuary for refugees fleeing U.S.-sponsored right wing death squads in Central America. SPC's actions were quickly emulated by hundreds of

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<sup>7</sup> As of summer 2016 not a single additional ATE policy has passed the Arizona legislature since 2010's SB 1070.

churches, mosques, and synagogues across the country, catalyzing an underground network of faith communities openly defying federal authorities (Coutin, 1993; Cunningham, 1995). The actions of these congregations tapped into a long tradition dating back to the medieval church's offer of shelter and protection to individuals fleeing civil authorities. Officially, the protection offered by these churches had no standing in U.S. law; rather, what these congregations leveraged was moral authority and the threat of a public relations fallout should the government choose to violate the sanctity of religious grounds. But as the movement grew, it spread from religious institutions to cities, universities and other public and semi-public institutions, leading to "sanctuary city" ordinances and resolutions that remain in place three decades later in over 300 cities, states and counties across the United States (American Immigration Council, 2015).

Thus, when SPC once again declared itself a Sanctuary in May 2014, journalists and commentators immediately took notice. Other churches soon followed suit, with congregations in Tucson, Philadelphia, Denver, Phoenix, Austin, Atlanta, Chicago, and Portland, OR announcing Sanctuary for sixteen separate individuals between 2014 and 2016.

We don't wish to oversell the accomplishments of Sanctuary - Sanctuary has been turned to explicitly as a last-ditch effort only *after* individuals had exhausted all available appeals through the legal process; it only offers a mobilization of support and the promise of relief for *individual* cases, rather than broader collectives or categories of persons. Nor do we wish to ignore, as Bagelman (2013) suggests, the liminality of Sanctuary and its concomitant uncertainty and anxiety. Although Sanctuary is limited in its scope, what we wish to draw attention to here is the radical position taken by these congregations in defiance of federal immigration authorities, and how their uncompromising refusal to back down unless their demands were met catalyzed a growing network of support.

The case of Rosa Robles Loreto is exemplary. After 28 days in Sanctuary, immigration authorities backed down and granted Daniel Neyoy Ruiz a stay of removal. On August 7, 2014 Rosa became the second individual to take Sanctuary at SPC. Like Daniel, Rosa was initially apprehended by immigration authorities through a routine traffic stop. But Rosa's campaign played out much differently. Officials with Immigration and Customs Enforcement repeatedly stated they would not cancel Rosa's order of removal, *even as* they declared they would not prioritize Rosa's case for enforcement. For this reason, the campaign supporting Rosa dragged on for 15 months.

Critically, however, as the months wore on a larger and larger community congealed around Rosa. In part this was out of necessity – as a great deal of logistical support is required to provide the basic necessities for an individual living at a church, along with Rosa's husband and children who spent weekends and holidays with her. In addition, there was the need for press and legal support,

and to have individuals accompany Rosa at the church at all times in case immigration officials or others threatened to enter the church grounds. All of these demands, and the uncertainty of the outcome of the campaign, took a toll on Rosa and her most dedicated supporters. Yet, the longer Rosa's case dragged out, the higher her profile in the local, national and international press, and the greater a groundswell of support mobilized around her. In September, 2014 both the Pima County Board of Supervisors and Tucson's Mayor and Council passed resolutions declaring their official solidarity with Rosa, and demanding that the federal government cancel her order of removal. Celebrities like Linda Ronstadt and Dolores Huerta spoke out on her behalf. Daily prayer vigils were held by a rotating circuit of pastors and churches, bringing in a diverse cross-section of visitors from Tucson and throughout the United States. By the summer of 2015, volunteers had begun canvassing businesses and neighborhoods, and like the WRR campaign before it, thousands of signs came to mark Tucson's urban landscape declaring "We Stand With Rosa – Keep Tucson Together" (figure 3). At least in principle, then, it was not only the grounds and congregation of the church that gave power and legitimacy to Rosa's campaign, but a growing network of thousands of households and supporters across the region insisting that she be allowed to remain in the United States.



**Figure 3 Rosa Robles Loreto (center) with supporters outside of Southside Presbyterian Church. Photo Credit: Brenda Limón.**

As of the time of writing, of the sixteen individuals who've taken Sanctuary in churches across the United States from 2014 to 2016, all have received a favorable outcome. And on November 11, 2015, after 461 days in Sanctuary, Rosa

Robles Loreto and her attorney finally announced they had reached an agreement with the U.S. government that would allow her to safely remain in the United States. Triumphant, Rosa left Sanctuary at SPC, surrounded by hundreds of celebrating supporters.

## Discussion

Admittedly, there are considerable differences between the campaigns considered above. Sanctuary has emerged as a last-ditch, extraordinary tactic to stop deportation in individual cases when all other efforts using advocacy and legal channels have failed. WRR, on the other hand, was a much more generalized, offensive effort to transform the geography through which ATE policies could be enacted, using the fabric of the city as its canvas.

However, there are several dynamics both efforts share in common. Here, we wish to highlight three. The first relates to conflict: echoing Olson's Manichaeic appeal, participants in both campaigns sought not to diminish or to contain conflict, but to *escalate* it – in order to make the law unenforceable. In the case of WRR, this involved broad intervention with households and business owners, demanding that they take sides in the controversy surrounding SB 1070 and withdraw their consent and cooperation with the law. In the case of Sanctuary, the conflict involves sheltering individuals with standing orders of removal, and daring federal authorities to violate the sanctity of the church.

Second, each campaign used conflict to *catalyze a community* around itself. In the case of WRR, this was an explicit objective – to unravel the geographies of belonging that the state would police through the dissemination of networks of active solidarity throughout the city that would transcend previously existing divisions of power, privilege and geography. In the case of Sanctuary, on the other hand, the articulation of community is a practical outcome of the tremendous effort required to sustain a position of defiance over a period lasting months on end.

Finally, and third, we see in both campaigns that it was the tactical appropriation of *space* – the ability to *produce* and *control* space and *withdraw* it from the reach of state authorities – that was critical to putting this entire circuit into motion, mobilizing conflict, impeding state authorities, and catalyzing a community of supporters whose material participation was required to sustain the effort.

These three points converge to provide the basis for critically re-evaluating the discussion of citizenship, abolition and Manichaeism considered above. By way of conclusion, then, we seek to unpack our critique, and articulate an alternative framework we call “community composition,” which weaves these strands together.

## Conclusion

In much of the United States, immigration policing continues to intensify. In those areas where it hasn't, or where it has been rolled back, this is mostly due to grassroots social movements that have successfully pressured local and state jurisdictions to withdraw their cooperation from federal authorities (Varsanyi, 2010; Strunk and Leitner, 2013). Such activism is surely important. But in addition, we argue the need for political and methodological frameworks that attend to those non-state social and material networks that enable and condition peoples' everyday practices of social reproduction.

This is especially critical given that it is precisely these social and material networks that are targeted by ATE policies, while SB 1070 – the apex ATE policy in Arizona – was specifically designed to impede and overturn successful local policy activism like that described in the paragraph above. It is imperative, then, that opposition movements assert alternative principles of belonging and exclusion detached from those that ATE would impose and find ways to materialize these principles in everyday life. Among other things, we insist that this requires abandoning “citizenship” as an aspirational framework for political identity or participation in community – precisely because it is *citizenship as a qualifier of humanity* that such a politics must contest.

Yet we also have argued that a No Borders framework, on its own, is not adequate as an alternative framework, because it fails to fully articulate the logic of its own formulation. One result is that much radical activism and scholarship comes to privilege “mobility” as an ontological driver of change (Mezzadra and Nielson, 2013; Scheel, 2013; Casas-Cortes, Cobarrubias, & Pickles, 2015), or as a normative demand (e.g. “freedom of movement”) that aspires to the removal of material and political restrictions on human migration (see Bauder, 2003; Düvell, 2003; Megoran, 2005; Gill, 2009; BurrIDGE, 2009; 2014; Rygiel, 2011). While we find much to celebrate in these positions, the Manichaeic approach we're proposing would instead frame its demand fundamentally on an insistence on human equality, *regardless of the biographical fact of one's having migrated*. In other words, rather than view the *border* as a reified object of contestation, or clandestine mobility as an axiomatic indicator of resistance, our approach would attack and dismantle the categories and conditions that make *both* mobility and borders *politically meaningful*. At stake is the question of *community* – its qualities and composition – and the question of *what principles* will define its boundaries.

We conclude, then, by proposing “community composition” as an intellectual and methodological framework for putting this abolitionist agenda into practice. Like the autonomist Marxist concept of “class composition” (a concept we view as complementary<sup>8</sup>), we conceive of “community composition” as both a

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<sup>8</sup> “Class composition” refers to the specific strengths and qualities of the working class at a given moment in the development of capitalism (see Bologna, 1972; Carpignano, 1975; Cleaver, 2000).

research agenda and a political project that assesses how specific policies, practices, discourses, strategies and events affect the formation of community as a fluid and contested anchor of identity and belonging. Here, of course, we acknowledge Joseph's (2002) critique of "community" as a trope saturated with utopian romance that is itself implicated in the reproduction of capitalism, hierarchy and exclusion. But to us, this is precisely the point – as Joseph writes, "[t]o invoke community is immediately to raise questions of belonging and power" (xxiii). It is the boundaries and qualities of community that are at stake in normative claims to belonging or exclusion – explicitly so, in the case of immigration policing. "Community" may thus be approached as an ongoing field – and stake – of struggle, rather than a reified object that would somehow pre-exist its conjuring or composition.

A "community composition" framework would suspend the deployment of any pre-existing scale of analysis (including the nation-state) as a normative referent for struggles around immigration, instead viewing these as immanent to the various claims circulated by actors in these struggles and the ways these become embodied and materialized through the intimate geographies of everyday life. Simultaneously, we believe that Olson's democratic Manichaeism provides particularly dynamic tools for orienting community away from normative claims to "citizenship" as a structuring principle, instead staking its ground on an insistence on human equality and militant opposition to any structure or condition limiting its realization. However, it remains to spatialize this politics in such a way that the antagonistic principles a Manichaean politics would articulate can catalyze a conflict that would give these principles traction.

It is in this imperative to the mobilization of conflict through spatial withdrawal that we see potential strategic and philosophical resonance with contemporary efforts to combine racial, economic and environmental justice struggles with a recognition and redress of the colonial condition of settler states like the U.S. and Canada. As Dene scholar and political scientist Glen Coulthard (2014) observes, strategies involving physical blockades and land occupation have proven pivotal for confronting the ongoing project of extractive colonial dispossession, while simultaneously building "the skills and social relationships (including those with the land) that are required within and among Indigenous communities to construct alternatives to the colonial relationship in the long run" (166). This, then, suggests an *affirmative* agenda that is more than just reactionary to the imperatives of market or state. Yet for advocates of the Manichaean approach we've outlined above, it simultaneously suggests a need for greater attention not just to the problems of citizenship and its exclusions – but also the ways these articulate with the material dimensions of sovereignty and land. Such a project is beyond the scope of this paper, but we nevertheless recognize its urgency. And happily, it is an endeavor already being tackled by some No Borders

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activists who situate their commitments within a broader imperative to unsettle the colonial present in North America and beyond (Walia, 2013).

### **Postscript, December 2016**

We end here with something of a postscript addressing developments that are unfolding as we revise this manuscript for review. On November 8, 2016, Donald J. Trump was elected president of the United States. Within days of his election, Trump appointed Kris Kobach, the intellectual architect of ATE, to lead his transition team on immigration policy. It is quite apparent that Trump's election reflects an effort to roll back the modest accomplishments of grassroots struggle, while emboldening an already aggressive federal Homeland Security apparatus. With the resurgence of ATE looming on a national scale, the withdrawal of space from the state's enforcement apparatus and the composition of community away from inherited geographies of nation-state and citizenship is more urgent now than ever; while combative extra- and anti-state mobilization that refuses to compromise may be among the only effective means of opposing the irreparable violence that the Trump/Kobach agenda threatens to unleash. We hope that the experience and analyses we have shared above provide ideas and inspiration to those seeking creative paths forward; and that, together, we may find effective means to enact and proliferate alternative spatial imaginaries and transformative practices that are capable of moving us beyond the austere horizons of the present.

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