

## Who Says, “I’m undocumented”? Theatrical Strategies in the Politics of Undocumented Immigration

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In April 2010, Jan Brewer, then Governor of the state of Arizona, signed SB 1070, the bill that criminalized the lack of documents and institutionalized racial profiling as a policing strategy. The law was contested by a great political mobilization in Arizona, which was rapidly replicated in other states. Those the law sought to disavow led this political-legal challenge; undocumented immigrants, among many others, occupied the streets while wearing t-shirts with the words “I’m Undocumented” written across the chest. In this paper I seek to understand the kind of political work this public reclamation of the derogatory term—undocumented—does for the subject that it names when that subject iterates the name with a different logic of power.<sup>1</sup>

Using Butler’s concept of mimetic insubordination, an imitation that “*inverts* the very terms of priority and derivativeness” (Butler 2004, 128, emphasis original), I interpret the “I’m undocumented” protests as political performatives that constitute a case of mimetic insubordination. In this case, the mimetic moment emerges in the alternative iteration of the term “undocumented,” the name by which unauthorized immigrants are policed in the city, while the element of

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<sup>1</sup> My interpretation builds upon the legacy of the 1993 English Institute conference on the topic of performativity and performance (Parker and Sedgwick 1995), which turned Jacques Derrida’s (1984) deconstructive undoing of J. L. Austin’s (1975) separation of performative utterances said in the theater from ordinary speech-acts into a productive exploration of political action. Derrida’s troubling of the binary between constatives and performatives acquired a renewed energy in the work of Judith Butler (1993 and 1997a), who made the epistemological impasse politically productive for an interrogation of identity claims.

insubordination stages the reconstitution of disavowed political subjectivity. The disavowal of such political subjectivity is structurally conditioned by what Alexander Weheliye has characterized as “racialized assemblages,” that is, power formations around forms of racial constitution that reproduce hierarchies and exclusion. Part of a long tradition in de-colonial forms of praxis, the mimetic insubordination of the “I’m undocumented” protests is inseparable from the troubling of the “racialized assemblages” that underscore the politics of immigration. Therefore, a double contribution animates this essay. First and foremost, I reinterpret the political dimensions of the “I’m undocumented” protests by means of their theatrical strategies as cases of performative insurgency; secondly, I continue strengthening the theoretical links between performative theory and critical race theory in order to argue for a more radical contestation of the racialized contexts under which “undocumented” subjects trouble and contest the terms of their institutional exclusion.<sup>2</sup>

In section (I) I answer the main question that motivates this paper, exploring the political work that “undocumented” accomplishes for the subjects it names in their public and contestatory reclamation of the term. In section (II) I analyze the political as the confrontation between two opposing theatrical strategies: the ritual of sovereignty that I see enacted at airports through the use of full-body scanners, and the protests staged by undocumented immigrants in the streets. Finally, in section (III) I explore the ways by which this mimetic use of the name makes visible their exclusion, articulated through the fetishism of the document that recognizes full political membership.

### (I) Re-writing the Body

What does the public reclamation of the injurious name, “undocumented,” do for the subject it names in its alternative iteration? First, it re-organizes the domain of power that disempowers immigrants by putting them in the shadows.

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<sup>2</sup> For a critique of Judith Butler’s earlier marginalization of the question of race—to which Butler gave a few pages in *Antigone’s Claim*, by means of Orlando Patterson’s work on social death—see Tina Chanter (2011). For a historical reconstruction of the intersection between mimetic insubordination and decolonial theory see Octave Mannoni’s 1966 essay, “The Decolonization of Myself” (1994), Homi Bhabha 1984 essay, “Of Mimicry and Man: The Ambivalence of Colonial Discourse” (2004), and the excellent work of Ranaja Khanna (2003). The linkages between performative theory and critical race theory that I propose here, primarily to understand the theatrical strategies of the “I’m undocumented” protests as cases of mimetic insubordination, also have a long theoretical history, specially in the work of other queer theorists like Gloria Anzaldúa (1987), José Esteban Muñoz (1999) and Sara Ahmed (2000) to which this paper is equally indebted. For a broader exploration of these theoretical linkages and their impact in different forms of scholarship see the works of José David Saldívar (1997) and Claudia Milian (2013).

The authorial locus of the sign travels from the police, who use the name to render the undocumented invisible, to the subject that it names, who uses it to acquire visibility. The self-naming makes the policing interpellation vanish through its written anticipation and political inversion. Rather than waiting for the individualizing interpellation, “papers, please!” the subject declares its lack of documents publicly and collectively as the loci of a political confrontation over the ways of being in the polis. Therefore, the name describes a different political trajectory. It does not end in a policing function of control but in a political one of empowerment, threatening the capitalistic scheme that solicits such invisibility.

Secondly, the citation stages a conflict. The name becomes the site of trouble, an equivocal signifier whose semantic content cannot be easily fixed. The catachrestic use of the name reveals the incompleteness of the sign, the erratic valence of the name that changes its pole, from negation (public disavowal) to affirmation (political empowering). The mimetic insubordination turns the name into a chiasmus that inverts the subject of dispossession. If the policing interpellation dispossesses the subject that lacks proper documentation, the self-identification of undocumented immigrants as “undocumented” dispossesses the police from the nomenclature of its regulatory force. “Undocumented” is neither a proper predicate for the subject that lacks documents, nor a neutrally objective descriptor of a state of being, but the grammatical site of political litigation over ways of being in the polis and sources of authority naming subject-positions.

Thirdly, the freedom that is marked as absent, that is figuratively mobilized as a lack, gets enacted through the very terms making it impossible. It is the documented, not the undocumented, who is absent from the public space, which is policed as exclusively reserved for those who have proper documents. Undocumented immigrants are temporarily free to *be* in the city, to assemble and speak collectively in the streets. The freedom to *be* is already a reality, even if the collective demonstration of their power to assemble is not enough for them to overcome the forms of governmentality and control that dispossess and marginalize them.<sup>3</sup> However, freedom in the form of active public life becomes an actual potentiality, something that is not just imagined but realized. By

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<sup>3</sup> The empirical interrogation on the transformative effects of the “I’m undocumented” protests is beyond the scope of this paper. However, the relationship between the more longue-durée structural changes on the conditions of overexploitation of undocumented immigrants and the performative power of their mimetic insubordination is a promising site of theoretical inquiry. “Freedom to be,” I should add, is not to be interpreted as being free of power, nor am I romanticizing the protest as the ultimate site of freedom, yet I do want to stop and investigate something about this “being without documents” that might be more disturbing and politically radical to conventional investments on citizenship and personhood as the telos of the political struggle.

speaking and chanting in the streets, by avowing the political significance of their existence precisely in the places where they are not supposed to speak and chant, undocumented immigrants render the facticity of this political arrangement revisable. As many political theorists have argued, their speaking freely in the streets demands the right to free assembly that they do not have by exercising it.<sup>4</sup>

Finally, the protest documents them alternatively. The protest gives a political history to their being in the polis with improper documentation. The t-shirt tells a story to the spectators, a story of both vulnerability and power. Unlike the excessive technology of the police, the t-shirt conveys the precarious conditions of undocumented immigrants, but it also problematizes the disempowerment that is conventionally attributed to such condition. On the contrary, it is the excessive apparatus of the police in its inability to secure the border that gets exposed as inevitably bound to failure. The sign on the t-shirt confronts the

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<sup>4</sup> Invoking Hannah Arendt's (2004) framework of the "right to have rights," first developed in her *Origins of Totalitarianism*, Judith Butler characterizes the rights-claiming process of undocumented immigrants in the following way: "they have no right of free speech under the law although they're speaking freely, precisely in order to demand the right to speak freely. They are exercising these rights, which does not mean that they will 'get' them. The demand is the incipient moment of the rights claim, its exercise, but not for that reason its efficacy" (Butler and Spivak 2011, 64). Jacques Rancière argues that there is a circular structure in Arendt's formulation of the "right to have rights" and reformulates it as "the rights of those who have not the rights that they have and have the rights that they have not" (Rancière 2004, 302). The crucial distinction is that between the authorial source of the rights and the bearer of them, their addressee. This is what Rancière calls the "process of subjectivation that bridges the interval between two forms of the existence of those rights" (302). The two forms of existence of those rights are, i) the written form which is not merely an abstract ideal but "part of the configuration of the given" (303), and ii) the verifiable form in which some "make something of that inscription [...] a case for the verification of the power of the inscription" (303). The difference is also a temporal one, and Rancière claims that the strength of the rights of man lies in the "back-and-forth movement between the first inscription (written) of the right and the dissensual stage on which it is put to test (verifiable)" (305). This temporal gap might explain why arendtian scholars like Bonnie Honig (2001, 149) and Christina Beltrán (2009, 604), have turned to Rancière in their own formulations of the undocumented immigrant protests as pro-democratic actions exemplary of the political, precisely because they reflect the capacity to make claims by subjects who lack the "proper" standing to make them. Honig and Beltrán share Rancière's view that the process of authorization is post-hoc, and not prior to the event. Rather than reading Arendt as an institutionalist, for whom rights, prior to their enactment, will contribute to form the space-of-appearance in temporally enduring institutions, Honig and Beltrán read Arendt as a philosopher of praxis, who considers authorization to follow the claim, rather than to ground it in advance. For a wonderful reconstruction of Rancière's critique of Arendt see Schaap (2011).

spectators that might or might not turn away, that might or might not join the protest, that might or might not revise their assumptions about undocumented immigrants. Furthermore, the t-shirt can be worn by anyone and it can be removed from the body with ease. The theatrical device conveys the fluidity of the sign, its mobility and instability, in its own materiality. The line that separates documented from undocumented is neither stable nor clear and the costume-like qualities of the t-shirt show it. The alternative documenting that the protest achieves for the undocumented subject invents other conditions of possibility for them, temporary ones, conditions in which they become the authorial site of an alternative signifying chain, conditions in which they enjoy what was previously marked as the prerogative of the documented subject, troubling what belongs to some and not to others. It is the undocumented, not the documented one, who produces the slippage of theater into politics, not by masking the body with the *persona*, but by dressing it with its attributed nakedness, troubling the naturalization of the face behind the mask, troubling the binary that continues to separate the citizen from the undocumented immigrant.

## (II) Rival Theatricalities of the Name

The term *persona* refers to the moral, juridical and political notion of personhood, but also to the “mask” in the ancient Greek theater. According to Hannah Arendt, the Latin word *persona* had its origins in the stage, where it signified “the mask ancient actors used to wear in a play” (Arendt 2006, 97). Arendt described the double function of the mask, “it had to hide, or rather to replace, the actor’s own face and countenance, but in a way that would make it possible for the voice to sound through. At any rate, it was in this twofold understanding of a mask through which a voice sounds that the word *persona* became a metaphor and was carried from the language of the theatre into legal terminology” (Arendt 2006, 97). In Arendt’s account the mask operated as a device of access and transformation between two worlds: the apolitical given world of nature, in which you were an individual member of the human species (*zoe*), and the artificial world of politics, in which you were a member of different political communities (*bios*). For Arendt, it was precisely by hiding individuality, by masking it, that the voice was able to go through, that the political self was disclosed in public, as the uniqueness of each voice was equally audible to that of others. But did the masking allow the voice to go through? And whose was this voice “that went through” the device of the mask? What kinds of powers already regulated the distribution of masks to some and not to others? What kinds of prior powers already granted those new powers upon the mask?

These questions become all the more pressing if one revisits its origins in the Western theater. In the ancient theater of Athens, wearing masks was not a universal right; only male citizens of a certain age and civic status could perform. Only a few could wear a mask and have their “voice sound through” by

means of the supplementary device. Women, foreigners, metics (usually translated as resident alien), slaves and disabled bodies were not allowed a mask. So, the mask that masks the natural difference so as to enable political equality—the voice that goes through—also masks the political inequality that naturalizes such difference as existing beyond politics, that makes visible the mismatch between existing faces and existing masks. Several contemporary political theorists (notably Krause 2008 and Beltrán 2009) have turned to Arendt's political philosophy to reinterpret the politics of undocumented immigrants, a turn justified because of Arendt's emphasis on performativity and publicness, which is at the heart of the "I'm undocumented" protests. Yet in their turn to Arendt these theories often overlook the most problematic aspects of Arendt's theory, the uncritical way in which her account of performativity, of the theatrical figure of the mask and the political status of the *persona*, participate in the very displacement of others, undocumented immigrants in this case, to the site of the non-political. It is my claim that Butler's account of performativity, more sensitive to the ways in which an insurgent performance interrupts the larger structures of power in which it also participates, is more useful to understand these protests. At the same time, Butler's underthematization of race requires the supplement of de-colonial theory and critical race theory in order to broaden the idea of mimetic insubordination to account for racialized subject-positions. Notwithstanding the limitations in Butler's work, her conception of performativity and the political do not impose the same restriction that Arendt's ontological division of the *vita activa* does for an account of immigrants' theatrical strategies.

Arendt's claim (2006: 107) that: "without his [sic] *persona*, there would be an individual without rights and duties, perhaps a 'natural man'—that is, a human being or *homo* in the original meaning of the word, indicating someone outside the range of the law and the body politic of the citizens, as for instance a slave—but certainly a politically irrelevant being" (underlined in the text) shows the mutual interdependency of these terms and their ultimate failure. Rather than an original *homo*, it is through this *persona* that the *homo* is retroactively posited as the origin, as the "natural man" that Arendt knew could only go in scare quotes. In order to function as the pre-political origin, the slave, the "natural man," needed to be made into the politically irrelevant being that it was supposed to signify in this signifying chain that linked the "homo" with the "natural man" and the "slave." The *persona* produces not only the politically relevant being but also the irrelevant one and the regulatory terms of their irrelevance. The *persona* also occludes the political history of this process by making politics into a temporally posterior process governed by the mask (Esposito 2012). Slavery, political irrelevance, is no longer a political effect of the power regime that the *persona* device articulates, but of its absence. Slavery is problematically naturalized as a pre-political condition, as granting the grounds upon which, then, a "truly" political realm emerges post-personhood.

Something similar happens with the regime of power that produces (un)documentation, and the racialized trajectories are worth noting. Non-membership is not considered as being politically produced through documentation but through the absence of the ability to produce such documents. An absence that marks undocumented immigrants, too, as politically irrelevant, while neutralizing the material exploitation such irrelevance enables from political redress. By turning the pre-political condition into a political performative, the “I’m undocumented” protest exposes the inescapable political struggle that fails to naturalize their condition as pre-political. The t-shirt problematizes the essentialization of the human behind the citizen, of the face behind the mask. What was regarded as natural, i.e., the face behind the mask, is thrown back into its historical contingency. In other words, through the protest undocumented immigrants turn the “nature” into which they were already turned into by the system that tried to naturalize this distribution of faces and masks, into a performative, open to a different articulation. Their performance troubles the stable dichotomy separating the citizen from the non-citizen, culture from nature, personhood from “natural man,” masks from faces, precisely because the “undocumented” is no longer behind the document, as there is not a face behind the mask but another mask that is called a face so as to de-politicize the artificial construction of the binary. The “I’m undocumented” protest makes visible the effects of attributing naturalness to this fiction, endowing a fallible representation with the irresistible force of a pre-political nature. Their reality is not a result of nature but a socially constructed condition transversal to relations of power, susceptible to redress and transformation—a form of redress partially achieved through the protest itself, which produces the referential failure by granting visibility to bodies while using the very same terms by which their invisibility was regulated.

By wearing those t-shirts, undocumented immigrants imbue their putative lack of personhood with the same theatrical attributes of the *persona*, undoing the separation between the givenness of nature and the contingency of political subject-positions. Their rival theatricality makes the absence of their voice go-through, producing sound through the catachrestic use of the t-shirt. More importantly, the theatricality of their protest reveals the interdependence between the voice that goes through and the material conditions that sustain it. The t-shirt confronts the police uniform in the street, making visible the different logics of these opposing theatricalities. On the one hand, the sovereign theatricality of the police, which uses the term “undocumented” to inflict an injury and produce the invisibility of some so as to hide the miscount of the common (the mismatch between faces and masks). On the other hand is the political theatricality of the protestors, who use the term “undocumented” to redress the injury and empower the bearers of the name by granting them visibility.

The confrontation of these logics is better seen if one compares, for example, the full-body scanners employed at airports by the TSA (Transportation

Security Administration) agency with the t-shirts that the protestors wore during the protests in Arizona and other states. Going through the scanners presupposes the possession of proper documents, thus, undocumented immigrants are not their main target; however, the scanner participates in the policing theatricality that turns the airport into an expensive and difficult crossing for the improper subject, who is then forced to choose a more life risking way of crossing, a less policed site, like a river or a desert, hyper-policed through other tokens of sovereignty, like the wall, the militarization of the border patrol, etc. On a performative level, however, the most interesting aspect of the policing device lies in the scanner itself, in what the theatrical logic of the scanner reveals in opposition to the theatrical logic of the t-shirt in the “I’m undocumented” protests.

Both of these theatrical scenarios emphasize the legibility of the body, something that must be seen, noticed, read, marked, and inscribed. But the distribution of visibility and invisibility is opposed in two senses. Undocumented immigrants’ protests are acts of public exposure. Their bodies are transformed into walking signs, visually available for everyone who is willing to see them. In contrast, the TSA’s technology operates through invisibility by employing quite visible technological excess. The spectral image generated by the scanner must only be seen by the officer, who, in turn, is not to be seen at all by those who are being watched. The act that offers transparency reproduces an even stronger version of concealment. Moreover, the scanner reports a faceless image so that the one being viewed cannot be recognized by the one viewing it. Conversely, anyone can see the faces of undocumented immigrants wearing the t-shirts in the streets and recognize them.

Still, this opposition is not the most interesting one to be read in these images. Undocumented immigrants achieve visibility by wearing a costume, so to speak. They let us know who they are by dressing their bodies. In opposition, the full-body scanner achieves invisibility through a very sophisticated form of undressing, one that involves no physical contact and displays a naked black-blue image on a screen. Such rival theatricalities reveal, in their turn, the willingness of undocumented immigrants to expose themselves, despite their seeming fragility, to risk by performing such an act with the TSA’s conspicuous emphasis on security, given its excessive paraphernalia in an obscene scenario.<sup>5</sup>

The theatrical logic of the police achieves invisibility through the visibility of its technological devices of control. The theatrical logic of the protestors achieves visibility through the employment of their invisibility as a contentious political sign. The political valence of “undocumentation” changes through this

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<sup>5</sup> The word obscene comes from the Greek *ob-skene*, which means off-stage, and it was frequently used as the (non)site where sexual violence took place. Not only is the room in which the spectral images of the naked body are reported by the scanner off-stage, it is also a place of sexual violence.

reiteration of the name as an act of self-naming. The protest re-signifies the name from that of an injurious term that infuses fear and displaces corporal presence to that of an empowering name that reallocates voice to the actors in the street, where multiple voices join each other to celebrate their collective power and contest their conditions of oppression. Joy and anger converge in a public protest that Beltrán (2009, 605-608) adequately characterizes as mobilizing a more politically complex affect of “festive anger.”

The rival theatricality of the protestors turns the voice—that cannot go through the mask because it lacks personhood—into a catachrestic possibility through the political device of the t-shirt. By doing so, the political performance brings the *persona* back to its artificial theatricality, bridging the gap between the human and the citizen that personhood supports and enhances. In other words, the t-shirt invents an equivalent to the *persona* of the mask, but it does it by displacing the stage from its policing site of dispossession to a political one of empowerment. The theatrical gesture, thus, troubles the naturalization of the citizen/undocumented immigrant binary by rendering the binary unstable and open to a different performative articulation. One in which the mask, the costume-like qualities transferred from the theater to the juridical-political frame of recognition, no longer informs the logics of equality of the documented subject but the logics of equality-in-inequality of the undocumented subject, who re-articulates them within a different logic, the logic of political confrontation.

### (III) Written on the Body: The Fetishism of the Document

Speech, Butler reminds us, occupies an ambiguous position between word and deed, belonging “exclusively neither to corporeal presentation nor to language” (Butler, 1990: 102); the “I’m undocumented” shirts stressed this ambiguity. “I’m undocumented” is worn so as to make the sign coincide with the act in a performance that bridges language and corporeal presentation. The referential subject is no longer presupposed as existing prior and elsewhere, separated from the sign. The sign produces the subject that it refers, and the referential subjects embody the name by wrapping themselves in it.

Undocumentation—the sign that the subject embodies—denotes a double form of dispossession. On one hand, it refers to the subjects who lack the documents that make their existence in the polis possible, as documents regulate the access to all kind of services that support one’s life. On the other hand, it also refers to the field of documentation that lacks some subjects from its scope of intelligibility. Some are *undocumented*; they are historically unrecorded, they lack the kind of notation that documentation bestows upon some bodies and denies to others. Thus, undocumentation defines, presumably, a body prior to dominant forms of signification. After all, to signify the body is to already somehow document it, to locate it within a signifying system.

By making undocumentation, rather than documentation, the legible sign on the body, undocumented immigrants call attention to the artificial separation of “the body” from this regulatory nomenclature. There is a body behind the sign, which is stamped on the t-shirt, a body that becomes visually available through its creative articulation of the very same term by which its invisibility was policed. The visible inscription conjures the invisible one. The gaze turns towards the sign because the sign should not be there, because the lack of documents signifies, precisely, a certain form of interdiction from public visibility, a certain expulsion from the public audio-visual record that makes existence legible for the public. The protest documents—through the public exposure of the body as a legible text—both its own public disavowal and the failure of such disavowal to completely exclude those bodies from public appearance and spectatorship.

The written sign calls attention to the regime of power that organizes the legibility and illegibility of bodies through the attribution or deprivation of certain documents to bodies that are racialized by means of these documents; a coloring of the body that is not independent from the regime of documentation itself. Documents both enable or disable the spatial movement of the body that either carries them or fails to produce them. The modern passport—transformed into the current technology during the French Revolution (Torpey 2000)—is just one of the documents through which freedom of movement is unequally allocated. The French Revolution had not yet finished when the document that was supposed to materialize freedom, by enabling its carrier to cross the borders, turned into its opposite, the reproducer of a new source of unfreedom that also restrains the ability of some from crossing. Rather than enabling movement, documents turned into a new source of confinement. Documents, endowed with the function to recognize personhood and mark belonging, to bridge the gap between the human and the citizen as Roberto Esposito (2012) has investigated historically, were equally endowed with the capacity to deny it, and the border separating one action from the other was marked and reproduced by color lines.

Documents became the new political fetish and the fetishism of the document served several political functions for what could be called, with Michel Foucault (2007 and 2008), post-revolutionary liberal governmentality.<sup>6</sup> First, documents enabled the policing mechanism through which the nation-state was able to strengthen the hyphen between the juridical order of the state and the ethnic order of the nation. Documents could be issued, granting membership to some, but they could also be revoked or denied, depriving others of it. The racist caesura separating the proper from the improper subject of the nation was

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<sup>6</sup> Indebted to the work of Michel Foucault, Wendy Brown (2010 and 2015) offers a more recent critique on neoliberal governmentality and touches, even if it is not the focus of the book, on its impact on undocumented immigrants.

normalized by the administrative machinery of the state in charge of issuing or denying documents for the subjects that it produced in the process.<sup>7</sup> Second, documents facilitated the re-articulation of old colonial practices of control and surveillance under the liberal language of national self-determination and rational administration. Through documents, populations were now classified and organized. All kinds of identities were fabricated and codified through the administrative device, a policing process that had its origins in the colonial practice of issuing identity cards in order to organize, discipline and control colonized populations (Longman 2001, and Lyon 2009). Finally, documents guaranteed the reproduction of the global asymmetry between capital and labor by making the former fluid, territorially unbounded, and the latter static, territorially fixed. An asymmetry that has only increased with the consolidation of neoliberal globalization, which emptied the distributive function of the nation-state, still the dominant space of juridical-political address for labor, so as to increase its exploitability. Today's accumulation of capital relies on the underpaid labor of invisible workers whose conditions of livability (their opportunity to find a job) coincides with their conditions of unlivability, the disenfranchisement that renders them disposable, thus, attractive to capital (Bales 1999; Butler and Athanasiou 2013; and Sassen 2014).

"Undocumentation," then, names an injury, the policing nomenclature through which the invisibility of these subjects is achieved in order to overexploit their labor-power within legacies of imperialism and colonization. Unlike the policing name, which destroys the body through its inscription, delivering it for capitalist overexploitation, the self-naming *recreates* the body, it calls attention to its existence and it documents it alternatively. The subject is, in both cases, partially constituted through this very naming, which does not exhaust its efficacy in this process of subjectification. After all, the verbal injury of the policing interpellation produces not only the victim, the addressee of the name, but also the perpetrator, its authorial source. When undocumented immigrants wear these t-shirts in public demonstrations, the naming of the subject as undocumented, by the sovereign police, produces the sovereign police as the fic-

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<sup>7</sup> Within these national grammars of color, brown and black bodies suffer similar forms of disenfranchisement through the policing device of the paper and yet, papers are frequently one of the achievements of their political struggle too. I am especially grateful to the reviewer(s) of this paper for pointing me towards the excellent work of sociologist Elijah Anderson (1990 and 2012), who adequately highlights the ambivalence of documents as political devices that simultaneously enable and disable colored bodies from different domains of action, particularly when interrogating larger structures of power and their operative logics in the street and at the level of the everyday life.

tive origin of the naming, which further occludes the equivocal source of authority that the reclaiming of the name re-opens as a political question.<sup>8</sup>

To be undocumented, to be outside dominant forms of documentation, means to be in a condition of non-belonging. Such a condition is not a given factum, but a politically produced one. The state uses the document to distribute political membership, documenting some and depriving others from documents, manufacturing the citizen/undocumented immigrant binary that, otherwise, is presupposed as grounding the documenting. The possession or lack of documents regulates a great variety of activities for the subjects that it produces: from access to health services to driver's licenses to trans-border mobility and political action. Documents and the lack thereof, then, allocate precariousness and social and political capabilities differently.

The complete absence of papers, however, is never a return to a bare life, to some pre-political original nakedness. Judith Butler was right when she claimed, against Giorgio Agamben's (1998) notion of the bare life, that "no matter how destitute the situation becomes (...) there are a set of powers that produce and maintain this situation of destitution, dispossession, and displacement" (Butler and Spivak 2011, 10). Bare life does not appear when the subject is dispossessed from its documents; dispossession is always politically produced and sustained by a domain of power for which the possession of documents is made necessary to make a life livable. Undocumented immigrants are not stripped from a status but accorded a negative one, which prepares their dispossession and future displacement through deportation.<sup>9</sup> Therefore, all the predicates used to name such status denote some kind of dispossession. "*Undocumented*," "*unauthorized*" and "*illegal*," all these social constructs require a negative prefix, they all describe an ontological lack which is politically produced. The predi-

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<sup>8</sup> At a theoretical level, this performative troubling of the priority and derivativeness of power that I seek for in the "I'm undocumented" protests, is what I interpret Judith Butler doing when linking Foucault's work on power with Derrida's critique on the metaphysics of presence. From the former Butler (1997b) takes the double sense of *assujétissement* (subjectification), in which the subject is both constituted by power and enacts power too; from the latter, Butler (2004) takes the inversion of hierarchies by which the objectivizing force of subjection risks, in each performative instantiation, to turn into its opposite form of resistance. I am grateful to the reviewer(s) of this paper for emphasizing the links between my analysis of theatricality and Foucault's double interrogation of the relationship between subjectivity and power. This paper seeks to expand on that relationship by attending to its public appearance in different theaters of power, yet, unlike Foucault's investments on disciplinary forms of power, my own approach deliberately accentuates the sites of resistance, the protest in the streets, without for that reason overlooking the dominant forms of subjection that undocumented immigrants contest through their actions.

<sup>9</sup> On deportation as a regime of power see the different essays on the volume edited by Nicholas de Genova and Nathalie Peutz (2010).

cates make some to *be* in the form of non-being, contributing to the racialized violence that links brownness to illegality (García 2015).

The policing use of the name serves another function, it de-politicizes political belonging by refracting to some kind of pre-political ontology, of given reality, which further attenuates the political production of the naming itself as the site in which belonging and non-belonging is not made (a performative) but merely registered (a constative). The predicates, then, reproduce the geopolitical border discursively. One should not forget that the violence of the border is as visible in its crossing as it is in the absence of such crossing. The successful unauthorized crossing marks the undocumented as deportable, as vulnerable to expulsion, but it also marks the subject of the unsuccessful unauthorized crossing as undesirable in the racist re-mapping of the territorial division. Racialized bodies are both expelled from the unwelcoming territory through deportation but also contained in their territories of origin through the refusal to grant them proper documents.

The existence of the document, nevertheless, does not guarantee the impermeability of the border; it does, however, reproduce and increase the commodification of the subject that it injures. The document is as much a political, social and economic device of control as it is its absence, one by which capital separates desirable from undesirable aliens, one by which destitution is placed and displaced so as to make some more exploitable than others. Desirable aliens, those able to be documented, are frequently the ones who can demonstrate to have their own means of support. They must be able to pay the fees to acquire a valid document but, more importantly, their future document rests in the prior possession of certain documents and in the non-possession of others. This means that undocumented participation in forms of violence that it neither originates nor ends. These other forms of violence might predate the juridical deprivation of personhood that undocumented participation inflicts on the subject but are more often strengthened by it: political persecution, unemployment, war, extreme poverty, sexual violence, racism, etc.<sup>10</sup> Undocumented participation is inseparable from them but it is also not reducible to them; rather, it contributes to make those forms of violence more saturated by marking the subject not as “illegal” but as *alegal* (Lindhal 2013), as being beyond the scope of the law. The policing threat, the fear of deportation looming over the subjects after their successful unauthorized crossing, enables all kinds of abuses from employers, partners, co-workers, official authorities, etc. Given that the subjects often cannot seek protection in the law that only recognizes them as unrecognizable, juridical deprivation—the injury—becomes a weapon with which to inflict more violence and increase the abuse and the exploitation of the subject.

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<sup>10</sup> For a more macro-analysis of power that emphasizes the structural constraints imposed on immigrants see Bacon (2008).

The established order further fetishizes the document, by making the conditions of livability orbit around the possession of proper documents. The excessive policing of undocumented immigrants helps to render invisible the policing of documented ones. The asymmetry between the documented and the undocumented subject is played against both. The absence of rights, subjugation, precariousness, and radical exposure to state violence, among others, cannot characterize the condition of the documented because they already characterize the condition of the undocumented. The goal, then, is decided in advance: how to turn the undocumented into the documented. Having papers becomes the new political goal of emancipation, the objective that re-codifies the political struggle as doing the work of supplementing the lack, of fixing the negative prefix, shifting the accent from the protests in the street to the lobbyist in the Capitol. This shift of emphasis refers to the recodification of the protest as the new site of nationalistic fantasies, a desire for “America” in the US context that romanticizes both what that America signifies and the referential object of such desire<sup>11</sup>. The political struggle that reveals and contests the complex system of governmentality gets reduced to a problem of future enfranchisement. Such reification of the document re-establishes the dichotomy between the documented and the undocumented, between the possessor of documents and the one for whom documents are denied. The teleological subordination of the “I’m undocumented” protest to its future enfranchisement misses an important dimension of the protest, the political confrontation of two logics of being in public, one that renders

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<sup>11</sup> In the US such fantasies are usually mapped into the “American dream” that the *dreamers* (social movement of unauthorized immigrants, mainly in college, fighting for alternative means of enfranchisement) are said to dream now in Spanish. In her conversation with Gayatri Spivak, Judith Butler (2011) gave a different reading of another reclamation of the nation troubling linguistic markers of race. She analyzed the singing of the US and Mexican anthems both in Spanish in the spring of 2006 during the street demonstrations of unauthorized immigrants in various cities of California. Singing the anthem in Spanish, just after Bush had claimed that it could only be sung in English, directly contested the linguistic exclusion that reproduced the racial boundary. The singing troubled the border that rendered Spanish speakers non-existent through the public interdiction of their language. The singing of the Mexican anthem troubled the mono-national fixation of affects in the territory. The singing confronted a homogenous view of the state as mono-linguistic with a pluri-linguistic one in which the hyphen between the nation and the state could be severed so as to allocate more than one national attachment. But the most important aspect of the singing was its articulation of equality. As a national symbol that refers to the totality of the community, the singing of the anthem in the interdict language mobilized the inclusiveness of its totality against itself. To invoke the terms of Jacques Rancière (1999), the protestors demonstrated that they were a part of the same community by chanting its national anthem, but at the same time they also demonstrated that they were not yet a part by chanting it in the interdict language, they were the part of those who have no part in the order of the community.

undocumentation invisible and another that grants it visibility by empowering the subjects through the very same terms by which they were politically disavowed. It erases the world in which it is possible to *be* without documents, which the protest brings about as a factual even if transitory possibility. The fetishism of the document generates such political displacement by repositioning the document as the desirable object, further marginalizing the empowering potential of its lack when such lack is articulated within a contestatory logic. To be undocumented, then, is thrown back into that pre-political ontological condition of nakedness upon which politics (fully-legally-codified-personhood) then, crafts a subject, a “truly” political subject fully enfranchised.

Undocumentation, however, describes neither a *tabula rasa*, nor a human universal condition prior to power, it describes an effect of power-relations. The alternative self-naming renders legible the political process that distributes dispossession on the basis of this prior possession and lack of certain documents. It also visibilizes the regulatory functions articulated through this policing device. Finally, it hastens its failures, it anticipates the potential undoing of this regime of power for which the possession of documents are necessary by bringing about a world in which the absence of documents means the opposite to what such absence is supposed to signify, an opportunity for collective assembly, public deliberation and political action.

One should not read in the undocumented the human behind the document, the new site of universal humanism beyond the signifying capture of the document that, in its turn, makes documentation into the universal language of political intelligibility. As much as belonging is not a universal condition of the human, expressed through its proper documentation, non-belonging is not either. There is not naked life behind a form-of-life, a naked life is always already wrapped in something, even if that something takes the form of nakedness. Nakedness is not the void, the existential zero or the political vacuum, but the form-of-being that takes the form-of-non-being as its form and with potentially de-stabilizing possibilities. In other words, there is not an ontological substratum behind politics that is able to ground it; on the contrary, such substratum is, in part, one of its retroactive political effects. Documents are not the rightful property of the citizen, documents are the policing device by which the citizen is made into the proper and the undocumented alien is made into the improper, but they are also the occasion for producing the failure of such distribution and exposing the violence that rests at its center.

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