

## Relational Legal Consciousness of U.S. Citizenship: Privilege, Responsibility, Guilt, and Love in Latino Mixed-Status Families

Leisy J. Abrego

Based on interviews with 100 members of mixed-status families in Los Angeles, California, this article analyzes how U.S. citizen children practice and understand citizenship in the context of punitive laws targeting their loved ones. Participants' narratives of citizenship as privilege, responsibility, and guilt reveal that despite normative conceptions of citizenship as a universally equal status, citizenship intersects with key social markers to determine the contours and inequalities of substantive citizenship. Specifically, U.S. citizens in mixed-status families make sense of their juridical category when they navigate unrealistic aspirations from relatives, maintain silence about undocumented family members' legal status, manage their fear of family separation through deportation, and take on financial and logistical responsibilities prematurely to help relatives. In each of these ways, family proves to be a key site for the social and relational production of citizenship.

Currently, over 4 million children under age 18 are U.S. citizens living in what are known as mixed-status families—with at least one undocumented parent. Legally, the U.S. Constitution procures their citizenship;<sup>1</sup> substantively, however, they are likely to suffer a series of developmental and educational setbacks resulting from obstacles that target their undocumented parents (Capps et al. 2016; Dreby 2015; Suárez-Orozco et al. 2011; Yoshikawa 2011). A few studies examine the legal consciousness of undocumented immigrants (Abrego 2008, 2011, 2018; Menjívar and Lakhani 2016), but we know

---

This project was funded by a UCLA Hellman Fellowship and by the UCLA Center for American Politics and Public Policy. I wish to thank Katy Maldonado, Jackie Caraves, Eva Morelos, and Ariana Valle for their diligent and astute research assistance on this project, as well as Carlos Colorado for his support. I also benefitted from the anonymous reviewers and Marjorie Faulstich Orellana's feedback on previous drafts.

Please direct all correspondence to Leisy J. Abrego, César E. Chávez Department of Chicana and Chicano Studies, University of California, Los Angeles, 7357 Bunche Hall, Los Angeles, CA 90095-1559; e-mail: [abrego@ucla.edu](mailto:abrego@ucla.edu).

<sup>1</sup> The 14th Amendment of the U.S. Constitution grants citizenship to “[a]ll persons born or naturalized in the United States,” thereby legally incorporating children of immigrants, regardless of parents' place of birth or legal status. In moments of heightened xenophobia, discussions about reinterpreting the 14th Amendment to exclude children of undocumented immigrants abound, but no attempts to date have been successful.

*Law & Society Review*, Volume 53, Number 3 (2019): 641–670  
© 2019 Law and Society Association. All rights reserved.

significantly less about how their U.S. citizen relatives understand and employ their juridical category. Based on findings that arose from a study initially focused primarily on Deferred Action for Childhood Arrivals (DACA) recipients,<sup>2</sup> this article examines the legal consciousness of citizen members of mixed-status families through a relational approach that I argue best captures how substantive citizenship is socially produced within families.

Through its laws and practices, the state misleadingly represents itself as producer and arbiter of normative citizenship, with equal rights for all citizens (Brandzel 2016). The experiences of U.S. citizen children in mixed-status families, however, reveal that much like for other members of marginalized groups, substantive citizenship is contested and unequal. In practice, citizenship has always intersected with race, gender, class, sexuality, disability, and other markers of social location to determine the contours of the lived realities of citizenship (Erevelles 2011; Fox 2012; Glenn 2010; Luibhéid 2002). Indeed, legal citizenship was initially only available to one intersectional category: white male property owners (FitzGerald and Cook-Martín 2014; Garcia 1995; Gordon and Lenhardt 2007). Women and people of color have since gained greater legal inclusion, though citizenship arguably still means different levels of access and privilege by identity markers. What is distinct about mixed-status families is that the family unit must navigate resources and barriers unevenly within its members based on stratified legal categories (Abrego 2016). Examining their experiences brings into relief that citizenship intersects not only with an individual's social location, but also with the legal statuses of their family members. The current immigration regime blocks undocumented and temporarily protected immigrants from key educational, employment, and social service opportunities, making it difficult for immigrants and their families to thrive, even when one or some members are U.S. citizens (Menjívar et al. 2016).

I am particularly interested in the legal consciousness—the common sense understandings of the law (Merry 1990)—of U.S. citizen young adults who grew up in mixed-status families. Participants' narratives of citizenship as guilt, responsibility, and privilege reveal that legal consciousness about citizenship status is centrally and relationally developed through key mechanisms within the family. These include navigating unrealistic aspirations from relatives, maintaining silence about undocumented family members' legal status, managing their fear of family separation

---

<sup>2</sup> DACA is an Executive Action carried out initially by President Obama in June 2012. It grants certain undocumented 1.5-generation immigrants protections from deportation, state-issued ID, and a work permit for a renewable period of 2 years.

through deportation, and taking on financial and logistical responsibilities prematurely to help relatives. While U.S. citizens' interactions with the state (Bloemraad 2018), neighbors, police officers, fellow students, teachers, and strangers relationally provide them with information about the meaning of their citizenship in different spaces, the deeply rooted relationships with loved ones most powerfully determine how they make sense of their juridical category.

### **Immigration Law and Immigrants' Legal Consciousness**

In the contemporary moment, international migration to the United States is marked by punitive immigration laws that, when combined with a hostile sociopolitical climate, produce a criminalized state of illegality—the condition of undocumented immigrants' legal status and deportability (De Genova 2002; Menjívar and Kanstroom 2013)—for over 11 million people (Krogstad et al. 2017). Immigration laws currently serve to legitimize society's harmful treatment of undocumented and temporarily protected immigrants (Menjívar and Abrego 2012).<sup>3</sup> The convergence of immigration law (which historically has been determined through civil and administrative law) with criminal law has opened the door to various structural and symbolic forms of violence against immigrants. In the context of an expanding network of immigrant detention centers, including many run by for-profit prison corporations (Montange 2017), as well as record numbers of deportations, fear and blocked access to mechanisms of social mobility harm immigrants' short- and long-term well-being (Abrego et al. 2017).

Living under these conditions, undocumented immigrants make sense of their place in U.S. society by drawing on lived experiences and popular tropes to counteract the exclusionary language of law and the criminalization they face (Abrego 2008). Their social location, based on gender, generation, and other markers, shapes their legal consciousness and informs how they assert their agency (Abrego 2011). First generation undocumented immigrants, for example, because they migrated as adults and mostly participate within the social institution of work, develop a legal consciousness that is rooted in fear of being detained and deported (Abrego 2011). This prevents many from making work-related claims or participating in collective demands for greater inclusion (Gleeson 2012). On the other hand, 1.5-generation undocumented

---

<sup>3</sup> Legally unstable immigrants include those who are not legal permanent residents or naturalized immigrants. In the United States, this includes those with temporary protected status, deferred action for childhood arrivals, and multiple humanitarian visas (Abrego and Lakhani 2015).

immigrants who migrate as children may develop a legal consciousness based on stigma when they study in U.S. schools and come to understand that despite sharing similar experiences as their peers, their legal status blocks them from work and educational opportunities as they reach adulthood (Abrego 2011; Gonzales 2011). Without the social support to overcome stigma, their legal consciousness may also prevent 1.5-generation undocumented immigrants from demanding rights.

Legal consciousness, however, is fluid. Produced through a dialectical process between laws and social life, legal consciousness adapts to make sense of new tropes and experiences (Ewick and Silbey 1998; Hernandez 2010). In some cases, even though they are officially “outside of the law” (Motomura 2014), undocumented and other immigrants with temporary forms of legal status develop a legal consciousness of resistance that empowers them to enact practices of citizenship (Abrams 2014; Patler 2018; Schwiertz 2016; Zimmerman 2015). Whether because they are claiming rights, resisting unjust policies of exclusion, or effectuating political subjectivities that resist the power of the nation-state, immigrants can construct a form of citizenship based on “an enactment of membership in a cultural and political community” (Zimmerman 2015: 28). They develop a legal consciousness that highlights their positive social contributions to engage politically outside of the electoral system to participate in civic life and democracy in ways traditionally considered to apply only to citizens (Abrams 2014; Chacón 2018; Coll 2010; Coutin 2000; Gonzales 2013; Negrón-Gonzales 2014, 2015; Pallares 2014).

Importantly, legal consciousness is also relational (Chua and Engel 2019). Individuals do not acquire legal consciousness in a vacuum; rather, they do so as members of social networks and in relation to how others in their social groups experience the law. For example, DACA recipients in mixed-status families who gain spatial and economic mobility also develop legal consciousness that reflects renewed optimism, while their families who benefit by association gain independence and collective confidence (Abrego 2018). We know little, however, about how citizens in those families develop their own legal consciousness about their juridical category. In line with previous studies on legal consciousness (Abrego 2008, 2011, 2018; Engel and Munger 2003; Ewick and Silbey 1998; Hernandez 2010; Hoffmann 2003; Merry 1990; Nielsen 2000), here I am also interested in how legal consciousness may inform people’s agency.

### **Citizenship and Mixed-Status Families**

From a normative perspective, citizenship determines “who is a member of the modern state, who can participate, and what

form that can take” (Rocco 2014: xxviii). Full membership presumes equal rights across a number of realms. For example, citizens should all have equal civil (rule of law, personal liberties), political (participation in the formal political process through vote), and social (access to education, economic welfare) rights (Marshall 2013). Normative citizenship should also produce identity that is centrally anchored in law and policy, along with a sense of membership and feelings of belonging (Bloemraad 2006; Bosniak 2006). Marginalized groups of citizens, however, have historically and contemporarily been systematically excluded from resources, rights, and protections across all realms of citizenship based on their racial, ethnic, gender, sexuality, class, and ability backgrounds (Brandzel 2016; Engel and Munger 2003; Glenn 2002; Oboler 2006; Roberts 1997, 1998; Rocco 2014). Unequal rights in any realm of citizenship, moreover, make it difficult to achieve or maintain a reasonable level of well-being (Getrich 2008).

To better theorize the structural inequalities that deeply stratify the category of citizenship, researchers have developed concepts, such as *substantive citizenship* that captures “the actual ability to exercise rights of citizenship” (Glenn 2002: 53); *insurgent citizenship* to document how economically disenfranchised members of the polity come to demand greater rights (Holston 2009); and *associative citizenship* to account for the racialization and exclusionary inclusion of Latino citizens in the United States (Rocco 2014). Building on this line of research, I am interested in exploring the dialectical relationship between structural inequalities that shape citizenship and U.S. citizens’ legal consciousness of citizenship. The concept of legal consciousness allows me to consider both the power of laws and the complexities of social life that together inform people’s interpretation of their juridical status.

The nation-state, through its immigration policies, confers legal statuses that centrally and unevenly determine an immigrant’s life chances. These legal status distinctions establish inequalities across a number of social institutions—including education, employment, and social services—that affect individuals and families (Menjívar et al. 2016). On a spectrum of various immigration legal statuses, citizenship is certainly the juridical category granted the most rights and protections. From a legal consciousness perspective, therefore, citizenship should presumably inspire a sense of belonging and legal entitlement to all resources exclusively available to citizens. And yet, as Suzanne Oboler argues, “the meaning of citizenship is best defined as a collectively lived sense of belonging—a sense of being ‘home,’ a sense of one’s place, born primarily from daily life participation in the public sphere” (Oboler foreword in Rocco 2014: xiii). I draw on this notion of a collective experience of citizenship—and more specifically, a relational, family-based experience—to

interrogate the legal consciousness of U.S. citizens when their loved ones are targeted by punitive immigration policies.<sup>4</sup>

In this article, *mixed-status families* refers to household units with immigrant members with different legal statuses, that may include undocumented immigrants, DACA recipients, temporary protected status holders, legal permanent residents, a number of humanitarian statuses, and U.S. citizens. Currently, despite a decline in the number of undocumented immigrants in the United States to roughly 11 million, the number of mixed-status families continues to grow when undocumented immigrants have U.S.-born children (Krogstad et al. 2017). Between 2009 and 2013, there were over 5 million children under age 18 living with at least one undocumented parent (Capps et al. 2015, 2016). Of those, 4.1 million (or roughly 79 percent) are U.S. citizens (Capps et al. 2016). Notably, in many mixed-status families, parents migrate after having children in their country of origin. When these families are able to live together in the United States, it is likely that older siblings are undocumented or only temporarily protected while younger siblings are U.S. citizens by birth (Capps et al. 2016: 4).

Arguably, the DACA program, established by President Obama in 2012,<sup>5</sup> also created a new form of mixed-status families when it provided access to limited rights for some undocumented 1.5-generation immigrants.<sup>6</sup> Along with being deemed low priority for deportation, beneficiaries gained access to work permits and state-issued IDs that benefited them and their families (Batalova et al. 2014; Gonzales et al. 2014; Pérez 2014; Wong et al. 2013). Given the age restrictions for DACA eligibility and the demographics of mixed-status families (Capps et al. 2016), the 800,000 DACA beneficiaries shifted the make-up of mixed-status families that now include fewer undocumented immigrants (who currently have temporary protections), along with their undocumented parents and, sometimes, U.S. citizen younger siblings.

Whether documented, undocumented, or recipients of DACA, children growing up with undocumented parents are likely to face a series of structural challenges set in place by immigration laws

---

<sup>4</sup> While the phenomenon of relational citizenship regularly occurs between an individual and the state (see Bloemraad 2018), here I am using relational to signal intersubjectivities between individuals and families.

<sup>5</sup> The Trump Administration announced its decision to rescind the DACA program in September 2017, but at the time of this writing, the courts have upheld the program. Although no new applications may be filed, prior recipients have been allowed to renew their DACA standing through the Fall of 2018. See: <https://www.nilc.org/issues/daca/daca-litigation-timeline/> (Accessed on September 22, 2018).

<sup>6</sup> I say “arguably,” because DACA is technically not a legal status (see Cobb 2013). However, even if only temporarily, the access to new resources and protections generates experiences that are similar enough to mixed-status families that they merit such an analytical approach (see Abrego 2018).

and social welfare policies (Menjívar et al. 2016). In general, having undocumented parents makes it more likely that children will live in poverty and experience developmental delays due to parents' lack of access to resources available to U.S. citizen parents (Suárez-Orozco et al. 2011; Yoshikawa 2011; Yoshikawa and Kalil 2011). Children of undocumented parents are also more likely than others to experience high levels of food insecurity (Van Hook and Balistreri 2006) and long-term poverty from childhood through adolescence (Capps et al. 2016: 6).

With as many as half a million parents deported between 2009 and 2013 (Capps et al. 2015: v), children of undocumented parents are also likely to live in fear of a parent's deportation and subsequent family separation (Dreby 2012; Rojas-Flores et al. 2016; Zayas 2010). Within the home, legal status may play a role in determining stratified levels of chores, as well as unequal access to healthcare, educational, and travel opportunities (Dreby 2015; Mangual Figueroa 2012; Menjívar and Abrego 2009). Along with various social institutions, the legal system that adjudicates applications for legal permanent residency centers the needs of U.S. citizens, often without regard to the well-being of undocumented or legally insecure relatives (Gomberg-Muñoz 2016). The condition of illegality, however, spills over to affect all members of mixed-status families (Abrego 2016; Rodriguez 2018), so how do U.S. citizen children in these families navigate the contradictions of inclusion and exclusion?

Empirically, this article contributes to the literature on the production of illegality by extending the analytical lens to U.S. citizen members of mixed-status families. Theoretically, I contribute to the vast literature on citizenship by pointing to a need to examine citizenship relationally to identify mechanisms that translate legal status into legal consciousness. This approach confirms that citizenship is multilayered and contradictory, fractured, and uneven, with illusory rights for members of marginalized groups (Brandzel 2016; Hörschelmann and El Refaie 2014). What I find, however, is that the social construction of citizenship, as expressed through legal consciousness, is developed most prominently in relation to others. While all members of society may help inform citizens' legal consciousness about their juridical category, I argue that the narratives and experiences of loved ones are particularly meaningful—especially for those whose relatives are targeted by harsh laws and enforcement practices.

## Methods and Data

To access the narratives about intimate family life and legal consciousness, I draw on 100 in-depth interviews of an ongoing

project conducted between July 2013 and July 2017 with members of mixed-status families from El Salvador, Guatemala, Honduras, and Mexico residing in the greater Los Angeles area. Importantly, Los Angeles is a traditional immigrant destination with multiple generations of Latino immigrants who are central to the social fabric of the city (Abrego and Schmalzbauer 2018). Geographic context, even across neighborhoods in this vast metropolis, but especially across cities and states of the United States, likely affects how undocumented immigrants and mixed-status families develop their legal consciousness (Abrego 2013; Dreby and Schmalzbauer 2013; Licona and Maldonado 2014; Marrow 2011; Schmalzbauer 2014). Two research assistants and I located and interviewed one DACA recipient and one or two relatives with different legal statuses per family in neighborhoods of Los Angeles, San Bernardino, and Orange County. We each conducted about a third of the interviews. Interviewees include mostly DACA recipients, followed by undocumented parents, nine U.S. citizen siblings, a few documented parents, and a few undocumented older siblings—all of whom were 18 years of age or older. We carried out the interviews in the preferred language of participants—in Spanish, English, or a mix of the two. The conversations were recorded and transcribed in the language spoken.

Based entirely on study participants' availability, we conducted interviews with individuals separately, in pairs, or in groups of three per family, as was most convenient for them. In other work that I am developing, I explore the incredibly rich and textured information about family practices and experiences from different perspectives that this approach revealed. For the purposes of this article, however, I do not have sufficient data to systematically analyze legal consciousness of U.S. citizenship as it may have varied by the number of people and the legal statuses represented during each interview.

I am an immigrant and throughout my life, my extended family has included a number of mixed-status nuclear units. This makes me intimately familiar with many of the experiences I analyze here. Most importantly, however, I have been conducting research in this area over the past 18 years, immersing myself in a number of meetings, community events, and discussions organized by members of the immigrant rights movement. My participation in these spaces has provided access to relevant narratives and unique stories that I use to contextualize my research. My institution's Internal Review Board (IRB) approved the project. In the IRB application, I detail the vast history of community engagement that permits me to enter these spaces. Leaders often recognize me or know my work, so they trust that I will keep their identities anonymous and their actions safe. Indeed, I consider it



my ethical duty to prioritize their anonymity, safety, and full humanity in every piece of writing and in every presentation of the work.

The two research assistants—a doctoral student and an advanced undergraduate student—helped me locate and interview participants for this project. Though rooted in different geographical and demographic communities of the greater Los Angeles area, both are Mexican immigrants and leaders in different sectors of the immigrant rights movement. Their participation in activist spaces vastly strengthened the data collection process because they were able to include participants with a wide variety of experiences.

I did not set out to examine the experiences of U.S. citizens in mixed-status families.<sup>7</sup> Rather, in a project about how DACA affected families of recipients, when I sat down to conduct interviews with various members of these mixed-status families, I noticed that U.S. citizen siblings were often more visibly emotional than their relatives when they spoke. They cried and struggled to express their thoughts about the inequalities within their families. Their behavior differed notably from their undocumented or DACA recipient relatives who were generally highly aware of and able to easily articulate how their status shaped their lives. U.S. citizens, on the other hand, noted that they had not had many opportunities to discuss their feelings and observations. For most, the interview was the first time they expressed these thoughts out loud.<sup>8</sup> After confirming this pattern in the interviews conducted by the two research assistants, in an inductive manner I centered U.S. citizen narratives to develop an analysis about the processes of relational legal consciousness of citizenship.

My analysis follows a constructivist grounded theory approach (Charmaz 2000). Along with two other research assistants, we used Dedoose to establish codes that were theory-driven, but also coded line by line in search of emerging themes. The inductive part of this process, in conjunction with our regular check-ins about the study, and the writing and review of memos led to our sustained analysis of citizens' legal consciousness in mixed-status families.

---

<sup>7</sup> The fact that the project was designed around the recruitment of DACA recipients also means that, given the executive action's age limits, the U.S. citizens in this study are young adults. Along with the processes of relationality that I lay out in this piece, it is also to be expected that study participants' perspectives about citizenship are informed by their stage in the life course.

<sup>8</sup> With few exceptions (see Dreby 2015; Rodriguez 2018), we know little about the experiences of adult members of mixed-status families. Future research should explore how other factors, such as race, class, sexuality, and ability play a role in the experiences and legal consciousness of U.S. citizen members of mixed-status families across the life span.

## **Legal Consciousness of U.S. Citizens in Mixed-Status Families**

To examine the processes of relational legal consciousness of U.S. citizens, it is necessary to first provide the mixed-status family context in which these U.S. citizens live. In a historical moment marked by record numbers of deportations, immigrants live with great fear of deportation and family separation (Abrego et al. 2017). Because citizenship is the only status that can best protect them from forced expulsion, the value of this juridical category is heightened. Moreover, as social welfare policies become increasingly exclusionary, undocumented and otherwise liminally legal immigrants who cannot access healthcare and other social services value citizenship even more; they come to see it as the solution to all their problems. Through dozens of interactions and in many interviews, I have heard immigrants locate the source of all privilege within the formal legal status of citizenship. Presuming that as Latino immigrants they will likely always face discrimination based on race, they minimize other forms of exclusion (including by gender, sexuality, religion, and ability) to instead understand everyone's progress in the United States mostly through the lens of legal status. Such an approach can powerfully shape experiences of citizenship for U.S. citizens, especially within the intimate space of family (see also Mangual Figueroa 2012).

### **Processes of Relationality in Mixed-Status Families**

In this section, I draw on the narratives of undocumented parents, undocumented siblings, and siblings with DACA to begin to demonstrate the relational processes that inform legal consciousness of the juridical category of citizenship within mixed-status families. Hector is a 23-year-old community college student and a worker at a nonprofit organization. His parents migrated from Mexico to Los Angeles, leaving Hector and his brother when they were only toddlers. Once in the United States, the parents had one more child. It took them 9 years to gather the financial resources to be able to attain housing and cover the cost of travel for both Hector and his brother to reunite with the family in Los Angeles. As Helia, their mother, recounted:

Yes, well, imagine that it was a lot of happiness, but also lots of clashes between the one born here and the ones not born here. So there were lots of differences... For us [her and her partner], it was great happiness. We only cared that we were all finally together and we didn't care about what we would eat tomorrow, we cared about being together. That's what was important to us.

Thrilled to finally be reunited and living in one country, under the same roof, Helia wanted to focus on their being together, but she later realized that the family separation and the different statuses meant that there would be inequalities within their home:

We saw it with our kids. Heidi, well, she had opportunities because she was born here, she could apply for scholarships and apply for aid from the government and we would see that our other kids, they had the desire, but it's not until now [with DACA] that they're able to get insurance and a work permit and so we see the change.... To us, they were the same, but we could see the differences play out.

From the children's perspective, Hector recalled arriving in the United States and taking several years to adapt to being with his family. One summer during high school, Heidi—the only U.S. citizen in the family—had an opportunity to travel to visit family in another state. Hector and his brother wanted to go on this trip, as well, but they were not allowed. They were confused about why their younger sister would have this opportunity, but they were not permitted:

So my dad explained to us, “You guys are different. Even though you go to the same school and do the same thing, you guys are different. You cannot go to places that she can go. You can't do what she can do.” And the way he explained it, he was really messed up in a way, but it was the most honest way to say it. Pretty much nos dijo, “Ella nació aquí y tú no naciste aquí. Tú no tienes los mismos derechos.”<sup>9</sup> I perfectly understood, but it was messed up.

Mixed-status families learn to communicate that there are legal distinctions among them, often without referring to legal status (Mangual Figueroa 2012). As families increasingly come up against uneven access to opportunities and services, parents' decisions unavoidably also reproduce inequalities (Dreby 2015). They then try to explain the structural context as best as they can without harming the undocumented children. In the process, U.S. citizen children like Heidi come to understand that the citizenship juridical category is associated with more rights than those of other members of their family.

---

<sup>9</sup> Pretty much, he said, “She was born here and you were not born here. You don't have the same rights.”

### **Conflicting Aspirations for U.S. Citizens**

Another powerful relational mechanism that informs U.S. citizens' legal consciousness is their relatives' often unrealistically high expectations of them. This was evident in the interview with Lorenzo's (U.S. citizen) undocumented father, Luis, and his older sister, Laura, a DACA recipient. Note that the family is working class and they struggle financially at times. Laura stated that she indeed had high expectations of Lorenzo because she perceived him as "having everything." She admitted that as a family, "we pressure him, [tell him to] 'take advantage, don't just be like nothing.' He is like our voice." Not only must U.S. citizens make effective use of their perceived advantages, but they are also sometimes expected to be the "voice" of the family, representing the family's future and their hopes of well-being through citizenship's legally sanctioned presence and agency in the country.

Their father, Luis, added:

...we do pressure him just a little bit, precisely because of what [Laura's] saying, that he has everything he needs to get ahead. He has it all like on a silver platter as we say in Mexico... He's a citizen. Thank God he is not in need of anything else, he has it all. I don't know what more he could want.

Family members who struggle through the various limiting consequences of undocumented or otherwise liminal legal statuses perceive U.S. citizenship as the end goal, the answer to all problems. Inaccessible to them into the foreseeable future, citizenship takes on a heightened and idealized significance in their understanding of requirements for stability and success in the United States. Also, because they have been able to survive, sometimes even thrive, while also being undocumented, they are likely to minimize or even erase from their narrative the experiences and consequences of racism, sexism, classism, and all forms of structural violence that so powerfully exclude marginalized groups from full inclusion. Undocumented and DACAmented members of these families tend to construct a logic that suggests that their ability to survive without citizenship is proof that U.S. citizens, because they do not have the same legal obstacles, must always be more successful. In the process, and as I will demonstrate in a later section of the article, they set up what are often unrealistic expectations for U.S. citizens in general, and for the U.S. citizens in their families, in particular.

When U.S. citizens do not live up to the higher expectations, there is a common response from the undocumented and liminally legal members of their family. Undocumented and DACAmented sisters, Ofelia and Olga, for example, described some of the tensions

they lived through with their younger U.S. citizen brother, Omar. Ofelia said, “sometimes for my brother [being in a mixed-status family was] a little difficult because I don’t want to say we have a grudge but [we are] a little resentful sometimes because he didn’t take the opportunities.” While the undocumented sisters made a significant effort to attend school and work to support the family, Omar went through a “rebellious” stage and it took him years to come around to finish high school. Olga explained:

Yeah, he’s a really smart kid, just sometimes his decisions weren’t the best and we would just reiterate, “You have opportunities. We don’t understand why you’re not taking them. If we were in your place we would take them.” So I think it was always that like, “if you were in our shoes, you would think differently. If we were in your shoes, we would definitely try, and then some.” So I think it’s always been that.

From the perspective of undocumented siblings and parents who have to work extra hard in the face of explicitly higher obstacles, it is difficult to understand why any U.S. citizen would not take advantage of all the opportunities legally afforded by their citizenship. These constant reminders about their relative and idealized privileges become part of the relational processes that inform U.S. citizen members of mixed-status families’ development of their legal consciousness about citizenship.

High expectations for U.S. citizens can come in various forms. In one family, for example, the parents decided to teach their first U.S. citizen child, Antonio, to drive at a very early age. By the time he was 13, he was driving 60 miles round-trip weekly to purchase what they needed wholesale for their family informal business. His undocumented mother, Alicia, explained to me that this made the most sense for the family because these trips were crucial for their vending business and if the police were to stop them, at least they would not deport Antonio the way they would deport the undocumented members of the family. As Alicia described their situation, she said, the children “have had to mature, in a certain way, before their time because they’ve been driving since before it was their time to drive. And my children are part of the life we’ve had to live...” The same risks and responsibilities that come with “illegality” are shared with the U.S. citizens in the family for their collective survival.

Family narratives and expectations, therefore, play an important role in shaping U.S. citizen children’s legal consciousness about their juridical category. As I will demonstrate in a later section of the article, though not of their choosing, their citizenship grants privileges, responsibilities, and idealized expectations

that grow to feel overwhelming in the minds of some of these young adults.

### **Keeping Secrets, Fearing Deportation, and Recognizing Structural Privilege**

At the same time that parents and siblings are telling children of their U.S. citizen privileges and responsibilities, the things that are left unsaid may be equally or more influential in shaping children's legal consciousness regarding U.S. citizenship. Children learn from watching others. In all families, even when parents do not verbally explain what is going on, children may be picking up cues and building patterns in their mind to make sense of their worlds. This is certainly true among U.S. citizen children in mixed-status families. Even when parents try not to discuss their own legal status, children are likely to pick up on their parents' fear of interacting with police and ultimately of the potential for forced family separation through detention and deportation (Dreby 2015).

Sixteen-year-old U.S. citizen, Jacqueline, for example, is the daughter of an undocumented single mother.<sup>10</sup> Though she did not grow up hearing her mother talk openly about her fears of forced family separation, Jacqueline picked up the cues by witnessing her mother's reactions to radio announcements about sobriety checkpoints:

The hardest part of being a daughter to an undocumented mother is that sometimes we can't do things because she gets scared of being deported. Sometimes I feel as if I was illegal [*sic*] too because I am always looking for border patrol agents... Usually the Spanish radio stations alert the community about any activities that could put undocumented people in danger. When I'm in school I can't concentrate because I don't know if she will be coming home.

Knowledge and fear of the current immigration regime's targeting of immigrants seeps into Jacqueline's life within and outside of family. Understanding that this should not affect her as a U.S. citizen, she notes that she sometimes feels as though she, too, were undocumented. Her U.S. citizenship, while it should protect her and grant her full inclusion in the United States, does nothing to mitigate the fear of losing her mother on U.S. soil. In this situation, her legal consciousness as a U.S. citizen is informed by an inability to protect her mother.

---

<sup>10</sup> Though we did not formally meet to interview Jacqueline, she was present as we interviewed her mother and sibling, and offered a few comments during the conversation.

Similarly, 20-year-old U.S. citizen, Nayeli, discusses how her undocumented father's experience has shaped her own self-formation. Nayeli grew up on the outskirts of a touristic area of Southern California, with few other Latino neighbors. Although her mother is a U.S. citizen, the family had been unable to apply for her father's residency due to the 10-year bar that would separate the family (Gomberg-Muñoz 2016; Pallares 2014). Her mother, therefore, warned Nayeli never to discuss her father's status with friends. As Nayeli described, asking a child to keep a secret to protect a parent can have long-term consequences in their lives. When asked what is the most difficult thing about being in a mixed-status family, Nayeli responded:

The silence and having not to talk about it... It's been hard because when it comes to talking about it with people that I trust, it's hard just to even talk about it. It's hard for me to even admit that my father is undocumented. I've kept it a secret for so long, and I feel like it's my secret and I don't want to tell people about it. It's the way I internalize it. We do it to protect my dad.

She shared during the interview that she had difficulty developing close relationships with people because she was afraid to accidentally say something that may put her father in danger. Even though she is a U.S. citizen, her legal consciousness about her juridical status is shaped by the heavy burden of this secret, such that it forced her to close herself off socially in ways that prevented her full social development as a young woman.

Twenty-one-year-old Cesar is the first in his family to be born in the United States. His parents and older brother were undocumented throughout his childhood and early adulthood. During our interview, in response to my questions about his experiences growing up in a mixed-status family, he was adamant that U.S. citizenship did not protect him from the fear he witnessed in his parents, "As a child, I'd be in the car with my father and we'd see the police and I felt the same fear he felt. We'd be in the car and my father drove perfectly so that no one would stop him." Without his father having to explain what was going on, Cesar was able to witness the fear evident in his father's perfect driving and likely tense body movements around police. Cesar's legal consciousness about citizenship, therefore, is one of shared vulnerability. Notably, even in an arguably immigrant-friendly city and neighborhood, mixed-status families experience great fear of authorities. It is likely that these experiences are more frequent and pronounced in other parts of the country with smaller populations of immigrants and people of color (Licona and Maldonado 2014; Schmalzbauer 2014).

As they get older and especially if they have an undocumented older sibling, U.S. citizens in mixed-status families become more acutely aware of their families' legal inequalities and their own privilege. This is particularly true when undocumented older siblings struggle with college access and completion (Abrego 2006). Nineteen-year-old Robert, for example, was the first in his family to be born in the United States. Though he admitted that he was mostly unaware of what it meant for his sister, Rosa, and his parents to be undocumented during his childhood, things changed when his sister reached college age:

[The reality of the consequences of undocumented status] mainly hit after [Rosa] finished high school, when she realized she was stuck because she can't get financial aid. She can't get help for school. She spent a lot of years in the community college because she couldn't, even though she had all the units to transfer, she didn't have the funds to do it... [M]e, on the other hand, it was kind of, what are my options? And where can I go? Because I knew that I was going to get help, pretty much because the counselors told me since we aren't really in the best financial shape.

The transition after high school is starkly different for citizen and undocumented students. Even in the same family and despite the same financial need, only the U.S. citizens (or legally permanent residents, or, in some states, DACA recipients) will be able to access a full range of financial options that make college attendance and completion affordable and plausible. By this stage, younger U.S. citizen siblings are old enough to understand the legal and financial obstacles that set undocumented siblings on a difficult path, especially in comparison to their own. It is at this juncture that many U.S. citizens become cognizant of their own structural privileges in ways that, as I will detail in the next section, deeply impact their own and their families' futures. Notably, California is one of few states that now offer state-based financial aid for undocumented and DACAmented college students. The barriers are likely felt more intensely in the majority of the country where undocumented college students are ineligible for aid.

Whether through their relatives' narratives or by witnessing loved ones' fear, U.S. citizen children in mixed-status families understand that they could potentially be forcibly separated from their families. This shared fear, in turn, powerfully communicates to them that their U.S. citizenship during childhood and adolescence is meaningless in contributing toward a goal of family protection and well-being. Similarly, by observing their undocumented older siblings' educational and financial struggles, U.S. citizens learn first-hand their



unequal access to rights and opportunities. Through these family experiences, they come to develop a legal consciousness of citizenship that decreases the potential, and sometimes the desire, for full inclusion into the United States. In grappling with these realities, it is understandable that in some cases, their legal consciousness leads them to resist various aspects of their citizenship.

## Resisting Citizenship

Being members of these families during a historical moment of heightened criminalization and vulnerability means that these U.S. citizens are especially sensitive when they witness and personally experience their families' fears and dehumanization at the hands of politicians, law enforcement, and media. Many U.S. citizens in this study talked about the pain they felt at witnessing their families' struggles. Antonio is a case in point.

Antonio's undocumented parents work very hard to provide for their children. His mother, who was diagnosed with diabetes years ago, is not eligible for health insurance and does not have the money to pay for preventative care at private clinics. When she had a toe infection, the family relied on home remedies for days, refusing to go to the emergency room until the pain became unbearable. By then, it was too late; doctors amputated her toe. This experience weighed heavily on the family as concrete and embodied proof of the injustice of immigration laws. Interestingly, when I asked Antonio about what it meant to have undocumented family members, he resisted the term, "undocumented" and through his language tried to justify their right to be in the United States: "my parents at least have been here for a long time, so this is their land now and I don't see my sister or my parents as undocumented." As our conversation continued, I asked him what it was like to be a member of a mixed-status family and his response underscored the harshest situations he has had to witness:

well my mom's situation, illness.... when she gets sick, we want to take her to the doctor and everything but then she doesn't want to because of money.... because she doesn't have any medical insurance.... And then my dad doesn't have his papers so he has to get paid under the table.... until DACA came out, at least now my sister will get financial aid.<sup>11</sup> She couldn't because she was undocumented, so that kind of hurt because I'm going to get financial aid and my sister doesn't.

---

<sup>11</sup> DACA has provided work permits and some protection from deportation for eligible undocumented youth, thereby lessening some of the unequal access to educational and employment opportunities between U.S. citizen and undocumented siblings (see Abrego 2018).

Antonio's list of the various forms of physical and structural suffering that his undocumented loved ones go through reveals his associated sense of guilt and pain at having to witness this while knowing that he has more rights and opportunities than them. It is no wonder that he symbolically and rhetorically resists the label of undocumented for them. His words, in fact, suggest a desire to extend the legalization, protection, and rights of his juridical category to his loved ones.<sup>12</sup>

Resistance to the inequalities created by the legal statuses in their families can take various forms. Importantly, while family members' experiences are stratified by legal status, race and class inequalities can simultaneously weigh heavily on their life chances. For example, schools have historically excluded Latino students and even education professionals have often perceived Latinos as intellectually inferior (Flores 2017; Ochoa 2013). In this context, Latino students' resistance can include a determination to defy stereotypes of low academic performance. Some U.S. citizens' legal consciousness, therefore, moves them to resist by taking on many responsibilities to live up to a form of what education scholar, Vivian Louie, refers to as the "immigrant bargain" (Louie 2012)—that motivates children of immigrants to excel academically as a way to repay their immigrant parents' many sacrifices. Without a critical perspective on the structural source of their suffering, however, others resist their juridical categories by making decisions that will minimize their own privileges, even when the outcome is not helpful for themselves or the family.

### **Resistance through Deep Dedication to the Immigrant Bargain**

When families communicated openly about their legal inequalities and when they tried to assign different, complementary roles for everyone, U.S. citizens found ways to make the most of their privileges by taking on great responsibility and defying negative stereotypes. Antonio, for example, began to drive at the age of 13 to minimize his parents' risk of being stopped by police while driving. He also started working during high school to help his older undocumented sister pay for tuition. At the age of 16, Jacqueline asked friends and their parents to help her learn to drive to also take on this role for her family. Omar tried to establish credit as soon as he turned 18 to be able to serve as the financial liaison for his family. Isadora worked with her undocumented sister, Ilse, to apply for and win a large multiyear nationally competitive scholarship only

---

<sup>12</sup> As one anonymous reviewer noted, mixed-status families likely share similar emotions and stratified forms of exclusion and inclusion in U.S. society. What distinguishes mixed-status families, however, is that the inequalities are established and maintained by the law.

available to U.S. citizens. With these funds, and through her decision to initially forgo a 4-year college to save money, she was able to cover housing and tuition for both of them while she attended community college. In each case, U.S. citizens in mixed-status families are aware of what their juridical category makes them eligible for and they consciously seek out opportunities that will benefit undocumented members of their families.

Their decisions about schooling, work, driving, credit, and scholarships are guided by their legal consciousness of citizenship as added responsibility that is deeply based in their love for their family and their sense of guilt. For example, when Lorenzo introduced himself at the outset of the interview, he stated his name, where he was born, and where he attended school. Without any further prompting, he said, "I am 18 years old and I feel that I have to achieve a lot to make my father and my mother's life easier." When asked more directly about his experience in a mixed-status family, he responded, "I feel like I have to do everything for them, when I got my license I would drive my dad everywhere so nothing bad would happen and I would just help them in any way I can... I just feel like I am here to help them." And when asked about his future goals, he said, "I want to finish school, I don't know what I want to do yet, but I want to make a difference somehow, and make a lot of money, and make my parents not have to worry about anything anymore, and just take care of anything I can." While some readers may consider this approach to merely reproduce the myth of the "American Dream," I argue that Lorenzo's responses speak more to his ingrained sense of debt to his parents than to a loyalty to neoliberal forms of success. To make up for being the only U.S. citizen in his family, Lorenzo lists the concrete acts and decisions he has made to offset some of his parents' hardships as undocumented immigrants. Earlier in the article, his sister, Laura, described him as being the family's "voice," and, indeed, Lorenzo suggests that he feels his entire life's purpose is to make their life better.

A few years after witnessing his undocumented sister, Rosa, struggle to complete community college, Robert entered an engineering program at the California State University. He discussed how he tried to use the situation of inequality in his family to motivate himself to work through the challenges, "[W]hen I would struggle, I would realize I can't fail because I'm the one with all the opportunities. And so, doing anything else than what I can is kind of a slap in the face to me and the family. I kind of had that incentive to drive me." Trying to interpret the added stress and high expectations as motivation, Robert thinks that anything less than college graduation would be a "slap in the face" for his family. He is doing his part to excel and offset some of his family's legal obstacles, but it

is evident in his words, and those of other U.S. citizens in this study, that they are participating in an especially high-pressure immigrant bargain. I argue that in a context that negatively stereotypes Latino students and denies them educational resources to succeed, disregarding stereotypes and defying odds constitute a form of resistance.

### **Resistance to Citizenship Privilege**

Other U.S. citizens expressed that they felt overwhelmed by the guilt and high expectations. In these cases, their legal consciousness of citizenship led them to make decisions that, while minimizing their privilege, did not necessarily improve the family's situation. At the time of our interview, the petition to legalize Cesar's parents had recently been approved and his older brother had been granted DACA. Cesar underscores throughout the interview how intimately he, too, had lived through fear of family separation, "I always lived with that same fear of everything, as if I were the target. I never felt immune to what happens to immigrants.... because we are a close family.... I never felt completely like a citizen until now, now that nothing and nobody can kick them out."<sup>13</sup> Rooted in his love for his family, three of whom were undocumented throughout his childhood, Cesar develops a legal consciousness about his citizenship that resists citizenship's associated privileges. In an effort to express solidarity with his loved ones, but also with the purpose of distancing himself from the benefits presumed to come with citizenship, Cesar is only willing to embrace and identify with his citizenship when all members of his family are safe from potential deportation.

In Cesar's case, however, his practices of resistance to citizenship had substantial consequences at a crucial juncture in his life. Like his older undocumented brother, Camilo, Cesar was a stellar student. In fact, they had a healthy competition all their lives to see who was the best student, the brightest of the sons. Camilo, who was 2 years older than Cesar, experienced great hardships as an undocumented student. Though he graduated from high school at the top of his class and was admitted to the University of California, attendance was difficult because his family could not afford tuition and state laws at the time did not allow for access to state financial aid. He applied to and won multiple private scholarships and was able to pay for his first year, but the 4-hour daily

---

<sup>13</sup> Although it provided much relief to Cesar and his family, DACA is only a temporary solution that, while it certainly improved the educational and professional outlook for many undocumented youth (Abrego 2018), can be terminated through executive power. Indeed, in September 2017, President Trump announced the forthcoming end of the program.

bus commute and constant financial insecurity pushed him out. He started and stopped multiple times and his family witnessed his emotional challenges as he struggled tremendously to accomplish his goals. Ultimately, it took Camilo 6 years to graduate from college.

His brother Cesar, the first U.S. citizen in the family, was paying close attention. Cesar began to understand his citizenship in relation to his undocumented brother's struggles:

I've always felt a type of pressure. I have to do everything Camilo does and I have to do it better than him because I do have the resources to go to a university, to get financial aid, to live on campus, to have my housing covered. I always had the pressure of feeling like I have to do something because he can't do it, and I have to do it better because I can.

In effect, Cesar provided a list of all the things his U.S. citizenship affords him—precisely the things out of reach for Camilo when he was an undocumented student. The pressure Cesar described, therefore, is rooted in his ability to access the resources that his brother could not. Not knowing how to navigate his citizenship privileges, when it came time to go to college, even though he was accepted at multiple universities, Cesar opted not to go. When I interviewed him, he had been out of high school for 3 years and had worked a series of service sector jobs. As he explained:

I think the pressure of trying to perform a lot better than people without citizenship or any type of identification for this country, I think it's a lot of pressure for a person. And I think it's pressure that most people won't understand because it's pressure of having the advantage. The only comparison I could think of is a sports team that should win a game and doesn't. And it's like you have an advantage but it doesn't mean you are going to finish first.

The mix of guilt and higher expectations associated with his juridical category led Cesar to resist some of the privileges that are associated with his citizenship. He admitted during the interview that this was not a wise decision, but now that his parents and older brother had more legal protections, he had signed up for community college classes and planned to get back on track with his education.

It appeared, at the time of the interview, that Cesar was veered away from his educational goals for only about 3 years until his parents and his brother gained some legal stability

through legalization and DACA, respectively. In other families, the guilt and other emotions associated with citizenship status can have deeper and more long-term consequences in people's lives. Such was the case with 20-year-old Isabel, the only U.S. citizen in her family. Her mother, Irene, was undocumented, as were her two older siblings. Because Irene had to work two jobs to support the family, Isabel spent most of her time with Ingrid, her sibling, 8 years her senior. Ingrid had attended and graduated from the University of California. It took her 7 years to complete college because at the time, she could not access any form of financial aid and like others in her pre-California Dream Act cohorts, she struggled emotionally, financially, and socially to complete her schooling.

Even though Isabel witnessed her sister struggling to make it through college, the family tried to protect Isabel and not talk much about their various legal statuses. Therefore, Isabel was very confused when her beloved older sister, Ingrid, was unable to return to the United States following one lawyer's faulty advice to try to legalize her status by leaving and reentering the country. It took 7 months for Ingrid to be admitted back in and this was especially difficult for Isabel who Ingrid described as going, "into a deep depression when I was in Mexico and she started getting straight F's and then she was pushed out and going to continuation school and she hasn't graduated yet so we're trying to get her back but she's like in and out of her depression." Years after this incident, U.S. citizen, Isabel, struggled emotionally to make sense of her loved ones' statuses. As she explained to me in a separate interview:

I didn't realize what was going on until [Ingrid] got deported... She took me to school, she raised me, so when she left I kind of got in a lot of trouble and I ran away and I got suspended... I feel like since I have it easier I feel like I'm expected to do more but then sometimes Ingrid has worked a lot harder for it and I think she would deserve it a lot more than me.

Having witnessed the various struggles her sister went through and finally understanding the inequalities created by their different juridical categories, Isabel developed a legal consciousness of citizenship based in guilt. Feeling undeserving of her enhanced legal rights, Isabel's legal consciousness led her to resist her citizenship by making poor educational decisions that would, in turn, minimize her privileges. It is noteworthy that Isabel believes Ingrid "deserves" citizenship more than she does. Citizenship, in Isabel's understanding, should be earned and her sister's hard work should have qualified her for the juridical

category and its associated benefits.<sup>14</sup> Without the tools to locate her family's suffering in the production of illegality and unable to fix the situation for her sister, Isabel internalizes the unjust inequality of her mixed-status family by being uncomfortable with her own citizenship. Subsumed by guilt and depression, her actions harm her own health and future.

## Implications and Conclusion

U.S. citizenship, while it should only determine “who is a member of the modern state, who can participate, and what form that can take” (Rocco 2014: xxviii), is fractured and uneven for members of marginalized groups (Brandzel 2016; Glenn 2000). Race, class, gender, and ability are among the characteristics that shape experiences of citizenship (Engel and Munger 2003; Glenn 2002; Oboler 2006; Rocco 2014), such that formal nationality is not the only legal fact that matters (Bosniak 2006). The lived experience of citizenship, in which researchers examine how people navigate complex structural inequalities, forms the basis of many important studies (Gomberg-Muñoz 2016; Holston 2009; Hörschelmann and El Refaie 2014; Maira 2004; Rocco 2014; Schwiertz 2016). More than lived experiences of citizenship, however, this article explores the legal consciousness, or popular understandings that draw dialectically on laws and social life, that U.S. citizens develop about their juridical category. Although citizenship should, from a normative perspective, inspire a legal consciousness based in a sense of full belonging, interviews with U.S. citizen children in mixed-status families reveal that their legal consciousness is much more complex.

In a social, legal, and political context that dehumanizes undocumented and liminally legal immigrants and blocks them from crucial educational, economic, health, and social service resources, their U.S. citizen relatives are not immune. This article examines how U.S. citizens in mixed-status families come to understand their juridical category relationally through their conversations with and close observations of loved ones. Cognizant of their legal obstacles, undocumented immigrants idealize the category of citizenship as providing everything needed to succeed in the United States. They emphasize to their U.S. citizen children and younger siblings that as citizens, they need to take advantage of the rights and opportunities afforded to them while communicating incredibly high expectations that fail to account for racism, sexism, and other forms of

---

<sup>14</sup> For more information about how contemporary Latino immigrants understand citizenship as an earned status, see Chacón (2018).

structural exclusion. These expectations inform U.S. citizens' legal consciousness of citizenship as great responsibility and sometimes as immense pressure.

Just as importantly and even when undocumented members of mixed-status families do not express their sentiments about their status and vulnerability, U.S. citizens develop their legal consciousness through living with and observing the realities of life for their loved ones. Throughout their childhood, and especially into their adolescence, U.S. citizen children learn to fear police while driving, listen closely to the radio's warnings about sobriety checkpoints that may lead to their parents' detention, and pay attention to the unequal access they have to higher education compared to their older undocumented siblings. Witnessing their loved ones' suffering is difficult and informs their legal consciousness in ways that make them feel alienated from their own citizenship, filling them with a desire to resist its associated privileges.

In cases where citizens and families have structural support and clear understandings of how to complement each other's roles in the family, U.S. citizens resist internal legal inequalities by defying the odds, making the most of their privileges, and sharing the benefits with their undocumented relatives. For example, they may drive or serve as the financial liaison for the family from a very young age. They may also work or apply for financial aid only available to U.S. citizens to then share the resources with older, undocumented siblings. In these ways, they are able to live up to a type of heightened "immigrant bargain" (Louie 2012) to repay their parents and older siblings not only for their sacrifices, but also to compensate for their blocked access to resources.

In some cases, however, the expectations are too high and the inequalities too painful, and without a structural analysis of reasons for their families' suffering, U.S. citizens may develop a legal consciousness that deems their citizenship unbearable. Overwhelmed by the pressure and the guilt, they not only express a sense of nonbelonging, but they sometimes also forgo higher education or well-paid employment—precisely the benefits only available to them. In these cases, their form of resistance proves to be damaging both to their own and to their families' well-being.

In all cases, family and loved ones' experiences were central to study participants' development of legal consciousness, thus pointing to a need to examine both legal consciousness and citizenship relationally. That is, citizenship and its associated legal consciousness are developed through interactions and communication with others. Specifically, U.S. citizens in mixed-status families make sense of their juridical category when they navigate unrealistic aspirations from relatives, maintain silence about undocumented family members' legal status, manage their fear of



family separation through deportation, and take on financial and logistical responsibilities prematurely to help relatives. In each of these ways, family proves to be a key site for the social and relational production of citizenship because while all members of society may help inform citizens' legal consciousness, the narratives, expectations, untold fears, and limiting experiences of loved ones most prominently played a role. At its core, then, U.S. citizen members of mixed-status families develop a legal consciousness based on lived experiences of privilege, responsibility, and guilt—and all of these are rooted in the love they feel for their families.

These cases demonstrate that legal violence—the suffering that is generated, maintained, justified, and normalized by immigration policies (Menjívar and Abrego 2012)—powerfully affects not just undocumented and liminally legal immigrants, but also U.S. citizens in their midst (Rodríguez 2018). In fact, the record rates of detention and deportation are having a decidedly negative impact on U.S. citizen children's emotional well-being (Dreby 2012; Rojas-Flores et al. 2016), forcing children to navigate life without parents in the United States, on the one hand, or the educational institutions in their parents' home countries (Hamann et al. 2010; Zayas and Bradlee 2014), on the other.<sup>15</sup> Along with these scholars' findings, my study suggests a need for policy makers to consider additional protections for U.S. citizen members of mixed-status families, particularly in the development and enforcement of immigration policy.

Recognizing these difficult circumstances and needs, over the last decade, the immigrant rights movement has increasingly included the voices of U.S. citizen children in their actions. Children carry signs at various marches that read, "Please Don't Split Up My Family" or "Obama, Don't Deport My Momma." These signs serve as reminders that undocumented immigrants are not only workers, but also parents and family members of people who will also suffer the consequences of deportation. The anti-immigrant bloc (Gonzales 2013) certainly draws on this through their vile use of the term "anchor baby" to refer to children of undocumented immigrants who are conferred citizenship through the 14th Amendment. In my work, I aim to extend the usefulness of research beyond the realm of academic production to consider how it may help inform current practices. In this case, my findings suggest that U.S. citizen children should play a role in the immigrant rights movement, though perhaps the discourse should not revolve solely around their more

---

<sup>15</sup> Although it is beyond the scope of this article, it is important to note that relational legal consciousness is likely to vary widely for U.S. citizen children in mixed-status families whose members are deported, whether or not children must relocate to their parents' countries of birth.

highly valued status (despite the fact that U.S. immigration laws also emphasize citizens' rights above those of immigrants). Rather, as made clear in this study, U.S. citizens in mixed-status families are more likely to be empowered when they are educated about the structural inequalities that determine their families' experiences. They are more likely to develop a legal consciousness of citizenship as a useful privilege and manageable responsibility when they play a complementary role to their loved ones. Without reproducing the inequalities and higher expectations of citizenship, the immigrant rights movement stands to benefit from the energy and dedication of U.S. citizens who want an opportunity to fight for the full recognition of their loved ones' humanity.

## References

- Abrams, Kathryn R. (2014). "Performative Citizenship in the Civil Rights and Immigrant Rights Movements." UC Berkeley Public Law Research Paper No. 2409971. <http://dx.doi.org/10.2139/ssrn.2409971>
- Abrego, Leisy J. & Sarah M. Lakhani. (2015) "Incomplete Inclusion: Legal Violence and Immigrants in Liminal Statuses," *37 Law & Policy* 265–93.
- Abrego, Leisy, et al. (2017) "Making Immigrants into Criminals: Legal Processes of Criminalization in the Post-IIRIRA Era," *5 J. on Migration and Human Security* 694–715.
- Abrego, Leisy J. (2006) "'I Can't Go to College because I Don't Have Papers': Incorporation Patterns of Latino Undocumented Youth," *4 Latino Studies* 212–31.
- Abrego, Leisy J. (2008) "Legitimacy, Social Identity, and the Mobilization of Law: The Effects of Assembly Bill 540 on Undocumented Students in California," *33 Law & Social Inquiry* 709–34.
- (2011) "Legal Consciousness of Undocumented Latinos: Fear and Stigma as Barriers to Claims Making for First and 1.5 Generation Immigrants," *45 Law & Society Rev.* 337–70.
- Abrego, Leisy J. (2013) "Latino Immigrants' Diverse Experiences of Illegality," in Menjivar, C. & D. Kanstroom, eds., *Constructing Immigrant "Illegality": Critiques, Experiences, and Responses*. Cambridge, UK: Cambridge Univ. Press.
- Abrego, Leisy J. (2016) "Illegality as a Source of Solidarity and Tension in Latino Families," *8 J. of Latino and Latin American Studies* 5–21.
- (2018) "Renewed Optimism and Spatial Mobility: Legal Consciousness of Latino Deferred Action for Childhood Arrivals Recipients and Their Families in Los Angeles," *18 Ethnicities* 192–207.
- Abrego, Leisy & Leah Schmalzbauer (2018) "Illegality, Motherhood, and Place: Undocumented Latinas Making Meaning and Negotiating Daily Life," *67 Women's Studies International Forum* 10–17.
- Batalova, Jeanne, et al. (2014) "DACA at the Two-Year Mark: A National and State Profile of Youth Eligible and Applying for Deferred Action." Washington, DC: Migration Policy Institute.
- Bloemraad, Irene (2006) "Becoming a Citizen in the United States and Canada: Structured Mobilization and Immigrant Political Incorporation," *85 Social Forces* 667–95.
- Bloemraad, Irene (2018) "Theorising the Power of Citizenship as Claims-Making," *44 J. of Ethnic and Migration Studies* 4–26.
- Bosniak, Linda (2006) *The Citizen and the Alien*. Princeton: Princeton Univ. Press.

- Brandzel, Amy L. (2016) *Against Citizenship: The Violence of the Normative*. Urbana: Univ. of Illinois Press.
- Capps, Randy, Michael Fix, & Jie Zong (2016) "A Profile of U.S. Children with Unauthorized Immigrant Parents." Washington, DC: Migration Policy Institute.
- Capps, Randy, et al. (2015) "Implications of Immigration Enforcement Activities for the Well-Being of Children in Immigrant Families." Washington, DC: Urban Institute and Migration Policy Institute.
- Chacón, Jennifer M. (2018) "Citizenship Matters: Conceptualizing Belonging in an Era of Fragile Inclusions," 52 *UC Davis Law Rev.* 1–80.
- Charmaz, Kathy (2000) "Grounded Theory: Objectivist and Constructivist Methods," in Denzin, N. & Y. Lincoln, eds., *Handbook of Qualitative Research*. Thousand Oaks: Sage. 509–36.
- Chua, Lynette & David M. Engel (2019) "Legal Consciousness Reconsidered," 15 *Annual Review of Law and Social Science*. <https://doi.org/10.1146/annurev-lawsocsci-101518-04271>
- Cobb, Naomi (2013) "Deferred Action for Childhood Arrivals (DACA): A Non-Legislative Means to an End That Misses the Bull's-Eye," 15 *The Scholar: St. Mary's Law Rev. on Race and Social Justice* 651–88.
- Coll, Kathleen (2010) *Remaking Citizenship: Latina Immigrants and New American Politics*. Palo Alto: Stanford Univ. Press.
- Coutin, Susan B. (2000) *Legalizing Moves: Salvadoran Immigrants' Struggle for U.S. Residency*. Ann Arbor: Univ. of Michigan Press.
- De Genova, Nicholas P. (2002) "Migrant 'Illegality' and Deportability in Everyday Life," 31 *Annual Rev. of Anthropology* 419–47.
- Dreby, Joanna (2012) "The Burden of Deportation on Children in Mexican Immigrant Families," 74 *J. of Marriage and Family* 829–45.
- Dreby, Joanna (2015) *Everyday Illegal: When Policies Undermine Immigrant Families*. Berkeley: Univ. of California Press.
- Dreby, Joanna & Leah Schmalzbauer (2013) "The Relational Contexts of Migration: Mexican Women in New Destination Sites," 28 *Sociological Forum* 1–26.
- Engel, David M. & Frank W. Munger (2003) *Rights of Inclusion: Law and Identity in the Life Stories of Americans with Disabilities*. Chicago: Univ. of Chicago Press.
- Erevelles, Nirmala (2011) *Disability and Difference in Global Contexts: Enabling a Transformative Body Politic*. New York: Palgrave Macmillan.
- Ewick, Patricia & Susan S. Silbey (1998) *The Common Place of Law: Stories from Everyday Life*. Chicago: The Univ. of Chicago Press.
- FitzGerald, David Scott & David Cook-Martín (2014) *Culling the Masses: The Democratic Origins of Racist Immigration Policy in the Americas*. Cambridge, MA: Harvard Univ. Press.
- Flores, Glenda M. (2017) *Latina Teachers: Creating Careers and Guarding Culture*. New York: New York Univ. Press.
- Fox, Cybelle (2012) *Three Worlds of Relief: Race, Immigration, and the American Welfare State from the Progressive Era to the New Deal*. Princeton: Princeton Univ. Press.
- Garcia, Ruben J. (1995) "Critical Race Theory and Proposition 187: The Racial Politics of Immigration Law," 17 *Chicano-Latino Law Rev.* 118–54.
- Getrich, Christina M. (2008) "Negotiating Boundaries of Social Belonging: Second-Generation Mexican Youth and the Immigrant Rights Protests of 2006," 52 *American Behavioral Scientist* 533–56.
- Gleeson, Shannon (2012) *Conflicting Commitments: The Politics of Enforcing Immigrant Worker Rights in San Jose and Houston*. Ithaca: Cornell Univ. Press.
- Glenn, Evelyn Nakano (2000) "Citizenship and Inequality: Historical and Global Perspectives," 47 *Social Problems* 1–20.
- Glenn, Evelyn Nakano (2002) *Unequal Freedom: How Race and Gender Shaped American Citizenship and Labor*. Cambridge, MA: Harvard Univ. Press.
- Glenn, Evelyn Nakano (2010) "Constructing Citizenship: Exclusion, Subordination, and Resistance," 76 *American Sociological Rev.* 1–24.

- Gomberg-Muñoz, Ruth (2016) "The Juárez Wives Club: Gendered Citizenship and US Immigration Law," 43 *American Ethnologist* 339–52.
- Gonzales, Alfonso (2013) *Reform without Justice: Latino Migrant Politics and the Homeland Security State*. Oxford, UK: Oxford Univ. Press.
- Gonzales, Roberto G. (2011) "Learning to Be Illegal: Undocumented Youth and Shifting Legal Contexts in the Transition to Adulthood," 76 *American Sociological Rev.* 602–19.
- Gonzales, Roberto G., Veronica Terriquez, & Stephen P. Ruszcyk (2014) "Becoming DACamented: Assessing the Short-Term Benefits of Deferred Action for Childhood Arrivals," 58 *American Behavioral Scientist* 1852–72.
- Gordon, Jennifer & R. A. Lenhardt (2007) "Citizenship Talk: Bridging the Gap between Immigration and Race Perspectives," 75 *Fordham Law Rev.* 2493–519.
- Hamann, Edmund T., Victor Zúñiga, & Juan Sánchez García (2010) "Transnational Students' Perspectives on Schooling in the United States and Mexico: The Salience of School Experience and Country of Birth," in Ensor, M. O. & E. M. Gozdzia, eds., *Children and Migration: At the Crossroads of Resiliency and Vulnerability*. New York: Palgrave Macmillan. 230–52.
- Hernandez, Diana (2010) "'I'm Gonna Call My Lawyer': Shifting Legal Consciousness at the Intersection of Inequality," 51 *Studies in Law, Politics, and Society* 95–121.
- Hoffmann, Elizabeth A. (2003) "Legal Consciousness and Dispute Resolution: Different Disputing Behavior at Two Similar Taxicab Companies," 28 *Law & Social Inquiry* 629–57.
- Holston, James (2009) "Insurgent Citizenship in an Era of Global Urban Peripheries," 21 *City & Society* 245–67.
- Hörschelmann, Kathrin & Elisabeth El Refaie (2014) "Transnational Citizenship, Disent and the Political Geographies of Youth," 39 *Transactions* 444–56.
- Krogstad, Jens Manuel, Jeffrey Passel, & D'Vera Cohn (2017). *5 Facts about Illegal Immigration in the U.S.* Washington, DC: Pew Research Center. Available at: <http://www.pewresearch.org/fact-tank/2017/04/27/5-facts-about-illegal-immigration-in-the-u-s/> (accessed 29 April 2018).
- Licona, Adela C. & Marta Maria Maldonado (2014) "The Social Production of Latin@ Visibilities and Invisibilities: Geographies of Power in Small Town America," 46 *Antipode* 517–36.
- Louie, Vivian (2012) *Keeping the Immigrant Bargain: The Costs and Rewards of Success in America*. New York: Russell Sage Foundation.
- Luibhéid, Eithne (2002) *Entry Denied: Controlling Sexuality at the Border*. Minneapolis: Univ. of Minnesota Press.
- Maira, Sunaina (2004) "Youth Culture, Citizenship and Globalization: South Asian Muslim Youth in the United States after September 11th," 24 *Comparative Studies of South Asia, Africa and the Middle East* 219–31.
- Mangual Figueroa, Ariana (2012) "'I Have Papers So I Can Go Anywhere!': Everyday Talk about Citizenship in a Mixed-Status Mexican Family," 11 *J. of Language, Identity & Education* 291–311.
- Marrow, Helen B. (2011) *New Destination Dreaming: Immigration, Race, and Legal Status in the Rural American South*. Stanford: Stanford Univ. Press.
- Marshall, T. H. (2013) "Citizenship and Social Class, 1950," in Lazar, S., ed., *The Anthropology of Citizenship: A Reader*. Malden: Wiley Blackwell. 52–9.
- Menjívar, Cecilia & Leisy Abrego (2009) "Parents and Children across Borders: Legal Instability and Intergenerational Relations in Guatemalan and Salvadoran Families," in Foner, N., ed., *Across Generations: Immigrant Families in America*. New York: New York Univ. Press. 160–89.
- Menjívar, Cecilia & Leisy Abrego (2012) "Legal Violence: Immigration Law and the Lives of Central American Immigrants," 117 *American J. of Sociology* 1380–424.
- Menjívar, Cecilia, Leisy J. Abrego, & Leah Schmalzbauer (2016) *Immigrant Families*. Cambridge, UK: Polity.

- Menjívar, Cecilia & Daniel Kanstroom, eds. (2013) *Constructing Immigrant "Illegality": Critiques, Experiences, and Resistance*. Cambridge, UK: Cambridge Univ. Press.
- Menjívar, Cecilia & Sarah M. Lakhani (2016) "Transformative Effects of Immigration Law: Immigrants' Personal and Social Metamorphoses through Regularization," 121 *American J. of Sociology* 1818–55.
- Merry, Sally Engle (1990) *Getting Justice and Getting Even: Legal Consciousness among Working-Class Americans*. Chicago: Univ. of Chicago Press.
- Montange, Leah (2017) "Hunger Strikes, Detainee Protest, and the Relationality of Political Subjectivization," 21 *Citizenship Studies* 509–26.
- Motomura, Hiroshi (2014) *Immigration Outside the Law*. Oxford, UK: Oxford Univ. Press.
- Negrón-Gonzales, Genevieve (2014) "Undocumented, Unafraid and Unapologetic: Rearticulatory Practices and Migrant Youth 'Illegality,'" 12 *Latino Studies* 259–78.
- (2015) "Undocumented Youth Activism as Counter-Spectacle: Civil Disobedience and Testimonio in the Battle around Immigration Reform," 40 *Aztlán: A J. of Chicano Studies* 87–112.
- Nielsen, Laura Beth (2000) "Situating Legal Consciousness: Experiences and Attitudes of Ordinary Citizens about Law and Street Harassment," 34 *Law & Society Rev.* 1055–90.
- Oboler, Suzanne, ed. (2006) *Latinos and Citizenship: The Dilemma of Belonging*. New York: Palgrave Macmillan.
- Ochoa, Gilda L. (2013) *Academic Profiling: Latinos, Asian Americans, and the Achievement Gap*. Minneapolis: Univ. of Minnesota Press.
- Pallares, Amalia (2014) *Family Activism: Immigrant Struggles and the Politics of Noncitizenship*. New Brunswick: Rutgers Univ. Press.
- Patler, Caitlin (2018) "'Citizens but for Papers': Undocumented Youth Organizations, Anti-Deportation Campaigns, and the Reframing of Citizenship," 65 *Social Problems* 96–115.
- Pérez, Zenen J. (2014). *How DACA Has Improved the Lives of Undocumented Young People*. Washington, DC: Center for American Progress. Available at: <https://cdn.americanprogress.org/wp-content/uploads/2014/11/BenefitsOfDACABrief2.pdf> (accessed 10 December 2014).
- Roberts, Dorothy (1997) *Killing the Black Body: Race Reproduction and the Meaning of Liberty*. New York: Pantheon Books.
- (1998) "Who May Give Birth to Citizens: Reproduction, Eugenics and Immigration," 1 *Rutgers Race and the Law Rev.* 129–35.
- Rocco, Raymond (2014) *Latinos in the United States: Transforming Citizenship: Democracy, Membership, and Belonging in Latino Communities*. East Lansing: Michigan State Univ. Press.
- Rodriguez, Cassandra (2018) "Latino/a Citizen Children of Undocumented Parents Negotiating Illegality," 81 *J. of Marriage and Family*. 713–28.
- Rojas-Flores, Lisseth, et al. (2016) "Trauma and Psychological Distress in Latino Citizen Children Following Parental Detention and Deportation," 9 *Psychological Trauma: Theory, Research, Practice, and Policy* 352–61.
- Schmalzbauer, Leah (2014) *The Last Best Place? Gender, Family, and Migration in the New West*. Stanford: Stanford Univ. Press.
- Schwartz, Helge (2016) "Transformation of the Undocumented Youth Movement and Radical Egalitarian Citizenship," 20 *Citizenship Studies* 610–28.
- Suárez-Orozco, Carola, et al. (2011) "Growing up in the Shadows: The Developmental Implications of Unauthorized Status," 81 *Harvard Educational Rev.* 438–72.
- Van Hook, Jennifer & Kelly Stamper Balistreri (2006) "Ineligible Parents, Eligible Children: Food Stamps Receipt, Allotments, and Food Insecurity among Children of Immigrants," 35 *Social Science Research* 228–51.
- Wong, Tom K., et al. (2013). "Undocumented No More: A Nationwide Analysis of Deferred Action for Childhood Arrivals, or DACA." Washington, DC: Center for American Progress.

- Yoshikawa, Hirokazu (2011) *Immigrants Raising Citizens: Undocumented Parents and Their Young Children*. New York: Russell Sage.
- Yoshikawa, Hirokazu & Ariel Kalil (2011) "The Effects of Parental Undocumented Status on the Developmental Contexts of Young Children in Immigrant Families," 5 *Child Development Perspectives* 291–7.
- Zayas, Luis H. (2010) "Protecting Citizen-Children Safeguards Our Common Future," 21 *J. of Health Care for the Poor and Underserved* 809–14.
- Zayas, Luis H. & Mollie H. Bradlee (2014) "Exiling Children, Creating Orphans: When Immigration Policies Hurt Citizens," 59 *Social Work* 167–75.
- Zimmerman, Arely M. (2015) "Contesting Citizenship from Below: Central Americans and the Struggle for Inclusion," 13 *Latino Studies* 28–43.

**Leisy J. Abrego** is Associate Professor in Chicana/o Studies at UCLA. Her work on Latino families, Central American migration, and the production of "illegality" centers the role of U.S. immigration laws in contextualizing and determining migrants' well-being. Her award-winning book, *Sacrificing Families: Navigating Laws, Labor, and Love Across Borders* (Stanford University Press, 2014), examines how immigration policies and gendered expectations produce inequalities for transnational families in the United States and El Salvador.