

The Disappearing State and the Quasi-Event of Immigration Control

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Abstract: Immigration enforcement by sheriffs and police can be characterized as a proliferation of quasi-events which never quite rise to the status of an event. This poses distinct challenges for feminist-inspired scholarship on the state which seeks to document, ethnographically, how the state goes about its business on the ground. In this article we draw on our fieldwork experience in North Carolina and Georgia on sheriffs' and police departments' use of traffic enforcement and policing roadblocks to scrutinize drivers for their legal status, and ask how our ethnographic approach to the problem of state power inevitably stumbles in relation to the ordinariness of these practices. We conclude that feminist scholarship committed to an ethnography of the state could do much more to think through the potentially aporetic quality of that which is our common object of research—the state in practice.

Resumen: La implementación de leyes migratorias por comisarios y policías podría caracterizarse como una proliferación de cuasi-eventos que nunca alcanzan la categoría de evento propiamente dicho. Esto plantea diversos retos para la investigación académica feminista que busca documentar, etnográficamente, cómo el estado opera en el terreno. En este artículo, nos basamos en datos de nuestra investigación de campo en Carolina del Norte y Georgia sobre el uso por comisarios y policías de retenes de tráfico para investigar el estatus jurídico migratorio de los conductores. Cuestionamos la medida en que nuestra aproximación etnográfica al problema del poder del estado es inevitablemente afectada por la cotidianidad de estas prácticas. Concluimos que los estudios feministas comprometidos con una etnografía del estado podrían considerar más profundamente la potencial aporía del foco común de estudio, que es el estado en ejercicio.

Keywords: immigration enforcement, §287(g), Secure Communities, traffic policing, roadblocks, state ethnography, feminist methods

How researchers grasp, interpret, and then communicate the practice of power, and its operation, has long been an object of problematization and theoretical consideration in the critical social sciences. What interests us in this article are those approaches which have stressed the mundaneness of power as practiced. For example, geographers working on the importance of social reproduction have written extensively on how disembodied, abstract theorizations of power leave out the “messy” and the “fleshy”, such that there is a disconnect between our theories of power and the actually existing bodies and spaces that these theories are said to represent (Mitchell et al. 2003; Strauss and Meehan 2016). In general, the social reproduction approach to power has focused attention on “how” power is organized,

or “how material life is arranged and how the elements of its organization—objects, bodies, doings and sayings—coalesce in sites” (Katz et al. 2016:176). A key refrain in the literature is indeed seeing power as an “effect”—the result of ongoing, peopled, and practiced techniques (Dixon and Marston 2011; Marston 2004; Painter 2006)—as well as shaped by the objects that are part of the world of practice (Meehan et al. 2014; Shaw and Meehan 2013). We have drawn inspiration for our fieldwork from this literature, and specifically from its theorization of power in terms of “changing spaces of rule and ruling” as well as its approach to the state as “the contested product of the formal and informal practices of multiply situated subjects” (Mitchell et al. 2003:433; see also Abrams 1988; Corrigan and Sayer 1985; Joseph and Nugent 1994; Radcliffe-Brown 1940; Trouillot 2001). At the same time, we think that more remains to be said, from the standpoint of fieldwork, about how critical researchers can uncover and understand power as something experienced, and constituted, in terms of its everyday spaces and practices.

Whereas much of the practice literature emphasizes the qualitative as well as quantitative positivity of the everyday, we are interested in what happens when researchers fail to concretize the everyday world of practiced power during fieldwork. By failure we mean not being able to fully substantiate the “how” of power on the ground, in terms of practice. What happens to our understanding of power as practice when fieldwork fails to render positive these very practices? Can practice remain core to a research project on power if fieldwork cannot bring it into unequivocal focus? In order to say that something is happening, and more importantly that it has certain devastating effects, to what extent are we expected, as social scientists, to produce a plainly legible account of that something—and to what extent is that expectation reasonable given the way that power is sometimes manifest, as effect? And perhaps most importantly: can we rethink the social scientific emphasis on the positivity of practiced power such that the failure to latch onto practice is itself meaningful?

We come to this series of questions as a result of our fieldwork on immigration enforcement in the US South. There is a detention and deportation boom underway in the region, as indicated by the millions of individuals who have been deported from the US over the past decade. But rather than use this sort of aggregate statistical data to make sense of immigration control, we set out to better understand the “prosaic geographies” of state power implied by these data (Painter 2006), for example the ways in which people come into contact with the immigration enforcement apparatus, and how that apparatus works in a grounded sense. There is a growing, and compelling, body of research on the detention and deportation boom from the standpoint of those subject to its violences—especially from anthropologists and geographers, who have pioneered embedded research in immigrant communities across the US, and who are now also following deportees back to their sending countries to trace the effects of immigration enforcement on people’s lives and livelihoods (Anderson and Solis 2014; Boehm 2016; Hiemstra 2012). This research shows us convincingly that immigrants’ struggles to labor and socially reproduce are indeed the grounds of immigration control in practice. At the same time, we note that much of the research in geography and anthropology on immigration enforcement paradoxically assumes, rather than investigates, the practical problem of immigration control; the practices that constitute immigration control

are taken mostly for granted, a priori, rather than made something worthy of investigation in and of themselves. For example, the bulk of the immigration literature investigates the gendered, raced, sexualized, and classed outcomes of state power in immigrant communities, but leaves under-investigated the problem of state power itself as practiced in these ways. This has the perverse effect, certainly unintended, of posing state power as a stable, hovering background condition for immigrant labor and social reproduction. This is often done by way of citing more abstract, theoretical work on what states do, and why they do it, which then stands in for an analysis of the state in a more grounded sense. This move, which “black boxes” the state (Müller 2012), has the further effect of repeating the state’s focus on immigrants as objects of scrutiny.

There are some important exceptions to this claim, such as Mountz’s (2010) thorough investigation of immigration control bureaucracies, and Heyman’s (2001) analysis of border control as a space- and time-specific performance of authority by frontline immigration agents. Mountz and Heyman provide a detailed understanding not only of the practices that constitute state power but of the contested nature of them. We will return to this work below. But more generally we would argue that while the state is central to so much of what is written by geographers and anthropologists about immigrant labor and social reproduction in the US, it is often poorly specified and rarely made an explicit object of investigation. Indeed, we see a strong preference for non-specific, functional and abstract, explanations of immigration statecraft in the literature on the detention and deportation boom in the US.

Although we are interested in how academics conceptualize state power, there is more at stake here than theory. In our fieldwork on immigration enforcement, we have charted a heated debate between undocumented communities and their advocates, on one hand, and police, on the other, about whether traffic enforcement is being used selectively and strategically to target undocumented drivers, identified by racial or ethnic profiles. As we note below, sheriffs and police typically acknowledge that many individuals who get deported from the US have their status checked as the result of a routine traffic enforcement inquiry. But law enforcement officials, in our experience, stress the simple factuality of traffic violations, and they vehemently challenge the assertion that police resources are concentrated against specific drivers, in specific neighborhoods, to take advantage of their newfound immigration enforcement powers. Against law enforcement’s emphasis on the factuality of driving infractions and impartiality of traffic enforcement, undocumented communities assert that drivers are being racially, and spatially, profiled for their legal status—that traffic stops and roadblocks, both of which we explore in detail below, are being used selectively to fish for legal status, resulting in increased revenue for local law enforcement and heightened risk of detention and deportation for undocumented individuals. Our interview and participant observation based fieldwork has produced hundreds of pages of transcript material supporting these two major narratives. Certainly the preponderance of evidence we have gathered during fieldwork suggests that, indeed, in some communities law enforcement is targeting undocumented communities, but what is largely missing in our research is the event that both sides are referencing: the actual traffic stop, or licensing roadblock. Because this event is missing, so too is a definitive account of the implicit bias built into policing—of the structural racialization of

policing—which scholars recognize as being inescapably moored in practice (Glaser 2014; Harris 2002). As a result, it is very difficult to argue for the racialization of state-based police power without, in the final instance, leaning heavily on the abstracted and one-step-removed conceptual accounting of state power that we identified above. This article is an attempt to think through this dilemma.

In what follows, we unpack in detail the difficulty of understanding state power in the realm of immigration control in terms of practice. In order to do so, we first review feminist geography and anthropology literature on “studying up” state power, and look in detail at Povinelli’s (2011) anthropology of the everydayness of power based on her concept of the “quasi-event”, a term she uses to describe the fleetingness and fluidity of power. As we are careful to point out, to say that power may be about quasi-events does not mean that power does not happen, and that the world is not somehow constituted through actually existing injustices, inequalities, and violences. Indeed, we find Povinelli’s language of the quasi-event useful precisely because she draws explicit attention to the operation of power at the same time as she warns that the material life of power can nonetheless be difficult to substantiate clearly in fieldwork. We are particularly interested in Povinelli’s proposal that power can persist, or endure, as a dense field of relationships below the threshold of eventualization, and which as such challenges researchers’ attempts at representation. Ultimately Povinelli’s work helps us problematize a lingering idea in the power-as-practice literature that power is something which can be readily “seen” and then communicated by researchers—for example, documented first hand and straightforwardly by researchers in field notes, interviews, etc.

In a second section, we move on to a grounded discussion of immigration enforcement and traffic policing. We review the post-9/11 devolution of federal immigration enforcement duties to local law enforcers as well as the role played by traffic enforcement in this context, in part by introducing our research in the Raleigh-Durham, North Carolina and Atlanta, Georgia metro areas.

In the third and fourth sections, we discuss the challenges we have faced in making the state and its actors a central object of research during fieldwork, through a discussion of roving traffic stops and driver’s license roadblocks. Our goal in this section is to demonstrate how practice-oriented research findings about immigration policing can be so elusive. Is it possible, we ask, to make sense of statecraft in terms of the opaque, everyday realm of policing, if that realm is effectively closed off to fieldwork in the sense of generating unequivocal, unambiguous findings? Our contention is that the ways in which the hybrid form of traffic and immigration enforcement takes place—its everyday, ongoing action, in the specific form of routine, road-based enforcement by county sheriffs and municipal police—is cloaked in a certain unsubstantiability and inscrutability which frustrates social scientific analysis.

In the conclusion, we return to the problem of power as practice to consider what the dilemma of state power as a quasi-event means for our efforts to take seriously feminist ethnographers’ calls to study the state. We argue that the unsubstantiability and inscrutability of policing and detention that we have identified should be understood not as a research failure per se but as an all-important erasure, or invisibilization, of state power, or of the way that the state goes about its business. What we identify as the “quasi-eventfulness” of immigration

enforcement—its strange quality of not quite rising to the status of a readily graspable event, despite the fact that millions of people have been rounded up by immigration officials and their police counterparts, detained, and then deported—obscures the lives caught up in its machinery, in terms of both state practitioners and those against whom state power is leveled. Our take-home point is that the fleeting and fluid practice of traffic enforcement, as one of the most important ways that immigration enforcement now happens in the US interior, disappears not only the subjects of securitization but also its embodied objects. Thus, while this invisibilization of the state-in-action challenges the very idea of findings in the typical social science convention, our recognition of its consequences—the very disappearance of the practice of state power, and the state’s violences, and therefore the difficulty of holding the state accountable—stands out as one of the most important conclusions from our fieldwork.

Studying Up, and Power as a Quasi-Event

Rather than assume the practice of immigration enforcement as a known quantity, our research has made a problem out of the “how” of immigration enforcement (Coleman 2012; Coleman and Stuesse 2014; Stuesse 2010a, 2010b; Stuesse and Coleman 2014). In this approach we are indebted to feminist research on the mundane coordinates of state power (see overview in Massaro and Williams 2013). We are doubly indebted to “ethnographies of the state”, which place emphasis on understanding the practice of state power by those who literally embody it (for example, Brown 2010; Gill 2004; Gutmann and Lutz 2010; Kline 2015:126–164; Vine 2015). This approach to power and the state is typically referred to by feminist scholars as “studying up” the state, or “studying the powerful, their institutions, policies, and practices instead of focusing only on those whom the powerful govern” (Harding and Norberg 2005:2011). Coined by Nader (1972), the methodological tactic of “studying up” makes a problem out of institutions as well as practices which are too often misunderstood as the neutral backdrop for otherwise properly anthropological and geographical objects of study. In the immigration enforcement context, we approach “studying up” as an analysis of the ways in which various arms of the state govern immigrants rather than studying immigrant populations per se.

This certainly does not mean studying the state alone, as if in a vacuum. Although we focus on the state as a sphere of practice, our broader approach to “studying up” is to shed light on what happens “between” the state and the immigrant communities which are subject to state scrutiny, or what some have termed “studying through” (Shore and Wright 1997; Wedel et al. 2005). For example, we are not interested in substituting an analysis of the state as practice for an analysis of the impact of state power at the level of immigrant communities. Substituting the latter for the former would suggest that we either study the everyday “production of the state” or the everyday “consumption of the state” but not both together, and more generally that we can somehow make sense of the state as apart from civil society, as well as vice versa (Jones 2012). Moreover, the risk in substituting the state for immigrant communities is that the latter gets treated en masse as passive recipients of state practices. In contrast, our interest in studying “up” or “through” lies in

connecting what goes on in the embodied frontlines of the state to the embodied effects (and negotiations) of these practices within immigrant communities.

The point is to understand how the bordering practices that states engage in to police immigrants are not strategies of domination that emerge whole from “within” the state, just as the effects of these practices are not simply outcomes that emerge from “within” immigrant communities. As Campbell and Heyman (2007) describe it, the tropes of domination and resistance, by virtue of assuming a deep-seated, billiard ball-like order in the field of power, miss out on the improvised, inconsistent, and sometimes unpredictable interfaces where state power is practiced as well as experienced on the ground, by both frontline state officials and members of immigrant communities. Following Campbell and Heyman, it is precisely this interface, or encounter, between “producers” or “consumers” of state power which we understand as immigration statecraft.

But it is indeed here, at this interface, that the challenge of what we might call the “durative present” of immigration enforcement rears its head (Povinelli 2011). State ethnography, and studying up the state, works well when the practices under scrutiny—for example the professionals and bureaucrats who staff the state, or the events that constitute the interface between the state and its objects—can themselves be made into workable objects of inquiry. Mountz’s (2010) research on the Canadian immigration bureaucracy, which makes everyday lives on the frontlines of the state come alive, requires a workplace that is readily identifiable as a site of immigration control strategy, and where the practice of statecraft can be made tangible by virtue of graspable, practitioner-based interviews as well as participant observation exercises. Likewise, Heyman’s (2001) interview—and participant observation—based work on the US Border Patrol depends on a “somewhere” to witness the state in action, and moreover where the researcher can query state practitioners about their work as they are going about their business, in this case at official ports of entry along the US–Mexico border. But what happens to our attempts to document the interface between the state as a realm of practice and immigrant communities when that encounter is “out of reach” for the researcher? What happens when the practices that undergird statecraft are inaccessible for researchers, at least directly in the sense that state ethnographers insist on in terms of an account of the various embodiments of statecraft? To be clear, we are not saying that there is no immigration statecraft, but that statecraft—if it is fleeting, distributed, fluid—is at odds with “studying up” if this term means, as it typically has in the feminist-inspired “state ethnography” literature, that state power consists of stable, located, and ultimately site-repeated social practices and infrastructures that the researcher can access *in situ*. Again, the point is not that the state or state power does not take place, nor that this taking-place does not have extreme consequences for, in this case, undocumented communities. Rather, our point is that state power can take place in ways which make it difficult to answer the question of “how” power works.

More concretely, what we argue below is that the particular challenge posed by the devolution of immigration enforcement—or the translation of immigration control into a general law enforcement problem that concerns police and sheriffs—is that, for those who are not subject directly to its violences, it is tough to scrutinize in a proximate sense, and moreover very difficult to substantiate in terms of

practice. The bottom line for critical social scientists doing work on US immigration enforcement, especially those who take practice and feminist-inspired ethnographies of state power seriously, is that there is a gulf between the way we talk about how we should “know the state” in terms of its everyday encounters and the inscrutability of the encounters that the state stages with immigrant populations as it goes about its business on the ground.

Before going any further we want to consider in depth the phrase we used above, “durative present”. This term comes from feminist anthropologist Elizabeth Povinelli (2011) and is intended to problematize theory that evacuates the world of bodies, struggles, and the everyday. Povinelli’s work marks an important critique of the poststructuralist theory industry, which although in the name of the contingent and the immanent, is now the breeding ground for any number of metahistorical and metageographic logics such as “states of exception”, “biopolitics”, “necropolitics”, and so on. But Povinelli does not intend the durative present as an empiricism contra the theory industry; it does not mean that in contrast to proliferating metatheoretical claims about how the world works there is a readily available reality “out there”, nor does it suggest that theory is somehow subsequent to our methods-based harnessing of this lived materiality—principally practicing bodies. Instead Povinelli’s goal is to argue for the world of power and violence as a saturated and chronic field of actually existing “quasi-events that never quite achieve the status of having occurred or taken place” (2011:13). “Achieving the status” is an important phrase; for us it indicates *not* that “quasi-events” never empirically happen, but rather points to the difficulty—indeed, near impossibility—of isolating practice as distinct, observable events. Povinelli’s point is not that nothing ever takes place, but that what takes place is about “a continuous action without any reference to its beginning or end and outside the dialectic of presence and absence” (2011:32). In other words, there is nothing much that stands out about the durative present and that as such is readily accessible for researchers schooled in using interviews, participant observation, photos, film, art, public records requests, policy reports, statistical measurements, etc. such that objects in our world are free to speak for themselves as a sure thing. What the durative present poses, instead, is the difficulty of representing and theorizing the world of power. We can think of this as an epistemic crisis in the sense that the fieldwork practices and methodological rationales that scholars—and indeed, the public more broadly—might draw on to excavate the violences of the durative present inevitably stumble in relation to the cruddy problem of the quasi-event, or better, in relation to the way in which extraordinary violences are folded into fugitive, transitory, and fluid routines, landscapes, labor, social reproduction, etc.

Traffic and Immigration Control

Traffic policing has long been core to US immigration control. For most of the Cold War the US Border Patrol’s primary focus was on neighborhood patrols, bus stop inspections, roving traffic operations, and roadblock operations on highways leading north from the US–Mexico border. In this context, preventive enforcement based on the massing of officers and resources on the US–Mexico border was a relatively untested strategy. Indeed, the rationale for traffic enforcement-based border control

was that there were far fewer miles of road to patrol than miles of border, which was ultimately too difficult to police; the Border Patrol could instead concentrate its officers at strategic transportation bottlenecks north of the border. Moreover, traffic enforcement and roadblock policing, following several decades of legally ambiguous policing tactics, were officially condoned by the Supreme Court in the 1970s. During this period, the court reinterpreted constitutional protections against unreasonable search and seizure throughout a 100 mile deep swath of land adjacent to the US–Mexico border such that Border Patrol officers could use visual cues about drivers and passengers to stop cars for questioning as regards immigration status. For example, in the landmark *United States v. Brignoni-Ponce*, the court allowed Border Patrol officers to use Border Patrol officers' assessment of "Mexican appearance" as a key factor in deciding whether or not to stop a vehicle. The Border Patrol had been granted this authority on account of their claim that traffic enforcement north of the US–Mexico border was the lynchpin of US border control policy and that without race-based criteria for making traffic stops US border control policy would effectively collapse (Johnson 2000).

The situation changed dramatically in the early 1990s. Following a successful civil rights lawsuit brought by high-school students against the Border Patrol in El Paso by virtue of their concentration of policing in low-income Mexican-American neighborhoods, the Border Patrol rededicated its resources to line-watch duties directly at the border, a temporary strategy which morphed into the official so-called "terrain denial" or "prevention through deterrence" strategy (Dunn 2010). Terrain denial expanded the use of fencing, vehicle barriers, lighting, and surveillance technology along the border in order to deter would-be undocumented migrants from crossing. While traffic enforcement and neighborhood patrol operations persisted in some locales north of the border (Heyman et al. 2009; Stuesse 2010a), broadly speaking, traffic enforcement faded into the background.

However, now given that the US–Mexico border is almost entirely walled up, traffic enforcement is again at the core of US immigration control. This is in large part the result of a significant, post-9/11 about-face in US immigration enforcement policy. Over the past decade immigration enforcement in the US has become a general law enforcement problem, and not just something contemplated by security specialists in the most hallowed halls of statecraft and then carried out by a dedicated, executive-level enforcement body focused exclusively on policing alienage at the territorial margins of the state. In practice, this means that immigration control is now the concern of a multitude of street-level security practitioners—sheriffs and police—who until recently were prohibited from engaging in policing of this nature.

The most important programs in this shift from border enforcement to (also) street-level policing are the §287(g) and Secure Communities programs. These programs re-made police officers and sheriffs, primarily, into front-line immigration officers, and have turned county jails—local, short-term lock-ups designed to hold non-serious convicts as well as individuals awaiting trial—into an important node in the federal immigration control web. It is now very difficult, for example, to escape an immigration status inquiry, through either §287(g) or Secure Communities, as a result of getting booked into a county jail. Importantly, these programs have not explicitly mandated the use of traffic enforcement—as in roving stops based on moving or equipment

violations—and roadblocks—where police set up a multi-car checkpoint and ask passing drivers for their licenses—to check individuals for their immigration status. Indeed, the Obama administration had disciplined select §287(g) and Secure Communities agencies for their overzealous use of traffic enforcement and roadblock policing. At the same time, our research shows that traffic enforcement and roadblock policing are important ways in which non-citizen, immigrant drivers come into contact with local law enforcement and, effectively, have to prove their status (Stuesse and Coleman 2014). Indeed, because many states in the US have made it impossible to get a license without a valid social security number, and because driving without a license in many states is an arrestable offense, undocumented immigrants stopped for a routine traffic inquiry or at a licensing roadblock are very likely to be detained for a “no operator’s license” infraction at a county jail, and subsequently identified as deportable.

In the two primary locations we have done fieldwork—Raleigh-Durham, North Carolina and Atlanta, Georgia, both hotspots for §287(g) and Secure Communities policing—immigrant rights groups report significant numbers of deportations as a result of licensing roadblocks and routine traffic stops. Some sheriffs and police in these locations reported during interviews, too, that their roadblocks and other stops involving licensing infractions could disproportionately impact undocumented immigrants, that traffic infractions are a primary way in which undocumented immigrants are transferred to federal immigration custody, and that officers routinely use their discretionary interpretation of driving laws to stop suspicious-looking drivers on broad non-traffic related grounds. But if the traffic stop and the license roadblock are acknowledged by many stakeholders in our study sites as having important and severe immigration consequences, our experience in the field is that these tactics are hard to actualize or demonstrate at the level of practice. As a result, although we know that roadblocks and licensing stops are happening, we know next to nothing about how they work from a “state ethnographic” standpoint.

The Inscrutability of Roving Traffic Stops

In our Atlanta-based work we have been collaborating since 2012 with the Georgia Latino Alliance for Human Rights (GLAHR). GLAHR runs a Spanish language hotline, which callers use to report interactions with sheriffs and police, detentions, and deportations. While GLAHR’s principal objective is to help individuals and families navigate the complex process of immigrant detention, each call is logged in detail, and over the years GLAHR has amassed an impressive data set of immigrant detentions resulting from traffic stops. We have scrutinized more than 2100 of these logs from 2007 through 2012. Most calls come from loved ones rather than from the individuals stopped, so there is some ambiguity in terms of what happened at the stops. But we have also conducted dozens of in-depth interviews with GLAHR activists about these records, and with GLAHR members about the effects of traffic stops on immigrant communities in Atlanta, and these corroborate the hotline data. Together the call logs and the interviews show unequivocally that roving, routine traffic stops by sheriffs and police have very important immigration consequences for undocumented drivers on account of the fact that undocumented drivers typically do not have driver’s licenses,

and that driving without a license is grounds for arrest and ultimately for an immigration status check at the county level.

We can debate whether sheriffs and police use traffic enforcement strategically with respect to the federal immigration control apparatus, or whether traffic enforcement leads to deportation by virtue of law enforcement agencies' mostly unrecognized, even haphazard, connection to US immigration policy. This is ultimately a site-specific question about the cultural, legal, and political economic contexts of policing; whereas some agencies are most certainly connecting the dots and using traffic enforcement to check for legal status, other agencies appear to be less aware of the immigration consequences now attached to traffic enforcement for undocumented drivers (Coleman 2012). What we can say, however, is that traffic enforcement predictably feeds into immigration control with severe effects for undocumented drivers and their friends and families. There are a lot of people who get pulled over by police and sheriffs during roving stops, and who get detained and eventually deported as a result.

Part of the reason we stumble on the question of intentionality with respect to the link between traffic enforcement and immigration control is because the practice of policing itself is extremely hard to critically scrutinize. If the harsh immigration consequences of traffic policing in our study sites cannot be argued with, i.e. the fact that undocumented motorists are getting deported in large numbers as a result of primary contact with law enforcement on the roadways, the stops themselves are, in practice, much murkier. This may be because traffic policing—with the key exception of the televised car chase—is rarely eventful. Indeed, what could be less remarkable than the traffic stop? A 2013 US government report, for example, shows that roughly 31.5 million face-to-face encounters between police and civilians occur, every year, on US roadways: 26 million as a result of traffic stops, and 5.5 million as a result of traffic accidents (Langton and Durose 2013).

But much more important is the fact that the traffic stop is, in many ways, defined by its singularity, and as such is very hard to excavate as a practice unless you are directly witness to it. We are not suggesting that there are no broad trends—especially in relation to race, gender, and class—which hold for traffic stops; that is not the case (Epp et al. 2014). Rather our point is that the raced, classed, and gendered logic and strategy of traffic stops are very difficult to critically examine in practice, from a distance, on account of the decentralized decision-making and lack of immediate oversight that constitutes traffic enforcement. To these problems we should add, crucially, the exceptionally broad discretion that officers wield when deciding whether or not to stop a motorist. This tripartite combination of decentralization, lack of oversight, and operational discretion means that the logic and strategy behind the traffic stop is very difficult to critically scrutinize.

In our fieldwork we hoped to organize ride-alongs with police in order to document this sphere of police practice. This sort of up close ethnographic witnessing of traffic enforcement as a practice, we reasoned, could offer unique insights into both the logics and mechanics of immigrant policing at the local level, neither captured in policy nor in paperwork filed by officers (Manning 2014; Worden and McLean 2014). While we recognized that our presence as outsiders without police experience would likely result in a change in what police chose to do in a given situation (Spano 2006), we also appreciated that the practices police engage

in are made and re-made through social interaction, including with researchers, and that even “staged” policing could shed light on how police perceive themselves and/or want to be perceived (Monahan and Fisher 2010). Thus, rather than understanding police reactivity as a disturbance to policing as it normally happens, we approached ride-alongs as a key form of potential performative data in our efforts to “study up” the state. However, getting permission to conduct this sort of research can be challenging, as researchers are typically understood as either informants or as generally unsympathetic (Herbert 2001). And in Georgia in 2012, in the context of statewide sheriffs’ elections and, more importantly, heightened political sensitivity around all things immigration related, in which several local- and state-level anti-immigration initiatives were awaiting judicial rulings on their constitutionality, our attempts at gaining access to state practice through ride-alongs proved elusive. Getting interviews with high-ranking police officials and sheriffs on immigration-related issues was hard enough.

One alternative to studying police practice, in the absence of first-hand ethnographic data on what police are doing and why, is the use of public records. For example, in lieu of ride-alongs one of us (Coleman) analyzed a decade’s worth of police stop records from Wake county in North Carolina to argue that Latino drivers make up an unexpectedly large share of the total population of drivers subject to a general investigatory stop—or, a roving stop based on a driving infraction, but where the officer is interested in the driver and/or passengers on broad, non-driving grounds. These discrepancies are occurring in a county which transfers an impressively large number of deportees to federal authorities each year based on traffic violations (Coleman 2012; Coleman and Kocher 2011). What we cannot say, however, is that police, or in this case the sheriff, are strategically using general investigation stops on the basis of pretextual, profile-driven hunches that a driver may be undocumented, driving without a license, arrestable, and ultimately a candidate for deportation. This is something we can only grasp at via the aggregate stop data. It is suggestive, and we pose this possibility in much of our work, but from the standpoint of the problem of state ethnography there is an important bit of the puzzle missing: the nitty-gritty enactment of policing practice and its explicit strategy. Traffic stop data are not a good substitute for being there and seeing state power in practice.

But practice is more than missing in the investigation stop; it is more appropriately inaccessible. The key point here concerns the racialization of policing in the United States. Investigation stops are basically unknown to non-minority drivers; it is a form of policing which minority motorists are far more likely to experience than non-minority motorists. Indeed, the Supreme Court has acknowledged that investigation stops are often based on intertwined race and class profiles. But the court has also ruled that as long as an investigatory stop is based on an actual traffic violation, even in the event that the infraction is discovered after an officer decides to scrutinize a driver or passengers on pretextual grounds, there is nothing to be done in terms of 4th Amendment protections against unreasonable search and seizure. This is because the policing process that leads an officer to scrutinize a driver or passengers—based in pretext—is frequently not material enough to be an object of scrutiny before the court. What can be brought before the court, however, is the traffic violation, i.e. an improper lane change. Indeed, policing instruction manuals

teach rookie police officers exactly this about the general investigation stop: that pretextual reasons for stopping a vehicle are effectively rendered invisible and inaccessible by the presence of an actual traffic violation, which is all that can be legally interrogated, absent material evidence of a categorical, pretextual reason for the stop (Epp et al. 2014). This holds even for population-level discrepancies in stops. For example, the Supreme Court has also ruled that even if it can be shown that entire groups are disproportionately disadvantaged in stop statistics this fact is not enough to draw 4th Amendment scrutiny because what is needed is evidence of racialized intent at the level of specific stops.

We want to be crystal clear on this point. In order to judge an investigation stop unconstitutional, courts require stop-specific evidence of racial (or other) animus at the very same time as they recognize that explicit racial animus is oftentimes impossibly veiled. Yes, some cases have been made and won by proving racial animus, but for the most part this level of detail is materially beyond the limits of judicial inquiry if a stop for an actual traffic violation has been effected. This conundrum maps precisely onto the problem of state ethnography that frames this article. Like the courts, state ethnographers recognize practice as the gold standard of state power even as we might recognize, in the specific instance of the traffic stop, that practice can be effectively inaccessible to scrutiny, and then critical analysis or adjudication. The obvious next question is the extent to which, again like the courts, this move enables rather than problematizes state power. In other words, is state ethnography a compromised enterprise by virtue of its theoretical emphasis on something which inevitably cannot be solidly captured, or substantiated, in practice? Does this mean we are directing our studies at a level of analysis which effectively reifies the inscrutability of state violence? We return to these questions in the conclusion.

The Disappearing Act of Driver's License Roadblocks

The driver's license roadblock provides a second example of the elusiveness of statecraft in practice. During his research in Raleigh-Durham, Coleman participated in a large public records request, led by the American Civil Liberties Union of North Carolina, for a range of traffic enforcement and deportation data relating to county sheriffs from across the state. The data showed that a number of agencies—especially those identified by immigrant rights groups as tough on undocumented communities—were heavily involved in the use of driver's license roadblocks. The data we retrieved were stunning because of the sheer number of roadblocks—hundreds for a three-year period in two core counties in central North Carolina alone. Our analysis revealed that the roadblocks were disproportionately located in higher concentration Latino neighborhoods.

With regards to roadblocks in our Atlanta research, we have focused on PasaLaVoz, a user-driven text messaging system that alerts subscribers to police roadblocks in real-time (Stuesse and Coleman 2014). In our interviews with migrants we have also learned of other informal initiatives that use text messaging and social media to alert members of a community to roadblock activity by police. These various initiatives suggest that roadblocks are a regular occurrence in Latino neighborhoods throughout the Atlanta metro area, for example along the Buford

Highway northeast of downtown and which connects the cities of Chamblee, Doraville, Norcross, and Duluth. This observation is corroborated by our research with GLAHR and its constituents, migrants whose lives are deeply affected by immigration enforcement through traffic policing, many of whom live in fear of roadblocks due to their potential to result in long-term detention and deportation.

Despite these realities, in literally thousands of miles of fieldwork-related driving in North Carolina, even tens of thousands of miles of fieldwork-related driving in Georgia, the roadblock as an event—as something that can be scrutinized in terms of state practice—has proved a fleeting object of research for us. We have driven for hours and hours at a time up and down streets and through neighborhoods on the days and at the precise times that roadblocks have been set up in the past. Friday nights, Saturday nights, workday commuting times, mornings, afternoons. Urban neighborhoods, peri-urban trailer parks, suburbs. Indeed, during an eight-week research trip in Atlanta in 2012 Coleman drove nightly the length of Buford Highway in metro Atlanta, especially in Gwinnett County where the sheriff is known as a hawk on immigration enforcement and a stretch of road that immigrant rights groups had reported as a hotspot for roadblock activity, without seeing a single roadblock.

Our one encounter with a roadblock was by accident. It was 16 July 2012, 9:30 am, on the east side of Atlanta. Coleman and a graduate student research assistant, Austin Kocher, had just completed an early morning interview at the Georgia Department of Public Safety. In search of a site to debrief, we came almost immediately upon a licensing roadblock run by the Atlanta Police Department, at the corner of Underwood Ave and East Confederate Ave, a block west of the Georgia State Patrol building. We turned on the tape recorder to document the process. According to the recording, we waited for 90 seconds until we reached an officer standing on the meridian. The check itself took but 12 seconds; the officer walked to the back of the car with Coleman's license, looked at the tags and presumably for a possible equipment violation. After the check had been completed, we doubled back as soon as we could, safely, with the goal of going through the roadblock again, to get a better look at how the operation was being run and who had been stopped. But by the time we returned to the intersection—which took no more than five minutes—the officers had pulled their traffic cones from the road and had turned off their cruisers' lights. The roadblock was over. There were four cars and a motorcycle stopped on the shoulder of the road, in addition to three police cruisers. The officers were visible but not the motorists. Indeed, during our second pass, the roadblock was indistinguishable from an accident site, or perhaps a speed trap. There was absolutely nothing remarkable about it. If we had come across the roadblock only then we would not have thought twice about it. How many roadblocks had we been through without actually knowing it?

If roadblocks like this one on East Confederate Ave are borders, these borders are not readily available for social scientific appropriation in large part because they are not, unlike the US–Mexico border, spatially anchored such that research can take the form of a planned site visit. These are not the sort of research sites that human subject teams at research universities imagine their faculty and graduate students are studying “at”. As we have written in a recent paper on immigrant automobility

and policing in the US South, these “interior borders” fulfill modulating rather than barricading functions, and as such are oftentimes in play for only a very short period of time (Coleman and Stuesse 2014). In this sense, we disagree very strongly with the claim that borders and border control are, as a result of programs such as §287(g) and Secure Communities, everywhere. It is now a theoretical commonplace that what was once an infrastructure proper to the territorial fringes of the state—hard geopolitical infrastructures which can be seen for miles and which can be counted on to be “there”—have been generalized across the interior spaces of the post-industrial world. Nothing could be further from the truth. In terms of documenting state violence, this would be a lot easier; but in terms of actually existing statecraft this is not what is going on. Roadblocks are not Checkpoint Charlies, i.e. sites of permanent strategy, intrigue, and geopolitical “locatedness”.

With this one exception of the roadblock on East Confederate Ave, the rest of our work on roadblocks has been forensic. We borrow this term from Weizman (2011, 2012), whose work on war crimes traces a shift in human rights investigations away from the witness account, or testimony, due to the way in which war crimes typically do not allow for witnesses apart from those who are responsible for the event in question. Weizman shows how human rights organizations have compensated for this lacuna by developing an architectural forensics, or an analysis of the left-behind materiality of an event which in and of itself is missing from the record. As Weizman puts it, with war crimes there is typically no event, only a gap described by a before and an after. In this context forensics means “read[ing] from the form and disposition of ruins” (2011:110), and essentially giving objects voice in order to reconstruct a possible event.

The relevance of Weizman’s work on forensics to the problem of driver’s license roadblocks is hopefully obvious. One of the basic difficulties of researching roadblocks and how they work is finding witnesses. The best witnesses are, arguably, the sheriff’s deputies and police officers who work them, but to date, and despite their acknowledgement that roadblocks take place, we have not found these witnesses to be very forthcoming about the practice, beyond vague generalities.

Another possible witness is the driver, or perhaps passengers, who are detained and placed in deportation proceedings; yet, the reality of detention and deportation poses obvious impediments to testimony, in the sense that immigration jails are often located in remote areas and insofar as detainees are frequently shuttled from jail to jail with little, or indeed any, notification. This is not just a challenge for researchers, who face an uphill battle getting into detention centers, but also for many county-level prosecutors as well as counsel, whose driving-related cases, for example, dissolve when the people involved are deported to their countries of origin, often without notice. There are, of course, drivers who have been stopped without licenses at roadblocks and who have not been deported, but locating these individuals is a challenge. In some instances family members, friends, employers, landlords, advocates and so forth may speak in place of witnesses, for example as a result of immigrant rights groups’ campaigns or policy research, as in the case of the hotline data gathered by GLAHR. But the details in these accounts—crucial details such as the agency carrying out the roadblock, the location, the time, and

even the outcome for the individual(s) concerned—are more often than not fuzzy. This holds even for individuals we have spoken with who have seen a roadblock first hand. Indeed, so frequently do witnesses waiver on the question of which agency might have been running a roadblock that we developed a picture book of sheriffs' and police vehicles in the Atlanta metro area to help interviewees identify which agencies they had witnessed conducting roadblocks. Thus, given the problems arising with testimony, the event of the roadblock itself has always been something of a lacuna for us. As a practice, it remains just out of reach.

Yet, while Weizman's language of forensics may be useful for thinking through our research on roadblocks in terms of the problem of testimony, it is still not adequate. The better phrase would be an "infra" forensics, something below forensics in the sense that there is precious little materiality left behind to be given voice to. For example, even in the North Carolina case where we were fortunate enough to find written authorization for hundreds of licensing roadblocks, the roadblocks did not leave material traces to look at or document. Not only is the event missing in practice, as it were, but there is no architecture disturbance to investigate after the fact. Even with a solid paper trail, the roadblock remains something of an enigma—an event about which law enforcement agencies are extremely reluctant to speak and which remains for researchers, at best, spectral. For example, Coleman (with Kocher) visited literally hundreds of intersections in NC where we had written confirmation of a roadblock. We timed these visits so as to maximize, in theory, the chance of seeing yet another roadblock in action, especially at locations for which we have repeat documentation at specific times of the day. But at every single site we were left literally kicking our feet in the dust: trying to piece together some version of a possible, hypothetical roadblock at an otherwise completely unremarkable street intersection. In some cases we have even wondered whether the built infrastructure—businesses, residences, malls, or indeed the road itself—was there when the roadblock happened, such is the speed with which suburbs are built and neighborhoods redeveloped.

In terms of the practice of statecraft, then, driver's license roadblocks are a real disappearing act, despite their impact on immigrant communities: disappearing (or disappeared) witnesses; often incomplete and/or contradictory testimony; little possibility for an architectural forensics of the roadblock itself; PR-packaged details from law enforcement, but silence on the actual practice; and at best a piece of paper with a time and date and location on it, itself the product of a highly adversarial and highly time-consuming public records request process, which ultimately directs research into the past, and not the present.

Conclusions

In this paper we have argued that understanding how individuals are affected by immigration control and traffic enforcement—which we know indirectly or remotely through aggregate measures reported by the state, through public records requests, visits to publicly accessible but heavily policed arenas such as immigration courts and detention centers, or through qualitative research with those individuals and communities most heavily affected by such practices—is hard to substantiate

through critical ethnographic research focused on statecraft as a practice. It is almost as if the scrutability and substantiality of immigration enforcement as an everyday practice, carried out in its devolved format by local police and sheriffs on the streets of communities across the United States, is in inverse proportion to both the volume of people affected by it and the consequences that this practice has for immigrant communities. We are dealing with something which is impactful in spite of its fleetingness. This is something we have been struggling with throughout our fieldwork, that is, how to square a theoretical commitment to a feminist-inspired, state ethnography position—which prioritizes seeing the state not in the abstract but in its groundedness and messiness—with the invisibility of state power in (research) practice. This amounts to a problem of how to “frame the field” as a researcher when the field constitutes a “continuum of time and place” rather than a series of fixed sites which are readily available for critical, firsthand scrutiny and corroboration (Hyndman 2001).

And so we return to the questions we posed in the introduction: In looking to the state as an arena of embodied practice, are we directing our critical energies, as Abrams (1988) argued nearly thirty years ago, at a level of analysis which effectively chases something which cannot be caught? And if so, is ethnographic fieldwork on the problem of state power as a practice ultimately a compromise to critical scholarship, as it struggles to directly confirm how the state goes about its business? Indeed, what we have experienced in North Carolina and Georgia, with respect to the everyday operation of programs like §287(g) and Secure Communities, as well as their impact on undocumented residents in these states, is how difficult it can be to produce positive, graspable ethnographic data on what the state does and how it does it. From this standpoint, in concurrence with Abrams (1988), we feel that scholars committed to an ethnography of the state, or feminist scholars committed to “studying up” the state, could do more to think through the potentially aporetic quality of the state in practice. The guiding assumption in this work is that the state and its practices are locatable and accessible. This may be an accurate depiction of the state’s bureaucratic apparatus, or perhaps of more located enforcement operations such as those that take place at state borders, but our experience suggests that the state’s everyday law enforcement apparatus may be something else entirely.

Yet while our fieldwork experience raises questions regarding our ability as researchers to “see” the state as an object of ethnographic inquiry, for example in the way that researchers have said the state itself sees immigrants (Winders 2012), we nonetheless view fieldwork in the realm of state practice as a crucial enterprise. This is because the state’s elusiveness in ethnographic terms suggests a dense field of relationships of power, privilege, and violence that persist stubbornly below the threshold of publicity or eventualization. This invisibility obscures the ways in which structural inequalities are maintained and thus works to “legitimate the illegitimate” of state domination (Abrams 1988:76). Indeed, the state’s frustrating elusiveness on the terrain of practice is in truth a finding—a finding *in absentia* of social data in the conventional social science sense, but a finding nonetheless. The conclusion we reach in our research, for example, by virtue of ultimately failing to robustly substantiate statecraft as suggested by state ethnographers interested in

the practice of state power is that immigration statecraft in the guise of §287(g) and Secure Communities enforcement works largely by virtue of never quite achieving the status of having occurred or taken place, or in other words by falling short of being a readily graspable ethnographic object. From the outside looking in, so to speak, immigration statecraft (as traffic enforcement, specifically) is self-effacing, cloaked, fleeting, capricious; it is, to return to Povinelli's work, a quasi-event which never quite rises to the status of a proper event. Describing state practices of power as "quasi-events" does not negate their existence or their having taken place; rather, it signals that in taking place many of these practices are so embedded in the everyday that they are exceptionally hard to excavate and make a positive, certain object of critique. And this makes it not just hard to see, but also hard to challenge, with grave implications for those targeted by the state's disciplinary apparatuses.

Crucially, this insight would not be possible without other forms of research—interviews with community members and service providers, activist research with community-based groups, records requests, policy research, interviews with police themselves, and so on. The inscrutability of the state, in practice, indeed only makes sense by virtue of the many testimonies and other forms of evidence, however incomplete from the standpoint of the state in action, which stress that something is in fact happening on the ground. We emphasize that what we have written here is explicitly from the standpoint of researchers doing research. While our focus in this article has been on the cloaking of law enforcement in terms of researchers interested in the frontline practice of statecraft by the state, the unsubstantiability and inscrutability of traffic stops and roadblocks works very differently for undocumented communities. Stops and roadblocks may be inscrutable for many due to their brevity, but they are obviously substantive and immediately tangible at the everyday level of the lived experience of the undocumented. Immigration statecraft looks very different depending on whether you are trying to study what we might call the "disappearing state", or whether the state is trying to disappear you.

This basic recognition obviates the need for ethnography that approaches the state from various angles at once, as we have tried. It has been precisely our embedded, activist research engagement with undocumented communities there that has enabled us to truly "see" the workings of our primary object of inquiry, immigration policing, and to try and document how this process works. Taken together, we can appreciate that because immigration statecraft tends towards the invisible by virtue of its rootedness in the fleeting practices of everyday law enforcement, its mechanics, its logics, and its everyday strategy are rendered out-of-focus to all, even at times to those subject to its violences. Indeed, statecraft of this kind is impactful not in spite of its fleetingness, but rather precisely because of it.

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