

Illegalized Bodies:
The Architectures of Debilitation, Capture, and the Emergence of Migrant Justice

Carlos Alberto Yañez Navarro

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Reading Committee:
Angelina Snodgrass Godoy, Chair
Rawan Arar
Kathie Friedman

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University of Washington

Abstract

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Chair of the Supervisory Committee:

Angelina Snodgrass Godoy

Department of International Studies

In 2005, Senator Mel Martinez stood on the Senate floor and declared what he called a little-known secret: that the United States economy depended on the labor of undocumented people and that without it the economy would grind to a halt. This dissertation begins with a different premise: that this was no secret but rather was engineered, functionally and legally. It is argued that U.S immigration law actively produces *illegalized* subjects, a population whose labor can be exploited because of legal vulnerability. In doing so, this dissertation advances the central argument that *illegalization*, that being the legal process by which the state renders a person's presence unlawful, functions not just as exclusion but as a productively engineered governing mechanism that functions through what disability studies scholars call debilitation. Utilizing disability studies, critical migration theory, and legal scholarship, this dissertation investigates the debilitating architectures of Migration Governance, how it operates on migrant bodies, and

the organizing responses produced under a state regime that enacts increasing violence against migrant communities.

The dissertation develops this argument across three interconnected articles. The first article examines how immigrant advocacy organizations in the United States have understood and responded to migration governance over the past three decades. Through a systematic analysis of documents produced by eight prominent organizations, the writing traces the emergence of "Migrant Justice" as a distinct political framework. Unlike earlier immigrant rights approaches, Migrant Justice sees the state itself as the source of the violence that it contests while rejecting the legitimacy of borders, detention, and deportations.

The second article shifts focus to the body. Drawing on the author's experience as an *illegalized* subject and on ethnographic documentation gathered across advocacy visits to the Northwest ICE Processing Center in Tacoma, Washington. This article follows the author's experiences with Almi, a stateless man held for over 180 days without legal representation. Using autoethnography, it is argued that debilitation does not begin at the moment of capture within the migrant prison but that it begins accumulating long before it. Debilitation begins through restricted healthcare, labor exploitation, constrained mobility, and the permanent psychological weight of deportability. The migrant prison intensifies this debilitation, where conditions not only enact slow death on the body but fundamentally sustain the profit structure of the private contractors who operate them.

The third article investigates the statutory architecture that makes this governance system possible by drawing on an analysis of statutory and congressional debates. Using the Undesirable Aliens Act of 1929 and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 as case studies, it argues that Congress did not write the criminalization of unauthorized

entry into law to prevent migration. Debates and analyses reveal that the architectures investigated function to structure the exploitability of migration, producing a specifically racialized and deportable subject. In doing so, it turns time into legal liability by foreclosing pathways to regularization while maintaining bodies in indefinite legal precarity.

This reveals U.S migration governance as a system that *illegalizes* the very people whose labor it requires. For migration scholars, this writing's importance exists within its centering of the body and its experiences within legal forces. For disability scholars, this writing establishes immigration law and its governance architectures as a primary site where debilitation functions as population control. For communities, it offers a political horizon that does not seek reform but questions state violence. A political horizon that ultimately seeks to fully dismantle the violent apparatuses that bind our world, so that we may arrive at a reimagination of migration for all those who cross borders within the present and future opened by a wider understanding of justice.