

Dignity Politics: The State, Trauma, and Democratic Citizenship

Romelia M. Solano
Ph.D. Candidate
University of Notre Dame
rsolano@nd.edu

Abstract:

This manuscript addresses two interlinked questions: Under what conditions are carceral experiences politically mobilizing or alienating? Further, under what conditions do immigrants with carceral experiences align or disassociate themselves politically with other race-class subjugated groups? To answer these questions, I offer a new conceptualization of state-trauma exposure. I draw on policy feedback and social psychological theories to develop a theory of dignity politics that explains how immigrants will expose abuse and reclaim dignity in the detention context. Using a non-probability sample of 45 (ongoing) in-depth interviews with formerly detained individuals and their networks, I show that the severity and type of carceral experiences influence the directionality and form of political participation immigrants invest with political meaning. Specifically, my interviews show that traumatic experiences with the government's repressive face have more heterogeneous participatory effects than previously understood. A subsequent iteration of this manuscript will test the theory with nationally representative survey data and administrative crime-reporting data.

Keywords: policy feedback, political psychology, state-trauma exposure, and dignity

“Any man or institution that tries to rob me of my dignity will lose.”
Nelson Mandela

“A traumatic event is never just an event. It results from a complex set of interactions between the personal and the collective, between the individual and her social context. In the end, it is always and inevitably a series of events shaped by economic and political imbalances of power.”
Johanna Kistner

“Citizenship... is not a thing determined by who one is but rather by what someone does.”
Frederick Douglass

Introduction

In June 2018, the American Civil Liberties Union and other advocates denounced the Trump administration’s family separation policy. On September 14th, 2020, several legal advocacy groups and Dawn Wooten, a nurse who previously worked at Irwin County Detention Center, filed a whistleblower complaint alleging mass hysterectomies in detention. While these events captured national attention only momentarily amid Donald’s tumultuous presidency every day in the United States, 16.7 million mixed-status families live in fear of family separation. Concomitantly, congressional inaction on immigration reform means that 11 million immigrants continue to lack formal citizenship despite residing in the country on average 30-20 years. Their situation is the result front of a 20-year convergence of the immigration system with the U.S. carceral state (Stumpf 2006). Additionally, evidence suggests that this trend has led to chronic economic insecurity, post traumatic stress disorder (PTSD), and immigrants underreporting crime when local law enforcement cooperates with ICE (Lopez 2019; Vargas et al. 2019; Dhingra 2021).

To understand the major upheavals in contemporary American politics, I argue that we must first understand how race-class subjugated groups experience their relationship to government and other groups. For immigrants, the Obama and Trump administrations represent a

period period of publicized racial targeting including “redadas,” “detenciones,” “deportaciones,” and “separacion de familias” wherein immigrants came to understand their relationship with the state as particularly violent.

Carla arrived in the U.S. on a tourist visa that was revoked at the airport when Customs and Border Patrol (hereafter CBP) designated her as an overstay-risk.¹ Carla was frantic and shocked when she called the National Immigrant Justice Center (hereafter NIJC) for a pro bono legal consultation. Carla demanded that NIJC do something to have her visa reinstated because as she vehemently put it, she was “not one of them,” she was “not a criminal”, and she “did nothing wrong, and did not deserve to be caged with dirty people like an animal.” Unfortunately, she was informed that there was no way to contest the overstay-risk designation, and that she would either have to remain detained and fight an asylum case or sign a deportation order.² In Carla’s case signing a deportation order would mean being permanently barred from returning to the United States. Carla was particularly concerned about losing her visa and being unable to continue her transnational cosmetics business.

Adjudication of asylum claims under the jurisdiction of Chicago Immigration Court can take anywhere from four months to several years depending on whether an individual is subject to mandatory detention or eligible for parole. Carla came into the Department of Homeland Security (DHS) custody at port of entry and was therefore subject to mandatory detention on

¹ If someone enters on a B1/B2 visitor visa but CBP suspects the individual is coming to work in violation of that visa, they can conduct a secondary inspection or questioning and may confiscate electronic devices to show intent to stay in the U.S. In accordance with 8 CFR 1235.4 the burden of proof is on the foreign national to show that they intend to leave.

² At this juncture the foreign national has three options 1) have a lawyer intervene with CBP 2) request a CFI/RFI 3) withdraw application for admission. Options 1 and 3 are very difficult. An increase in the use of secondary inspections in the past year resulted in a lawsuit filed against TSA by the ACLU. The level of ‘reasonable suspicion’ that CBP must have to justify a search is governed by legal precedent in the appellate circuit a state falls under.

expedited removal orders.³ I am not sure what happened to Carla after NIJC was unable to take her case, but she seemed determined to fight to stay in the United States.

Carla's story is emblematic of the due process violations and bureaucratic inefficiencies that plagues the U.S. immigration system and the identity-making processes currently underway in our country's detention centers and immigrant communities. For Carla the negative social construction of immigrants in the U.S. was clear in her immediate experiences with CBP and ICE officials. Carla learned to disassociate herself from the people that Donald Trump so frequently disparaged as "rapists and criminals." Importantly, experiences with the immigration system took a historically restrictionist and racialized tenor under the Trump administration. Yet, responses to experiences with the immigration system in this period were not uniform. Individuals complained of prolonged adjudication times, unattainable immigration bonds, other due process violations, and dangerous public health conditions in immigration detention. Many individuals responded with confusion and frustration like Carla to this increasingly punitive immigration policy environment, while others' experiences compelled them to ally themselves with their detained counterparts and to advocate for their civil and human rights.

Gil had never lived in the U.S. before, but had been using a visitors visa for his work as a taxi-driver. Gil's story is illustrative of how even the most straightforward asylum cases are prolonged and complicated by the U.S. immigration system. Protection under the Convention Against Torture (CAT) cases are notoriously challenging under normal circumstances because respondents must demonstrate a clear probability (greater than 50 percent chance) of being tortured directly by or with the acquiescence of the government in their country of origin. Only about 2-3 percent of all CAT applications are granted each year. In comparison, regular asylum

³ Non-citizens are subject to mandatory detention on expedited removal orders when they are apprehended at ports of entry or within 100 miles of the U.S.-Mexico border and found to be inadmissible or deportable under the INA.

respondents must demonstrate a well-founded fear (or 10 percent chance) of persecution, and about 35 percent of all regular asylum claims are granted each year.

Importantly, only about 14 percent of asylum claims from Mexico are granted each year and this number decreased dramatically under the Trump administration.⁴ At any other time in the U.S., under any other administration, Republican or Democratic, Gil's case would have been a textbook CAT case. In fact, an expert witness on cartel violence testified with great certainty that Gil would be tortured and killed if returned to Mexico, and the immigration judge agreed with the expert. Yet, a series of confusing Attorney General decisions allowed the case to prolong Gil's detention by six months before ultimately granting protection.

Over the course of his case, I learned that Gil had formed and led a Bible study group in detention. Gil also repeatedly referred other cases to me, and frequently requested information for others in detention. On the day he was finally released, his first question to me was how could he keep helping people like him, all those people he felt he had left behind in detention? Weeks later he followed up with NIJC to request information and support to start a regular Know Your Rights workshop in his local neighborhood.

Carla and Gil were both relatively new to the U.S. Carla and Gil were both from Mexico, and they both came to the U.S. on a visa, yet their experiences with the immigration system resulted in vastly different political trajectories. To explain this variation this manuscript asks the following interrelated questions: *Under what conditions are carceral experiences politically mobilizing or alienating? Further, under what conditions do immigrants with carceral experiences align or disassociate themselves with other race class subjugated groups?* More generally, this work asks what lessons immigrants learn when their most salient interactions with government are through the state's repressive apparatus? In order to answer these questions, I

⁴ <https://trac.syr.edu/immigration/reports/539/>

inductively build a theory of dignity politics which acknowledges the important role of the carceral state in structuring the democratic citizenship of race-class subjugated groups (Soss and Weaver 2018). This theory is grounded in the lived experience of real people but remains general enough to explain why Carla and Gil responded so differently to their carceral experiences.

From interviews, survey data, and administrative data, I show why state-trauma exposure can both alienate and mobilize and the carceral state's central role in socializing immigrants into the norms of a white heteropatriarchal neoliberal nation-state. Moreover, I argue that political participation is a function of the severity and type of carceral experiences. Drawing on the rich body of work of race and ethnicity politics, I further argue that responses to carceral experiences are heterogeneous and manifest themselves in understudied forms non-electoral participation that immigrants invest with political meaning (Sanchez 2006; Walton 1994; Dawson 1994).

Many studies have been conducted to understand the reasons that individuals support punitive policies and how immigrants respond to these policies (Hopkins 2010). Additionally, Barreto (2003), Ramirez (2013) and Zepeda-Millán (2017) examine the role of immigration enforcement on immigrant voting, naturalization rates, and mass mobilization. These scholars argue that under conditions of threat like the Sensberger bill in California which would criminalize anyone associated with or providing services to undocumented immigrants, immigrants and their allies mobilize. Although the existing literature provides a multitude of perspectives on what drives immigrant political behavior, there seems to be little conclusive agreement. This is the central problem that this study seeks to address.

The following sections, I argue that the valence of carceral experiences informs how immigrants think about their relationship to the nation-state, ingroups and outgroups, and structures their political participation. Next, I contextualize the proposed theory by briefly

outlining the insights and limitations of related policy feedback and political psychological theories. I then integrate this context into a discussion of how state-trauma exposure shapes how immigrants navigate the immigration bureaucracy and a highly racially and politically polarized polity. I conclude a discussion of some initial interview findings, and an analysis of the project's contributions to race and ethnicity politics and American politics.

Policy Feedback and Immigration

Notably, under what Cohen (1999) calls advanced marginalization, a symbolic opening of dominant society leads to increased stratification and cross-cutting cleavages among marginal groups. This symbolic opening rewards and advances those that conform to dominant norms and behaviors and punishes those who nonconform. Given that immigrants are extraordinarily diverse, and significant within group heterogeneity exists among immigrant subgroups, I look to scholarship on policy feedback and race and ethnicity politics to better understand how carceral experiences through the immigrant detention may further exacerbate existing structural inequalities and produce heterogeneous participatory effects (Jones-Correa, Al-Faham, and Cortez 2018).

Moverover, the alienating effects of experiences with the carceral state have been rigorously documented and suggest that high levels of contact with the repressive face of government decrease voting and trust among Black communities (Lerman and Weaver 2014). Complicating this consensus is recent work suggesting that carceral experiences may be politically mobilizing (Walker 2020). Walker and Barreto (2020), and Baumgartner (2016), have partially extended the literature on the carceral state to immigration enforcement.

However, as a field, political science has not centered the experience of immigrants, and how their political lives are shaped by their increasingly frequent interactions with the immigration system, through immigration enforcement, detention, and the courts. Thus, I focus on the participatory effects of experiences with immigrant detention. Policy feedback theories on the carceral state propose that political socialization is the primary mechanism underlying the policy to politics link (Schneider and Ingram 1993; Lerman and Weaver 2014). Other policy feedback scholars have also attributed mobilization to factors outside the individual, such as the concentration of local indigenous resources and institutions (Burch, 2013) or a sense of injustice among those with proximal contact with the state (Walker 2020). However, the causal mechanisms underlying this relationship are in their nascency of being fully explored. Extant explanations also seem to foreclose mobilization for those most directly impacted by focusing on costs to participation that carceral experiences impose rather than the non-material resources that individuals may acquire through lived experience. Thus, I argue that the utility of policy feedback theory for explaining the behavior of those most vulnerable lies in overcoming this alienation bias by turning to political psychology to identify the psychological resources that promote resilience or post-traumatic growth.

Social Identity Theory and Emotions in Politics

Traditionally, the two predominant models of political participation in American politics are the resource model which posits that socioeconomic status is the strongest driver of political participation (Schlozman, Verba, and Brady 1995). Alternatively, the racial group consciousness model posits that believing one's experience is related to the group's position within the U.S. racial hierarchy and a belief that collective action is necessary to improve the groups' position

but causal mechanisms remain in their nascency of being explored (Verba and Nie 1978; McClain et al. 2017). Building on this rich tradition within the subfield of race and ethnicity politics, I argue that by restricting the concept of political participation to voting the resource model systematically underpredicts the resilience of race-class subjugated groups. I employ a broader definition of political participation in this study that encompasses voting, protest, crime reporting, administrative complaints, mutual aid, and resistance (Desmond 2019; Michener 2018).

I further draw on classical and emergent scholarship on the role of emotions in politics to outline key concepts and delineate some initial theoretical propositions in the section that follows. First, it is important to note that emotions have a long intellectual genealogy in political psychology. Emotions like enthusiasm and pride for example, are thought to be associated with political creativity, anger has been delineated as a potent catalyst for political action (Valentino et al. 2011; Phoenix 2019). Emotions like fear, resignation, and cynicism on the other hand, are thought to inhibit political mobilization (Phoenix 2019). Emotions in politics have typically been studied in isolation of one and other though in reality they operate as a bundle. Additionally, while emotional responses may have been studied as reactive to one point in time, political psychology and cognitive neuroscience actually finds that emotions are actually rooted in longstanding response patterns developed overtime (Mondak 2017). Importantly, while emotions like anger and humiliation are thought to drive racial resentment and nationalism among white Americans, the expression of anger has traditionally been foreclosed to race-class subjugated groups (Kinder and Sanders 1996). Thus, we should expect that immigrants like their Black counterparts, may have to draw from a different bundle of emotions or psychological resources to discern the forms of political participation that are open to them.

Concepts and Theoretical Propositions

I integrate parallel threads of inquiry on social identity and policy feedback to inductively generate a theory of dignity politics from the narratives of immigrants, which focused on the imperative of redefining one's social identity and reclaiming dignity vis a vis the state, in-groups, and out-groups by voicing harm and exposing abuse. While scholarship on the carceral state often mentions the concepts of the state, trauma, and dignity, political scientists rarely define these terms. Thus, I first provide new conceptualizations of these terms. Drawing from social identity theory which posits that individuals are motivated to establish or maintain a positive self-concept, I then explain why different forms of state-trauma exposure elicit different forms of political participation (Turner and Tajfel 1982). Finally, by integrating both negative-valence and positive-valence emotions as informing an individual's state-trauma exposure responses, I assess how heterogeneous policy implementation through direct and vicarious carceral experiences can lead to heterogeneous participatory effects (Michener 2019).

Unlike most studies of political threat, which conceptualize threat as aggregate level changes in the policy environment or perceived threat related to episodic exposure to trauma through the media or elite-framing, I conceive of *state-trauma exposure* as being harmed or witnessing the harm of others by violence that is intimately related to the state's repressive apparatus. I define the state as the administrative form by which the legitimate monopoly of force over territory is administered (Mann 1984). The state's repressive apparatus is composed of the armed forces which include street-level bureaucrats or law enforcement agents. State violence refers to illicit forms of domestic coercion employed to control a target population. In the context of immigration enforcement, state violence takes on the form of surveillance, raids, detention, and deportation. In eras of illiberal and anti-immigrant politics, the U.S. state has

given broad discretion to street-level bureaucrats to repress target populations with impunity. Throughout the Trump administration, Immigration and Customs Enforcement (ICE) notably militarized, engaged in repression, and committed gross human rights violations against immigrants (ACLU, 2020).

A central thesis of this manuscript is that for some new or arriving immigrants' as well as long-time immigrants' detention is an impressionable experience where political orientations are destabilized, and thus incompletely crystallized and open to influence (Huddy 2001; Laitin 1998). For other immigrants, when political orientations are well formed prior to detention, low valence or routine immigrant detention experiences may reinforce preexisting orientations. This context produces an environment of threat, danger, stress, and uncertainty that trigger perceptions of potential harm and elicit a behavioral response to state-trauma exposure. In peace and conflict studies the special role of brutal acts that are viewed as unjustified are often thought of as turning-point experiences that make identity salient and correcting the in-groups' position imperative (Tajfel 1982, Volken 1997). These turning-point experiences often pose an existential threat to safety, self-image, and victimization. The effects of direct and vicarious state-trauma exposure remain understudied beyond post-conflict contexts and particularly a dearth of study in advanced Western and multiethnic democracies (Sampaio, 2014).

In terms of state-trauma exposure and emotion in politics, as previously stated anger is thought to induce risk-taking or high cost political activism, whereas emotions like humiliation and hope remain understudied. Following the logic that a bundle of emotions may better account for heterogeneous responses to state-trauma exposure, I posit that humiliation and hope are precisely the emotions that could compel race-class subjugated groups to action in the wake of dignity damaging experiences (Cruz Nichols and Garibaldo Valdez 2020; Lindner 2001). In fact,

psychological resilience or post-traumatic growth in the face of adversity, in the context of general trauma, and structural racism, is associated with a deeper capacity to connect with others, increased willingness to be vulnerable, and a willingness to engage in help-seeking behavior (Nadler 2001). In clinical psychology resilience is also thought to be learned and developed as part of a healing process that focuses on making meaning of traumatic experiences by voicing harm. Figure 1 provides a visual illustration of this working theory.

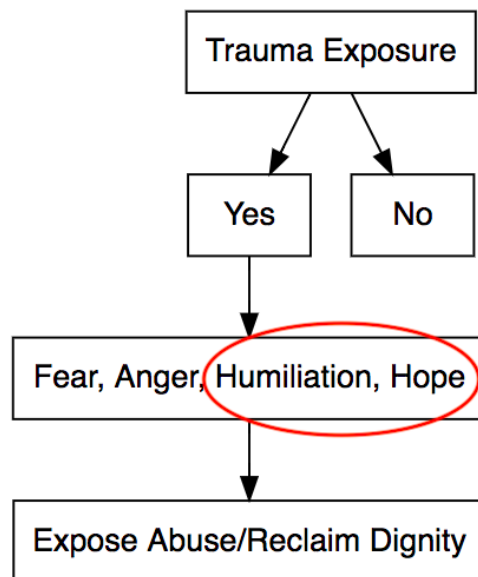


Figure 1. Towards a Theory of Dignity Politics

Notably, trauma as it refers to generalized experiences of harm from natural disasters, random violence, or bereavement, is not within the scope of this project. Though generalized trauma may have real social-psychological implications for politics, this project narrows in on state-trauma exposure as a by-product of the carceral state. Unlike exposure to generalized forms of trauma, I argue that state-trauma exposure more closely implies a link to politics by conveying

important messages about citizenship and the social contract and the rights of persons to challenge arbitrary government force.

Data and Methods

I examine interviews with a non-probability purposive sample of 45 interviews with formerly detained individuals and their networks in nine states (Illinois, Indiana, Kentucky, Arizona, Texas, Oklahoma, California, New York and Virginia). Participants interviewed were recruited through non-profit legal aid agencies serving this population, with purposive sampling used to locate participants who had a range of severe and routine experiences with immigration enforcement and detention. All interviewed participants received a \$20.00 (USD) gift card upon concluding the interview. Each interview consisted of open-ended questions and were performed telephonically or via Zoom. The full interview guide is provided in appendix A. The average interview length was 70 minutes with a maximum length of 110 minutes and a minimum length of 40 minutes. Interviews were recorded and stored securely in a password protected server. Interviews were hand-transcribed by trained researchers assistants. Each interview was audited for accuracy before initiating the coding process.

Interview Demographics

Of the 45 individuals interviewed, 30 were detained at some point and 15 individuals have had a family member detained. They hail from Mexico, Venezuela, El Salvador, Honduras, Guatemala, Haiti and Russia. They include individuals who have been in the country since the 1980s as well as some who arrived recently. They range in age from 19 to 52. The average age of participants was 29. Of the 45 interviews, 25 (55 percent) were men and 20 (45 percent) were women. Approximately, 30 percent had less than a high school education, 50 percent had a high

school diploma, and 20 percent had attended at least some college. The average detention stay was 3 months, and the ranged from 2 weeks to a year or more.

The Participatory Effects of Carceral Experiences

This section aims to elucidate the range of immigrant detention experiences that are possible. In this analysis, individuals with higher valence experiences with immigrant detention were more likely to underreport crime but were also more likely to participate in protest, file administrative complaints, contribute to mutual aid, and engage in various forms of resistance. Conversely, individuals with lower valence experiences with immigrant detention were less likely to underreport crime but also less likely to engage in other forms of political participation.

Like Gil, Melina, a 50-year woman originally from Russia, who was detained for nearly 2 years in multiple Southwest detention facilities recounted being exposed to sexual misconduct between two officers during an ICE transfer, and then being retaliated against with arbitrary ICE transfers and solitary confinement for reporting the incident. For her, prolonged detention and repeated state-trauma exposure within the detention context had potent mobilizing effects:

“I didn’t care, I really didn’t care anymore, I had nothing left to lose, all I could do is keep saying, what you are doing is wrong, you cannot treat people like this. And I stopped eating, as a protest, I stopped eating.”

In addition to being a part of multiple hunger strikes during her time in detention, Melina also filed multiple internal ICE complaints. Post-release, she filed a formal Civil Rights and Civil Liberties complaint and continues to fight for ending immigration detention by sharing her story with policy advocates and public outlets. But Melina’s outspokenness has not been without great personal cost. She believes that her case was prolonged precisely because she frequently challenged ICE abuses on multiple fronts. The prolonged separation from her son also illustrates how carceral experiences create interpersonal rifts that are difficult to overcome long after

release from incarceration and/or detention. Still, Melina also believes that had she not advocated for herself and others so fiercely, she would have succumbed to suicidality, and not survived immigrant detention.

“They let me do things they didn’t let others do. If I asked for something, they would do it. Because they knew that if they ignored me, I would just keep bothering them. I wouldn’t shut up. So if the girls needed more tampons or toilet paper. They would ask me to help them. And when we needed new mops, we went on strike. We stopped cleaning until they gave us new mops. So you just learn that to get them to do anything, you have to make yourself an inconvenience.”

Similarly, another respondent, Marco, came to the U.S. when he was 13 years old. He has lived here for 18 years. He dropped out of high school at 16 and started working immediately. He switched jobs to spend more time with family. At the new job, he was the victim of labor violations, including unpaid wages. When Marco complained, the employer retaliated by filing false theft charges against him. He was appointed a public defender and took a plea deal without being advised about the consequences for his immigration status. This was Marco’s only criminal conviction.

After serving a four-month sentence, he was detained for 15 months in multiple county jails contracted by Immigration and Customs Enforcement (ICE). He said that the hardest part of detention was being separated from his children. His 5-year-old daughter still sees a therapist. Eventually, Marco was able to obtain lawful status in the United States. He now works from 7 a.m. to 9 p.m. during the week, and delivers groceries for Instacart on his days off. He doesn’t have time to participate in traditional political activities. Nonetheless, mobilized by his experience, Marco provided testimony in a congressional hearing regarding detention. He continues to help other immigrants navigate the immigration system.

When I asked Marco what he thought about President Biden pursuing a pathway to citizenship, he was conflicted:

“That will help, but ICE shouldn’t be able to treat people the way they do. I felt like I was being tortured, but I had to fight to stay here for my kids. My case worked out, but my family lost everything. There are a lot of people like me who were deported or are still detained.”

He added:

“I just want people to know, you can do everything right, I did everything right, and this still happened to me. I lived here all my life, never got in any trouble. I can speak English I can say things others can’t, that’s why I felt like I had to say something.”

Another respondent, Santiago, a self-described history buff, came to the U.S. before he was 10 years old and has lived here for 27 years. All of his siblings have legal status, but in the letters of support they wrote for his case they tell the story of how Santiago got them through college after his father’s death. He pled guilty to driving without a license and being a habitual traffic offender, but he has no crimes that are considered “severe” or disqualifying under immigration law. He lives in a conservative county in the midwest with a high rate of complying with immigration detainers, so more likely Santiago was targeted for driving while brown (Armenta 2017; Provine et al. 2016).

In other words, he is the archetype of a Dreamer who “could have” status, if not for DACA’s prerequisites. And yet he was detained for six months in a county jail contracted by ICE. He lost his asylum case so his only form of relief is adjustment through his U.S. citizen fiancée, but he cannot get married because the jail and ICE are prohibiting individuals from getting married virtually during the COVID-19 pandemic. Yet despite all of these challenges, for Santiago, the hardest part of immigration detention was being unable to be with his mom when she was hospitalized and recovering from COVID-19.

“I would always raise my hand and say, hey, if you need help communicating with someone, I can help with that. I can usually explain for people and help the people who don’t speak English and the ICE officers avoid having misunderstandings. And I learned to do that in detention and now at work, I am always volunteering to do that too.”

When I asked Santiago what he thought about President Biden’s plan to pursue a pathway to citizenship, he expressed a cautious optimism that comes from years of lived experience that tells him to distrust politicians:

“I just hope he sticks to his word. I mean it would be great for a lot of people. All people really need is a work permit and a green card to live and work without fear. But I don’t know if that will include people like me. I mean, right now, like in Florida, all the farm workers, are undocumented. If they get rid of us, who is going to do that job?”

When I asked him what he would want people to know about detention Santiago reiterated Marco’s call for accountability:

“I would say just give everybody a chance. We’re all humans. People just want to make a living. You don’t have to accept us about everything, but we’re humans. There were weeks when we went outside to recreation maybe one a week, and it would be at like three in the morning. We are supposed to have recreation five times a week. How is that a democracy?”

The Convergence of the U.S. Carceral State and Intergroup Relations

The U.S. federated immigration system holds an important place between domestic and international politics, and is at the center of questions of belonging, race relationships, the state and democratic citizenship. Today, the U.S. has the largest immigration detention system in the world, detaining over 50,000 immigrants at the height of the Trump administration, and 22,000 in the midst of the COVID-19 pandemic, in over 200 facilities across the country (ACLU, 2020). Cocomittantly, since the passage of Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) and the Antiterrorism and Effective Death Penalty Act (AEDPA), nearly 20 years ago, the immigration system has been inextricably linked with the criminal justice system.

The fivefold growth of the immigration enforcement and detention system has happened within a highly decentralized criminal justice and policing system that has continued to pursue defunct and aggressive surveillance strategies, such as investigatory stops in minority

communities. Moreover, the same federal ‘war on drugs’ training that turned ordinary police into drug law enforcers by targeting Blacks as suspected drug users in the 1960s, turned local police and county sheriffs into immigration enforcers by targeting Latinos as suspected drug traffickers in the late 20th and 21st centuries. Thus, by the time that former President Trump called immigrants criminals and rapists he invoked the racialization of immigrants as “criminal” and “other” and therefore closer to Blacks than to whites or Asian Americans (Masouka and Junn 2013).

In terms of what my interviews with those directly impacted by U.S. immigration policy reveal about intergroup relations, Santiago illustrates the organic intellectualism I observed particularly among immigrant youth but also among some immigrants with both criminal and civil custody experiences. Santiago was critical of the carceral state and perceived greater commonality between Latinxs and African Americans, while practicing what Pedraza and Cruz Nichols (2017) have dubbed “cautious citizenship” in light of his state-trauma exposure and increasing racialized violence against communities of color.

“If you’re not white I don’t like how they treat you. They kill Black people. They treat us Latinxs like we stink or something. A racist person can harm Latinxs. White people have beat up Latinxs. That has been happening, and it worries me sometimes. But I don’t think I personally would go to a protest. I just think that would get someone like me in trouble. I would support it, economically, but I wouldn’t feel safe.”

For many immigrants, their first experiences with the U.S. government are with the repressive face of government. Many individuals I spoke to recounted coming of age in immigrant detention centers or narrowly avoiding CBP at the border. They also recounted early experiences of state-trauma exposure, such as losing family members to criminal or political violence in their home countries, observing corruption in their country’s security forces and local

elected officials. Respondents also reported weak attachments to the political parties (Hajnal and Lee 2011) but high levels of democratic responsibility and legal consciousness (Garcia 2019).

It was common for respondents to downplay their knowledge of politics at the beginning of interviews, but then later espouse a deep understanding of the U.S. immigration system and persist issues of racial inequality and political polarization. For example, when I asked Aida, an asylum-seeker that was released on parole, what politics meant to her and what she thought about U.S. politics after 6 months in the country, she expressed the following:

“Politics runs deep here. To have an opinion, I would have to spend more time here and learn about the history here. From what I can tell, politics is very complicated here, so I think you have to take that seriously. I would rather speak to that from a more informed place.”

Yet, for some immigrants with short-lived, routine detention experiences or the winner’s of the immigration lottery system, the U.S. government was within its right to pursue immigration enforcement. Take Daniel, Leonely, and Samuel’s replies for instance, when I asked them about the tenor of their interactions with ICE officers and the Black Lives Matter (BLM) movement, they replied the following:

“I mean I wouldn’t go that far, you know, I am out now. I am able to work now. That’s what I came to do. And my uncle was a police officer, and there were threats against his life. So to me they were just doing their jobs.”

“I will say this, at least here, you can’t just pay-off the police, like in my country. At least I don’t think that happens here. So I know that is a big issue for African Americans with the police, but I still feel like the police are better here.”

“African Americans are more confrontational, but maybe if we are less confrontational we could all get along. I have doubts about the movement. I know they are fighting for their rights but in some ways they are bringing others down when they ruin businesses. It is wrong what the police do, and African Americans are stronger than us here. If someone kills us, we can’t do anything, because we can be deported.”

These voices illustrate the complex racial triangulation of Latinxs and the multidimensionality of immigrant opinions of police and the BLM, and the central role of the carceral state in pushing

Latinx immigrants to disassociate with Blackness in order to seek protection from the nation-state. For example, while Carla firmly disassociates herself from African Americans and her co-ethnics on criminal lines, Leonely was drawing on her experience as an Argentine-Venezuelan immigrant, and Daniel was drawing on his family's experiences in El Salvador, suggesting a transnational lens informing their perspective to dissociate or at least distance themselves from expressing support for BLM (Wals 2011). With 20 years of experience in the country however, Samuel was drawing on respectability and citizenship differential frames to assess his position on BLM. Yet all respondents perceived the issue of police violence as starkly divided across racial ethnic lines and identified themselves as racially triangulated between whites and Blacks in the U.S. racial hierarchy (Kim 1999). These findings are in-line with self-categorization theory which argues that racialized conflicts would increase the salience of one's racial ethnic identity and the homogenization of both the in-group and out-group (Hogg 1992).

For individuals like Gil, Melina, Marco, and Santiago, and others who perceived more commonality with African Americans, I argue that the convergence of the immigration system with the U. S. carceral state should facilitate intergroup cooperation, perhaps especially in new immigrant destinations where preexisting race relations may be less of an impediment to unity (Jones, 2012). I further argue that dignity damaging experiences in detention should push immigrants to align themselves with BLM and adopt an oppositional politics improving the prospects for coalition-building around decarceral politics from the bottom-up.

Discussion

In sum, I find that through seeking redress, individuals gain legal knowledge that empowers them to navigate the immigration bureaucracy and build resilience. However, I also find that in

the context of the rapidly changing federal and local immigration policy landscape, immigrant detention exacerbates secondary marginalization or within-group inequalities. Thematic analysis of in-depth interviews reveals state coercion's central role in making political identities and structuring political action.

The study identified a causal mechanism that clarifies how psychological social identity needs can transform traumatic experiences with the government's repressive face into acquiescence or action to reclaim one's dignity. Moreover, the study established a possible causal pathway between state-trauma exposure and the propensity to engage in multiple forms of political participation. Whereas anger and voicing grievances has historically been foreclosed to race-class subjugated groups, I argue that dignity politics which calls on a different bundle of emotions, namely a mix of humiliation and hope, to restore a positive self-concept which offers an alternative entry into political participation. I argue that dignity politics compels vulnerable individuals to expose abuse and demand accountability for harms committed against themselves and others. This project further elucidates understanding the cumulative effects of repeated or sustained state-trauma exposure and non-material resources of resilience such as faith and interpersonal relationships as important areas for future research. Finally, this research demonstrates that policy implementation matters for democratic governance, accountability, and oversight, and that the experiences of race-class subjugated groups should inform how political science thinks about the state's regulatory and social service provision role and other forms of state-citizen interaction.

Appendix A

Interview Guide

Personal Background

Introduction (establish rapport): I will begin by asking you some questions about your background and immigration experiences.

1. Could you start by telling me about yourself?
 - a. Where are you from? Where did you grow up?
 - b. If initially from another country: Do you follow politics where you grew up?
 - i. Did you participate in politics in any way in your home country? Describe how or tell me why not.
 - ii. Can you describe your first memory of politics in your home country?
2. Are you employed?
 - a. If so, what do you do for a living?
 - b. If not, how long have you been unemployed, and what did you do before?

Pre-Immigration Detention

3. Can you tell me what your life was like before you [or your family member] were detained?
4. Did you have any other experiences with the immigration system before this experience?
5. What did you know or think about the immigration system before this experience?
6. Did you have any other experiences with the U.S. government before this experience? For example, with the criminal justice system or other government-run agencies?
 - a. If applicable, did you have any other government experiences in your home country before this experience?
7. Have you ever been the victim of a crime?
 - a. Do you know anyone who has been a victim of a crime?
8. Thinking back over the last year, how comfortable would you be to the police or other government officials for help?

Immigration Detention Process

9. Can you think about the day you [or your family member] first came into contact with [ICE/CBP]? Can you tell me what that was like?
 - a. What else do you remember about that day or interaction with officers?
 - b. How did you feel when that happened?

10. When you [or your family member] was arrested, were you [they] able to talk to someone about their rights?
11. Can you tell me what being or having a family member in detention was like for you?

Immigration Detention Experience

12. How has it been navigating your [or your family member's] case?
13. How has it been like accessing help? For example, what was it like getting information about your rights, finding legal representation, medical care, mental health care, women's health care, getting information about COVID-19, getting hygienic supplies, getting proper nutrition and recreation, or getting information about your case from ICE, or voicing concerns with ICE?
 - a. Probe: Easy, challenging, why?
14. Do you think that you [or your family member] were treated differently by ICE for any reason?
15. Do you think that other people view you differently because of your [or your family member's] experience with immigration detention?
16. Do you view yourself or your family member differently because of this experience?
17. Where have you had to go physically to get help for your family member's case? For example, police stations for criminal records, prior attorneys, schools, ex-partners.
 - a. Can you describe what your experience was like at those places?
 - b. How did officials treat you at those places?
18. Have you interacted with immigration enforcement in more than one state?
 - a. In your experience, does immigration enforcement vary from state to state?
 - b. If so, how?

Resistance

19. Was there ever a time you [or your family member] had a complaint or problem with ICE/CBP, jail officers, medical teams, other detainees, the immigration court, their attorney, or with anything else?
 - a. If so, what was it?
 - b. If there was more than one issue, tell me about the others?
20. Did you do anything in response to this problem?
 - a. If so, what?
 - b. If not, why not?
21. Did you [or your family member] ever raise a complaint or problem as a grievance?
 - a. How did that turn out?
 - b. How did you feel about the result?

22. Was there ever a time you [or your family member] had a complaint or problem in immigration detention but didn't say anything about it?
 - a. Why not?
 - b. How do you feel about the issue now?
23. In general, if someone were to raise an issue or challenge an officer's decision, how do you think things would turn out?
24. Do you [or your family member] think people in detention have much influence over officers?
 - a. Do you [or your family member] think people have any say over what happens to them in detention?
 - b. Did you participate in protests or hunger strikes in detention?
 - c. Did you know of other people who participated in protests or hunger strikes while you were in detention?
25. Overall, how would you say you [or a family member] were treated in detention?

Politics

26. Can you tell me what politics is to you? Describe what you think about when you think about politics or when you hear that word.
27. Do you participate in politics in any way? Describe how or tell me why you don't.
28. Do you identify with the political parties? Describe why or why not.
29. Do you think politics matters? Tell me more about how or why you believe that.
 - a. How did you first become interested in politics, or did something happen that made you think politics doesn't matter?
30. Do you think you share political interests with others with immigration detention experiences?
 - a. Why or why not?
31. Would you participate in demonstrations for immigrants' right to live and work in the U.S. without the fear of detention or deportation?
 - a. Would you say you support immigrant rights?
 - b. How would you like to learn about opportunities to participate in immigration organizing?
 - c. What are you most concerned about in terms of immigration issues?
32. This year there were many demonstrations for Black Lives Matter; what do you think about the Black Lives Matter movement?
 - a. Probe: Would you say you support Black Lives Matter?
 - b. Did you participate in a protest?
 - c. How likely are you to participate in a protest if they were organized protests near you?

33. How important is it for immigrants and African Americans to support one another to overcome common challenges related to criminal justice and immigration?
34. Have you ever helped someone seek immigration-related information or services?
35. Have you ever refrained from reporting a minor crime to protect someone from immigration issues?
36. Have you ever intervened or reported a crime/incident of harassment against an immigrant?
37. Do you think your experience with immigration is connected to local, state, or federal politics? If so, how?
38. Do you think there is anything that people directly impacted can do to stop detention and deportations from happening?
39. What did you think about the 2016 presidential election?
40. What did you think about the immigration policies passed 2016-2020?
41. What did you think about the 2020 presidential election?
 - a. Probe: What did you think about allegations of voter fraud?
 - b. Probe: What did you think about the Capitol insurrection?
42. What do you think about the immigration reforms proposed by the Biden administration?
43. Has anything changed for you since the new presidential administration took office?
44. I am also interested in the way people talk about politics. Can you describe a conversation you might have about politics with someone in your life?
45. People with experiences with immigration detention sometimes talk about dignity. Can you tell me what dignity is to you? Describe what you think about when you think about dignity or when you hear that word.

Identity

Now I would like to ask you a few more questions about yourself.

46. How would you describe your race or ethnicity?
47. How would you describe your gender?
48. Do you consider yourself religious?
 - a. What religion do you practice?
 - b. How often do you attend services?
49. How would you describe your sexual orientation?
50. Are any of those identities or ways of describing yourself particularly important to you?
51. Thinking about the way other people see you, how do you think others would describe you?
52. Have you ever experienced discrimination because of any of your identities?
53. Have you ever felt the need to hide or emphasize any of your identities?

54. Do you ever fear you might be targeted for violence by individuals or other groups because of any of your identities?
55. Do you ever fear you might be targeted for violence by the government because of any of your identities?
56. What year were you born?
57. What is your highest level of education?
58. Are there any children in the household?
 - a. Some families prefer to give their children common American-sounding names; others prefer to give their children names from their cultural background; how did you make that decision for your children?
 - b. If no children: If you were expecting a child, would you prefer to give them an American-sounding name or a name from your family's cultural background?
59. How would you describe the typical American?
60. What does it mean to be an American?
61. Do you think of yourself as an American?
62. How has the COVID-19 pandemic affected you or your family?
 - a. Did you or a close family member contract or die of COVID-19?
 - b. Were you or they hospitalized?
 - c. Did it affect anyone's employment?
 - d. Have you been vaccinated? Do you have any concerns about vaccinations?
 - e. Have you received any financial help from the government or other resources during the pandemic?

Closing

63. Do you have any final thoughts about the questions I have asked?
 - a. How do you feel about the interview process?
 - b. Do you have any questions for me?
64. Would you like additional information about local community organizations or mental health providers?
 - a. Yes: I will follow up with additional information.
 - b. No: Okay, please let me know if you change your mind at any point.
 - c. Thank you so much for sharing your story. I will look over my notes; if I have any more questions, may I contact you again?
65. If applicable: Would you like me to refer you to an organization that can file a pro bono OIG/CRCL complaint on your behalf?
 - a. Would you like to submit the complaint anonymously or disclose your identity?

References

- ACLU. (2021). "Justice Free Zones: U.S. Immigration Detention Under the Trump Administration." https://www.hrw.org/justice_free_zones_immigrant_detention.pdf
- Anoll, A., & Israel-Trummel, M. (2019). Do Felony Disenfranchisement Laws (De) Mobilize? A Case of Surrogate Participation. *The Journal of Politics*, 81(4), 1523-1527.
- Armenta, A. (2017). *Protect, serve, and deport: The rise of policing as immigration enforcement*. Oakland, CA: University of California Press.
- Baumgartner, F. R., Epp, D. A., & Shoub, K. (2018). *Suspect citizens: What 20 million traffic stops tell us about policing and race*. Cambridge University Press.
- Cohen, C. J. (1999). *The boundaries of blackness: AIDS and the breakdown of black politics*. University of Chicago Press.
- Dhingra, R., Kilborn, M., & Woldemikael, O. (2021). Immigration policies and access to the justice system: The effect of enforcement escalations on undocumented immigrants and their communities. *Political Behavior*, 1-29.
- García, A. S. (2019). *Legal Passing: Navigating Undocumented Life and Local Immigration Law*. University of California Press.
- Gulasekaram, P., & Ramakrishnan, S. K. (2015). *The new immigration federalism*. Cambridge University Press.
- Hajnal, Z. L., & Lee, T. (2011). *Why Americans don't join the party: Race, immigration, and the failure (of political parties) to engage the electorate*. Princeton University Press.
- Hogg, M. A. (1992). The social psychology of group cohesiveness: From attraction to social identity. *New York*.
- Huddy, L., Feldman, S. & Cassese, E. (2008). 9. On the Distinct Political Effects of Anxiety and

- Anger. In G. Marcus, W. Neuman, M. MacKuen & A. Crigler (Ed.), *The Affect Effect* (pp. 202-230). Chicago: University of Chicago Press.
- Jones-Correa, M., Al-Faham, H., & Cortez, D. (2018). Political (mis) behavior: attention and lacunae in the study of Latino politics. *Annual Review of Sociology*, 44, 213-235.
- Kinder, D. R., Sanders, L. M., & Sanders, L. M. (1996). *Divided by color: Racial politics and democratic ideals*. University of Chicago Press.
- Kim, C. J. (1999). The racial triangulation of Asian Americans. *Politics & society*, 27(1), 105-138.
- Leighley, J. E., & Vedlitz, A. (1999). Race, ethnicity, and political participation: Competing models and contrasting explanations. *The Journal of Politics*, 61(4), 1092-1114.
- Lerman, A. E., & Weaver, V. M. (2014). *Arresting citizenship: The democratic consequences of American crime control*. University of Chicago Press.
- Lindner, E. G. (2001). Humiliation and human rights: Mapping a minefield. *Human Rights Review*, 2(2), 46-63.
- Nadler, A. (1991). Help-seeking behavior: Psychological costs and instrumental benefits.
- Masuoka, N., & Junn, J. (2013). *The politics of belonging: Race, public opinion, and immigration*. University of Chicago Press.
- Mettler, S. (2002). Bringing the state back into civic engagement: Policy feedback effects of the GI Bill for World War II veterans. *American Political Science Review*, 351-365.
- Michener, J. (2018). *Framed democracy: Medicaid, federalism, and unequal politics*. Cambridge University Press.
- Michener, J. (2019). Policy feedback in a racialized polity. *Policy Studies Journal*, 47(2), 423-450.

- Mondak, J. J., Hurwitz, J., Peffley, M., & Testa, P. (2017). The vicarious bases of perceived injustice. *American Journal of Political Science*, 61(4), 804-819.
- Phoenix, D. L. (2019). *The anger gap: How race shapes emotion in politics*. Cambridge University Press.
- Provine, D. M., Varsanyi, M. W., Lewis, P. G., & Decker, S. H. (2016). *Policing immigrants: Local law enforcement on the front lines*. University of Chicago Press.
- Ramírez, R. (2013). *Mobilizing opportunities: The evolving Latino electorate and the future of American politics*. University of Virginia Press.
- Schneider, A., and Ingram, H. 1993. "Social Construction of Target Populations: Implications for Politics and Policy." *American Political Science Review* 87: 334-347.
- Soss, J., & Weaver, V. (2017). Police are our government: Politics, political science, and the policing of race–class subjugated communities. *Annual Review of Political Science*, 20.
- Stumpf, J. (2006). The crimmigration crisis: Immigrants, crime, and sovereign power. *Am. UL Rev.*, 56, 367.
- Turner, J. C., & Tajfel, H. (1986). The social identity theory of intergroup behavior. *Psychology of intergroup relations*, 5, 7-24.
- Valentino, N. A., Brader, T., Groenendyk, E. W., Gregorowicz, K., & Hutchings, V. L. (2011). Election night's alright for fighting: The role of emotions in political participation. *The Journal of Politics*, 73(1), 156-170.
- Vargas, E. D., Juárez, M., Sanchez, G. R., & Livaudais, M. (2019). Latinos' connections to immigrants: how knowing a deportee impacts Latino health. *Journal of Ethnic and Migration Studies*, 45(15), 2971-2988.
- Verba, S., Schlozman, K. L., & Brady, H. E. (1995). *Voice and equality: Civic voluntarism in*

- American politics*. Harvard University Press.
- Verba, S., & Nie, N. H. (1987). *Participation in America: Political democracy and social equality*. University of Chicago Press.
- Walker, H. L. (2020). *Mobilized by Injustice: Criminal Justice Contact, Political Participation, and Race*. Oxford University Press.
- Walker, H., Roman, M., & Barreto, M. (2020). The Ripple Effect: The Political Consequences of Proximal Contact with Immigration Enforcement. *The Journal of Race, Ethnicity, and Politics*, 1-36.
- Wals, S. C. (2011). Does what happens in Los Mochis stay in Los Mochis? Explaining post migration political behavior. *Political Research Quarterly*, 64(3), 600-611.
- Weaver, V., Prowse, G., & Piston, S. (2019). Too much knowledge, too little power: an assessment of political knowledge in highly policed communities. *The Journal of Politics*, 81(3), 1153-1166.
- White, A. (2019). Family Matters? Voting Behavior in Households with Criminal Justice Contact. *American Political Science Review*, 113(2), 607-613.
- Zepeda-Millán, C. (2017). *Latino mass mobilization: Immigration, racialization, and activism*. Cambridge University Press.