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Punitive Subjectivities and Emotions in Immigration Detention

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Abstract

In immigration detention centres, emotions run high; tensions, conflicts, anxiety, and affection occur amid bureaucratic procedures, paperwork, files, lists of people, systematisation of cases, buses that come and go with detainees, and people who will be deported. Although immigration detention belongs to administrative law, in practice, detention centres operate closer to penal detention. Little is known about the operation of these places in Mexico, including how punishment takes place in daily practice. Even less is known about the people who work there, especially the rationale and emotions behind their daily decisions and the different ways in which they collaborate with a system that promotes punishment as a central element of immigration detention. In this article, I study how fear and disgust are emotions embedded in institutional practices that reinforce punishment in immigration detention, while empathy can challenge it. I analyse working conditions and daily interactions in detention centres, immigration control facilities and their surroundings. I argue that immigration agents can develop punitive subjectivities to channel emotions derived from anxieties and frustrations of daily work, as well as to embrace a sense of institutional belonging and the illusion of order and control. However, border officers also show empathy towards migrants to cope with emotional distress and humanise their daily work. I intend to answer the questions in this paper: Under what institutional conditions do emotions become power in immigration detention settings? What do emotions reveal about the functioning of punishment in immigration detention centres? How do emotions expressed by INM agents (such as fear, disgust and empathy) enhance or challenge punitive subjectivities?

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1 Introduction

In 2017, I met Angélica,[1] a 26-year-old Honduran woman detained for about a month at the *Estación Migratoria Siglo XXI* [XXIst Century Immigration Station] in Tapachula, Chiapas (border with Guatemala). The day I met her, I entered as part of the psycho-legal team of the organisation Fray Matías de Córdova Human Rights Centre. The visit was during the usual hours of 10 am to 1 pm, and the aim was to follow up and identify new cases of people who required psycho-legal accompaniment in detention, such as asylum seekers, families, people with illnesses, pregnant women, people who needed translation services or cases of human rights violations during detention. The interview with Angélica took place in a tiny, airless office. I was uncomfortable not being able to provide her with a dignified space, not even a glass of water. Offering her a chair instead of sitting on the floor was the best we could do.

It was evident that she was under a great deal of stress and anxiety. She had fled from a violent partner, had left her two children in Honduras in the care of her mother and had been detained in the city of Tuxtla Gutiérrez and then taken to *Estación Migratoria Siglo XXI* the same day she had entered Mexican territory. She narrated that in the last few nights, she had had panic attacks and much difficulty falling asleep. She could not breathe as she recounted her confusion at not understanding why she was being detained or how much longer the detention would continue. In recent days, her blood pressure had risen. She was afraid to complain to the authorities and felt very lonely. She had not been menstruating for several weeks and had not had access to a pregnancy test. After the interview, we managed to get her access to the test, which came back negative. She, like many women in immigration detention, had stopped menstruating due to the emotional stress of being deprived of her liberty.

Weeks after the meeting with Angélica, I was able to interview Nancy, a former agent of the *Instituto Nacional de Migración* [National Migration Institute] (INM) who had worked for four years as an agent in the Saltillo immigration station.[2] In northern Mexico, almost 2,000 kilometres from Tapachula's *Estación Migratoria Siglo XXI*. Like Angélica, she had also stopped menstruating for three months due to the emotional stress of working there. "I was in emotional pain," she said. Nancy became ill with

[1] I changed the names to respect the anonymity of the interviewees.

[2] In this article, I use the terms immigration station and immigration detention centre as synonyms. While the terms used in the Migration Law are immigration station or temporary stay, in practice, they are migrant prisons or immigration detention centres.

gastritis, and her hormonal system was affected. Like Angélica, she had very high blood pressure.

What happened to both women? Why did they stop menstruating? Why did they have these symptoms? For very different reasons, they both spent too many hours, days and weeks in an immigration detention centre. Angélica was deprived of her liberty with the uncertainty of not knowing why she had been detained, how long her detention would last and how she could get out. Nancy worked for four years in this place. She was hired even before she graduated from university. She entered the INM with great motivation, but after a while, she was moved to another area within the same office and began to suffer mistreatment by her boss and sexual harassment by a colleague. The trauma they experienced at the immigration detention centre, in different contexts and for other reasons, had an impact on their physical and mental health.

In the past years, I have studied power relations in detention centres and the impact of the subjectivities of INM agents on the implementation of immigration policy (Fernández de la Reguera, 2020, 2022). In the testimonies I have obtained through interviews with migrants during and after having been detained, as well as with some people who work or have worked in the INM (in regulation offices or detention centres), I have identified that trauma remains and has effects beyond the detention stage or quitting their jobs and often causes harm not only in migrants but also in the street-level bureaucrats. After resigning, two former female agents I interviewed went through a long process of recovery and healing, like Nancy, who left Mexico for a year and eventually returned to work in the public sector but in a very different area. These stories made me realise that, on the one hand, the experience of being (detained or working) in a migrant prison is deeply emotional, and on the other hand, how anti-migrant populist emotions are institutionalised in detention centres (Bilgic & Gkouti, 2021).

Since 9/11, governments in the Global North have prioritised immigration detention to demonstrate that they have control of the borders (Bosworth, 2014). It is a policy that "[...] has emerged as a crucial element of the search for a robust and credible system" (Hall, 2010, p. 882). Through the externalisation of border securitisation, transit countries have become central nodes of detention and punishment (Campos-Delgado, 2021). Mexico has one of the largest immigration detention systems in the world, with about 50 centres for the deprivation of liberty of persons in mobility (about 37 immigration detention centres,[3] with an average stay of 3 weeks and 11 temporary detention centres with a maximum stay that ranges from 48 hours to seven days) (Global Detention, 2021). In a strict sense, detention periods should comply with administrative detention regulations, which stipulate a maximum period of 36 hours.[4] However, the Migration Law provides for a detention period of 15 working days, which can be extended to 60 working days.[5]

[3] According to Art. 3 of the 2011 Migration Law, an immigration station is a physical facility established by the National Migration Institute to "temporarily house foreigners who cannot prove their regular migratory status" while their migratory status is resolved.

[4] On 15 March 2023, the Supreme Court of Justice ruled that the time limits for immigration detention stipulated in the Migration Law are unconstitutional, so the INM must respect the 36-hour time limit specified in the Constitution for administrative detention.

[5] Moreover, Art. 111 stipulates that if migrants file an administrative or judicial appeal to claim issues inherent to their immigration status in the national territory, the immigration detention periods are suspended indefinitely.

Mexico fulfils all the characteristics of arbitrary detention (CPDTMF, 2021) since people are generally and systematically detained, including vulnerable populations such as pregnant women, the elderly, children and adolescents and ill people. In 2023, for the third consecutive year, the *Instituto Nacional de Migración* broke a record for immigration detentions, with 782,176 people detained, of whom 566,361 people (72.4%) were deprived of their liberty in an immigration station, and 215,815 (27.5%) were channelled to shelters (Unidad de Política Migratoria., 2024). Despite legislation prohibiting the detention of accompanied and unaccompanied children and adolescents, it is still possible to document cases of these populations deprived of their liberty.

"The detention centre is the space where the anxieties surrounding mobility become crystallised and where the distinctions between citizen and other must be sustained in the minutiae of everyday life" (Hall, 2010, p. 883). In these places emotions run high; tensions, conflicts, anxiety, and affection occur amid bureaucratic procedures, paperwork, files, lists of people, systematisation of cases, buses that come and go with detainees, and people who will be deported.

Little is known about the operation of immigration detention centres in Mexico, including how punishment is used in daily practice, such as denying information, forbidding a phone call, or denying access to medicine, a clean toilet, a glass of water, or a sanitary towel. Even less is known about the people who work there, especially the rationale and emotions behind their daily decisions and the different ways in which they collaborate with a system that promotes punishment as a central element of immigration detention.

In this article, I study how fear and disgust are emotions embedded in institutional practices that reinforce punishment in immigration detention, while empathy can challenge it. I analyse working conditions and daily interactions in detention centres, immigration control facilities and their surroundings. I argue that immigration agents can develop punitive subjectivities to channel emotions derived from anxieties and frustrations of daily work, as well as to embrace a sense of institutional belonging and the illusion of order and control (Carvalho & Chamberlen, 2024).

However, INM agents also show empathy towards migrants to cope with emotional distress and humanise their daily work. I intend to answer the questions in this paper: Under what institutional conditions do emotions become power in immigration detention settings? What do emotions reveal about the functioning of punishment in immigration detention centres? How do emotions expressed by INM agents (such as fear, disgust and empathy) enhance or challenge punitive subjectivities?

The article has five sections, plus the introduction and conclusion. In the first section, I present the methodology to situate the research in Tapachula and the study of emotions by conducting an institutional ethnography. The second section points out some of the most relevant research in the study of immigration policies from the perspective of emotions, especially the role of emotions in the institutional processes of immigration detention. In the third section, I present central concepts for my analysis, such as Sara Ahmed's affective economies, to understand how emotions are significant elements of power dynamics and punishment in prison-like settings. I address some aspects of the discussion of the blurring between criminal law and administrative law in immigration detention and its impacts on punishment. In the fourth section, I analyse three emotions: fear, disgust and empathy to understand how they can reinforce or challenge

punishment in migrant prisons. Finally, based on my empirical analysis, I present some reflections on the punitive subjectivity of the INM's agents, especially the internal and external context in which they work, to understand how the precariousness of work and the risks associated with organised crime affect the agents' punitive subjectivity.

2 Methodology

Since 2017, I have intermittently carried out fieldwork in detention facilities,[6] especially in and around Tapachula, a border city in the state of Chiapas adjacent to Guatemala with the largest detention centre in the country, with a capacity to detain 960 people. In addition, this city is the last point before the deportation of people arrested all around the country and the first immigration detention place for new arrivals to Mexico from the southern border. I chose to do my research at the *Estación Migratoria Siglo XXI* in this city due not only to its size but also to the diversity of profiles of people in mobility and the growing militarisation of the area.

Tapachula, a city vital to a broader detention industry in the country's south has changed especially in the last decade, by being not only a transit city but a town of deportation and detention, impacting not only migrants but also the city and those who live there. In 2023, 70.5 % of detentions occurred in the southern states of Tabasco and Chiapas (Unidad de Política Migratoria, 2024). Moreover, it has a colonial history of exploitation of Indigenous labour from Mexico and Guatemala in the coffee-growing areas, which has left behind structures of racism, violence and discrimination, today fuelled by the criminalisation of migrants. In this research, I observed what Alison Mountz (2017) calls affective eruptions or how trauma is transmitted and expressed in immigration detention centres and detention settings.

I frame the analysis in an institutional ethnography (IE) to understand how emotions circulate as part of INM's institutional setting, norms and culture. Previous research demonstrates that incorporating emotions as a source of knowledge significantly broadens the analytical lens of emotions as mediators between the subject and social action in institutional settings (Aliverti, 2021; Griffith, 2023; Hall, 2010; Weber & Landman, 2002). “Institutional ethnography aims to explore and explain the social relations that organise experiences in institutional settings or settings in which these relations exist” (Kearney et al., 2019, p.19). It prioritises posing questions that arise from the tensions and contradictions observed (in a prolonged manner) in social interactions and latently present in the everydayness of institutional practices (Smith, 2001).

An institutional ethnographical approach focuses on the subjects and everyday experiences of those participating in the institutions. In this sense, it breaks with traditional sociology that studies institutions from their organic functioning and not from the subjectivities of those who make part of it. This approach allowed me to observe that emotions such as fear and disgust have an institutional function related to the centrality of punishment as a daily practice. They support, on one hand, a sense of

[6] As an academic, access to immigration detention centres in Mexico is often minimal, as a permit must be obtained through civil society organisations that provide psycho-legal accompaniment in these places. I have carried out this research thanks to the support and collaboration I have established with various civil society organisations.

belonging and, on the other hand, distancing from incarcerated migrants. On the contrary, empathy can be a form of institutional challenge of punishment.

This IE occurred between 2017 and 2019 at *Estación Migratoria Siglo XXI* in Tapachula. It included around 12 weeks of participant observation and more than forty in-depth interviews with (active and former) immigration agents and officers, immigrants, governmental officials, and staff from international organisations and NGOs.[7] Finding former officers to interview took much work. I met them through personal contacts and my work as an activist and academic, facilitating workshops on gender issues for various state and local government agencies.

I entered *Estación Migratoria Siglo XXI* with Fray Matías de Córdova Human Rights Centre colleagues. My role was to support their work of psycho-legal accompaniment of the detained population. Together with the team, I was in charge of preparing the visit and reviewing the NGO databases to verify the needs of each case. Once inside the detention centre, I accompanied migrants in their transfers and conducted interviews.[8] During the visits, I had the opportunity to have many informal chats with the guards and observe the administrative processes and the interaction between the guards, INM agents and migrants. I have also made several observation visits to the vicinity of this place, where I have observed clashes between authorities and people on the move.

Once I finished the first stage of the research in 2019, and after the pandemic, that is, from 2021 onwards, I kept visiting detention settings in Chiapas, E.g., detention centres, checkpoints or informal waiting spaces (public areas, parks, and camps) where people stay for days or weeks expecting to access transit or regularisation paperwork. They are usually in very precarious material conditions, which puts people at risk of being detained by INM, the National Guard, and local police.

Every time I visit detention centres, I observe and try to absorb all the information I receive through gestures, conversations, and looks. This type of research is experienced emotionally (Arditti et al., 2010; Bergman et al., 2015; Burkitt, 2011). It is easy to feel tension, sadness, anger, fear, frustration, disgust, empathy, and compassion. These emotions are part of daily interaction between all people: migrants, INM agents, security and cleaning personnel, activists, and representatives of international organisations. While this range of emotions characterises everyday interactions, discussing these issues with INM officers was difficult. The interviews in which I could talk about emotions were mostly with women. In the case of the men, it was through informal interactions as part of participant observations that I got closer to how they express their emotions with migrants.

[7] Along with participant observation in this place, I carried out 14 interviews at the offices of the National Immigration Institute in Tapachula, Mexico City, and Tijuana; more than 30 interviews with migrants in detention, three interviews with female former public officials, six interviews with staff from different agencies, such as *Comisión Mexicana de Ayuda a Refugiados* [Mexican Commission for Refugees], *Comisión Nacional de Derechos Humanos* [National Commission for Human Rights], *Comisión Estatal de Derechos Humanos de Chiapas* [Chiapas State Commission of Human Rights], and Office of the United Nations High Commissioner for Refugees.

[8] In interviews for psycho-legal accompaniment, my role was complementary, as the person in charge of conducting the interview was either a psychologist or a lawyer from the organisation. However, in some cases, I could conduct consented in-depth interviews with detainees for the purpose of my research and sometimes interview them again once they are outside the detention centre.

As I will further explain, the research found what Billy Holzberg (2024) calls the paradox of affective bordering where empathy can emerge from the same logic as fear. Therefore, the same agent could be indifferent and compassionate, expressing vulnerability and aggression, similar to Aliverti's findings with border enforcement UK agents. “In literally putting their bodies on the line, they convey the emotionally and morally draining nature of border controls and its human costs on both sides of state coercion, which exercise can equally brutalise and humanise those bestowing it” (2021, p. 152). In this sense, emotions as an analytical lens of punitive practices in detention centres allow us to analyse the coexistence of punishment and empathy in punitive subjectivities of immigration agents.

3 Understanding the Impact of Emotions on Immigration Policies

In Latin America, the field of study of migration and emotions is in the process of consolidation (see (Ariza, 2021). Research has mainly focused on the perspective of the migrant subject, for example, on the effects that emotions have on the migratory project of people (Herrera & Rivera, 2021). In other latitudes, research linking emotions with immigration policies is becoming a prolific field of study (Aliverti, 2021; Graham, 2002; Moss & Prince, 2017; Savio et al., 2022).

Previous research has raised substantive questions for understanding the analytical potential that emotions bring to studying policies, institutions and subjects in charge of implementing immigration policies and detention. Marina Ariza studies how institutions “[…] have the potential to promote or inhibit migration-related affective states in accordance with organisational objectives and the culture underpinning them” (Ariza, 2024, p. 312). On her side, Irene Vega (2017) shows how, while suppressing certain emotions and surfacing others, immigration agents constantly debate between rationality and emotion.My research focuses on how states instrumentalise affective technologies of power to control and punish asylum seekers, who often experience shame, pain, stress, and fear (Meier, 2020), and on the institutionalisation of emotions to demonstrate that negative emotions such as anxiety, fear, and anger are manifested in concrete policies and actions, especially to generate emotional effects on female asylum seekers in detention (Bilgic & Gkouti, 2021)

Isabel Meier (2020) analyses under what conditions affect and emotion become power and violence. Her concept of emotional borderwork acknowledges the amount of time and energy that people invest in crossing borders and accessing international protection. Still, it also concerns discomfort and precariousness as conditions that the state imposes on migrants, who end up overwhelmed and with mental distress. According to her, affective border violence works subtly and gradually through emotions that disempower and subordinate people on the move to state control.

However, emotional harm is difficult to assess, especially as part of the institutional practices of bordering. Melanie Griffiths studies emotional management at the institutional and individual levels of staff working for the UK Immigration system, finding that anger, disgust, suspicion, and fear are the four most common emotions. She observes how, in policy and practice, “[…] emotions and encounters are embedded in inescapable power dynamics” (2023, p. 6). In different formats crossed by gender, race and social class, emotional interactions between migrants and the UK immigration agents seem to determine access or denial of rights and procedures. For example, anger

or disgust can enhance suspicion, affecting the way officers interpret the evidence provided by asylum seekers.

For her part, Ana Aliverti (2021) shows that UK immigration agents work with constant moral issues between a humanitarian and a punitive approach. Since their work demands emotional labour and constant ethical dilemmas of care and control, emotions are crucial to understanding street-level bureaucrats' decision-making processes in charge of border enforcement. She finds that although many officers employ indifference and detachment to cope with their moral dilemmas, there are also officers who express compassion and despair when dealing with cases involving families and children. She further demonstrates the impact of operational stressors, primarily work overload and emotional stress, that usually go unnoticed by the institution. She concludes: “In conciliating the conflicting demands for care and order, empathy and suspicion, these officers often felt unable to achieve either” (2021, p. 152).

Working in immigration detention centres demands establishing social and emotional barriers with incarcerated migrants to avoid emotional and ethical conflicts (Puthoopparambil et al., 2015). The work of Alexandra Hall demonstrates the importance of placing emotions at the centre of the analysis of power relations and the functioning of a detention centre. “For the study of places like Lockson (UK immigration detention center), where emotions are bound up with the working center, such an approach has value for taking seriously the ways in which emotion merges with, sustains, and creates a sense of difference” (Hall, 2010, p. 886).

An apparent solution for some of these bureaucrats to emotionally detach from their work is to act indifferently. In their research, Weber and Landman (2002) asked immigration officers in the UK if they ever wondered about the people they detained, such as how long they would be arrested or what happened to them. Half responded that they did not due to lack of time or having to attend to other cases. Other guards said they do not because they keep a distance between their lives and work. Once they leave their office, they forget about work issues. “Organizational actors may indeed be personally absent from decision-making processes of which they are part and may be emotionally indifferent to, genuinely unaware of, or otherwise linked to, the harmful consequences of their actions” (Weber, 2005, p. 91). In any case, emotional management is an intrinsic part of their work. It is a vein that requires further analysis in the study of bureaucracies and the implementation of immigration policy.

4 Emotions and Punishing Bureaucracies in Mexico

I depart from the sociology of emotions to study the social nature of emotions and the emotional dimension of social phenomena (Ariza, 2016). Emotions are experiences that arise through social interaction and are “[...] 'subjective experiences that also have physiological, intersubjective, and cultural components'” (Crawford, 2014, p. 537). I am particularly interested in analysing emotions as mediators between the subject and the sociocultural context; in other words, I want to understand emotions as critical aspects of subjectivities and social relationships.

Sara Ahmed posits the existence of affective economies to explain that emotions have real effects by socially and politically situating individuals in their communities. She emphasises the relationship between the psychic and the social, the individual and the

collective, to understand how emotions work and produce an effect as they circulate both in social space and at the psychic level. “Affect does not reside in an object or sign, but is an effect of the circulation between objects and signs.” (Ahmed, 2004, p. 120). Through signs, discourses, and implicit and explicit rules that criminalise migrants, emotions - such as fear, anger, disgust and compassion- circulate culturally and socially among individuals and communities.

According to the theory of affective economies, borders are a consequence of how affections move between objects and signs. Through the narrative of injury, the others are transformed into “the hated.” This theory shows that emotions align some subjects with others and against others. “[...] they create the very effect of the surfaces or boundaries of bodies and worlds” (Ahmed, 2004, p. 117). Although the focus of the article is not to analyse the discourses of hate surrounding migration, I do think it is important to point out that hatred is materialised in the body of migrants or those considered “the others” and sometimes places the hating subject (in this case the people who work in immigration detention centres) in the position of victims.

The analysis of border management and subjectivities through the lens of affective economies or the circulation of emotions such as fear, disgust, and empathy is particularly relevant in the Mexican case because of at least two key elements. Firstly, because of the constant suspicion from the government towards migrants and asylum seekers which reinforces hostile and racist environments. Therefore, suspicion is a critical element in understanding how emotions are part of border management and the daily decisions made by border officers. “Tracing suspicious states entails studying suspicion as legally and institutionally embedded states of mind that permeate policymaking, laws, and bureaucratic procedures, and inform and shape the perceptions, subjectivities, and practices of state officials, migrants and researchers alike” (Marie Borrelli et al., 2022, p. 1027). Usually, suspicion is a starting point for their actions, from the moment they suspect the veracity of identity documents to the integrity of testimonies before they authorise access to international protection.

Secondly, street-level bureaucrats are the first respondents representing the state, usually working in precarious conditions with vast power to determine access to rights, including international protection. I have documented cases, especially in INM offices with few staff, where the same agent in charge of identifying and detaining a person is responsible for all the paperwork, including an interview and determining access to asylum or deportation.

Lindsey Carte (2017) shows the importance of analysing the functioning of immigration control at the micro-level state in Tapachula. She highlights that INM bureaucracies work under conditions of scarcity and a lot of pressure from their superiors. In a context of suspicion, negative emotions such as disgust, fear, and anger are institutionalised in the daily bureaucrat's decisions to deny or allow access to the provision of services in the city of Tapachula.

Mountz studies the impacts of externalisation of securitisation and border control in remote detention settings. “[…] the despair and feeling of powerlessness of a manager with power over others signal the historical grounds on which detention facilities are built, and civil servants required to work as “the bitch” of the federal government in its latest project to contain human mobility on the island” (Mountz, 2017, p. 80). In

Tapachula, INM officers work in precarious conditions, exercising the power of the state through detention as the main deterrence policy to keep migrants from going to the U.S.

The most punitive social settings are those characterised by suspicion, anxiety and a sense of crisis (Carvalho et al.; R., 2020), such as the public discourse on immigration management in Mexico. Usually, the punishment begins long before the person is taken to a detention centre, for example, through racial profiling practices when they travel on buses, arrive at an airport and are arbitrarily detained by the authorities. In the south of Mexico, it is common for the authorities not to recognise or destroy identity documents. Racial profiling creates a preexisting emotional state even before authorities identify a person for accessing the Mexican territory irregularly.

Detention centres operate very similar to prisons. Mary Bosworth (2019) has critically exposed the consequences of the blurring between administrative law and criminal law in the operation of immigration detention, which has reshaped punishment for migrants and transformed justice, as punished migrants do not access the incarceration system in accountability nor are equal to citizens before the law. “Whatever the actual reason for detention and despite immigration detention's legal characterisation as civil, individuals in immigration confinement are frequently perceived to be no different than individuals in penal confinement” (García Hernández, 2014, p. 1349). Moreover, the hybrid nature of the INM as a national security institution but of an administrative nature has historically sustained an opaque and corrupt institution with deficient training capacity (Wolf, 2013).

Joe Sim explains how prison officers are essential in making prisons places of punishment. “Prison officers play their part in that process, not only through the politics of containment but more crucially, through the hegemonic construction and objectification of the prisoner as the ultimate and only source of criminality in society” (Sim, 2012,p. 195); in this case the objectification of people on the move as national threats.

In immigration detention centres, punishment occurs not only for the detained people but sometimes also for the staff in charge of custody and administrative procedures. I identify what Elaine Crawley (2013) describes as the culture of bullying in prisons, which occurs when staff who are disliked by their superiors are humiliated in front of the staff as a form of punishment. These practices are facilitated by an ample scope for discretion at all levels of bureaucracy. While this is not necessarily negative, as it has been studied that discretion in prisons can allow for the establishment of positive relationships and more flexible rules (Bennett, 2016), in this case, discretion at all levels of command provides power that can be used as a form of reward or punishment.

5 The Relationship between Punishment, Fear, Disgust, and Empathy

A Context of Fear

For Sara Ahmed, fear is an emotion that responds to something that is not yet present, that is, to the threat that something might happen. “[...] fear does not involve the defense of borders that already exist; rather, fear makes those borders, by establishing objects from which the subject, in fearing, can stand apart, objects that become ‘the not’

from which the subject appears to flee" (Ahmed, 2004, p. 126). INM agents work in an environment that constantly instils fear. I observed that they are trained to distrust and fear. In my analysis, I identify these in discourse and practice as central elements that constitute institutional dynamics and constantly create a difference between "us" and "them."

Distrust and fear are present in their daily work related to two parallel processes that have taken place, especially over the last two decades. In the first place, a growing criminalisation public discourse triggered by 9/11 reinforces the idea of migrants as a threat to national security.[9] Secondly, the war against drug trafficking initiated by President Felipe Calderón in 2006 has generated a context of extreme criminal violence. Between 2007 and 2017, at least 213,000 men and 25,000 women were killed in Mexico (Data Cívica & CIDE, 2019). People on the move are a highly vulnerable group because they are extorted, kidnapped and murdered.[10] Organised crime surveils some of the traditional migration routes close to where immigration detention operations are carried out. The presence of these criminal groups generates risky contexts, which can also provoke fear among immigration agents. The following is a testimony of a former INM female agent.

> *They (INM agents) took photographs of this mole that I have, so if I had an accident and they found me dead, if there were only pieces of me, they could identify me (interview with a female former INM agent, 2017).*

In this testimony, the agent states that when she joined the INM, as part of the recruitment process, the agency had to ensure a way to identify her body in case of an accident. However, the second part of her quote demonstrates that the work context involved not only having an accident but also the possibility of her body being found dismembered. It is a testimony that shows the level of risk that INM agents must assume when hired.

Interaction with organised crime also happens in immigration detention centres. Although these situations are by no means generalisable, it does happen that members of criminal organisations such as *Mara Salvatrucha* from Guatemala, El Salvador or Honduras arrive in Mexico. In one of the testimonies, the INM agent narrates the fear she felt when interacting with these people and how the other agents subordinated themselves to the members of this group inside the detention centre.

> *I remember a Mara who used to grab the soccer goal, put it in the middle of the courtyard, and hang from the highest part to do push-ups. He would do it shirtless and show all his tattoos, and if anyone stared at him, he would challenge them with his eyes. I remember the agents telling me, "He is the one in charge now" (interview with a female former INM agent, 2018).*

Finally, a third element that instils fear in the institutional culture relates to the very precarious working conditions (Carte, 2017). Personnel turnover is high, and they perceive that their work is at risk if they do something wrong or against their superiors'

[9] During Enrique Peña Nieto's six-year term, the *Plan de Seguridad Nacional 2014 - 2018* openly contemplated borders, seas, and irregular migration among the principal risks and threats to the country.

[10] One of the most severe cases is the San Fernando Massacre that occurred on 22 August 2010 in Tamaulipas, 150 kilometres from the US border. The victims were 72 migrants of various origins during their transit through Mexico on their way to the United States.

will. In an interview in 2023 with a high-ranking INM official, she mentioned that "INM agents are afraid of being fired; they are constantly threatened with the idea that they will lose their jobs."

6 Disgust to Keep Distance and Stay on the "Good" Side

> *The difference is clear; when you enter the areas where they (detained migrants) are, the first thing you do instinctively when you cross the door, let us say, is to do this (makes a gesture as if to vomit), I mean, I do not want to touch anything, right? So, the rooms smell bad, they clean them, but for some reason, they smell bad, the bathrooms are communal, and they are not clean either (interview with a former INM official, 2018).*

The detention centres, as well as detention settings I have visited in Chiapas (parks, car parks, roadside spaces and public spaces in the vicinity of INM offices), where people on the move wait for days and sometimes weeks for immigration procedures are characterised by the social neglect of the state. Unsanitary conditions are a constant in these spaces. There is no access to water or toilets. In 2023, I visited the facilities of the office of the *Secretaría de Bientestar* [Welfare Ministry] in Tapachula, where migrants came every day to participate in a temporary employment programme. Even in that large courtyard inside the offices, there were no toilets, and people had to defecate in a vacant lot in the open air. Again and again, the same image is repeated. I have never been able to normalise the highly unsanitary conditions when I do fieldwork, whether inside a detention centre or in detention settings. The state, whether through the INM or municipal governments, does not consider guaranteeing the human right to access water and the dignity that anyone deserves to defecate and urinate in clean and private places.

Disgust is a cultural construct and a social emotion condemning an object or subject as a contaminant, usually related to waste and human body secretions (Nussbaum, 2004). It is also considered an emotion of self-protection and survival (Miller, 1997) produced by the belief of being contaminated by an object, situation or person considered polluting. As a cultural and social construct, each society and culture creates its own beliefs about contamination and disgust. However, from a Western perspective, despite the cultural variants, disgust is concentrated in a differentiation that prioritises what is considered aesthetically beautiful, clean, and desirable instead of what is considered aesthetically ugly, dirty, and disgusting (Asselborn, 2012).

The state is a central transmitter of messages about polluting subjects. Moreover, "[…] most societies teach the avoidance of particular groups of people as physically disgusting, bearers of contamination that the healthy element of society must keep at bay" (Nussbaum, 2004, p.72). These are the social groups of the periphery, the categories of the excluded, the lower social classes, the sick, the imprisoned, the homeless, and the migrants. Mary Douglas (1973) speaks of pollution's instrumental and moral effect; she exposes a social and cultural order that finds its differentiation based on the belief about that which pollutes. In her famous phrase, "dirt offends order," she shows that the ideas of dirt and pollution are not isolated but part of a social and political system that accepts or rejects, based on the classification of what may or may not be polluting objects.

Disgust separates and reminds us of our animality, thus making us claim to be cultural and "civilised" beings (Nussbaum, 2004). It is a moral and social emotion that takes the form of smells and ugliness (Miller, 1997). The following testimony by a Honduran detainee at *Estación Migratoria Siglo XXI* shows how disgust creates social and political distance, which are essential components of punishment; as it makes INM agents believe they are morally more elevated than those considered contaminated, in this case a black Garifuna family isolated in this place.

> *They did not want to give them food. They did not even take them out for dinner! So, I went to talk to a security guard and said, "There is the food for the isolated girls. Aren't they going to give it to them?" When I saw that, the officer came with gloves, with a mask, and I was like [...] What could these people have? Why are they coming like this, with disgust? When she opened the cell, she brought the food to them, as if the guard was disgusted when she saw those people (Honduran migrant recounting an incident with Garifuna young women detained in Estación Migratoria Siglo XXI).*

Disgust becomes a powerful mechanism of rejection and punishment, which, together with racism, leads to humiliation and dehumanisation practices. It is a form of punishment because people are forced to feel disgusted by the environment and themselves. Many times, migrants in detention have asked me to bring them toothpaste or deodorant. After three months of detention, one young man told me he could not recognise himself in the mirror. He told me he felt dirty and abandoned. The unsanitary conditions, unpalatable or rancid food, limited access to sanitary napkins and diapers, lack of privacy, and overcrowding are experienced by migrants as a form of punishment that goes beyond discomfort to become a torturing environment (Manek et al., 2022).

7 Empathy within a Punitive System

In May 2019, my colleagues and I interviewed the person who, at the time, oversaw the INM regulatory office in Ciudad Hidalgo. She was a middle-aged woman with over a decade of experience at the INM who worked 12-hour days or more. During the interview, she showed herself as a responsible and committed official. She explained to us the various actions she had taken to ensure that people could wait for their procedures in more dignified conditions. At one point, I asked her about one of the most difficult moments she had experienced with the arrival of the Central American migrant caravans in 2018. She tearfully replied that she remembered well that she had been at the gateway to Mexico in the first caravan and met several women with their children. She told them they could pass, but the male leaders said they had to wait so the whole group could enter. She recalled one woman with two small, exhausted children whom she could not convince to enter before her companions. She said she arrived home that night, hugged her daughters and burst into tears.

One of the most important findings is that some INM agents do not forge a punitive subjectivity. I met officers who show empathy with specific profiles of asylum seekers, even going so far as to understand the reasons and risks migrants face. Just as in the previous case, through interviews, but most notably through the informal ethnographic interactions and observations, it is possible to identify moments where INM agents show this empathy, recognising that detainees are similar to them.

> *It is difficult because they (the migrants) sometimes talk to us, even crying. So we prefer to inquire less if they have already made the complaint. We read the case before interviewing them, so we try not to ask them because it is traumatic for them to remember it (interview with female INM agent, 2017).*

> *I like to support people; I do not find it difficult; I never give them extra problems. For example, if I see that the card is damaged, I find a solution. I check if they have a certificate or something, to try not to bother them. I help them with their process because I understand it. If I go to another institution, I want them to serve me well (interview with female INM agent, 2017).*

Although I have identified male agents who show empathy and ways of helping migrants, I note that observing empathy in female agents is more common. Both motherhood and domestic violence stand out as situations in which INM agents tend to be much more empathetic in supporting migrant women.

> *I gave her my card (to the detained migrant) and told her: "Do not go back to your husband; the next time, he will kill you. If you want, I can help you; we will get you to a shelter, and we will get your papers done". (interview with a female former INM official, 2018).*

In the following testimony, a Honduran migrant woman who was detained for three weeks with her children, a three-year-old boy and a nine-month-old baby girl, at the *Estación Migratoria Siglo XXI* explained to me that she got along well with some of the guards, especially the ones who were mothers. She established a certain closeness with some of them, allowing her to negotiate better conditions than other women in detention.

> *That guard was removed from one centre to another; she had been there for over two months. One day, my child fell and hit his forehead. She started crying. I told her: "calm down". She cried when she saw my son crying because he reminded her of her children. She had been unable to see her children for over two months (Honduran migrant woman detained in Estación Migratoria Siglo XXI).*

Just like in the opening vignette, these two women faced stress in very different circumstances in caring for their children. Displays of empathy in the institutional environment of repression and dehumanisation that comes with immigration detention generate a fragile kind of empathy (Hall, 2010). This emotion contradicts institutional practices that seek social distance between migrants and INM agents. Therefore, an excess of empathy could even be frowned upon or punished by one's peers.

During one of my visits, there was a very sick young Haitian male outside the immigration detention centre in Tapachula. It was midday, and it was boiling, around 37ºC. This boy was lying under a tree with his family; no one had called an ambulance. As we were leaving the place, an INM agent called me discreetly and told me that a young man had a medical emergency; he pointed me to where he was. I understood that if the agent called an ambulance or alerted his colleagues, it could be frowned upon or have negative consequences for him. After almost an hour, we managed to get the paramedics of the *Grupo Beta* of the INM to take the young man to a hospital.

Unfortunately, four hours later, they returned him to the same place, arguing that the hospital could not treat him due to a lack of medication.

The documented gestures and actions show that there are people within the INM who do not comply with punishing practices. Even in the co-existence of moral distance, empathy is present in everyday interactions. Given that empathy tactics vary and have different aims, from blame avoidance to coping with individual responsibilities of guarding a detention centre (Campos-Delgado & Côté-Boucher, 2024), I argue that empathy challenges punishment as an institutional practice.

However, it can also exhibit contradictions since it is accompanied by indifference at certain times. To be compassionate, INM agents must take risks, such as being observed and scolded by their superiors. They are people who, like Nancy, can end up physically and emotionally affected and who, in many cases, make a difference and provide support to access essential services in detention. These are the subjectivities that resist the punitive environment.

8 Punishing Subjectivities

In March 2022, I arrived at the INM Regulation facilities in Ciudad Hidalgo (border with Guatemala). For three consecutive days, migrant families, mainly from Honduras, El Salvador, Cuba, Ecuador, and Venezuela, waited outside these offices without access to basic services and with no information from the government about their chances of getting humanitarian visas. An INM agent guarding the facilities said this phrase to me.

> *"These (addressing migrants) are like a tantrum child; what they want is for us to give them candy, but if you give candy to a tantrum child, they will want more and more. That is how these people are, but no way, the law is the law, and we have to respect it" (interaction with an INM agent, 2022).*

He was not only infantilising migrants but justifying his acts as a way of punishing or disciplining naughty children. This is one example of how the daily treatment that detained migrants receive is based on punishment. In a sense, the institutional practices in detention centres promote punitive subjectivities (Carvalho & Chamberlen, 2024) of their staff, which means that the expected attitude and treatment toward migrants is one of discipline and punishment, specially emotional punishment.[11] Moreover, just as the example above shows, the normative framework "[…] conditions individuals to feel emotional attachment to the legal norms, and to feel motivated to desire those who break these norms to be punished" (Carvalho & Chamberlen, 2016, p.11).

Punitive subjectivity is formed gradually by belonging to an institution characterised by a national security identity, especially in the context of criminal violence in Mexico and the criminalisation of migrants. As mentioned, INM agents work in insecure and precarious conditions. Internal and external factors wear agents down emotionally, facilitating the creation of punitive subjectivities. INM agents are an example of subjects who "[...] manage their feelings and insecurity and anxiety by producing or reinforcing illusions of order and control, at the same time as it provides these people with a

[11] However, there is also evidence of physical punishment, and even migrant prisons are called torturing environments.

channel through which to express their frustration by projecting hostile feelings towards criminalised others" (Carvalho & Chamberlen, 2024, p. 173). In a way, INM as an institution brings people together as law-abiding members and punishers. The following testimony is from a former female INM agent.

> *I had very young colleagues working with me at INM, and it was like feeling power or authority because when you were with a state or municipal police officer, you were the boss; he had to listen to you. When you were young, the intoxication of authority and power made you say, "I'm in charge" (Female former INM agent).*

Punishing is not only a way of feeling empowered, but from the institutional perspective, it is a way of belonging and differentiating from potentially dangerous migrants. Therefore, punishment positions the punishers on the right side of the order. The symbolic and absolute power of wearing an INM uniform makes them belong to a national security institution. Working as an INM agent can be considered high-status depending on the region. For example, in Tapachula, it is one of the most recognised jobs. However, the average salary is low, around 650 euros per month (Flores, 2023). There are different profiles; while some agents have deficient skills, others are professional, committed, and have good academic and professional backgrounds. Unfortunately, the type of community they belong to is sustained through the punishment of migrants, and this has particular consequences since "[…] the image of community and belonging that it produces is precisely one which depends on punishment for its maintenance" (Carvalho & Chamberlen, 2024, p. 171).

The functioning of a bureaucratic structure is a crucial element in understanding the formation of punitive subjectivities. Immigration bureaucracies function based on depersonalisation (Ferguson, 1984) in a vertical structure that activates "[…] the potential for bureaucracies to diffuse individual responsibility for wrongdoing by elevating efficiency over ethical concerns and disguising the true nature of collective acts" (Weber, 2005, p. 91). The following testimony by an officer from the National Commission on Human Rights who was in charge of the training of INM agents shows how this institution works through processes that disassociate subjects from their moral choices, as well as routinisation that hides consequences of their actions (Weber, 2005; Weber & Landman, 2002). Decisions are often taken in a routine and fragmented manner, which reduces responsibility their actions.

> *As public servants, they have an obligation, and they must comply with that obligation. The problem is that they may do things without the proper acknowledgment of the consequences. For example, there have been several cases where INM agents are in judicial proceedings because they acted wrong while obeying their superiors. After all, another public servant in higher command told them, "You sign here" (interview with National Commission of Human Rights officer in charge of training INM agents, 2017).*

It is, therefore, essential to analyse the institutional contexts and working conditions of INM agents assigned to work in border areas, checkpoints, and detention centres. Within the INM power relations usually subjugate those at the lower levels of the hierarchy, who are even mistreated by their superiors (Carte, 2017; Wolf, 2013). Just as the following testimony shows, this creates a scenario in which punishment and trauma may be part of the working conditions at INM.

> *I was burnt out with foreigners, listening to their stories. Moreover, it was emotional fatigue with my bosses, explaining why human rights should be respected. So many times, they would tell me: "You look like you come from the CNDH (Human Rights National Commission)". Finally, my boss would say to me: "You are an asshole; mind your own business" (interview with a former female agent of the INM, 2018).*

The lack of training and institutional support to acknowledge the responsibilities and obligations of being an INM agent can have severe consequences for guaranteeing the human rights of persons in immigration detention. Moreover, practices of exceptionality and discretion and the lack of training generate less regulated environments for punishment.

> *The public servant in Chiapas is exhausted. They often say, "I work all the time; there are people all the time." Moreover, they work overtime, for which they are not paid. Sometimes, they do not know what to do or generally what they were hired to do (interview with the official in charge of training INM agents, 2017).*

I met officers, especially young ones, who wanted to carry out their work according to regulations and provide services to persons in detention according to their needs, for example, in case they required translation services or dietary restrictions. This sometimes led to problems and mistreatment from their superiors and caused them even more work-related stress.

> *The head of Control and Verification told me, "You know what, I cannot deal with the Hindus anymore; nobody understands them at all" he said, "They do not want to eat, they do not bathe," because they were on a strike of not bathing. They smelled horrible after five or six days without bathing. So he told me: "Go talk to them." Moreover, when I told them they had the right to a lawyer and not to be deported, my boss told me, "How long are they going to last here? And they do not bathe, and we have to provide them special food". So he wanted to deport them, and I told him, "But you cannot deport them," and he told me, "But why not?" (interview with a former female INM agent, 2018).*

On the contrary, I also knew officers who embody a punitive subjectivity. They usually have been in the institution for extended periods and often participate in detention operations.[12] They may also work under a lot of stress guarding spaces with few staff. These agents usually expect or demand gratitude and obedience from migrants and can become enraged when migrants demand recognition of their rights and access to justice.

I also observe that depending on the profile of the person in charge of the INM office or the immigration detention centre, labour dynamics can generate additional problems that affect work, such as constant fear of losing their jobs, burnout for not having rest hours or access to psychological support, working overtime without pay, sexism and racism in labour relations, which can even lead to labour and sexual harassment. In these contexts, INM offices become spaces where one can experience punishment as a trickle from above.

[12] Not all immigration agents participate in detention operations. Some INM agents, especially female agents, work doing paperwork or administrative tasks and have less direct contact with migrants.

> *Yes, we have had extreme cases of violence against migrants, but we do not have a way to unburden ourselves. Nobody says: "Oh, we are going to support you with a psychologist or something so that you can talk and feel relieved" (interview with INM female agent, 2018).*

Burnt-out officers and those who embody a punitive subjectivity may punish migrants in different forms. Some punishments might appear more subtle or routinised as part of everyday work, such as denying a sanitary towel, stripping a person of their shoelaces, denying a phone call or visiting the doctor. There are also the most extreme forms of punishment, such as cases of torture and State crimes like what happened in Ciudad Juarez on 27 March 2023, where 40 people died when the immigration centre caught fire and migrants were locked inside the place because the chief officer gave the order not to open the door (Del Río and Kerwin, 2024).

9 Conclusions

Punitive environments begin with the public discourse that criminalises migrants and legal frameworks that provide space for exceptionality and punishment. Even though irregular migration refers to administrative law, in practice, detention is more akin to criminal detention, but without adequate measures to ensure migrants' access to justice. In a context of fear and suspicion, INM institutional belonging requires the development of a punitive subjectivity. In these terms, many INM agents experience first-hand the punishment or potential punishment by their superiors. Once they become members, they learn that the institution demands an attitude of discipline and punishment among them, especially towards migrants. Therefore, a central element to analyse is how the institution reinforces itself through punishment. In addition, the context of criminal violence in Mexico, plus the precariousness of employment, generates environments of risk and insecurity that feed punitive environments.

Emotions such as fear and disgust, along with other emotions that I do not address in this paper, such as anger, antipathy and indifference, reinforce the punitive subjectivities of the agents. On the contrary, compassion and empathy confront them. Without generalising this finding, as male officers have shown empathy on certain occasions, women tend to be more empathetic than men. This is possible because they share experiences of gender inequality in their family, community and work environments, especially violence and abuse with migrant women, as well as care and mothering practices.

In this article, I intend to contribute to research on border criminology to insist on the relevance of focusing on the analysis of punishment and the subjectivities of those who punish from the perspective of emotions. Furthermore, a micro-analysis that considers the street-level bureaucrats as representatives of the state and first respondents shows us the nuances and the coexistence of indifference, empathy and fear in the daily treatment of detained migrants. The analysis proves that emotions are critical in punishing environments such as migrant detention centres. I also highlighted that institutions must be studied from the inside and the members' perspectives, therefore, the value of institutional ethnography. This research allowed me to acknowledge the centrality of emotions in the working conditions and daily interactions of INM officers. I demonstrated that punishment is a practice of belonging and reinforcing the institution's value, and it provides INM agents with a way to channel emotions derived from the

anxieties and frustrations of their working environment. I finally explained, through the cases of empathy, that punitive subjectivities are not fixed; on the contrary, its emotional dimension, in some instances, allows space for humanisation and care.

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