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## **Bare Life in an Immigration Jail: Technologies of Surveillance in US Pre-Deportation Detention**

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## **Bare Life in an Immigration Jail: Technologies of Surveillance in US Pre-Deportation Detention**

### ***Abstract***

Migration policies globally are characterised by a growth in the use of detention. These dynamics have also been noted in the United States of America, where, increasingly, the private immigration detention infrastructure is the most developed in the world. Like other total institutions, US Immigration and Customs Enforcement (ICE) detention facilities depend on controlling human bodies. This article, which explains how nation-state sovereignty is created by means of surveillance technologies, draws upon the narratives of 26 Mexicans, deported under the administrations of Presidents Bush and Obama and interviewed in four waves of research between 2012 and 2019 in their hometown. The article describes the lived experience of biopolitical interventions on detainees' bodies and explains the disciplining role of restricting or limiting access to ICTs. The article uses Agamben's notion of bare life. It describes how biopolitical interventions and disciplines dehumanise precarious migrants and contribute to their governmentality long after their deportation when they abstain from re-entering the United States. The article complicates the notion of bare life by demonstrating that the use of biometrics (fingerprints) not only dehumanises people but also identifies their bodies and thus rehumanise them.

**Keywords:** bare life; biopolitics; deportation; disciplines; immigration detention; sovereignty

## *Introduction*

Immigration detention can be shortly summarised as an institution that puts bodies under ... control (Fischer 2015, 606)

Javier was locked up in the private Tacoma Northwest Detention Center (NWDC) in 2010, after having lived in the United States for 25 years. He went through medical screenings, photographing, fingerprinting and the registering of special features. He was given a blue uniform and two identifiers. In NWDC the detainees were woken at 5.30am, had breakfast at 6.00am, watched television, had lunch at 3.00pm, played basketball and bought supper if their families sent them money. Their two-person cells were locked and the lights went out at 11.30pm. They were re-counted three times a day.

When Javier arrived in the canteen the first morning, the line was already long and there was not enough food for him so, the next day, he made sure to stand in the line early enough. He did not like the food so, from then on, he preferred to take a shower when others were having breakfast, ensuring that nobody saw him undressed.

He spent three months in NWDC before he was put on a plane and “was dropped off” in Nogales, Sonora. Three days later he was already back in the USA, but the US Border Patrol arrested him on his way to Phoenix and detained him in Florence, Arizona. He again underwent intake screenings and controls. He barely had the time to collapse on his bed when the guards explained that he was being moved to a different building. When he fell asleep in this new place, they came again, saying nothing other than “Let’s go”. During the lunch period, the guards often did not let him eat, but moved him elsewhere. Every time he was moved, he was inspected. They were moving him between cells and buildings for two weeks, and he got almost no sleep. By the end of this period, he was physically and emotionally exhausted, and expected this treatment to continue, but he was not moved again. He was staying in a two-person cell with a bunk bed and a doorless toilet. There was little recreational activity; detainees were only permitted to walk around outside for 45 minutes per day, and he spent most of his time lying on his bed. He also worked, cleaning tables, for which he earned a dollar a day. His cellmate’s family sent him money, so the two shared coffee and food for supper. Every week, Javier needed at least USD20 to buy food.

The line to heat the food was always long. Sometimes Javier did not get to heat his instant lunch before the re-count order, when he was supposed to be back on his bunk bed. Other inmates competed for access to the microwave oven and jumped their place in line, which started fights. Whenever this happened, the guards punished everyone for two to three days, depriving the detainees food and water (just two sandwiches were delivered to each cell) and forcing them to remain inside their cell – even showers were not permitted. Although he was never put in solitary confinement himself, Javier knew what happened to those who started a fight: they were put in a straitjacket and sent to “the hole”. It was a small windowless room with sponge walls, where the guards lowered the air conditioning to make it cold. Inmates who wanted to save some of their breakfast for supper were also sent to “the hole”.

A month after his deportation, Javier again crossed the US border and was reunited with his family in Washington, but the US Immigration and Customs Enforcement (ICE) agents found him and he was once again detained in NWDC; this time, he remained there for three months before his third deportation. He was lucky not to be imprisoned, but since he had twice been found guilty of re-entry, as a federal crime, he was given a red uniform, which meant that he was a “criminal” and was placed in a cell block with high-security detainees, some of whom had previously been sentenced for violent crimes. With a 20-year re-entry ban, Javier has not tried to cross the border again.

Altogether, Javier spent nine months in immigration detention. His case highlights various elements of the lived experience he shared with other immigrant detainees. It illustrates how biometrics (fingerprinting), other biopolitical practices (medical check-ups) and disciplines (counting, deprivation of privacy, forced movement between detention centres) come together in the experience of immigration detention. As I argue below, those forms of surveillance circumscribe the mobility of the bodies of migrants, both in the short (locking up in cells) and long term (preventing re-entry).

### ***The Sovereignty-Building Function of the Technologies of Surveillance***

This article focuses on control of precarious migrants, taking it both as a category of analysis and practice (Brubaker and Cooper 2000). Biopolitical and disciplinary technologies of surveillance construct detainees' subjectivity and the governmentality of future deportees. Various digital technologies are used in the process and this article analyses the lived experiences of those involved, focusing on the case of Mexicans detained in the United States of America, where the deportation infrastructure (Xiang and Lindquist 2014; Walters 2017) is the most developed in the world (Global Detention Project 2017).

The immigration detention centre is a *total institution* (Golash-Boza 2015), "a place of residence and work where a large number of like-situated individuals, cut off from the wider society for a considerable amount of time, together lead an enclosed, formally administrated round of life" (Goffman 1961, xiii). The technologies of surveillance serve to ensure that the inmates do not leave the facility in an untimely manner and that they do not hurt themselves or anybody else (Fischer 2015). This article explains how surveillance produces sovereignty in the individual experience of detained migrants. In particular, I focus on the role of disciplines and biopolitics in subordinating detainees. Following Giorgio Agamben (1998, 2004b), and unlike Michel Foucault (1979), I will consider biopolitics and disciplines as assimilated to sovereign power.

This article subscribes to two scholarships: the literature that explores the comparison of migrants' conditions to *bare life* in order to explain the role of biopolitics in migration governance (Doty 2013; De León 2015; Carney 2013) and the study of immigration detention. Bare life, first described by Walter Benjamin (1996) and popularised by Agamben (1998), is a dehumanised quality of life that becomes an object of the politics of a state. The genealogy of bare life lead back to the moment when the sovereign became interested in the supervision of life. According to Agamben (1998, 10), sovereignty is created by the state of exception or the moment when biological life is incorporated into "mechanisms and calculations of State power". The state of exception builds upon protecting society and the life of its members. However, should surveillance require elimination of individual lives, the state reserves the right to do so. Immigration detention sites, being "militarized sites [that] replicate the border" (Carney 2013, 34), are the scenes of the state of exception.

The situation of detained precarious migrants is exceptional: even though they are not legally recognized in the USA (De Genova 2016), when in detention, the sovereign becomes interested in their bodies and administrates them. In short, in ICE jails, migrants become objects of biopolitics. Apprehension and detention eradicate them from the shadows of illegality (Chavez 1992) and prison-like procedures in immigration detention essentially incorporate them into the deporting state. This biopolitics centres explicitly on the bodies of detainees, creating a state of exception inside US immigration prisons. According to Agamben (1998, 64), the incorporation of bare life into the state's operations "opens a zone of indistinction between law and nature". In other words, here, the object of the politics of a state is not a human but a

biological life.

In a lesser-known essay, Agamben (2004a) puts forward the concept of the “*biopolitical tattoo*” or “electronically enhanced possibility” of control, undertaken in the name of the securitisation of a state. The author names such examples as the electronic registration of fingerprints or subcutaneous tattoos and argues that subjecting migrants to biometrics equals “a next step towards ... the progressive animalization of man” (2004a, 169). The following analysis of technologies of surveillance in immigration detention will include the electronic registration of biometric data (fingerprinting), how migrants experience and interpret it and its role in the construction of a governmentality of deportees. In explaining this, my study contributes to the understanding how digital technologies used by surveillance regimes circumscribe the autonomy of migration. This article does not limit its scope to biometrics, however, and will analyse additional forms of surveillance in detention: other biopolitical interventions into the bodies of detainees (medical checks and personal controls) and disciplines (headcounts and collective responsibility). The state controls the mobility of migrants’ bare life, first, in the short term, by detaining them and restricting some areas in the detention centre. Second, as surveillance helps to control and discipline the body (Foucault 1979) and “implants a mode of conduct into body and its correlate soul” (Rabinow and Rose 2006, 198), it hinders deportees’ re-entry in the long term.

This article seeks to contribute to the research on immigration detention, a still little-developed field due to the practical difficulties of conducting research (Bosworth 2014; Campesi 2015; Fischer 2015; Turnbull 2016). Entering US immigration detention facilities (especially privately operated centres) is difficult for researchers and civil society organisations (‘Unlocking Human Dignity: A Plan to Transform the US Immigrant Detention System’ 2015). Analysing the narratives of former detainees is a solution in cases where access to the field is difficult (McGregor 2011; Carney 2013); however, little research on immigration detention has focused on people who were eventually deported (Zilberg 2011). This might cause some bias in the findings, since detention is an “integral part of the criminalization of immigrants” (Golash-Boza 2015, 200) and the people who find detention an unbearable experience might not even apply for relief from deportation from the US but withdraw their application and consequently are deported. Ethnographic evidence confirms this: the people who only spent a short time in immigration detention and were able to leave on bond appealed against their deportation order, whilst people in detention often lost hope and were deported (Golash-Boza 2015).

### ***Ethnographic Context and Research Methods***

This article draws on the narratives of formerly detained Mexicans who were removed from the USA. At the time of my research, they were living in their place of origin, San Ángel, a rural municipality in the state of Oaxaca (the names of the village and of research participants are pseudonyms). Intensive US-bound migration started in San Ángel in the late 1980s. Due to increasingly strict border controls following the passing of the 1986 Immigration Reform and Control Act (IRCA) and Illegal Immigration Reform and Immigrant Responsibility Act of 1996, migration from San Ángel became more expensive and less accessible, contributing to the increasing immobility of the villagers. In the first decade of the twenty-first century, several migrants returned, deported, to their hometown and were barred from re-entry to the USA.

During my fieldwork in San Ángel, I collected the life stories of 29 individuals deported between 2006 and 2013. Knowledgeable people in the town helped me to contact them. With these former deportees I conducted loosely structured in-depth interviews in Spanish. Besides

the process of deportation, the interview guide also enquired about their life histories. One interview was often not sufficient to cover all the relevant topics and I revisited my research participants more than once. I spent seven years researching the impact of deportation on the community of San Ángel, carrying out four periods of fieldwork: between March and July 2012, between December 2013 and January 2014, in March 2018, and in December 2019, each time returning to participants whom I had interviewed previously.

This article draws on 45 interviews with 26 former deportees who were in pre-deportation detention (the other three research participants were not detained). All were eventually deported, but two were released on bond at some point and were later deported. The participants numbered 23 men and 3 women. This proportion reflects the overall male-female ratio; when I started my research in 2012, 87% of deported Mexicans were men (Velasco and Coubés 2013). My interview partners were deported between 2005 and 2013, with the majority – seven participants – in 2010. This does not correspond to the statistics, as the USA deported the greatest number of people in 2013 (U.S. Department of Homeland Security 2019). The states in which my participants lived and were apprehended reflect the nationwide spread of Mexican migrants: Oregon, New York, New Jersey, Nevada, Washington, California, Iowa and Nebraska. Thirteen had their nuclear families in the USA prior to deportation.

Three of my informants were confined in immigration detention in spite of not having any criminal convictions: two faced deportation after an immigration raid (one at home and one in the workplace) and one was pulled over by the police during racially profiled traffic controls. Six were detained after a failed unauthorised border crossing. 15 were deported following convictions over minor traffic offences (6), drug-related charges (2), domestic violence (4) and assault (3). Individuals with criminal charges experienced penal incarceration in the USA prior to immigration detention. At the time, the Obama administration was prioritising “criminals” (Golash-Boza 2015; Macías-Rojas 2016), and ICE picked my research participants up from jails or prisons after they had served their sentence. The situation of the remaining two, deported in 2013, was different: they had had minor criminal charges in the early 2000s, served the sentence and were detained and deported only ten years later when ICE agents tracked them down because their records listed them as unauthorised migrants.

I stored and catalogued the interview transcripts and notes and navigated them within an ATLAS.ti analytical project. The analysis of the experience of detention entailed looking at data across cases of former deportees, within cases and across themes (Ayres, Kavanaugh, and Knafl 2003). My research participants’ experiences were quite homogeneous and every interviewed compared detention to freedom, even to the freedom of an unauthorised migrant in the USA. However, there were some variations, which depended on the participant’s knowledge of English (which facilitated communication with the workforce at the detention centre) or prior experience with incarceration in jail or prison, as I explain below.

### ***The US Immigration Detention System***

Pre-deportation detention is widely used in the USA. US Immigration and Customs Enforcement (ICE), an agency of the US Department of Homeland Security (DHS), is responsible for the apprehension and detention of immigrants. ICE differentiates between immigration detention *sites* or *facilities* (places where migrants are locked up) and *centres* (sites entirely dedicated to people undergoing immigration proceedings). The majority of detention sites are prisons and immigrants are increasingly often confined together with non-immigrant criminal offenders. The capacity of ICE detention facilities is constantly on the increase: in 1994, they could hold 6,785 people at a time; this number grew to 27,500 by 2006 (Roberts

2009). By 2020 it doubled (U.S. Department of Homeland Security 2020), which was a consequence of more frequent use of deportations and increase in the number of Central American asylum seekers on the Southern border.

ICE both has its own detention centres and outsources them to private companies. Detention centres, often located in peripheral towns, are important sources of jobs and taxes. CoreCivic (formerly, Corrections Corporation of America, CCA) and the GEO Group, Inc. are the biggest for-profit corporations owning and operating detention centres. In 2017, 70% of all immigrant detainees were in the custody of for-profit companies. These companies have been criticised for their economic exploitation of detainees, failure to meet ICE's National Detention Standards and cutbacks on maintenance, food and healthcare expenses (Carney 2013; Eisen 2017; Golash-Boza 2015). Shortly before the end of President Obama's presidency, his administration considered closing these company-operated centres (Fleischner 2016). However, the current administration prioritizes the use of private immigration detention.

Although, officially, immigration detention is preventative and non-penal (Golash-Boza 2015), its *de facto* punitive character has been noted (Valdez 2016; Kanstroom 2007). Researchers criticize its prison-like character and observe that it violates the basic human right to freedom (Dow 2004; De Genova 2016). In the experimental dimension, the boundary between prison and immigration detention is blurred (detainees call the ICE detention site "a prison"). However, one of the important differences between prison and immigration detention is the undetermined period spent in the former (Bosworth 2014; Turnbull 2016). There is no maximum threshold of detention in the USA; in 2009, one man had spent 15 years in a US immigration detention (Roberts 2009). In 2015, the average length of stay in ICE detention was 34.4 days (U.S. Department of Justice 2016, 88), increasing to 53.9 days in 2018 (U.S. Department of Homeland Security 2020). Detention times may vary and depend on the removal procedure and whether or not an individual appeals against the deportation order. Among former deportees from San Ángel, the period spent in detention sites varied from two days to three months. Some, like Javier, were detained several times following deportation and subsequent re-entries.

## ***Biopolitics***

### *Intake Screenings*

In this section, I focus on the biopolitical interventions into detainees' bodies. Upon entering detention, the immigrants are neutralised (confiscation of belongings, personal controls, use of uniforms) and degraded, and their bodies are catalogued (recording of distinguishing features and fingerprints). They undergo personal controls and a series of medical tests, e.g. for tuberculosis and pregnancy (women), chest X-rays and others. One of my research participants, Jennifer, explained her experience of intake screenings in one of the ICE facilities in Florence, Arizona:

It's so bad to be there. When we arrived, they gave us a vaccine with a hepatitis test, I guess. They injected us, and a bubble appeared on my arm. They gave us an injection, made pregnancy tests. They bathed us. They soaped us with lice-killing shampoo. Later, the policewomen arrived. They ordered us to undress; they checked our ears, our hair. They checked everything! And later they made us put on these ugly clothes ... I just kept asking, "Why?" Later, they made a lot of



examinations on my chest. Yes, they made tests, made an X-ray examination. I don't know why. They never told me why. I was just asking, "Why are they doing that to me? What do I have?"

Agnieszka: What kind of injection did they give you?

Jennifer: Supposedly it was against hepatitis, something like that. And a bubble appeared on my arm. Everyone had a bubble. They wanted to see us in two weeks but, as I was going to leave, they wanted to see me in three days. And they told me that I was positive and that I had to see a doctor.

Agnieszka: Where did you have to see the doctor: there or here [in Mexico]?

Jennifer: Here.

All my research participants identified the Mantoux test for tuberculosis as diagnosing hepatitis. The workforce at the immigration jail, as in other total institutions, purposefully conflates information given to detainees (Goffman 1961). Intake screenings identify detainees' otherness – their supposedly bad morals and untidiness. Hepatitis is associated with stigmatised body practices, which can lead to its spread, such as drug injection or risky sexual behaviour (Bourgois, Prince, and Moss 2004). Medical check-ups are obligatory and, if ex-convicts refuse to undergo them again, they are threatened with "the hole" (Dow 2004, 92), as Javier explains:

They made us... hepatitis, I think, and some had already had it, they had already done it to them, so they said, "No, they have already done it to me, I can't inject myself twice." And [the doctor] says, "No, you have to take it, if you don't want to, you'll have another court, you're gonna go to 'the hole.'" [It's] like a dark room, so they let them do the injection once again.

Intake screenings and physical examinations help to administrate the bodies of detainees, rather than diagnose and cure them. The quality of healthcare at detention sites has been criticised by civil rights advocates and the media, and detainee deaths have been reported (Fleischner 2016; Garcia 2018). The collected medical data is invested in biopower; the results of medical tests might influence the decision of the immigration court concerning individuals awaiting "a final determination of their legal status in an ICE detention site" (Urbina 2014).

[Figure 1]

In general, none of my interview partners apart from Jennifer contested the legitimacy of the medical check-ups they had undergone in detention centres. On the contrary, the other interviewees tended to describe them without criticism. It would seem that prior experience of a long, unauthorised stay in the USA and a stay in a criminal prison both influence the deportees' opinion. Jennifer was apprehended twice on the border and never arrived at her US destination. She was deported with a 20-year re-entry ban, returned to San Ángel and has not attempted another border crossing since. It seemed that the research participants who had lived in the USA were more likely to accept the "rules" of crimmigration (Dowling and Inda 2013) and were less likely to criticise them in their narratives. Additionally, people who had been incarcerated in a criminal jail were already familiar with the prison-like techniques of surveillance.

The registration of special features, examination for gang-membership symbols, in-take security and health screenings humiliate immigrant detainees. The experience of Javier, who preferred to take a shower while others were having breakfast to avoid being seen by them in an undressed state, shows how embarrassing everyday hygiene in detention is. Only after my second fieldwork in San Ángel did I realise that former deportees had persistently remained silent on the subject. Both the men and the women were either too embarrassed to talk about or had repressed the memory of doorless toilets in their cells and sharing showers with up to 20

individuals. During my third fieldwork, Jennifer recalled one of the women in her cell asking all her other cellmates to leave when she needed to go to the bathroom. The organisation of hygiene (forcing people to excrete and undress in public) in detention facilities is a degradation ceremony (Goffman 1961) or a humiliating practice of lowering and equalising inmates' social status, something which is typical of total institutions.

### *Biometrics*

The intake screenings register the evidence taken from detained bodies: special features and biometric identifiers (fingerprints). This register will serve to identify the bare life of detainees in the future. This is how two former deportees, Emiliano and Javier, described the collection of their biometric data by US officials:

Emiliano: They took all my fingerprints, they took a lot of photos: my full-face photo and my profile photo, my height, "Take off your shirt. Take off your trousers."

Agnieszka: Tattoos?

Emiliano: Tattoos.

Javier's account was similar to Emiliano's:

[They took my] fingerprints, once again photos, if you have tattoos, "Do you have tattoos?" "No." "Take off your shirt."

Emiliano and Javier had different experiences of criminal custody (Javier had been in jail before, Emiliano had not); however, they both emphasised the experience of being asked to undress. People in San Ángel are not accustomed to taking off their shirts in public (even on hot days, builders work with their T-shirts on, and people prefer to swim wearing clothes). High levels of shame attributed to body practices in San Ángel contribute to the experience of biopolitical practices related to deportation as humiliating and stressful.

As in Javier's case, the biopolitical tattoo or, simply the collection of biometrics, helps to identify and punish a re-entering deportee. Marlon, who, after deportation, resigned himself to not going back to the USA, told me:

If one day you want to get visa, get the documents, they have all of that in your record. And that's bad ... They have your fingerprints, if you have tattoos, everything. All of that. And they pay attention to it.

Biometrics not only digitalises life but is also a digital version of social control. As Peter Adey observes about surveillance (2004, 1369), it is "now being focused with greater intensity upon the body of the individual, the body becoming the stable token of identity". Electronically enhanced technologies of surveillance and the registering of the bare lives of migrants create their governmentality, as some resign themselves to a life outside the US. When deported, they receive a re-entry bar or a notification of the deadline before which they are not permitted to lawfully return to the United States, and obtaining the Attorney General's permission to come back in that time span is virtually impossible. If apprehended during a clandestine border crossing, their data will be retrieved from the fingerprint database and their border crossing will

become a federal crime punishable with prison time, as stipulated in the Immigration and Nationality Act (1965, sec. 276 amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; see also Macías-Rojas 2016). Put another way, due to biometrics, even once expelled, former deportees are still under surveillance.

The “panopticon” of surveillance is constructed far from the US border, externalizing US sovereignty on Mexican territory. Deported individuals might refrain from unauthorised border crossings for fear of being identified as re-entering (Radziwinowiczówna 2019). The biopolitical tattoo has a sound impact on transnational migration in communities like San Ángel. During my last fieldwork visit to San Ángel in 2019, I observed that the villagers were less interested in undocumented migration than five years earlier and instead dreamt of migrating to the USA with temporary work permits. Such plans, although not always feasible to begin with, exclude former deportees, who are aware that their record makes getting a visa impossible.

The process when the sovereign finds the bare life of detainees eliminable involves a dynamic between animalisation and humanisation (Agamben 2004b). While collection of biometric data is an example of the former, a correct database hit that reveals the detainee’s name is a humanizing element of biometric identification. A press article by Brooke Jarvis (2016) provides an example of the paradoxical humanizing use of fingerprinting. “Unclaimed” describes a man in a coma who, after a deadly traffic accident, was hospitalised, unidentified by San Diego hospital staff, for 16 years. His name was revealed, and his family notified only after his fingerprints were correctly checked and returned a “hit” on the DHS database – he was a Mexican border crosser who had been detained by the Border Patrol a few months prior to the accident.

Identification of migrants on the basis of biometrics humanizes them by putting a name on their bodies. However, they choose to resist biopolitical identification in an inhuman regime that criminalizes their mobility (Scheel 2018; Tazzioli 2018). For example, they can purposefully deceive scans using gelatinous fingertips or through fingerprint alteration (Soweon Yoon, Jianjiang Feng, and Jain 2012). Ethnographic evidence from Europe also provides examples of previously-identified people who throw away or destroy their travel documents (material symbols of their humanization) to hamper their forced removal (Fischer 2015).

ID cards are another technologically enhanced means of controlling detained bodies. In the GEO Group-operated NWDC, detainees have two identifiers: a card that they carry in their shirt pocket and a bracelet. Both contain a photograph, the name and the nationality of the detainee. Acacio explained its panoptical function:

The technology is very advanced there; this thing was like an ID card. It worked together with the alarm. If you went behind the bars with this thing, I guess it activated it, because if you went to the door when you weren’t supposed to, it turned on the alarm ... They took a photo of me, I have a photo in my uniform, and it has a barcode. To go to the restroom, to go to the door, you had to do it like that [he imitates bringing the card close to a reader] and the door opened. But if you wanted to go out, you notified them. They have a lot of power. The United States has a lot of power.

Identifiers reconstruct the body’s movement within a space, facilitate its surveillance and automatize discipline. The hi-tech methods of controlling the bodies of detainees demonstrate US sovereign power, according to Foucault’s power-knowledge logic (1979). The controlled individual has to recognise the effects of knowledge, and Acacio effectively interpreted the technologies used in the immigration prison as a sign of the power of the US state. Immigration

detention centres are “repressive devices” (Fischer 2015, 600) and the use of identifiers and registration of biometric data are “anatomy-politics of the human body” (Foucault 2003, 243). Importantly, however, they not only control the bodies of detainees but also manifest the power of the US state over future deportees.

Acacio brought his identifier to Mexico. As he did not have a national ID card, he used it at the Tijuana airport and was admitted on a plane to Oaxaca! This is a surprising example of a material component of immigration detention (Radziwinowiczówna 2016) issued by a private corporation (the GEO Group) that externalizes the US sovereignty on the Mexican territory, at the same time affecting the sovereignty of the latter state.

## *Disciplines*

The tracking of the movements of detained bodies using security cameras, magnetic ID cards and bracelets is an example of the modern disciplines used in US immigration prisons. Among the more traditional disciplines are such practices as limited food portions, repeated headcounts, collective responsibility, keeping temperature low through AC, isolation and lack of privacy. Both “old-fashioned” disciplinary practices and more technologically advanced demonstrations of power are dehumanising and totalising for detainees. Ex-convicts such as César were reminded of discipline in criminal prisons:

The only difference is that [in the detention centre] you can lie on the bed and talk during the day and at night. They don’t give you so many rules. Late at night, at one or two in the morning, you can talk as long as you don’t make much noise, quietly. It’s better; it’s not that bad. We even had a basketball court, if we wanted to play basketball, we could do it all day long.

Anastasia [Cesar’s wife]: You liked it more there.

César’s experience of NWDC was more positive than that of the other eight participants detained there (including former criminal prisoners). Anastasia, César’s common-law spouse participated in the interview and it is possible that he did not want to show himself as dominated by US power and vulnerable in front of her. Other former detainees in NWDC described the regular headcounts of detainees and said that they had to make the beds and tidy up the dormitories, duties that César did not mention in his account.

Headcounts and being deprived of one’s name, replaced with an Alien Registration Number, are other animalising elements of experimental detention, as Javier recounts:

Javier: Since they started, they searched [in database] by the number.

Agnieszka: Not by the name.

Javier: Yes, first the number and then the name, that’s the way they do it.

Agnieszka: And how does it feel to be a number?

Javier: I felt as if I were, almost the majority felt as if we were cattle at a ranch, a herd of cows ... One, two, three, four, five... it’s like cattle counting. They count three times: again at night and in the afternoon. They give us identification with a picture, you get a number of a bed.

The production of bare life in immigration jail strips detainees of the human condition. Taking the bare life as the raw matter, the sovereign blurs one of the most basic distinctions: between

humans and animals (Agamben 2004b). Additionally, using numbers to identify people in confinement inevitably connotes a camp, a space of radical exclusion, in which the use of numbers is one of the primary techniques of identification of prisoners. Agamben (1998, 2004b) localizes the production of bare life in the camp, naming concrete examples of a Nazi concentration camp and a contemporary refugee camp in Southern Europe. However, the philosopher warns his readers that the camp reappears whenever the state of exception is enacted. Immigration detention sites, where the sovereign and its private contractors dehumanize detainees, are examples of the reappearance of the camp.

A sense of dislocation (Hiemstra et al. 2013) and insecurity are other components of experimental detention. 24-year-old Acacio (the one who boarded the plane with the identifier from Tacoma), who had not been imprisoned before, felt endangered in NWDC. In spite of not having any criminal charges, he refrained from appealing against the removal order so that he could be set free as soon as possible:

I think that you would get scared if you went to that place. A lot of people! Yes, it's enormous. Imagine that it is all this town, about 800–1,000 people. When we went to pick up the food – an enormous line, about 500 people! Yes, there are lots of people. Yes. And when we are going to eat, we had to go fast because, unless you lined up, there wasn't enough food for you. Yes, I was surprised, as I hadn't been there before, I was surprised: a lot of people. Every week they were deporting two airplanes. Two planes to Mexico, and two hundred people fit inside!

US sovereignty materialises in the individual experiences of deportees-to-be as a manifestation of the country's deportation regime and the size of its infrastructure (Radziwinowiczówna 2016). When I interviewed him, eight years after detention, Javier was sure that 20,000 people were detained in NWDC in 2010. In fact, NWDC can host 1,575 detainees (The GEO Group, Inc. 2018), who come from “virtually every country in the world” (U.S. Immigration and Customs Enforcement: Detention Management 2015). Javier also mentioned that there were five federal courtrooms in NWDC (there are three). Placing court rooms in a GEO Group-operated detention centre demonstrates how the sovereign power intertwines with private contractors and engages them in bordering (Yuval-Davis, Wemyss, and Cassidy 2019).

Technological devices make up an important element of experimental detention. Some serve as a means of surveillance. Access to other devices, such as TV sets, computers and microwave ovens, is restricted, further disciplining and punishing migrant detainees. For-profit detention centres capitalise on granting access to electronics by renting them to detainees instead of providing them for free; thus, technological devices become another profitable part of the detention business. As people compete for access to the TV or microwave oven, the prison-like detention infrastructure becomes a scene of violent clashes between the detainees.

Javier: I mean, there are conflicts because, in the canteen, where everyone stays, there are three TV sets: one for Spanish people and another two for the people who didn't want to watch Spanish, only English. And they couldn't change the channel in Spanish and we couldn't change the channel on their TV. And it was respected. But there were some [people] who didn't respect it, so the people fought for it, for the TV or for the microwave, to heat lunch.

While Sarah Willen (2007) defines zones of phenomenological safety as places where people feel secure, I propose to speak about *zones of phenomenological threat*, or conditions where a sense of insecurity and constant danger predominates. Immigration detention is a zone of

phenomenological threat, where one of the disciplines consists in keeping the detainees in anticipation of violence.

Jennifer: There were bad people; but as long as we didn't pick on them, they didn't tease us.

Agnieszka: How do you know that they were bad?

Jennifer: Because they bought cigarettes, they smoked, they argued for no reason. Several times they argued with other [women] from Tijuana. And they said vulgar things to each other. They even fought! And they [i.e., the guards] punished us just for that! They punished us all. We couldn't get up from bed. We couldn't get up from bed until they recounted us. If you needed to go to the restroom, you couldn't until they did the recount. And they didn't give us breakfast. We didn't go out. They only bring us a sandwich, a small package of jam, peanut butter and milk or water. That's what they gave us in the morning, afternoon and in the evening.

Agnieszka: How long did the punishment last for?

Jennifer: Almost three days.

Apart from punishing detainees (with solitary confinement, collective responsibility and diminishing food rations), the various disciplines seek to prevent violence. Another means of violence prevention that at the same time contributes to the zone of phenomenological threat is the use of differently coloured uniforms. In NWDC, different uniforms divide detainees into "categories" (Farmer et al. 2017), according to César, who was detained there in 2008:

They give you a uniform; they are of three categories. I guess they're blue, orange and red. The blue ones are the people who had a ticket, who drove through a red light, small things like that. Those who wear orange are supposedly a little more dangerous, and those who wear red ones are people who have big problems.

Uniforms are ambiguous – they both neutralise and stigmatise detainees. When they put the uniforms on, detained migrants become neutralised or deprived of identity (Fischer 2015; Goffman 1961). However, the management of violence differentiates them according to "security levels," and detainees are not completely neutral, as some are stigmatised as "criminal aliens". As post-removal re-entry is classified as a federal crime, those who return after deportation may need to wear it in spite of not having other criminal charges.

Disciplines not only restrict the movement of detainees but – on the contrary – make some of them mobile and in that way disempower them. A discipline, illustrated above by Javier's case, consists in the "flow" (Griffiths, Rogers, and Anderson 2013, 20; Hiemstra et al. 2013), "movement," or simple transfer of people between cells, cellblocks or detention centres, sometimes localised far away from one another (Dow 2004). For instance, Alejandro was first detained in New York City:

*La Migra* [immigration enforcement] took me to Pennsylvania. I was there for about a month and they took me from there, from Pennsylvania to Texas. I was there for two months.

Agnieszka: And why for so much time?

Alejandro: I don't know, but we were going down South like that.

Agnieszka: Why didn't they send you directly to Mexico?

Alejandro: I don't know.

The workforce additionally abuses “movement” in order to scare detainees and – as with the Mantoux test – misinform them. Data from my other research reveals that detainees appealing against a deportation order were misguided, being told that “this time you’re going to be deported” before they were moved to a different detention site. Keeping detainees in flow serves two main purposes. First, it leads to the physical exhaustion of detainees, as I illustrated in Javier’s case. Depriving them of sleep and food additionally punishes detainees and is aimed at discouraging them from appealing against their deportation order and future border crossings. The second aim of the flow is to create zones of phenomenological threat, as the subjects are unfamiliar with their new whereabouts and cellmates, and their family and immigration attorneys cannot contact them.

The inability to communicate is stressful for detainees’ families (Talavera, Núñez-Mchiri, and Heyman 2010), also affected by the phenomenological threat of detention and deportation. After her failed border crossing, 19-year-old Jennifer did not call her mother for a month and her family did not know that she had survived crossing the Sonoran Desert, but had been detained and locked up in an immigration prison. The latter allowed expensive international collect calls on landline phones, but her mother did not have one. She knew that her daughter was alive only when she was deported and called from Mexico:

My mom was terrified. She did not hear from me for a month and she was very terrified. She was asking where I was, I mean, they tell me that she did. She walked like a sleepwalker, they spoke to her and she didn’t pay attention. She was thinking and crying all the time. She was asking, “Where is my daughter?”

Unavailability of ICTs in immigration prison makes the experience of detention more totalising and cuts detainees off from their social worlds. This may, therefore, discourage deportees from re-entering the USA for fear of the repetition of separation, and out of fear of what may happen to them during the clandestine crossing.

The condition of individuals locked up in a total institution and unable to give testimony to their condition brings to mind “the Muslim”, a term used by the inmates of Nazi concentration camps in Poland to describe a person whose despair had robbed them of the ability to speak; the term ironically equated their inability to communicate to that of an Arabic-speaking Muslim among native Poles. To Agamben (1998, 103–4), the *Muselman* is an extreme form of animalisation: a prisoner who has lost the ability to communicate, one of the basic components of the human condition. Today, the state and its private contractors, by depriving migrant detainees of communication devices or by the commodification of communication, not only maximise their and their families’ suffering but also strip them of their humanity.

### ***Concluding Remarks***

Disciplines and biopolitical practices (especially the use of biometrics) are means of surveillance of detainees, both in the short term of detention and the long term of controlling their mobility post-deportation. In detention, migrants undergo disciplines that work in service of surveillance and restrain their mobility (headcounts, prohibition to leave one’s bed, solitary confinement), neutralise (confiscation of personal items and clothes replaced with uniforms), degrade (meticulous examination, undressing and excreting in public) and criminalise them (uniforms in different colours, collective responsibility). Disciplines that enhance mobility

(“flow”) contribute to physical exhaustion and the inability to contact family. Also, the biopolitical practices serve the surveillance principle. Medical check-ups are not examples of care (Fischer 2015) in the increasingly privatised and neoliberal US detention, where even diagnosed diseases are not properly treated. Obligatory biopolitical practices are a demonstration of power over the bare life of precarious migrants, and, together with disciplines, they contribute to the phenomenological threat that affects detainees’ decision whether to appeal the deportation order or not. Deportees may resign themselves to not returning to the USA for fear of additional detention or imprisonment in federal prison, as the biopolitical tattoo (fingerprints) could give them away as having already been deported, banned and guilty of unauthorised re-entry. Immigration detention is “preventative” not only because it apprehends the bodies of migrants to assure their deportation, but also because it deters them from returning to the USA. The short-term surveillance of immigrant detainees contributes to their long-term surveillance, as it governs their future mobility by fear.

While the literature generally considers the use of technologies as dehumanizing, my research also showed how biometrics identify and thus re-humanise bare life. However, the use of biometrics is a demonstration of the hegemony of the state that disempowers individuals forced to provide evidence from their bodies. When migrants act within a system that criminalizes them, they might prefer to remain unidentified if identification can or will lead to punishment. The way in which states and corporations such as the GEO Group or CoreCivic use biometrics cannot be humane as long as it underpins unjust and unequal systems. This problem may be explored in future studies on the use of technologies in surveillance, not only of migrants but of all of us.

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Figure 1. Immigration detention centres where the research participants were imprisoned

