Ever since the United Nations established that a refugee is a person with a “well-founded fear of past and future persecution,” countries that are signatories to the UN Convention Relating to the Status of Refugees have developed legal instruments to identify, evaluate, and assess immigrants’ fear. My dissertation research is about how fear is interpreted in asylum law in the United States. Drawing on my experience as a policy analyst and anthropologist, I employ a combination of methods to ask questions related to the judicialization of fear (how it became a legal object), the medicalization of fear (how decision-makers differentiate legal fear from pathological fear), and the narration of fear (how it is put into a testimony format).

For this project, we focused on the medicalization of fear. Based on input from immigration lawyers and psychiatrists that I interviewed as part of my fieldwork, as well as language used by immigration judges and other authorities in legal decisions, we created a list of words that are frequently found in discussions about ‘pathological fear’ in asylum cases (e.g., phobia, paranoia, hallucinations, irrational, reasonable, etc.). Then, using a corpus of approximately 800 decisions issued by the Board of Immigration Appeals since 1998, we traced the lineage of cases cited in discussions about asylum seekers’ fear and mental competency.

We observed, for instance, how often the ethnographic terms from the word list occurred in these specific cases. We then incorporated these findings into in-depth interviews with the immigration attorneys and psychiatrists collaborating on this research. In future, we aim to expand the corpus to include immigration judges’ decisions and ask more specific questions related to temporal and geographic metadata. Special thanks to Claudia Engel and CESTA for their guidance and support, and to my research intern Miranda Liu.

This heatmap shows the frequency of co-occurrences of selected terms related to fear and health in decisions by the US Board of Immigration Appeals.
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