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Research Report

Narrative, Autonomy, and Justice in Contemporary U.S. Asylum Processing

Abstract

For people seeking asylum in the United States, telling one's story is not simply a personal act. It can become part of a legal process in which government officials determine whether that story is sufficiently credible to justify protection. This essay examines how contemporary U.S. asylum and detention procedures transform migrants' personal narratives into legal evidence, focusing on publicly available accounts involving people from Mexico, Guatemala, and El Salvador from 2025 to the present. Using a qualitative case-study approach, the essay combines recent first-person interviews published by human-rights organizations with immigration law, government guidance, and scholarship on narrative and credibility. The analysis finds that storytelling provides asylum seekers with an important means of exercising agency, but that agency is constrained by institutional expectations about coherence, detail, consistency, and credibility. The interview therefore operates as a form of performance: applicants must communicate personal experiences to a particular audience under legal and material conditions they do not control. The result is a tension between personal autonomy and institutional authority. The problem is not simply that individual stories may be misunderstood, but that access to legal protection can depend on how effectively a lived experience is translated into the language of an administrative system.

Problem Statement

Immigration law is often described through categories, procedures, and legal standards. For the person moving through the system, however, the process can be experienced through much more ordinary activities: answering questions, explaining family relationships, describing past events, identifying places, recalling dates, and recounting experiences of violence or fear. In asylum proceedings especially, the applicant's story can become central evidence. U.S. law provides that an applicant's testimony may be sufficient to establish eligibility for asylum if the testimony is credible, persuasive, and specific enough to demonstrate refugee status. At the same time, decision-makers may consider demeanor, responsiveness, plausibility, consistency, and discrepancies when evaluating credibility (8 U.S.C. § 1158). The result is a legal environment in which telling a story is simultaneously an act of self-expression and an evidentiary task.

This creates a sociological problem concerning autonomy. An asylum seeker does not enter an interview with unlimited control over what their story means. They control, to some degree, what they remember and say, but an official controls the questions, the institutional setting, the legal categories through which the answers are interpreted, and ultimately the consequences attached to those answers. The applicant's narrative therefore moves between two systems of meaning: the personal world in which an event was lived and the institutional world in which that event must be classified.

The issue is particularly important for migrants from Mexico, Guatemala, and El Salvador, whose experiences may include political violence, gender-based violence, organized crime, family threats, poverty, displacement, and interactions with state institutions. This essay does not examine the physical act of crossing the U.S.-Mexico border. Instead, it focuses on what happens when migrants' experiences enter U.S. immigration institutions through interviews, detention-related testimony, and asylum processing.

The central research question is: How does the U.S. asylum interview transform migrants' personal stories into legal evidence, and what does this transformation reveal about individual autonomy and access to justice? I argue that the asylum interview should be understood as a form of institutional performance. It gives migrants a limited but meaningful opportunity to exercise narrative agency, while simultaneously requiring them to adapt their experiences to institutional expectations of credibility. This tension does not mean that immigration officials simply disregard migrants' stories. Rather, it shows how a legal system can recognize a person's voice while still exercising substantial control over how that voice becomes legally meaningful.

Literature Review

Scholarship on asylum credibility provides the foundation for understanding the interview as more than a neutral exchange of information. Pär Anders Granhag and colleagues' research on asylum interviewing shows that officials use particular kinds of questions to assess whether a claimant's narrative appears credible. Research on asylum interviews has also found that many questions are closed or fact-checking questions rather than open invitations to narrate, which can affect the amount and type of information applicants provide (Veldhuizen et al.). This matters because an interview does not simply discover a preexisting story. The questions themselves help shape the story that becomes available to the institution.

Narrative scholarship further complicates the assumption that credibility is equivalent to consistency. Stephen Paskey's analysis of U.S. asylum adjudication argues that trauma survivors may tell stories that are incomplete, nonlinear, or inconsistent in ways that do not necessarily indicate deception. His empirical examination of appellate cases found that inconsistencies were frequently cited when immigration judges made adverse credibility findings. Franks, Ali, and Adi similarly emphasize that trauma, culture, memory, and the conditions of disclosure can affect

the construction of coherent narratives in immigration proceedings. These studies are important because they distinguish between the truth of an experience and the institutional form in which that experience is remembered and communicated.

Other scholars conceptualize asylum credibility as a performance. Timmerman argues that asylum decisions depend on assessments of whether a claimant's narrative appears coherent, detailed, and personally authentic. Bodström's analysis of asylum decisions describes the process as intertextual: an applicant's interview becomes connected to legal rules, country information, documentary evidence, and the written decision. The person's words therefore do not remain simply their own words. They are recontextualized within an institutional record.

This concept is particularly useful for understanding autonomy. An applicant is not merely asked, "What happened to you?" The applicant is asked to produce an account that can function within a legal system. The system requires the account to satisfy particular standards, while the applicant may have limited ability to control how those standards are interpreted. Menjívar and Gómez Cervantes' research on Maya Guatemalan asylum seekers illustrates the stakes of this process. Their study describes credible-fear interviews as encounters shaped by racialized and gendered ideas about who appears to be a deserving asylum seeker. They also document the consequences of inadequate interpretation for an Indigenous Guatemalan woman whose first interviews were conducted in Spanish despite her first language being Chuj.

Finally, scholarship on legal storytelling helps explain why this process is sociologically significant. Law does not simply receive stories from society; it reorganizes those stories according to institutional categories. An asylum claim must connect a personal experience to legally recognized grounds for protection. Consequently, a person's narrative can be both deeply personal and institutionally constrained. The literature therefore suggests that credibility should

be understood not only as a question of whether someone is truthful, but also as a relationship among memory, language, culture, institutional expectations, and legal power.

Methods

This essay uses a qualitative case-study method based entirely on secondary and publicly available material. No original interviews were conducted for this research, and no interviewee is presented as having been interviewed by the author. The primary qualitative material consists of first-person accounts published in recent human-rights reports, especially accounts involving migrants from Mexico, Guatemala, and El Salvador. These accounts are analyzed alongside U.S. immigration statutes and regulations, current USCIS guidance, and scholarly literature on asylum interviews, narrative, trauma, and credibility.

The analysis is intentionally anecdotal rather than statistical. The purpose is not to determine how representative any individual migrant's experience is of all asylum seekers. Instead, publicly available interviews are treated as narrative evidence that can illuminate how people describe their encounters with immigration institutions. Human Rights Watch's 2026 report on immigration detention at Camp East Montana, for example, is based on 80 interviews, including 71 interviews with detained people and interviews with family members, lawyers, and community advocates. The interviewees included people from Mexico, Guatemala, and El Salvador. Amnesty International's 2025 research similarly incorporated interviews with people affected by U.S. immigration policies, including Mexican migrants and asylum seekers.

The method also compares what interviewees describe with what the legal system formally requires. This allows the essay to examine the distance between an individual's lived account and the institutional criteria used to evaluate that account. The analysis is organized

around three themes: narrative agency, credibility as institutional performance, and the relationship between storytelling and access to justice.

Findings

The first finding is that storytelling provides migrants with a form of agency even within a highly controlled legal setting. An asylum interview gives applicants an opportunity to describe experiences that may otherwise remain invisible to the institution. U.S. regulations explicitly state that the purpose of a credible-fear interview is to elicit relevant information about whether the applicant has a credible fear of persecution or torture. The applicant may also consult with another person before the interview, present evidence, and, when necessary, receive interpretation. The asylum officer is required to create a summary of material facts and give the applicant an opportunity to correct errors in that summary (8 C.F.R. § 208.30).

These procedures recognize that the applicant's own account matters. The person is not simply an object being processed; their testimony is part of the evidence from which a decision is made. This creates a genuine form of narrative agency. The applicant can explain who they are, what happened, why they fear return, and what they believe the institution should understand about their circumstances.

At the same time, the second finding is that this agency operates within an institutional performance. The applicant must not only tell a story but tell it in a form that can be recognized as credible. U.S. law explicitly permits credibility determinations to consider demeanor, responsiveness, plausibility, consistency between written and oral statements, internal consistency, and consistency with other evidence. The legal system therefore establishes an audience with particular expectations about what a credible story looks like.

This is where storytelling becomes performance. Performance does not mean that the applicant is pretending or lying. Instead, it means that communication changes according to the audience and setting. A person explaining an experience to a family member may emphasize emotion, context, or relationships. The same person speaking to an asylum officer may try to remember exact dates, names, locations, sequences of events, and details that appear legally relevant. The institutional setting encourages a particular kind of narrative behavior.

The experiences documented by Menjivar and Gómez Cervantes make this tension concrete. Their study of Maya Guatemalan asylum seekers shows how women described the need to recount traumatic experiences during credible-fear interviews. In one case, an Indigenous Maya-Chuj woman whose first language was Chuj was interviewed in Spanish rather than Chuj. Although the officer found grounds for fear, the language mismatch illustrates how the ability to tell one's story is affected by institutional conditions outside the applicant's control. A person's narrative agency is therefore inseparable from whether the institution provides the linguistic conditions necessary for that agency to be expressed.

The third finding is that detention can further change the meaning of storytelling. Human Rights Watch's 2026 investigation into Camp East Montana was based on interviews with detained people, many of whom described their experiences while in immigration custody. The report included people from Mexico, Guatemala, El Salvador, and other countries. Because these accounts were collected from people who were themselves detained, they demonstrate that migrant testimony can also function as a record of institutional experience. Their stories describe not only why they came to the United States but what happened after immigration authorities assumed control over their movement.

This matters because detention can separate storytelling from ordinary forms of autonomy. A person in detention has less control over where they are, when they can communicate, and how they interact with legal representatives or family members. Their testimony can therefore be understood as an attempt to reclaim some control over the meaning of an experience. Speaking about detention transforms an otherwise private or bureaucratic experience into a public account that can be evaluated by lawyers, researchers, journalists, courts, and the broader public.

The fourth finding is that the legal system does not simply receive a story; it translates the story. The interview record becomes one document among others. It may be compared with written applications, country-condition information, identity documents, previous statements, and other evidence. The final legal decision can consequently contain the applicant's words while also presenting an institutional interpretation of those words.

This translation creates the central tension between autonomy and justice. The system needs standards because decisions about asylum have serious consequences and cannot reasonably depend on an official's unstructured impression alone. At the same time, standards such as consistency, detail, and plausibility can become difficult to apply to experiences shaped by trauma, interpretation, cultural difference, or imperfect memory. The problem is therefore not that credibility standards exist. The problem is the possibility that institutional standards can become confused with universal standards of truthful storytelling.

Discussion

The findings suggest that immigration interviews should be understood as encounters between two different forms of authority. The applicant possesses experiential authority: they are the person who lived the events being described. The institution possesses legal authority: it

determines which parts of the account matter, what legal category they fit into, and what consequences follow. Neither form of authority completely replaces the other. The applicant cannot decide alone whether their story satisfies the law, but the institution cannot obtain the applicant's experience without relying on the applicant's account.

This relationship makes storytelling central to justice. Justice requires more than giving people an opportunity to speak. It also requires conditions in which their speech can be understood without demanding that every person's memory, language, emotional expression, and cultural communication conform to one narrow model of credibility. A system can formally hear a person while still making it difficult for that person's experience to become intelligible within the system.

The concept of performance helps explain this contradiction without suggesting that asylum seekers are acting dishonestly. Every institutional interview contains expectations about how a person should speak. In an asylum interview, those expectations become consequential because credibility can influence whether the person receives legal protection. The applicant therefore performs for an audience that has the authority to interpret the performance.

For migrants from Mexico, Guatemala, and El Salvador, this problem can be especially significant when language, cultural background, gender, or experiences of violence affect how a narrative is communicated. The research on Maya Guatemalan asylum seekers demonstrates that language access is not merely an administrative convenience. When a person cannot communicate comfortably in the language in which they experienced and remember events, the institution may receive a different account from the one the person intended to give.

At the same time, it is important not to reduce immigration officials to passive representatives of an unjust system. The legal framework assigns them a difficult task: they must

evaluate claims under standards that are intended to distinguish qualifying persecution from other circumstances and genuine claims from fraudulent ones. U.S. regulations also provide procedural mechanisms such as interpretation, opportunities to correct interview summaries, and review of negative credible-fear determinations by immigration judges. These mechanisms demonstrate that the system contains attempts to balance administrative decision-making with procedural protection.

The broader sociological issue is therefore one of translation. A migrant begins with a lived experience. The interview converts that experience into speech. The officer converts speech into a record. The legal process converts the record into a credibility assessment. Finally, the credibility assessment contributes to a decision about legal status or protection. At every stage, something can be preserved, but something can also be lost.

This does not mean that storytelling is powerless. Publicly available interviews show that migrant narratives can challenge institutional silence by documenting experiences that would otherwise be difficult to observe. The act of telling can make a person visible as an individual rather than merely as a case number. It can also provide evidence for researchers and advocates examining the consequences of immigration policy. Narrative agency therefore exists even when it is constrained.

The central problem is that autonomy in immigration proceedings is conditional. Applicants may speak, but they do not control the institutional meaning assigned to their speech. They may tell the truth, but truth alone does not determine the outcome. Their experiences must be translated into a legally recognizable narrative. Understanding this distinction is important for evaluating justice in immigration systems because it shifts attention away from whether migrants

are simply "heard" and toward the more difficult question of how institutions decide what it means to hear them.

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