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Asylum and the Politics of Listenership

By

JEREMY ALLEN RUD
DISSERTATION

Submitted in partial satisfaction of the requirements for the degree of

DOCTOR OF PHILOSOPHY

in

Linguistics

in the

OFFICE OF GRADUATE STUDIES

of the

UNIVERSITY OF CALIFORNIA

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Abstract

This dissertation uses mixed methods to critically investigate the role of listening and the constitution of listenership in various contexts of asylum processes. Drawing from scholarship in applied linguistics, linguistic anthropology, discourse analysis, and speech perception, I developed three distinct, yet related, studies. The first study, in Chapter Three, reconciles these diverse bodies of work by developing an experiment that investigated the effects of bias on listeners evaluations of migrants' narratives. In the second study, in Chapter Four, I ethnographically investigate listening practices in interaction based on two years of fieldwork with a mutual aid group that hosts monthly *pro se* clinics to assist migrants with filing their asylum applications. An investigation of how participants in the group use various modes of listening as they co-construct asylum narratives, this study also addresses how listening is a vital yet underacknowledged component of bottom-up initiatives to expand access to asylum. The third study, in Chapter Five, goes further by exploring how nonhuman entities can also act as listening subjects of asylum speakers. Here I scrutinize a new US asylum policy whereby officials use text analytics to screen asylum applications for fraud. To do this I comparatively apply sentiment analysis, a form of text analytics, with a discourse analytic evaluation of a corpus of migrants' narratives. This study shows how regimes of hearing can become embedded in technologies used by states to adjudicate asylum policies. In the conclusion, Chapter Six, I synthesize what I have learned from the studies and review my contributions to the linguistic study of asylum and to the social theory of listening and listenership. In doing so, I underscore the value of critically aware listening as a form of mutual aid and advocacy for asylum seekers.

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Transcription Conventions

Hyphen	-	restart or repair (indicated at the occlusion of the previous utterance)
Colon	:	lengthened syllable (indicated post-vocalically)
Comma	,	short pause
Ellipses	...	long pause
Period	.	falling intonation, indicative of a declarative statement
Question mark	?	rising intonation, indicative of an interrogative statement and/or uncertainty (does not include uptalk)
Brackets	[text]	overlapping speech
Underline	text	stressed speech (marked rise in volume and pitch)
Superscript circle	° text °	soft speech (marked fall in volume)
Upward arrows	↑ text ↑	speech between arrows is markedly higher in pitch
Downward arrows	↓ text ↓	speech between arrows is markedly lower in pitch
Parentheses	(text)	extralinguistic information

For clarity, I use a capital letter to indicate the first letter of each utterance, proper nouns, and acronyms.

Chapter One:

Introduction[1]

Our global system of rigid national borders divides more than territories. It also restricts access to resources and human rights by categorizing people. In many ways, our political and social institutions make this unavoidable: An immigration system that legally distinguishes refugees from other migrants requires categorization. This requires a comparison between an individual's claim and a legal definition, which results in an asylum adjudication: an official decision about whether that individual does or does not belong to the category of "refugee," and therefore access to the material benefits and physical safety that come with it.

The 1951 United Nations *Convention Relating to the Status of Refugees* (UN Convention) which resulted from the Second World War, codifies the rights of the refugee at an international level, whom it defines as "someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion" (UN Convention, 1951). Many countries supplement the UN Convention with their own refugee protection regimes, including the United States. The "nexus" requirement of an asylum claim, as it is known among immigration law practitioners, is that the applicant fears persecution *on account of* one of these protected grounds (8 U.S.C. § 1101; Triche, 2018). In everyday discourse, however, there are many terms used to refer to people who move from their homeland and settle in another. Before I situation this dissertation's methodology, research questions, and goals, in the next section I review the terminology I use to refer to people who move.

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[1] Portions of this chapter were previously published in Rud (2023a).

Terminology

Asylum policies that define and separately categorize *refugees* from *migrants* are the result of conceptual distinctions that human beings create, structure, and transform through language. Written asylum policies today are the cumulations of an eternity of spoken discourse about people and their movement and they depict more than just the conceptual boundaries of the policymakers who defined the terms in each text. Asylum policies are inevitably the product of the spoken interactions of decision-makers who discursively adjudicate them, media that discursively shape them, and the asylum applicants who discursively conform to and/or resist them. As a result, dominant discourses that distinguish *refugees* from *migrants*, which emerge in written, oral, or aural forms, facilitate societal preoccupation with such a categorical distinction. Moreover, they privilege individuals who are perceived to meet the standards of an ideal *refugee* despite widespread evidence that political, social, and economic motivations for migration are dynamic and not easily distinguished (Crawley & Skleparis, 2018). In consideration of this interdiscursive chain (Wilce, 2005) and the metaculture of migration and asylum in which this dissertation participates, in this section I situate my usage of three key terms: *asylum seeker*, *refugee*, and *migrant*.

The studies that compose this dissertation span various contexts and employ multiple frames of analysis. As a result, in each context the distinction between an individual's identity as a *migrant*, *asylum seeker*, or *refugee* varies in significance. In many contexts of migration, the distinction of these categories, the adjudication of their membership, and the use of a certain term can lead to drastic consequences. In other contexts, the differences are inconsequential. In most, no single term accurately describes the complex, multifaceted experiences that prompted the person to move.

With these realities in mind, I rely on the following paradigm of usage. As the dissertation focuses on the US asylum process, I therefore most often refer to *asylum seekers*. United States asylum policy dictates that upon arrival or within one year of entrance to the US, individuals without US citizenship may apply for asylum or withholding of removal should they be eligible due to "persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion" (8 U.S.C. § 1101(a)(42)). The burden of proof for a well-founded fear of persecution rests upon the applicant, whose testimony may be sustained without corroboration only if it "is credible, is persuasive, and refers to specific facts sufficient to demonstrate that the applicant is a refugee" (8 U.S.C. § 1158(b)(1)(B)(ii)). Henceforth, I use *asylum seeker* to refer to an individual who seeks international protection due to persecution or fear of persecution in their country of origin. I use the term *refugee* specifically to refer to an individual whose asylum claim has been accepted by the government of the destination country. I rely on the former more than the latter simply because my focus remains on the discursive processes that occur before and during categorization of people as *refugees*, rather than after.

My overall intention is to emphasize the bureaucratic origin and function of these terms in order to neutralize perlocutionary effects rooted in essentialist views of who *refugees* or *migrants* are. For this reason, I also frequently refer to *asylum seekers* simply as *applicants*, as they must apply for asylum (and refugee status) via Form i-589, "Application for Asylum and for Withholding of Removal." Lastly, I apply the term *migrant* as a hypernym in reference to any individual who leaves the region in which they were born and moves to live in another. This includes, but is not limited to, those who emigrated from their country of origin across a national border. I now provide an overview of the influence of language throughout asylum processes.

Studying Language in Asylum Processes

In addition to biographic questions, Form i-589 requires that the applicant give written responses to a series of open-ended questions about the applicant's past or feared persecution based on at least one of the identity traits mentioned before. Applicants may also attach an optional "declaration" document, which is "their story" as they wish to present it without the question-answer format, as well as other documents to serve as supplementary evidence, including written documentation of persecution or threats, medical documents, police reports, and published reports of human rights abuses. Beyond the standards of nexus, evaluation of asylum seekers' credibility has become an important element of the asylum applicant assessment procedure for many countries that receive large numbers of refugees (Kagan, 2003; Smith-Khan, 2017). The stories of persecution and fear that asylum seekers tell in their applications are thus not only judged by how they represent the applicant as a member of a certain category (nexus), but also how truthful the decision-maker believes the applicant to be. The result is that language is hugely influential in asylum processes. As Katrijn Maryns and Marie Jacobs (2021), some of the leading linguists who study the asylum process summarize,

> Legal decision-making in procedures for granting international protection is essentially discourse-based: spoken and written discourse form the main input for the (re)production and the assessment of asylum applications. Eligibility and credibility assessment of refugee claims relies heavily on the asylum seekers' ability to (re)construct their refugee identity in written declarations and oral testimonies, which are in turn discursively shaped and reshaped in the further course of the procedure. (p. 146)

As I will detail in the literature review in Chapter Two, this summary is the result of decades of scholarship and its fundamental concerns continue to drive linguistic inquiry in this area.

Asylum adjudication is a complex, contentious process, and understandably so. Asylum claims are multifaceted and are shaped by individual experiences and traumas. For applicants, the difference between a grant or denial of their asylum claim can mean the difference between a path to legal residence, employment, and citizenship, or deportation, persecution, and even death in their countries of origin. As asylum seekers navigate the discourse surrounding their application and adjudication processes, the stakes are high. After journeying for hundreds if not thousands of miles (for many, on foot), migrants often carry with them little evidence other than their stories. Their ability to convincingly narrate their fear of identity-based persecution, in written English and to white-collar officials, thus becomes paramount. Seeking and receiving asylum requires that migrants successfully navigate not only physical and geopolitical borders, but also borders of language, culture, and literacy. The latter sociolinguistic differences between the ways migrants speak in their own language communities vs. the ways of speaking and writing expected by the U.S. immigration system can be harder to detect and trace but are nevertheless widespread and powerful.

For example, media representations and societal discourses of "refugees" shape our attitudes toward migrants, often subconsciously; implicit biases can influence not only how evaluators read migrants' narratives, but also how they hear migrants when they speak orally in interviews and hearings. But listeners' biases are just one way that the influence of other interlocutors on a migrant's story is backgrounded. The applicant is judged as the sole author of their application despite their countless interactions with, and advice from, smugglers, advocates, lawyers, judges, and other migrants with whom they have conversed on their journey. Even more influential still are translators and interpreters, who must wrest these stories of trauma and fear from oral conversations in migrants' home languages to produce cogent written English narratives as demanded by the institution. All the while, officials make scrutinous comparisons between each iteration of an applicant's story while actively searching for "threats" and "fraud." The reality is that language deeply affects how we hear migrants' stories, from the most macro, discursive level to the most micro and interactional, and these forces often remain undetected. Linguistic communication is a process of both production and perception. As I will justify in the literature review and demonstrate in the three studies that comprise this dissertation, how listeners perceive migrants who seek asylum impacts their reception as much as what the migrants say in their asylum claims. As I reveal, examining how people listen to migrants using mixed methods rooted in ethnographic discourse analysis (Roth-Gordon, 2020) not only reiterates the power of language in asylum processes but challenges the placement of the linguistic burden as migrants' alone to bear. In the next section I outline how I will do this by reviewing my methodological approach to the three studies that comprise this dissertation.

Methodology and Overview of the Dissertation Chapters

The confluence of written and oral discourse, their production, and their perception compels an analysis that draws from multiple disciplines, including applied linguistics, linguistic anthropology, discourse analysis, and speech perception. As such, my methodological approach seeks to embody the "all of the above" sociocultural linguistics advocated by Bucholtz and Hall (2008) that views a coalitional approach to theory and method as a political necessity rather than a scholarly luxury. In building such a coalition to answer the questions at hand, I take a localized, problem-solving approach to address how language policies sustain or create inequalities, rather than solely attention to macro decision-making within institutions (Ramanathan & Morgan, 2007). A problem-solving approach necessitates the application of multiple methods and datasets to address gaps in research. As a result, I use a distinct methodological approach in each study.

In the following chapter, I review diverse literature from numerous disciplines to triangulate my methods that I subsequently apply in three distinct, yet related, studies of how people listen to migrants. The first study, in Chapter Three, is an initial attempt to reconcile these bodies of work. In order to approximate the public uptake of migrants' narratives by listeners, I designed an experimental study that investigated the effects of bias on listeners evaluations of migrants' narratives. The experimental design allows for testing bias vs. mismatch models of speech perception based on various accent-origin pairings that create different migrant personae. I also analyzed listeners' written responses to draw conclusions about how migrant speaking subjects are (mis)heard based listeners' subjectivities.

In the second study, in Chapter Four, I build from the limitations of the previous chapter by ethnographically investigating listening practices in interaction based on two years of fieldwork. A study of how participants in a mutual aid group use various modes of listening as they co-construct asylum narratives, this study also addresses how listening is a vital yet underacknowledged component of bottom-up initiatives to expand access to asylum. Participant observation served as the ideal foundational method of data collection for this research for several reasons. By taking humanistic, functionalist, and inductive approaches to language, which prioritize the relevance of linguistic practices as tools for social groups, I was able observe patterns from which to draw generalizable theories about the effects of language in social life (Blommaert & Jie, 2020). As a necessarily critical enterprise, ethnography carries counter-hegemonic potential, or ability to challenge established language ideologies and regimes (Blommaert & Jie, 2020). As ethnography relies on the triangulation of a variety of data sources (McCarty, 2015), my participant observation and discourse analysis detailed in Chapter Four reveals distinct modes of listening by integrating attention to language in interaction with broader interactional, sociopolitical, and ethnographic contexts (Roth-Gordon, 2020). This approach also aligns with Lawy's (2017) recommendation to use participant observation to study issues of voice, rather than audio recording alone.

Lastly, the third study detailed in Chapter Five, goes further by investigating how nonhuman entities can also act as perceiving subjects by exploratorily scrutinizing a new US asylum policy whereby officials use text analytics to screen asylum applications for fraud. To do this I comparatively apply sentiment analysis, a form of text analytics, with a discourse analytic evaluation of a corpus of migrants' narratives. This study shows how regimes of hearing can become embedded in technologies used by states to adjudicate asylum policies. In the conclusion, Chapter Six, I synthesize what I have learned from the studies and review my contributions to the linguistic study of asylum and to the social theory of listening and listenership. In doing so, I underscore the value of critically aware listening as a form of mutual aid and advocacy for asylum seekers.

As a whole, I rely on critical discourse analysis (CDA) as the primary analytic stance from which I analyze the discourse data. CDA is a framework that views language as a form of social action that produces relations of power and brings attention to how these power relations are (re)produced through language (Cameron & Panović, 2014). CDA facilitates the deconstruction of linguistic interaction into discrete moments, such as turn exchanges, stanzas, and intertextual narratives. By tracing their significance to processes beyond the interaction, I am able to draw connections between language use at the micro and meso levels (such as one-on-one and group interactions) and social structures at the macro level (power and ideologies in legal institutions, for example) (Cameron & Panović, 2014; Fairclough, 2013; Dick & Nightlinger, 2024). As a result, like many critical discourse analysts I take an overtly political, emancipatory approach by advocating for oppressed groups and against dominating groups based on the argument that no representation of reality is neutral and that instead researchers must make their own position explicit (Cameron & Panović, 2014; Fairclough & Wodak, 1997; van Dijk, 2003).

As I illustrate in Chapter Four, this approach parallels the mutual aid organization's goals. Last, applying CDA in language policy research not only allows for a greater understanding of how policies shape everyday interactions (Hult, 2010) but also allows for greater consideration for the agency of individuals and communities who interpret public policies in their everyday lives (Hornberger, 1998).

Critical discourse analysis has a long history of application in asylum contexts. For example, the discitizenship framework relies on a CDA perspective to bring attention to how language policies and surrounding debates separate "real citizens" from deficit ones (Wodak, 2013). Moreover, Baker et al. (2008) advocate for greater integration of CDA and corpus methods to study asylum discourses so that, through attention to word/phrase-level phenomena within the corpus as well as what is implied, inferred, or insinuated, scholars can better understand how terms like "bogus asylum seeker" emerge in popular discourses and take on greater meaning. Lastly, studies of interaction in legal settings have relied on both oral and written CDA to break down how asylum seekers' linguistic practices are (de)legitimized through their encounters with lawyers, interpreters, and judges in these contexts (Eades, 2003; Haviland, 2003; Maryns, 2006, 2012). The rich history of application of CDA to all levels of both oral and written linguistic interaction reaffirms this analytic approach. In the following section I review the research questions and goals that guided this dissertation as a whole.

Overarching Research Questions

This dissertation investigates the role of listening and the constitution of listenership in various contexts of asylum processes. To do so, I pursue the following general research questions:

- Is there a relationship between an interlocutor's listening practices and their perceptions of migrants as they speak about why they seek asylum?
- Do any particular discursive features become aurally salient to interlocutors as they listen to migrants' stories? Which? Why?
- What metalinguistic awareness of their listening practices do interlocutors exhibit?
- Is there a relationship between interlocutors' listening practices and their subjectivities as listeners?

These are overarching research questions that guided the entire dissertation project, including the development of the methods I used in each study. Each study also has research questions that are particular to its context, methods, and dataset, which I describe in each respective chapter.

The interplay between an individual's experiences and the language they use to describe them is deeply complex. As the examples throughout this dissertation will show, this relationship is one that linguists and anthropologists are uniquely prepared—and in my view, increasingly obligated—to explain. The same structures of power in our society that legitimize the voices and stories of some are those that discredit the voices and stories of migrants. Further, the regimes of language within these structures not only shape the US asylum system, but also uphold our fears of those unlike us and fuel our confusion over the nature of stories and of how and why we tell and believe them. In the following dissertation, I aim to unpack these regimes of language to understand what they do, whom they benefit, and whom they harm.

My Positionality

Very early in my study of linguistics, I listened in awe as my friend Hassan told a story. We lived in different places at the time, and I was visiting over spring break to see the city and interview him for a term paper. By that point, both Hassan and I had already traveled much more than most of the people who grew up where we did in South Dakota. We were otherwise very different. I met Hassan at the university we attended, just a few miles down the road from where I was raised like several generations before me. Like many white Americans, I don't know much about my ancestors' origins. Whiteness alone gives us so much, the rest loses importance. As white Americans of European ancestry in the United States who settled on the lands of the Očhéthi Šakówiŋ, the path of our migration and the manner of our arrival never mattered as much as the fact that we were there.

Hassan was not born in South Dakota. Before the age of seven he had traversed more territory than most of our neighbors would in a lifetime. While I easily learned how to blend into the bucolic background when standing out was dangerous, Hassan's place in the communities we shared always seemed to be a topic of discussion. At school, amongst friends and colleagues, at the US border, Hassan's presence was strikingly kaleidoscopic. As he moved through space, onlookers repeatedly tumbled over the sound of his name, the color of his skin, the practice of his faith, the path of his life.

Just before I met Hassan, the path of my life led away from home, too. As a young queer person alone in a hostile place, I felt perpetually removed from where I was meant to be. In college, I quickly realized that studying Spanish was a ticket out of my homeland. I spent my junior year studying in Spain and traveling around Europe with little conception of the power of the student visa pasted in my US passport. With travel as an escape, language became a refuge, and I grew proud of my growing multilingualism and cosmopolitanism. Yet before long I was back in South Dakota where Hassan and I would complete our senior year. As graduate school became conceivable, I saw linguistics as my next ticket out. It took me to Colorado and

California and gave me the tools to make sense of the nuance in my own kaleidoscopic image, of the fractal reflections that position us in the social world.

I chose to interview Hassan for that graduate school paper because of his bilingualism. I wanted to better understand how the languages he spoke gave him different tools to make sense of the space around him, to make sense of the distance from the homeland he longed for. Hassan loved to talk about home, and he always referred to it as home, despite his lifetime in the United States. He loved sharing stories about his big family, spread far and wide yet remaining deeply connected. To start the interview, I told Hassan to close his eyes and walk me through the spaces of his daily life, first in his native language about his homeland, then in English about where he currently lived. In the narratives that followed, I saw his languages shape the spaces around him in real time, in ways that I didn't expect and still don't fully comprehend. Even when speaking in English, the depth of his connection to his home shone through in his use of frames of reference native to his first language. The words he spoke sounded strange in English because they weren't rooted there. In the moment of that narrative, Hassan spoke in English, but he spoke from his homeland. His experiences in the place he described shaped his language and guided his reality. Linguistic analysis, and our friendship, allowed me to behold it.

Studying Hassan's stories showed me that movement cuts untold linguistic paths, paths worth knowing. Since then, I've become infatuated with the stories we tell in the smallest moments, in the subtlest ways. The stories that we tell when we don't realize we're narrating at all. Maybe I'd specialize in Hassan's language, I thought, as a burgeoning social scientist. Yet as my political consciousness expanded by listening to stories of so many others around the world who were displaced by violent force, my desire to specialize in any specific linguistic phenomenon faded in comparison to my need to understand how language ties life to movement itself. For me, like many others, to live has meant to move. Each day I learn more about the privileges that have allowed me to do so freely. Each story is a lesson in the power of linguistic barriers as much as physical ones, unseen but heard, and the power of linguistic knowledge to serve as a map to a better life. There is so much more to learn, so much more to change. This dissertation is the culmination of my genuine though undeniably quixotic pursuit to do just that. I hope what I've found so far gives everyone a bit more freedom to move.

Chapter Two:

Literature Review

In this chapter, I chart the theoretical and methodological trajectory that culminates in the three studies that comprise this dissertation. As I ground my contributions to the study of language and listening, I also point to the ways in which critical linguistic and anthropological inquiry can contribute to more just practices in contexts of asylum decision-making. To do so, I review three decades of diverse social science scholarship that has analyzed the social mediation of linguistic perception and its relevance to migrants and gatekeepers who listen to their stories. This includes research that originated in various subfields of linguistics, such as sociophonetic and psycholinguistic studies of speech perception, as well as research in interactional and sociocultural linguistics and linguistic anthropology. In Chapter Five, I extend this further to incorporate critical approaches to digital humanities and data science. I weave these strands together not only as a methodological necessity, to empirically found the various approaches I took to investigate the challenges that listening poses in asylum adjudications, but also to advocate for the greater integration of linguistic, anthropological, and humanistic science that uses mixed methods to solve social problems.

I begin by reviewing scholarship that has specifically examined language as it variably functions in asylum contexts.[2] Next, I reverse the focus by prioritizing scholarship that has specifically examined sociolinguistic perception as enacted through various forms of listening. I then review perspectives originating in psycholinguistics and sociophonetic approaches to the study of speech perception. This contrasts with the theories I take up in the following section, which originated in linguistic anthropology. After, I synthesize these theories with studies of asylum adjudication processes in which listening plays an outsized role in the social construction of credibility. Lastly, I discuss the collective implications of the diverse theories of listening in asylum processes and use three recent texts to situate the dissertation studies.

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[2] For a brief review of previous linguistic research conducted with migrants in the Sacramento region, see Chapter 4.

Linguistic and Linguistic Anthropological Study of Asylum Processes

Early linguistic and linguistic anthropological studies of language and asylum processes brought attention to the importance of personal narrative in the construction of migrants' identities as authentic and deserving refugees. In this work, scholars began to deconstruct the "refugee narrative" as a culturally recognizable genre hermeneutically composed of distinct parts that together give each narrative meaning as a whole (Bruner, 1991). By identifying individual units of linguistic form, style, and content shared by refugee narratives, this research brought attention to the expectations of conventionalized language upon which state gatekeepers rely in determining the authenticity and credibility of these narratives according to criteria originating in national policies and intergovernmental refugee conventions. For example, Malkki (1992) describes how terms such as "the country," "the land," and "the soil" are synonymous with "the nation" to the extent that "demonstrations of emotional ties to the soil act as evidence of loyalty to the nation" (p. 27). The normalization of these links between people, territory, and state, is routinely exemplified via botanical and arboreal metaphors of "roots" and "rootedness." Malkki (1992) argues that these metaphors prove so pervasive that, as a result, "rootedness" has become a normalized human condition conceived as a moral and spiritual need. Thus, migrants' loss of bodily connection to their national homelands has come to be treated as a loss of moral bearings where now "rootless," migrants are no longer trustworthy as "honest citizens." These entrenched metaphors, as well as other discursive representations of victimhood including a lack of agency and a loss of personal identity, underly the genre of refugee narratives. As a result, early studies of language and asylum characterized an overall culture of mistrust surrounding asylum seekers that stems from these discursive representations (Daniel & Knudsen, 1996).

Upon this foundation, subsequent research on language and asylum began to scrutinize how migrant, asylum seeker, and refugee narratives are constructed and evaluated at large (De Fina & Tseng, 2017), as well as with specific regard to the process of Language Analysis for the Determination of Origin (LADO). In general, linguists and linguistic anthropologists subsequently called out linguistic inequalities, harmful language attitudes, and other taken-for-granted notions of language that impact how gatekeepers perceive asylum seekers. For example, several early studies illustrated the fundamental inequality of discursive resources available to asylum seekers vs. adjudicators and the power asymmetries embedded in such multilingual, hybridized, and entextualized narrative elicitation processes (Blommaert, 2001; Jacquemet, 2009; 2011). Katrijn Maryns (2012), in another example, illustrated numerous procedural disadvantages, often exacerbated by lay interpreters and translators, of asylum seekers who are multilingual and/or linguistic minorities. Legal scholars have also raised concerns about the nearly impossible evidentiary standards of narrative chronology, structure, plot, and performance expected for asylum seekers' narratives to be perceived as credible in the courts (Good, 2007; Vogl, 2013; Zagor, 2014).

In the LADO process, largely implemented in Europe beginning in 1993, government agencies analyze the speech of asylum seekers who lack other documentary proof of their origins in order to determine whether the asylum seeker speaks the language and dialect of a social group they say they belong to, at a level of proficiency expected based on their narrative, in order to confirm that they deserve protection from persecution due to their membership in that social group (Patrick et al., 2019). The use of LADO to determine credibility of asylum claims led to a crisis in the field, as linguists and linguistic anthropologists argued that states often not only misunderstood and misused the basic tenets of the sociolinguistics, but also misattributed linguistic expertise as well as perpetuated and exacerbated the overall culture of mistrust surrounding asylum seekers. For example, linguists and linguistic anthropologists raised several critiques: That LADO is based on “folk views” about the relationship between language, nationality, and ethnicity rather than sound linguistic principles (Eades et al., 2003); that linguistic repertoires are tied to an individual’s life and biographic trajectory rather than any national, stable regime of language (Blommaert, 2009); that the LADO process does not account for linguistic adjustments made by asylum seekers to accommodate the Westernized, institutional settings of their interviews (Corcoran, 2004); that although LADO is framed as a neutral and objective science carried out by linguists, any results must be qualified because LADO practices are frequently biased and stem from harmful language attitudes held by practitioners who are often native speakers of the target language rather than trained linguistic experts (Maryns, 2004; Singler, 2004; Campbell, 2013). A recent volume by Patrick, Schmid, and Zwaan (2019) reviewed current linguistic perspectives on LADO, a practice still in use today.

To be sure, this is not to say that this literature argues that connections between one’s language, background, and identity are untenable, or that it challenges linguists’ understanding of the indexical function of language overall. Rather, Singler (2004), for example, maintained the effectiveness of certain LADO practices by scrutinizing the definition of “linguist” in the context and emphasizing the distinction between using linguistic analysis to understand an individual’s socialization rather than nominatively identify an individual’s (country of) origin. Blommaert (2009) goes further by arguing that understanding denationalized or transnationalized migrants’ speech practices as hybrid and constitutive of their broader linguistic repertoire allows linguists to understand migrants' *lives*, rather than merely their births. To do so, he argues, requires investigating linguistic practices, resources, and repertoires using a fully ethnographic sociolinguistics that "return[s] to an inductive case method that strives toward a comprehensive and multifaced analysis of what is there in relation to the conditions of production and circulation of these phenomena" (p. 437). Overall, this line of inquiry overall shows a reflexive turn in studies of language and asylum by considering the linguist's attributed role in the LADO process. Although this body of work still largely focused on the minutiae of asylum seekers' linguistic practices in relation to judiciary expectations, this line of inquiry laid the foundation for later work that has increasingly focused on the linguistic expectations of all practitioners and actors involved in asylum adjudications.

The most recent wave of scholarship on language and asylum has focused more intently on what linguistic factors contribute to credibility and has given preliminary scrutiny to the distinctive role of perception by practitioners/gatekeepers in the co-constructed performances of asylum seekers' narratives. For example, McKinnon (2009) and Sorgoni (2019) call out the courts' emphasis on linguistic style over content in asylum seekers' narrative performances, including the increasing dependence on acceptable performances of embodied affect. McKinnon (2009) argues that "audiencing credibility is as much about the way a particular judge hears or sees as it is about what a claimant says or does in the court" (p. 212) and Zambelli (2017) proposes an ideal profile of asylum decision makers that "hear differently" based on such empirical research. Laura Smith-Khan has addressed asylum seeker credibility in a series of studies that initially focuses on the underacknowledged fact that narratives are co-constructed by asylum seekers and decision-makers and other actors (Smith-Khan, 2017) and she increasingly deconstructed the role of these additional participants as active producers and perceivers of credibility (Smith-Khan, 2020a, 2020b). Most recently, Jacobs and Maryns (2022) use interactional linguistics to break down lawyers' deliberate discursive moves that delicately balance rapport-building and reorientation of asylum seekers' narratives to conform with institutional standards. They detail how power hierarchies in the narrative elicitation process mystify lawyers' motives for these discursive moves, reinforce gatekeepers' position of dominance, and leave asylum seekers powerless and confused. As a result, they argue for greater metacommunication between asylum seekers and lawyers to achieve a better alignment of lawyers' and asylum seekers' voices for stronger rapport and better legal assistance. Lastly, Maryns and Jacobs (2021) recently summarized data constitution and engagement in the field of language and asylum. Based on extensive ethnographic fieldwork in asylum proceedings, they argue in support of bottom-up initiatives for disseminating expert linguistic knowledge of asylum and for cooperation with community-based organizations in order to change public policy and practice. As I will detail in the synthesis below, these recent calls for action have greatly influenced my approach to the research in this dissertation.

Theoretical Approaches to Listening and Listenership

Two parallel bodies of language research have relevance to how we listen to asylum seekers. The first, which examines *listening* as a socially mediated acoustic process, takes the form of psycholinguistic approaches rooted in theories of speech perception and language processing. The second, which examines *listenership* as the constitution of people (and other entities) as listeners, takes the form of linguistic anthropological approaches rooted in the theory of the *listening subject* (Inoue, 2003). As I will illustrate throughout this dissertation, bridging these bodies of work is necessary to better understand listeners' perceptions of credibility in asylum narratives.

Psycholinguistics and Speech Perception

Numerous scholars have examined the influence of social stereotypes on speech perception and processing, including the effect of (perceived) race and national origin in the perception of accented English. This work can be divided into two groups according to the theoretical model upon which they base their conclusions: a *bias model*, in which racial bias inhibits speech perception, or a *mismatch model*, based on exemplar theory, in which a mismatch of listeners' expectations of race-accent pairings affects, and often inhibits, speech processing while an alignment of such pairings facilitates processing.

For example, earlier work by Rubin (1992), Niedzielski (1999), and Lev-Ari and Keysar (2010) can be characterized as supporting a bias model. Rubin (1992) found that listeners significantly rated a recorded lecture in Standard American English (SAE) as more accented when paired with the image of a Chinese woman than when paired with a white woman. As no differences in accent existed, Rubin (1992) argued that a racial bias influenced participants' perception. Relatedly, Niedzielski (1999) found that attributed national origin, such as whether vowel tokens were produced by a Canadian vs. a Detroiter, can influence listeners to overlook actual acoustic evidence in favor of stereotypical expectations of their own and others' speech. Moreover, Lev-Ari and Keysar (2010) found that listeners perceived trivia statements produced by foreign-accented English speakers as less true than those produced by native speakers.

On the other hand, the conclusions of more recent work by McGowan (2015), Gnevsheva (2018), and D'Onofrio (2019) can be characterized as supporting a mismatch model. For example, McGowan (2015) found that participants more accurately transcribed Mandarin Chinese-accented speech when paired with the face of a Chinese woman than with a white woman or generic human silhouette. He interpreted these results as indicative that "a congruent socially informative prime facilitates transcription" (p. 516) and concluded that the race of the visual prime did not matter so much as its alignment with participants' expectations of accent. Further support of a mismatch model comes from Gnevsheva (2018), who found that white New Zealanders rated L1 Korean speakers as similarly accented across audio-only, audiovisual, and video-only conditions whereas they rated L1 German speakers as more accented in the audiovisual condition than in the audio-only condition. She argued that a bias effect would have resulted in the rating of L1 German speakers as less accented in the audiovisual condition due to their whiteness and that instead, because listeners did not expect a foreign accent when they saw a white face, their unexpected accent became more salient and thus was rated as stronger. Lastly, D'Onofrio (2019) investigated the influence of *personae* on accent perception, or "holistic, ideologized character types" that are specified for behavioral and linguistic characteristics and "identifiable in the imaginations of communities" (p. 347). She found that, rather than racial bias as the result of Asian vs. white conditions, listeners' perceptions of personae such as "celebrity" vs. "teacher" influenced their comprehension of native vs. accented speech.

Overall, this body of scholarship shows that the social information that accompanies the speech signal, such as a racialized image or stated national origin, informs listeners' expectations of accentedness and that perception of racialized speech can vary based on culturally salient personae. Moreover, it confirms that listeners rely on these expectations in processing and that the congruity of their expectations with the actual speech signal influences their perception.

Linguistic Anthropology

The cornerstone linguistic anthropological study of listenership is Inoue's (2003) theorization of the *listening subject*. Inoue (2003) argues that perception is not an unmediated phenomenon but a social practice wherein particular modes of seeing and hearing are the result of power relations situated within the physical, social, and temporal context. That is, all hearing is embedded in *language ideologies,* or "a linguistic regime of the social, that underlies and produces social knowledge of the 'structure' of language, retroactively regiments it, and delimits certain (pragmatic) effects of its use" (Inoue, 2003, p. 157; Silverstein, 1979). Stated differently, language ideologies are "the cultural (or subcultural) system of ideas about social and linguistic relationships, together with their loading of moral and political interests" (Irvine, 1989, p. 255). People hold ideologies about facets of language at all scales, from the smallest phonetic details to entire genres and languages. Multiple, sometimes contradictory, and often serving the interests of a specific group, language ideologies link social structures with forms of talk (Kroskrity, 2000). As a result, studying language ideologies allows scholars to unpack the relationships between micro-level speech and macro-level social structures, allowing for the analysis of questions of identity, stereotypes, morality, power, and inequality (Ahearn, 2017; Kroskrity, 2000).

Language ideologies thus subconsciously influence listening practices by forming "the boundary for what counts as language and what does not and the terms, techniques, and modalities of hearing and citing" (Inoue, 2003, p. 157; Silverstein, 1979). In her study of male intellectuals' depictions of "schoolgirl speech" in early 20th century Japanese print media, Inoue (2003) importantly distinguishes between the speaking subject and the listening subject. By doing this, Inoue (2003) concludes that "the schoolgirl" comes into being as a demographic category not only through the language she produces as a speaker, but also crucially through the ear of the male intellectual listener as he listens to her voice, projects his otherness onto her, and cites her as salient in his own subsequent linguistic productions. Soon, due to his higher position in the social power hierarchy, these accumulated citations of "the schoolgirl" come to constitute “the original” that is inscribed upon her regardless of the proximity of these citations to her actual linguistic productions or visual/aural presence in society.

Later scholarship has expanded the conceptualization of listenership by using the listening subject framework to show how other historically disenfranchised groups, such as racial minorities, are misheard by dominant groups and institutions, as I will explore in the case of asylum seekers in this dissertation. For example, Flores and Rosa (2015) expand upon Inoue’s (2003) theory of the listening subject by interpreting it through a raciolinguistic lens in their critique of discourses of “appropriateness” that underlie additive approaches to language education, which consider standardized language as more appropriate for educational settings than minoritized linguistic practices. Flores and Rosa (2015) use the term *white listening subject* to draw specific attention to how racialized language ideologies facilitate the perception of racialized speakers as deviant regardless of their correspondence to standard forms. That is, Flores and Rosa (2015) claim that even when racialized speaking subjects produce standardized language, the white listening subject perceives them as inappropriate for educational settings and that when white speaking subjects produce nonstandard forms they are often ignored or positioned as innovative. Ultimately, Flores and Rosa (2015) argue that placing racial hierarchies at the center of analysis, rather than individual practices, allows linguists to scrutinize how nonracialized people can deviate from the idealized standard without consequence, while racialized people may adhere to the same standard yet still face profound institutional exclusion. A comparable example that applied a raciolinguistic approach in an immigration context is by Piller, Torsh, and Smith-Khan (2023), who examined the Australian TV show *Border Security*. They found that the white, Australian English-speaking officers are represented as heroes protecting national security, whereas the show’s antagonists exhibited no prominent racial profile or unified linguistic background; what united the migrants is that they were portrayed as a security threat. They concluded that this effectively mapped raciolinguistic White-English identity with authority and knowledge and while mapping racialized diversity as a threat (Piller, Torsh, & Smith-Khan, 2023).

In a further expansion of the listening subject theory, Pak (2023) uses Singapore as a context in which to conceptualize a *state listening subject*. Based on the idea that nonhuman entities can also act as perceiving subjects (Rosa & Flores, 2017), Pak (2023) argues that the state listening subject materializes as any state actor who serves the state's interests, perceives the linguistic practices of its citizens, and is able to determine their interpretation by rearticulating them via a racializing process in which the state "selectively (de)couples race and language to suit national interests" (p. 17). Pak (2023) illustrates this via a case study of a "brownface" incident, where a Chinese Singaporean actor appeared in an advertisement with digitally darkened skin to portray an Indian man. In response, two Indian Singaporean comedians posted a vulgar, albeit parodic, rap music video calling out the racist performance and racism of Chinese Singaporeans, the majority ethnic group in the country. State officials responded differently to the two videos, deeming the rap video "racist" yet describing the brownface advertisement as merely "insensitive" and "inappropriate." Pak (2023) argues that the state's rearticulation of its citizens' language in this way not only had the power to misconstrue the racialized speaker's linguistic sign, but also allowed the state to manufacture a dominant meaning that circulated farther and endured longer than the original, effectively reifying race as a national organizing principle. Pak (2023) concludes that the complex racial dynamics at hand often extend beyond a state and its citizens and have significant effects for migrants and new citizens, which Connor (2019) and this dissertation explore further. That is, Connor (2019) examines what she calls *regimes of hearing*, stemming from Inoue's (2003) argument that particular modes of hearing are effects of regimes of social power, in an ethnographic study of two elementary school classrooms in Norway. Connor (2019) examines how listeners attribute value to abstract qualities like "quiet" and "noise" and argues that particular regimes of hearing facilitate white, middle-class Norwegians' categorizations of foreign migrants as noisy, which racializes them and legitimizes their social and geographic segregation. Because these regimes of hearing are constantly reinforced through everyday interactions, they come to be seen as natural such that listeners have expectations of migrant students' noisiness.

In a more recent study, Connor (2024) describes minoritized, young immigrants' frustrations about not being listened to in the municipal policymaking and development in the Tøyen neighborhood of Oslo, Norway. Connor (2024) aimed to understand how states perform listening and how citizens make themselves into listenable subjects. From her ethnographic fieldwork at public community meetings, she concluded that municipal leaders and residents held different views about what it means for the state to listen to its residents. The municipality focused on the moment of listening itself in the public community meetings, where government officials listened for signs in residents' accounts that could be taken up as legitimation for policy decisions. Residents, on the other hand, saw listening as a practice of flattening hierarchies between officials and residents where the government listened to residents on residents' own terms and all people came together to co-create initiatives using varying forms of expertise. To residents, evidence that officials listened came not only through their attitudes at the moment of speech, but through uptake exhibited by changes in the built environment of the city (Connor, 2024, p. 187). Connor (2024) concludes that successful participatory democratic action in the neighborhood required using various forms of interaction and modes of listening.

Overall, this body of scholarship illustrates a trajectory of study that has evidenced aural perception as a social practice that is embedded in language ideologies and influenced by power relations. Whether the listening subject is a Japanese male intellectual (Inoue, 2003), an SAE-speaking educator of second-language learners (Flores & Rosa, 2015), Singaporean state agents (Pak, 2023), or white, middle-class Norwegians (Connor, 2019), this scholarship makes clear that minoritized speaking subjects at the bottom of the social power hierarchy are continuously judged by how they are heard as much as by what they say. Moreover, the studies of Pak (2023) and Connor (2024) indicate that states' and individuals' listening practices are linked to ideologies of democracy and belonging in multiethnic communities.

Situating the Dissertation Studies[3]

To conclude the literature review, in this section I situate and motivate the following dissertation studies based on three recent ethnographic monographs. Each text makes considerable advances in the study of socially mediated perception; however, they also point to longstanding gaps in the understanding of the import of listening in asylum proceedings which I address in this dissertation.

First, in *Standards, stigma, surveillance: Raciolinguistic ideologies and England's schools*, Ian Cushing (2022) provides a critical analysis of various levels of educational language policies and the aural surveillance by which policy makers and teachers enforce them, thereby stigmatizing and subordinating racialized students in England's schools. Cushing (2022) lays out an ambitious set of goals in the text: to explore how sonic surveillance maintains racial hierarchies, to show how colonial ideologies of race and language continue to shape educational policies today, and to reconceptualize language and listening in order to dismantle the assemblages of power and control that enact harmful language ideologies in schools. He largely achieves these goals, and particularly succeeds at tracing the intertextual and interdiscursive relationships between language ideologies rooted in colonialism, educational policies of the past and present, and the embodied linguistic phenomena surveilled and policed in schools today. Cushing's (2022) close attention to policy and intertextual links, however, rather than language-in-interaction within classrooms, orients the text more toward policy makers and educational linguists rather than teachers and students who must negotiate ideologies via listening in talk. Thus, future work in this line of inquiry should examine interaction more closely and address practitioners "on the ground" more directly.

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[3] Portions of this section were previously published in Rud (2023b), Rud (2024a), Rud (2024b).

Second, in *Genres of listening: An ethnography of psychoanalysis in Buenos Aires*, Xochitl Marsilli-Vargas (2022) convincingly theorizes psychoanalytic listening as a genre and clearly evidences it as a social fact in Buenos Aires. Grounded in over 30 months of fieldwork from 2010 to 2016, the author shows how the genre emerges discursively through responses and reported speech in discourse where listeners postulate, "When you say *X*, I hear *Y*," which she proposes as the signature formula of the genre. With examples from group therapy, daily interaction, and media, Marsilli-Vargas not only shows how psychoanalysis permeates Argentinean society but also reveals the extent to which the practice of this genre of listening plays an essential role in the construction of modern identities for residents of Buenos Aires. Yet regarding the author's overall approach to studying how listeners hear meaning beyond (or parallel to) denotation, Marsilli-Vargas's (2022) approach to the semiotics of listening gives little attention to perception at sociophonetic and paralinguistic levels. She examines listening "independently from its social determinations (e.g., ethnicity, gender, class relations) or technological mediations (from cassettes to new media)" (Marsilli-Vargas, 2022, p. 23).

Moreover, Marsilli-Vargas invites readers to "move away from a framework that conceptualizes social and intersubjective relations as exclusively (or mainly) embedded in a relation of power and instead to focus on the reproductive exchanges that emerge throughout these encounters" (2022, p. 9).

By foregrounding theoretical development, Marsilli-Vargas (2022) aims to show the composition of a genre of listening in order to develop a model for application to other generic forms of listening. The author's early dismissal of an analysis of power, however, only limits the impact of the text's overall conclusions, especially considering the genre's origins in the clinical encounter and its value as epistemic and cultural capital both interactionally and at the societal level. Thus, future research in this line of inquiry must more deeply integrate a theory for genres of listening with approaches rooted in the study of sociophonetics, prosody, and aural ideologies at the level of implicit bias may lead to the discovery of meaningful variation in speech that becomes salient to listeners in interaction.

The final text specifically examines asylum proceedings. In *The right kind of suffering: Gender, sexuality, and Arab asylum seekers in America*, Rhoda Kanaaneh (2023) humanizes a diverse group of Arab migrants in the United States by ethnographically recounting their experiences navigating the US asylum system. Based on a decade of fieldwork from 2012-2021, during which the author interpreted for more than 40 asylum applicants, Kanaaneh (2023) chronicles the stories of four people who come from Sudan, Egypt, Jordan, and Lebanon and share matters of gender and sexuality as the bases for their asylum claims. Kanaaneh (2023) clearly guides readers through interrogations of the daily challenges and injustices that applicants face throughout the asylum process, which ultimately contribute to retraumatization. These range from the most mundane and predictable, such as seemingly endless delays of court hearings and lack of multilingual officials, to lawyers' intense preparation of asylum seekers for court, where each aspect of the applicants' life stories and the ways they tell them will be aggressively probed.

Overall, Kanaaneh (2023) exhibits a great depth of reflexivity. For example, she acknowledges the relative privilege of the applicants about whom she writes (they first entered the US on tourist visas, eventually secured lawyers, and all received asylum), in comparison to most asylum seekers who have no legal status and often have no choice but to represent themselves in court to stave off imminent deportation. Moreover, Kanaaneh (2023) engages with her own positionality as she reflects on her day-to-day accompaniment of migrants through each step of the asylum process. Examples include her thoughtful reflections on the challenges associated with occupying simultaneous roles of researcher, lay interpreter, and advocate; the difficulty of drawing boundaries between her private life and the applicants' ongoing needs; her complicity in retraumatization as a participant in a process that is harmful by design; and the bureaucratic neglect that her presence as an educated, Arabic-English bilingual US citizen allowed the applicants to avoid.

This last example presents a limitation of the text to be addressed in future research. As an interpreter and anthropologist, Kanaaneh (2023) clearly exhibits great metalinguistic awareness. However, her diachronic, case-study approach could give closer attention to language as it functions in individual interactions to create, sustain, or transform power hierarchies in contexts of asylum proceedings. Despite this, Kanaaneh's (2023) capacity to demonstrate connections between small moments and broad ideologies not only makes her perspective on the functioning of the US asylum system vital, but also provides strong evidence that critical ethnographic engagement with such high-stakes intercultural exchanges can aid the observation of migrants' human rights.

In conclusion, diverse scholarship has examined the social mediation of listening and points to its impact on migrants who seek asylum. Early work that specifically focused on language in asylum contexts has illustrated the vital importance of personal narrative in the construction of migrants' identities as authentic and deserving refugees. Later studies have examined not only how asylum seekers' narratives are co-constructed but also how their credibility is evaluated in relation to asylum policies. Recent calls from scholars in this area have advocated for the use of interactional linguistics to breakdown the deliberate discursive moves by which asylum seekers' narratives are co-constructed, for greater metacommunication between asylum seekers and officials, and for bottom-up initiatives for disseminating expert linguistic knowledge of asylum in cooperation with community organizations (Jacobs & Maryns, 2022; Maryns & Jacobs, 2021). This dissertation answers those calls in three related studies of listening to asylum seekers. To do so, in each of the following studies I use mixed methods grounded in established theories of listening and listenership in order to understand linguistic perception at diverging levels of sociolinguistic awareness (McGowan & Babel, 2020). As a whole, the three studies fill gaps in recent texts by critically examining listening at various levels of perception, each of which impact access to asylum for migrants.

Chapter 3

How Should an Asylum Seeker Sound? Listening, Listenership, and Credibility

On November 7, 2019, the *Argus Leader* of Sioux Falls, South Dakota, reported the views of South Dakota's Congressional delegation regarding people who seek asylum in the state. Senators John Thune and Mike Rounds and Representative Dusty Johnson stated that they "support people who have legitimate claims of asylum seeking to come into the United States" and that, "the problem… is people are clogging the U.S. immigration system with false asylum claims and then remaining in the United States illegally." Johnson argued that the US should "prioritize legal immigration and credible asylum cases" and Rounds stressed that two groups of immigrants must be separated, those "that have been vetted and the United States agrees that they suffered from persecution" and those "who are trying to 'game' the system by illegally crossing the border and then applying for asylum, knowing they will get a hearing." Rounds continued, stating that, "those who file asylum cases knowing they don't have a case are causing problems for people with legitimate cases by inundating the immigration system and making it 'impossible' for it to work" (Kaczke, 2019).

When this article was published in my home state's largest newspaper, I happened to be developing the study presented in this chapter to further investigate the social construction of asylum seekers' credibility. Although the timing seemed uncanny, the claim of migrant disingenuousness that the South Dakota Congressmen make here is but one recent example of rhetoric that perpetuates a culture of mistrust of migrants. Building on the plethora of research that illustrates the rigid expectations that asylum applicants face when they tell their stories in asylum systems around the world, I wanted to better understand how this played out in a context I was familiar with. To do this, I designed the present study to illuminate listeners' expectations of how an asylum seeker should sound in order to be perceived as credible by officials and the public in places like South Dakota. As a result, the study addresses the following general research questions:

- How does perception of comprehensibility and emotional affectedness relate to perception of credibility in asylum seeker narratives?
- How does perception of authenticity and national origin relate to perception of credibility in asylum seeker narratives?
- What metalinguistic awareness of their listening practices do participants exhibit?
- How can future research investigate relationships between listeners' backgrounds and their perceptions of comprehensibility, emotional affectedness, and credibility in asylum seeker narratives?

To address these questions, I examine 20 listeners' evaluations of comprehensibility, emotional affectedness, credibility, and national origin of five asylum seeker narratives as spoken by both actresses and actual asylum seekers in various accented Englishes. The statistical analysis alone reveals that only listeners' perceptions of comprehensibility significantly differ between groups. Analyzing the discourse of participants' responses, however, shows how listeners' metalinguistic evaluations reveal their expectations of an authentic emotional performance. That is, the mixed-methods analysis together results reveals that listeners exhibited a higher perception of credibility in correlation with refugee narrative performances they characterized as emotionally authentic. As a result, I argue that by distinguishing asylum seekers as speaking subjects from institutions and publics as listening subjects, we can better understand how certain linguistic practices, such as the performance of emotion, come to be viewed as appropriate or inappropriate, credible or illegitimate, in various stages of asylum processes.

In the sections that follow, I first explain the methods of the study and propose specific research questions that address the most relevant data I elicited. Second, I report and analyze the study's findings regarding participants' evaluations of comprehensibility, emotional affectedness, credibility, and national origin with respect to these specific research questions. Third, I discuss the significance of the findings in relation to scholarship on aural perception and the constitution of listenership and with consideration for broader concerns of listening in the determination of asylum seekers' credibility. Lastly, I conclude and make suggestions for future research.

Methods and Data

The following subsections summarize the methods of the study, including the study design and stimuli used, the listening task and elicitation of participant responses, the resulting data set, and the specific research questions based on the data set.

Design and Stimuli

To best approximate a context of public uptake of asylum seeker narratives, I solicited participation of individuals using my personal social media and connections through snowball sampling. To bound and contextualize the study within a familiar context, I recruited survey respondents that originated in, or had lived for several years in, the state of South Dakota. In another effort to localize my conclusions, I used stimuli that they might legitimately encounter through media. The stimuli consisted of audio of asylum seeker narratives taken from videos publicly available on YouTube: Two were narratives of actual asylum seekers recorded by nonprofit organizations at refugee camps and three were asylum seeker narratives performed by professional actresses as part of a nonprofit campaign. The latter campaign, titled "I Hear You" and published by Oxfam, was "designed to amplify the personal stories of the world's most vulnerable refugees with some of Hollywood's leading voices… in the hopes that you might hear their stories and join the campaign" (Oxfam, 2016).

Based on similarities in content and length, I selected five narratives as stimuli: narratives by two anonymous asylum seekers who spoke in Arabic-accented and an African-language-accented English[4], respectively, and narratives by three actresses who spoke in American English (Melissa Leo), Australian English (Margot Robbie), and Arabic-accented English (Yasmine Al Massri), respectively. These stimuli thus allow me to consider how the narrator's race and the authenticity of their performance may be perceived: Though I presented only the audio, these stimuli allow me to consider the potential role of racial bias, through the use of accent as a proxy for race, by comparing the responses of the white-sounding English speakers (the American and Australian English speakers) vs. the non-white-sounding English speakers (the Arabic- and African-language accented speakers).

Regarding authenticity, the stimuli allow me to consider authenticity by comparing responses to the actresses vs. the asylum seekers and by comparing the responses to the Arabic-accented English-speaking actress vs. asylum seeker. Of note is that the stimuli do not include Spanish-accented speakers, perhaps the migrants insinuated by the South Dakota politicians as "trying to 'game' the system by illegally crossing the border and then applying for asylum" (Kaczke, 2019). This is due to the limited availability of videos in the Oxfam campaign. Also of note is that all the narrators are women. An analysis of the role of gender in perceptions of asylum seeker narratives is beyond the scope of this study; I chose to include exclusively women as narrators to eliminate gender as a potential variable of the study.

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[4] The video indicated no specific first language; this is based on my own personal evaluation, and the fact that the refugee camp was located in South Sudan.

Task

To collect the data, I prepared an online survey via the Qualtrics platform that instructed participants to listen to five audio recordings of different asylum seekers telling stories of their experiences, each lasting about 2-5 minutes. After listening to each narrative, presented in a random order, I asked each participant to complete three tasks:

1. Rate their agreement with the following statements, on a sliding scale of 0-100:
    - I can understand this person's English.
    - This person sounds emotionally affected.
    - This person sounds credible.
2. Rate, on a sliding scale of 0-100, the amount that the narrator's voice influenced their agreement/disagreement with the previous statements as asked by the following questions:
    - How much did this person's voice affect your ability to understand their English?
    - How much did this person's voice influence your rating of their emotion?
    - How much did this person's voice influence your rating of their credibility?
3. Answer, in a free-response field, the following questions:
    - What about this person's voice affected your ability to understand their English?
    - What about this person's voice influenced your rating of their emotion?
    - What about this person's voice influenced your rating of their credibility?
    - Where do you think this person is from?

The survey first prompted participants to rate/answer the three prompts regarding comprehensibility, then those regarding emotional affectedness, then those regarding credibility. The origin question came last. Finally, I collected biographical data from each participant, including their reported age, gender, race, origin and places lived for longer than one year, languages spoken, level of education, political affiliation, and association/relationships with asylum seekers and/or refugees. I return to this information in the discussion and conclusion section.

Data Set and Specific Research Questions

A total of 20 participants completed the survey. The design of the study allows for the examination of many possible relationships between variables. However, for the remainder of the analysis I focus on 1) participants' ratings with respect to perceived accent, perceived authenticity, and the relationship between perceived comprehensibility, emotional affectedness, and credibility, as well as 2) participants' responses to the free-response question asking what about the person's voice influenced their credibility rating (henceforth referred to as 'the credibility question') and participants' responses to the question of where they thought the person was from (henceforth referred to as 'the origin question'). In order to adequately attend to the important nuances of these results, the scope of this chapter is limited to this portion of the data, though I make suggestions for methodological expansions in future research in the discussion and conclusion section.

Based on the data collected, I propose the following specific research questions regarding listeners' ratings with respect to narrator accent, authenticity, and the relationship between listeners' perceptions of comprehensibility and emotional affectedness with their perceptions of credibility:

1. Regarding accent, are white-sounding English speakers perceived as more comprehensible, more emotionally affected, and/or more credible than non-white-sounding English speakers?

2. Regarding authenticity, are actresses perceived as more comprehensible, more emotionally affected, and/or more credible than asylum seekers?
3. In particular, is the Arabic-accented English-speaking actress perceived as more comprehensible, more emotionally affected, and/or more credible than the Arabic-accented English-speaking asylum seeker?
4. Regarding the relationship between variables, what is the relationship between participants' ratings of comprehensibility, emotional affectedness, and credibility?

I address the results of the free response field and national origin question later in the findings and analysis section.

Findings and Analysis

In the following subsections I present the general findings regarding participants' ratings of comprehensibility, emotional affectedness, and credibility, including a table of the results and distributional plots. I also present the findings regarding Specific Research Question 1 (accent), Specific Research Questions 2 and 3 (authenticity), and Specific Research Question 4 (relationship between comprehensibility, emotional affectedness, and credibility).

Participants' Ratings of Comprehensibility, Emotional Affectedness, and Credibility

Table 3.1 illustrates participants' ratings of comprehensibility, emotional affectedness, and credibility. It shows the average ratings, on a scale from zero (strongest disagreement) to 100 (strongest agreement), of participants' agreement with each statement. First, the table is arranged to show the overall ratings for each metric, to compare participants' ratings of actresses vs. asylum seekers for each metric, and to compare participants' ratings of white-sounding English speakers vs. non-white-sounding English speakers for each metric (the only difference being the reclassification of the Arabic-accented English-speaking actress). Then, the table is arranged to show participants' ratings for each individual narrator for each metric. Comparisons of means that resulted statistically significant are indicated in bolded, solid boxes. Comparisons of means that did not result statistically significant are indicated in bolded, dashed boxes. Standard deviations are in parentheses and ranges are in square brackets.

Table 3.1

Participants' Ratings of Comprehensibility, Emotional Affectedness, and Credibility

Totals by Group	**Comprehensibility** Rating	**Emotional Affectedness** Rating	**Credibility** Rating
Overall:	79.77 (27.56) [3, 100]	68.64 (27.31) [0, 100]	75.12 (26.71) [0, 100]
White-Sounding English Speakers:	93.48 (14.73) [45, 100]	74.10 (30.40) [0, 100]	75.38 (29.77) [0, 100]
Non-White-Sounding English Speakers:	70.63 (30.31) [3, 100]	65.00 (24.65) [0, 100]	74.95 (24.72) [0, 100]
Actresses:	93.88 (13.15) [45, 100]	70.60 (29.57) [0, 100]	73.63 (29.86) [0, 100]
Asylum Seekers:	58.60 (30.01) [3, 100]	65.70 (23.59) [13, 100]	77.35 (21.30) [10, 100]
Totals by narrator	Rating	Rating	Rating
American English-Speaking Actress:	95.30 (12.69) [49, 100]	84.70 (24.64) [0, 100]	81.25 (26.08) [10, 100]
Australian English-Speaking Actress:	91.65 (16.66) [45, 100]	63.50 (32.45) [0, 100]	69.50 (32.64) [0, 100]
Arabic-Accented English-Speaking Actress:	94.70 (9.51) [66, 100]	63.60 (27.22) [0, 100]	70.15 (30.51) [0, 100]
Arabic-Accented English-Speaking Asylum Seeker:	67.70 (27.14) [20, 100]	68.75 (24.16) [27, 100]	76.70 (24.60) [10, 100]
African Language-Accented English-Speaking Asylum Seeker:	49.50 (30.61) [3, 94]	62.65 (23.21) [13, 100]	78.00 (18.03) [40, 100]

General Findings Regarding Ratings. The overall ratings pool the sample of participants across all speakers. The overall ratings show that participants largely understood the speakers (mean rating of 79.77), perceived them to be emotionally affected (68.64), and them as credible (75.12). The comprehensibility of the African language-accented English-speaking asylum seeker (49.50) was the lowest mean rating.

Findings Regarding Accent: Ratings of white- vs. non-white-sounding English Speakers. A two-sample t-test comparing the mean comprehensibility ratings for the white-sounding English speakers (mean rating of 93.48) vs. non-white-sounding English speakers (70.63) revealed a significant difference, with $p < 0.01$. That is, participants significantly rated the white-sounding English speakers as more comprehensible than the non-white-sounding English speakers. A two-sample t-test comparing the mean emotional affectedness ratings for the white-sounding English speakers (74.10) vs. non-white-sounding English speakers (65.00) revealed no significant difference, with $p = 0.12$; participants did not significantly rate the white-sounding English speakers or non-white sounding English speakers as more emotionally affected than the other. A two-sample t-test comparing the mean credibility ratings for the white-sounding English speakers (73.58) vs. non-white-sounding English speakers (74.95) revealed no significant difference, with $p = 0.94$; participants did not significantly rate the white-sounding English speakers or non-white-sounding English speakers as more credible than the other.

Findings Regarding Authenticity: Ratings of Actresses vs. Asylum Seekers and Ratings of the Arabic-Accented English-Speaking Actress vs. Asylum Seeker. A two-sample t-test comparing the mean comprehensibility ratings for the actresses (93.88) vs. asylum seekers (58.60) revealed a significant difference, with $p < 0.01$. That is, participants significantly rated the actresses as more comprehensible than the asylum seekers. A two-sample t-test comparing the mean emotional affectedness ratings for the actresses (70.60) vs. asylum seekers (65.70) revealed no significant difference, with $p = 0.36$; participants did not significantly rate the actresses or asylum seekers as more emotionally affected than the other. A two-sample t-test comparing the mean credibility ratings for the actresses (73.63) vs. asylum seekers (77.35) revealed no significant difference, with $p = 0.47$; participants did not significantly rate the actresses or asylum seekers as more credible than the other.

A paired t-test comparing the mean comprehensibility ratings for the Arabic-accented English-speaking actress (94.70) vs. asylum seeker (67.70) revealed a significant difference, with $p < 0.01$. That is, participants significantly rated the Arabic-accented English-speaking actress as more comprehensible than the Arabic-accented English-speaking asylum seeker. A paired t-test comparing the mean emotional affectedness ratings for the Arabic-accented English-speaking actress (63.60) vs. asylum seeker (68.75) revealed no significant difference, with $p = 0.54$; participants did not significantly rate either as more emotionally affected. A paired t-test comparing the mean credibility ratings for the Arabic-accented English-speaking actress (70.15) vs. asylum seeker (76.70) revealed no significant difference, with $p = 0.36$; participants did not significantly rate either as more credible.

Findings Regarding the Relationship Between Comprehensibility, Emotional Affectedness, and Credibility. I conducted a linear probability model regression to understand to what extent participants' ratings of the individual narrators' comprehensibility and emotional affectedness explain the variation in participants' credibility ratings. Table 3.2 shows these results. I estimated the following model by ordinary least squares regression:

$$\text{credibility} = \beta_0 + \beta_1 * \text{emotional affectedness} + \beta_2 * \text{comprehensibility} + \mu$$

I conducted this regression on participants' ratings to better understand relationships in the data, not to do causal inference. The ordinary least square regression results show that, conditional on their ratings of emotional affectedness, participants' ratings of comprehensibility are not positively correlated with their ratings of credibility, with $p = 0.88$. That is, participants that gave higher ratings for comprehensibility were not more likely to give higher ratings for credibility, conditional on their ratings of emotional affectedness. The ordinary least square regression results also show that, conditional on their ratings of comprehensibility, participants' ratings of emotional affectedness are positively correlated with their ratings of credibility, with $p < 0.01$. The coefficient on emotional affectedness is 0.6 and is interpreted as the marginal effect of an increase in emotional affectedness on the higher credibility rating. That is, holding comprehensibility constant, a one unit increase in rating for emotional affectedness is associated with a 60% probability that the participant gave a one-unit higher rating for credibility.

Table 3.2

Linear Probability Model Results

Variable	Coefficient	Standard Error	p Value
Comprehensibility	-0.01	0.08	$p = 0.880$
Emotional affectedness	0.60	0.08	$p < 0.001$
Intercept	34.70	7.50	$p < 0.001$
Adjusted R-squared: 0.36			

Broader Findings Regarding Credibility

Several trends emerged in the results of the free responses to the statement that asked participants to identify and describe what about this person's voice affected their credibility ratings. In particular, participants called out *emotion* in relation to credibility in 57% of the total responses, more than any other theme. This trend is notable because it illustrates participants' direct association of emotion to credibility, even though participants had a specific opportunity to address emotion in the previous question. Of course, the previous question that elicited participants' ratings of emotional affectedness could have primed participants to consider emotion in response to the credibility question. However, the same trend was not evident for comprehensibility, ratings for which were also solicited in a previous question; in only 8% of the total responses did participants refer to their ability to understand the narrator as influential in their credibility rating.

Low Credibility Ratings: Lacking Emotion, Inappropriate Emotion, and Disingenuous and/or Feigned Emotion. In relation to low vs. high credibility ratings, a clear boundary was evident: Participants gave low credibility ratings (<50) in instances in which they described that the narrator exhibited a lack of emotion, inappropriate emotion in relation to the content of the narrative, and/or what they perceived to be disingenuous or feigned emotions. Table 3.3 illustrates some examples of such responses, organized from lowest rating to highest. Example numbers (Ex.) for each response are given at the left and referred to in the text. The participant (Part.) who gave the response, and the narrator at which it is directed, are also given. Effect refers to the participant's indication of the amount that the narrator's voice influenced their agreement/disagreement with the statements, although an in-depth analysis of this metric is beyond the scope of the present study.

Table 3.3

Selected Examples Illustrating the Attribution of Low Credibility Ratings to Narrators Perceived to Lack Emotion, Express Inappropriate Emotion, and Express Disingenuous and/or Feigned Emotion

Ex.	Narrator	Part.	Participant Response	Rating	Effect
3.1	actress, Arabic	17	Rather than the person's voice, it was her delivery: a perceived affectation that made me question the credibility of this person. A slight fluctuation in the person's accent (from "foreign" to perfect US native speaker of English) added further suspicion.	0	0
3.2	actress, Arabic	16	Her emotions didn't quite match with what she was saying. Kind of like when an adult is reading a storybook to a child for the first time and is trying to "play the voices", but isn't quite successful ;-)	10	100
3.3	actress, American	19	The speed at which they talked felt like they were reading a script. Their tone and inflections seemed like they were purposely trying to match how someone who was sad would sound. It felt like the person was trying to act.	10	90
3.4	asylum seeker, Arabic	3	no emotion	28	86
3.5	actress, American	1	opinionated, irritated.	30	81
3.6	actress, Australian	4	lack of emotion	37	62
3.7	actress, Australian	8	Her tone seemed light-hearted	40	60
3.8	asylum seeker, African	2	She stuttered often and didn't use as much emotion in her voice. However, she experienced these hardships first hand.	40	20

Examples 3.4, 3.6, and 3.8 illustrate participants' perceptions that the narrator exhibited a lack of emotion. Notice that in Examples 3.4 and 3.6 the report of a lack of emotion constitutes the participants' entire response to the credibility question. That is, when prompted to reflect on what about the narrator's voice influenced their rating, they exclusively mention a lack of emotion. This shows the dominance of this theme in their perceptions of credibility. Also notice that in Example 3.8, the participant used the determiner "as much" to qualify their response, which aligns with their rating of 40 that is closer to the midline.

Examples 3.5 and 3.7 illustrate participants' perceptions that the narrator exhibited inappropriate emotions. In Example 3.5, by identifying the narrator as "opinionated" and "irritated" in conjunction with a low credibility rating (20), the participant exhibits an unsatisfied expectation that an asylum seeker is humble and grateful. By identifying the narrator's tone as "light-hearted" and rating the speaker's credibility below the midline (40), as in Example 3.7, the participant points to a disconnect between the traumatic content of the narrative and an expectation that there is no reason for the asylum seeker to speak light-heartedly.

Examples 3.1, 3.2, and 3.3 illustrate participants' perceptions that the narrator exhibited disingenuous or feigned emotions. Notice how in Example 3.1 the participant makes a distinction between the narrator's "voice" and their "delivery." By associating a lack of credibility with a performance that exhibited a "perceived affectation," the participant indicated that, regardless of the inherent qualities of the narrator's individual voice, the participant had an expectation of a vocal performance that was not met. Moreover, rather than pointing to the narrator's national origin as (not) characteristic of asylum seeker status, this participant instead indicated as suspicious inconsistency in the narrator's vocal performance of national origin. In Example 3.2, the participant directly attributed a lack of credibility to the mismatch of the narrator's emotions and the content of the narrative. They explain this via a direct comparison of this narrator's performance to an example of a failed performance in a different genre, that of a parent who cannot adequately differentiate their voicings of multiple characters while reading a children's storybook. In Example 3.3, the participant identified specific prosodic cues that indicated a lack of credibility: the narrator's speed, tone, and inflection. These characteristics of the narrator's speech, according to the participant, exposed the feigned performance. Like the comment of "playing the voices" in Example 3.2, the use of vocabulary related to acting in Example 3.3, such as "reading a script," "purposely trying to match how someone who was sad would sound," and "trying to act," illustrate the participant's expectation of a performance that was not met. In fact, six of the eight instances in which participants invoked "acting" occurred in the lowest 20% of responses. Although seven of these instances were in response to the actresses' narratives, one was in response to an asylum seeker's narrative.

Overall, these results show that participants directly associated a lack of emotion, inappropriate emotion in relation to the content of the narrative, and/or what they perceived to be disingenuous or feigned emotions with a lack of credibility. This conclusion is bolstered by the fact that participants concluded it regarding all five narrators regardless of accent or their status as an actress vs. asylum seeker. There also appears to be a loose hierarchy of these associations: Participants seemed to view a performance of disingenuous or feigned emotions as the greatest detractor of credibility (Examples 3.1, 3.2, and 3.3, with an average rating of 6.7), followed by a lack of emotion (Examples 3.4, 3.6, and 3.8, with an average rating of 35) and an inappropriate emotion (Examples 3.5 and 3.7, with an average rating of 35).

High Credibility Ratings: Expression of Great Emotion, Appropriate Emotion, and Sincere Emotion. In contrast, participants gave high credibility ratings (>50) in instances in which they described that the narrator exhibited emotion in general, great emotion, appropriate emotion in relation to the content of the narrative, and/or what they perceived to be sincere expression of emotion. Many participants’ responses evidenced a direct relationship between the amount of emotion expressed and perceived credibility; some overtly stated this. Table 3.4 illustrates some examples of such responses, organized from highest rating to lowest.

Table 3.4

Selected Examples Illustrating the Attribution of High Credibility Ratings to Narrators Perceived to Express Great Emotion, Express Appropriate Emotion, and Express Sincere Emotion

Ex.	Narrator	Part.	Participant Response	Rating	Effect
3.9	actress, Arabic	13	The emotion in her voice when she spoke about missing her friends and her favorite doll and how all she wanted was to go home. She just seemed homesick and desperate to go back.	100	100
3.10	actress, American	13	I thought she sounded like someone who needed help. Her voice sounded emotional, like she had been through something terrible and was still traumatized her experiences.	100	100
3.11	actress, American	18	The range of emotions in her voice influenced me greatly, and even though she moved through many emotions, she still spoke with resilience and intellect.	100	100
3.12	asylum seeker, African	18	The emotion in her speech influenced me greatly. When he let her "r"s hard roll, she sounded more confident, when she spoke faster and higher, and when she slowed down and lowered her voice, she sounded sad.	100	98
3.13	actress, Australian	4	The voice was varied and showed emotion. The emotion lends to the person really having experience what they are talking about.	93	80
3.14	actress, Australian	2	She showed much emotional in her voice, which explains how this personally affected her. She had strong emotion, therefore strong ties to this experience, making her credible.	90	90
3.15	asylum seeker, African	19	They spoke in a very consistent manner, and in a serious tone. Their voice didn't seem to try illicit excitement or emotion from the listener, but only to convey how things are.	90	90
3.16	asylum seeker, Arabic	5	It sounds like she may not be in the best position right now in her life. The part that adds credibility for me was the final minute of the voice recording where she showed some more emotion.	70	55

Examples 3.11-16 illustrate participants' perceptions that the narrator exhibited emotion in general or great emotion. In Example 3.11, the participant associated a range of emotion with a credible performance and in Example 3.12 the same participant felt that emotion was a great influence, identifying specific prosodic cues to support this claim. In Examples 3.13 and 3.14, the participant cites the expression of emotion as credible evidence of a lived experience. In Example 3.16, the participant cited a specific timeframe in the performance where they became convinced of the narrator's credibility: when the narrator showed more emotion.

Examples 3.9, 3.10, and 3.15 illustrate participants' perceptions that the narrator exhibited appropriate and sincere emotions. In Example 3.9, the participant justifies the narrator's credibility by citing expressions of emotion as appropriate with specific moments in the narrative's plot; by using the adverb "just" in stating "she just seemed…" the participant adds emphasis to reinforce their conclusion that these alignments of emotion/content are sincere and therefore credible. In Example 3.10, the same participant makes two comparisons using "like" to rationalize their association of the narrator's emotional performance with a general figure ("like someone who needed help") and a lived experience ("like she had been through something terrible and was still traumatized") that warrant such an expression of emotion. In Example 3.15, the participant infers that the narrator is credible by making specific connections between the narrator's prosodic cues ("consistent manner" and "serious tone") that, as illustrated by following sentence, accurately represent "how things are" in contrast to what an overly exciting or emotional performance would portray.

Overall, these results show that participants directly associated emotion in general, great emotion, appropriate emotion in relation to the content of the narrative, and/or what they perceived to be sincere expression of emotion with credibility. This conclusion is bolstered by the fact that participants drew it regarding all five narrators regardless of accent or their status as an actress vs. asylum seeker. Although two speakers are represented twice each in this selection of examples, all but one participant in the data set associated (a lack of) emotion with (a lack of) credibility. In conjunction with the previous results, there also appears to be loose hierarchy of these associations: Participants seemed to view a performance of appropriate or sincere emotions as the greatest indicator of credibility (Examples 3.9, 3.10, and 3.15, with an average rating of 96.7) followed by emotion in general or great emotion (Examples 3.11-16 with an average rating of 90.6). In Example 3.16, the participant identified the narrator's expression of emotion in the last minute of the narrative as what indicated their credibility. The 70 rating the participant gave, lower than 66% of the responses in the data set that were deemed as credible, reflects the doubt they had in the initial minutes of the narrative that cleared when the participant heard the narrator's expression of emotion. The trends exhibited in the examples in Tables 3.3 and 3.4 provide support to the conclusion that participants found that an "authentic" expression of emotion as the greatest indicator of a credible narrative. Expression of emotion in general, a lack of it, or partial expression of emotion received scores closer to the midline. Sincere and appropriate expressions of emotion on one hand, and inappropriate, disingenuous, or feigned emotions on the other, received scores at the poles. I return to the notion of authenticity in the discussion below, however I first address an additional association that emerged in the data that supports this claim.

High Credibility Ratings: Speaking "Matter-of-Factly". Interestingly, in three instances participants characterized the narrators as speaking 'matter-of-factly;' these all correlated with high credibility ratings. Table 3.5 illustrates these responses.

Table 3.5

Selected Examples Illustrating the Attribution of High Credibility Ratings to Narrators Perceived to Be "Matter-of-Fact"

Ex.	Narrator	Part.	Participant Response	Rating	Effect
3.17	asylum seeker, African	13	She sounded like she was being candid and frank about her situation. It all seemed very matter of fact, which makes her seem credible. She spoke about very difficult things, about her children and people dying and fleeing violence.	100	3
3.18	asylum seeker, Arabic	20	Again, the matter-of-factness sounded like someone who had been enduring great hardship for a long enough time that it was basically all she knew anymore.	95	100
3.19	asylum seeker, Arabic	1	She seemed matter-of-fact when she spoke and no hesitation with speech	85	85

At the surface, this may seem to contradict the common association of emotion with credibility. After all, the use of the adjective *matter-of-fact* denotes an “unemotional” telling (Oxford English Dictionary, 2019; American Heritage Dictionary, 2022). However, I argue that the correlation of this descriptor with high credibility ratings fits into the current framework. Rather than a lack of emotion or an inappropriate emotion, I believe that the participants considered speaking matter-of-factly as an appropriate expression of emotion due to the magnitude of traumatic experiences they narrated. Rather than a lack of emotion, participants characterize matter-of-factness as an expression of emotion so saturated that its salience is erased to the narrator and therefore the listener, where trauma has become so mundane that the narrators understandably express it without much excitement in their voice. Examples 3.17-19 illustrate this. Each participant draws a direct connection to sounding matter-of-fact and credibility and Examples 3.17 and 3.18 indicate the routineness of hardship that such an expression entails. That Example 3.19 lacks further connections to the narrative’s content could relate to the lower credibility rating the participant gave it in comparison to the other examples. Overall, as examples of appropriate, and therefore credible, expressions of emotion (average rating of 93.3), these examples also align with the trend that participants found that an “authentic” expression of emotion as the greatest indicator of a credible narrative.

Findings Regarding National Origin

Regarding perceived national origin, a plurality of participants attributed the narrators to the specific region from which they came. For each narrator but one, the largest proportion of participants correctly attributed the region of origin of the speaker. Table 3.6 illustrates these results:

- 14 of 20 participants responded that the American English-speaking actress was from the United States or Canada. The next closest attribution was Europe (four of 20).
- Nine of 20 participants responded that the Australian English-speaking actress was from Australia or New Zealand. The next closet attribution was Europe (five of 20).
- Five of 20 participants responded that the Arabic-accented English-speaking asylum seeker was from the Middle East (the second-highest designation, after Europe with seven of 20).
- Seven of 20 participants responded that the Arabic-accented English-speaking asylum seeker was from the Middle East. The next closest attribution was Europe (five of 20).
- Eight of 20 participants responded that the African language-accented English-speaking asylum seeker was from Africa. The next closest was Asia (four of 20).

Table 3.6

Participants' responses to the origin question by region

	Africa	Australia, New Zealand	Asia	Europe	Middle East	United States, Canada	South America	Unsure
American English-speaking actress:	1	0	0	4	0	14	0	1
Australian English-speaking actress:	1	9	1	5	1	1	0	2
Arabic-accented English-speaking actress:	1	0	0	7	5	1	3	3
Arabic-accented English-speaking asylum seeker:	4	0	0	6	7	0	1	2
African language-accented English-speaking asylum seeker:	8	0	4	1	3	0	1	3

Several things can be gleaned from these results. Most importantly for this study is the general observation that a plurality of participants exhibited the capability to implicitly identify the iconic linguistic features indicative of the narrator's geographic origin despite the lack of consideration of origin in any of the free responses to the credibility question. I consider the significance of this in the discussion and conclusion section, to which I now turn.

Discussion and Conclusion

The results of the ratings task show that the participant listeners largely understood the narrators, perceived them as emotionally affected, and perceived them as credible. However, comprehensibility resulted as the only metric with a significant difference in means: participants rated the white-sounding English speakers as more comprehensible than the non-white-sounding English speakers, the actresses as more comprehensible than the asylum seekers, and the Arabic-accented English-speaking actress as more comprehensible than the Arabic-accented English-speaking asylum seeker. On the other hand, participants did not significantly rate either the white- vs. non-white-sounding English speakers as more emotionally affected, nor the actresses vs. asylum seekers, nor the Arabic-accented English-speaking actress vs. asylum seeker. The results of the ratings task also provide evidence that, regarding credibility, participants did not discern a difference in the authenticity of the actresses vs. the asylum seekers, even when controlling for accent as in the Arabic-accented English-speaking actress vs. asylum seeker condition. Interestingly, the analysis of the relationship between comprehensibility, emotional affectedness, and credibility shows that participants' ratings of comprehensibility were not positively correlated with their ratings of credibility, yet their ratings of emotional affectedness were. That is, participants that gave higher ratings for comprehensibility were not more likely to give higher ratings for credibility, conditional on their ratings of emotional affectedness, whereas holding comprehensibility constant, participants that gave higher ratings for emotional affectedness were more likely to give higher ratings for credibility.

Taken altogether, these results provide evidence that bias due to perceived race, national origin, or comprehensibility did not affect participants' evaluations of credibility, as put forward by Rubin (1992), Niedzielski (1999), and Lev-Ari and Keysar (2010). If such biases were to have influenced the results, the expectation would be that participants would significantly rate the Arabic-accented and African-language-accented English speakers, racialized as non-white, as less credible than the American and Australian English speakers or that a positive correlation between participants' ratings of comprehensibility and credibility would result. The results of the origin question supplement these findings by showing that in addition to significantly rating the non-white-sounding English speakers and asylum seekers as less comprehensible, a plurality of participants could identify the origin these narrators, yet those results did not correlate with their ratings of those narrators' credibility. Although an argument of bias was unfounded, closer examination is needed to understand the possible occurrence of a mismatch effect like those put forward by McGowan (2015), Gnevsheva (2018), and D'Onofrio (2019). This is where the results to the free response questions are revelatory.

The discourse analysis revealed that, regardless of whether the narrator was an actress or asylum seeker, participants considered an "authentic" expression of affect the strongest indicator of credibility. Authenticity in this regard can be defined as a performance in which the narrator exhibits emotion appropriately paired with the content of the narrative and performs it in a way that does not appear rehearsed, read from a script, or imitating another. This is evidenced by the surprisingly clear boundary between low (<50) vs. high (>50) credibility ratings corresponding with participants' free responses. Not only did participants make overt correlations between the amount of emotion expressed by the narrator, with more emotion indicative of greater credibility, but participants also had specific expectations of the relationship between appropriate emotional affect and content, with inappropriate emotions undermining credibility. Most importantly, participants gave some of the most polarized ratings responses of the data based on the way the narrator performed those emotions. “Acting,” “reading from a script,” and “purposely trying to match how someone who was sad would sound” were universally panned, regardless of the emotion expressed; “sincerity” and “candidness” were universally celebrated. It is essential to note that these comments occurred across participants and narrators, not just for the actresses; that is, both the actresses and the asylum seekers received responses that their emotions seemed rehearsed and both received characterizations of authenticity. In all cases, however, performances deemed inauthentic in this regard correlated with a low credibility rating. Overall, these results explain how sounding matter-of-fact, a descriptor denoting a lack of emotion, was also perceived as highly credible: the unthinkable hardship and trauma of asylum seekers’ experiences as expressed in the content of the narrative justified practical, emotionless tellings. Altogether these results show that it is not a single accent that correlates with credibility, but rather the listener’s determination of the narrator’s authenticity based on the narrator’s performance of emotional affect in relation to moment-by-moment narrative content and the broader discursive contexts of asylum.

In considering a mismatch model as advocated in more recent literature (D’Onofrio, 2019; Gnevsheva, 2018; McGowan, 2015), which postulates that a mismatch between the speech signal and listeners’ expectations inhibits processing, it is important to compare the results of the relationship between comprehensibility, emotional affectedness, and credibility with participants’ own metalinguistic evaluations of what about the narrator’s voice influenced their ratings. As the rating task showed, there is no evidence that bias due to perceived race, national origin, or comprehensibility affected listeners' evaluations of credibility. Alternatively stated, a mismatch between participants' expectations of what accent, race, or national origin a credible asylum seeker *should* have was unfounded. Yet, participants' ratings of credibility positively correlated with their ratings of emotional affectedness. This finding, along with the free response results that paint a clear picture of participants' perception of authenticity as an appropriate and unscripted emotional performance, provide evidence in support of a mismatch model. That is, listeners' evaluations of credibility do depend on the narrator's adherence to the listeners' expectations, but rather than an expectation of the accent, race, or national origin, listeners have expectations of a performance: one that demands a precise quantity of emotion, expressed at the appropriate moments with respect to the narrative content, and performed in a sincere, unscripted manner.

The set of expectations exhibited in the results of this study create an inescapable catch-22 for asylum seekers: The credibility of their narratives, and ultimately the success of their asylum applications and resettlement, relies on their ability to precisely replicate listeners' expectations of an authentic performance of emotion. Yet, as this study has uncovered, sounding "rehearsed," like they were "reading from a script," or "playing the voices" drastically detracted credibility. How can asylum seekers possibly meet listeners' unbeknownst expectations while remaining authentically sincere and unscripted?

The listening subject framework provides key insights in this regard. By distinguishing asylum seekers as speaking subjects from states and publics as listening subjects, we can better understand how certain linguistic practices, such as the performance of emotion, come to be viewed as appropriate or inappropriate, credible or illegitimate, in various stages of the asylum process (Inoue, 2003). Using the listening subject framework to examine how listeners perceive asylum seekers places social hierarchies at the center of analysis, rather than individual practices, by calling out how hidden regimes of language place the burden of asylum outcomes on asylum seekers' abilities to narrate while simultaneously ignoring how institutions and publics as listening subjects position asylum seekers as outsiders (Flores & Rosa, 2015). And in a state with little refugee resettlement like South Dakota, officials' characterizations of asylum seekers are allowed to circulate freely in the media while their own stories do not enjoy nearly the same reach (Pak, 2023). In short, listening is political. By uncovering listeners' hidden expectations and scrutinizing the role of the listening subjects of asylum seekers' narratives, this knowledge can help listeners more accurately hear asylum seeking/speaking subjects.

Future Research

Attending to speakers' and listeners' subjectivities also clearly points out a limitation of the study. Without a close analysis of the biographical data I collected from each participant, the focus of this study does not completely focus on the participants as listening subjects rather than asylum seekers as speaking subjects. By investigating the relationships between listeners' backgrounds, identities, and responses, future scholars can help de-normalize listener's expectations of identity-accent pairings as a way to reduce the effects of implicit bias on asylum decision-making and integration. Beyond a mere biographical survey, participant observation with the listeners and asylum seekers themselves, which I present in the following chapter, shows the promise of mixed-methodological approaches to understand the results of the present study more deeply.

Thus, future research should make methodological expansions and engage with scholarship in other parallel lines of inquiry. In addition to comparing listeners' backgrounds to their responses, the stimuli could be expanded to examine the interaction of credibility with gender as well as a broader variety of accents such as other dialects of American English or a Spanish-accented English speaker. Due to the dominant perception of asylum seekers in the US as Central or South American, results regarding Spanish-accented English speakers would provide stronger indication of the generalizability of the present study's findings. Lastly, future research could conduct a more detailed sociophonetic analysis to examine the phonetic and/or prosodic cues that correlate with perceptions of credibility.

Future research must also more closely investigate the relationship between perceptions of emotional affectedness and perceptions of credibility in asylum narratives. Greater attention to this relationship throughout asylum processes holds promise for easing the burden on asylum seekers to meet listeners' expectations of "truthful" and "authentic" portrayals of emotion. Instead, it opens the door for a more nuanced understanding of how asylum seekers generate representations of knowledge in relation to the goals at hand (Prior, 2011; Prior, 2016). Further research could also consider listeners' abilities to deliberately control their perception of certain social information as they make social evaluations (Campbell-Kibler, 2020), an area that has potential applications in the training of asylum adjudicators that evaluate asylum seekers' claims.

Chapter Four:

Modes of Listening in Interaction at Mutual Aid *Pro Se* Clinics

The study of listening I present in this chapter is based on several years of ethnographic fieldwork with migrants and advocates in the Sacramento region of northern California. In June 2020, I began volunteering for a mutual aid and advocacy organization which I call California Asylee and Immigrant Defenders (a pseudonym, hereafter referred to as Cal-AID). In 2016, Sacramento activists, labor organizers, and community members founded Cal-AID to defend migrants, asylum seekers, and refugees in the region from harmful policies proposed by then presidential candidate Donald Trump during his election campaign. Cal-AID's first project was to establish a Migra Watch, a network of legal observers, accompaniers, and immigration attorneys prepared to assist migrants in case of Immigration and Customs Enforcement (ICE) raids in the region. This program also consisted of a hotline and educational opportunities such as "Know Your Rights" trainings for migrants and citizen allies.

In the eight years since its founding, Cal-AID participants have greatly expanded their programming and community engagement, which they loosely categorize into two overlapping areas: mutual aid and immigration justice. The mutual aid efforts of Cal-AID not only include regular distributions of free food, diapers, and household goods to anyone who shows up to a distribution event, but also full financial and residential sponsorship of many migrant families who recently arrived in the city. Another key component of Cal-AID's mutual aid is through accompaniment, where volunteers accompany migrants to court appearances, ICE check-ins, medical appointments, shopping trips, and other outings in which they may face language barriers, intimidating bureaucratic institutions, or law enforcement.

In addition to the Migra Watch and "Know Your Rights" trainings, other components of Cal-AID's immigration justice efforts include managing a large fund used to post bond for people in ICE detention and, notably, organizing and hosting monthly *pro se* asylum clinics. The Cal-AID *pro se* asylum clinic is a monthly program to assist asylum seekers file forms with the US government such as I-589 (Application for Asylum), I-765 (Application for Employment Authorization), I-821 (Application for Temporary Protected Status), I-131 (Application for Travel Document, used to request Humanitarian Parole), as well as many other types of high-stakes official paperwork that migrants must complete in written English. Carried out through the coordination of community volunteers and immigration attorneys, this Cal-AID program was the first in the region to support asylum seekers who have no legal representation and are thus representing themselves in their proceedings *pro se*.

The migrants who come to the Cal-AID *pro se* clinics for assistance with their asylum applications have no uniform profile. During my fieldwork, the applicants I observed spanned dozens of languages, national origins, and paths to the US. They included families of twelve and individual applicants, English-speaking professionals, the working class, the poor. Some worked with the US government in Afghanistan and were evacuated by the US military. Some arrived in Sacramento on foot after walking from South America. Many were detained and incarcerated in the process. What these migrants shared was that they had no access to legal counsel to represent them in their immigration proceedings, and that they had been connected with Cal-AID to assist them with filing their asylum application.

Each migrant's relationship with Cal-AID varied. Many were referred to Cal-AID by other organizations in Sacramento for assistance at the *pro se* clinics or accompaniment to immigration hearings. Many migrants heard of Cal-AID based on word of mouth or after attending other mutual aid events put on by the organization. For some migrants who arrived in the direst of circumstances, Cal-AID sponsored their daily needs in addition to assisting them with their asylum applications and other immigration paperwork. These migrants often developed relationships of support with Cal-AID participants that lasted several years. For many migrants who completed their applications with a volunteer at a single clinic, they continued their journey without participating in another Cal-AID program and the result of their asylum proceedings remains unknown to Cal-AID. Many applicants, often several years later, reached out to Cal-AID with immense gratitude that their asylum claim had been granted. In the following section, I further detail the ethnographic context and characterize the Cal-AID pro se asylum clinics as a field site.

Field Site and Ethnographic Context

In my first year as a volunteer at the *pro se* asylum clinics, I realized that the Cal-AID network would serve as an ideal field site to examine listening in interaction through participant observation. Cal-AID is a local, volunteer-driven organization with no full-time employees and no formal membership status. Thus, the success of the organization's programs and the achievement of its participants' goals depend on deep community organizing and large-scale coordination of volunteers and donors. Moreover, a large part of Cal-AID's mutual aid effort is devoted to organizing language support, interpreting, and translation in any language needed by migrants. As I will illustrate in this chapter, employing discourse is a foundational, yet often overlooked, component of Cal-AID's mutual aid. By grounding their work in interpersonal relations and both empathetic and expert use of discourse, Cal-AID participants solve key problems that migrants face in Sacramento.

At first, I struggled to understand the group's structure. As I later learned after interviewing several of the most prolific organizers and Cal-AID co-founders, the group's ethos of mutual aid rejects a unified political stance and seeks to flatten hierarchies between participants. Although an advisory board of four people guides the organization, consisting of an Executive Director, a Secretary, a Treasurer, and a Member At Large, the founding organizers told me that the people who put in the most time and do the most work eventually come to lead specific programs and thus acquire the most decision-making power. Rather than charitable foundation, Cal-AID is better understood as a diverse coalition of people in the Sacramento region who seek to fight structural harm they witness in the community, especially the harms that the community's newest members face. As such, when I refer to "Cal-AID," I refer to the entire diffuse network of volunteers who bring the coalition's programs and goals into being. In the context of the *pro se* asylum clinics specifically, I use Cal-AID to refer to the several dozen activists, attorneys, interpreters/translators, previous applicants, and other volunteers who comprise the core group. Interviews that I conducted with these participants comprise the interview dataset detailed in Table 4.1.

As a methodological necessity, my research in this context was possible only through my active participation as a Cal-AID member, before and during my official participant observation. This allowed me to develop trusting, reciprocal relationships with Cal-AID's core participants and to receive their permission to conduct my dissertation research with the coalition. By continuing my involvement in the organization through further participation, yet more closely and systematically observing their linguistic practices, I sought to achieve the balance necessary to maintain insider and outsider roles to both leverage my unique positioning and draw more generalizable linguistic and anthropological conclusions. Thus, in the discourse analysis that follows, I also critically reflect on several “discursive dances” that took place during my time with Cal-AID, or emergent discursive moves by which I positioned myself and/or was positioned as both an insider Cal-AID participant and outsider linguistics researcher (Aiello & Nero, 2019). I do this not only to further detail the broader sociopolitical and ethnographic context and their effects on the discourse in the brief examples I illustrate, but also to show how certain discursive practices that stem from my unique positioning contribute to the co-construction of meaning in the interviews. Maryns and Jacobs (2021, p. 155) also note that a shared social justice agenda in research collaborations with grassroots organizations can ease tensions between ethnographic perspectives and pragmatic practitioner perspectives and that engaged research may resonate louder than purely academic work and thus lead to conversations at the governmental/policy level.

Overall, Cal-AID is an ideal site in which to analyze listening and listenership in interactions surrounding the challenges of migration and asylum. It is not the first linguistic study of migrants in the region, however. Previous studies of language and migration in Sacramento have focused on refugee integration and issues of access that come with newly found residency, and how educational contexts, such as adult citizenship classes and language exchanges, are arenas for local enactments of national immigration and asylum policies. Initial work in this vein relied on a framework of *(dis)citizenship*, coming from disability studies (Devlin & Pothier, 2006) and first applied to language policy by Ramanathan (2013a, 2013b). By viewing *citizenship* as a process of becoming a full member of society, enacted through daily practices within a community, rather than a formal, binary status that an institution grants to an individual, this work understands *discitizenship* as “a form of citizenship minus, a disabling citizenship” (Devlin & Pothier, 2006, p. 2), and thus seeks to identify and rectify situations in which immigrants and refugees cannot participate fully in the community due to marginalization, exclusion, and lack of access to resources, despite perhaps sharing a legal citizenship status with their native-born peers.

For example, Emily Feuerherm and Ariel Loring each conducted ethnographic fieldwork in local educational settings and nonprofit community centers that serve asylum seekers, immigrants, and refugees. Feuerherm used community-based participatory action research to investigate the challenges facing newly resettled Iraqi refugees and to develop culturally sensitive program policies and pedagogies at a nonprofit that provides employment counseling, ESL instruction, and citizenship test preparation (Feuerherm, 2013, 2016; Feuerherm & Roumani, 2016). Loring conducted ethnographic fieldwork in adult citizenship preparatory classrooms at adult schools and community centers to investigate the enactment of language policies through pedagogical practices that aimed to transform a diverse group of immigrants and refugees into naturalized US citizens (Loring, 2013, 2015, 2017). In a more recent study in a similar vein, though not employing a (dis)citizenship framework, Menard-Warwick (2018) studied parent participation in a bilingual elementary school in the Sacramento region by focusing on translanguaging in order to explore broader issues of language ideologies, inequality, and power in a context in which immigrants and native-born families sought to collaborate to improve relations in the school community.

I ground the study I present in this chapter in this legacy of community-based applied linguistic research that aims to understand the localized effects of asylum and educational policy enactments on migrants in the region. Previous literature, summarized in Chapter Two, also points to the benefit of an inductive, multifaceted case-method approach to studying the sociolinguistics of migration (Blommaert, 2009) with specific attention given to all interlocutors that co-construct credibility in asylum applicant's narratives (Smith-Khan, 2020a, 2020b). Lastly, this study's focus is influenced the limitations of the study I describe in Chapter Three. That is, instead of focusing on acoustic evaluations, in the present study I investigate the role of listeners' subjectivities in order to more closely attend to how listening practices reflect regimes of hearing that reinforce social and legal hierarchies (Connor, 2024; Inoue, 2003). Based on this foundation and my previous participation at the Cal-AID *pro se* clinics, I developed the following research questions:

- How do Cal-AID participants practice listening when completing asylum applications? Which discursive practices do participants use to index listenership?
- How are migrants' experiences applying for asylum impacted by their interlocutors' listening practices?
- What metalinguistic awareness do Cal-AID participants exhibit about their listening practices?

In the following section I operationalize these research questions in the *pro se* clinic context by outlining my methodological approach to discourse analysis and the resulting dataset of the study.

Methods and Data

One Saturday each month, Cal-AID volunteers, asylum applicants, and their families gathered at the union hall of a local arm of a large multi-national labor union that represented service workers in the area. At the time, this union hall served as the regular site of Cal-AID's monthly *pro se* asylum clinics; several of the organization's volunteers were active members of the local. When each clinic began at 10:00am, people entered from the parking lot and first passed a sign-in table spread with fliers for legal resources. Nametags lined the table, some blank and some already labeled with attendees' names by one of the lead volunteers. The leaders typically arrived early and stationed themselves at a large conference table in the entry room that was flanked by copy machine and several more printers. At least one volunteer handled the printing at each clinic, and the role was one that new or trepidatious volunteers often held before they felt ready to take on the responsibility of an interview with an applicant. Several volunteers also watched the numerous children who always came with their families. These volunteers often did not speak the language of the children, and the resultant translanguaging provided interesting, if not distracting background conversation.

In the main room of the union hall, dozens of tables sat in rows with several chairs each and a volunteer stationed at each one. Leaders met with each applicant and their family as they arrived and directed them to the volunteer who would help them prepare their application. The clinic had a waitlist and with only the main room and a small side room, often more than 20 applicants and their families filled the space. Coffee, tea, breakfast items, and leftover staples from previous food distributions sat at a table near the front for people to help themselves. At midday the table was cleared to serve takeout lunches purchased by Cal-AID from a nearby Afghan restaurant or pizzeria. As the room filled so did a growing rumble of talk in many languages. It began slowly at first, hesitant and polite, as people settled in, exchanged introductions, and the volunteer explained the day's tasks.

The broader dataset of this study is the result of participant observation at nine of these monthly *pro se* clinics from June 2022 to June 2023 as well as at six independent asylum application preparation sessions outside of the regular clinic hours and/or location. To collect the data, I placed a small microphone on the table where applicants and volunteers worked and let it record for the duration of the session that day. At times, I was one of the volunteer application preparers/interlocutors in the recording; at other times, I worked with a different applicant at a nearby table. In one instance, which I detail in the analysis of the interactional data in this chapter, I was not present; the volunteer recorded her interaction with the applicant herself. I did not collect video data, and I only audio-recorded the interactions and follow-up interviews with the explicit consent of the participants involved. To strictly maintain participants' anonymity, I use pseudonyms to refer to all participants, and I minimize the disclosure of participants' biographical information as much as possible.

The audio-recorded interactions include application sessions for six different families or individuals from four countries, Afghanistan, Guatemala, Perú, and Russia. The interactions take place variously in English, Dari, Spanish, or Russian, and include interpretation into English as a part of the interaction, with the exception of one session which took place completely in Spanish. Table 4.1 shows a summary of the data that compose the broader ethnographic fieldwork that underlies the analysis in this chapter.

Table 4.1

Summary of the Data from the Cal-AID **Pro Se** ***Asylum Clinic Program***

Field notes from participant observation at nine (9) monthly *pro se* clinics from June 2022 – June 2023 and six (6) independent application interview sessions	
Audio-recorded interactions at six (6) *pro se* clinics:	(hours:minutes)
June 2022	4:45
July 2022, at two (2) independent sessions	4:45
July 2022, at the clinic and a subsequent independent session	7:00
August 2022	3:00
September 2022	4:15
May 2023	0:45
Audio-recorded interviews with 27 *pro se* clinic participants:	
Three (3) Cal-AID founders and *pro se* clinic program leaders	1:45
Five (5) attorneys reviewers	2:45
Seven (7) asylum applicants	3:15
Twelve (12) volunteer application preparers	10:00
Four (4) training courses for *pro se* clinic volunteers:	6:00
Total audio recordings of *pro se* clinic oral discourse:	48:15

Not detailed in Table 4.1, but nonetheless contributing to my overall ethnographic understanding of the Cal-AID community, are my fieldnotes upon which I rely to triangulate the key events and descriptively situate them in broader context. I also conducted participant observation and follow-up interviews at several other Cal-AID programs. I collected four hours of audio-recorded interviews with nine Cal-AID participants from those programs, and more than nine hours of 11 audio-recorded meetings and training courses for other programs. These data and my experience in these contexts also ground my analysis.

The specific data upon which I focus in this chapter include the interactions between Gul, an asylum applicant, and Leslie, a volunteer application preparer, and the follow-up interviews with Gul, Leslie, and the attorney reviewer and fellow interlocutor Francis. I choose to highlight this subset of data for several reasons. First, because it is cohesive as a dataset in that I recorded the interaction and follow-up interviews with a participant in each role, which proved to be a significant challenge to data collection at other clinics. Not wanting to burden participants with a follow-up interview immediately after a long day of asylum interviewing, I waited until the following week to contact participants for a follow-up interview and I did not receive responses from many participants. Second, because this subset includes moments which are representative of the overall key phenomena in the interactions while also allows me to limit the number of participants whose sensitive personal experiences I report in this dissertation. For comparison, in the analysis that follows, I also highlight data with another attorney reviewer, Harriet, and Guatemalan migrants Samuel and Nico.

I refer to the interviews with applicants, volunteer preparers, and attorneys as the interview dataset. Each of the examples from this dataset is a participant’s narrative response to an interview question, marked from the surrounding discourse by the narrator maintaining the floor without (successful) interruption by another interlocutor. Thus, for clarity and brevity, I have edited the transcripts to exclude hesitations, lengthy pauses, discourse markers, repair, and backchanneling. I also separate the brief narratives into stanzas to give a sense of how the speaker organizes their talk topically, prosodically, and syntactically (Gee, 1990; Ramanathan, 1994) as well as the hermeneutic composability of each stanza in forming of a cohesive narrative within the interview (Bruner, 1991). I refer to the interactions between all participants surrounding application preparation as the interactional dataset, though naturally the interview data are also interactional and I am a fellow interlocutor. In the analysis of the interactional dataset, I present the examples in time-stamped, turn-by-turn transcripts that include all hesitations, pauses, repair, backchanneling, and overlapping speech. As such I do not organize the interactional dataset into stanzas.

In addition to the thematic analysis of the interview data, I more closely examine the interactional data for specific discursive moments in which evidence of specific modes of listening emerges. Overall, I synthesize my observations from these datasets by following Roth-Gordon's (2020) approach to ethnographic discourse analysis, which integrates analyses of linguistic features, the interactional context, the sociopolitical context, and the ethnographic context. In this study, this specifically includes attending to how certain modes of listening emerge as salient and valuable to participants based on their reflections in interviews, as well as how participants operationalize these modes of listening in interaction through metatalk, expressions of gratitude, voicing and orientation, and subject pronoun choice in order to express solidarity.

Moreover, I take a critical approach (Cameron & Panović, 2014; Gee, 2005; Fairclough, 2013) by foregrounding issues of power and practice in order to understand how certain listening practices (de)legitimize asylum seekers' linguistic practices (Eades, 2003; Haviland, 2003; Maryns, 2006, 2012). I do so to challenge established regimes of hearing in the US asylum system by deconstructing the relationships between linguistic and social structures in this understudied yet high-stakes context (Blommaert & Jie, 2020). As a result, I show how discourse analysis can be used as a tool for greater metacommunication and cooperation between asylum seekers and allied community organizations to improve asylum policies and practices (Jacobs & Maryns, 2022; Maryns & Jacobs, 2021).

Analysis of the Interview Data

To begin each semi-structured interview, I asked participants to describe how they came to be involved in Cal-AID in general and/or the *pro se* asylum clinic that day. I told interviewees that I was a linguist studying communication issues related to immigration, and that I was interested in hearing about any communicative successes and challenges participants experienced when completing the asylum application. General questions in this line of inquiry regarded the most or least challenging aspects of the application and/or interaction, if participants could describe a specific instance where they experienced a communication difficulty, and to describe any moments when participants felt like they were or were not being listened to and understood. After collecting all of the data, I began by analyzing the interview dataset in order to determine which facets of the interactions stood out as salient to participants and I soon began to notice that attorneys, volunteers, and applicants oriented their reflections around specific listening practices. As such, I begin first with the interview dataset that shaped my viewing of the interactional dataset analyzed in the following section.

The following examples from the interview dataset illustrate that participants in each role orient themselves around two distinct types of listening in the interactional context of the *pro se* clinics, what I term *empathetic listening* and *analytic listening*, although participants did not name any specific listening practice outright. As I will show, empathetic listening serves to establish a relationship between the volunteers and applicants, build rapport and trust, comfort and provide therapeutic support via aural "witnessing," and avoid retraumatization of the applicants due to the sensitive and invasive nature of the i-589 form questions. Participants use empathetic listening to build rapport with the applicant and provide the trust and comfort necessary to elicit the traumatic stories required for asylum claims, and they exhibit this through various discursive strategies before, during, and after the session. On the other hand, analytic listening serves to identify narrative elements in accord/discord with institutional expectations of credible fear of persecution based on a class protected by asylum policy, that is, the nexus requirement. Participants use analytic listening to channel talk and the production of the narrative in certain directions in accordance with institutional expectations of credible fear and they often exhibited this through question-answer exchanges that required subsequent negotiation because they did not seem intuitive, sensible, or appropriate to one party. After months of observation and analysis, I have concluded that successful interactions at the *pro se* clinics depend on skillful use of both types of listening, and especially metatalk by the volunteers during which they explain why they are using these conversational techniques.

Interestingly, participants exhibited different levels of metalinguistic awareness of, skill executing, and reflections on the value and effectiveness of these two types of listening. For example, volunteers whose expectation is to first listen empathetically then analytically often struggle to simultaneously engage in both types of listening in an interaction. However, more experienced volunteers tend to navigate this dichotomy better, or to successfully perform both simultaneously. Attorneys, due to their training as well as their limited availability at the clinics in comparison with the numerous volunteer-applicant pairings, listen analytically almost exclusively. Asylum seekers variously attribute value to the types of listening as enacted by different participants. That is, some asylum seekers with more experience with government and bureaucratic institutions appreciated the volunteer and/or attorney's ability to listen analytically in order to elicit information that they had not expected would be important to their asylum claim. Other asylum seekers, especially those from more marginalized communities and with less experience with government institutions, valued the ability of volunteers to listen empathetically, as a form of aural "witnessing," while perceiving analytical listening as harsh or discomforting. Lastly, I found that engagement in meta-talk before, during, and after the session plays an essential role in mutual understanding between applicants and others regarding these two roles, their purpose, and value.

The interview data in this section illustrate how participants orient themselves around analytic vs. empathetic modes of listening in interactions at the *pro se* asylum clinics. One of the first interviews I conducted was with Francis, an attorney who runs his own private practice that focuses exclusively on immigration law. Francis frequently volunteered as an attorney reviewer at the *pro se* clinics, and although he is not an active leader in the regular activities of Cal-AID, Francis first began to collaborate with two of Cal-AID's emerging leaders as they were establishing the organization. He was instrumental in starting the Cal-AID *pro se* clinics, he told me, and gave the first training presentations to volunteer application preparers. Francis served as an attorney reviewer at both the June and July 2022 *pro se* clinics. In June he reviewed the application of an elderly Afghan couple, which Leslie and I prepared with them and their adult son, who interpreted between Dari and English. In July, Francis reviewed Gul's application, which Leslie prepared with her individually, speaking in English. As such Francis is also an interlocutor in the interactional data that centers around Gul and Leslie, though he enters the conversation about an hour after the dialogue I show in the following section. To show Francis's orientation toward the interactional challenges of the context, I focus on my interview with him, which I conducted at his law office in suburban Sacramento just a week before the July 2022 clinic.

I began by asking Francis what the role of the attorney viewer is at the Cal-AID *pro se* clinics. Example 4.1 shows his response, which illustrates the depth of his value of attorneys' role as critical analytic listeners.

Example 4.1

Francis's Perspective on Attorney's Role at the* Pro Se *Clinics

1 Initially, the idea of having an attorney at the clinic was to review the asylum application for accuracy
2 and eventually help formulate the narrative to meet the legal requirement for asylum. Basically, that's
3 our role. Making sure that the volunteers understand what facts fall into the requirement for asylum,
4 and as well, the client- the asylum seeker.
5
6 People come to the US for various reasons. Everybody thinks they can seek asylum. "I am fleeing
7 Mexico because there is," I don't know, "*La Llorona*," you know? Yeah, it's scary. But it doesn't meet the
8 requirement under the asylum law.
9
10 As compassionate as the volunteers are and really, really want to help, once they identify that *La*
11 *Llorona* doesn't fall into the requirement for asylum, then they should be able to tell the client, "This
12 may not be a good case for asylum," so we want to make sure they narrow the issues, the facts, to
13 meet the requirement. And, that's how I perceive the role of the immigration attorneys over there...
14
15 At the end of the day, I find myself just reviewing the asylum application and just making sure that in
16 the short period of time I have, I can help as much as possible in making sure that the claim, at least, is
17 viable for asylum, to be granted for asylum.

The first stanza of Francis's response shows that, for him, the salient work of an attorney reviewer is to foremost maintain an application's accuracy. In this case, accuracy refers not to the truthfulness of the narrative so much as the application meets the nexus requirement of asylum policy. He also views it as his responsibility to make sure both volunteers and applicants know what the legal requirements are. His use of the collective pronoun to refer to "our role" in line three contrasts with his positioning of the volunteers and applicants whose understanding of the facts of asylum requirements it is his responsibility to ensure. His pronominal alignment with fellow attorneys in line three is comparable to the "collective-professional *we*" by which law students are socialized to view themselves as professionals who interpret the legal text from a perspective different than that of ordinary people (Conley & O'Barr, 1998; Mertz, 1996). At the end of this summary of the role, in line four, he repairs his use of "client" in favor of "the asylum seeker." Note that later in his response, as his narrative progresses, he again uses the word "client," instead of "asylum seeker," without repairing the utterance (line 11), which I believe reflects his experience as a private practice lawyer who must also be honest with applicants if they will be paying for his services. This contrasts with the *pro se* clinic setting, where there are no clients, contracts, or fees.

To support his summation, in the second stanza he describes a fictional example by voicing an applicant who is seeking asylum from *La Llorona* (literally, "the weeping woman"), a notorious ghost of Mexican folklore. "Yeah, it's scary," he says, relying on the prevalence of *La Llorona* in American cultures, and my knowledge of it, to demonstrate a certain amount of empathy for the fictional applicant before he returns to his primary focus: the accuracy of the applicant's claim in accordance with asylum law. In the third stanza he continues by reinforcing his understanding of volunteers' more emotional orientation and their earnest desire to help the applicants as much as possible. Regardless of their intentions, he believes the volunteer should be able to identify inaccuracy in this way, which he does by voicing the volunteer delivering the news to the asylum seeker. Here he shows his desire to guide participants in narrowing the expansive narrative to cleanly meet the standard set by policy.

His fourth stanza is a conclusion of this belief system. He acknowledges a common concern among the *pro se* clinic participants, the limited amount of time to do such intensive and sensitive work. In doing so, and as a conclusion to his narrative, he positions himself as another helpful volunteer, doing the best he can with limited resources to give the applicant a chance at receiving asylum status. Overall, this is a prime example of the salience of different modes of listening, and how Francis views certain structures which constrain the role of attorneys to be primarily analytic, rather than empathetic, listeners.

Perhaps his emphasis on the analytical role of attorney reviewers was strengthened by the interactional setting of the interview, him speaking to me in his office while sitting behind his own desk. This is also illustrated via his use of the distal deictic "over there" to refer to the *pro se* clinics (line 13). Moreover, aspects of his response were likely rooted in his knowledge that I was a graduate student working on a dissertation project and that I was a Spanish speaker, such as his use of the example of *La Llorona*. I did not expect this example, and only realized what he was saying after the second instance due to the influence of his native French on his English (he himself was born in an African refugee camp) and my lack of expectation for such a culturally and interactionally localized example in that moment.

I interviewed another attorney and frequent reviewer at the *pro se* clinics, Harriet, via videocall and present an excerpt in Example 4.2 for comparison. Harriet is an attorney and regular volunteer for Cal-AID, but not an immigration law specialist. We had known each other previously due to other *pro bono* asylum work she took on remotely for a different nonprofit organization during the COVID-19 pandemic. Having met me at a *pro se* clinic before I began my dissertation project, she and I had worked together on many calls over the phone outside the *pro se* clinic context in which I interpreted between her and the Spanish-speaking clients. These previous experiences gave us a deeper shared understanding of asylum application processes than Francis and I shared; Harriet and I had been on the calls together and had heard those stories together. Example 4.2 comes from the end of my interview with Harriet, as she comparatively evaluates her role.

Example 4.2

Harriet's Perspective on the Attorney's Role at the* Pro Se *Clinics

1 I think I have a little more freedom in the role as an attorney reviewer to come in and work with the
2 interpreter in the presence of the preparer and say, "Let me tell you how a court will view that, and
3 here's why this matters," right? Because obviously I want to maintain credibility with the team and with
4 the applicant in particular, but I have a little bit more liberty to say, "OK, I'm looking at this, scrutinizing
5 this, like if I was opposing counsel, if I was a harsh immigration judge that didn't trust this," you know,
6 and "I'm trying to make this as bulletproof as possible."
7
8 That's a very different way to come at it than a preparer who's really trying to engender trust and
9 rapport and getting this person to open up and share a really difficult story, in a system that they're
10 utterly unfamiliar with. So, yes, for sure, I think the preparer's job is probably the trickiest. For me to
11 come in and sort of, red-line things and say, "this is a problem, this is a problem, and here's why," this
12 is an important role but in some ways, it's an easier role.

Harriet's response captures the difference between the attorney's role as primarily analytic and the volunteer's role as more necessarily empathetic. The first thing she does is identify her role with freedom, the freedom of a mobile outsider who can enter the scene, complete her task, and give orders. Her use of "the presence" of the preparer not only illustrates the geography of this scene, but also serves as a more deferent term toward the volunteer and applicant, who she risks insulting with her critical interjection. In a notable contrast to Francis, rather than voicing the volunteer or the applicant, Harriet gives an example by animating her own voice (Goffman, 1981) at a hypothetical *pro se* clinic. In lines two-three, saying "let me tell you how a court will view that, and here's why this matters," she situates herself in the discourse as the liaison between the applicant and preparers' as speaking subjects and the court as the listening subject, and uses the opportunity to metalinguistically explain her role and reasoning in the situation. In the statement that follows in line three, she attributes this reasoning, "obviously," to her desire to “maintain credibility with the team and with the applicant in particular.” In this context Harriet is using credibility to refer to rapport with the applicant, rather than the sense of “truthfulness” or “accuracy” in accordance with asylum law as Francis commented. By acknowledging the “liberty” that her role provides her to challenge the applicant and preparers’ face by asking scrutinizing questions (line four), she again takes the role of the mitigator between alternative perspectives resulting from the speaking vs. listening subjects in the discourse. She concludes that this is a defensive act, to make the application “as bulletproof as possible” which emphasizes the antagonism migrants face in asylum proceedings.

In the second stanza she acknowledges the preparer’s position, who she sees as motivated to engender enough trust and rapport to elicit the applicant’s story in a strange context. In lines eight-10, Harriet returns to the comparison of her role and the preparers’ and presents herself as someone who must importantly review the application as a system insider, yet also as someone casually yet critically marking problems in the application with a red pen. Again, however, she implicitly acknowledges her metacommunicative role by including, “here’s why” in line 11. Harriet’s response shows that, like Francis, she too calls out empathetic and analytic functions in the roles of the volunteers who work with the applicants. Like Francis, she acknowledges her critical-analytical role, though she more prominently emphasizes the metalinguistic function of the attorney’s role in the process.

When I spoke with Leslie, a volunteer application preparer, after the July 2022 clinic and several additional meetings with Gul to complete Gul’s application, she immediately emphasized the role of the empathetic volunteer. Her statement in Example 4.3 is in response to my question if there were any particular aspects of the application interview process that went smoothly or if there were any challenges.

Example 4.3

Leslie's Reflections on the Challenges of Preparing Gul's Asylum Application

1 Working with Gul at the clinic was... intense. She's a single mom, and there was childcare provided. So
2 she and I were able to connect in a way that, I feel confident in saying, she doesn't get very often.
3
4 I know that it was not advised, but in the training processes, it was made known to the people who
5 would be helping with the applications, "this is also a therapeutic process on their end, so try to find a
6 balance between giving them time to process the trauma that they've experienced while also
7 recording, documenting, making it available for their future benefit." And that was a balance that I was
8 trying to tightrope walk.

Leslie's response about what went well in the interaction indicates her primary focus: connecting with Gul, the applicant, who does not normally have such an opportunity. Leslie reiterates this focus by emphasizing the importance of the empathetic function of her role in contrast to what she learned in the training, as she states in line four. According to Leslie, "a therapeutic process" is an inevitable, albeit secondary, component of the asylum application preparation process. In the second stanza of Example 4.3 she attributes her knowledge of this process to the training she attended. In line five, Leslie animates the words of an anonymous Cal-AID trainer who advises the volunteers that they would have to provide empathetic listening as well as accurately document the asylum claim. By emphasizing that this is "*also* a therapeutic process," Leslie indirectly points to the critical, policy-oriented task of the role which she must "balance" in her interaction with the applicant by giving them the time they need to process the trauma of the story that they are telling, while also discretely documenting that trauma so that it can benefit the applicant. She gave an example of such a therapeutic moment, which I detail in Example 4.4.

Example 4.4

Leslie's Reflections on Her Approach to the Interview Process

1 We'd been talking for a little while going through the bio information, nothing of any emotional
2 sensitivity... but once we started to get into the trauma of her experience, there were enough

moments… where I would ask a question and her emotion would get so wrapped up in reliving the awfulness that I finally said, “Hey, you know what? Let's just take a break.”

After so many times of, “Take your time, it's okay,” and you can just see the tears and the emotion and the way that she was holding back on sharing her story, in my assessment, for the sake of not showing emotion. You know where someone will want to be stoic. They want to keep their tears. They do not want to show the vulnerability, and it inhibits what they're able to communicate. We just reached a point where I said, “Hey let's go get some fresh air. Let's just go step outside.”

I could tell that there were things she was not wanting to talk about. “But…it's valuable information and I know you're not wanting to share this but, it's going to help you if you can.” And so that was a big part of what I tried to express when she and I stepped outside. It was mostly 10 to 15 minutes of allowing her the opportunity to cry off the microphone and away from other people.”

We walked outside to the parking lot, and I just listened for the most part as she expressed how hard it is, and how she doesn't understand how one person can be tested so much, and the challenges that she's faced. And so I do feel like for the rest of the day allowing that 10 to 15 minutes of, “Let's just take a break,” was ultimately beyond beneficial for us to be able to come back and her to have shed some of the weight that comes with just trying to share those words.

In Example 4.4 Leslie describes a specific moment she viewed as part of the therapeutic process of working with asylum applicants at the *pro se* clinics. The four parallel stanzas in this narrative illustrate how Leslie accounts for her perspective in the interview and her actions in the moment as she “balanced the tightrope” between empathetic and analytic listening. In the first stanza, she begins the narrative by contextualizing the discourse she is about to relay to me in relation to their progress on the application. She first refers to Parts A.I, A.II, and A.III of form I-589, which ask for biographical details of the applicant and their family as well as a detailed history of the applicant’s residences, employment, and education. I analyze the interaction surrounding this portion of the interview session in the following section. In line two Leslie refers to I-589 Part B when she talks of “getting into the trauma” of Gul’s experience; Part B asks applicants to provide a detailed and specific account of the basis of the applicant’s claim in response to seven questions with multiple sub-questions. That is, the questions in Part B ask the applicant to describe past persecution and fear of future persecution based on race, religion, nationality, political opinion, or membership in a particular social group. Leslie’s first stanza ends with her presentation of the main conflict of her story: That the interview process was causing emotional pain to Gul. Notably, she uses the collective pronoun “let’s” to refer to herself and Gul together (line four).

In the second stanza Leslie explains why she decided that they should take a break. Her discursive attempts to reassure and calm Gul were ineffective (line six) with Gul becoming increasingly emotional (line six) yet painfully restraining herself from expressing more emotion to the extent that it was inhibiting her ability to communicate (lines seven-nine). Though Leslie does not say this overtly, the ability to communicate she refers to is Gul’s ability to detail the specific nature of her asylum claim. Parallel to the first stanza, Leslie uses the pronoun “let’s” to collectively refer to herself and Gul and direct their movement in the physical space, as well as to advance the narrative (line 10).

The third stanza follows a similar structure to the second, but this time Leslie voices an additional effort she made to assuage Gul in that moment: She overtly explained that she understood that the information she was asking for was distressing for Gul to speak out loud and share with a stranger (line 12-13). In these lines Leslie insinuates the role of a critical state listening subject (Pak, 2023) who will evaluate Gul’s application with a close ear for experiences that cause Gul to fear for her life. She also maintains her position as an advocate for Gul by explaining that it is “valuable information” to Gul that can help her if she is able to speak it (line 13). In lines 14-15, Leslie summarizes the events of that moment as an opportunity for therapeutic relief where Gul can “cry off the microphone and away from other people.” Here she refers to my microphone, which was sitting on the table where they spoke in the busy union hall. This comment exhibits an interesting discursive dance by which Leslie positions herself, Gul, and I (Aiello & Nero, 2019) in the broader context of the Cal-AID *pro se* clinics. That is, by highlighting the opportunity for Gul to “cry off the microphone and away from other people” as a key moment of the therapeutic process, Leslie positions me, not present but who would listen to the recording, and the other Cal-AID participants as outsider listening subjects in addition to the state. Based on this comment, I decided to focus my analysis of listening in the interactional dataset on the conversation surrounding the biographical portion of the application, up until Leslie stopped the recording and they stepped outside.

Leslie aligns herself with Gul by physically accompanying her away from the aural "gaze" of other listeners, which she describes in the final stanza that concludes her narrative. In that moment, Leslie "just listened" as Gul lamented the injustices she faced which have culminated in yet another painful experience. By distinguishing this act of listening from the previous in which other, more critical listening subjects were present, Leslie establishes her solidarity with Gul over everyone else in this moment. Leslie ultimately attributes this break, which she indicates by reiterating her discursive interjection at that moment via the collective pronoun "let's" (line 19), as "beyond beneficial" for Gul who was thus able to "shed some of the weight that comes with just trying to share those words" with critical listening subjects. For Leslie in this exchange, empathetic listening took the form of several collocating discursive features: Her use of collective pronouns to align herself with Gul (which contrasts Francis's collective-professional alignment when he states "our role" to refer to attorneys); her accompaniment Gul through the physical space; her metatalk to explain the reason for her analytic listening; and her silent reception in contrast to analytic listening which seeks specific content at the cost of potential retraumatization. Ultimately, it was this exchange that allowed Leslie to establish sufficient trust and rapport with Gul that Gul was able to endure the most difficult portion of the interview and complete the application.

In my interview with Gul, however, she did not extoll Leslie's empathy or refer to the moment they stepped outside. Rather, when I asked her what it was like to work with Leslie, Gul stated that Leslie was very clear and asked a lot of detailed questions. I responded by asking if she could give some specific examples or identify something specific that Leslie asked that Gul had not expected, which is when I began recording her response, shown in Example 4.5.

Example 4.5

Gul's Reflections on What Leslie Did Well During the Interview

Every question had multiple answers. So they just get five or six questions and ask it in one question. There should be a [group] of answers. And she was so clear about that, mentioning and answering every part of the question that has been asked. And the other good thing was, she was so focusing on the details and, so as I said before, [it is] so challenging when you want to change a verbal sentence into writing. And she was so good about that.

The good things about Leslie was, because that was the first experience for her, always she was trying to get the recommendation from someone else who has the experience. And after that, we talked with the attorney. He asked her to be more clear, more specific. And after that it was so easy for us to go through the process.

So far it was a great experience because I saw a lot of peoples when they were filing, because the person who was applying was not clear to them and they had the inconvenience and misunderstanding between them. But for me, everything was clear. First she explained everything, every process. And she was giving me examples, like the one answer of the one question I remember was, it had two parts. And the first part was, "Why do fear harm if you return to Afghanistan?" and another one was, "Is there any danger of harm to your family?" So, the first part was, yes, I would be in trouble. And the second one, most people didn't care about the second part or the third part of the question. She asked me again, okay, there's another part, you have to answer that, "Will your family will be in trouble because of you?" And so the questions were so tricky, that she was so, so concerned about that. She made it happen.

In this narrative, Gul begins by describing the complexity of the questions in the application. The questions-within-questions that require multiple answers she refers to are question Part B.1.A and B.1.B (DHS, 2023):

A. Have you, your family, or close friends or colleagues ever experienced harm or mistreatment or threats in the past by anyone? If "Yes," explain in detail: 1. What happened; 2. When the harm or mistreatment or threats occurred; 3. Who caused the harm or mistreatment or threats; and 4. Why you believe the harm or mistreatment or threats occurred.

B. Do you fear harm or mistreatment if you return to your home country? If “Yes,” explain in detail: 1. What harm or mistreatment you fear; 2. Who you believe would harm or mistreat you; and 3. Why you believe you would or could be harmed or mistreated.

In the first stanza, Gul identifies Leslie’s attention to detail and “clear” explanation of the complex questions as what she did well. She metalinguistically identifies the challenge Leslie faced when entextualizing her speech, knowing that it would be extracted from its interactional setting and assessed repeatedly (Bauman & Briggs, 1990; Rud, 2018).

Gul begins the second stanza by identifying another thing Leslie did well, seeking advice “from someone else who has the experience.” Here she uses “experience” to refer to people with experience completing asylum applications (the Cal-AID leaders who answer volunteers’ questions throughout the day), rather than a personal experience of persecution. In line nine Gul affirms her appreciation for Leslie’s openness to others’ advice by characterizing the attorney’s (Francis’s) instructions to be even “more clear, more specific.” With Leslie and Gul’s shared understanding of the necessary detail, the rest of the interaction “was so easy” (line nine).

In the third stanza, Gul concludes her narrative by contrasting her experience to others she witnessed complete an asylum application (it is unclear if she refers to people at the clinic that day or others that she knew). She cites the preparers’ lack of clear explanation of their questioning as the reason of “inconvenience and misunderstanding between them.” She reemphasizes Leslie’s skill in this regard and provides a specific example of moments where Leslie closely attended to each sub-question where others did not. Overall, Gul’s reflection on Leslie’s orientation to detail is not to say that Gul did not perceive Leslie as an empathetic listener. Rather, Gul situated her response within her broader experience with people who have filed for asylum (as well as her previous white-collar career in public institutions in Afghanistan), and this facilitated her identification of Leslie’s analytical listening as her most salient positive quality in the interaction. Importantly, Leslie’s analytic ear in combination with her ability to clearly explain her questioning, which I characterize as a feature of empathetic listening, led to Gul's overall positive reception of the interaction.

Not all of the applicants I interviewed expressed such an appreciation for the detailed questioning and critical ear of the volunteer preparers. I include Example 4.6 to contrast Gul's response with the reflections of Nico and Samuel, a working-class gay couple from Guatemala. I interviewed them in May 2023 as we ate lunch at a diner near the immigration court building after accompanying them to Nico's hearing that morning.[5] Nico and Samuel were applicants at the August 2022 *pro se* clinic, where they worked with different volunteer preparers: I was paired with Samuel and recorded our interaction and Nico was paired with a male Latino law student who was not a regular Cal-AID volunteer.[6]

Example 4.6 comes from the end of our wide-ranging conversation, after the meal. We had already received and paid for the check but continued talking. Samuel spoke more throughout the conversation, as he often did. Based on my observations, he more often assumed a leadership in the couple's interactions with service providers and officials as they settled in Sacramento. I also interviewed Samuel for his asylum application, and so we shared that experience of vulnerability which neither of us shared with Nico; we only knew of it through Nico's later conversations with us. I asked them to reflect on their experiences working with different volunteers on their applications, because I had learned that Nico's experience was much more than difficult than Samuel's. Nico was frustrated they had not finished that day and felt exhausted after a follow-up phone call with the volunteer that lasted about five hours, after which they still were not done. Nico opens the narrative in Example 4.6, which Samuel interrupts before Nico again takes the floor and launches into the narrative which then lasts several minutes. Samuel engages in backchanneling and affirms Nico's statements to the point of self-selecting as speaker, but Nico does not cede the floor.

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[5] The conversation took place in Spanish, which I translated into English in Example 4.6.

[6] After the clinic, I asked this volunteer if he would participate in an interview with me, which he declined.

Example 4.6

Nico and Samuel's Reflections on Their Experience With Nico's Application Preparer

1 N: Regresando a ese tema, no sé, tal vez él me imaginó de que, no sé, tal vez él nunca había
2 interactuado con personas gays o nunca... o no sé, la verdad no sé... Le digo yo la diferencia del
3 muchacho que te atendió a vos, al que a mí me atendió–
4
5 S: Yo le digo es porque el muchacho que me atendió, él es gay, dije yo. Y también él que a ti te
6 atendió parece que él es heterosexual... Bueno, todos somos gente, pero hay modos para tratar a
7 las personas, y tal vez él no tenía como el modo para dirigirse a alguien. Tal vez no, es que uno sea
8 delicado, pero hay palabras adecuadas como para preguntar las cosas.

N: Coming back to that topic, I don't know, maybe he just thought of me as, I don't know, maybe he had never interacted with gay people or never... I don't know, the truth is I don't know... I'd say the difference between the guy that assisted you (gesturing to Samuel), and the one who assisted me–

S: I'd say it's because the guy that assisted me, "He's gay," I said (to Nico). And also the guy who assisted you, it seems that he's straight... Well, we're all people, but there are certain ways to treat people, and maybe he didn't know the way to address someone. Maybe not, maybe a person can be too sensitive, but there are appropriate words to use when asking certain things.

In the first portion of the narrative, Nico indirectly raises his concern that the volunteer was homophobic or that "maybe he had never interacted with gay people before" (lines one-two, "tal vez él nunca había interactuado con personas gais"). He hedges this accusation greatly, repeating that he is not sure (lines one-two, "no sé"). As Nico hesitates in line three, Samuel self-selects and supports Nico's evaluation, stating that he concluded that his experience was better because he worked with another gay man (me) whereas Nico worked with a straight man (lines five-six). He also hedges this claim by acknowledging that perhaps it was because they were being too sensitive (lines seven-eight, "tal vez no, es que uno sea delicado"), but again affirms that "appropriate words" (line eight, "palabras adecuadas") to use when asking certain questions. After this, Nico gives his longest response of the interview, which ultimately concludes it. I follow the Spanish original with my English translation.

N: Yo no sé si estoy mal, pero yo considero de que tal vez otra persona– Yo soy gay, ¿verdad? Entonces si otra persona me va a venir a entrevistar o algo así, y si la otra persona es gay, yo considero que la otra persona me va a entender, ¿verdad? Porque los dos estamos en un mismo círculo y los dos sabemos... los pasos. Podemos saber que es la discriminación, los dos podemos saber todo lo que uno sufre, tal vez no de la misma manera, pero sí.

Entonces yo considero de que así, como él hétero, y yo gay, entonces yo no sé si él le pasa un poquito de homofobia por la cabeza o algo así, la verdad no sé, pero yo considero de que la forma más bien sería, pienso yo, de que [se haga con] otra persona gay. Porque lo comprende a uno y lo entiende más y uno se puede expresar más, verdad, como con un hetero.

Porque yo me recuerdo de que, cuando yo terminé ese día con él, de que no terminamos así muy bien muy bien. Me recuerdo muy bien que él de último me dijo de que él había atendido muchos casos así y él me dijo de que habían casos más fuertes que los míos, y así, y con pruebas y todo. Y me dijo de que casos así, de que con pruebas fuertes y todo, que se echaban a perder, que eran negados.

Entonces yo me puse a pensar. La verdad me desanimó. Me desanimó porque en vez de tener palabras que me dieran fortaleza, me bajó los ánimos de una vez... Y cuando estuvo la llamada, la hora de la llamada sí me estresó. Me estresó mucho. Yo llegué a un punto al que yo ya le quería cortar. Le soy sincero, porque yo ya le quería cortar, inclusive hubieron dos ocasiones que yo le pregunté que si ya íbamos a terminar.

Una porque ya era, yo considero de que pasara esas cuatro horas o cinco horas en un teléfono para explicar lo mismo, lo mismo, lo mismo. Yo lo considero que es mucho. Porque él me preguntaba lo mismo, me hacía tres preguntas, regresaba a lo mismo, se metía la profundidad de una vez y... Él me preguntaba así mucho, inclusive me preguntó mucho de mi niñez, de cuando yo estaba pequeño. Entonces yo le contesté él de que cosas de mi niñez, cosas de que yo había sido olvidado, ¿verdad?

Y él quería que yo le comenzara a explicar de desde cuántos años desde mi mamá se había dejado con mi papá, cuántos años yo tenía, mi mamá en que trabajaba en ese entonces. O sea, son cosas de que yo a él no le pude responder así bien porque yo era pequeño. No tenía entendimiento de lo que estaba sucediendo a mi alrededor.

Y yo traté la manera de decirle así, así, así. Pero ya después él me hacía otras dos preguntas y regresaba lo mismo. La verdad a él me sentía como... incómodo. Ya al final yo me sentía incómodo, me sentía como, ay, ya quiero que termine la llamada porque me está preguntando lo mismo.

En una ocasión me preguntó este... Y cuando yo le comencé a explicar de que a mí me habían asaltado y que me habían encarado, y que me habían puesto una pistola en la frente y así. Me comenzó a preguntar que si yo conocía a esas personas, yo le dije que sí, y inclusive le di los nombres. Y de ahí me comenzó a preguntar que, quienes más habían alrededor, y a él le dije que no había nadie, y además de preguntar de que cómo eran los terrenos donde estaban, no sé, que aquí, que allá.

En esa pregunta que él me hizo, el de lo que me había pasado. De esa pregunta sacó muchas ramas. Muchas ramas y me preguntaba cosas así, más profundas, más profundas, más profundas de que qué yo había hecho después de lo que me había pasado, y así.

Son cosas de que, cuando a uno le pasan las cosas, a uno, por el nerviosismo y todo así, son cosas de que a uno se le borran de la mente porque uno está nervioso. Y más de todo el tiempo de

que ha pasado, y todo el trayecto de que nosotros hemos pasado para llegar acá, y nos han pasado muchas cosas, yo siento de que, de tanto de que nos ha pasado, tal vez las cosas ya viejas de años, ya hemos buscado una manera de dejarlos así, un hábito para no estar con los mismos recuerdos y caer a lo mismo.

Esa experiencia, yo con ese muchacho, ha sido una experiencia. No le podría decir ni bien ni mal. Así en un término medio era porque no esperaba yo eso de él. Pues yo esperaba de que fuera más amable que él fuera más comprensivo con uno, con uno de la diversidad.

N: *I'm not sure if I'm mistaken, but I think that maybe the other person- I'm gay, right? So if another person is going to interview me or something like that, and if the other person is gay, I think that the other person will understand me, you know? Because both of us are in the same circle and we both know... the experiences. We're able to know what discrimination is, we're able to know everything that a person can suffer, perhaps not in the same way, but yes.*

And so I think that, he as straight, and I gay, I'm not sure if there wasn't a little homophobia in the back of his mind or something like that, the truth is I don't know, but I think that the best way, I think, would be to do it with another gay person. Because the person empathizes more with the other, and understands more and the person can express more, you know, than with a straight person.

Because I remember that, when I finished that day with him, we didn't completely finish. And I remember very well that the last thing he said to me was that he had worked on many cases that, he said, there were many cases stronger than mine, with evidence and everything. And he told me that cases like that, with strong evidence and everything, even end up losing, that they were denied.

And so I began to think to myself. It truly discouraged me. It discouraged me because instead of having words that gave me strength, my spirits sank all at once... And on the call, the phone call really stressed me out. It stressed me out a lot. I got to a point where I wanted to hang up on him. I'm being sincere, I wanted to hang up on him in that moment, there were even two occasions where I asked him if we were going to finish yet.

Once was because it was, I think four or five hours had passed on the phone to explain the same, the same, the same. I think that's a lot, too much. Because he asked me the same thing, asked me three questions, returned to the same thing, he went so deep at one point and... he asked me so much like that, including a lot about my childhood, from when I was little. And so I answered him about these things about my childhood, things that I had forgotten, you know?

And he wanted me to start explaining to him how many years ago my mom left my dad, how old I was, what my mother did for work at that time. That is, those are things that I couldn't respond to him well about because I was little. I wasn't aware of what was happening around me.

And I tried to tell him in that way, one thing after another. But after he asked me more questions and returned to the same. The truth is he made me feel... uncomfortable. At the end I felt uncomfortable, I felt like, oh my, I want to end this call because he's asking me the same thing.

On one occasion he asked me about... And when I began to explain to him that I had been assaulted, and that they confronted me, and that they put a gun to my forehead, and so on. He began to ask if I knew these people, I told him yes I did, I even gave him the names. And from there he began asking me who else was around at that time, and I told him there was no one, and he even asked me what the terrain around them looked like, I don't know, this place, that place.

> *That question he asked me, the one about what happened to me. From that question he followed many branches. So many branches and he asked me deeper and deeper and deeper questions about what I had done after it happened to me, and so on.*
>
> *They're things that, when those things happen to someone, because of nerves and everything, those are things that a person erases from memory because the person is anxious. And throughout all of the time that's passed, and the whole journey that we've gone through to get here, and we've gone through a lot, I feel that, because so much has happened to us, maybe the things that are already so many years old, we've found a way to leave them behind, a habit of not remaining with the same memories and falling into the same thinking.*
>
> *That experience, me with that guy, it was an experience. I couldn't speak well or poorly of him. It was somewhere in the middle because I didn't expect that from him. I wish that he would have been more friendly, that he was more understanding of someone, someone diverse.*

In this monologue, Nico declares his view that a gay interviewer can better understand a gay applicant based on similar experiences (stanza one). He overtly states that he wonders whether the volunteer was influenced by implicit homophobia (stanza two), and says that he thinks it would be best for a gay person to work with another gay person "because the person can empathize more with the other" (lines 17-18, "porque lo comprende a uno y lo entiende más") which allows the applicant to "express more than with a straight person" (lines 17-18, "uno se puede expresar más... como con un hetero"). In the third stanza he supports this claim by giving evidence of what he felt was an inappropriate statement, when the volunteer told Nico that he had worked on many cases that were stronger and more evidenced than his, and that even those cases were often denied. In the fourth stanza Nico recounts his distress at hearing this, how it disheartened him and caused him a lot of stress. He connects this to the follow-up call, when he reached a point where he almost hung up on him in frustration. In the fifth stanza Nico justifies this reaction by explaining that the volunteer had been asking him the same series of questions for hours, including questions about Nico's childhood, which he thought were irrelevant. He gives examples of these questions in stanza six and in stanza seven protests that he tried to answer them one by one, but that the volunteer kept going back to the same questions.

At this point in the narrative, Nico had been speaking uninterrupted for several minutes. This time on the floor allowed him to discursively develop a succession of growing critiques and examples that he had so far been unable to report. It also allowed him to reflect on progressively more vulnerable experiences. In the eighth stanza the narrative comes to a climax when Nico recounts the volunteer's questioning of the violence Nico experienced. He reports that he answered the volunteer's question about who perpetrated it, "including giving him names," (lines 51-52, "inclusive le di los nombres"). Yet to Nico's frustration, this resulted in a series of further questions about who else was there and the landscape (stanzas eight and nine). He begins to draw the narrative to a close in the tenth stanza. He concludes that when certain (violent) things happen to someone, "those are things that a person erases from memory" (lines 60-61, "son cosas de que a uno se le borran de la mente"). This is not to mention the time that has passed and the difficult journey they had to get to the US, Nico says, concluding that perhaps for those painful memories, "we've found a way to leave them behind, a habit of not remaining with the same memories and falling into the same thinking" (lines 64-65, "hemos buscado una manera de dejarlos así, un hábito para no estar con los mismos recuerdos y caer a lo mismo"). The eleventh stanza is the narrative's denouement, where Nico returns to reflecting on his interactions with the volunteer. He concludes that he cannot speak well or poorly of the man (line 67, "No le podría decir ni bien ni mal") but that his experience was unexpected because he would have hoped to work with someone who was more friendly and understanding.

At this point, Samuel speaks again to affirm Nico and expand on his thoughts.

65 S: Porque realmente ellos no saben lo que uno sufre o como uno ha llevado a la vida. Todos tenemos
66 casos distintos, cómo expresarnos o cosas que contar, ¿verdad? Pero ¿tal vez él no fue un poco
67 empático? Tal vez no se puso en el lugar de Nico, tal vez solo estaba queriendo hacer su trabajo y
68 ya, como es algo que a él le apasione, como algo que quiera hacer de verdad. No sé.

S: Because in fact they don't know what a person suffers or how a person has gone through life. We all have different backgrounds, ways of expressing ourselves or things to say, no? Maybe he wasn't very empathetic. Maybe he didn't put himself in Nico's place, maybe he only wanted to do his job and that's it, like it's something that he's passionate about, like something he wants to do seriously. I don't know.

Here Samuel emphasizes that others cannot truly know what another person goes through in life, that each person's experience is unique, that each person expresses what they have to say in a unique way (lines 65-66). He wonders aloud whether the volunteer lacked empathy, whether he failed to see things from Nico's perspective because he only wanted to do his job, a job which perhaps he took very seriously (lines 66-68). In Nico's final contribution to the conversation which drew the interview to a close, he again reflected on his childhood.

69 N: Cuando yo era pequeño y yo estudiaba en la primaria, yo sufrí mucho bullying, mucho bullying y
70 así, porque yo desde pequeño siempre fui así amanerado. Yo siempre– para hablar, yo muy
71 expresivo, mis manos aquí así. Yo siempre he sido desde pequeño. Entonces a base de eso, yo
72 recibía mucho bullying. A mí me trataban en la escuela como ellos querían. Y yo siempre por
73 miedo, yo me quedaba callado.

N: When I was young and in primary school, I suffered a lot of bullying, a lot of bullying and such, because since I was little I was always effeminate in some way. I always– in speech, I was very expressive, my hands went like this and that. I've always been that way, since I was young. And so based on that, I received a lot of bullying. At school they treated me however they wanted. And so always, out of fear, I stayed silent

Here, Nico broadens Samuel's assertion that each person expresses themself in a unique way by depicting how his modes of expression were received as a child. He said he has always been effeminate and expressive in speech and gesture and was bullied a lot because of it (lines 69-71). He attributes his fear of speaking up in the past to this bullying concluding, "always, out of fear, I stayed silent" (lines 72-73, "siempre por miedo, yo me quedaba callado").

Overall, Samuel characterized his experience at the *pro se* clinic very differently than Gul characterized hers. Both Samuel and Gul refer to the repeated questioning the application process subjected them to, yet whereas Gul praised Leslie for her detailed questioning, Nico felt exasperated and confused at the volunteer's successive inquiries. That is, Nico's growing frustration and emotion in his account indicates that he felt the volunteer did not really listen to his responses to the questions, perhaps because of the volunteer's inability to empathize with Nico's experience as a gay man. Notably, however, Nico's interviewer acted just as Francis said that attorneys should: He told Nico outright that he did not think he had strong case. Moreover, just as Leslie highlighted the therapeutic process of an asylum application interview and pointed to specific examples in her conversation with Gul, Gul did not highlight the same moments as a salient marker of her positive experience with Leslie; at least, she chose not to express so to me.

The examples from the interview dataset I analyzed in this section show how Cal-AID *pro se* clinic participants orient their reflections around distinct modes of listening when asked about the challenges and successes of their interactions while applying for asylum. Francis's interview exhibited the primarily analytic approach to listening that attorneys take at the *pro se* clinics, which is characterized by closely attending to the details of the applicant's story that meet the nexus requirement of asylum law. He also acknowledges the empathetic listening of volunteers, which his analytic listening as an attorney serves, in part, to counter in order to make sure the application is viable for receiving asylum. The attorneys' focus on analytic listening is also constrained by the limited number of attorney reviewers available at each clinic and their specialized skillset which allows them to impart legal advice.

Attorney Harriet too acknowledges both analytic and empathetic listening in the context and aligns the attorney role with analytic listening and the volunteer role with empathetic listening. Yet in her response she gives more attention to metatalk in order to hypothetically explain the distinct way attorneys must listen to an applicant's story, which itself I characterize as a feature of empathetic listening. Leslie also gives many examples of her metatalk of the asylum process as she emphasizes the role of the volunteer preparers as necessarily empathic listeners who have no choice but to help the applicant manage the potentially retraumatizing experience of reliving the moments they describe. Because Nico had been critiqued for his modes of expression his entire life, critiques which silenced him, he anticipated working with someone who would listen to him empathetically. Moreover, unlike Gul, who had a professional career in Afghanistan and was evacuated by the US military, Nico had little experience interacting with formal government institutions. As he did not note that the volunteer made any attempts at metatalk to explain the reason for his questions, his experience of the volunteer's analytic listening was frustrating and demoralizing. As a result, Samuel and Nico characterized their respective volunteers as distinct listening subjects, one who was able to listen empathetically from a shared gay experience, and another who was not.

At a smaller scale, the distinction between empathetic vs. analytic listening surfaced in participants' pronoun use. Francis used the collective pronouns "we" and "our" to refer to himself and other attorneys, ultimately using the word "client" to describe the applicants in the mutual aid context like he would in a professional context. By voicing herself saying "let me tell you how a court will view that..." Harriet uses metatalk to discursively situate herself as a liaison between the applicant and preparers' as speaking subjects and state as the listening subject. In contrast to Francis, Leslie uses the collective pronoun "let's" to refer to herself and Gul and physically direct them out of the interview space, thus firmly aligning herself in solidarity with Gul in opposition to the microphone and other listeners. Though she did not state it overtly, Gul was receptive to this empathetic listening and used a collective pronoun to refer to herself and Leslie: "and after that it was so easy for us to go through the process." Nico uses first-person plural forms only twice in his long narrative: First, in lines 11-12 when he proposes a hypothetical conversation in which one gay person interviews another and thus understands the other's experience, "because both of us are in the same circle and we both know... the experiences" (lines 11-12, "los dos estamos en un mismo círculo y los dos sabemos... los pasos") which he then contrasts by referring to the volunteer as "he as straight, and I gay" (line 15, "como él hetero, y yo gay") in the next stanza. Second, near the end of his monologue referring to himself and Samuel and "the whole journey that we've gone through to get here, and we've gone through a lot... because so much has happened to us... we've found a way to leave [those memories] behind" (lines 62-64, "todo el trayecto de que nosotros hemos pasado para llegar acá, y nos han pasado muchas cosas... de tanto de que nos ha pasado... ya hemos buscado una manera de dejarlos así"). Despite referring to the volunteer throughout his monologue, the fact that Nico's only instances of collective reference were to refer to his partner and other gay men in solidarity of shared experience implicitly shows his evaluation of his listener. Altogether, the salience of these two ways of listening and their reflection in the discourse points to their interactional emergence and enactment, to which I now turn. In the next section, I analyze a dataset of interaction between Leslie and Gul to illustrate how Leslie uses two specific features to distinguish her empathetic listening from her analytic listening: metatalk and collective pronouns.

Analysis of the Interactional Data

The interactional dataset that I analyze in this section consists of the first 1.5 hours of Leslie and Gul's interaction at the *pro se* clinic in July 2022 where together they completed Gul's asylum application. I was not present in this interaction and did not attend the clinic that month. Instead, Leslie set-up and operated my recording equipment; I had shown her how to do so when we worked together at the June 2022 clinic. The interaction surrounds Parts A.I, A.II, and A.III of form I-589, which ask for biographical details of the applicant and their family as well as a detailed history of the applicant's residences, employment, and education. I focus on this portion of the data because it shows the discursive development of Leslie as an empathetic listening subject whom Gul could trust. This interaction immediately precedes Leslie's suggestion that they take a break, which Leslie identified as a prime example of the therapeutic aspect of the volunteers' role at the *pro se* clinics.

The interaction between Gul and Leslie took place in the side room just off the large conference room of the union hall where Cal-AID hosted their *pro se* clinics at the time. Though more private than the main room, several other volunteers and applicants also worked at other tables in the shared space. Unlike other most other groups I observed, it is evident from the recording that Leslie and Gul are sitting on the same side of the table and both looking at the screen of Leslie's laptop. When the interaction begins, Gul's I-589 already included responses for many of the biographic questions from the intake conversation she had with another volunteer upon getting connected with the organization. This advance preparation varies from applicant to applicant, depending on the nature of the intake conversation. Moreover, Gul's ability to read and speak English proficiently likely facilitated their physical positioning in this setting. Much of their initial discourse in this conversation surrounds reviewing and revising the existing information on the page before moving on.

In what follows, I show several related examples that illustrate Leslie's enactment of both empathetic and analytic listening and exhibit the discursive features she uses to position herself as an empathetic listening subject as well as an analytical listening subject. I present all of the following examples in chronological order, as they occurred in the conversation. Examples 4.7-4.10 come from the discourse before Leslie and Gul turn off the recording and step outside. Examples 4.11 and 4.12 come from the discourse just after Leslie started the recording again. As such, the time stamps begin anew in these examples. The transcription conventions I use in this section are listed in the front matter on page vii.

It is immediately noticeable that Leslie uses her longest turns for metatalk, which I italicize in the examples that follow. I use metatalk to refer to the moments in which Leslie overtly refers to the language she is entering into Gul's application and explains why she writes what she does. In Leslie's speech this takes several forms. She does this to explain a part of the application process, to explain the reasoning behind a question on the form, to voice what she anticipates the lawyers will say as they review the application, and to save face due to her repeated questioning of Gul in some instances. Largely, these are clustered during periods of discourse where there is confusion or a piece of missing information sought. I also point out specific subject pronouns in bold which contribute to Leslie's expression of solidarity with Gul in the interaction and her overall orientation as an empathetic listening subject.

In Example 4.7, Leslie uses metatalk to explain an aspect of the application context or process. This exchange occurs in response to the application question that asks for the applicant's USCIS account number. Gul is unsure if she has one, and so Leslie stops advancing in the application to review numerous documents looking for the number.

Example 4.7

Leslie Explains a Delay

1	Leslie	07:34	Um, *part of why **I'm** making sure that **we** look as much as possible to find the*
2			*right number, is, when it comes to your application, **we** don't want there to be any*
3			*reason [for **them**] to be able to make it [take longe:r.]*
4	Gul	07:47	[Ok.] [Thank you so m-] Mhm
5	Leslie	07:47	*You know, so if something doesn't match up, °and **we** can avoid that, that's*
6			*great°...*

In Leslie's first turn in this example (lines one-three), she explains to Gul why she has paused her questioning and progress on the application to look for Gul's USCIS account number.

Leslie begins using the first-person singular pronoun “I” (1SG) to position herself as the agent responsible for the delay yet uses the first-person plural pronoun “we” (1PL) to refer to their cooperative work to identify the number as well as to position herself in solidarity with Gul in their desire for a shared outcome from the application: that USCIS (“them”), whom she distances by using the third-person plural pronoun (3PL), do not delay Gul’s asylum proceedings any longer than necessary. Gul indicates her appreciation for this consideration by saying “thank you” in line four. In line five, Leslie goes further by explaining why the reader of the application might delay Gul’s proceedings: inconsistent or inaccurate annotation of Gul’s USCIS account number. She again uses 1PL to express solidarity with Gul in this endeavor. Notice that Leslie’s first use of 1PL (line one) refers to their collective action in the moment of interaction, whereas Leslie’s reiteration of 1PL forms extend her alignment with Gul beyond the immediate discourse, to sharing the same goal for Gul’s application (line two) while facing the same challenges (line five).

The exchange in Example 4.8 follows the application question which asks if the applicant has ever gone by any other names. Gul first answer’s “no,” (line two) before describing a possible exception, that her children use a nickname to refer to her.

Example 4.8

Gul Shares the Nickname Her Children Use for Her

1	Leslie	10:06	Any other names that [you've used.]
2	Gul	10:09	[No.]
3	Leslie	10:09	Okay.
4	Gul	10:10	But my kids call me Marwa. But it is not in [the documents.]
5	Leslie	10:13	[It's not on any paperwork anywhere.]
6	Gul	10:15	No.
7	Leslie	10:15	Perfect.
8	Gul	10:16	So this is my- my home name that- they didn't call me mommy or [mother]
9	Leslie	10:21	[°↑Uh huh] uh huh↑°
10	Gul	10:21	They call me Marwa.
11	Leslie	10:22	°↑I love that.↑°
12	Gul	10:23	Thank you. (chuckles)
13	Leslie	10:25	↓Okay.↓ Yeah. *So as cute as that is,* ***we****'ll go ahead and leave it off here*.
14	Gul	10:30	Okay.

This moment is notable because throughout the 24 seconds of discourse, Leslie's mode of listening changes. She is first listening for other names that may cause confusion or questions of Gul's credibility if they come up in court. At the onset of this exchange, Leslie uses a louder volume and a lower pitch with no pauses between her questions. Throughout the recording she often does this to the point that her speech overlaps with Gul's as she finishes her statements. As they are both looking at the application on the same screen, they both can see which information on the application has already been completed from Gul's intake conversation and thus which information simply needs to be confirmed rather than elicited for the first time. This is evident in line two when Gul answers Leslie's question before she finishes asking it. When Gul briefly narrates why her children call her this, however, and after Leslie confirms that Marwa is not listed on any official documents that may cause trouble for Gul in court, Leslie switches her mode of listening to show more empathy. Her volume softens, her pitch raises, and her speed slightly decreases as she says, "I love that" (line 11) and she uses metatalk to explain how this information does not need to go on the application (line 13). After this exchange, when Gul expresses gratitude for Leslie's comment and does not continue speaking, Leslie resumes her analytic approach to ask for additional biographic information from Gul. Leslie resumes her questioning in this way by lowering her pitch by speaking faster again. Moreover, in line 13 Leslie again uses 1PL "we" to refer to herself and Gul collectively working to complete the application. Moments like these, where Leslie successfully maneuvers between multiple modes of listening by employing collocating discursive features, help build the rapport that is needed to get through the more intense moments of questioning later in the interaction.

In the discourse following Example 4.8, Leslie and Gul try to clarify the date Gul left Afghanistan. In response to Leslie's question about the specific date, Gul narrativizes her experience of spending chaotic several days at Kabul airport waiting to be evacuated, shown in Example 4.9.

Example 4.9

Gul Explains Her Experience at Kabul Airport

1	Gul	11:37	So when I left Kabul?
2	Leslie	11:39	Uh huh.
3	Gul	11:41	It was... (papers shuffling)
4	Gul	11:44	°Let's see. I do have the pictures°... (papers shuffling) So August 20.
5	Leslie	12:05	Not the 19th. So it- ***We*** *have 8/19*. Do you have- So you- and you just have a
6			picture, of- you know this was your last day?
7	Gul	12:14	Yes.
8	Leslie	12:15	Okay.
9	Gul	12:16	So, whe- when I- I was out of airport for two days.
10	Leslie	12:22	Mmm.
11	Gul	12:23	And then when we enter to the airport, I was inside of the airport for two days.
12	Leslie	12:28	Okay.
13	Gul	12:29	We were helping military with translation, but because my baby was four months
14			old in like, he was, he c- He was not able to stand at the sun. And he was crying
15			like I was carrying in my front.
16	Leslie	12:43	°↓Mhm.↓°
17	Gul	12:44	And, that's why one of them literally just °↑took my hand↑ and put me on the
18			airplane.°
19	Leslie	12:51	°Ok.°

20 Gul 12:51 And he- he didn't allowed me to work or to get permission from the supervisor or
21 anyone else. Am I able to work or not? Because that was the- that was a
22 commitment with our um supervisor that
23 Leslie 13:07 °Ok.°
24 Gul 13:08 we will stay at- until the end of the evacuation and help the military. So, I was
25 afraid, if I lose something because I did a commitment with our leadership. Right?
26 Leslie 13:21 °Mmhm.°
27 Gul 13:22 But there was no choice. I have to leave but the- the time that- because they were
28 loud and they were screaming on us and- So that- that's how I left. It was like
29 about four days but eh-
30 Leslie 13:35 °Ok.°
31 Gul 13:36 So now I'm confused. [But] the day
32 Leslie 13:37 [°Ok.°]
33 Gul 13:38 I enter to the airport was, 19, afternoon, because the date is different [from here
34 and there.]
35 Leslie 13:45 [Yes. Yes.]
36 Gul 13:46 So, because of that, it is 19.
37 Leslie 13:48 Okay.
38 Gul 13:48 Yeah.
39 Leslie 13:49 So you entered the airport- And then do you know what day you left the airport?
40 Gul 13:54 Uh, yes, it was on 21.
41 Leslie 13:55 Okay. 21 there.
42 Gul 13:57 Oh, I- °Let me.°
43 Leslie 14:01 *I think* ***we*** *want to put the date of there, not what it would be here.*
44 Gul 14:06 Okay. So in August 22, I arrived um in Dubai. That means that I left at, 21 Kabul.
45 Kabul airport at 21. °But I entered, I think, 19 to the airport.°
46 Leslie 14:26 Okay.

This example exhibits another shift between modes of listening. Gul's pauses across lines three-four cue Leslie's ear to listen empathetically. Leslie begins by using metatalk and 1PL "we" to report the date they have currently listed on the application (line five) and asking Gul if she has a picture that might indicate the date. Rather than showing a photo or reporting a specific date, Gul begins reflecting about the experience aloud (line nine). Leslie does not interject and instead allows Gul to continue so that she can draw a conclusion about the date. Throughout this exchange, as Gul talks about the chaos, her crying baby, and not knowing what was going to happen from moment to moment, Leslie's responses are softer, lower in pitch, and reduced to backchanneling (lines 10-32). At the end of the narrative when Gul reaches her conclusion about the final date, Leslie first summarizes what she understood from Gul's narrative (line 39). Gul confirms this, after which Leslie seeks to confirm whether Gul refers to the date in Afghanistan (“there”, line 43) as opposed to the date in the United States. Leslie also uses metatalk to explain aloud which they collectively want using 1PL “we” in line 43. In this portion of the exchange, Leslie’s responses grow longer and louder, which illustrate her shift from listening empathetically to the hardship and confusion Gul faced during that time, back to the application form and listening analytically.

After this exchange Gul and Leslie review several documents that may point to the specific dates. Example 4.10 depicts the conclusion of the interaction surrounding this question.

Example 4.10

Leslie Explains What She Will Ask the Attorney

1	Leslie	15:04	Okay. So, yeah. If you don't have anything uh from Kabul to Dubai, that's okay.
2	Gul	15:08	Okay.
3	Leslie	15:09	***I** just want to make sure **I** write down these dates so that way when **we** go over*
4			*with the lawyer, the lawyer can say this would be the date that **you** would want to*
5			*use... **I**'m thinking **we**'re going to use 8/21*. So you say 8/19 you arrived at the
6			airport, Kabul Airport. 8/21 you departed-
7	Gul	15:37	At two AM yeah, though-
8	Leslie	15:37	Okay.
9	Gul	15:38	At four or two- no at two.
10	Leslie	15:40	Okay.
11	Gul	15:40	It was two AM that we left.
12	Leslie	15:42	On the 21st.
13	Gul	15:43	Yes.
14	Leslie	15:43	Okay. °*Yeah **we**'ll put 8/21°,*
15	Gul	15:46	°Okay.°
16	Leslie	15:46	°*and just make sure*.° Okay, your current i-94 number?

Here Leslie again uses metatalk and specific pronouns to liaise between Gul, the applicant, and the attorney reviewer. After reassuring Gul that it is alright if she cannot find a specific document with the date (line one), Leslie uses metatalk to first explain the additional notes she is taking (line three), signaling her role as the application preparer with 1SG “I” before she uses 1PL “we” to refer to herself and Gul who will meet with the attorney together. She then takes this metatalk further by explaining to Gul how she anticipates this conversation between them and the attorney will go (line four). Through this maneuver Leslie again aligns herself with Gul by animating the attorney's voice as referring to Gul using the third-person singular pronoun "you" (lines four-five) while using 1PL to refer to the date she and Gul will use in the meantime (line five, line 14). Leslie's softening speech during lines 14-16 show that with her metatalk, this exchange is coming to a close.

A key moment of Leslie's empathetic listening emerges in Example 4.11 when Gul becomes emotional while she explains why certain members of her family are not in the US. During Gul's long pause between lines three and four, Leslie hands Gul a tissue.

Example 4.11

Leslie Affirms Her Empathetic Listenership

1	Leslie	26:00	↑I'm so sorry to hear you're going through this.↑
2	Gul	26:02	Thank you Leslie...
3	Gul	26:05	I don't know. Every problem is coming to me. I'm not like-... (silence, breathing)
4	Gul	26:28	°Thank you so much.°
5	Gul	26:29	°I'm not complaining [about life.°]
6	Leslie	26:34	[°No, no.] ***I****'m not hearing [complaining.°]*
7	Gul	26:36	[But,] you know-
8	Leslie	26:37	*°This is [just* ***your*** *life°]*
9	Gul	26:37	[I don't know] why everything is coming to me.

Leslie overtly expresses her empathy with Gul by stating "I'm so sorry" with a raised pitch in line one. Gul responds by exhibiting frustration with herself for what she feels is "complaining" because she cannot help but think about every difficulty she has faced ("every problem is coming to me," line three). Gul pauses as she begins to become emotional after line three. It is unclear what gestures occur during this period of the audio recording, however Leslie does not interject, and appears to hand Gul a tissue, after which Gul speaks again, whispering "thank you" (line four). They continue to speak in softened voices. When Gul states that she is not complaining (line five), Leslie responds by metalinguistically referring to her perception in that moment: As an empathetic listener, she is not "hearing complaining" (line six). Rather, she acknowledges to Gul that she understands it as a report, albeit complex and filled with hardship, of Gul's experiences in life (line eight). Here Leslie's pronoun use is noteworthy as she markedly distinguishes her perception ("I'm not hearing," line six) from Gul's first-hand experience ("your life," line eight). Holistically, Leslie uses several strategies to clearly position herself as an empathetic listener while also listening analytically to elicit Gul's information for the application.

As an empathetic listener, Leslie relies on metatalk to explain why she pauses the application process (Example 4.7), why she chooses to document certain information but not everything Gul says (Examples 4.8, 4.9, 4.10) and to overtly call out her own mode of perception in order identify herself as an empathetic listening subject (Example 4.11). Leslie also strategically uses pronouns to exhibits her subjectivity as an empathetic listener. She uses the collective pronoun "we" to refer to herself and Gul while distancing government officials (Example 4.7) and *pro se* clinic's attorney reviewers (4.10) using the third person, outsiders with whom it is her role to liaise and whose thinking she makes an extra effort to explain to Gul. The examples in this section also indicate that Leslie exhibits changes in mode of listening by marking her pitch and volume from the surrounding discourse. In the following section, I discuss the implications of the results of the analyses of the interview and interactional datasets.

Discussion and Conclusion

The interview dataset revealed Cal-AID *pro se* clinic participants oriented their reflections around two distinct forms of listening when asked about the challenges and successes of their interactions while applying for asylum: Empathetic listening, which serves to establish a relationship between the volunteers and applicants, build rapport, and provide comfort, and may be contrasted with analytic listening, which serves to identify narrative elements in accord/discord with institutional expectations of credible fear of persecution based on a class protected by asylum policy.

The interactional dataset revealed how Leslie distinguished analytic listening from empathetic listening using several collocating discursive features in her interaction with Gul: In particular, collective pronouns to align herself with Gul and metatalk to explain the reason for her discursive moves prompted by analytic listening. Leslie also used analytic listening to channel their talk toward potential credibility issues, and relied on metatalk, itself a component of empathetic listening, to explain how the talk may not seem intuitive, sensible, or appropriate by Gul. By engaging in both analytic and empathetic listening in this way, Leslie was able to build rapport with Gul and make her comfortable enough to tell the traumatic stories, in the necessary detail, required for the successful completion of a viable asylum application. Despite Leslie's attention to listening empathetically in service of the therapeutic function of the *pro se* clinics, Gul most appreciated her attention to detail and ability to explain her reasoning.

This contrasts with Nico's experience at the *pro se* clinic, where he grew frustrated and upset by the repeated questioning of the volunteer. Despite approaching the interaction as Francis said the volunteers should, as a primarily analytic listener, the volunteer failed to establish a trusting relationship with Nico, perhaps due to his lack of metatalk to explain his critical analytical ear. Based on my knowledge of Gul and Nico's experiences, this distinction could be the result of their differing expectations of how they would be heard at the *pro se* clinics. Gul, as a professional with experience working in government institutions, may have appreciated Leslie's attention to detail and critical questioning because she expected as much from the US government. Nico, as a young, working-class man with little experience in government institutions, and sensitive to the marginalization of homophobia regardless of the context, may not have expected such challenges to his recollection of traumatic experiences. More research is needed to better understand these relationships. As I have shown, each of these modes of listening is multifaceted and interactionally emergent, and they are undoubtedly influenced by the idiolect and background of the speaker.

I do believe, however, that the Cal-AID volunteers are “friendly” listening subjects regardless of the modes they employ most in their interactions at the *pro se* clinics. That is, by their participation in the mutual aid *pro se* clinics I believe they are showing social, emotional, and political openness to migrants into the community. Of course, not all listeners who would hear migrants’ stories would hear them in the same way, use these same modes of listening, or pursue the same communicative goals. After all, xenophobia and negative ideologies toward migrants in all forms have the power to influence listening subjects’ perception of speaking subjects, regardless of what they say (Inoue, 2003; Flores & Rosa, 2015). Participants’ use of analytic listening also implicitly acknowledges their awareness of the state listening subject who have the power to selectively (de)couple language and credibility (Pak, 2023). Indeed, Nico’s experience at the *pro se* clinic supports the literature that links an individuals’ listening practices with interlocutors’ feelings of community belonging (Connor, 2024; Pak, 2023).

As a result of my methodological approach that examines listening in interaction, I refer Cal-AID listening practices as *modes of listening*, following (Connor, 2024), rather than *genres of listening* like Marsilli-Vargas (2022). In contrast to the genre of psychoanalytic listening that Marsilli-Vargas (2022) describes, which is marked by a signature formula and has disseminated far beyond the clinical context, the modes of listening Connor (2024) observed also emerged from ethnographic and interactional investigation of a localized sociolinguistic context. As the discourse analysis of the present study revealed, Cal-AID participants' conceptualizations of listening emerged via extended reflections in narrative discourse. As Marsilli-Vargas (2022) showed, modes of listening can become reified into more broadly culturally recognizable types. Would she have been able to record the clinical encounters she studied, I expect that more nuanced discursive features would emerge as salient with a closer analysis of listening genres as used in interaction. More research is needed to determine how such processes could occur. However, the present study points to both participant observation and critical discourse analysis as an ideal methodological synthesis for studying issues of the voice and listening in asylum proceedings (Lawy, 2017; Roth-Gordon, 2020).

"Having a voice" and "being heard" in contexts like this are integral to subject formation, community integration, and can be equated with political empowerment (Connor, 2024; Stauffer, 2015; Bauman & Briggs, 2003). As Maryns and Jacobs (2021) note, issues of voice are doubly important in asylum: First, because asylum seekers face numerous challenges to have their voices heard (Hymes, 1996) and second in the underestimation and marginalization of linguistic issues at the policy level. For Cal-AID, the *pro se* asylum clinics serve as a platform for mutual aid by offering migrants a chance to be heard. Cal-AID volunteers do more than listen in this context, however. They transduce (Silverstein, 2003; Gal, 2015) the voices of asylum applicants by not only translating between languages and entextualizing applicants' oral narratives but also "across semiotic modalities" from discourse to, ideally, a legal status (Connor, 2024, p. 191). As a form of mutual aid which reflects the organization of Cal-AID as a whole, the listening practices of Cal-AID volunteers serve as a way to flatten the hierarchy between migrants filing *pro se*, the US asylum system, attorneys with legal expertise, and the linguistic hierarchies that are created as a result. Similar to Connor's (2024) municipal meetings, the Cal-AID *pro se* asylum clinics serve to facilitate and democratize listening whereby every individual's story can be heard and stand its chance in the system. Moreover, the way Cal-AID uses listening as a form of mutual aid shows how groups can use listening practices to index a different understanding of justice than that of the institutions in the community (Connor, 2024).

Although the Cal-AID participants reflected on their experiences at the *pro se* clinics around two distinct modes of listening, they employed and experienced these forms of listening in interaction differently. As Connor (2024) states of the migrants and city officials who engaged in public discussions of municipal policymaking and development:

> Listening practices among my interlocutors required particular states of mind, dispositions, and interactional frameworks. The event of listening included not only a moment of auditory or visual reception, but also the uptake of signs in the future as proof of listening, or the lack of it. However, the exact signs of listening differed between my interlocutors. For many municipal employees, listening to residents was about listening *for* [emphasis in original] signs within residents' accounts of their personal experiences and opinions, which could then be taken up as a form of legitimation for policy decisions. Residents participating in these participatory events, however, saw listening as requiring more of an open mind, where instead of listening for signs, the government should listen *to* residents *on their own terms* [emphasis in original]. (p. 187)

This quote allows for a useful comparison the officials' listening practices at the public forums Connor (2024) describes and Cal-Aid volunteers' listening practices at the *pro se* clinics, which aim to fill a gap where US immigration officials' listening practices fall short. Analytic listening serves as tool to listen *for* specific information that meets the nexus requirement of asylum, that the applicant fears persecution on account of these protected grounds. This is akin to listening for "accuracy," like Francis referred to when citing his role as an attorney reviewer, or the "valuable information" Leslie could tell that Gul had not yet shared. Taking up these cues as a listener is an essential part of the process of transduction, and is arguably the foremost goal of the *pro se* clinics. Empathetic listening in this context, on the other hand, more closely aligns with what the immigrant residents in Connor's (2024) study expected: entering the interaction with an open mind and listening to the applicant on their own terms. This is what Nico expected, or would have hoped for, in his experience at the Cal-AID clinics. What he experienced was the volunteer's probing for specific signs he could not identify. Although analytic listening requires a specific skillset that attorneys train to acquire, as Harriet noted, empathetic listening may be the more challenging mode. In this way, ethnographic discourse analysis can also serve as a tool to expose communicative challenges that asylum seekers face and aid community organizations with metacommunicative tasks (Jacobs & Maryns, 2022; Maryns & Jacobs, 2021) so that migrants better understand asylum processes and feel heard.

Future Research

In future research using the existing data I have collected, I will draw closer comparisons in the use of these modes of listening in the interactions between other applicants and volunteers. More thoroughly comparing these will allow future work to draw more conclusions about how modes of listening come to be part of the linguistic practices of certain communities of practice (Wenger, 1998), regardless of linguistic or cultural background. Or alternatively, by applying the listening subject framework to different organizational contexts, future research can examine how communities of practice come to be structured around listening practices. I also recorded four training courses in which Cal-AID leaders and attorneys train new volunteers how to assist an applicant at a *pro se* clinic. In future research I will investigate how the organization's leaders, though unconsciously, sought to train volunteers to "professionally hear" via both types of listening as a humanitarian and procedural necessity. That is, much can be learned by investigating how *professional hearing* functions in the Cal-AID *pro se* asylum clinic context, or how leaders give professional training involving the discursive construction of how an event should be heard (Ashmore, MacMillian, & Brown, 2004; Goodwin, 1994). Lastly, additional data and further investigation is needed to more clearly determine the prosodic and other cues by which listeners signal the mode of listening they are using and their overall subjectivities as listeners.

Chapter Five:

Can an Algorithm Determine Credible Fear? Unpacking Automatic Fraud Detection of Asylum Applications[7]

In August 2022, USCIS officially announced their use of "Asylum Text Analytics" (ATA) to "identify plagiarism-based fraud" as a method of prescreening applications for asylum in the U.S. (United States Department of Homeland Security [DHS], 2022). First revealed in the 2019 Annual Report to Congress by the Office of the United States Citizenship and Immigration Services (USCIS) Ombudsman, USCIS is developing a new Asylum Vetting Center (AVC) in Atlanta, Georgia. With the AVC, USCIS aims to centralize asylum vetting operations, coordinate efforts to reduce the asylum application backlog, establish a national pre-screening program for asylum applications, and "identify national fraud trends and patterns" (United States Department of Homeland Security Office of the Citizenship and Immigration Services Ombudsman [USCIS Ombudsman], 2019, p. 60). That is, "the AVC will have the capability to scan all incoming applications and use text analytics to look for boilerplate language and other patterns or anomalies to flag potentially fraudulent applications. Cases with possible fraud or other concerns will therefore be flagged before they are forwarded to the asylum office for interview" (p. 60).

The origins of this program can be traced back further still to the National Vetting Enterprise (Sharma, 2019), a program of intensive intelligence-gathering on all foreigners entering the U.S. that Former President Donald Trump initiated, notably through three "Muslim travel ban" executive orders in 2017 (Exec. Order No. 13769, 2017). As other disclosures have shown (DHS, 2021) not only will USCIS use algorithmic technologies to identify "plagiaristic" language that is directly copied, but also to "detect patterns that could constitute indicators of fraud, national security, and/or public safety concerns” and “flag potential fraud when applicants’ stories don’t align,” according to former USCIS Chief Technology Officer Rob Brown (Nyczepir, 2021).

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[7] Portions of this chapter were previously published in Rud (2023a).

This application of text analytics is just one instance among many whereby governmental agencies are expanding the use of algorithms and *artificial intelligence* (AI), or “a growing resource of interactive, autonomous, self-learning agency, which enables computational artifacts to perform tasks that otherwise would require human intelligence to be executed successfully” (Taddeo & Floridi, 2018, p. 751) to determine who is eligible for social benefits, including healthcare, housing, parole, and welfare (Dressel & Farid, 2018; Eubanks, 2018). These methods are also being developed to address the challenges of global migration flows around the world (Beduschi, 2021; Molnar & Gill, 2018). Current and proposed uses of AI in these contexts include identity verification, legal decision-making, prediction of global migration flows, case management, aid distribution, and refugee integration after resettlement (Beduschi, 2021).

In the US, Immigration and Customs Enforcement (ICE) once proposed making “‘determinations via automation’ about whether an individual will become a ‘positively contributing member of society’ and will ‘contribute to the national interests’” (Abelson et al., 2017) based on “social media web scraping, algorithm-driven analytics, centralized databases and automated information sharing across agencies” as opposed to checkpoint-based enforcement (Sharma, 2019, para. 2). In response a group of 54 computer scientists, mathematicians, and machine learning experts declared outright in an open letter that “no computational methods can provide reliable or objective assessments of the traits that ICE seeks to measure. In all likelihood, the proposed system would be inaccurate and biased” (Abelson et al., 2017, para. 1). ICE has since announced that it would abandon automated social media scraping (Harwell & Miroff, 2018), but the growing case inventory of AI use by DHS agencies indicates that states will only increasingly rely on AI in border management, immigration, and asylum processes (DHS, 2022). Before detailing the methods and data of the exploratory study of how Asylum Text Analytics may "hear" asylum narratives, in the next section I unpack and contextualize the language of the USCIS Ombudsman report.

Exploring the "Black Box"

A recent report by Kathleen Bush-Joseph (2024) of the Migration Policy Institute summarized the growing pressure in the US asylum system: a backlog of two million asylum cases, record arrivals of migrants seeking asylum in the US, outdated immigration laws that fail to meet modern needs, and attempts at reform quickly becoming mired in political controversy. There is no doubt that adjudicating more claims, quicker, is a pressing need for both the US asylum system and the human rights of those who engage with it. The Asylum Text Analytics program may seem like an algorithmic silver bullet, yet what empirical foundation does it have in linguistic and anthropological science? As this dissertation on listening has shown, by automating any part of the narrative evaluations that determine asylum claims, USCIS risks doubling down on longstanding systemic biases, misconceptions about how credibility shows up in language, and xenophobic assumptions that some migrants are truly deserving of asylum—but most are lying.

However, neither the 2019 Annual Report, nor subsequent Ombudsman reports or responses, specify the methods of text analytics that USCIS have been using beyond "Natural Language Processing (NLP), machine learning, clustering" (DHS, 2022). USCIS will not likely divulge this information due to its proprietary nature and/or based on the concern that asylum seekers would try to use it to their advantage and "game the system," as parroted by the rhetoric of the South Dakota politicians quoted in Chapter Three. Moreover, USCIS has not disclosed whether they are using algorithmic, NLP, or more complex AI methods to detect fraud in the written applications asylum seekers first file. Nor do they indicate if they will use these tools at further points in the asylum process, such as oral hearings and interviews, and how such fraud detection handles linguistic variation. Without any public or external scientific oversight, Asylum Text Analytics gives USCIS carte blanche to deny any application they want under a veneer of algorithmic objectivity.

To be sure, I’m not advocating that asylum applicants should be allowed to copy others’ stories word-for-word. But what does “boilerplate language” mean in this context, exactly? How much “boilerplate language” amounts to plagiarism or untruth? And what other “patterns or anomalies” constitute fraud according to USCIS? Anomalies for whom, and against what background assumptions about how a “normal” application ought to look and how a story of persecution should be told? This presents an immediate problem for USCIS’s Asylum Text Analytics: Human officials must program the algorithm to select which linguistic patterns in an application to flag and which to ignore, and these human decisions are often unknowingly or covertly rooted in prejudice.

To circumvent this challenge to adequately critiquing this practice, in the study I present in this chapter I proactively evaluates one possible method of algorithmic text analytics, *sentiment analysis*, as a part of a broader *foresight methodology*, which Taddeo and Floridi (2018) advocate as necessary to a translational ethics of AI. That is, this chapter serves to indicate ethical risks and prevent unwanted consequences in order to identify an ethical framework for ATA technology and translate these principles into viable guidelines to shape ATA design and use (Taddeo & Floridi, 2018; Floridi & Cowls, 2019).

To do this, in this study I exploratively apply computational and social science methods side by side in an investigation of one algorithmic method of text analytics, *sentiment analysis*, as it could be applied to evaluate asylum seekers' narratives. In doing so I first answer the call of Aradau (2023), who outlines how scholars can effectively engage in discussions about the necessity, efficiency, and capabilities of AI in immigration systems: First, by problematizing and historicizing sentiment analysis in this context, and second, by highlighting the inherent links between state, humanitarian, and commercial uses of sentiment analysis. Then, in an exploratory analysis, I compare my own human reading with an algorithmic one. In this comparison and while considering other nuances of sentiment analyses, I address the following research questions:

- What results would a sentiment analysis produce from a corpus of refugee narratives?
- Could credible fear be determined by sentiment analysis, and if so, how?
- What algorithmic nuances, such as how the technology handles negation, would contribute to the results?

Based on the analysis to follow, I argue that the nature of the sentiment dictionary and training data, the legitimacy of the sentiment scores themselves, and the ideologies of the user all raise serious concerns for the use of sentiment analysis on asylum seeker narratives for automatic decision-making in asylum proceedings. Rather than a comprehensive analysis of the (in)efficacy of sentiment analysis in relation to a human interlocutor, the goal of this study is to give an overview of the concept, outline various uses, and illustrate a number of significant challenges that an algorithmic analysis faces when compared with a human reading of an asylum application.

Methods and Data

In the sections that follow, I begin by giving a critical history of sentiment analysis, its origins and procedures, and review noteworthy applications in asylum contexts. Then, I give a sociolinguistic review of the NRC Lexicon that I employ in the sentiment analysis, describe the origins of this study, justify my methods, and define the corpus. In the results and analysis section I report the results of the algorithmic sentiment analysis and provide a detailed critique of this process based on a critical discourse analytic approach. Finally, in response to these results I caution against application of algorithmic and AI analyses to evaluate asylum seeker narratives and propose directions for future research.

Sentiment Analysis

Although the Office of the USCIS Ombudsman remains opaque about these new robust vetting practices, *text analytics*, or *text mining*, refers to the use of algorithmic methods to detect patterns and extract data from large bodies of text. *Sentiment analysis*, a form of text analytics often used synonymously with *opinion mining*, is the “computational study of opinions, sentiments, and emotions expressed in text” (Liu, 2010). Early practitioners sought to develop computational methods to “analyze market sentiment” by first isolating “subjective” or “opinionated” language from “factual” language on the web, and then categorizing and summarizing it (Liu, 2010; Pang & Lee, 2008). Largely, this has consisted of determining the positivity or negativity of user-generated product reviews but has also been used to analyze opinions of political candidates, refugees, US immigration policy and border security, and other current events on social media (Backfried & Shalunts, 2016; Carvajal et al., 2020; Chung & Zeng, 2016, 2018; Dobson, 2019; Dhaoui et al., 2017; Flores, 2017; Liu, 2010; Pang & Lee, 2008). Moreover, developers have also long considered those who seek to “game the system.” In a 2010 introduction to the practice, computer scientist Bing Liu, an early developer and proponent of the sentiment analysis method, addresses *opinion spam*, or “fake or bogus opinions that try to deliberately mislead readers or automated systems” in order to disingenuously promote or damage the reputation of target objects (p. 2). This deeply entrenched market orientation and commitment to fraud detection has influenced the legacy of sentiment analysis, as I will further detail below.

There are two broad methodologies of sentiment analysis: *lexicon-based* and *machine learning*. Both approaches rely on the premise that sentiment and opinions are polar. They thus categorize sentiment along a single positive-negative axis, typically scaled from -1 (negative sentiment) to 1 (positive sentiment). This results in a net *sentiment score* (positive minus negative) for each (portion of) text, which is taken as indicative the text’s positivity, negativity, or neutrality. The difference between these two approaches is the method of classification and formula for calculating sentiment.

Lexicon-based sentiment analysis calculates sentiment scores based on a direct comparison of the text with a supplementary *sentiment dictionary* of words manually pre-scored with a numerical sentiment value along the positive-negative axis. In addition, some sentiment dictionaries are coded for specific emotions, as I discuss further below. For example, the word “accident” in a sentiment dictionary could be scored as -1 and coded as evoking or being associated with “fear,” “surprise,” and “sadness”, whereas “peace” could receive +1 and “anticipation,” “joy,” and “trust.” The algorithm uses a *bag-of-words* approach by scanning the corpus for lexemes listed in the sentiment dictionary and calculating the net sentiment score regardless of the organization of the text and the position of the lexeme in the sentence or narrative (Dobson, 2019, p. 78). It is important to remember that sentiment dictionaries are distinct cultural objects in and of themselves which contain compilations of lexemes rated for positivity/negativity by the practitioner or a third party, such as a crowdsourced participant group, as I demonstrate below.

Machine learning sentiment analysis uses a manually classified sample of the corpus as a training data set upon which the algorithm is trained to analyze the remainder of the texts. That is, the practitioner codes a portion of the data as an example from which a computational model such as those from the Bayes, maximum entropy, support vector machine, or n-gram families, uses statistical and probabilistic measurements to learn to automatically classify the remainder of the corpus (Dhaoui et al., 2019, p. 482). In contrast to the bag-of-words approach, machine learning techniques often incorporate a variety of natural language processing methods with more complex accommodations for syntactic and structural relationships across words and sentences. For example, n-gram models not only consider the sentiment of *unigrams* (single words), but also *bigrams* (two adjacent words), which allows for consideration of broader syntactic relationships between words such as negators “no,” “not,” and “without” and the words they modify.

Both methods have limitations and weaknesses in their designs that create challenges in approximating the perception of a human, which I briefly summarize here and some of which I expand upon further in the discussion below. From the perspective of critical digital humanities, Dobson (2019) cautions practitioners of text analytics against understanding texts as resolute, stable, and self-evident, and emphasizes that as cultural objects, sentiment dictionaries “cannot be treated as ahistorical repositories of truth” (p. 80). That is, sentiment dictionaries inaccurately assume a stability in sentiment and meaning across texts and contexts, when in actuality they inherently reflect the historical moment, cultural milieu, and individual perspectives by which they are produced. They are “deeply embedded within specific cultural moments… and carry with them the assumptions, preferences, and prejudices of their creators” (p. 85). Indeed, sentiment dictionaries are by no means universal, and can differ in fundamental ways from the texts to which they are compared.

Moreover, although sentiment dictionaries can be created for specific subject matters, their contents are not often specific to particular topics (Dhaoui et al., 2017). This creates problems, which I exemplify below, related to two issues that Dhaoui et al. (2017, p. 282) raised: First, that polarity classification can vary across domains. Second, that sentiment dictionaries rarely include nonstandard language, misspellings, colloquialisms, foreign words, and abbreviations, features that abound in everyday speech. Although asylum applications typically contain more formal and standardized language due to their co-construction by asylum seekers and other agents such as lawyers, activists, and interpreters, a lack of accommodation for nonstandard and foreign language disadvantages those who have less access to such resources. In addition, lexicon-based sentiment analysis using a bag-of-words approach has difficulty determining the specific object at which the sentiment is directed, and in discerning negation and *but*-clauses (Dobson, 2019). The bag-of-words approach may allow the algorithm to analyze any type of text, but this comes at the expense of acknowledging the role that syntactic and narrative structure play in meaning-making.

Machine learning methods are not without challenges either, and still require extensive labelling of training examples by a human. The comprehensive and accurate labelling and sampling of training data are significant challenges, where limited size and the representation of few domains can lead to poor classification accuracy (Dhaoui et al., 2017). Moreover, just as sentiment dictionaries have little accommodation for nonstandard language, sentiment analyses using NLP methods face difficulties when used on unstructured texts (p. 481). Overall, both a high-quality sentiment dictionary and a high-quality training data set require significant human effort and time to compose. The size, specificity, and depth of these foundational materials undeniably impact the results of either method of sentiment analysis, where less time spent developing these materials leads to poorer results.

Previous research has generally concluded that lexicon-based methods and combined approaches are less effective than machine learning approaches trained with manually classified data (Dhaoui et al., 2017, p. 482). However, Dhaoui et al.'s (2017) comparative study concludes that both approaches perform similarly (p. 484). Significantly, they conclude that "Although the fields of NLP, computational linguistics, and text analytics continue to mature, they arguably remain unable to match the ability of humans to take subtle aspects of the context into account and make fine distinctions" (Dhaoui et al., 2017, p. 486). The many challenges inherent to each method of sentiment analysis as a form of text analytics that I have illustrated here remain important when considering its current and future uses. In the section that follows, I review applications of sentiment analysis in asylum contexts and by the US government.

Other Applications

Several other applications of sentiment analysis remain noteworthy for this analysis. In the US as early as 2006, and perhaps earlier, the DHS and agencies such as the Central Intelligence Agency and the National Security Agency have sponsored the development of sentiment analysis methods for monitoring negative opinions of the US and its leaders in foreign media in order to identify potential threats (Lipton, 2006; Pulley, 2009). DHS has also experimented with a suite of sentiment analysis techniques to vet immigrants and travelers based on their social media posts (Cantú & Joseph, 2017; Patel et al., 2019). In 2016, *Defense One*, a magazine aimed at US defense and national security leaders, reported that technology company IBM released i2 Enterprise Insight Analysis, a tool they hoped could “separate the sheep from the wolves: that is, the masses of harmless asylum-seekers from the few who might be connected to jihadism or who were simply lying about their identities,” but also that IBM had released few criteria for the decisions (Tucker, 2016). More recently, during the coronavirus pandemic in 2020, the Department of Health and Human Services has used sentiment analysis on social media to evaluate public sentiment around major news on the virus (Sullivan & Shear, 2020). The United Nations is exploring applications of sentiment analysis through their Global Pulse initiative, which seeks to use big data and AI for global development and humanitarianism, including a sentiment analysis of public opinion toward refugees on Twitter (Lohr, 2013; UN Global Pulse, 2017). The European Space Agency and the European Asylum Support Office have also collaborated in using sentiment analysis of migrants’ social media accounts as part of their efforts to predict migration flows (Black, 2020). USCIS currently uses sentiment analysis to analyze employee survey responses, using “Natural Language Processing modeling software to assign ‘sentiments’ to categories ranging from strongly positive to strongly negative,” a model they “eventually enhanced using a machine learning model to have better reusability and performance.” (DHS, 2022). How such models will be reapplied remains unclear, but the USCIS disclosure states that “this capacity is currently available on demand” (DHS, 2022).

Overall, this trajectory of sentiment analysis, from its origin’s deeply entrenched in market orientation and early commitment to “fraud” detection, to its extensive employment in response to mass migration crises worldwide, to its established use by multiple departments of the US and foreign governments, including USCIS, show that scholars and leaders continue to turn to sentiment analysis in order to understand and evaluate issues of migration and asylum in the name of efficiency, uniformity, and rigor. Even more, it shows that states are well positioned to wield this tool not only for analysis of social media and surveys, but also in asylum adjudications themselves.

The NRC Lexicon

I chose to use lexicon-based sentiment analysis and this sentiment dictionary for several reasons: First, because it is the first and largest word-emotion association lexicon (14,182 unigrams in current version 0.92) that includes not only positive and negative sentiment but also eight basic emotions (anger, anticipation, disgust, fear, joy, sadness, surprise, and trust) (Mohammad, n.d.a). As the primary aim of an asylum application is to prove credible fear, a sentiment dictionary that specifically evaluates expressions of fear provides a good starting point for this inquiry. Moreover, the origin, aims, and design of the NRC Lexicon as described by its developers (Mohammad and Turney, 2013) illustrates some of the aforementioned challenges of lexicon-based sentiment analysis and sheds light onto the possible effects of the use of this technology in asylum adjudications.

Like the market orientation of sentiment analysis as a methodology, Mohammad and Turney (2013) developed the NRC Lexicon as an “emotion-aware system” to “manage customer relations,” which they characterize as a tool for use in service of a company’s interests; their depiction of “customer satisfaction” comes from a perspective of company protection. In addition, similarly to Liu’s (2010) consideration of fraud detection in the early development of sentiment analysis, they also consider nefarious actors and note that this method is useful for “detecting how people use emotion-bearing-words and metaphors to persuade and coerce others,” (p. 3).These aims clearly illustrate that the NRC Lexicon, in alignment with the development of sentiment analysis technology as a whole, was conceived for the specific purposes of protecting corporate interests and increasing revenue under the guise of an interest in customer satisfaction.

To develop the NRC Lexicon, in brief, Mohammad and Turney (2010; 2013) first compiled 10,170 English nouns, verbs, adverbs, and adjectives from the *Macquarie Thesaurus* of Australian English based on their inclusion in various NLP affect lexicons and frequency in Google's n-gram corpus of texts from Google Books. Then, they used online crowdsourcing via Amazon's Mechanical Turk service to obtain emotion annotations for each term. After post-processing, this resulted in an 8,883-term master set that constituted the original dictionary; the current version 0.92 now has 14,182 entries. This master set was the result of 2,216 participants who attempted one to 2,000 tasks each, with about 300 participants completing 20 or more assignments each. In the end 30% of the terms resulted negative (roughly 2,665 terms), 35% positive, 35% neutral (roughly 3,109 each). With regard to the present study, 14% of the master set resulted as "fear" terms, or 1,244 words. In its current version 0.92, there are 1,476 "fear" terms.

The developers do address challenges of crowdsourcing, including cheating and malicious participants and the inability to control for participants' English proficiency and knowledge of target terms (Mohammad & Turney, 2013). However, they conclude that through clear instructions and post-processing they were able to produce accurate annotations and high levels of inter-annotator agreement. Mohammad (n.d.b[8], 2021) later addressed the challenges that sentiment dictionaries face in accurately representing general vs. domain-specific emotion associations as well as sociocultural and inappropriate biases acquired through crowdsourcing. For example, Mohammad (n.d.b) recognizes that sentiment dictionaries inherently reflect the times and sociocultural groups by which they are created, including negative perceptions of certain social groups as I will illustrate below, concluding that "care must be taken to ensure that inappropriate biases are not amplified or perpetuated" (p. 2). Mohammad (2021) notes that computer-aided systems can perpetuate gendered and racialized stereotypes and biases, such as in predictive policing as previously discussed. Yet he stops short of drawing a line between acceptable and unacceptable applications of sentiment analysis, stating that the world in which bad actors can use the opportunities provided by such natural language technologies for committing maleficence "is already upon us," ultimately concluding that "despite the many benefits of sentiment analysis… both the researcher and the lay person have to be on guard for the perils it will inevitably germinate" (p. 33). I now turn to the study's design before detailing the analysis and findings.

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[8] Based on my observations, this paper was posted to his website between March and November 2020. Not date is given.

Study Design

The data for this study is a corpus of 20 former refugee narratives totaling 14,831 words, published by the nonprofit Refugee Council of Australia (RCOA) on their website from April 2011 to July 2019. Just as the NRC Lexicon was composed from Australian English, the data consist of Australian English narratives. In Rud (2018), I used critical discourse analysis (Gee, 2005) to analyze 11 of these narratives, and have since extended this analysis to the remainder of the corpus. Although the corpus proves quite small for traditional text analytics standards, the small corpus has allowed me to develop an intimate familiarity of the narratives that positions me to make specific comparisons between qualitative, close readings and distant, algorithmic ones.

The original 11 of the narratives follow a rigid structure of alternating first- and third-person paragraphs as told by the refugees and the organization, respectively; the later nine narratives are exclusively in 1st person, perhaps indicating a response to my critique by the RCOA. Although the former narrative structure differs from the exclusively first-person narration of asylum applications, I believe the significant alterations carried out by the RCOA approximate those that occur via the influence of interpreters, activists, and lawyers in the construction of asylum application narratives. What's more, as lexicon-based sentiment analysis does not consider syntactic and narrative structure, variation in these structures will not influence the results. Lastly, as first-hand interactions between asylum seekers and interpreters, activists, and lawyers are often sensitive, private, and unattainable (Jacobs & Maryns, 2022) this corpus of online narratives serves as an accessible proxy, and one that programmers would have access to.

In Rud (2018), I analyzed several discursive features that allowed the RCOA to achieve both adequation and distinction between the reader and the refugee (Bucholtz & Hall, 2004). I found that the RCOA maintained authority over the narratives through specifically applied quantification yet captured the necessary subjective and emotional material of the refugee experience to achieve the authenticity the co-narratives need to be well-received by the public. In the process I coded each narrative for the *precipitating event* that prompted the refugee's departure from their country of origin. The precipitating events give these narratives "tellability" and warrant the listeners' attention, in that they illustrate a breach from a canonical, "settled" life that leads the refugees through displacement, ensuing struggles, and a physical journey to where they are today (Bruner, 1991). As such, I consider the paragraphs containing the precipitating event as proxies of claims of credible fear and give these portions of the narratives special attention in the comparative analysis. After the sentiment analysis to follow, I compare the results to my own reading of one narrative's precipitating event.

To conduct the lexicon-based sentiment analysis, I coded the data by narrative, narrator (1st-person refugee voices vs. 3rd-person RCOA voice), paragraph, and precipitating event. Using the *tidytext* package in R, I conducted a sentiment analysis using the NRC Lexicon. After calculating the sentiment and fear scores, I plotted these scores by narrative length for comparison across narratives and give specific attention to one prototypical narrative in the corpus as well as the precipitating events of each narrative. Lastly, I address concerns of negation in relation to potentially improving lexicon-based methods.

Findings and Analysis

From left to right, Table 5.1 shows the total sentiment scores of each narrative, a metric of binary polarity, calculated by subtracting the total negative word scores from the total positive word scores. As each narrative differs in length, for comparison the total sentiment scores are then shown divided by the number of words in each narrative. Next are the sentiment scores of the precipitating event paragraph of each narrative, to be discussed in detail below. One narrative (N17 Nazem) did not contain a clear precipitating event and was excluded from the precipitating event score data.

Table 5.1

Sentiment Scores and Fear Scores by Narrative

	Narrative	Total sentiment score	Total sentiment score by narrative length in words	Precipitating event sentiment score	Total fear score	Total fear score by narrative length in words	Precipitating event fear score
N1	Yuol	30	0.061	-1	15	0.031	1
N2	Aduc	0	0.000	-1	12	0.030	2
N3	Santino	-1	-0.002	-2	16	0.026	2
N4	Anisa	23	0.030	-2	21	0.028	3
N5	Tony	5	0.023	-2	23	0.022	2
N6	Jean	17	0.039	-4	6	0.014	5
N7	Henri	40	0.033	1	24	0.020	1
N8	Roderick	16	0.052	0	10	0.032	3
N9	Matur	26	0.050	-1	12	0.023	2
N10	Michael	35	0.036	-1	14	0.014	3
N11	Nazifa	27	0.024	1	31	0.027	2
N12	Natalie	51	0.062	1	8	0.010	3
N13	Andrew	32	0.016	-3	48	0.025	3
N14	My-Yen Tran	26	0.018	-1	22	0.016	3
N15	Zimnako	8	0.015	1	16	0.029	2
N16	Puran	14	0.022	-5	13	0.021	4
N17	Nazem	0	0.000	n/a	6	0.022	n/a
N18	Dabessa	5	0.010	0	11	0.023	3
N19	Karim	15	0.032	0	9	0.019	1
N20	Daniel	5	0.015	1	7	0.021	1
	Average:	18.700	0.027	-0.947	16.200	0.023	2.421
	Median:	16.500	0.024	-1.000	13.500	0.023	2.000
	Standard deviation:	14.640	0.019	1.747	10.061	0.006	1.071

Table 5.1 also shows the total fear scores of each narrative, calculated by summing the total number of words evoking and/or associated with fear as listed in the NRC Lexicon. For comparison, these scores are also shown divided by the number of words in each narrative. Lastly are the fear scores of the precipitating event paragraph of each narrative, to be discussed in detail below.

Only one narrative (N3 Santino) received a negative sentiment score (-0.002), that is, had more negative words than positive words according to the NRC Lexicon. This score barely crosses the neutral threshold (0), considering that the average and median sentiment scores were 0.27 and 0.24, respectively. Of note is the large standard deviation of the sentiment scores in the data set, 0.019, which goes against the discourse analytic reading that found that each narrative follows a rigid structure of chronological event and contains largely uniform thematic elements (Rud, 2018). As the narratives not only include the precipitating events that caused the refugees to leave their countries of origin and the subsequent hardships of traveling and adapting to a new country, but also their positive experiences and successes since resettlement, this could have contributed to the largely positive sentiment scores.

Figure 5.1

Plot of Total Sentiment Scores by Narrative Length in Words

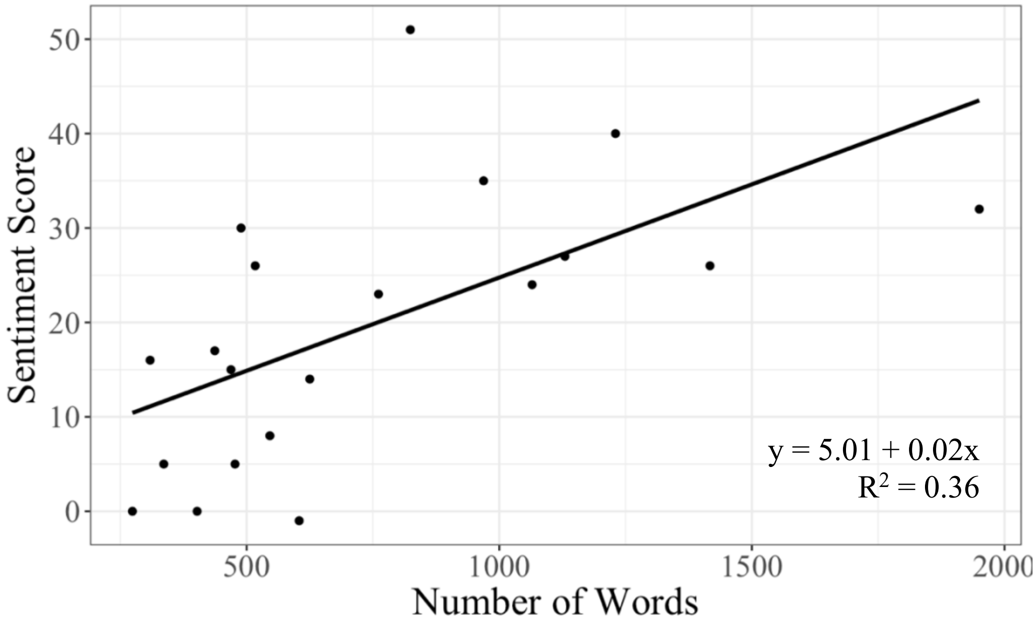
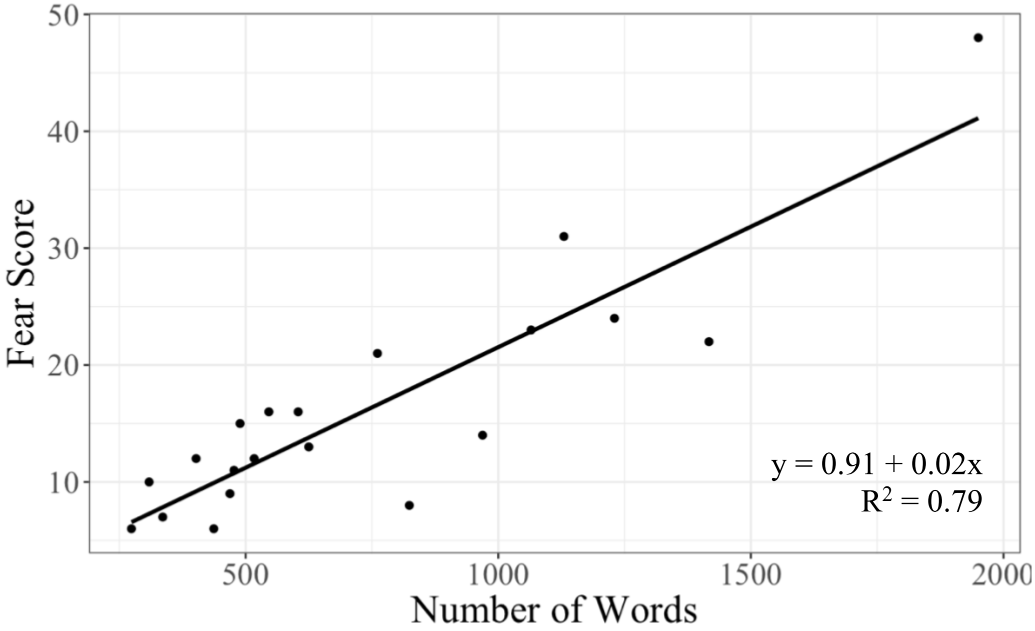


Figure 5.2

Plot of Total Fear Scores by Narrative Length in Words



However, if we plot the sentiment and fear scores by narrative length, several noteworthy trends emerge. For example, the regression line in Figure 5.1 shows that longer narratives generally received more positive sentiment scores. This could result in a bias against asylum applicants who speak more by misrepresenting them as more positive, and thus less credibly fearful in their claims of persecution. In contrast, the regression line in Figure 5.2 shows that the opposite trend emerges based on fear score: Longer narratives generally received higher fear scores. This could result in a bias against asylum applicants that are more concise or direct in their narrations by misrepresenting them as less credibly fearful. Both biases simultaneously work against the asylum applicant and thus any length of narrative could lead to their automatic designation as fraudulent or unworthy of asylum depending on how scores are valued by adjudicators.

A closer examination of the precipitating event paragraphs of each narrative and a single narrative as a whole can show us more about the algorithm's ability to determine credible fear. Table 5.1 shows that the precipitating event paragraphs did result as more negative and included about 20% of the fear words in each narrative, on average. Comparing the text of each paragraph of a narrative with its sentiment and fear scores raises several concerns, however. In terms of thematic and structural elements found in each narrative of the corpus, N4 Anisa is a prototypical narrative (Rud, 2018). Each point in Figures 5.3. and 5.4. represents a paragraph in the narrative, chronologically from left to right along the x-axis, with circles indicating a first-person perspective by the refugee and exes indicating a third-person perspective by the RCOA. The y-axis shows the sentiment score (Figure 5.3) and fear score (Figure 5.4) for each paragraph.

Figure 5.3

Plot of Sentiment Scores of Anisa's Narrative, by Paragraph and Narrator

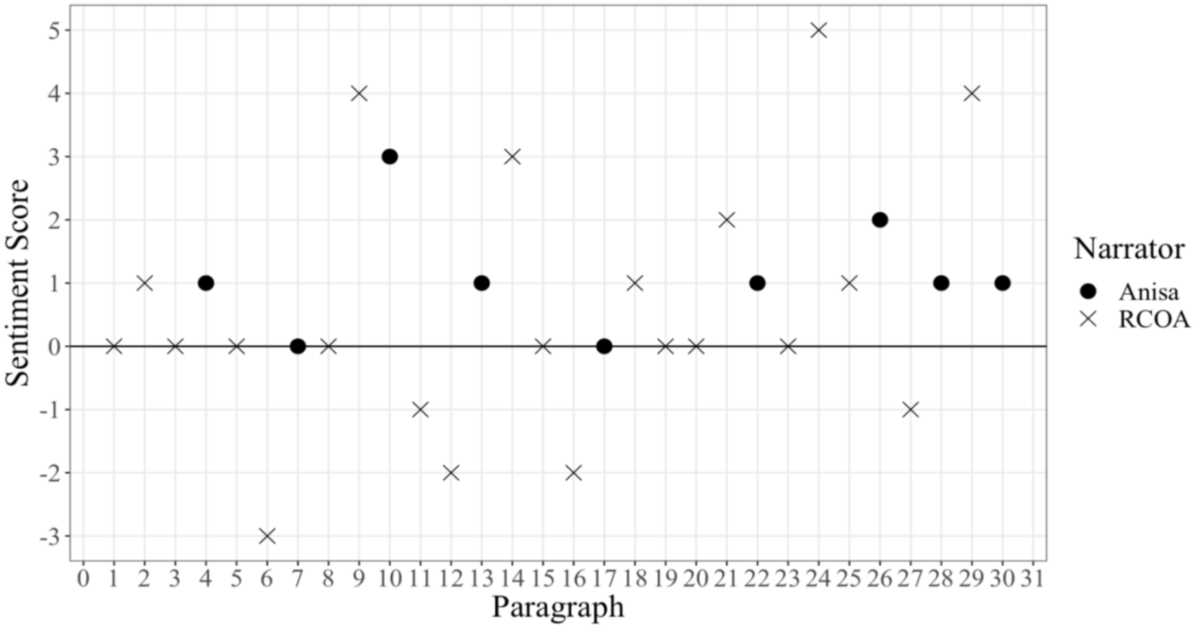
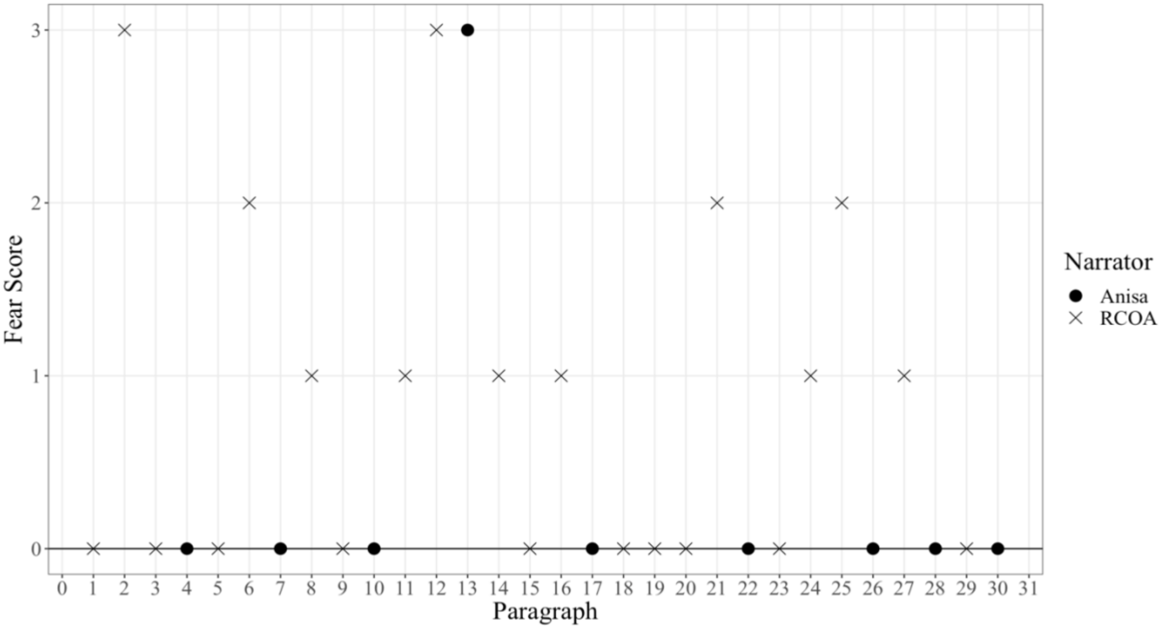


Figure 5.4

Plot of Fear Scores of Anisa's Narrative, by Paragraph and Narrator



Overall, these plots show that N4 Anisa is largely positive in sentiment; 50% of the paragraphs resulted positive (n=15), 33.3% neutral (n=10), and 16.7% negative. They also show that the narrative is largely neutral or non-fearful; 60% of the paragraphs contained no fear words (n=18) whereas only 40% (n=12) contained fear words. Paragraph 12 contains the precipitating event in N4 Anisa. As shown in Figures 5.3 and 5.4, this paragraph was scored as one of the most negative and most fearful of the narrative, comparable to the other narratives in the data. The text of the narrative challenges these designations, however.

Example 5.1 includes the complete texts of paragraphs 12-14 of N4 Anisa. A close reading shows that the precipitating event paragraph 12 does exhibit a traumatic event and subsequent state persecution, later revealed to be based on religion. Paragraphs 13 and 14 continue to describe the tragic circumstances that lead to Anisa's family's departure from Iran, with such agentless linguistic constructions as “was left with no choice” and a description of the loss of all their possessions.

Example 5.1

Paragraphs 12-14 of Anisa’s Narrative, Beginning with the Precipitating Event

12 In 2000, her father had a near-fatal accident that left him a paraplegic. They approached the police to seek damages. After several months and many interviews, Anisa’s family was told that they would not be able to receive compensation.

13 *In Iran we were not able to take the matter to the court as it is very difficult or I better say impossible for Baha’is to have lawyers defending them at court … [the police] told us after many times of chasing and follow ups and interviews that even if you go to court, you can’t have lawyers and the judge would not award you damages since you are Baha’is.*

14 Anisa’s family was left with no choice but to sell their business, home and possessions to pay for her father’s medical treatment.

In contrast to a human reading, the results of the sentiment analysis are much less accurate. The algorithm scored paragraph 13 as both net positive (1) and fearful (3) and paragraph 14 as even more positive (3) and less fearful (1), and in fact, as one the most positive paragraphs of her overall very positive narrative, according to the sentiment analysis. The algorithm calculates total sentiment and fear scores, metrics of binary polarity, by subtracting the total negative word scores from the total positive word scores. In paragraph 12, words that contributed to the sentiment and fear scores included “fatal” (+negative, + fear), “accident” (+negative, +fear), “police” (+positive, +fear), “damages” (+negative), and “receive” (+ positive). In paragraph 13, words that contributed to the scores included “court” (+fear), “difficult” (+fear), “impossible” (+negative), two tokens of “lawyers” (+negative, +fear), “defending” (+positive), two tokens of “court” (+fear), “police” (+positive, +fear), “chasing” (+negative), “award” (+positive), and “damages” (+negative). In paragraph 14, words that contributed to the scores included “choice” (+positive), “possessions” (+negative, +fear), “pay”

(+positive), and “medical” (+positive, +fear). These findings raise concerns not only about the composition of the dictionary, especially with regard to polysemy which I consider further in discussion. The findings also raise questions of whether lexicon-based sentiment analysis can properly evaluate the experience of loss or how it would evaluate narratives that describe experiences of persecution and fear without using emotion vocabulary. In the next section I reevaluate the data with specific attention to potential modifications that could be made to lexicon-based sentiment analysis to account for negation.

Considering Negation

One factor to consider is the potential effect of negation on the sentiment and fear scores. Numerous scholars have characterized syntactic relations, particularly those in which negation affects the polarity of the sentiment expressed, as the greatest challenge for lexicon-based sentiment analysis (Dhaoui et al., 2017; Dobson, 2019; Farooq et al., 2017; Mohammad & Turney, 2013; Naldi, 2019; Wiegand et al., 2010). Negation has attracted the most attention in regard to the role that syntax plays in differentiating the lexicon-based vs. machine learning approaches, especially in shorter texts and at sentence-level processing (Farooq et al., 2017; Pang & Lee, 2008; Wiegand et al., 2010). That is, the larger the text the more likely that redundant information appears, thus limiting the effect of a small number of negated tokens on the overall result (Wiegand et al., 2010). In comparing sentiment analysis packages, Naldi (2019) argues that a package’s ability to properly account for negation is indicative of its superiority.

When considering negation in sentiment analysis it is particularly important to determine the sequence of words affected by the negation, which can range from a single, proximate word to several words and phrases distributed across clauses (Farooq et al., 2017). Most methods of lexicon-based sentiment analysis approach account for negation by inverting the polarity of all words that follow the negation within a static window of a fixed number of words or by inverting the polarity of all words that follow the negation up to the next punctuation mark (p. 471).

If negation is considered for Paragraphs 12-14 of N4 Anisa above using static windows of one word, five words, and until the next punctuation, however, the sentiment and fear scores are nearly identical, and in fact even more misleading. After a manual calculation of the effect of negation with a static window of one word, the sentiment score of Paragraphs 13 and 14 decrease each by two; Paragraph 12 is unaffected as are the fear scores for each paragraph. With a static window of five words, the sentiment score of Paragraph 14 decreases by two; Paragraphs 12 and 13 are unaffected as are the fear scores for each paragraph. With a static window until the next punctuation yields, the sentiment score of Paragraph 14 decreases by two; Paragraphs 12 and 13 are unaffected. Using this window, the fear score is completely neutralized; all the fear words are negated. Overall, this shows that even a more complex model of lexicon-based sentiment analysis that considers negation fails to meaningfully improve the algorithmic reading. Although in some instances the sentiment scores decrease, making these paragraphs numerically negative in line with their adverse content, in others the presence of fear is completely eliminated, directly contradicting the human reading that understands prejudice and loss.

Discussion and Conclusion

This exploratory analysis raises several concerns that warrant a cautioning against the application of text analytics, particularly sentiment analysis, to asylum seekers' narratives for automated decision-making in adjudications. The first regards the sentiment dictionary and training data to be used. A sentiment dictionary inherently reflects its creators' linguistic practices, categorizations of affect, and social ideologies. Whether composed by an individual or crowdsourced online, these impressions are indelible in a reference text like the NRC Lexicon and can have drastic outcomes when applied to other speakers in other contexts. This is reflected in the sentiment scores and fear designations of the words themselves. In the NRC Lexicon, xenophobic, homophobic, and racist ideologies are built in. To name a few, the term *foreign* (negative, no emotions) has negative sentiment and *immigrant* (neutral, fear) is a fear word, as are *homosexuality* (negative, no emotions) and *lesbian* (negative, disgust, sadness). Also telling are the racial ideologies exhibited via the characterizations of *cop* (neutral, fear, trust), *police* and *policeman* (positive, fear, trust), *abolition* (negative), and *ghetto* (negative, disgust, fear, sadness). What's more, the NRC Lexicon exhibits political ideologies in the characterizations of *anarchism* and *anarchist* (negative, *anger*, *fear*), *communism* (negative, anger, fear, sadness), *communist* (negative, no emotions), *socialism* (neutral, disgust, fear), and *socialist* (*negative, anger, distrust, fear, sadness*), in comparison to *capitalist* (positive, no emotions). Not to mention that meanings change over time and from context to context, for example *boat* and *camp*, which appear frequently in the data set but have a much more adverse significance for an asylum seeker. Remarkably, *genocide* is not included at all. The NRC Lexicon and every sentiment dictionary are products of a specific set of minds at a specific time and their biases can easily go unquestioned behind the objective veneer of computation. If used to aid decision-making in an asylum adjudication, such a tool will prove inherently exclusionary and potentially dangerous.

The second concern is the legitimacy of the sentiment scores themselves. As illustrated in the analysis of this study, longer narratives generally received more positive sentiment scores and higher fear scores than shorter ones. This could indicate biases in similar applications of sentiment analysis used to determine credible fear. Asylum seekers therefore cannot avoid one bias without facing the other: The more they speak, the more fearful they will be perceived to be, yet also the more positive. The less they speak, the more negative their overall experience will be perceived to be, yet also the less fearful. Although these algorithmic outcomes contradict each other to the human reader who can easily understand that an asylum seeker's fear for their life is a negative experience, the concretization of either score as an official record has the power to influence an adjudicator's decision making through automation bias. The power of these two contradictory outcomes to influence asylum outcomes only makes the task of establishing credible fear via culturally, linguistically, and contextually appropriate narrative performances even more insurmountable for asylum seekers. Most importantly, by conducting discourse analysis and sentiment analysis side by side, this study has shown that an algorithmic reading of asylum seeker narratives fails to capture non-lexical expressions of persecution, prejudice, and loss, that are easily discernable by a human reader. Enhancing the lexicon-based method by considering negation in various ways failed to make up for this fault.

Finally, there is the concern of the practitioners' ideologies. As I have illustrated, sentiment analysis is structured around a market-oriented framework with the purpose of serving the user, rather than the object of analysis; fraud detection has been built in from the start. This framework sets the stage for only greater exclusion. With sentiment analysis and other forms of text analytics, under the guise of objectivity channeled through computation and quantification, states can base an asylum seeker's rejection not only on even finer-grained details of their language use, but also their (lack of) adherence to any social or political ideology as expressed within their narratives. Of course, these methods of evaluation would likely be portrayed as inside an algorithmic black box and thus unknowable, or as proprietary trade secrets, and ultimately unavailable to asylum seekers, only further entrenching the discourse of mistrust that has led to the implementation of these technologies in the first place. It begs the question, at what point do institutions' gymnastic efforts to surveil, predict, and automate the asylum process contradict the ethical principles upon which the process is founded?

It's important to understand that the asylum adjudication remains a "human system," even in the case of algorithmic fraud detection. It is just a question of what humans program the algorithm, based on whose expectations and beliefs, and when and where human decision-making is made observable or invisible. The regimes of language within these structures not only shape the U.S. asylum system, but also uphold our fears of those unlike us and fuel our confusion over the nature of stories and of how and why we tell and believe them.

In practice, applying sentiment analysis to applicants I-589 forms to look for "boilerplate language" could mean a variety of things. On one end of the spectrum, an analysis could flag only long stretches of identical text, such as the automated plagiarism detection software used by universities to quickly evaluate students' essays. At the other end, a sentiment analysis could not only identify language that precisely matches, but also output a "fear" score for the asylum officer to consider in their evaluation. Such a cue, though subtle, could foment mistrust and influence asylum adjudicators to more negatively evaluate asylum seeker's claim. Such a score could prevent an asylum application from being reviewed by a human at all. A comparison can be found in a scenario Eubanks (2018) describes, where Allegheny County, Pennsylvania social workers relied on an experimental program to score a child's risk of abuse or neglect from 1-20. She argued that this practice unfairly targeted poor families and even led to the removal children from parents' custody, which the parents spent years fighting to overturn. A recent study of a similar nature (Azizi & Yektansani, 2020) in which they use AI to predict immigration visa overstays based on pre-immigration variables, should be scrutinized with similar vigor. If USCIS's method of Asylum Text Analytics exhibits any number of the concerns raised by this study, there is little reason to believe it will actually succeed—either at detecting fraud or honoring the human rights of asylum seekers that our country agreed to uphold.

Future Research

Even before algorithmic technologies enter the picture, the interplay between an individual's experiences and the language they use to describe them is deeply complex. As the examples from previous scholarship and my own research show, this relationship is one that linguists and anthropologists are uniquely prepared—and to me, increasingly obligated—to explain. Future research can expand upon this study in every direction: by using a larger corpus of training data, by comparing results based on corpora of narratives both pre- and post-acceptance/resettlement, by conducting more in-depth comparisons of close and distant readings, by scrutinizing the code and sentiment dictionaries used in these analyses, and by exploring the effects of credibility evaluation and fraud detection of asylum applications using other algorithmic and AI tools. Lastly, it remains essential that linguists, humanists, and social scientists continue to engage in computational methods if not to analyze their own data, but to understand and critique these methods as so powerfully wielded by the state against society's most vulnerable.

Lastly, several other concerns merit further investigation: The undetectability of biases and inaccuracies due to the "black box" and proprietary nature of much AI, in which the inputs and outputs of an algorithm are known, but the internal workings are not, or are protected under trade secrets; The fairness in decision-making due to biases of quantitative data over qualitative data (Baldwin-Edwards et al., 2019) and preference for results presented by machines, known as *automation bias* (Wickens et al., 2015); The accountability for harmful decisions based on AI determinations due to the many actors that contribute to the development and use of AI, including software developers, policy makers, and others who refer to algorithmic results in decision making.

Chapter Six:

The Politics of Listenership

The multifaceted analyses of listening that comprise this dissertation make several important contributions to the understanding of how linguistic perception influences evaluations of migrants' stories in asylum processes. They also point to the value of a coalitional methodological approach to studying such influences and how they may shape the outcomes of asylum seekers' applications. In this chapter, I review my contribution in each of these areas and to the social theory of listening and listenership. In doing so, I underscore the value of critically aware listening as a form of mutual aid and advocacy for asylum seekers.

Regarding the role of linguistic perception in asylum processes, this dissertation further illustrated the discourse-based process of decision-making regarding an asylum seeker's eligibility and credibility as a refugee (Maryns & Jacobs, 2021). The listeners' evaluations in the first study, the asylum applicants' varied responses to repeated questioning in the second study, and the exploration of how specific expressions of affect may become reified in asylum technologies in the third study each point to the foundational role of discursive production and perception in asylum processes. Moreover, each also exposes challenges that asylum seekers face in discursively constructing a refugee identity that meets the expectations of critical ears. As a result, these studies also show how surveillance and critique of speech in asylum contexts can reinforce existing social hierarchies between migrant outsiders and citizen insiders (Cushing, 2022).

The mixed methods I used throughout the dissertation, which integrated experimental approaches, participant observation, and sentiment analysis with critical discourse analysis, show that understanding complex, multicultural, and increasingly automated asylum processes compels scholars to use an "all of the above" approach in order to solve problems of inequality on the ground (Bucholtz & Hall, 2008; Ramanathan & Morgan, 2007). Moreover, integrating critical discourse analysis with other methods allowed me to draw attention to how minute linguistic phenomena, such as pronominal forms of address, take on greater discursive meaning in the everyday interactions shaped by asylum policies and the interlocutors who interpret and navigate them (Baker et al., 2008; Hornberger, 1998; Hult, 2010). Importantly, the first two studies also showed that critical analysis of perception- and discourse-level phenomena grounded in ethnographic engagement can illustrate how migrants' motivations are dynamic and not easily distinguished in contrast to popular rhetoric that there are few deserving refugees while most migrants are "gaming" the asylum system (Crawley & Skleparis, 2018). In the third study, exploring how sentiment analysis could be applied based on disclosures in policy showed how tracing intertextual links from policy to practice can illuminate how certain linguistic features, such as the words an asylum applicant uses to express emotion, can become surveilled by state institutions as indicators credibility (Cushing, 2022). Overall, this dissertation shows the value of synthesizing methodological approaches, especially interactional approaches grounded in ethnographic fieldwork, in order to understand the co-construction of asylum seekers' narratives and communicate the nuances of this process with migrants, advocates, and officials (Jacobs & Maryns, 2022; Maryns & Jacobs, 2021).

In drawing conclusions about my dissertation's contribution to social theories of listening and listenership, I reflect on the general research questions I proposed in the introduction:

- Is there a relationship between an interlocutor's listening practices and their perceptions of migrants as they speak about why they seek asylum?

- Do any particular discursive features become aurally salient to interlocutors as they listen to migrants' stories? Which? Why?
- What metalinguistic awareness of their listening practices do interlocutors exhibit?
- Is there a relationship between interlocutors' listening practices and their subjectivities as listeners?

The first study in Chapter Three showed that listeners' perceptions of migrants come down to more than just racial bias alone. Rather, this study showed that listeners have complex expectations of both speakers' identities and their performances when listening to migrants' narratives. This supports McKinnon's (2009) and Sorgoni's (2009) conclusions that courts emphasize linguistic style, in the form of acceptable performances of embodied affect, over content in evaluations asylum seekers' narrative performances. Moreover, listeners' metalinguistic reflections in the first study revealed that listeners manage these expectations in relation to the moment-by-moment emergence of the speaker's narrative as it is situated with relation to various migrant personae (D'Onofrio, 2019) and broader discursive contexts of asylum. That is, the study in Chapter Three showed that perceptions of migrants congruent with listeners' expectations of an ideal refugee performance contributed to their perceptions of credibility, which lends support to a mismatch model of speech perception (McGowan, 2015). This study also pointed to the value of distinguishing asylum seekers as speaking subjects from the listening subjects who evaluate them (Inoue, 2003). In particular, it allowed for a better understand how certain linguistic practices, such as the performance of emotion, come to be viewed as appropriate or inappropriate, credible or illegitimate, in various stages of asylum processes. As a result, this study also raises the concern that the asylum seekers as speaking subjects may be judged by listeners' perceptions of their race or national origin regardless of what they say (Rosa & Flores, 2017).

The second study, in Chapter Four, also exhibited the interactional emergence of two specific modes of listening in the context of the Cal-AID *pro se* asylum clinics: empathetic listening and analytic listening. These modes of listening surfaced discursively through collocating features: listeners marked empathetic listening by metatalk and use of collective pronouns to express solidarity, often set off from the surrounding discourse by pitch and volume. Moreover, the study with Cal-AID showed how interlocutors' ability to employ and explain various modes of listening can become a professional skill, an expression of a certain identity, and a form of social capital in groups that advocate for migrants (Marsilli-Vargas, 2023). Like the genre of psychoanalytic listening which Marsilli-Vargas (2023) showed to have permeated Argentine society, the results of the second study indicate that empathetic and analytic modes listening can structure social relations beyond the interactional context, for example how attorneys like Francis and Harriet view their professional role.

The listening subject framework also exposed social and interactional hierarchies in this study, which interlocutors navigated as they collaboratively complete asylum applications. Analyzing the interactions with consideration for listening versus speaking subjects showed how Leslie strategically switched between modes of listening and explained her maneuvers in order to transparently liaise between Gul as a speaking subject and Francis, other Cal-AID volunteers, and the US government as listening subjects. In these moments, Leslie positions other interlocutors as state listening subjects whose coupling of language and credibility it is her duty to explain to Gul as a form of mutual aid (Pak, 2023). This framework also exposed the mismatched expectations that Nico and his volunteer application preparer held about what "listening" and "being heard" meant when conversing at the *pro se* clinic, which echoes the conclusions of mismatch model of speech perception (McGowan, 2015). Nico's experience parallels the migrants in Norway that Connor (2024) observed, who expressed different understandings of listening than municipal officials: Nico, like the migrants, expected to be listened to on his own terms but perceived his listener's discursive practices as isolating and hierarchical. Like Connor (2024) concludes, success in the Cal-AID *pro se* asylum clinic context required successful use of various forms of interaction and modes of listening.

The third study, in Chapter Five, showed how lexicon-based sentiment analysis algorithms identify specific words as indicative of fear, though not without challenges. This study revealed that a basic sentiment analysis failed to "hear" non-lexical expressions of persecution, prejudice, and loss, that are easily discernable by a human reader/listener. A state listening subject in a sense (Pak, 2023), sentiment dictionaries inherently reflect their creators' linguistic practices, categorizations of affect, and social ideologies. After all, asylum adjudication remains a human system even in the case of algorithmic fraud detection. It is just a question of what humans program the algorithm and the modes of perception they program it to use. Just like interlocutors in spoken discourse, sentiment dictionaries and other language technologies are not resolute or ahistorical. Rather, they are cultural objects which reflect the historical moment and in individual perspectives that led to their production and thus carry with them the biases of their creators (Dobson, 2019).

Listeners' metalinguistic reflections in both the experimental study in Chapter Three and the follow-up interviews in Chapter Four reveal that listeners exhibit a great deal of metalinguistic awareness of their listening practices, even if they do not name them as such. Moreover, Chapter Four proved that vocalizing such metalinguistic awareness through metatalk is a vital component of expressing empathy in this context. This conclusion is supported by Jacobs and Maryns's (2022) finding that power hierarchies mystified lawyers' motives for their discursive moves in asylum interviews which reinforced gatekeepers' position of dominance. Like the listeners in Chapter Three who expected a credible refugee to give an authentic emotional performance, both listeners and speakers in Chapter Four exhibited beliefs about how best to listen, and how they expect to be heard, in the *pro se* clinic context. Using metatalk helped to manage these expectations and showed that organizations like Cal-AID have the potential to flatten hierarchies between migrants, institutions, and legal expertise, as well as build successful mutual aid programs through the development of skillful listeners who can listen both analytically and empathetically. This finding is also supported by recent scholarship which highlight greater metacommunication between lawyers and asylum applicants and the dissemination of this expert linguistic knowledge from the bottom up as key methods to improve legal assistance for asylum seekers (Jacobs & Maryns, 2022; Maryns & Jacobs, 2021). For me, these findings motivate close attention to the dissemination of this dissertation's findings through future public forums, trainings, and interactions I will share with Cal-AID participants. Even more, the findings of this dissertation emphasize the vital role of linguists as advocates with the power to give everyone a bit more freedom to move.

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