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From border war to civil war: the despotism of the border and full-spectrum authoritarianism

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ABSTRACT

Migration and borders – or more precisely, the spectacles of ‘border crisis’ – have taken center stage in public debates in migrant-‘receiving’ countries, worldwide. Alongside an escalation in border violence, there has likewise proliferated a variety of reactionary right-wing (‘populist’) political movements that can only be adequately characterized as anti-immigrant fascism. In this context of alarmist yet incessant discourses of migrant/refugee/border ‘crisis’, nonetheless, the populist enthusiasm for an increasingly authoritarian politics of borders and migration tends to simply intensify and extend the inherently authoritarian and despotic character of how borders always-already operate and serve as premier sites for the enactment of a state’s sovereign power, particularly as targeted against non-citizen border crossers. Reciprocally, this rather routine border authoritarianism then animates and fuels a wider drift toward full-spectrum political authoritarianism. Starting from ‘illegal’ migration and border ‘invasion’, there ensues an authoritarian project of ‘civil war’ that depicts ‘domestic’ political rivals (fellow citizens) as ‘enemies’ and social ‘threats’. To demonstrate this argument, this article analyzes the brazen and unabashed authoritarianism that has been unleashed upon the United States by the second Trump administration.

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‘Civil war assimilates and makes undecidable brother and enemy, inside and outside . . . the killing of what is most intimate is indistinguishable from the killing of what is most foreign’.

— Giorgio Agamben, *Stasis: Civil War as a Political Paradigm* (2015, 11)

The global resurgence of openly and unabashedly authoritarian politics is unmistakable and has been the subject of much comment. There has been a proliferation of state practices of rule involving flagrant campaigns of violence and political repression as well as calculated policy interventions designed to erode or subvert many of the most elementary features of democratic proceduralism and the rule of law.¹ These forms of authoritarian politics and rule enact what may be understood to be a radically asymmetrical kind of *civil war*: the coercive resources of the state, ostensibly aligned with one segment of the quasi-democratic polity, come to be systematically deployed against another such segment of the population. I do not propose here to exhaustively analyze the numerous and heterogeneous manifestations of authoritarianism. Rather, in this essay, I will focus on the case of brazen and unabashed authoritarianism that has been

unleashed upon the United States with the current occupation of the US presidency by Donald Trump. However, the larger theoretical aim of this essay is to highlight how one increasingly prominent expression of contemporary authoritarian political tendencies substantially derives much of its animating force from the specifically anti-immigrant /racist obsessions of reactionary populism and border fascism (De Genova 2018b, 2020; Jonsson 2023). In short, the authoritarian project of civil war – a ‘war’ (or reign of terror) primarily waged against fellow citizens – is increasingly predicated upon and made possible through the promulgation of legitimating discourses and practices of *border war* – a ‘war’ (or reign of terror) primarily waged against non-citizens.

Migration and borders – or more precisely, the *spectacles* of ‘border crisis’ – have taken center stage in public debate and policy interventions in migrant-‘receiving’ countries, worldwide (De Genova 2002, 2013, 2018a; New Keywords Collective 2016). Across the globe, alongside an escalation in border violence, there have likewise proliferated a variety of reactionary right-wing (‘populist’) political and social movements, many of which can only be adequately characterized as anti-immigrant fascism (De Genova 2020). Here, by anti-immigrant or border fascism, in particular, I am referring specifically to paramilitary formations of extra-state violence (militias, armed gangs) that adopt nativist (anti-immigrant) politics as their premier and defining political platform and the vigilante exercise of immigration and border enforcement as their principal mission. Whatever may be the variety of competing definitions of fascism, arising inevitably from heterogeneous historical examples, this indeed is one of the decisive hallmarks of fascism: the extra-state paramilitary organization of armed violence as the self-styled popular vanguard of a counter-revolutionary nationalist project (see, eg, Mann 2004). This, however, is an admittedly narrow and restrictive heuristic usage that does not adequately address the crucial difference between fascism as a political or social movement that aspires to deploy violence for political ends (whether the seizure of state power or the mere overthrow of any centralized state) in contradistinction with fascism in power, as a mode of rule. It is of course the latter sense of the term ‘fascism’ – as a mode of rule – that has become increasingly commonplace in efforts to apprehend the ascendancy of authoritarianism as exercised by the likes of Trump. Without addressing the question of declaring Trump or other authoritarians in power to be or not to be ‘fascists’, for present purposes, it will suffice to clarify that to become embroiled here in the often pedantic and tedious debates over definitions of fascism would seem to be a distraction from the urgency of the political challenge immediately confronting us, and the analytical onus that this article aims to address.² For, in the context of alarmist yet incessant discourses of migrant/refugee/border ‘crisis’, what is imperative to examine is the fact that fascistic extra-state formations of anti-immigrant violence tend to merely amplify and supplement the more fundamental violence of the border enforcement regimes of state powers. That is to say, the reactionary populist enthusiasm for an increasingly authoritarian and ever more cruel politics of borders and migration tends to simply intensify and extend the inherently authoritarian and despotic character of how borders always-already operate and thereby serve as premier sites for the enactment of a state’s sovereign power, particularly as targeted against migrants.

Reciprocally – and this is my principal claim here – it is this rather routine border authoritarianism that then animates and fuels a wider drift toward full-spectrum right-wing political authoritarianism. Thus, the fascistic political discourses of ‘civil war’ that

increasingly depict ‘domestic’ or ‘internal’ rivals as political ‘enemies’ and social ‘threats’ derive much of their elemental momentum from the nationalist metaphysics and nativist ethos of border ‘war’. Such fantasies of border war are themselves merely the hyperbolic expression of a more fundamental authoritarianism that is always-already the standard operating procedure and normative premise of sovereign state power as it is routinely enacted through immigration law and especially border enforcement (see, eg, Anthony 2020; Salyer 1995).³

There is, in other words, a despotic and authoritarian character to *all* border policing and other forms of immigration enforcement, targeting non-citizens, which is essential to modern nationalism and (‘national’) state sovereignty, and which comes to contaminate and invigorate more sweeping modes of political authoritarianism whereby states ultimately deploy analogous forms of despotic power and violence, whether through cynical uses or abuses of the law, against their *citizens* — in short, converting border war into civil war. As Giorgio Agamben notes, ‘Civil war assimilates and makes undecidable brother and enemy, inside and outside. ... the killing of what is most intimate is indistinguishable from the killing of what is most foreign’ (Agamben 2015, 11). And here, if we recognize that civil war is the conceptual opposite of what we might call civil peace, then it is instructive to recall Michel Foucault’s hypothesis in *Society Must Be Defended* (1975–1976/2003) that ‘politics is the continuation of war by other means’ (15). As Foucault explains, ‘the role of political power is perpetually to use a sort of silent war to reinscribe that relationship of force, and to reinscribe it in institutions, economic inequalities, language, and even the bodies of individuals’ (15–16). Consequently, ‘even when we are writing the history of peace and its institutions’, he contends, we are in fact ‘always writing the history of the same war’ (16). Thus, authoritarian politics is a kind of re-assertion and escalation of that same war, a partial retreat from the effective silence of that underlying relationship of struggle and submission into a more noisy, boisterous, and unabashedly belligerent disposition of power (and repressive violence) targeting one part of the putative polity (or indeed, several sub-sections of that supposed polity) to re-inscribe and reinstate the larger configuration of domination over a state’s ostensible citizenry.

The reanimated authoritarianism of Donald Trump

Trump’s unapologetic and unabashed authoritarian ambition has long been on dazzling display. It is emphatic and explicit. These authoritarian gestures are not new, and not at all subtle. Trump’s predilection for authoritarian power has been a continuous thread running through his entire career in public life, predating his entry into politics by decades.⁴ Trump’s authoritarian contempt for the rule of law and his avowed desire and repeated previous attempts while in office to weaponize the law and the prosecutorial and other punitive powers of the federal government against his critics are, of course, well documented and well known. During his first term, Trump repeatedly demanded the political loyalty of the highest ranking officials in the law enforcement, military, and national security agencies of the US state and otherwise unrelentingly sought to curtail their independence from the mandates of his executive power. He simultaneously installed an enormous number of ultra-conservative federal judges in a classically authoritarian mission to domesticate the judiciary and ensure its servility to executive power,

for which the US Supreme Court's ruling on 1 July 2024 endorsing presidential immunity was a supreme manifestation.⁵ For years, Trump openly announced in advance his plans to aggressively pursue his political aims with renewed authoritarian zeal and malice. Nonetheless, as early as October 2023, Trump began publicly promoting his most brazen authoritarian schemes as campaign promises, when he repeatedly and brashly boasted that he would in fact seize the powers of a dictator on 'Day One' of his second presidency, albeit purportedly 'only' for that first day back in power. The caveat about seizing such powers for only one day was always gratuitously cynical and performatively disingenuous, but with it, in characteristic fashion, Trump reserved for himself a thin semblance of plausible deniability with regard to his real ambitions. We are, of course, now quite a long way past that proverbial 'Day One', and we are witnessing daily an onslaught of authoritarian excesses, signaling Trump's evident contempt for any legal constraints upon his executive power and the inclination to disregard and flagrantly defy court orders and thus lunge headlong toward potentially instigating multiple constitutional crises in the interests of further aggrandizing his executive power.

Trump's discourse has long been very consistently a veritable caricature of the conventional script whereby 'society must be defended'. Incapable of producing any substantive or coherent arguments, Trump merely castigates his political rivals and the other targets of his ire or wrath in the most childishly simplistic terms – as 'very bad people'. More fundamentally, he sorts everyone into the binary opposition of 'friends' and 'enemies', whereby this distinction by which he evaluates those whom he considers to be with or against himself is automatically projected as defining of those whom he castigates as with or against 'the nation'. In October 2023, more than a year before his reelection, he baldly proclaimed, 'We pledge to you that we will root out the communists, Marxists, fascists and the radical left thugs that live like vermin within the confines of our country that lie and steal and cheat on elections. They'll do anything, whether legally or illegally, to destroy America and to destroy the American Dream'. In a telltale gesture articulating the ethos of civil war, Trump continued, 'The threat from outside forces is far less sinister, dangerous and grave than the threat from within. Our threat is from within'.⁶

The dehumanizing likening of his political rivals to sinister vermin who must be 'rooted out' – and by implication, exterminated – signaled a flamboyantly fascist rhetorical move. Extravagantly conjuring the lurid menace of internal 'enemies' who seek nothing less than to 'destroy America', and furthermore, adding the caveat that 'they'll do anything, whether legally or illegally', Trump also signaled his own contempt for the rule of law, implying that his intention to eradicate the putative menace of these 'thugs' would very likely disregard or suspend the law altogether according to a logic of state of emergency and civil war. Alongside his well-worn tactic of denouncing his opponents in the Democratic Party as the 'radical left', Trump also notably included the term 'fascists' in a rhetorical bid to vacate the word of any substantive meaning, effectively aiming to deflect the increasing use of that term to criticize him by re-deploying it against his own adversaries. This is a perfect instance of what Marcia Sá Cavalcante Schuback characterizes as 'the fascism of ambiguity', distinguished by 'a dynamic of the emptying of every sense by making every sense equivalent to any other and any thing' (Cavalcante Schuback 2021/2022, 68; see also Giroux 2018), 'articulated in the ambiguity and oscillation of all sense and value in such a way that . . . all formulas and

expressions can be inverted and perverted, where every sense and value can be turned against itself and against any other' (43). The recourse to such an overtly dictatorial posture and such dehumanizing language – with its implicit threat of the extermination of political enemies and its explicit threat of a mass campaign of punitive reprisals – marked an escalation in Trump's vindictive reflexes and authoritarian impulses. When called upon to respond to criticism for these rhetorical excesses, Trump campaign spokesman Steven Cheung merely doubled down with similarly violent language, replying that such critics were 'deranged' and pledging that, when Trump would prospectively return to the White House, 'their entire existence will be crushed'.⁷

Importantly, if not surprisingly, these remarks about the existential menace of internal enemies – 'vermin' – who would purportedly destroy the nation, were delivered alongside a concomitant escalation in Trump's anti-immigrant rhetoric. With an analogous recourse to a dehumanizing animalistic metaphor, in years past, Trump had frequently likened the putative threat of migrants, and in particular, refugees from Syria and other Middle Eastern countries, to a vicious, untrustworthy 'snake'.⁸ During his electoral campaign last year, with regard to migrants, he declared baldly, 'No, they're not humans, they're animals'.⁹ In these more recent fascistic flourishes of scarcely veiled white supremacy, moreover, Trump declared that 'these people' (migrants) are 'poisoning the blood of our country'. He added for further emphasis, 'what they're doing is destroying our country'.¹⁰ Thus, there is a mirroring in Trump's rhetoric where both migrants and those whom he perceives to be his political opponents, whom he brands as the 'radical left', are purported to pose an existential threat to the nation: both are alleged to be forces of destruction, menacing 'us' (the nation) with utter ruin. Much of Trump's standard political rhetoric capitalizes on and exacerbates white fear, and he has constantly and cynically painted his Democratic Party rivals as 'radical extremists' promoting 'open borders'.¹¹ Thus, his fundamentally racist and nativist demagogical reflexes have served very consistently for him to demonize his political opponents as the convenient proxy for a terrifying spectral world of 'illegal immigrants', 'criminals', and 'terrorists' (De Genova 2020).

By conjuring impending mayhem and the cataclysmic prospect of a kind of racial armageddon, which he routinely imputes to be the deliberate nefarious project of his political adversaries, Trump converts his nightmarish world of ghoulish enemies into political currency. Trump is nothing if not an opportunist, however, and his instinctual racism likewise tends to be opportunistic, echoing and pandering to the most debased sentiments, affects, and impulses of his most strategically reactionary advisors and his most instinctually reactionary supporters. There is truly nothing original or creative about his personality; he merely captures the most debased instincts and impulses of his most ardent supporters and regurgitates these sensibilities back to them, in a perverse affective feedback loop that simultaneously appears to confirm and validate their prejudices and anxieties while continuously exaggerating and exalting them. Indeed, apart from the compulsive instinctive reflexes of his remarkably consistent white supremacy and racial nativism, he does not defend any coherent or consistent ideology. In his effort to delineate what distinguishes what he calls 'late capitalist fascism', notably, Mikkel Bolt Rasmussen identifies this 'post-political' or non-ideological characteristic, whereby what is paramount is 'a cultural logic' or 'cultural symptom' that catalyzes an *affect*, 'an arming of resentment' (2022, 65–68). Thus, in place of any coherent political programme, it

instead promulgates a ‘brand’ (73; see also Klein 2017), as in the easy conversion of Trump’s signature slogan (‘Make America Great Again’) into an ideogram and a veritable identity: MAGA. This sort of nebulous and amorphous ideological non-coherence, Rasmussen argues, signifies a more general hollowing out of politics as such, which has been a hallmark of neoliberalism’s counter-revolution of technocratic rule in the service of global capital (48). What matters for this variety of authoritarianism, therefore, is not coherence, only *ad*-herence. In this Manichean worldview, recapitulating Carl Schmitt’s fascist political theology (1927), everyone must be sorted and ranked into two camps: in one camp, there are ‘friends’, ‘supporters’, and indeed, adherents – those devotees who ‘adhere’ to a blind faith in Trump, whom Trump considers loyal to him and therefore manipulable and useful (either for enriching him and his family or his allies or for advancing his general project of expanding his power) – and in the other camp, there is everyone else, whom he considers ‘enemies’.¹²

Border war and the resurgence of fascism

The notion that migration today is so pervasively deployed as a catch-all explanation for the vast assortment of neoliberal capitalism’s social woes defies any reasonable sense of proportion between putative cause and effect. It is, in Hannah Arendt’s memorable phrase (regarding Nazi antisemitism), truly and simply ‘an outrage to common sense’ (Arendt 1951/1968, 3). Yet, the unrelenting production of border spectacles, which rely so thoroughly on the staging of the material and practical work of border policing as always insufficient and overwhelmed, constantly project the alarmist sense of a ‘crisis’ that urgently requires only more of the same: more resources for more border policing and more physical barricades, and more draconian measures to further augment the actually existing authoritarianism of the border and immigration regime (De Genova 2002, 2013).

Exciting and aggravating the deep racial anxieties of besieged national prerogative that these spectacles of migrant ‘invasion’ underwrite, various formations of border fascism and anti-immigrant racist militancy have arisen over recent years to meet the demands of a putative state of emergency. What is telling, however, is that these vigilante border warriors largely understand their mission as simply replicating and reinforcing the border policing agencies that are perceived to be inevitably overwhelmed by the thankless task of fending off the migrant ‘invasion’. The anti-immigrant fascists commonly aspire to simply assist in the routine work of enforcing the border, and tend to fashion themselves merely as a kind of volunteer force of reinforcements to support the beleaguered border police. That is to say, these fascistic formations of paramilitary violence ordinarily understand themselves to be merely a *supplement* to the border regime. Their exceptional (extra-state) extremist violence is frequently nothing more than an amplification of the inherently despotic and authoritarian violence of the border itself.

In 1977, for instance, the Ku Klux Klan organized an armed militia called the Klan Border Patrol Watch, and mobilized to patrol the US–Mexico border (Belew 2018).¹³ Indeed, this may well have been the originary instance of the sort of extra-state paramilitary vigilantism specifically targeting ‘illegal’ migration that has since become endemic along the US–Mexico border (Bauer 2016; Belew 2018; Shapira 2013). Of course, this sort of border vigilante violence against the spectacular menace of ‘illegal’ migrants

merely recapitulated a very long legacy of more specifically anti-Mexican colonial/racial violence along the border (Behnken 2022; Martinez 2018). What was new in the 1970s, however, was the obsession with migrant ‘illegality’ as such, and the concomitant desire to patrol the border in order to amplify the enforcement of immigration law. Such right-wing anti-immigrant racists, organized in armed militias, now mobilize to emulate the US Border Patrol itself and, in the name of providing their self-styled support for border enforcement, have taken the matter of kidnapping migrants into their own hands – making a sport of ‘hunting for illegals’, rounding up, arresting, and detaining migrants and refugees, including children, at gunpoint (Bauer 2016). Such self-anointed soldiers mobilized in defense of the US border against the phantasm of an ‘invasion’ of ‘illegal’ migrants plainly pre-date Trump’s rise to political prominence. Nonetheless, anti-immigrant racist vigilantes armed with combat weapons patrolling the US–Mexico border with general impunity installed themselves as a seemingly permanent fixture of the border regime during Trump’s first term in office, when their discourse was effectively indistinguishable from that of the US President and the highest authorities of the state.

Trump has shown himself to be constitutionally incapable of disavowing anyone who supports him, which has meant that he reserves his most passionate affinity for those of his supporters who are the most extreme in their devotion, culminating in an ever-ascending spiral of ugly synergies between him and his most fascistic followers. Indeed, the indisputable upsurge in public actions during the first Trump administration and since by overtly white supremacist and avowedly fascist armed militias, as well as so-called ‘lone wolf’ mass shootings and assassination plots by devoted Trump supporters, merely translated into action what has always been inherent in the unrelenting escalation in Trump’s rhetorical animosity toward his perceived foes. Trump’s speech has effectively served as both an incitement and a retroactive vindication of the violence of his supporters throughout his political career, on no other grounds than that they are his supporters and they are targeting those whom he has overtly identified as his adversaries, or who may be implicitly deemed as such (Gökarıksel and Smith 2016). The attempted coup of 6 January 2021, of course, was the ultimate manifestation of this phenomenon. Hence, upon his return to office, Trump pardoned everyone convicted or charged with criminal violence during the January 6 riot, undoubtedly fortifying anew and reinvigorating their militant devotion to exalt his authority and bolster his executive power. Importantly, many of the incidents of pro-Trump and Trump-incited political violence over recent years have been acts of expressly racist (or antisemitic) terror, commonly articulating the notion of an impending peril of border ‘invasion’ (De Genova 2020; see also HoSang and Lowndes 2019; Stern 2020).

Whereas Trump’s castigation of the specter of ‘illegal’ migration as an ‘invasion’ evokes a constant sense of border war, it also authorizes racist hostility against *all* Latinxs and other racially branded (non-white) groups – regardless of immigration or citizenship status. Thus, the discourse of *border war* quickly becomes indistinguishable from something approximating *race war*. Moreover, the recurring agonistic theme that white racial terror must be perpetrated to ‘defend our country’ against a putative ‘invasion’ or hostile take-over by people of color exudes a manifest logic as well as an exorbitant, emphatic, increasingly explicit discourse whereby *race war* becomes apprehensible as another name for *civil war*. As I have already noted, Trump’s demagogical

political style conjures a Manichean world of friends and enemies. Abiding by the most elemental logic of war, those designated as the enemy – who purportedly threaten ‘America’ (‘us’) with destruction – must be destroyed. This plainly is the ethos of civil war. As partisans for Trump and the corrosive ethos of civil war, the most militant of his supporters consequently prepare actively for the annihilation of their enemies.

The ethos of civil war obliterates any of the conventional normative distinctions of politics whereby differences and disagreements can coexist within the civic space of a shared public. In Agamben’s terms, civil war as a political paradigm exposes the artifice of the social contract, revealing the intrinsically mythological character of the social covenant that is purported to have fabricated the civic ‘fraternity’ of citizenship as the foundation of modern democratic sovereignty and properly *public* life. Thus, adopting Agamben’s phraseology, the public mutuality of citizenship is shorn of its mystique in a manner that ‘de-politicizes’ politics-as-usual, such that fellow citizens with different political perspectives and different partisan affiliations are no longer mere political competitors in a shared public sphere but rather converted into outright enemies with whom nothing can remain in common. Meanwhile, the bases of ‘private’ affinity and allegiance – above all, in the United States today, white racial identity and nativist populism – are politicized anew, and increasingly appear for many of Trump’s supporters to be the exclusive ultimate foundation for politics. By exposing the artificial national family as a fabrication, this ethos of civil war compels the forlorn desire for the impossible intimacy and communion of nationhood as a virtual (civic) family to retreat into the ostensibly ‘real’ kinship of ‘blood’: the civic nation of fellow citizens and its public are irreparably fragmented, the democratic polity is irredeemably fractured, and the ‘true’ nation is now re-bordered – as race (De Genova 2018b). Thus, the agonistic mission of recuperating and reinvigorating the nation – as in Trump’s signature slogan, ‘Make America Great Again’ – is translated now as a project of ‘crushing’ internal enemies who would ‘destroy America’ and ‘foreign’ menaces who ‘poison the blood of the country’. Nativist populism thus becomes increasingly inseparable from a retreat into internecine racial tribalism: in short, white nationalism. And white nationalism, invigorated by an ethos of civil war, spells fascism. It transposes the *ethos* of civil war into a specific kind of *action plan*.

The mobilization of pro-Trump extremists, especially in the form of fascist gangs and militias – particularly during the 2020 electoral campaign and culminating in the riot and attempted coup on 6 January 2021 – simply but ruthlessly pursued the ethos of civil war to its logical conclusion – that the political destruction of the enemy should culminate in its physical annihilation. What is truly remarkable, moreover, is that while there have always been self-styled fascist formations and other violent extremists on the far-right fringes of US political life (Belew 2018), these newer fascist gangs that arose during the first Trump presidency mobilized to perpetrate violence as an enactment of their fervent allegiance to the man who was then and currently is, once again, actually occupying the office of the US Presidency, who has always consistently refused to repudiate them (HoSang and Lowndes 2019; Stern 2020). Indeed, with his recent pardons, Trump has gone to extraordinary lengths to vindicate and celebrate them. Furthermore, he has thus converted the most ‘battle-tested’ of his fascistic supporters from convicted felons, some of whom were serving rather onerous prison sentences, to a free-floating ‘reserve army’ of potential fascistic violence. Hence, Trump’s desperate and irresistible narcissistic

compulsion to seek the adulation of the most fervent of his supporters has cultivated a toxic synergy between an undercurrent of fascistic militancy (energized by what his political demagoguery enables) and his own authoritarian impulses, which are fueled and emboldened by the only partly delusional sense that there is a veritable social movement composed of people authentically ready to kill and die for him.

There is, then, undeniably, a mutually energizing and reinforcing symbiosis between overt and explicit fascistic movements aligned with Trump and their extra-state political violence, on the one hand, and Trump's self-aggrandizing political opportunism and all of its intrinsic authoritarian proclivities, on the other. Trump is enthralled by the allegiance and fervor of his most fascistic supporters, and he actively cultivates those forces as a kind of reserve for the sort of political violence that ensued on 6 January 2021, where their volatility and violence might have provided the added impetus for a scheme to overturn the election in Trump's favor, and could have supplied the pretext for a variety of more formal quasi-legal measures to enact a coup that would have actually been executed by Trump's administration and his supporters in the Congress and Senate. But ultimately, Trump has little faith in the capabilities of such ragtag self-styled paramilitary fascist militias: he does not depend on them, and is unwilling to rely on them – at least, not yet. Importantly, his retaking of the presidency remained an electoral gambit for Trump, a gambit which he now has won, although as we already saw in 2020, an electoral failure would surely have not impeded him from more desperate measures to disregard and subvert the election's results. In these respects, while Trump's unreserved white supremacist tendencies and his instinctive fascist proclivities are beyond dispute, the veritable incipient fascist social movements that are at least tactically aligned with his political power do not amount to Trump serving, in any simple sense, a fascist movement as its supreme leader and chief spokesman. Instead, Trump requires that such reactionary social movements must serve him. Trump is loyal to no one but himself, but demands loyalty and allegiance from everyone else near to him; to be counted as his 'friends', they must aggrandize his unquenchable penchant for authoritarian power. Most importantly for our purposes, now returned to the US presidency, Trump is deviously manipulating and brutishly mobilizing authorities already available to him through the executive exercise of state power, marshaling and fortifying the police powers and punitive and carceral resources of the state apparatus to augment his authoritarian project.

From the despotism of the border to full-spectrum authoritarianism

Trump exudes a disdain for the rule of law, particularly when it presumes to apply constraints upon his own actions or limits to his own power in office, yet he nevertheless fashions himself as the strong-man-style champion of 'law and order', whereby the fetish of the Law merely implies swift and brutal punishment for those against whom 'society must be defended', against whom 'the nation' must purportedly be protected – which is to say, all those whom Trump deems to be his enemies. It is precisely by means of the law, and the tactical – even openly cynical – deployment of the legal authorities of the state and its already established powers of legal prosecution and enforcement, that this authoritarian impulse has until now devised to exact retribution and mete out punishment. During his first term, Trump's utter ignorance of elementary procedures and legal frameworks and his governmental incompetence meant that his highest-level appointees,

ultra-conservative Republicans though they were, tended nonetheless to be institutionalists who often had to present modest challenges and impose obstacles to his most extreme excesses. Many of them subsequently repudiated him as unfit to hold office, with at least two of the more prominent among them even publicly branding him a fascist. Moreover, lifelong professional civil servants frequently presented still more intransigent resistance to Trump's efforts to deploy the executive power of the presidency for improper ends, such as exacting personal vengeance on those whom he deemed his enemies or detractors. Consequently, upon returning to the presidency, he has now mobilized a team of more seasoned and more fanatical lieutenants who share his taste for autocratic power. His current advisors reportedly compiled a list of literally 20 thousand tested Trump loyalists prior to the election, intending to install them into key governmental positions, in a massive and unprecedented purge of the sorts of lifelong civil servants who previously impeded his efforts.¹⁴ Beginning almost immediately upon resuming office, the brazen attempt to disable and dismantle much of the administrative apparatus of the government is plainly underway on a truly massive scale at an astounding pace.

The rhetoric of border war has of course been a consistent signature of Trump's politics, literally since the commencement of his official political career. When he began to brazenly boast that he would become a 'dictator', but 'only on Day One', Trump tellingly coupled a pledge to violently repress the domestic protests of citizens (through deployment of the military) with the putative necessity of assuming such exceptional powers in order to respond militarily to a putative border crisis.¹⁵ Prior to his return to office, border patrol 'encounters' with asylum seekers and other migrants at the US–Mexico border (including both apprehensions and occasions when border crossers voluntarily turned themselves in to authorities to petition for asylum) had already plummeted from record high levels in fiscal years 2021 and 2022, to some of the lowest numbers in years during the latter half of the 2024 calendar year (fewer than at the end of Trump's first term), and in early 2025, some of the lowest single-day numbers since 2010.¹⁶ With no regard for or interest in such facts, however, among his very first executive orders upon returning to office, Trump officially declared a state of 'national emergency' at the US–Mexico border. He therefore mandated the re-deployment of 10 thousand military troops to support border enforcement operations and left open the prospect of invoking the antiquated Insurrection Act of 1792 (last updated in 1874) in order to mobilize the military for purposes of immigration and border enforcement against what he designated to be an 'invasion' – despite the utter preposterousness of the notion that any upsurges in border crossing and asylum seeking over the last few years could ever be reasonably likened to an actual (military) 'invasion', much less an 'insurrection'.

The Insurrection Act is 'among the most potent of the [US] president's emergency powers', in part because 'it is also among those most susceptible to abuse', with the criteria for such a deployment of military force 'or any other means' (Goitein and Nunn 2023, 362) against civilians stipulated in vague and archaic terms, based on outdated assumptions, with virtually no constraints or oversight, neither from the legislature nor the courts, and once deployed, with no specified limits on what actions may be taken (355). Not only does the Act authorize the president to deploy the US armed forces to suppress civil unrest or quell domestic violence, it also allows for the deployment of 'the

militia' – defined very broadly and vaguely to include a wide swathe of 'able-bodied' armed men (355). Simply put, the Act effectively permits the president to deputize any sort of fascistic armed gang that he deems to be loyal to him to participate in enforcing the state's presumptive monopoly on violence. During his first term, Trump had already flirted with the idea of invoking the Insurrection Act to authorize himself to deploy the military for purposes of domestic law enforcement, most notably in 2020 to suppress the mass insurgency of Black Lives Matter protests against racist policing following the murder of George Floyd, and then again following his loss in the 2020 election (when some of his most extreme advisors proposed a declaration of martial law to supervise the recount of voting ballots), but he was reined in by some of his more cautious advisors. During his 2024 electoral campaign, Trump also suggested that he would similarly use the Insurrection Act to deploy the military to enforce the law in US cities (governed by Democratic Party officials) that he depicts as 'crime-ridden'.¹⁷

The despotic exceptional powers already routinely vested in the US Border patrol, moreover, provide Trump with police powers for interior enforcement, to which he already availed himself during his first term in office. In February 2020, Trump announced that he would be sending the elite tactical units of the Border Patrol (BORTAC) across the United States to major cities, such as New York and Chicago, to assist in door-to-door Immigration and Customs Enforcement (ICE) raids, terrorizing migrant communities of color.¹⁸ Later that year, during the racial justice insurgency following the police murder of George Floyd, BORTAC units and Customs and Border Protection (CBP) resources were being used across the country to surveil and apprehend Black Lives Matter protesters. Border Patrol agents were even authorized to use deadly force at George Floyd's funeral.¹⁹ Hence, prior to his reelection, Trump likewise asserted that invoking the Insurrection Act would authorize the exceptional measures that would allow him to deploy the military (alongside federal law enforcement officials whom he would reassign from other government agencies, as well as federalized National Guard troops and deputized local law enforcement agents) in the conduct of immigration raids to apprehend migrants not only at the border but also throughout the interior. With regard to the legal prohibition against using the military against civilians, Trump has bluntly declared that migrants who 'aren't legally in our country' simply are not civilians.²⁰

Among numerous other cruelly punitive measures, as campaign promises, Trump announced plans for a massive campaign of workplace raids and sweeps of public places to arrest literally millions of undocumented immigrants already resident within the United States, and their indefinite imprisonment in a new sprawling network of border detention camps that he proposed to build along the US–Mexico border as they await their expedited deportations, while stripped of all due process of law. In campaign speeches, beginning in September 2023, Trump repeatedly invoked the example of the militarized deportation dragnet of 1954, known as Operation Wetback (García 1980; Hernández 2010). Trump also made a renewed pledge to build the infamous border wall that he never in fact succeeded to build during his first four-year term.²¹ Furthermore, in a move to subvert one of the established provisions of US citizenship, as established following the abolition of slavery in the Fourteenth Amendment to the US Constitution, Trump also threatened and now has issued an executive order to terminate the birthright citizenship for babies born in the United States to undocumented migrant parents.

Already on the eve of the 2018 mid-term elections, during his first administration, Trump had opportunistically signaled his desire to pursue this longstanding fantasy of the most audacious right-wing nativists (see, eg, Brimelow 1995; Schuck and Smith 1985; for the analysis of the discourse of ‘anchor babies’, see Chavez 2017). Such a brazen bid to summarily nullify the ‘accidental’ (or in any case, ‘illegitimate’) birthright citizenship of the children of undocumented migrants likewise implies prospectively barring these children retroactively from access to social security numbers, passports, and even public education.²² (This measure, plainly illegal as a direct violation of the US Constitution, immediately met with judicial rebuke). Furthermore, there have already emerged several cases of US-citizen children who have been detained and deported with their mothers.²³ Hence, in myriad ways, Trump has promised a multi-faceted onslaught of militarized repression against migrants and also their US-citizen children, whereby the use of exceptional repressive and punitive powers would become routine features of everyday life.

So far, however, very little of the threatened ‘largest deportation operation’ in US history²⁴ has really happened. The promised immigration crackdown has been comparatively feeble, largely relegated to a series of tawdry publicity stunts that have hardly lived up to the spectacle of a deportation campaign of unprecedented scale and scope. A series of immigration raids in US cities were conducted with ‘embedded’ reporters from politically sympathetic propaganda agencies and other television personalities aligned with the larger agenda, but they quickly turned out to be fiascos and the immigration authorities soon reversed course to avoid embarrassing themselves. Trump’s newly appointed Secretary of Homeland Security Kristi Noem in a flashy media campaign carefully crafted to showcase herself and exalt her ‘leadership’, made sure to join some of the raids, ‘hitting the streets’, cosplaying an enforcement agent, even clutching a machine gun, and had the videos posted on both the Department of Homeland Security website and social media.²⁵ Subsequently, they released a series of nationwide television commercials in which Noem menaces undocumented migrants and assures the viewing public that Trump is actually following through on his promises of unprecedented immigration enforcement.²⁶ Trump has used military cargo aircraft for some deportation flights, spending several times more in public funds for the publicity effect of doing so than would have been the ordinary cost of simply chartering deportation flights. A clumsy attempt to re-purpose the notorious extra-territorial prison camp in the US military base at Guantanamo Bay for the routine detention of a few hundred migrants awaiting deportation, again at exorbitant cost, had to be canceled as unfeasible. All of these measures have plainly been devised to sustain a spectacle of immigration enforcement that is otherwise not in fact borne out by the actual numbers²⁷ of migrant arrests and deportations, which have been either roughly consonant with pre-inauguration statistics, or in fact, in some instances, lower²⁸ — indeed, far fewer deportations than the Biden administration’s monthly average of 57,000 during the 2024 fiscal year.²⁹ Of course, even a single deportation is too many, as every deportation is a devastating punishment perpetrated against not only the deportee but also all of her loved ones and wider community, and the deportations that the second Trump administration has managed to deliver have already been conducted in the most blunt, brutal, and cruel manner. Nonetheless, the comparatively meager numbers appear to derive fundamentally from the fact that the enforcement resources of the immigration and border regime,

while already appallingly vast (surpassing those of any other federal law enforcement agency), simply do not suffice to sustain the massive sort of punitive campaign that Trump has been threatening.³⁰ At least, not until now. Indeed, as a consequence of these pragmatic shortfalls in immigration enforcement and deportation capacity, and in a desperate effort to artificially ramp up numbers, the Trump administration has repeatedly resorted to encouraging migrants to ‘self-deport’, most recently offering a \$1,000 premium for all who can confirm their departures.³¹ And as in his first administration, furthermore, the levels of Trump’s self-aggrandizing bombast as well as the sheer corruption that drives his installation of sycophantic flunkies and self-serving cronies have tended to ensure that governmental incompetence prevails, replete with all the resultant chaos, fumbles, and backfires.

Predictably then, the real effect has primarily been to terrorize millions of migrants who are vulnerable to deportation, along with their families and wider communities. This heightened fear of deportation notably includes the cruel decision (still being challenged in the courts) to abruptly rescind Temporary Protected Status (TPS) from select categories of recent asylum-seekers and other migrants – specifically, those from Venezuela, Haiti, Cuba, and Nicaragua (and possibly also Ukraine) – who were previously shielded from the immediate threat of deportation and provided with work permits, now converting them into newly illegalized migrants. Of course, this is not to suggest that the Trump administration’s campaign of terror has succeeded to suppress migrants’ spirit of defiance and dissent. ‘Immigrants’ rights’ protests have steadily gathered force, culminating on May Day 2025 in more than 1,000 events in more than 800 cities and towns across all 50 states, coordinated by a coalition of more than 200 campaigns, organizations, and unions, involving hundreds of thousands of people, disproportionately migrant workers, including approximately 60,000 union workers who walked out for a one-day strike.³²

Even acknowledging that the second Trump administration has been fundamentally unable to realize the grandiosity of Trump’s bombastic pledges of an unprecedented mass onslaught of arrests and deportations, we must take stock nonetheless and seriously examine precisely what Trump has actually done. Although it served mainly as a publicity stunt, the use of military aircraft for deportation purposes was in fact unprecedented. It is likely a harbinger of an expanded use of military personnel and resources yet to come. Indeed, another innovation has been to designate a 170-mile stretch of federal land along the US–Mexico border – encompassing territory in California, Arizona and New Mexico – as a newly extended military installation, or a ‘national defense area’ where military personnel will be authorized to detain border-crossers deemed to be ‘trespassers’.³³ Furthermore, the declaration of a state of ‘emergency’ and related executive orders have authorized a fundamentally new mobilization of an ‘all-of-government’ machinery, including prosecutors,³⁴ to prioritize deportations. In this regard, the Trump administration has enlisted an expanded array of federal agencies, including the Drug Enforcement Administration (DEA), the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and even the Internal Revenue Service (IRS), which have previously never played significant roles in immigration enforcement – or any role whatsoever, in the case of the IRS.³⁵ It also has deputized the federal Bureau of Prisons to assist with additional migrant detention space. In addition, despite Trump’s predilection for rule by decree and his marked aversion to pursue any policy aims

through the legislative process, he has nevertheless achieved something that several of its predecessors could not: cajoling Congress to act on immigration legislation. Within just days of the inauguration, Republicans in Congress succeeded to garner a sufficient measure of bipartisan support from Democrats eager to capitulate on the issue of immigration and passed the Laken Riley Act, literally the first stand-alone immigration legislation after nearly two decades of partisan stalemate.³⁶ This draconian law requires the mandatory detention of any ‘illegal’ non-citizen who has been merely accused (but not convicted) of committing any of various low-level crimes, including petty theft and shoplifting. This law therefore codifies exceptional punishments for undocumented migrants and upholds as law what has been a constant ideological campaign to normalize the equation of migrant ‘illegality’ with outright criminality and to intensify extraordinary punitive repercussions specifically for non-citizens.

Trump also officially designated a Venezuelan gang, *Tren de Aragua*, and a Salvadoran gang, *Mara Salvatrucha*, to be ‘terrorist’ organizations, whereby the baseless allegation that Venezuelan or Salvadoran migrants (particularly men) apprehended for deportation are presumptively members of these gangs provided the flimsy justificatory script for detaining and deporting them as dangerous ‘criminals’.³⁷ First, some were detained at Guantanamo Bay. Subsequently, hundreds were expelled to indefinite imprisonment without any formal criminal charges, much less any incriminating evidence or any due process of law, in El Salvador and other so-called ‘third countries’ (states that are not the country of origin of the deportees).³⁸ Tellingly, the deportees sent to El Salvador were imprisoned in that country’s infamous maximum-security so-called Terrorism Confinement Center, from which photographs and videos were circulated showcasing the deportees having their heads shaven and being warehoused in asphyxiatingly overcrowded cells (Noem also made sure to have herself photographed there, posing Abu-Ghraib-style, in front of the humiliated half-naked prisoners, with a hand-picked selection of heavily-tattoo’d presumable gang members prominently exhibited immediately behind her).³⁹ In a brash bid to escalate the scandalous impact of deporting migrants to imprisonment in countries notorious for human rights abuses, furthermore, the Trump administration is pursuing deals for similar deportations to Libya⁴⁰ and Rwanda.⁴¹

Importantly, to achieve these ends, although they have directly impacted only relatively small numbers of migrants, Trump has activated another antiquated law – the Alien Enemies Act of 1798—originally intended for the potential detention or deportation of foreigners suspected as spies who are the citizens or subjects of a state with which the United States is at war, and only used three times previously in history (always during declared states of war, and never before for routine immigration enforcement). Specifically, Trump issued an executive order accusing *Tren de Aragua* of ‘irregular warfare’ and engaging in ‘mass illegal migration’ to perpetrate an ‘invasion’ or ‘predatory incursion’ into the United States, and designated the organization’s alleged members as ‘Alien Enemies’.

Reminiscent of Arendt’s memorable insight in the opening passages of *The Origins of Totalitarianism* (Arendt 1951/1968, 6), this particular conversion of Trump’s chronic and pathological mendacity (Funke 2019; Kakutani 2018; Kelley-Romano and Carew 2018) into the will to fabricate reality outright by executive decree is above all distinguished by the sheer arbitrariness with which this species of rule chooses its victims – which is to say, by which it designates its putative enemies – and the decisive feature that

they be objectively innocent, relegated to their new status as ‘terrorists’ in outlandish disregard and contempt for the utter lack of any incriminating evidence whatsoever, or even any remotely plausible rationale. Like totalitarian propaganda in Arendt’s account (352–53), the Trump administration’s official falsehoods thrive on an escape from reality – a conspicuous ‘contempt for facts and reality’ (xxxii) – advancing a politics which uses and abuses its own ideological justifications to the point that ‘the basis of factual reality, from which the ideologies originally derived their strength and their propaganda value ... have all but disappeared’ (xv). Compared with the ideological extravagances and explicit rationalizations themselves, all the actual events and empirical facts available to justify these official decrees look as if they have been hazardedly contrived, pressed to naturalize and reify an artifice which so gravely harasses our sense of proportion, and so brazenly assaults any residual confidence we might harbor in the possibility of a world in which truth (objective facts) might still be meaningful, that we are left in stupor and astonishment to dispute allegations that are utter make-believe. To these important insights from Arendt, Agamben adds:

Hannah Arendt once observed that in the camps, the principle that supports totalitarian rule and that common sense obstinately refuses to admit comes to light: this is the principle according to which “everything is possible”. Only because the camps constitute a space of exception ... in which not only is law completely suspended but fact and law are completely confused — is everything in the camps truly possible The correct question to pose concerning the horrors committed in the camps is, therefore, not the hypocritical one of how crimes of such atrocity could be committed against human beings. It would be more honest and, above all, more useful to investigate carefully the juridical procedures and deployments of power by which human beings could be so completely deprived of their rights and prerogatives that no act committed against them could appear any longer as a crime. (At this point, in fact, everything had truly become possible). (Agamben 1995/1998, 170-71)

Where the authoritarian pretensions of ‘law and order’ serve the authorization of governmental lawlessness in the perpetuation of a state of exception that allows for human beings to be so completely deprived of any residual semblance of dignity that no atrocity committed against them can appear any longer as a crime, it is precisely in this predicament that we must begin to discern the sinister workings of the ethos of *civil war*, wherein inside and outside are rendered undecidable, and the killing of what is most intimate or familiar is indistinguishable from the killing of what is most ‘foreign’. For, where nothing is true, everything is permitted (De Genova 2020).

Thus, not only has the Trump administration sought to reinforce and intensify the disingenuous affiliation of undocumented migrants with criminality, and particularly with the specter of violent ‘gang’ crime, but furthermore has explicitly branded migrants as literal ‘terrorists’ and ‘enemies’, rendering them by pure executive fiat as virtual combatants in a non-existent undeclared ‘war’ and as spectral threats to ‘national security’. In other words, the metaphorical border ‘war’ against a metaphorical ‘invasion’ is being redefined as an actual war against migrants who are being labeled as veritable combatants, the purported foot soldiers perpetrating an actual invasion.

Thus, we have witnessed the revivification of the by-now routinized metaphysics of the so-called War on Terror, a putative ‘war’ without definition or limits against a nebulous and amorphous ‘enemy’, whereby those designated as ‘terrorists’ can be

deprived of any semblance of due process of law and effectively stripped of legal personhood, and thus disappeared into conditions of utter abjection and atrocity (De Genova 2007, 2010, 2011). Indeed, already many years ago, Elana Zilberg detected and analyzed what she depicts as ‘the gang – crime – terrorism continuum’ as a strategy for re-instituting El Salvador’s authoritarian service to US hemispheric geopolitics in the transition from the Cold War to the War on Terror, for which US immigration enforcement (and specifically, deportations) targeting so-called ‘criminal aliens’ was a central feature (Zilberg 2011, 207–32). The figure of the ‘criminal alien’, first installed in US immigration law in 1996, tellingly serves as a condensation of two of citizenship’s constitutive alterities, namely, the (illegalized) migrant non-citizen and the criminal (‘failed’) citizen, supplying a convenient elision of foreignness, the presumption of ‘illegality’, and the allegation of outright criminality (see, eg, Coutin 2010; Dowling and Inda 2013; Evans 2020; Hasselberg 2016; García Hernández 2024; Golash-Boza 2014, 2015; Griffiths 2015; Kanstroom 2012; Peutz 2006/2010), and authorizing the steady erosion and subversion of the customary juridical partition between immigration (civil) law and criminal law (Stumpf 2006, 2013). The figure of the ‘criminal alien’, furthermore, is customarily racialized as non-white, thereby presumptively justifying disproportionately punitive treatment and exclusion for racially subordinate communities while nonetheless silencing the invidious inequalities of race, class, and gender embedded in their sociopolitical and juridical production as such. In this manner, criminological improvisations contributing to an escalation in the targeting of ‘criminal’ non-citizens have long served to legitimize the intensified and inordinate policing of racially subordinate (minoritized) communities and populations, in which the bright lines between citizens and non-citizens are very belligerently blurred and a shared condition of denizenship is starkly revealed (De Genova 2021; see also De Genova and Roy 2021; Nyers 2019; Turner 2001, 2016).

For their part, the authoritarian regime in El Salvador has demonstrated no interest whatsoever in whether there are any formal charges or valid evidence against Trump’s deportees – as long as El Salvador get paid to sequester and torture these migrants in their most brutal and notorious prison. Notably, they have even volunteered with no inhibitions to similarly warehouse US citizens in their dungeons – again, for a price.⁴² Indeed, Trump has also subsequently made explicit his predilection for finding the way to use this Salvadoran option for effectively banishing and abandoning US citizen ‘criminals’ to indefinite imprisonment beyond the reach of US laws or judicial scrutiny, luridly referring to the prospective targets of his expanding penal dragnet as ‘homegrown’.⁴³ Thus, the more profound significance of the deal that the Trump administration brokered with El Salvador begins with transposing the banal rightlessness of ordinary undocumented migrants, and their specific vulnerability to deportation, into a generalized susceptibility for the extraordinary systematized cruelty and degrading punishment reserved for ‘enemies’ – indeed, the most phantasmatic and menacing sort of enemy: ‘terrorists’ – and potentially culminates in an extension of these same sorts of ‘antiterrorist’ recriminations against citizens.

One of the more infamous associations of the Alien Enemies Act was its use in mandating the registration of non-citizens that culminated during World Wars I and II in their mass internment in concentration camps. The Trump administration has now also resuscitated another obsolete wartime law, the Alien Registration Act of 1940, also

known as the Smith Act (later re-codified in the Immigration and Nationality Act of 1952), to mandate that millions of deportable non-citizens, including TPS recipients, submit to a new registration requirement, effectively mandating that they volunteer themselves to the government for background checks and to satisfy requirements that they provide information that the government does not already have, thereby incriminating themselves and exposing themselves to the risk of fines, arrest, imprisonment, and deportation.⁴⁴ This rule was also re-activated in 2002 for specified non-citizens (from a list of 25 predominantly majority-Muslim countries) as a so-called antiterrorism measure (Cainkar 2003; Cole 2003; De Genova 2007).⁴⁵ Registration effectively creates a catch-22 predicament whereby non-citizens must comply or put themselves in jeopardy, but where their cooperation is weaponized to penalize them.⁴⁶ It therefore creates a pretext whereby the vast majority of deportable migrants may be subjected to additional penalties for their failure to comply, while also seeking to entrap them through their voluntary and would-be 'lawful' compliance. Notably, the Smith Act was used during World War II to target individuals, including US citizens, suspected of communist political affiliations or otherwise deemed to be a threat to the war effort because of their anti-war politics, and then continued to be deployed after World War II throughout the McCarthy-era Red Scare to target alleged 'subversives'.

In light of this genealogy of how such ostensible immigration control measures serve the ends of political repression, the far-reaching and broad-stroke stigmatization of run-of-the-mill Venezuelan migrants as 'alien enemies' perpetrating 'irregular' warfare against the United States may be understood to lay an ideological groundwork for normalizing a wider effort to cast migrants as 'enemies', and more specifically, to deploy the executive powers of the US presidency (including the prerogative to determine foreign policy and to defend 'national security') to selectively and cynically enforce authoritarian recriminations against those perceived to be political opponents. Prior to his reelection, Trump pledged the expulsion of foreign students for perceived pro-Palestinian sympathies and the more general denial of admission to migrants and other international visitors deemed to hold unsavory political opinions, particularly those alleged to have what he describes as 'jihadist sympathies' who 'empathize with radical Islamic terrorists and extremists'.⁴⁷ Alongside these other new enforcement tactics, therefore, we must also note that Trump has moved to marshal the deportation power against non-citizens, specifically 'legal' migrants and international student-visa holders, who have engaged in pro-Palestine solidarity speech or activism, cynically branding them as presumptive supporters of Hamas (conveniently listed as a designated 'terrorist' organization). The most high-profile of these have been the arrests and abductions by immigration enforcement agents of Columbia University activist leader Mahmoud Khalil, a permanent resident of the United States, and Tufts University international student Rumeysa Ozturk, who simply co-authored an opinion article denouncing Israel's genocide in Gaza.⁴⁸ In both cases, the Trump administration has invoked an obscure provision in the McCarthy-era Immigration and Nationality Act of 1952, which states that a non-citizen is deportable if their 'presence or activities in the United States ... would have potential adverse foreign policy consequences', or if their continued presence 'would compromise a compelling United States foreign policy interest'.⁴⁹ In these cases, the executive

prerogative to determine foreign policy is being asserted as the authority that ostensibly justifies strategically arresting, detaining, and prospectively deporting those whom the Trump administration identifies as political adversaries on plainly ideological grounds. Hence, having *indiscriminately* smeared potentially tens or hundreds of thousands of other non-citizens as ‘enemies’ and ‘terrorists’ threatening the ‘national security’ of the United States with no pretense of any political or ideological basis whatsoever, the more devious *selective* targeting of people for their actual political beliefs and activism is, in effect, normalized and implicitly made to appear so much the more presumptively legitimate. Here again, the more diffuse and banal despotism of the border and immigration regime is supplying the bulwark for a more aggressive authoritarian assault to intimidate, suppress, or actually penalize those designated to be political opponents of the regime.

The storm of new anti-immigrant measures pursued by the second Trump administration have been trumpeted in the militaristic rhetorical idiom as a campaign of ‘shock and awe’,⁵⁰ and plainly illustrates many of the key features that Naomi Klein has identified as ‘the shock doctrine’ of disaster capitalism (Klein 2007, 2017). In spite of the pervasive over-reach, it remains noteworthy that the leading architect of Trump’s immigration strategies and tactics (both during his first term and currently), Stephen Miller, contended with derisive confidence prior to the election that all of the breathtakingly draconian measures that Trump’s advisers were preparing rely on existing statutes: the plans that he and other advisors were devising would be implemented without any new substantive legislation. ‘Trump will unleash the vast arsenal of federal powers to implement the most spectacular migration crackdown’, Miller declared.⁵¹ He portrayed Trump’s immigration and border plans as a ‘blitz’ designed to overwhelm immigrant-rights lawyers and civil liberties advocates, adding, ‘The immigration legal activists won’t know what’s happening’. Miller vowed that a second Trump administration would employ ‘the right kinds of attorneys and the right kinds of policy thinkers’, willing to implement such aggressive and extreme measures. ‘Bottom line’, he said, ‘Trump will do whatever it takes’. In short, Trump’s perverse and sadistic fantasy of mass punishment and persecution for migrants, according to this strategy, purportedly requires nothing more than the ‘right kind’ of authoritarian interpretive disposition to fully exploit the fundamental authoritarianism already thoroughly entrenched in the existing legal and enforcement apparatus of the border and immigration regime.

This is utterly crucial for critically apprehending the authoritarian project, more generally.

The extravagant authoritarian ambition that announced itself in advance – and which in various ways is now being implemented, however fecklessly in some respects – is invigorated by the belligerent confidence that illiberal authorities and emergency powers are already available to anyone occupying the office of the US President who is willing to avail himself of them. For Trump, this is particularly relevant to his venal desire to speedily disarm any potential administrative or judicial obstruction of his executive power and to persecute perceived detractors or rivals, and thereby to eventually crush all political opposition and dissent. Notably, it is the ethos of border war against migrants as putative external (or ‘foreign’) ‘threats’ and the actually existing despotism of the border that is pivotal for advancing a far more ambitious project of full-spectrum authoritarianism that

seeks to enact – at least selectively – something approximating a police state that would wage a kind of targeted civil war against any and all who may be deemed to be internal ‘enemies’.

A veritably full-spectrum authoritarianism is thus currently being authorized and executed in a manner that derives much of its energy from the routine authoritarianism of the border. It is the despotic power intrinsic to the policing authorities of the border regime that supplies the template for ‘migrating’ such authoritarian proclivities inward, so to speak, into the center of civic life, thereby exposing all the conceits, complacencies, and complicities of citizenship as the hegemonic modality of our modern subjection to state power, and thus the veritable form of our *unfreedom* (De Genova 2007, 442; De Genova and Roy 2021, 232). Rendering indistinguishable and undecidable the putative nation’s ostensible ‘inside’ and ‘outside’, and ultimately authorizing the targeted destruction of what is most intimate or familiar by means of the sorts of violence customarily reserved for that which is designated to be a ‘foreign’ enemy, any outrage or atrocity that can be perpetrated against non-citizens can potentially be re-purposed for the treatment of citizens. This is how the intrinsic authoritarianism of border war is converted into authoritarianism’s civil war.

Notes

1. The examples are numerous and multifarious – from the more classic variety of dictatorial power exercised by Vladimir Putin in Russia (including the suppression of the free press, the outlawing of dissent, and the imprisonment and assassination of political rivals, to say nothing of the neo-colonial war of aggression for the eradication of Ukraine and the annexation of its territory), to Rodrigo Duterte’s campaign in the Philippines to indiscriminately murder drug users and other petty criminals through extrajudicial killings, to Benjamin Netanyahu’s initiative to subvert the powers of the Israeli Supreme Court (to say nothing of the permanent Israeli regime of apartheid, settler colonial oppression, and military occupation and genocide for Palestinians), to Recep Erdoğan’s suppression of opposition political parties and imprisonment of political critics for the offense of ‘insulting the president’ in Turkey, to Narendra Modi’s weaponization of the law in India suppress civil liberties and strip Muslims and other minorities of their citizenship, to Viktor Orbán’s explicit promotion of the notion of ‘illiberal democracy’ to rationalize rule by decree in Hungary, to Donald Trump’s and Jair Bolsonaro’s incitements of attempted coups to overturn elections in the United States and Brazil, respectively. And so on and on.
2. The best work on contemporary fascism is dedicated precisely to understanding what indeed is new or ‘contemporary’ about these resurgent or incipient formations of fascism, and contributes to developing a conception of fascism as a heterogeneous historically versatile sociopolitical phenomenon rather than a merely descriptive checklist of features corresponding to historical antecedents; see, eg Klein and Taylor (2025); Mann (2004); Neocleous (1997, 2009); Rasmussen (2022); Toscano (2023). Much of the debate around fascism as an analytical category tends to be unsatisfactory because it quickly devolves into disputations over the correspondence (or lack thereof) of contemporary examples and historical instances of fascism during the 1920s and ’30s, such that ‘the principal temptation for any contemporary thought on fascism is historical analogy’ (Toscano 2023, 13). Confronting our current predicaments and emergencies, however, as Alberto Toscano rightly notes, ‘to recognise fascism’s anachronism is cold comfort’ (14).
3. <https://ballsandstrikes.org/legal-culture/border-patrol-100-mile-zone-explainer/>
4. https://www.nytimes.com/2023/12/04/us/politics/trump-2025-overview.html?nl=todaysheadlines&emc=edit_th_20231204

5. <https://www.brennancenter.org/our-work/analysis-opinion/supreme-court-gives-president-power-king>
6. <https://www.washingtonpost.com/elections/2023/10/12/trump-immigrants-comments-criticism/>
7. <https://www.washingtonpost.com/elections/2023/10/12/trump-immigrants-comments-criticism/>
8. www.seattletimes.com/seattle-news/politics/in-everett-trump-makes-pitch-for-black-voters/
9. <https://rollcall.com/factbase/trump/transcript/donald-trump-speech-law-enforcement-officials-grand-rapids-michigan-april-2-2024/>
10. <https://www.washingtonpost.com/elections/2023/10/12/trump-immigrants-comments-criticism/>
11. <https://www.newsweek.com/donald-trump-calls-asylum-claims-big-fat-con-job-says-mexico-should-stop-1379453>
12. For Schmitt, ‘The political is the most intense and extreme antagonism, and every concrete antagonism becomes that much more political the closer it approaches the most extreme point, that of the friend-enemy grouping’ (Schmitt 1927/2007, 29). Of course, Trump’s fundamentally transactional and self-serving disposition ensures that there is rather more conflation of the distinctions between the political and the economic, or the public and the private, than Schmitt would allow.
13. <https://www.nytimes.com/1977/10/18/archives/ku-klux-klan-plans-border-patrol-to-help-fight-illegal-alien.html>
14. https://www.nytimes.com/2023/11/27/opinion/trump-deep-state-schedule-f.html?nl=today-sheadlines&emc=edit_th_20231127
15. <https://www.washingtonpost.com/politics/2023/11/05/trump-revenge-second-term/>
16. <https://www.migrationpolicy.org/news/fy2024-us-border-encounters-plunge>
17. <https://apnews.com/article/trump-military-insurrection-act-2024-election-03858b6291e4721991b5a18c2dfb3c36>
18. <https://www.nytimes.com/2020/02/14/us/Border-Patrol-ICE-Sanctuary-Cities.html>
19. <https://immigrationimpact.com/2020/06/25/black-lives-matter-ice/>
20. <https://www.cnn.com/2024/05/01/politics/trump-immigration-what-matters/index.html>
21. Apart from replacing 378 miles of pre-existing fencing in need of repair at the border, Trump only managed to build 85 miles of new barricades.
22. <https://www.nytimes.com/2023/11/11/us/politics/trump-2025-immigration-agenda.html>
23. <https://www.pbs.org/newshour/show/children-who-are-u-s-citizens-deported-along-with-foreign-born-mothers-attorneys-say>
24. <https://www.npr.org/2024/11/12/nx-s1-5181962/trump-promises-a-mass-deportation-on-day-1-what-might-that-look-like>
25. <https://www.dhs.gov/medialibrary/videos>
26. <https://thehill.com/homenews/house/5208077-trump-administration-immigration-investigation/>
27. <https://www.nbcnews.com/news/latino/trumps-immigration-crackdown-numbers-deportations-arrests-rcna191851>
28. <https://static1.squarespace.com/static/5e221cacff87ba2d2833cf54/t/67a178103db0b902265c6e74/1738635290390/ICE+Air+JanTHCPDF.pdf>
29. <https://www.reuters.com/world/us/trump-set-broaden-arrests-deportation-routes-expand-immigration-crackdown-2025-02-21/>
30. <https://www.migrationpolicy.org/article/trump-second-term-begins-immigration?eType=EmailBlastContent&eId=c0edaa6c-fa88-4b1c-b20e-d3d0c62d5e90>
31. <https://www.npr.org/2025/05/06/g-s1-64513/trump-self-deportation-monetary>
32. <https://maydaystrong.org/>
33. <https://www.npr.org/2025/05/06/g-s1-63778/military-border-zone-posse-comitatus-explained>

34. <https://www.migrationpolicy.org/article/trump-mass-deportation-priority?eType=EmailBlastContent&eId=232e5376-f83e-4f66-8c43-928cf450eb20>
35. Within days of Trump's second inauguration, the acting Homeland Security Secretary Benjamine Huffman issued a memo extending the 'functions of an immigration officer' to the officers of the DEA, ATF, and the US Marshals Service to help in immigration enforcement operations and deportations, and subsequently, agents of the IRS criminal investigation division were reassigned to immigration enforcement, tasked now with conducting non-citizen arrests, detentions, and deportations.
36. https://nipnlg.org/sites/default/files/2025-01/2025_NIPNLG-Laken-Riley.pdf
37. When confronted with migrant and refugee caravans collectively mobilized to make the trek toward the US–Mexico border from Central America in October 2018, Trump excoriated the caravans as an 'invasion' and made repeated unfounded allegations that the caravans were host to countless violent criminals, particularly members of the Salvadoran street gang Mara Salvatrucha (a.k.a. MS-13), as well as people from the Middle East whom he insinuated were terrorists. 'Criminals and unknown Middle Easterners are mixed in', Trump tweeted of the caravans (<https://www.nytimes.com/2018/10/29/us/politics/caravan-trump-shooting-elections.html>). The 'unknown Middle Easterners' claim was almost instantaneously amplified when it was translated by then-FoxNews television host (current US Secretary of Defense) Pete Hegseth into the unfounded contention that Guatemala had arrested and deported 'over 100 ISIS fighters' (<https://www.nytimes.com/2018/10/22/us/politics/migrant-caravan-fact-check.html>).
38. By the end of February 2025, in compliance with a deal brokered by the US government, Panama had already accepted several hundred non-Panamanian deportees, with many dumped in a camp in the Darien jungle. A similar agreement was set up with Costa Rica, which had received nearly 200 deportees, mainly from Asian and African countries. Though no formal agreements were yet in place, Ecuador and Guatemala likewise appeared to have agreed to accept third-country returnees, in order to detain and ultimately deport them to their countries of origin (<https://www.migrationpolicy.org/article/trump-mass-deportation-priority?eType=EmailBlastContent&eId=232e5376-f83e-4f66-8c43-928cf450eb20>).
39. <https://www.theguardian.com/us-news/2025/mar/27/kristi-noem-el-salvador-prison-visit-trump-admin>
40. <https://newrepublic.com/post/195021/trump-deportations-libya-threats>
41. <https://www.pbs.org/newshour/world/what-to-know-about-rwandas-talks-with-the-u-s-about-taking-in-third-country-deportees>
42. <https://www.brennancenter.org/our-work/analysis-opinion/el-salvadors-offer-house-us-prisoners-illegal>
43. <https://www.npr.org/2025/04/16/nx-s1-5366178/trump-deport-jail-u-s-citizens-homegrown-el-salvador>
44. <https://www.migrationpolicy.org/article/trump-registration-alien-enemies-insurrection?eType=EmailBlastContent&eId=c93b71a3-ae59-4549-aa6c-7a2cf22fd697>
45. In its 'antiterrorist' iteration as the National Security Entry-Exit Registration System (NSEERS), the registration of more than 83,500 non-citizens from 2002–2003 yielded only 11 registrants who were eventually found to have anything vaguely resembling 'terrorist' ties, but nearly 14,000 were placed in removal proceedings due to mundane immigration violations (<https://www.migrationpolicy.org/article/trump-registration-alien-enemies-insurrection?eType=EmailBlastContent&eId=c93b71a3-ae59-4549-aa6c-7a2cf22fd697>).
46. <https://www.nilc.org/resources/faq-the-trump-immigration-registration-requirement/>
47. <https://apnews.com/article/trump-policies-agenda-election-2024-second-term-d656d8f08629a8da14a65c4075545e0f>
48. In fact, the Trump administration has revoked the student visas of hundreds more international students, including many with no evident histories of political activism and either no 'criminal' records whatsoever or only minor traffic violations and similar misdemeanors

(<https://www.nytimes.com/2025/04/07/us/student-visas-revoked-trump-administration.html?smid=nytcore-ios-share&referringSource=articleShare>).

49. <https://www.migrationpolicy.org/article/trump-registration-alien-enemies-insurrection?eType=EmailBlastContent&eId=c93b71a3-ae59-4549-aa6c-7a2cf22fd697>
50. <https://www.migrationpolicy.org/article/trump-second-term-begins-immigration>
51. <https://www.nytimes.com/2023/11/11/us/politics/trump-2025-immigration-agenda.html>

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