



# The Promise of a Subject-Centered Approach to Understanding Immigration Noncompliance

Emily Ryo<sup>1</sup>  
*University of Southern California*

## Executive Summary

Unauthorized immigrants and immigration enforcement are once again at the center of heated public debates and reform agendas. This paper examines the importance of applying a subject-centered approach to understanding immigration noncompliance and to developing effective, ethical, and equitable immigration policies. In general, a subject-centered approach focuses on the beliefs, values, and perceptions of individuals whose behavior the law seeks to regulate. This approach has been widely used in non-immigration law contexts to produce a richer and more nuanced understanding of legal noncompliance. By contrast, the subject-centered approach has been an overlooked and underappreciated tool in the study of immigration noncompliance. This paper argues that a subject-centered understanding of why people obey or disobey the law has the potential to generate new insights that can advance public knowledge and inform public policy on immigration in a number of important ways. Specifically, the paper considers how the use of this approach might help us: (1) recognize the basic humanity and moral agency of unauthorized immigrants, (2) appreciate not only direct and immediate costs of immigration enforcement policies, but also their indirect and long-term costs, and (3) develop new and innovative strategies to achieving desired policy goals.

## Introduction

Across many areas of law, researchers have long accepted the basic notion that to understand why people obey or disobey the law, we ought to understand the perspectives and experiences of individuals whose behavior the law seeks to regulate. This subject-centered approach to the study of legal noncompliance has produced a rich body of research across many different areas of law — as wide-ranging as illegal littering (Grasmick, Bursik, and Kinsey 1991), illegal fishing (Gezelius 2002), juvenile delinquency (Fagan and Tyler 2005), neighborhood violence (Kirk and Papachristos 2011), and white-collar crime (Soltes 2016). In this paper, I suggest that a subject-centered approach is an often overlooked and underappreciated tool in the study of immigration noncompliance, and

<sup>1</sup> I thank Rachel Yang for her excellent research assistance, and Greg Keating, Donald Kerwin, and Nomi Stolzenberg for their insightful comments.

that this approach to understanding why people obey or disobey the law has the potential to generate new insights that can advance public knowledge and inform public policy on immigration in a number of important ways. To be clear, I am not suggesting that a subject-centered approach ought to replace other approaches to the study of legal noncompliance in immigration law (or in any other area of law). Rather, my argument is that in light of the unique knowledge and insight that a subject-centered approach can provide, this approach should be adopted more widely to complement non-subject-centered approaches.

The remainder of this paper will develop this argument in three parts. The first part discusses some of the basic features of a subject-centered approach, and key challenges to employing this approach. The second part examines the application of a subject-centered approach in studies of legal noncompliance in tax and criminal law, respectively, in order to illustrate the versatile use of this approach across the civil-criminal law divide. My goal is to provide a broad context for thinking about the utility of a subject-centered approach, and to show that this approach has been used in varying ways across many different areas of law to enhance public knowledge and produce policy-relevant findings. Finally, I conclude by outlining some of the significant benefits to using this approach to understand immigration noncompliance. My discussion of these expected benefits centers around the following three key points that I further elaborate in this paper.

First, I show that a subject-centered approach can play an important role in helping us to recognize the basic humanity and moral agency of unauthorized immigrants. This recognition, in turn, is a critical foundation for developing immigration policies that are informed by international human rights norms, rather than by the immigrants-as-criminals trope, which lacks empirical basis but is often used to fuel public anxiety and fear.<sup>2</sup> Second, I discuss the ways in which a subject-centered approach can help us to better appreciate not only direct and immediate costs of immigration enforcement policies, but also their indirect and long-term costs. Although these indirect and long-term costs may be more difficult to measure, their potential implications for governance and system legitimacy are significant. Third, I consider how a subject-centered understanding of immigration noncompliance can foster new and innovative strategies to achieving desired policy goals. For example, my prior study indicates that unauthorized labor migration arises not from the immigrants' lawlessness or disrespect for the rule of law, but from their belief that unauthorized migration constitutes the only morally-acceptable response to economic exigencies that threaten their ability to perform "legal" and "honorable" work in support of their families. This finding would suggest that a focused developmental strategy that promotes job opportunities in key sending communities is more likely to reduce noncompliance than expending the same resources to produce threats of criminal punishment or to build a physical barrier along the US-Mexico border.

## I. Subject-Centered Approach

A subject-centered approach requires researchers to place their research subjects' perceptions and experiences at the center of their investigative focus and analysis. A number of scholars

<sup>2</sup> For a summary of studies that show that popular assumptions of immigrant criminality lack empirical basis, see Ryo (2015).

have expressly recognized the importance of applying subject-centered approaches to understand diverse and wide-ranging social phenomena. For example, Yasemin Besen-Cassino (2008, 352), in her study of youth labor in the United States, explains that “[w]hile youth employment has been studied extensively from the perspectives of parents, educators, and policy-makers, the central actors — young people themselves — have been relatively neglected and young people’s motives behind work remain virtually unexplored.” Besen-Cassino (2008, 360) argues that exploring the youths’ perspectives advances our understanding of not only those individuals’ decision-making process about work, but the way in which they make sense of their work and the “alternative functions [that] work fulfills” for them.

Likewise, Min Zhou and colleagues (Zhou et al. 2008; see also Lee and Zhou 2014; Zhou 2015) expressly acknowledge the importance of using a subject-centered approach in their study of immigrant assimilation. According to Zhou et al. (2008, 42), “the process of social mobility is complex and multifaceted and . . . mechanisms leading to divergent outcomes depend largely upon how structural and cultural exigencies affect subjects and how subjects respond or react to those exigencies.” Thus, Zhou et al. (2008, 42) argue that a subject-centered approach that attends to immigrants’ perceptions, and definitions of mobility and success, will enable us to better “understand both the obvious and subtle reasons [why] members of the second generation make certain choices and pursue particular pathways” to social mobility.

While there is temptation to strictly equate subject-centered approaches with qualitative methods like ethnography or open-ended interviews, I suggest that subject-centered approaches are pluralistic and often times agnostic, with respect to methodology. To be sure, quantitative methods such as closed-ended surveys are less adept at capturing *in depth* the inner world of research subjects than qualitative methods like open-ended interviews. However, surveys typically enable researchers to more easily capture the perspectives of a significantly larger sample of individuals. Given these tradeoffs between quantitative and qualitative methods, researchers have often deployed both types of methods, either simultaneously or sequentially, to obtain a more holistic picture of the complex dynamics underlying the social or legal phenomenon at issue. Whatever the researcher’s chosen methodology, subject-centered approaches can present daunting challenges. For example, these approaches often require time- and resource-intensive field research. Researchers may encounter substantial hurdles to gaining access to subject populations of interest if those populations are hidden from public view. Researchers may also face formidable obstacles to establishing the mutual understanding and trust necessary for meaningful data collection, especially if the members of the subject population occupy marginalized or vulnerable positions in society.

In the next section, I turn to research on criminal law and tax law to illustrate how scholars have deployed subject-centered approaches to produce richer and more nuanced understandings of legal noncompliance in those disparate areas of law. My goal is not to offer a comprehensive review of the vast and growing bodies of research in these two areas of law. Nor do I mean to suggest that immigration noncompliance is in any way analogous or similar (legally or morally) to criminal or tax noncompliance. Rather, my goal is simply to illustrate in relatively broad strokes the ways in which subject-centered approaches have become an important device across both criminal and civil law domains.

## II. Applications in Criminal Law and Tax Law

A long line of research has focused on the question of why people obey or disobey the law (see, e.g., Meier and Johnson 1977; Grasmick and Bryjak 1980; MacCoun 1993; Jackson et al. 2012; Tyler and Jackson 2014). The dominant models of legal noncompliance — from the instrumental model to the procedural justice model — are perceptual models at their core. These models focus on, for example, how people perceive the certainty of apprehension and severity of sanctions (Nagin 1998; Paternoster 2010), or how people perceive the legitimacy of law or legal authority regulating their conduct (Tyler [1990] 2006; Mazerolle et al. 2013).<sup>3</sup> Researchers have responded to the subjective nature of inquiries required to test these models by collecting and analyzing a voluminous array of empirical data on the legal attitudes and legal experiences of individuals subject to the law. Below, I highlight a few of these studies in criminal law and tax law contexts, respectively, to illustrate these studies' diverse range, scope, and methodology.<sup>4</sup>

In criminal law research, scholars have long recognized that “to ignore or minimize the value of [offenders'] views and opinions” of criminal law and policies “because of distrust of their honesty and motives is to risk failing to obtain invaluable information from those in a position to offer unique and unanticipated insights” (Larson and Berg 1989). For example, it was only through surveying nearly 300 criminal inmates across a number of prisons and jails that David Anderson (2002) was able to demonstrate the extent to which criminal offenders made uninformed decisions about whether to engage in criminal behavior. Anderson asked on the survey, “When you committed this crime, how likely did you think it was that you would be caught?” and “When you committed this crime, did you know what the likely punishment would be if you were caught?” Anderson's analysis of the responses to these survey items showed that 76 percent of active criminals and 89 percent of the most violent criminals in the study, respectively, had not thought about either the risk of apprehension or the likely punishments at the time of their offending.

Eugene Soltes (2016) reached a similar conclusion in his study of former executives who had been convicted of white-collar crimes such as insider trading, violations of financial reporting requirements, and pyramid schemes. Drawing on in-depth interviews with almost 50 former executives, Soltes (2016, 5) “sought to place [himself] in their positions and to understand the world as they saw it.” By adopting this subject-centered approach, Soltes was able to dispel the myth of the mastermind, which presumes that white-collar crime is a product of careful cost-benefit analysis. Contrary to this myth, Soltes showed that white-collar crime was more a result of failures in intuition and gut instincts, as well as the executives' inability to appreciate the human suffering and harm caused by their corporate malfeasance. Soltes (2016, 6) explained, “[W]hile manipulative corporate conduct has the same financial effect as stealing money from an investor's wallet, there is a crucial difference

3 Models of legal compliance have also become more complex over the past several decades as researchers have sought to develop more realistic theories that explicitly take into account aspects of human behavior that challenge standard assumptions of neoclassical economics (see Jolls, Sunstein, and Thaler 1998 [discussing bounded rationality, bounded willpower, and bounded self-interest]).

4 I focus on US studies for the purposes of my exposition, though there are many studies in this body of research that focus on non-US contexts (see, e.g., Hucklesby 2009 [examining factors underlying compliance with electronically-monitored curfew orders among criminal offenders in England]; Wenzel 2004 [examining the impact of social norms on tax compliance among Australian citizens]).

between these types of crime from the perspective of the perpetrator.” According to Soltes (2016), “Stealing money from another’s pocket involves a high degree of intimacy . . . But manipulative corporate conduct lacks all these sensations associated with theft. Executives never need to get close — physically or psychologically — to their victims.”

Subject-centered approaches have also broadened our understanding of the complex dynamics underlying tax noncompliance.<sup>5</sup> A great deal of this research has focused on the importance of “tax morale” — what Marjorie Kornhauser (2007, 139) refers to as “the collective name for all the non-rational factors and motivations — such as social norms, personal values and various cognitive processes — that strongly affect an individual’s voluntary compliance with laws.” Subject-centered approaches have been critical to uncovering the nature and operation of tax morale subtypes. For example, Stalans, Kinsey, and Smith (1991) investigated how people form beliefs about sanctions and norms about tax compliance by conducting a survey of 1,200 residents in Minnesota. This study found that communication with coworkers lowered the perceived likelihood of apprehension and the severity of sanctions for tax evasion, whereas communication with family members increased the perceived fairness of tax laws and positive personal norms about tax compliance.

Onu and Oats (2016) also studied the importance of social communication and social norms on tax compliance, but they relied on an in-depth discourse analysis. Their analysis focused on 120 interactions between professional web designers on online forums, in which the professionals sought one another’s advice on their tax obligations. Onu and Oats’ study revealed active social influence processes in tax communication — processes that had been ignored in past studies based on the assumption that taxpayers were “passive transmitters” of information to each other. Onu and Oats found that the study sample’s professionals, most of whom were self-employed and thus obligated to voluntarily report their income tax, actively influenced and persuaded each other to comply with tax laws, using a range of known persuasion techniques in their discussions. These persuasion techniques ranged from stating the benefits of compliance, to threats and warnings of the consequences of tax evasion. Onu and Oats (2016, 38) concluded that while the former set of techniques generally yielded responses that were supportive of tax compliance, the latter set of techniques generated more defiant responses, especially when those techniques referred to the coercive power of tax authorities.

Taken together, both bodies of research — research on criminal offending and research on tax evasion — suggest that subject-centered approaches have played a key role in advancing our knowledge of the relative importance of complex social dynamics, such as community norms, perceptions of the legitimacy of the law, and moral judgments, that underlie legal noncompliance. These advances have challenged, complicated, and extended traditional deterrence models that have focused almost exclusively on instrumental factors such as expected economic costs and benefits of noncompliance.

<sup>5</sup> For recent reviews of tax compliance studies, see Khlif and Achek (2015), Pickhardt and Prinz (2014), and Devos (2013).



### III. Understanding Immigration Noncompliance

What might a subject-centered understanding of immigration noncompliance look like, and what might be the relevance and implications of such an understanding for policymaking? A growing but still a small number of studies have examined immigrants' experiences with and the impacts of immigration law from the immigrants' perspective (see, e.g., Ryo 2006; Gleeson 2010; Abrego 2011; Gonzales 2011; Menjivar and Abrego 2012; Rodríguez and Hagan 2014; Menjivar and Lakhani 2016).<sup>6</sup> In a related but a distinct line of inquiry, I adopted a subject-centered approach to explore immigration noncompliance among current and prospective unauthorized immigrants in the United States (Ryo 2013; Ryo 2015; Ryo 2017). Consistent with the discussion above that a subject-centered approach is not synonymous with specific research methods, I have relied on both qualitative and quantitative methods, as appropriate, to examine the perspectives, beliefs, and motivations of individuals who are subject to US immigration laws and policies.

For example, in *Deciding to Cross*, I collected and analyzed a large-scale survey in Mexico with individuals who were considered to be at risk of engaging in unauthorized migration into the United States (Ryo 2013). My findings showed that in addition to certain economic cost-benefit calculations, prospective immigrants' normative values, such as their moral sensibilities and their perceptions about the legitimacy of immigration laws and authorities, were significantly related to their intentions to cross the border illegally.<sup>7</sup> In a companion piece, *Less Enforcement, More Compliance*, I explored the nature of these normative values based on group interviews with immigrants at the US-Mexico border and in the interior of the United States (Ryo 2015). My analysis in *Less Enforcement, More Compliance* yielded several insights about the immigrants' normative values and their role in individual decisions to engage in unauthorized migration. Below, I briefly underscore two key findings that emerged from that study.

First, I found that the immigrants viewed themselves as law-abiding individuals who valued legal order and respected national sovereignty notwithstanding their violations of US immigration law. Underlying this self-perception were certain *value* orientations and *moral* imperatives. For example, in discussing their decisions to cross the border illegally, the immigrants commonly emphasized structural forces that were beyond their individual control, such as the collapse of their national or local economies, and crop failures. Faced with these structural forces brought on through no fault of their own, the immigrants viewed their migration decision as the only morally appropriate way to fulfill their deeply-felt personal responsibility to provide for their families, and their commitment to "legal" and "honorable" work. Moreover, the immigrants viewed immigration noncompliance as morally distinct from other kinds of noncompliance such as criminal law violations. From their perspective, the former type of noncompliance allowed them to perform work that helped to build the US economy, whereas the latter type of noncompliance engendered clear harm at the individual and societal level.

6 There are also studies that engage in subject-centered analyses of the spillover effects of immigration policies on community members who are not the direct targets of the policies but are nonetheless impacted by those policies; these community members include, for example, border region residents and US-born Latinos (see, e.g., Heyman 2013; Quiroga, Medina, and Glick 2014).

7 More recently, I used a survey to examine the legal attitudes of immigrant detainees, and found that the detainees' procedural justice perceptions were significantly related to their reported willingness to obey immigration authorities (Ryo 2017).

Second, my analysis showed that the immigrants viewed the current US immigration system (in terms of both its admission and its enforcement policies and practices) as neither in alignment with their expressed moral values nor legitimate. Prominent in the immigrants' narratives were discussions of the various ways in which the current US immigration system violated fundamental notions of equality and fairness by operating in biased, hypocritical, and arbitrary ways. For example, the immigrants often described the US immigration system as a "business" or a "lottery," in which only the lucky few "won" visas to enter the United States legally. These beliefs about the lack of system transparency, predictability, and rule-based qualities, together with the immigrants' expressed moral values undergirding their decisions to migrate, formed a powerful normative basis for enabling noncompliance. Moreover, these findings provide a nuanced account of why unauthorized immigrants might engage in a particularized rather than a generalized form of noncompliance — that is, why they might violate US immigration law but not other laws. In sum, the foregoing discussion suggests that subject-centered approaches can generate a fuller and more complex perspective on immigration noncompliance.

Why might we want such a deeper understanding of immigration noncompliance? There are at least three reasons. First, legal discourse and political debates about unauthorized migration and immigration enforcement policies in the United States are largely divorced from discussions of human rights. This is in large part due to the deeply-held and widely-accepted notion that nation-states have an absolute and unfettered right to determine who may enter and stay in their territories (Cole 2006; López 2006). But what are the limits, if any, to this self-determination principle, and what does a just and ethical immigration policy require for those seeking to enter, for those already in the United States, and for those whom the government seeks to expel? More specifically, what does a liberal democracy's professed commitment to and respect for every individual's human rights demand in terms of its immigration policy?<sup>8</sup> Grappling with these questions requires first recognizing the basic humanity and moral agency of immigrants. Fundamental to such a recognition is the understanding of immigrants not as passive objects of state control, but as individuals who are capable of normative judgments about the law and legal authorities, and whose actions are guided by their value judgments and shared social beliefs about what is right and appropriate given their situations (see Ryo 2015; Ryo forthcoming). Subject-centered approaches are uniquely situated to foster this understanding, given their focus on the immigrants' voices and lived experiences as they confront, acquiesce in, or resist the existing systems of governmental control that restrict their cross-border movement.

Second, I suggest that subject-centered approaches can produce knowledge that may focus our attention on not just the direct and immediate costs of immigration enforcement policies, but also their indirect and long-term costs. For example, immigration detention has become an increasingly important enforcement tool in the United States — a tool that the former secretary of the Department of Homeland Security has described as an "effective deterrent" to unauthorized migration (Preston 2014). There is little evidence that detention actually deters unauthorized migration (Sampson 2015). But emerging research does suggest that there are significant short-term costs of maintaining this system of detention, as well as long-term societal costs that may be harder to measure but are equally significant

<sup>8</sup> For in-depth discussion and debate on these questions, see, e.g., Bosniak (2006), Carens (2013), Wellman and Cole (2011).

(Ryo 2016; Ryo 2017; Ryo forthcoming). For example, my study based on survey and in-depth interviews with long-term immigrant detainees suggests that various structural and interactional factors in detention might work together to engender widespread legal cynicism among the detainees (Ryo forthcoming). By legal cynicism, I mean a deep sense of distrust of US laws and legal authorities, and skepticism about the US legal system's commitment to the rule of law. Because immigrant detainees are individuals embedded in domestic and transnational networks, they have the potential to widely disseminate delegitimizing beliefs about the US legal system and authorities. Such an outcome, I argue, has significant negative implications for democracy and governance in the long run.

Third, subject-centered approaches may help us to consider new and innovative strategies to achieving desired policy goals. For example, a longstanding body of research in other areas of law shows that laws that are incongruent with people's moral values are bound to generate widespread noncompliance. My study of unauthorized migration suggests that immigration law faces a similar challenge. As I discussed earlier in this paper, current and prospective unauthorized immigrants do not view violations of US immigration law as immoral. On the contrary, the immigrants in my study considered such violations to be the only viable morally-permissible option given their desire to work to support their families (Ryo 2015). In light of these findings, temporary worker programs that facilitate circular migration with transparency and predictability (rather than at the whim of a given political party in power), or focused development strategies that promote job opportunities in key sending communities, may promote expectations among current and prospective immigrants that there are viable, legal avenues of fulfilling their expressed moral obligations to support their families through work. These shared expectations in turn will likely encourage timely return migration among current immigrants, as well as motivate prospective immigrants to wait to enter legally rather than attempt to cross illegally.

## Conclusion

The purpose of this paper has been to explain the importance of subject-centered approaches to understanding immigration noncompliance, and to present a case for why we should care about the views of unauthorized immigrants. That unauthorized immigrants are nonmembers to our polity in the legal sense does not lessen the importance of attending to their voices. Understanding their beliefs, values, and perceptions may help us to recognize their basic humanity and moral agency — an important first step toward a concrete and critical engagement with the idea that immigrant rights are human rights. I have also argued that we should care about the views of unauthorized immigrants because doing so may help us to appreciate the indirect and long-term costs of our enforcement policies, and to engage in a broader range of public discussions about how we might promote greater voluntary compliance. In these ways, adopting subject-centered approaches to the study of immigration noncompliance may have an important role to play in the development of effective, ethical, and equitable immigration policies.



REFERENCES

- Abrego, Leisy J. 2011. "Legal Consciousness of Undocumented Latinos: Fear and Stigma as Barriers to Claims-Making for First- and 1.5-Generation Immigrants." *Law & Society Review* 45(2): 337-69. <https://doi.org/10.1111/j.1540-5893.2011.00435.x>.
- Anderson, David A. 2002. "The Deterrence Hypothesis and Picking Pockets at the Pickpocket's Hanging." *American Law and Economics Review* 4(2): 295-313. <https://doi.org/10.1093/aler/4.2.295>.
- Besen-Cassino, Yasemin. 2008. "The Study of Youth Labor: The Shift Toward a Subject-Centered Approach." *Sociology Compass* 2(1): 352-65. <https://doi.org/10.1111/j.1751-9020.2007.00066.x>.
- Bosniak, Linda. 2006. *The Citizen and the Alien: Dilemmas of Contemporary Membership*. Princeton: Princeton University Press. <https://doi.org/10.1515/9781400827510>.
- Carens, Joseph H. 2013. *The Ethics of Immigration*. Oxford: Oxford University Press.
- Cole, David. 2006. "The Idea of Humanity: Human Rights and Immigrants' Rights." *Columbia Human Rights Law Review* 37: 627-58.
- Devos, Ken. 2013. "Tax Compliance Theory and the Literature." In *Factors Influencing Individual Taxpayer Compliance Behaviour*, 13-65. New York: Springer.
- Fagan, Jeffrey, and Tom R. Tyler. 2005. "Legal Socialization of Children and Adolescents." *Social Justice Research* 18(2): 217-42. <https://doi.org/10.1007/s11211-005-6823-3>.
- Gezelius, Stig S. 2002. "Do Norms Count? State Regulation and Compliance in a Norwegian Fishing Community." *Acta Sociologica* 45(4): 305-14. <https://doi.org/10.1177/00169930204500404>.
- Gleeson, Shannon. 2010. "Labor Rights for All? The Role of Undocumented Immigrant Status for Worker Claims Making." *Law & Social Inquiry* 35(2): 561-602.
- Gonzales, Roberto G. 2011. "Learning to be Illegal: Undocumented Youth and Shifting Legal Contexts in the Transition to Adulthood." *American Sociological Review* 76(4): 602-19. <https://doi.org/10.1177/0003122411411901>.
- Grasmick, Harold G., and George J. Bryjak. 1980. "The Deterrent Effect of Perceived Severity of Punishment." *Social Forces* 59(2): 471-91. <https://doi.org/10.2307/2578032>.
- Grasmick, Harold G., Robert J. Bursik, and Karyl A. Kinsey. 1991. "Shame and Embarrassment as Deterrents to Noncompliance with the Law." *Environment and Behavior* 23(2): 233-51. <https://doi.org/10.1177/0013916591232006>.
- Heyman, Josiah McC. 2013. "A Voice of the US Southwestern Border: The 2012 'We the Border: Envisioning a Narrative for Our Future' Conference." *Journal on Migration and Human Security* 1(2): 60-75. <https://doi.org/10.14240/jmhs.v1i2.9>.

- Hucklesby, Anthea. 2009. "Understanding Offenders' Compliance: A Case Study of Electronically Monitored Curfew Orders." *Journal of Law and Society* 36(2): 248-71. <https://doi.org/10.1111/j.1467-6478.2009.00465.x>.
- Jackson, Jonathan, Ben Bradford, Mike Hough, Andy Myhill, Paul Quinton, and Tom R. Tyler. 2012. "Why Do People Comply with the Law?: Legitimacy and the Influence of Legal Institutions." *British Journal of Criminology* 52(6): 1051-71. <https://doi.org/10.1093/bjc/azs032>.
- Jolls, Christine, Cass R. Sunstein, and Richard Thaler. 1998. "A Behavioral Approach to Law and Economics." *Stanford Law Review* 50(5): 1471-1550. <https://doi.org/10.2307/1229304>.
- Khlif, Hichem, and Imen Achek. 2015. "The Determinants of Tax Evasion: A Literature Review." *International Journal of Law and Management* 57(5): 486-97.
- Kirk, David S., and Andrew V. Papachristos. 2011. "Cultural Mechanisms and the Persistence of Neighborhood Violence." *American Journal of Sociology* 116(4): 1190-1233. <https://doi.org/10.1086/655754>.
- Kornhauser, Marjorie E. 2007. "Normative and Cognitive Aspects of Tax Compliance: Literature Review and Recommendations for the IRS Regarding Individual Taxpayers." *National Taxpayer Advocate's 2007 Annual Report to Congress, Volume 2*. Washington, DC: Internal Revenue Service. [https://www.irs.gov/pub/tas/arc\\_2007\\_vol\\_2.pdf](https://www.irs.gov/pub/tas/arc_2007_vol_2.pdf).
- Larson, Calvin J., and Bruce L. Berg. 1989. "Inmates' Perceptions of Determinate and Indeterminate Sentences." *Behavioral Sciences & the Law* 7(1): 127-37. <https://doi.org/10.1002/bsl.2370070109>.
- Lee, Jennifer, and Min Zhou. 2014. "The Success Frame and Achievement Paradox: The Costs and Consequences for Asian Americans." *Race and Social Problems* 6(1): 38-55. <https://doi.org/10.1007/s12552-014-9112-7>.
- López, María Pabón. 2006. "The Intersection of Immigration Law and Civil Rights Law: Noncitizen Workers and the International Human Rights Paradigm." *Brandeis Law Journal* 44(3): 611-35.
- MacCoun, Robert J. 1993. "Drugs and the Law: A Psychological Analysis of Drug Prohibition." *Psychological Bulletin* 113(3): 497-512. <https://doi.org/10.1037/0033-2909.113.3.497>.
- Mazerolle, Lorraine, Sarah Bennett, Jacqueline Davis, Elise Sargeant, and Matthew Manning. 2013. "Procedural Justice and Police Legitimacy: A Systematic Review of the Research Evidence." *Journal of Experimental Criminology* 9(3): 245-74. <https://doi.org/10.1007/s11292-013-9175-2>.
- Meier, Robert F., and Weldon T. Johnson. 1977. "Deterrence as Social Control: The Legal and Extralegal Production of Conformity." *American Sociological Review* 42(2): 292-304. <https://doi.org/10.2307/2094606>.

## The Promise of a Subject-Centered Approach

- Menjívar, Cecilia, and Leisy J. Abrego. 2012. "Legal Violence: Immigration Law and the Lives of Central American Immigrants." *American Journal of Sociology* 117(5): 1380-1421. <https://doi.org/10.1086/663575>.
- Menjívar, Cecilia, and Sarah M. Lakhani. 2016. "Transformative Effects of Immigration Law: Immigrants' Personal and Social Metamorphoses through Regularization." *American Journal of Sociology* 121(6): 1818-55. <https://doi.org/10.1086/685103>.
- Nagin, Daniel S. 1998. "Criminal Deterrence Research at the Outset of the Twenty-First Century." *Crime and Justice* 23: 1-42. <https://doi.org/10.1086/449268>.
- Onu, Diana, and Lynne Oats. 2016. "'Paying Tax Is Part of Life': Social Norms and Social Influence in Tax Communications." *Journal of Economic Behavior & Organization* 124(April): 29-42. <https://doi.org/10.1016/j.jebo.2015.11.017>.
- Paternoster, Raymond. 2010. "How Much Do We Really Know about Criminal Deterrence?" *Journal of Criminal Law & Criminology* 100(3): 765-823.
- Pickhardt, Michael, and Aloys Prinz. 2014. "Behavioral Dynamics of Tax Evasion – A Survey." *Journal of Economic Psychology* 40: 1-19. <https://doi.org/10.1016/j.joep.2013.08.006>.
- Preston, Julia. 2014. "Detention Center Presented as Deterrent to Border Crossings." *New York Times*, December 15. <https://www.nytimes.com/2014/12/16/us/homeland-security-chief-opens-largest-immigration-detention-center-in-us.html>.
- Quiroga, Seline Szkupinski, Dulce M. Medina, and Jennifer Glick. 2014. "In the Belly of the Beast Effects of Anti-Immigration Policy on Latino Community Members." *American Behavioral Scientist* 58(13): 1723–42. <https://doi.org/10.1177/0002764214537270>.
- Rodríguez, Nestor, and Jacqueline Maria Hagan. 2004. "Fractured Families and Communities: Effects of Immigration Reform in Texas, Mexico, and El Salvador." *Latino Studies* 2(3): 328-51. <https://doi.org/10.1057/palgrave.lst.8600094>.
- Ryo, Emily. 2006. "Through the Back Door: Applying Theories of Legal Compliance to Illegal Immigration During the Chinese Exclusion Era." *Law & Social Inquiry* 31(1): 109-46. <https://doi.org/10.1111/j.1747-4469.2006.00004.x>.
- . 2013. "Deciding to Cross: Norms and Economics of Unauthorized Migration." *American Sociological Review* 78(4): 574-603. <https://doi.org/10.1177/0003122413487904>.
- . 2015. "Less Enforcement, More Compliance: Rethinking Unauthorized Migration." *UCLA Law Review* 62: 622-70.
- . 2016. "Detained: A Study of Immigration Bond Hearings." *Law & Society Review* 50(1): 117-53. <https://doi.org/10.1111/lasr.12177>.
- . 2017. "Legal Attitudes of Immigrant Detainees." *Law & Society Review* 51(1): 99-131. <https://doi.org/10.1111/lasr.12252>.

- . Forthcoming. “Fostering Legal Cynicism through Immigration Detention.” *Southern California Law Review* 90.
- Sampson, Robyn. 2015. “Does Detention Deter?” International Detention Coalition briefing paper. [http://idcoalition.org/wp-content/uploads/2015/04/Briefing-Paper\\_Does-Detention-Deter\\_April-2015-A4\\_web.pdf](http://idcoalition.org/wp-content/uploads/2015/04/Briefing-Paper_Does-Detention-Deter_April-2015-A4_web.pdf).
- Soltes, Eugene. 2016. *Why They Do It: Inside the Mind of the White-Collar Criminal*. New York: Public Affairs.
- Stalans, Loretta J., Karyl A. Kinsey, and Kent W. Smith. 1991. “Listening to Different Voices: Formation of Sanction Beliefs and Taxpaying Norms.” *Journal of Applied Social Psychology* 21(2): 119-38. <https://doi.org/10.1111/j.1559-1816.1991.tb00492.x>.
- Tyler, Tom R. (1990) 2006. *Why People Obey the Law*. Princeton: Princeton University Press.
- Tyler, Tom R., and Jonathan Jackson. 2014. “Popular Legitimacy and the Exercise of Legal Authority: Motivating Compliance, Cooperation, and Engagement.” *Psychology, Public Policy, and Law* 20(1): 78-95.
- Wellman, Christopher H., and Phillip Cole. 2011. *Debating the Ethics of Immigration: Is There a Right to Exclude?* Oxford: Oxford University Press. <https://doi.org/10.1093/acprof:osobl/9780199731732.001.0001>.
- Wenzel, Michael. 2004. “An Analysis of Norm Processes in Tax Compliance.” *Journal of Economic Psychology* 25(2): 213-28. [https://doi.org/10.1016/S0167-4870\(02\)00168-X](https://doi.org/10.1016/S0167-4870(02)00168-X).
- Zhou, Min, Jennifer Lee, Jody Agius Vallejo, Rosaura Tafoya-Estrada, and Yang Sao Xiong. 2008. “Success Attained, Deterred, and Denied: Divergent Pathways to Social Mobility in Los Angeles’s New Second Generation.” *Annals of the American Academy of Political and Social Science* 620(1): 37-61. <https://doi.org/10.1177/0002716208322586>.
- Zhou, Min. 2015. “Assimilation and Its Discontents.” In *Emerging Trends in the Social and Behavioral Sciences: An Interdisciplinary, Searchable, and Linkable Resource*, edited by Robert A. Scott and Marlis C. Buchmann, 1-16. Hoboken, NJ: John Wiley & Sons, Inc.