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Trump's immigration policies deny human dignity, but another way is possible



*The past 10 months have seen the second Trump administration pursue increasingly draconian immigration enforcement policies aimed at seizing and removing unauthorized immigrants or even those who are perceived to be. **Sandra Portocarrero***

writes that this approach ignores basic human dignity. Human dignity, she argues, is an inherent quality, and should not be based on someone's worth to American society. A dignity-based immigration policy would end the current administration's practices and mean a fundamental shift in the way we think and talk about immigration.

There are different approaches to describe, justify, or challenge the Trump administration's draconian policies for managing the presence of unauthorized immigrants in the United States. Those in favor believe that anyone who has crossed the border illegally or overstayed their visa has clearly violated the law and should face the consequences of their actions. Others with moderate views believe that certain "ideal undocumented immigrants"—those who work and contribute positively to American society—should be spared from the threat of deportation or other draconian policies, precisely because of their contributions. And then there are people, like me, who believe that any decision or action affecting any human being, including unauthorized immigrants, should be made on the basis of dignity. That is, founded on the principle that people have inherent human worth not because of their economic contributions to society but simply because they exist.

In writing this piece, I first thought of providing a justification for why people migrate to the United States. I considered writing about US intervention in Latin America and how privatization and deregulation led to the **destabilization** of political economies, pushing people to seek better lives in places like the United States. Or perhaps writing about the **Bracero Program**, the temporary labor initiative that ran from 1942 to 1964, which brought millions of Mexican laborers into the US to address labor shortages. What would have happened to the United States' agricultural and railroad industries during and after World War II without the braceros? But enough justifications in favor of

unauthorized immigrants have been written on the basis of US intervention abroad or US policy. The underlying tone in those arguments hovers somewhere between “we created this mess, let’s deal with it” and “unauthorized immigrants are hardworking people. Let’s keep them.”

Dignity is an inherent quality – not based on someone’s “worth”

The justification I provide here is made solely on the basis of dignity. Our modern understanding of dignity is heavily influenced by philosopher Immanuel Kant, who argued that dignity **stems** from human rational autonomy—a quality that requires us to treat every person as an end in themselves, not as a means to an end. This means that our appreciation of someone, or the worth we attribute to a person, should not be based on what that person does for American society through the fulfillment of jobs that “nobody wants” or jobs where the undocumented worker is exploited and underpaid. In the Kantian sense, dignity is not earned through productivity or good behavior. Dignity is an inherent quality of being human. So, when we condition our treatment of unauthorized immigrants on their utility to American society—when we ask, “what have you done for us Americans?” we reduce human beings to mere instruments, violating the very foundation of human dignity.

It is worth noting that neither the Declaration of Independence nor the US Constitution explicitly mentions the word “dignity.” Yet the concept permeates both documents and the jurisprudence that has shaped American society. My interpretation of the Declaration’s assertion that all people “are created equal” and “are endowed by their Creator with certain unalienable Rights” is that worth and dignity are inherent to the human condition. The Constitution’s protections in the Bill of Rights against searches and seizures, cruel punishment, and deprivations of life, liberty, or property without due process all flow from an underlying recognition of human worth. While the authors of the US Constitution may not have used the word, they built a system of government premised on respect for human dignity.



“Protect_Immigrants_IMG_1400-1” by Peg Hunter, CC BY-NC 2.0

The consequences when human dignity is not honored

But what happens when government actions, regardless of which administration, fail to honor the dignity of humans? In part IV of her **dissent** in *Utah v. Strieff* (2016), Justice Sotomayor wrote about how unlawful police stops violate the dignity of people and “corrode all our civil liberties.” Writing to herself, she added how such violations of dignity and the risk of being a victim of scrutiny disproportionately affects those who are Black and Global Majority, describing how these practices implies that people are not “citizen of a democracy but the subject of a carceral state just waiting to be cataloged.”

Indeed, these experiences resonate with the experience of unauthorized immigrants. Current immigration enforcement practices—workplace raids, detention centers, family separations, the constant threat of deportation—treat human beings as subjects to be surveilled, catalogued, and removed. What is more worrisome is that these practices allow for racial profiling, the practice of targeting individuals for suspicious activities based solely on the individuals perceived race or ethnicity or country of origin, in a country where racial segregation and the practice of slavery was once legal. In fact, in a 6-3 vote in the *Vasquez Perdomo v. Noem* case, the Supreme Court **granted** an emergency request from the Trump administration that temporarily allowed Immigration and Customs Enforcement (ICE) and Border Patrol agents to stop anyone they perceived to be in the state of California without authorization. Most of the people stopped by these agents during these raids were perceived as Latinos. Again, Justice Sotomayor dissented. She warned that the US Supreme Court’s decision risked turning Latinos into second class citizens. Sotomayor said: “We should not have to live in a country where the Government can seize anyone who looks Latino, speaks Spanish and appears to work a low wage job. Rather than stand idly by while our constitutional freedoms are lost, I dissent.” The practice of stopping people based on how they look denies the fundamental dignity of millions of people living in the United States.

But the violation of dignity extends beyond enforcement practices to the very language and framing of the immigration debate. When we speak of unauthorized immigrants as “illegals,” we deny their humanity. When we debate their presence based solely on economic impact or whether they are a net benefit to the economy or a fiscal burden—we engage in precisely the kind of instrumental reasoning that denies their dignity, because we refer to people as means rather than ends.

Arguments that defend unauthorized immigrants on the basis of their contributions—“they work hard,” “they pay taxes,” “they do jobs Americans won’t do”—inadvertently participate in this instrumentalization. These arguments, while well-intentioned, make the dignity of people conditional.

An immigration policy based on dignity

What would dignity-based immigration policy require? At a minimum, it would demand an end to degrading and dehumanizing practices: detention centers that separate families and hold people in cage-like conditions, abolishing travel bans based on people's characteristics, workplace raids that terrorize communities; deportations that occur without adequate due process or consideration of family ties and community integration. It would require us to create pathways for people already living in the United States to regularize their status, not because they have earned it through good behavior or economic contributions, but because their dignity demands that we not perpetually relegate millions to a legal limbo, such as those who currently fall under the Deferred Action for Childhood Arrivals (DACA) categories, that denies them basic protections and opportunities.

More broadly, it would require a fundamental shift in how we think and talk about immigration. Instead of asking what unauthorized immigrants have done to deserve to stay, we should ask what justifies treating any group of human beings as perpetually excludable from the protections and recognition that dignity demands. Instead of debating who among unauthorized immigrants is worthy of compassion—the DACA, the essential workers, the parents of US citizens—we should recognize that all are worthy simply by virtue of being human. This is not some sort of naivete mixed with idealism. It is a practical framework grounded in the fundamental principles of human rights and the constitutional democracy we, Americans, have historically fought for and deserve.

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Dr. Sandra Portocarrero is an Assistant Professor of Management at the London School of Economics and Political Science (LSE). She studies diversity work, organizational diversity initiatives, and undocumented entrepreneurship in the United States. Prior to joining LSE, Dr. Portocarrero completed a postdoctoral fellowship at Columbia Business School and a Women in Public Policy Program Fellowship at the Harvard Kennedy School of Government. She holds a Ph.D., M.Phil., and M.A. in Sociology from Columbia University and a B.A. in Sociology (high honors) from the University of California, Berkeley. Dr. Portocarrero is a Latina U.S. citizen living with her daughter in Islington.

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