



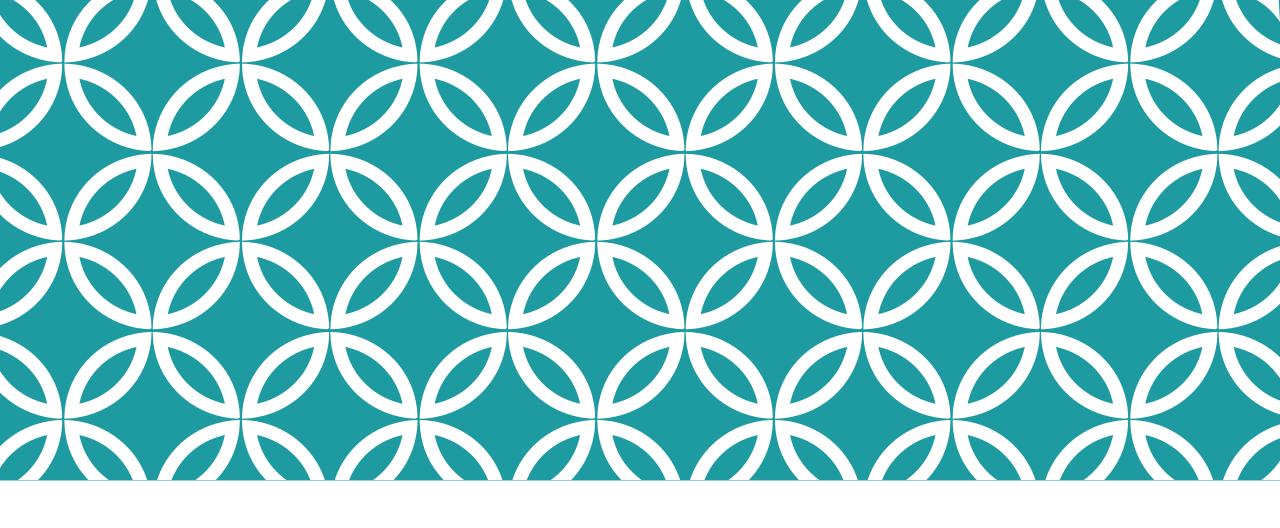
## ASYLUM AND SANCTUARY YESTERDAY AND TODAY

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## HISTORICAL CONTEXT

What is ASYLUM and why does it exist?

#### A Brief History of Immigration in the United States 1986—Legalized previously illegal aliens residing in the United States. Prohibited employers from hiring, recruiting, or referring for a fee, unauthorized aliens. Provided for the legalization of certain workers as temporary agricultural workers. naturalization sets Established a Visa Waiver pilot residence requirement legislation relating 1907—Head tax on 1917—Illiterates, program allowing the admission of at two years. specifically to immigration. immigrants increased. People persons of psychopathic with physical defects, mental inferiority, men and visas. Immigrants whose status was based on a marriage required to defects, tuberculosis, and women entering for children unaccompanied by apply for permanent status within parents added to the exclusion U.S. Immigration policies are drawn in three colors: Red suggests the main intent of the alcoholics, stowaways 90 days after their two-year list, Japanese immigration and vagrants added to policies in this year was to restrict immigration. Green suggests the intent may have been 1989-Granted perma restricted. the exclusion list. to increase immigration. Yellow denotes neither or both. Feel free to disagree. nent status to certain 1888-Provisions were passed in 1948 nonimmigrants nurses. adopted to provide for increased to 1980-Refugees expulsion of aliens. 1921-First quantitative refugees. preference category. 1906-Procedural 1990-Increased total immigration immigration law Clear criteria and safeguards for naturalizaadopted. It set under an overall flexible cap over several procedures established tion enacted. Knowledge temporary annual years. Created separate admission for their admission. 1885-Admission of of English made a basic quotas according categories for family-sponsored, 1952-National origins World-wide ceiling for contract laborers to nationality. employment-based, and diversity quota system reaffirmed. immigrants reduced. was banned. immigrants. Revised and established Fastern Hemisphere new nonimmigrant admission catego immigration limited while 1924-First ries. Revised all grounds for exclusion Western Hemisphere permanent and deportation, significantly rewriting the political and ideological grounds and 1903—Immigration law consolidated. unrestricted, Preferential 1978—Eastern immigration 1882—Head tax placed on repealing some grounds for exclusion. Polygamists and quota law. workers, relatives of U.S. immigrants who were Chinese, convicted of Authorized the Attorney General to Border Patrol Hemispheric political radicals citizens, and permanent grant temporary protected status to established. resident aliens. Security immigration added to the political offenses, lunatics, undocumented alien nationals of designated countries subject to armed ceilings were and screening standards idiots, and persons likely to combined tightened. become public charges. 1929—Annual Total immigration extended Visa Waiver Program. Revised naturalization and enforcement. over 187 years 1924 Act made 1891-Bureau 1950-Grounds for permanent. 1976-Immigration of Immigration exclusion and deporta-1864—Congress established. centralized control preference system ~72 Million over immigration expanded. applied to Western-Importation of ~9 Million contract laborers ~8.8 Million Separate Hemispheric was legalized. ceilings maintained. 1948-Policy adopted for admitting refugees. 1875-Law 1965-Numerical prohibited entry restrictions maintained of prostitutes 1946-Immigration by establishing and convicts. facilitated for foreign-born Hemispheric and per wives, fiance(e)s, husbands, country ceilings and a and children of U.S. armed preference system for the Eastern Hemisphere ~5.2 Million and a separate ceiling for Europe the Western Hemisphere 1943-Importation of National origins quota agricultural workers from North, South, system abolished. ~32 Million Chinese exclusion laws were repealed. ~3.7 Million ~2.6 Million Americas ~12.5 Million ~150 Thousand Africa ~2 Million Oceania 1830 1840 1850 1860 1870 1880 1890 1900 1940 1950 1960 1980 1990

### POLICY TIMELINE

1920s - Border Patrol invented, quota acts, and strong antiimmigrant feeling during the "Great Wave"

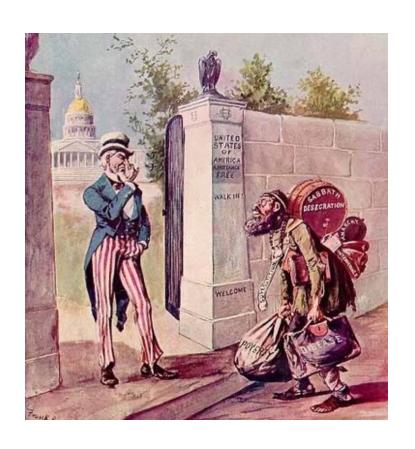
1921 The Emergency Quota Act

1924 Johnson-Reed Act

- National Origins Act (quotas)
- Asian Exclusion Act

1924 - Border Patrol established

## DISCRIMINATION AGAINST IMMIGRANTS IN EARLY 20<sup>TH</sup> CENTURY



The Irish, Italians, Greeks, and many eastern Europeans (especially Jewish migrants) faced discrimination and were seen by some as biologically inferior, "naturally" violent, etc.

While they were never denied the right to become citizens, like immigrants from Asia or Africa, in the 1920s new reforms were put in place that restricted the numbers that could come from these countries by setting immigrant quotas based on the 1870 census



## 1880S-1940S: THE RACIAL CLASSIFICATION CASES

Naturalization Act of 1906

Requirement to be "white" or "of African descent" to naturalize

1917 The Asiatic Barred Zone Act

Over the course of a half century, about 52 "racial prerequisite" cases were heard before the Supreme Court to determine whether you were white if you were from a particular country like the Phillipines (not white!) or Syria (white!)

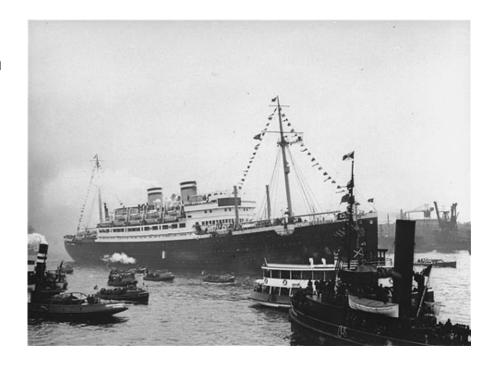
1922 Ozawa and Thind cases

### 1939 THE REFUSAL OF THE ST. LOUIS

A boat full of people fleeing Hitler's Germany, mostly Jewish, seeks asylum in Cuba, the U.S. and Canada

Vast majority are turned away and return to Europe– discrimination against Jewish immigrants probably played a role

Nearly 300 of the 937 passengers die in the war, most in Auschwitz and Sobibor



## 1951 REFUGEE CONVENTION + CIVIL RIGHTS REFORMS IN U.S. IMMIGRATION LAW

In the aftermath of World War II, the international community recognizes the problem of refugees and stateless people as a special issue requiring international cooperation and commitment

#### United Nations agreement

- Defines a refugee as someone with a well-founded fear of persecution based on the social group they belong to or a political opinion they hold
- States that every country signatory to the Convention is obligated to take in people in this circumstance (including the United States)

1950s and 1960s: major reforms end racial bans in immigration policy, and base the new policy on 3 major pathways while providing equal "caps" for all countries of origin

- Employment sponsorship
- Family reunification
- Refugee status (very limited number)

### 1965 IMMIGRATION REFORMS

In the shadow of the Statue of Liberty, President Johnson criticized the old policy at the signing ceremony:

"This system violates the basic principle of American democracy -the principle that values and rewards each man on the basis of his
merit as a man. It has been un-American in the highest sense,
because it has been untrue to the faith that brought thousands to
these shores even before we were a country." (Johnson, Lyndon B.,
Public Papers of the Presidents of the United States, U.S.
Government Printing Office, Washington, D.C., 1966, pp. 10371040.)

Ends racial/national origin preferences and forms a new system based on skills and family reunification.

### POLICY TIMELINE

1948 Displaced Persons Act

to allow admission of 200K refugees from Nazi Germany

1952 McCarren-Walter Act

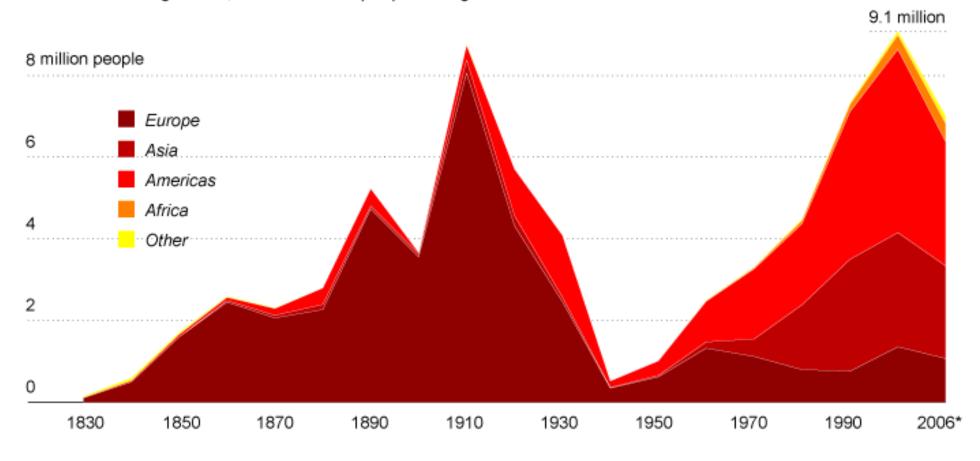
Ends bar against Asian countries and establishes quota for them

1965 - Hart-Celler Immigration Act

• Eliminates the ban on immigration from Asian countries as well as the "national preference system" that allowed in more immigrants from Northern and Western Europe than other countries

### **Immigration to the United States**

From 1820 through 2006, over 72 million people immigrated to the U.S.



## CLAIMING PUBLIC SPACE: BLACK & BROWN POWER MOVEMENTS, 1960S-PRESENT





## AFTER 1965: THE NEW WAVE, ETHNIC POLITICS, BORDER MILITARIZATION

Ethnic pride and ethnic power movements
Pluralism and multiculturalism as the new hegemony
Anti-immigrant sentiment
Border securitization

### THE "PUNITIVE TURN"

The spike in **legal** migration at the turn of the  $20^{th} \rightarrow 21^{st}$  century has been accompanied by a "punitive turn" in the nation's way of framing and dealing with our immigration policies

- Emphasizing transgression and punishment...
- •...rather than the processes of physical mobility, legal processing, and social integration that cross-border migration entails.

The shift in mass media, political, and popular rhetorics and discourses around immigration in the late 20<sup>th</sup> century laid the groundwork for politicians to build "the detention and deportation regime"

 Within the context of mass incarceration and the "punitive turn" in racialized social control

### WHITE IDENTITY AND RESPONSES



Houston Chronicle / Johnny Hanson

#### Anti-immigrant sentiment reflects...

- Cultural hierarchies asserting that some languages and ethnicities are "more American" than others
- Belief in the assimilation paradigm
- Belief that Latino and Asian immigrants are not able or willing to assimilate

The anti-immigrant movement has been absolutely central to the revival of **white nationalism** as a part of public political discourse in the 21<sup>st</sup> century.

### POLICY TIMELINE

- 1986 Immigration Reform and Control Act (IRCA)
- Legalization of undocumented immigrants
- Working (while illegally present) becomes illegal
- 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA)
- PRWORA (same time period) took public welfare rights from legal immigrants
- IIRIRA established more enforcement funding to deport undocumented, higher penalties, 287(g) program

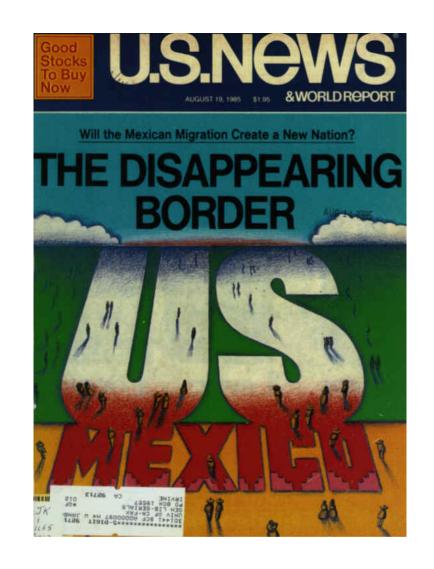
During the 1990s and 2000s: more activism on the part of recent immigrant communities, claiming rights as human beings, as workers, and as migrants

## 21<sup>ST</sup> CENTURY: SECURITY STATES AND THE POWER OF "CRIMINALIZATION" AND RACIST STEREOTYPES

Immigrants are portrayed as a security threat (and economic drain) by many

- It's NOT TRUE! (research says)
  - Immigrants are *less likely* to commit crimes than US-born people
  - Immigration typically has a positive economic impact
- Perception of danger and foreign status is extended to all Latino/as, and many other immigrant groups

Current situation: many activities that used to be legal have now been made into crimes for undocumented people (working, having a driver's license, etc.)



### THE "SPECTACLE OF ENFORCEMENT"



Peter Andreas (political scientist)- 2010 book Border Games

Joseph Nevins (geographer)- 2009 book Operation Gatekeeper

Funding for border security quadrupled from 1990-2010

Militarization of border technology

Construction of 650 miles of walls/fences on the border

Shifts in the assumed paradigm of enforcement

## SOLIDARITY AND RIGHTS MOVEMENTS FROM SANCTUARY TO #NOTONEMORE



## THE PUNITIVE TURN: EARLY 21<sup>ST</sup> CENTURY

#### UNDER OBAMA

Record levels of deportations

Expansion of funding to Border Patrol

Increased numbers of detainees

"Secure Communities" police/ICE info sharing

Oversaw construction of more border wall

Southern Border Plan with Mexico

Sent National Guard to border, 2010

#### But...

Reduced internal enforcement

Signed DACA

Normal refugee admissions

Softer rhetoric

#### UNDER TRUMP

Less total deportations, but vastly increased interior enforcement and deportation and detention of residents who have been here longer, and for minor reasons

Executive Orders (next slide)

Stripped residents of legal permits (DACA, TPS)

Propose cutting legal immigration by 50%

Cancelled a program that allowed Central American parents to apply for asylum for their children

Sent National Guard to the border

Separated children who crossed with parents

Strong and alarming rhetoric and violent policies against immigrants

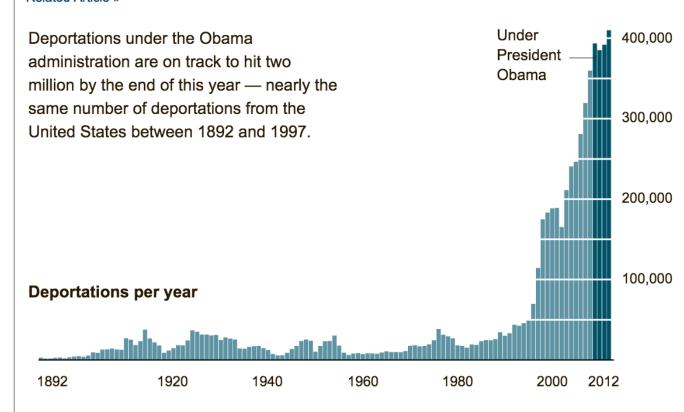
- Muslim immigrants and refugees
- Central American asylum seekers

### DEPORTATIONS UNDER OBAMA

Published: February 22, 2013

### Growth in Deportations

Related Article »



### EXECUTIVE ORDERS, JANUARY 2017



**Expand imprisonment of immigrants** 

Reduce opportunities to apply for asylum

Reduce refugee admissions

Hire 10K more ICE agents and 5K more Border Patrol agents

Attempt to punish "sanctuary" cities

Ban entry from 7 countries (later 6)

Initiate study of how to build a 2000 mile border wall

## **HUMAN RIGHTS CRISIS**

The backlash in the U.S. has caused a human rights crisis

#### A harder border means:

- More professional smugglers and criminal organizations involved
- Higher costs and higher risks for immigrants
- Circular labor migration less likely, permanent settlement more likely

#### Migrant death and suffering

- On the trail
- In immigrant detention



### CURRENT CRISIS

What are things like under the Biden administration?

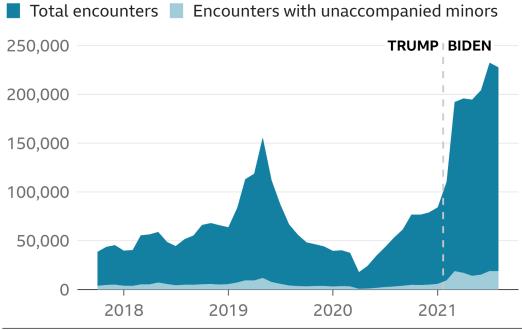
### BIDEN ADMINISTRATION

 Title 42 began March 20, 2020 and continued into Biden administration

- Asylum metering continues
- Reopened/overcrowded detention centers



### US-Mexico border has seen a sharp rise in migrants in recent months



Source: US Customs and Border Protection Agency



POLITICS >

## U.S. shelters received a record 122,000 unaccompanied migrant children in 2021

BY CAMILO MONTOYA-GALVEZ

**DECEMBER 23, 2021 / 9:15 AM / CBS NEWS** 







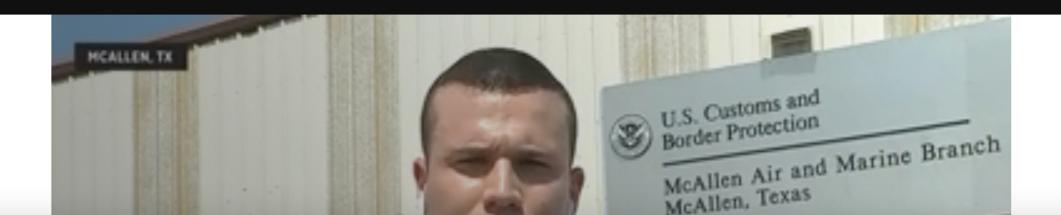
U.S. >

# 12,212 migrant children reentered U.S. border custody alone in 2021 after being expelled

BY CAMILO MONTOYA-GALVEZ

UPDATED ON: MAY 20, 2022 / 8:53 PM / CBS NEWS





### CBP Migrant Encounters at the U.S.-Mexico Border, by Country of Origin

	-		-		_
March 2022		April 2022		May 2022	Mar- May
Mexico 87,899	<b>——</b>	Mexico 82,393	<b>→</b>	Mexico 76,887	-13%
Cuba 32,154		Cuba 34,824	<b>→</b>	Cuba 25,348	-21%
Guatemala 21,388		Ukraine 20,118	1	Guatemala 21,382	0%
Honduras 16,211		Guatemala 19,900	1	Honduras 19,491	+20%
Nicaragua 16,019	7	Honduras 15,713	+	Colombia 19,040	+24%
Colombia 15,374	$\rightarrow$	Colombia 13,087	1	Nicaragua 18,944	+18%
El Salvador 8,401	1 x	Nicaragua 12,564	TA	Haiti 10,418	+380%
Venezuela 4,052	X	El Salvador 8,354	$\rightarrow$	El Salvador 8,955	+7%
Ukraine 3,274		Haiti 5,704	7	Brazil 5,118	+280%
Haiti 2,171	X	Venezuela 4,107	<b>\</b>	Venezuela 5,078	+25%
Turkey 1,966	N N	Brazil 3,019	1	Russia 3,394	+179%
India 1,375	V	Russia 1,682	-	Ecuador 3,045	+247%
Brazil 1,346	X	Ecuador 1,636	-	India 2,438	+77%
Russia 1,217		India 1,570		Turkey 2,310	+17%
Ecuador 878		Turkey 1,527	1	Romania 830	-4%
Romania 861	<b></b>	Romania 986		Ukraine 375	-89%
China 101	<b>—</b>	China 156	<b>——</b>	China 206	+104%





### OHIO IMPACTS

How is this affecting our neighbors?

