

Immigration

Illumination Project Curriculum Materials

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INTRODUCTION

Immigration is a complex and emotional topic that is misunderstood in our society. Most Americans lack knowledge around immigration laws, the immigrant experience, and how the structure of immigration ties so closely with racism and oppression. Understanding how the drivers of immigration, such as the dominant class's need for cheap labor and groups of people escaping tyranny and oppression for hope of a better life, is key to learning how we view ourselves, understanding the community around us, and seeing how institutionalized systems of oppression exist in our society. Immigration is a part of the cultural fabric in this country, and an issue that many people have strong opinions about – often without stopping to reflect on what has shaped those opinions.

The first step in understanding the complexity of immigration is to understand the history and terms associated with it. By examining the history of immigration and learning about the laws that uphold institutional systems of oppression for immigrants in this country we can have a better sense of how the immigrant experience impacts not only ourselves, but the communities we belong to. Immigration terms are also important to understand, as they are often misunderstood, used as a way to uphold unjust systems, and often tied with racism.

DEFINITION OF TERMS

Understanding the definitions, meanings, and experiences of the different terms used to talk about immigration will help give more context to ongoing debates, and help to understand how people's perceptions of these terms tie with prejudices. For more terms and definitions, please visit <http://www.immigrationequality.org>

Immigrant: this is a technical legal term which means a foreign national who has been granted permission to remain in the United States permanently, that is a “legal permanent resident” or “green card holder” and as such is distinguished from a “non-immigrant” who comes to the United States on a temporary visa. The term “immigrant” is often used more broadly to mean any person who is not a U.S. citizen.

Undocumented: the term **Illegal** is often used interchangeably with Undocumented. Both are used to describe foreign nationals who are present in the U.S. without lawful status. The term can refer to those who entered the U.S. without inspection (by crossing the border), those who overstayed their allotted time here, or those who violated the terms of their legal status. With very limited exceptions (notably asylum and immediate relatives of U.S. citizen petitions) a person who is not in lawful status in the U.S. cannot change from being in the U.S. unlawfully to being here lawfully.

Asylum: a form of relief for which nationals of other countries can apply if they have suffered persecution in their home countries or if they have a well-founded fear of future persecution on account of certain protected characteristics. Persecution on account of sexual orientation, transgender identity and HIV-positive status have been found to be grounds for asylum. Unlike refugees who have protection by being brought to the United States for resettlement, the U.S. Asylum Program provides protection to qualified applicants who are already in the United States or are seeking entry into the United States at a port of entry. Asylum-seekers may apply for asylum in the United States regardless of their countries of origin and regardless of their current immigration status. There are no quotas on the number of individuals who may be granted asylum each year.

Refugee: for refugee status, an applicant applies outside the United States and must meet the same standard of persecution as an asylum applicant. As a practical matter, it is much more difficult to win refugee status based on being LGBT or HIV positive than to win asylum. People wanting to gain refugee status cannot have committed acts of persecution, assisted in persecution on account of race, religion, nationality, membership in a particular social or political group. Specific determinations in each of these categories are defined by U.S. law.

International Student: individuals from other countries than the United States who are not US citizens or permanent residents. To study in the United States, a student must have an F-1 Visa, and also meet their own country's requirements for studying abroad. Once here, students are required to adhere to several rules regarding their registration status, living arrangements, work, and schedules.

Guestworker: a term used to define workers who go to a country to work in a specific job with or without legal documentation.

Naturalization: the process by which a foreign national applies for and obtains U.S. citizenship. Only legal permanent residents may apply to naturalize, and generally only after they have held their "green card" for five years (spouses of U.S. citizens may apply earlier.)

Resident Alien (Alien): Applies to non-U.S. citizens currently residing in the United States. The government use of alien dates back to 1798, when the Alien and Sedition Acts defined aliens as potential enemies of the state

HISTORICAL TIMELINE OF IMMIGRATION

Knowing relevant historical and current dates regarding the history of immigration law, events, and practices in this country is crucial to understanding the myriad of issues and systems of oppression upheld by the United States. The history of immigration is riddled with practices that uphold racism – with laws often targeted at specific groups of people and their access to becoming citizens. At the end of this curriculum you will find a timeline outlining some of the critical historical and legal events that have helped shaped immigration in this country. More resources around the history of immigration and activities can be found at: <http://lcweb2.loc.gov/ammem/ndlpedu/features/immig/introduction.html>

EXAMPLES AND ILLUSTRATIONS

Guestworkers

It is impossible to track the numbers of undocumented immigrants that live in the United States. It is currently estimated that 12 million undocumented people live here, with more arriving each day. Immigration law and policies still continue to uphold beliefs rooted in social inequality, racism, and xenophobia. One such example is the guestworker program, or H-2 program.

Under federal guidelines and laws, guestworkers are bound to a single employer. The employer then has the right to hold all of the workers legal documents, ensuring that the guestworker is cut off from all legal resources and in all essence held captive. Living conditions are set by the employers and often groups of people live in conditions that are crowded and without electricity or running water. Wages are also set by employers, and minimum wages are often cheated from workers. Medical care is non-existent, or if offered will cost the guestworker more money than they can afford, which then means more time working for the employers to pay off bills.

The guestworker program is the modern day slave trade. Employers are catered to by large companies which advertise the ability to “shop” for guestworkers to fill a variety of jobs including: landscaping, housekeeping, and agricultural laborers. These companies charge potential guestworkers a fee in order to represent them, file visa and other paperwork, and place them with employers in the United States. People often go into debt signing on with one of these companies, hoping to get the chance to come to America and earn a better living. For all practical purposes, guestworkers are bound to their employer or recruitment firm and cannot leave unless they are released. For more on guestworker programs in the United States, please see <http://www.splcenter.org/legal/guestreport/index.jsp>

The Border Fence

Since 1993 the United States has been building a fence between the border of the United States and Mexico. U.S. patrols of the border that began in 1904 were mainly to keep out illegal Asian immigrants. The continuation of the border fence has been one of the most controversial proposals in the debate about immigration. The barrier is modeled on an existing 14-mile fence between San Diego, Calif., and Tijuana, Mexico and has so far cost upwards of \$39 million and is estimated to cost a total of over \$7 billion. The fence is still not completed even with the passage of the Secure Fence Act of 2006 that gives legal permission to finish construction.

The undocumented immigrant population exploded after the passage of the North American Free Trade Agreement in the early 1990s, a pact that was supposed to end illegal immigration but wound up dislocating millions of Mexican peasant farmers and many small-industrial workers.

Supporters of the fence believe it will help homeland security and curb illegal immigration. Opponents have called it the new "Berlin Wall," against ethical ideals of a free and open society. Numbers of people illegally crossing the border since the fence was built has actually increased, mainly due to the rise in smugglers, called “coyotes” who charge upwards of a few thousand dollars per person. Close to 4,000 people have died trying to cross the border, a number that can only be estimated based on where and if bodies are found.

The U.S. – Mexico fence is a good example of institutional racism. The increased presence of armed guards, military personnel, and vigilante groups along the fence has only served to increase tensions in communities that live along the border. People living and working in border towns have seen increased racial profiling and harassment of laborers.

EXERCISES FOR CLASSES

Exploring the interrelationships of immigration, racism and systems of oppression can be helpful in large or small groups discussing the complex, often misunderstood history of the immigrant experience in the United States. It can also facilitate an individual experience of inquiry into an individual's perception of their own point of view.

Exercise #1: Connecting the timeline.

Refer to the United States Immigration Timeline handout for this exercise. This exercise gives students an opportunity as a large group to connect to the personal side of immigration. In this exercise, students identify with a group or event that has been a part of the U.S. Immigration history by reading a time line and standing near one of the documented “moments in time” that are posted in chronological order around the room. Have each student go around and state why they decided to stand at that particular point during the timeline.

Requirements: Timeline - each date is separately printed on its own sheet of paper in extremely large font, adhesive tape.

Group size: Large Group, entire class.

Time: Instructor prep: 15 minutes for separating and printing of timeline.

In Class: 30-45 minutes for activity and discussion

Exercise #2: Immigration Interview Activity

Refer to the Immigration Interview Activity handout for this exercise. In small groups of 3, have one student play an interviewer for the US government, and two students role-play a couple applying for a Marriage Visa: (Note: These are actual questions that are often asked by US Immigration when applying for a spousal Marriage) Visa.) After the interviews, have a large group discussion about the validity, difficulty, biases, fairness or relevance of any of the questions. Inquire as to whether anyone in class has been through this process (or one like it) or someone in their family, and if this rings true to their experience. Other possible questions: Do these questions reflect a racial or cultural bias? How so?

Exercise #3 – Citizenship Test

Refer to the Citizenship Test handout for this exercise. Have students try to answer as many questions as they can. This exercise may work best for a group of American-born students. Debrief in small or large groups how it felt to answer these questions. How do your students define what it means to be a citizen of this country? How do these questions reflect that belief? How did answering the questions make them feel? How many did they answer correctly?

Exercise #4 – Immigration and Media

Our understanding of immigration issues is often influenced by what we see and hear in the media. Have students go to the following link for an interactive activity which explores stereotypes of immigrants in

the United States. Have a discussion about how media portrayals influence our understanding of immigrants and their experiences.

<http://learn.pacificcoastimmigration.org/module/activity3/index.html>

DISCUSSION QUESTIONS/WRITING PROMPTS

(in response to the Illumination Project Performance)

1. What were different issues that the play's characters faced around immigration?
2. What were some of the negative attitudes toward immigration and immigrants in the performance?
3. What were some of the positive attitudes toward immigration and immigrants in the performance?
4. What issues of institutional oppression were highlighted in the performance?
5. What was the effect of discrimination and oppression on the various characters in the play?
6. How did issues of institutional privilege present themselves in the play?
7. What were the different experiences of immigrants vs. non-immigrants in the play?
8. How might being an immigrant, especially an undocumented immigrant, affect one's ability to succeed in higher education?
9. Which character's point of view or experience did you most identify with?
10. Immigration is an incredibly complex issue – did the performance shed light on any solutions? If so, what were they?
11. What information did you gain from the accompanying reading material?
12. What are some of the ethical issues around immigration that the play highlighted?
13. What are some of the emotional and psychological impacts of anti-immigrant sentiment on the characters in the play?
14. How does the play's current day portrayal of immigration issues and immigrants' experiences tie into historical immigration issues and immigrants' experiences?
15. What issues in the play are also represented frequently in the media's coverage of immigration?
16. Did you learn any new information from the performance? If so, what was it?

OTHER RESOURCES

Understanding race and racism through a historical lens <http://www.understandingrace.org/home.html>

Report on anti-immigration/racist groups

http://www.adl.org/civil_rights/anti_immigrant/Immigrants%20Targeted%20UPDATE_2008.pdf

“Crossing into America: The New Literature of Immigration” by Louis Mendoza and S. Shankar. The New Press (2003)

“A Different Mirror: A History of Multicultural America” by Ronald Takaki. Back Bay Books (1993).

Citizenship Test

Below are some of the questioned asked on the United States Citizenship Test.

Answer as many of the following questions as you can.

1. What are the colors of our flag?
2. What do the stars and stripes on the flag mean?
3. How many states are there in the Union?
4. How many changes or amendments are there to the Constitution?
5. What are the three branches of our government?
6. What are the duties of Congress?
7. How many representatives are there in Congress and for how long do we elect the representatives?
8. What are the duties of the Supreme Court?
9. Who is the current governor of your state?
10. Who becomes President of the United States if the President and the vice-president should die?
11. Which countries were our enemies during World War II?
12. What are the 49th and 50th states of the Union?
13. Who was Martin Luther King, Jr.?
14. How many Supreme Court justices are there?
15. Why did the Pilgrims come to America?
16. What is the head executive of a city government called?
17. What holiday was celebrated for the first time by the Americans colonists?
18. Who was the main writer of the Declaration of Independence?
19. When was the Declaration of Independence adopted?
20. What is the basic belief of the Declaration of Independence?
21. Who wrote the Star-Spangled Banner?
22. Where does freedom of speech come from?
23. Who signs bills into law?
24. What is the highest court in the United States?
25. Who was the President during the Civil War?
26. What did the Emancipation Proclamation do?
27. What Immigration and Naturalization Service form is used to apply to become a naturalized citizen?
28. What is the name of the ship that brought the Pilgrims to America?
29. What are the 13 original states of the U.S. called?
30. Name 3 rights of freedom guaranteed by the Bill of Rights.
31. Who has the power to declare the war?
32. What kind of government does the United States have?
33. In what year was the Constitution written?
34. What are the first 10 amendments to the Constitution called?
35. What is the introduction to the Constitution called?
36. What is the United States Capitol?
37. What is the name of the President's official home?
38. How many times may a Senator be re-elected?
39. How many times may a Congressman be re-elected?

Immigration Interview Activity

Interviewer questions– often asked to the couple in separate locations:

1. What was your intention when you came into the country?
2. Why are you leaving your country of origin?
3. Do you plan to work or study in the U.S.?
4. How long have you known one another?
5. Where did you meet?
6. When and where was your spouse born?
7. Where was your spouse raised?
8. What's the name of your wife's/husband's mother?
9. What's the name of her/his father?
10. Do you have bills in joint names and a joint bank account? Why not?
11. Can you provide plane tickets proving visitation to and from each other prior to being married?
12. What was your last argument/discussion about?
13. Can you provide several pictures of the two of you with various family members?
14. Can you provide love letters? Or a wedding scrapbook (i.e. cards from friends/relatives, bits of flowers from the service?)

UNITED STATES IMMIGRATION TIMELINE

- 1492** Genocide of indigenous peoples begins with Christopher Columbus' arrival in the Americas.
- 1619** First shipload of 20 indentured African slaves arrives in Jamestown, Virginia.
- 1654** First Jewish immigrants to the New World (originating from Brazil) settle in New Amsterdam.
- 1717** An Act of Parliament in England legalizes transportation of criminals to work in American colonies as punishment.
- 1718** Large-scale Scottish and Irish immigration begins, with most settling in New England, Maryland and Pennsylvania.
- 1790** Naturalization Act: citizenship denied to "nonwhites."
- 1807** The U.S. Congress says it is illegal to import African slaves.
- 1845** A Nativist political party is founded. Ten years later, a similar anti-immigrant "Know-Nothing" political party reaches its peak of support.
- 1848** Treaty of Guadalupe-Hidalgo ends Mexican-American War and allows the United States to acquire Colorado, Arizona, New Mexico, Texas, California, and parts of Utah and Nevada from Mexico for \$15 million. Mexican residents of the newly acquired territory are allowed to remain.
- 1849** Discovery of gold in California lures people from all over the world, including many from China, to work mining claims.
- 1860** New York becomes the largest Irish city in the world, with 203,760 Irish-born citizens.
- 1863** President Lincoln signs the Emancipation Proclamation into law, ratifying the freedom of slaves in the U.S.
- 1882** Chinese Exclusion Act: Chinese laborers are denied citizenship & entry into the U.S.
- 1891** Immigration Act establishes the Bureau of Immigration and the first comprehensive law for immigration control, directing the deportation of aliens unlawfully in the U.S.
- 1905** Japanese and Korean Exclusion League is formed by organized labor to protest the influx of "coolie" labor and a perceived threat to living standards of American workers.
- 1907** The Expatriation Act declares that an American woman who marries a foreign national loses her citizenship.

- 1910** Mexican Revolution sends thousands of peasants to the U.S. border seeking safety and work.
- 1918** Passport Act prevents arrival and departure without documentation. Anarchists Act provides for the deportation of alien "radicals."
- 1921** Emergency Immigration Restriction Law introduces a quota system that favors northern and western Europeans.
- 1922** The Cable Act partially repeals the Expatriation Act but declares that an American woman who marries an Asian still loses her citizenship.
- 1923** U.S. vs. Bhagat Singh Thind: Supreme Court rules Asian Indians to be Caucasian and given privileges as white persons because they could "assimilate." Klu Klux Klan, a virulently anti-immigrant movement, reaches its peak strength.
- 1924** Immigration and Naturalization Act imposes the first permanent numeric limits on immigration. The category of "Entry without Inspection" is created, officially labeling those who cross U.S. borders without documents. The U.S. Border Patrol is created, in large part to control Chinese immigration to the U.S. across the U.S.-Mexico border.
- 1935** Repatriation Act offers Filipinos transportation back to the Philippines if they promise to never come back to the U.S.
- 1939** 937 German Jews attempted to flee the Nazis and immigrate to America. When permission was eventually denied by the United States and other nations, their ship returned to Germany where most of the passengers died in concentration camps.
- 1940** Alien Registration Act requires registration and finger-printing of "aliens."
- 1942** Bracero Program (1942-1964) provides temporary residence permits to bring Mexican workers to farmland due to labor shortage because of WW II, but it provides no means for permanent residence or any labor protections, housing guarantees or rights to bring family members.
- 1945** Large-scale Puerto Rican immigration begins as people try to escape crushing poverty on the island, only to find similar conditions in New York.
- 1952** McCarran-Walter Immigration and Naturalization Act extends token immigration quotas to Asian nations for support during World War II.
- 1965** Cuban Refugee Airlift begins; Cubans are admitted under special quotas.
- Pres. Johnson signs the Immigration Act, which eliminates race, creed and nationality as a basis for admission to the U.S. As quota system is removed, non-European immigration levels rise.
- 1975** End of Vietnam war. Hundreds of thousands of Vietnamese refugees arrive.

- 1980** Responding to a wave of Cuban Refugees coming to the U.S. on the "Freedom Flotilla," the Refugee Act systematizes processes for refugees and codifies asylum status.
- 1986** Immigration Reform and Control Act imposes employer sanctions, making it illegal for employers to hire undocumented workers and, for the first time, a crime to work without immigration authorization. It also increases border enforcement.
- 1990** Immigration Act increases legal immigration ceilings by 40 percent; triples employment-based immigration, which emphasizes skills; creates a diversity admissions category; and establishes temporary protected status for those jeopardized by armed conflict or natural disasters in their native countries.
- 1994** Proposition 187 denying services to undocumented immigrants (including health care and public education) passes in CA. It was later overturned by the supreme court.
- 1996** Personal Responsibility and Work Opportunity Reconciliation Act (popularly known as "welfare reform") ends many forms of cash and medical assistance for most legal immigrants and other low-income individuals. Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) expands INS enforcement operations, eliminates basic rights of due process for immigrants and cuts down on avenues for immigrants to legalize their status. Anti-Terrorism and Effective Death Penalty Act groups provisions regarding immigrants with those designed to curb terrorism, including a new court to hear cases of alien deportation based on secret evidence submitted in the form of classified information.
- 1990** Immigration Act of 1990 limited unskilled workers to 10,000/year; skilled labor requirements and immediate family reunification major goals. Continued to promote nuclear family model. Foreign-born in US was 7%.
- 2001** [USA Patriot Act](#) amended the Immigration and Nationality Act to broaden the scope of aliens ineligible for admission or deportable due to terrorist activities to include an alien who: (1) is a representative of a political, social, or similar group whose political endorsement of terrorist acts undermines U.S. antiterrorist efforts; (2) has used a position of prominence to endorse terrorist activity, or to persuade others to support such activity in a way that undermines U.S. antiterrorist efforts (or the child or spouse of such an alien under specified circumstances); or (3) has been associated with a terrorist organization and intends to engage in threatening activities while in the United States.
- 2005** A group of citizen volunteer vigilantes form the Minuteman Project to "assist law enforcement in securing US borders".
- 2006** The Secure Fence Act of 2006 is passed. The bill calls for the erection of 700 miles of fortified fencing stretching across the entire length of Arizona's frontier with Mexico as well as portions of the southern borders of California, New Mexico and Texas. According to some estimates, the cost of such a massive project would reach \$7 billion.