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Liza Williams Interview

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Jennifer Thomson, interviewer (JT)

Liza Williams, Visiting Assistant Professor of Political Science at Bucknell University (LW)

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JT: Good evening and welcome to Bucknell: Occupied here on 90.5 WVBU Lewisburg. Tonight in the studio, I have Liza Williams with me. She is a professor in the Political Science department here at Bucknell University. She researches questions of immigration, ethics, and public policy and in the spring she is teaching a course on immigration here at Bucknell. She's joining me tonight to talk about immigrant detention and the Trump administration systematic evisceration of social citizenship for immigrants in the nearly 2 years since his inauguration. But before we focus on Trump specifically we'll obviously be talking bit more about the history in the 20th century of deportation and immigrant detention. So welcome to the studio, Liza, thank you for joining me.

LW: Thanks for inviting me on your show, I'm really happy to be here.

JT: I'm glad to be talking to you. So can I ask you just to talk to our listeners a bit about the longer history of immigrant detention and deportation in the United States in the 20 century?

LW: Yes so today, right, the United States has one of the largest detention regimes in the world. So in January 2017 they were detaining on average about 40,000 people per day which is the biggest detention center in the world and... and September 2018 the New York Times reported that the US federal government and the Trump administration is holding nearly 13,000 immigrant children in detention. So that number has exploded even over the course of the last year since May 2017. And those children are being held across a hundred different federally contracted facilities, some of the most recent ones built being tent cities. So the big question is how as a nation, did we actually get here where detention is a major policy feature of our immigration enforcement system. So I think if we really trace this back, we can go to soon after the US federal government sort of took over the regulation of immigration policies so before 1882 the states primarily regulated and forced immigration policy. But in 1882, there's a big move for federal takeover, and in 1892 really the first federal detention facility for immigrants in the United States opens and that's Ellis Island and we tend to think of Ellis Island as actually a very welcoming place, but in fact they at Ellis Island both detention and deportation happened. The second big federal detention facility opened in the United States was in 1910, which was in the Angel Island Immigration Station in California. So at Ellis Island once immigrants registered, they had to pass a health inspection and then they would become free to enter. But if they were sick or they were otherwise sort of deemed unfit to enter because they were thought to soon become on the public dole or going to be in need of state support then they were they were detained. So many immigrants that were deemed vulnerable in this way, because they were women or children arriving without a husband or a father. They were

held in detention. And also, you know, throughout Ellis Islands nearly half-century of existence. If you were thought to be a criminal or a Socialist or Bolshevik, an anarchist, you were detained. So many people that were sort of thought to be un-American in these ways, they weren't allowed to enter. You know hundreds of thousands of immigrants were detained in Ellis Island's short history, but it it really... the operation of Ellis Island sort of set up the precedent for both detainment and deportation as the sort of twin prongs of US immigration policy. And then in the 1920s as sort of waves of nativism and xenophobia were whipped up after the end of World War I, a quota system for immigration was set up. So by 1924 the National Origins Act and Asian Exclusion Act were passed. And these restricted immigration in such a way that the numbers of immigrants being legally allowed to be admitted as as immigrants into the country could only be... sort of 2% of the number of the country that they were arriving from, based on the period of time around the 1890 census. So the intent of the National Origins Act and Asian Exclusion Act was really to basically provide for a more sort of homogeneous American citizenry, and to frankly really restrict Asians and migrants from North Africa and the Middle East and Africans from from entering at all.

JT: MmHm.

LW: And then another major moment in the early 20th century was the passage of the 1929 Immigration Act, which sorted re-criminalized unlawful entry or irregular entry, after a short period time where it had not had a criminal status and those entering in irregular ways were deemed unlawful, and they were sort of punishable for up to a thousand dollars in fines and they were punished by having to serve a year in prison. So this sort of set into place again the idea that that the way that you enter matters, right? And that you can be punished, right?

JT: MmHm. MmHm.

LW: So it sort of set up this idea that there was such a thing as an unlawful purpose by attaching criminal penalties. And the targets of the 1929 Immigration Act were definitely Mexican so... this sort of set up another period during the Great Depression where Mexicans living in the United States, many who had been US-born citizens...

JT: MmHm.

LW: Were actually repatriated to Mexico so this went on all the way through the end of the Great Depression, where some estimates suggest that nearly 2 million Mexicans were repatriated during this time. And then another seminal moment in terms of the precedent of detention being the sort of a prong of US immigration policy was actually during World War II when Roosevelt sort of through an executive order right established military zones and US sites for the internment of not only Japanese-Americans...

JT: MmHm. MmHm.

LW: As as people know but also those that were suspected of being enemy spies, So many

German-Americans and Italian Americans were interned alongside Japanese Americans. So even though the Supreme Court later overturns the lawfulness of this act, it really deeply sort of set into the American imagination that during emergency crises--

JT: MmHm. MmHm.

LW: Detention was one way of offering security.

JT: Right.

LW: And then by the 1950s, detention sort of went out of fashion for a little bit. When the 1952 Immigration and Nationality Act was passed -- because this act established sort of clear grounds for when non-citizen be blocked from entering the United States and also deported -- so the 1952 Immigration Nationality Act basically said that if a person entering had a criminal history or any kind of radical political beliefs...

JT: Yep.

LW: And ideas that they could be detained and then deported. So it established very clearly that removability was something that could happen either as a result of political beliefs or some kind of prior transgression of the law.

JT: Right. And I mean I think it's worth noting for our listeners who may not be as familiar with this history that that Act grew very directly out of the kind of second Red Scare, and all of the fears around communism. And it also, to my knowledge provided for the US to be able to revoke citizenship for many naturalized citizens who were in fact proved to participate in companies party activities Et cetera.

LW: Right. So well the 1950s rate. In some ways made detention less fashionable because it clarified this idea of removability and deportation.

JT: MmHm.

LW: At the same time, you know, those that were... that were still targeted groups. So, for example, Mexican groups primarily.

JT: Yes.

LW: And also Haitians in the 1970s, right. These groups were still targeted through detainment.

JT: MmHm.

LW: And then in in the 1980s a new sort of wave of detention practices arose under the Reagan administration. So as as Haitians and Central Americans really fled to the United States, and the

United States sort of directly entered into diplomatic relations that were very antagonistic with Cuba, right.

JT: MmHm. MmHm.

LW: Castro's Cuba. Reagan sort of announced new detention policies that was meant to sort of punish and deter Latin Americans and Cubans from entering in the United States. So the Reagan administration in the early 80s opened up the McAllen detention center.

JT: MmHm.

LW: In order to detain Haitians in a former US Navy base in Puerto Rico and they also sort of furthered the development of a Carter administration initiative to detain Haitians. So and another sort of major development in the early 1980s, under Reagan is that it was the first time that private businesses began to get--win--federal contracts.

JT: MmHm.

LW: To actually build immigrant detention facilities and these first corporations--one was known as Corrections Corporation of America--they built the first federally contracted immigrant detention facility in Texas.

JT: What year was that?

LW: In 1983.

JT: That also happened to be the exact time that they inserted themselves into the construction of domestic prisons.

LW: Right.

JT: As well in the United States.

LW: Right, so sort of at that point forward, you have private interests getting in on the business of detainment.

JT: MmHm. MmHm.

LW: And these are huge government contracts, so that has been a very sort of lucrative line. And actually at the end of the Obama administration, there was sort of the announcements in August 2016 that the government was going to stop, you know...

JT: Yep. Private contract

LW: Yeah, stop private contracting with groups for these detention centers, and the stocks plummeted for all of these businesses, and then as soon as Trump was elected in November 2016, the stocks rose again for this set of businesses that were that were winning contracts to build private detention facilities.

JT: Right.

LW: And then there is a sort of a series of laws that were passed in 1996 that really greatly expanded the US immigration detention system by listing any kind of of crime of sort of moral ineptitude as a reason why a federal agent could detain and then begin sort of deportation proceedings against an immigrant. And there was no time stop on when an immigrant could be detained because of a previous sort of crime. So they could apply retroactively to somebody even years after they had served the penalty for a previous crime.

JT: MmHm.

LW: So... and this part of these 1996 laws actually have recently come back into sort of focus because Justice Kavanaugh in his first Supreme Court case, he heard a case about how long that period of time can last which could allow for a federal agent to detain somebody who had committed a crime.

JT: MmHm.

LW: So this sort of... by the end of the 20th century, the idea of detention being a sort of a first step to deportation was well-established. And a major sort of decisive sort of policy prong of US immigration enforcement policy.

JT: What I'm struck by as you've been telling us this history, right, is the the kind of amazing interconnection between the rise in detention as a major strategy of immigration enforcement, and then the rise of mass incarceration within this country, right. They seem to dovetail quite nicely and match each other's histories. I want to actually think... think a little bit with you about the southern border, right. Because in particular, really since the 80s, but particularly in the last 10 years the idea that the border with Mexico is something which is "a problem" and needs to be "fortified" has become increasingly [INAUDIBLE] an aspect of of national discourse, right? So I was interested in what you said earlier about you know in 1929 Mexicans coming to be seen as a population, that didn't belong in the United States and whose presence needed to be regulated. And to my knowledge the border up until that point was something relatively porous. And there were actually quite few enforcement procedures saying "You have the right to be here and you don't have the right to be here." And regulating that. So can you talk a little bit about the way in which the southern border between the United States and Mexico came into such relief as a quote unquote problematic issue in the United States?

LW: While I mean I think that one of the things that has happened, over the course of the 20th century and the 21st century is the question of what kinds of border crossings are acceptable and licit, right?

JT: MmHm. MmHm.

LW: Versus what kind of border crossings, right? Are illicit. What border crossings yard are deemed unlawful, right? So in the 1980s with the rise of the War on Drugs, right, narcotics, right, became... when drugs pass over the border that was come to be understood as illicit border crossings. And what's happened in terms of persons, right, is that Mexicans crossing over the border have been sort of systematically approached and sort of reconstructed as people that are illicit, right, in their border crossing. But that's a constructed consequence of certain kinds of policies, right. That especially targeted Mexicans, which not only reimagined Mexicans as as illegal in their border crossing.

JT: MmHm. MmHm.

LW: But also put into question, right, the lawful status of Mexican Americans that have been born within the United States, the territories of the United States.

JT: Right.

LW: So unlike some sort of belief systems that that think that if there has been a great amount of animosity between two states that in fact those two states, right, have sort of special obligations to the persons that have been subject to political coercion, right. And the Mexican-American War

JT: MmHm. Yeah.

LW: In 1848, right, one kind of view is that because of them, the consequences of the Mexican-American War, the United States actually owes special obligations to Mexicans coming over the border because they they have been subject to American coercion. But... in contrast to that you know the American immigration policy has actually systematically tried to define Mexicans as illegal, right, and illicit. Illicit kinds of border crossers. And so I think that the idea of porousness in the southern the southern border, right, with Mexico. All kinds of things pass over that border all all day every day, right. Especially with globalization, and, in fact globalization is about the heightened, the heightened frequency of border crossing. But all border crossings aren't equal, right, and so the social construction of Mexican persons crossing the border as as illicit has been intentional with the design and sort of practice of different agents from Custom and Borders enforcement and also ICE and INS.

JT: So for those of you just joining us, you're listening to Bucknell: Occupied here on 90.5 WVBU. Liza Williams is with us tonight talking about immigration enforcement in the United

States. So, can you talk to us a bit about sort of radical transformations that happened in the structure of immigration enforcement in this country really in the early 2000s following 9/11?

LW: Yes. So after 9/11, and the attack on the World Trade Center there was a major bureaucratic reorganization which is... has become the largest bureaucratic reorganization, sort of even surpassing the bureaucratic reorganization in the middle of the 20 century as a response to the rise of the Cold War. But in 2003, INS which had been an independent agent's federal agency is re-housed in the newly created Department of Homeland Security. So INS is dissolved and reformed into three different branches -- The US Citizenship and Immigration services, Custom and Border Enforcement, CBE, which is actually engaged in doing things like surveilling the southern border with Mexico, building sort of different kinds of reinforcements on the border which are sort of known as "the wall," right? And the wall has been being built in different stages under many different American presidents. But this is sort of the purview of of CBE, Custom and Borders Enforcement, and then ICE, Immigration Customs Enforcement is the is the other other agency within Department of Homeland Security. And ICE is responsible for immigrant detention and also deportation, and is... sets policy in terms of sending immigrants that are detained to the US immigration courts so that deportations proceedings begin. So one thing that is not well understood is that the US immigration courts are separate from... They're separate courts that have their own sort of existence and deportation proceedings happen through those courts.

JT: MmHm.

LW: And the immigrants who are detained are then sent to those courts. And today under the Trump administration, those courts are exceptionally backlogged. And their resources have been strained, which is part of why so many of these children and minors who have been detained, after family separation, that they're appearing without legal counsel by themselves. So we have a situation where children as young as two are being put in front of these immigration courts and expected to answer sophisticated questions about the circumstances of their arrival in the United States.

JT: MmHm. MmHm.

LW: And this is because those immigration courts are so backlogged given the sort of radical expansion of the numbers of persons detained in the United States over the past two years.

JT: So Obama has often been described as the Deporter-in-Chief. Can you talk about what that particular history is, as we work our way up to being able to actually pick through what the Trump administration has done, right? What what was happening under the two Obama administrations?

LW: Yes, so in January 2017. You know the United States was already detaining thousands of persons per day up to 40,000 people per day, which which has only grown. And the Obama administration sort of presided over 3 million deportations in the United States, which which

some people have said that this is more than any other presidential administration. But part of understanding that is actually knowing about life. The ways that populations have changed, but also that the what's understood as a deportation versus a removal, it has changed as well.

JT: MmHm.

LW: So the classification of these events, the language that is actually, the data it's being collected under has shifted across time as well. So it, these terms are politicized, in general, but but it is the case that the Obama administration did preside over a remarkable number of deportations. But in terms of the way the Obama administration setup policy they prioritized deporting immigrants or removing immigrants that had been criminals. So this was a this was the seminal insight, right, behind the creation of... through an executive order of deferred action for childhood arrivals, right. Was the idea was that if you apply and you meet a really extensive set of eligibility requirements.

JT: MmHm.

LW: Then you could be protected from deportation and the insight behind this policy was to be able to identify those immigrants that weren't criminals, right? And to allow a reprieve. And the understanding was that it would be a program that would be carried out throughout time, so there was a sort of a faith in the idea that it wouldn't end. The program wouldn't end because the program asked individuals to come forward and give over all of these documents to prove that they had arrived irregularly under their parents. And so the only way you would be sort incentivized to do that is if you knew that the program is going to continue, right. Because otherwise those who were granted DACA status you know, in fact, made themselves really vulnerable to future administrations by seeking a sort of temporary relief from deportation and also you know work status. A work status visa that allowed them to be in the United States. So the main sort of insight of the Obama administration was "Let's remove immigrants in the United States who are threatening to social life and who have committed really egregious crimes, not not petty crimes." And so there was the idea to prioritize certain deportations and rules over others. And actually the Obama administration was really effective at that. And there there are these periods in 2007, 2008 and 2009 where the federal government sort of go-- participates in these raids on factory workers in Nevada.

JT: MmHm.

LW: And rounds up huge huge numbers of immigrants and detains and then starts initiating deportation proceedings against him. And so this is this is you know why Obama sort of earned the pejorative term of of Deporter-in-Chief. And the left really thought when DACA was unrolled in the Summer of 2012, that this was a a very bad way to approach hospitality for minors in the United States. And that it actually created a new kind of vulnerability for them, because it wasn't clear that the Obama administration policies were going to hold across future administrations. And that's exactly what didn't happen with the Trump administration. Is that

as soon as the Trump administration's Department of Justice got underway, they systematically tried to dismantle DACA.

JT: Right. Right. Listeners just joining us, you are tuned into 90.5 WVBU Lewisburg. Can you talk a little bit, Liza, about Obama's use of detention, right. Obviously we know that deportation was a huge component of ICE activities under his two administrations, to what extent did he actually use immigrant detention as an immigration control strategy?

LW: So Obama expanded the number of detention beds that had to be available on any given day in the country. So in 2009, Congress passed this law called the Immigration Detention Bed quota. I mean, obviously this was at the behest of Congress, not Obama himself.

JT: Right. Right.

LW: But then DHS was responsible for making it happen, right. And so they added a great number of detention beds and in the United States to about 34,000 beds across the country. And they they also so the Obama administration sort of went back and forth in terms of their practices of family detention. So in 2009 the administration sort of formally ended the practice of family detention. But then, in response to many women and children coming across the southern border from Central America the Obama administration in 2014 sort of reopens these family detention centers and engages in family detention again. So you know, the fact that the Trump administration has been practicing family separation at the southern border, one of the reasons he's been able to do that or at least at first, he was able to do that. Was that the resources were already in place, right? And there were pre-existing resources that had been built by the Obama administration, but the, the, the zero-tolerance policy of the Attorney General Sessions and the Trump administration quickly ran into the fact that those resources that they had at their disposal have been over-exceeded. And now that they've had to sort of look around for more resources in order to expand the number of beds available very quickly and that's what's generated these these tent settlements for migrant children, and it it's also the reason why money, right, was taken away from FEMA and then put towards the resources to actually house irregular migrants coming across the border and and children in particular. So it's... I'm not making the argument that there's been continuity across the Obama administration and the Trump administration, but it would've been harder for the Trump administration just to rapidly expand detention as it has, if there hadn't already been sort of semi-permanent detention centers being utilized regularly under the practices of DHS prior to 2017.

JT: So basically what I'm hearing you say is that over time, and not just the Obama administration, but we certainly seen escalation there, there was the development of both the actual resources for detention and deportation but also this idea that ICE, in fact, could and should have the power to carry out both of these practices at will, right? And in large numbers and then with the Trump administration coming in with a very particular disposition and attitude towards migration in general, and then inheriting this this pre-existing very well-developed structure that resulted in in the world that we are living in today. So can you talk to

us about the Trump administration's attitude in general towards migration and then with specific focus on this zero-tolerance policy as it was announced in April of 2018.

LW: Yes so so, before I do that, I just want to back up and say one other point about how the Trump administration has sort of utilized pre-existing practices that had already been built and put into place. And that's that after after 9/11 with the creation of the Department of Homeland Security and the replacement of INS in the Department of Homeland Security, there was a major change in terms of how ICE agents actually tried to identify and detain irregular migrants. And it -- the newly created Department of Homeland Security with ICE within its purview -- sort of tried to create all kinds of relationships with the local level police and state police. And Congress actually initiated several sort of... they they passed laws and and changed budget priorities so that there was money available to sort of incentivize local cooperation of police and with with ICE officials and so these new initiatives that began with with the creation of ICE and DHS were sort of seen as good sense in during the War on Terror that the Bush administration began. And so in 2008, right, the Bush administration sort of piloted the idea of secure communities or the idea that you know federal immigration officials and local law enforcement officials should join together in partnerships to identify and detain irregular migrants who might be, right, terrorist threats, right. But they conflated the idea that an irregular migrant was also a terrorist threat.

JT: MmHm. MmHm. MmHm.

LW: So this was idea behind secure communities. And then in 2011, right, the Obama administration actually strengthened those partnerships between federal immigration officials and local law enforcement agents to try to sort of carry out the detention priorities of ice and that is one of the reasons why Obama sort of earned this notorious reputation of Deporter-in-Chief. And so the Trump administration, right, has tried to even push those partnerships between local level officials and and federal officials further and has threatened to punish any local spheres of government that have refused to participate in these initiatives in these incentive partnerships. So the Trump administration has sort of rhetorically demonized the idea of a sanctuary community, right, or sanctuary cities. But you asked me about to say more about the zero-tolerance policy and the Trump administrations sort of goals in terms of of immigration policy in general and so you know one I think one of the goals is to is to close the Southwest border entirely, right. To actually make it so that there is less traffic across the Southwest border sort of simplistically, but also the zero-tolerance policy was directly aimed at deterring entry, right. So to make clear that there was going to be punishment for anybody that does crossover.

JT: MmHm. MmHm.

LW: irregularly. So this is sort of shortsighted policy, though, because deterrence doesn't work, if you are fleeing certain kinds of conditions, right. So the the levels of poverty and political persecution that is driving migration over the US southern border is so extensive that

that deterrence isn't going to work. And that's why we have the situation where the American resources for detaining those that are still coming over the border, right, are being exhausted.

JT: MmHm.

LW: Because deterrence isn't going to effectively address the underlying reasons why migrants from Central America and from Mexico continue to try to move across that southern border. Is that the kind of political realities, right, and everyday cruelties that many Central Americans and Mexicans face, right, make it still worth the risk of trying to come over the US border?

JT: And of course the loop here is that many of those conditions, not all, but many of them are the result of US policies in Mexico as well as Central America over the most recent past, but also stretching back into the 19th century, right. And all of the ways in which the US has treated Latin America as a colony of the United States, right.

LW: So the zero-tolerance policy was quickly sort of put into practice by separating families -- parents from their children -- at the border. And so this was the way, right, that Sessions and Trump tried to create deterrents. But it just hasn't really worked out very well, and that's why months into the practice, right, the Trump administration that all we need to rethink this as their resources became exhausted, and they realized that they weren't slowing down the flow of immigration at all. And then another kind of a goal I would say that the Trump administration has in mind is to sort of expedite the pace of deportations, in general. So whereas the deportation proceedings that were happening under the Obama administration were going through they they were actually flowing successfully through the US immigration courts that one of the changes that has happened in the Trump administration is that the pace of removal, right, has been condensed, right, and so there's an attempt to expedite removals. Even when the lawful resources for doing that legally have been overcome, right, and exhausted. And so this is, this is one of the kind of substantive changes that we can see across the administration is that. And also we can think that about how there really is a discontinuity between the Obama administration and the Trump administration in terms of the attempts to end resettlement for asylum seekers, and to sort of deny the asylum-seekers, the rights that they're guaranteed under the Geneva Convention. And so sort of the intentional desire to code -- recode -- all asylum-seekers as migrants rather than asylum-seekers is very much transparent in sort of the architecture of the of the Trump administration, right. Because if somebody is thought to be in asylum, right, and that claim is validated, then there are certain obligations that the United States has passed and have under international law, but to the extent that those same persons can be defined as migrants, then the obligations the United States has decreases, right. So... and that the travel ban, right, that was one of the first sort of signature moves of the Trump administration. I mean the first day Trump spent in office, he went golfing, but on the second day, he was working on the travel ban. And so, you know, after various iterations of this travel ban, it moved, the legality of it, right, moved to the courts. And eventually in the Summer 2018 and June 20 of 2018, the Supreme Court, through a five-four decision, upholds one of the iterations of Trump's travel ban. In *Trump vs. Hawaii*, Hawaii had claimed that the countries targeted to limit migration from majority Muslim countries actually established, well, actually

violated the establishment clause in the U.S. Constitution, but the court didn't buy Hawaii's argument, and through this five-four decision, they upheld the President's order. So this actually banned restriction against Iran, Libya, Somalia, Syria, and Yemen as well as North Korea and Venezuela. Which which they just added those countries in so that the idea that they were just banning majority Muslim countries couldn't hold. And so Roberts as well as the four, as well as the four justices who trained him, they rejected the idea that this was a violation of the establishment clause. And so the sort of systematic desire to have the courts uphold one version of the travel ban, I think was very revealing, in so far that the Trump administration was trying to limit a certain kind of entry into the country, right. Namely entry from Muslim members, right, and non-European entry into the country. So this is, I think, it's part of, sort of a systematic approach to trying to really redo -- revise -- American immigration policies, so that it better uphold something like white ethno-nationalism really. There's no way around that that conclusion, right, that these different sort of targeted attempts to restrict Mexican immigration on the southern border as well as the travel ban that's aimed at Muslims from North Africa and the Middle East, it's about making it easier to get into the country if you are white, wealthy, and from European places of origin.

JT: So those of you who have joined us mid-way in this conversation, you are tuned into 90.5 WVBU Lewisburg. We are talking here about the Trump administration's immigration practices and restrictions and building into a conversation about what the what the larger agenda and what the larger stakes are here. One thing I'd like to bring into the conversation in our last segment here, at the end of September, right, so very recently, the administration announced a plan to begin screening green card applicants for whether or not they had previously used social services for which they were eligible at the time, right. Everything from welfare to housing vouchers, food stamps, Medicaid, and now, under this proposal if it goes through an applicant's prior use of benefits could now become a means of disqualifying them from actually receiving a green card, right. And the kind of rhetoric coming from officials like DHS Secretary Nielsen frames this new plan is a way of ensuring that immigrants and people attempting to gain citizenship are financially self-sufficient. But obviously this is a very particular spin on this, right. So can you talk about kind of this new front in this multi-pronged assault on immigration?

LW: So... right the Nielsen's framework, right, I think is the intentional approach to sort of screen out impoverished groups or those that are coming from depressed socio-economic backgrounds, right, and you know she's, she's trying to make it harder, or the new policy is trying to make it harder for those that that come from these backgrounds of socio-economic distress and poverty from winning formal membership, right, in the United States. Or having a green card that allows for them to legally work in the United States, and and reside here so it's about the new plan is about making sure that those that are desirable within the conception of the Trump administration are those that are going to have an easier time getting formal recognition, and enjoying certain kinds of benefits of membership, right. So this is this is in effect, I would say the strategic attempt right to give green cards first to those that are primarily white and of European ancestry. So it's a buttressing part of a program to actually construct something like white ethno-nationalism as the main cultural group -- the privileged cultural group in the United States -- and to sort of defeat this idea that what it means to be

American is to appreciate sort of cultural difference, right. Or or are the idea that a plural America is an America that affords rights to newcomers and immigrants, right, is being deconstructed, and sort of replaced with this idea that white ethno-nationalism is synonymous with American identity.

JT: MmHm.

LW: As opposed to a history in the United States that has often romanticized the sort of creative forms of renewal that immigrants bring with their difference, right. The new narrative of the Trump administration is that difference, right, is a danger, and so this is an attack on sort of the American pluralist imagination, right, and the policy, right, to sort of screen an applicant's prior use of benefits before providing a green card is really to select on what is considered desirable, right, in terms of race, socio-economic class, educational background, and place of origin.

JT: So can you talk to us in the last few minutes here about what... and you can take this in two ways, my question here, it's a question about alternate pathways forward. Right. And so I'm interested to hear your thoughts on this, either from the level of what could a national immigration strategy look like that would be different or in terms of how might people begin to fight back against what's going on right now.

LW: So I think many of these practices that we've been talking about, right, even this this new one of screening applicant's prior use of benefits or the travel ban and the longevity of DACA and DAPA, right. These these new initiatives that have characterized DHS under the Trump administration. They're going to be tested in the courts, right, and we see that the travel ban went to the courts and DACA and DAPA went to the courts. But I think it's shortsighted to think that the courts are going to be the sole determinant of the outcomes of of these and these long or the longevity of these practices, right. Instead, I think that we should remember that individuals, right, and social movements have a really big effect in terms of informing not only what cases go to the courts, but how the courts orient themselves to making their determinations of what is lawful, right. So there is such a thing as an unjust law, right. And the courts have a word in that, but it's also sort of our collective practices as individuals and our participation in in protests around these initiatives that I think will make an impact on in terms of their longevity, right. So even though DACA and DAPA are being tested in the circuit courts, right, the more the more activism, right around DACA and DAPA that can be generated, right, is going to be a good thing for for rethinking how the American immigration enforcement policies can be more welcoming and fair, right. And that we can have just terms of of immigration in the country, right. Because protest and sort of local level efforts at resisting what are often sort of racialized and discriminatory practices being built into our immigration policy, the more activism that we can have can generate new kinds of awareness, right, and open up a dialogue that can can, you know, effectively change change the laws, right, and and generate awareness and sort of critical assessment of what a fair immigration policy looks like.

JT: Well, thank you so much for talking to us about this this evening. If any listeners want to continue the conversation, can you give us a few details about the class that you're going to be teaching on these issues in the Spring?

LW: Yes, so I teach a course called citizenship and immigration, so the course sort of broadly looks at the value of the idea of citizenship and then thinks about different dilemmas of migration. So one of the topics that we consider is refugee rights and sort of the construction of the international refugee regime and international law and and why it isn't working today. Because often, right, at the exact moment when international law is supposed to hold that's when domestic level politics, right, and assertions of authority sort of reappear, right. It's actually the host state that gets to determine whether an asylum applicant's claim is valid or whether somebody actually counts as a refugee under international law. So we look at the politics of of refugees and and we think about some of the ideas that we talked about today in terms of like how has the United States sort of moved towards this new kind of systematic dehumanization of brown people arriving versus those that that are white, Christian, right, and also we think about the effects of global homelessness, and especially how also Europe has sort of responded to the Syrian refugee crisis, and outmigration from failing states and North Africa so that's one of the topics that we think about. But we also ask about what would a just immigration policy involve, and what is fair, what does fairness look like for migrants and newcomers. And so I hope that if you're listening and you're a student at Bucknell that you will come to my my class in the spring, but thank you so much for having me tonight.

JT: Thank you very much.