

# **Master in Advanced European and International Studies**

European Policy and Governance – Trilingual Studies



*Mis padres trabajaron con sus manos  
Para que yo pudiera trabajar con mi mente.  
Gracias Mami y Papi,  
Soy quien soy por ustedes.*

## **Abstract**

Immigration is considered a human right by some, however, by others it is seen as a threat to national identity and a security issue. This thesis aims to analyze immigration through a legal, societal, and individual perspective. It will focus primarily on undocumented immigrants with a focus on their criminalization. When tackling immigration one must be conscious that there are different types of immigrants, such as refugees, as well as, economic, political and environmental immigrants. Moreover, some immigrants move for family reunification. Thus, this thesis aims to focus on one type of immigrant, the undocumented immigrant. This immigrant is oftentimes criminalized and covered in derogatory ways in the media; therefore, when analyzing the human right to immigrate it will prove beneficial to focus on this group of people. Moreover, the personal accounts will share the stories of how these individuals immigrated to the USA and the Europe Union (EU) without documentation; their reasons, struggles, and experiences. It aims to cover the overarching question: is immigrating a human right? Through personal recounts one will be able to observe the reality and what immigrating actually means and resembles. The selection of the EU and the USA is evident because these are affluent regions of the world that have a plethora of opportunities, and are attractive to immigrants for various reasons. The goal is not to compare the USA and the EU to each other and come to a conclusion, but instead, to use both regions as case studies because undocumented immigration is vast and growing in these parts of the world. Findings from both case studies shed light on some similarities, as well as, clear distinctions between both regions, with regards to undocumented immigrants.

## Table of Contents

Abstract .....	3
Chapter 1: Introduction .....	5
1.1 Discussion of Literature.....	5
1.2 Research question and objective.....	6
1.3 The temporal, spatial and theoretical framework.....	7
1.4 Methods, Material and Structure of the Thesis.....	8
Chapter 2: Individual Rights Vs State Rights.....	9
2.1. The Theoretical-Philosophical Perspective.....	9
2.2. The Human Rights Discourse: Proponents .....	11
2.3 The Human Rights Discourse: Opponents .....	16
2.4 Implement immigration as a human right .....	20
2.5 The Issue of State Terrorism and the Example of ICE.....	22
Chapter 3: Media Actors .....	38
3.1 Role of Media .....	38
3.2 Lampedusa .....	39
3.3 Caravans .....	40
3.4 Public Opinion .....	42
3.5 Actors: Artists, Photographers, Journalists .....	46
Chapter 4: The Individual .....	55
4.1 Personal Recounts Introduced .....	55
4.2 Prior to Immigrating: Push and Pull Factors .....	56
4.3 During the Immigration: The Journey Experience/ Perceptions on Human Rights Abuses .....	59
4.4 Post Immigrating: View on Immigration .....	71
Chapter 5: Conclusion.....	74
5.1 Recapitulation .....	74
Bibliography.....	76



# **Chapter 1: Introduction**

## **1.1 Discussion of Literature**

Immigration is a dense topic covered by many individuals within the academic arena. This section aims to illustrate how immigration as a human right has been covered academically thus far. A more extensive recapitulation will be observed within chapter two. In literature on human rights, there are, in essence, proponents, opponents, and those who are somewhere in the middle. For instance, Kieran Oberman advocates for immigration to be seen as a human right. However, he means this in a purely philosophical and theoretical manner, not a logistical and implementational manner like other authors who attempt to enact policy change through utilizing the human rights discourse. Ruth Gavison falls somewhere in the middle because she agrees with the unjust treatment being directed at immigrants, but nevertheless sees the human rights discourse as limiting. There are also more conservative outlooks that oppose immigration as a human right all together.

The literature on the topic of immigration being a human right diverges from two main points of view: idealism and realism (i.e. those favoring individual's rights and those favoring states' rights). Literature review touches on the theoretical-philosophical perspective, proponents and opponents to the human rights discourse, the implementation of immigration as a human right and the issue of state terrorism with the example of ICE. Moreover, there are a plethora of actors, such as artists and the media, that also determine how immigrants are viewed within society.

My research contributes an interdisciplinary approach to the question: is immigrating a human right? because it touches on the literature already established, actors and media that play a role in the formation of public opinion and the individual experience.

Immigration is a phenomenon that cannot be placed in a box because it is interdisciplinary by nature; thus, in order to understand how immigration is perceived or evolves it is important to note all fields that contribute to the research.

## **1.2 Research question and objective**

Immigration is a phenomenon that has existed since the beginning of time. As hunter gatherers, humans constantly moved from one place to another in search of food or as nature dictated (History Editors, 2018). Some see immigration as a threat and others see it as necessary for the success of the country. It is imperative to recognize that immigration is regarded differently depending on the historical context, the time period, as well as, via social, economic and political factors. Immigration continues to grow and it will continue to be a present phenomena that people and states must better be able to understand and adapt to accordingly. Immigrants have many reasons to move, including those that are climatic, political, and economic. However, must one have a reason to immigrate? The constant battle between proponents of immigration, to open the borders, and opponents, to close them completely, is ever present in the United States and in countries in Europe. Politicians even debate about how they will handle immigration when in office around election time and their views can determine who gets elected.

Consequently, this thesis aims to shed light on the factors that play a role in forming an opinion on whether immigration is a human right and whether or not people should be allowed to move freely. This thesis aims to analyze the ethics behind immigration through a philosophical, moral, legal, societal and individual perspective. It will focus primarily on undocumented immigrants with a focus on their criminalization.

### **1.3 The temporal, spatial and theoretical framework**

Since immigration is a phenomenon that has existed for as long as humans have been on the planet, it's essential to specify the temporal framework that will be the focus of this thesis. This thesis will primarily focus on immigration during the last 30 years (1990-2020). Moreover, this recent time period covers the stories of the interviewees and is sufficient to address the main question and sub questions this thesis aims to address. Furthermore, as immigration is dynamic and ever changing, it would also not make sense to go further back in history given the limited validity of legal frameworks.

The spatial framework will be focusing on the USA and the EU as case studies and analysis of similar and different trends in both highly sought-after regions. However, it is important to note that the framework does not allow for a full comparison between the two entities because doing so would be ineffective and impossible, since the United States is a sovereign state whilst the EU is not a state and it is partly an intergovernmental organization and partly a supranational organization. Lastly, the theoretical framework will cover the two opposing theories of idealism and realism and how these two theories have set the framework of how one defines a human right and whether or not immigrating is a human right.

## **1.4 Methods, Material and Structure of the Thesis**

The secondary sources for this thesis include academic literature which are available through academic journals, publications and books. Moreover, five individuals' personal recounts will serve as primary sources. Four personal recounts are from individuals who migrated to the United States and one is from an individual who migrated to Belgium. The four cases from the United States include a couple and their daughter from Colombia, Federico Barriga from Mexico, and John Zuluaga, a stowaway from Venezuela. Lastly, an individual who moved to Belgium, Cyrille Salem, who is originally from Tunisia. Interviews were recorded and transcribed; the names of the participants have been altered for anonymity and protection of the interviewees. The interviews were conducted in Spanish, French, and English, in which the participant being interviewed chose the language that they preferred to be interviewed in. Due to individuals available the ratio was 4:1 for participants migrating to the USA in comparison to the EU, however, the initial goal was to allow for a more equal ratio. A thematic analysis on the transcribed interviews was conducted to find emergent themes for both EU and US interviews.

Chapter two will focus on a foundation on what constitutes a human right and delve into the protection and lack thereof of these rights. The literature will analyze individual vs state rights and argue that the state can be seen as a terrorist within the wider literature of terrorism studies. Chapter three will look at the actors that play a role in advocating or rejecting immigrants all together. Furthermore, this chapter will look at how immigrants arrived to Lampedusa and how a caravan of immigrants arriving to the US/Mexico border were covered by various news outlets. Moreover, public opinion will also

be included here because it is essential to delve into the literature of how individuals form opinions from information provided. Studies delving into political psychology will shed light on how opinions of immigrants may be formed, uninformed, misinformed, change or remain the same. Next, chapter four will delve into the analysis of the individual recounts. Lastly, chapter five will be the conclusion.

## **Chapter 2: Individual Rights vs State Rights**

### **2.1. The Theoretical-Philosophical Perspective**

Two schools of thought must be considered when tackling human rights: idealism and realism. Emmanuel Kant in his book written in 1795, *Perpetual Peace*, delineates the main features of what would then become idealistic values. Humans are different from animals and act morally. Ideally humans can treat others the way they want to be treated and thus this would transcend to the state, since states are made up of humans. Idealism views the world as it should be and not how it is, which is how realists view it. In essence it is the ideal of a situation, for example, between states there is more presence of cooperation and teamwork instead of the presence of a zero-sum game.

Nevertheless, with the rise of fascism and two world wars, idealism was left in history as a utopian theory. This gave rise to the realist mentality. Modern realism comes from the Machiavellian Renaissance. Thomas Hobbes in the 17th century was one of the pioneers for this theory, as modern realism as a political theory developed in the 20th century. Realists observe the world as it is and not as it should be. They believe that the reality is that humans are selfish in nature and thus states dominate others by force. Realists believe that the main actor is the state and all states exist in an anarchic state, with the

top two priorities of the state being to ensure its survival and the acquisition of power, in that order.

The idea of the state, according to Hobbes with the *Leviathan*, protects the individuals and their rights as they cannot fend for themselves on their own. Whereas, the liberal views of Immanuel Kant and John Locke stress the capabilities of individuals to live peacefully together with their individual rights. These theories have evolved with time. Core concepts of classical realism are statism, survival, and self help (each state is responsible for its own survival). Furthermore, Hans Morgenthau, Kenneth Waltz and John Mearsheimer add on to the classical realism idea.

Classical realism is an explanation based on human nature for conflict between states. Whereas, neorealism, also classified as structural realism, focuses on the structure of the international system and it can be broken up into defensive and offensive realism. State behavior is explained by the international system because states must protect themselves and aspire to acquire power. Baylis et al. (2020: 137) state, “security competition, interstate conflict, and the difficulties of achieving international cooperation result from the structure of the international system” which means that within the anarchic system of international politics, the lack of one authority creates tension and potential for conflict. Moreover, balances of power constantly change and the number of big powers or superpowers determines the international structure, thus, cooperation only occurs between states only to form superpowers and protect their own security. Classical realism evolved into neorealism which argued that the international system was to have less focus on human nature and more on the structural system.

Neorealism then divided itself into defensive and offensive realism. Defensive neo-realists argue that the state are security maximizers and offensive realism argues that states are power maximizers.

For defensive neorealists, immigrants can be threats, and as they are security maximizers the role of the state would be to impede migrants from coming into the country. Offensive neorealists are power maximizers and can argue that immigrants provide an economic and strategic role in the community and that the role of the state is to manage the phenomenon allowing immigrants to migrate easily. When analyzing human rights and their violations it is essential to understand the role of the state in the protection or infringement of the right of the individual.

## **2.2. The Human Rights Discourse: Proponents**

Human rights are inseparable from the history of the state. On one side states are accepted as the entities to protect and further the interests of its locals, in the constant fight for resources in the anarchic world. On the contrary, states have also oppressed their citizens. Thus, human rights have a dialectical function to combat the dual issue of the state. For instance, the state is, ideally, to serve as the entity that protects human rights, provides freedom; however, realistically historical evidence, illustrated through various atrocities, depict how sovereign states have infringed on the rights of the individual. Historically, it was assumed that any ruler would protect the rights of its people. In Europe, kings and princes were committed to values of the Christian faith, nevertheless, assuming that the state would protect the rights of its people proved to be

untrue according to Tomuschat (2008: 8). The human rights discourse was born to combat and hold the state accountable for the protection of its citizens.

European history paved the way for the modern state. Moreover, after WWI the role of the government was more clearly defined when being assigned the tasks of respecting basic rights for individuals since the war had shed light on violations. John Locke, who opposed Thomas Hobbes, defends the idea that men were “by nature all free, equal, and independent.” (1690: 95) However these words are general and unspecific when delineating what the actual freedoms of the citizen are. Though there are various laws, treaties, and mandates that exist they can be general and oftentimes do not address the relationship between the individual citizens and the state. Moreover, it is as if the state continues to be viewed as the “true and only guardian of human rights” according to Tomuschat (2008: 22). The evolution of human rights have, thus, been divided into three generations and before tackling the question: if immigration is a human right?, one must understand how the term is defined and the terminology utilized.

Human Rights are often spoken about in three generations. The first generation of human rights are known as ‘negative’ human rights which urge states to refrain from interfering with personal freedom. An example of a first generation right includes freedom of speech. Moreover, the second generation includes “economic and social rights such as the right to work or the right to social security, which entitle individuals or collective to the provision of certain goods or social services” Tomuschat (2008:25). Lastly, the third generation of human rights include highly complex rights, such as, the right to development, the right to a clean environment and the right to peace. It is



pivotal to note that the first two generations of human rights are backed up by international law; the third generation of human rights exist only as legal propositions and political manifestos.

Christian Tomuschat argues that speaking about human rights in generations can lend itself to make the older generations obsolete, however, this is far from the case as the three generations have a relationship of coexistence and mutual support. However, not all generations of human rights are given the same importance and juridical weight. For instance, classic human rights of the first generation are better supported by hard and fast law whereas second generation human rights are phrased in softer terms and even more so with third generation human rights. The nuances of how the law is written and how much power is given to defend a particular human right is determined by the state, its actors and society as a whole. The phenomenon of immigration would fall under the secondary and tertiary generations of human rights, hence, the difficulty to address the human right violations in this respect.

Though one could argue that the right to immigrate can be supported by the second generation of human rights which include economic and social rights to work, this is not an easy task. Moreover, the language and specific human rights do not specify that an individual has the right to move anywhere to work, relocate, or reunite with family. Kieran Oberman (2016:1-37) argues that immigration can be seen as a human right, however, he also delineates the nuances and specifics as to why this is not clearly the case in practice.

Oberman argues that immigrating is fundamentally a human right. People should not be persecuted because they entered a country without status, “immigration restrictions curtail freedom” Oberman (2016:1). Moreover, immigrating is not a crime as countries see it because if people were to do the things undocumented immigrants do within the border they would not be considered criminals (2016:3). Additionally, the term illegal immigration reinforces the criminalization of undocumented immigrants. Every reason that one might move within borders may also be a reason for moving across borders according to Oberman. For example, he states that if citizens were to do the same act of moving to marry someone, unify with a family member, pursue another religion, or change jobs within a border, the act is not criminalized however it is criminalized if it is done internationally. He argues that people should have the same rights within and outside a particular border (2016:3).

Similarly, Gavison touches on how immigration creates questions relating to the “rights of people to enjoy their family life” (2010:23). It is precisely these questions that Oberman addresses as he challenges the status quo, he states, “if human rights are to fully protect our freedom to access the full range of life options, then we must have a human right to immigrate to other states” (2016: 8). Moreover, both a time restriction on an individual’s stay and entry restriction both limit the options available to the individual. This is apparent for long-term goals, for instance, romantic relationships and employment opportunities. Furthermore, this perspective does not only touch upon the question of illegal migration, but also, upon the issue of visa and other travel restrictions.

Oberman defines the human right to immigrate on a moral ground instead of a legal one. This specifically covers what, morally, individuals are entitled to; whereas legal human rights are the ones covered by law. According to Oberman, the human right to immigrate is “a right people have to enter and reside in foreign states for as long as they like” (2016: 6). This presents itself as the right to visit a country for a short period or to move there altogether. However, it does not mean that people have “a right to citizenship in the state in which one resides”(2016: 6). The Universal Declaration of Human Rights (1948) lists rights to internal freedom of movement (Article 13.1), freedom of religion (Article 18), freedom of expression (Article 19), freedom of association (Article 20), freedom of occupational choice (Article 23.1), and the freedom to marry (Article 16) (UDHR). Oberman makes the argument that immigration restrictions restrict where people live, work, travel but also who one marries, whether or not family is reunified, and job acquisition (2016: 7). At the core, the denial of entry to a territory denies the access of options available in a state to the individual. Not only does this infringe on the right of the individual but Oberman also summarizes, “conscience requires freedom: freedom not merely to pursue those options which we are already attached to, but also to question and explore options that lie beyond our immediate horizon”(2016:20). Within the HRD, “ human rights conventions grant the human right to leave every country including the immigrant’s native country, but only have a right to enter her own country” (UDHR). This creates an issue because people have the right to leave their own country but not the right to enter another country beside their own country of origin. It is here where a disconnection exists.

Oberman argues that moving freely through borders would be more beneficial than not, despite critics arguing that poorer nations would enter richer nations at a huge influx rate of immigrants. Oberman states the EU is a prime example of the contrary,

“were more done to tackle poverty, then, in the short term at least, migratory pressure may actually increase. Nevertheless, in the longer term, development should reduce migratory pressure. The European Union provides evidence of this. As I noted, the history of free movement within the EU has, on the whole, been a history of low migration despite the persistence of sizable wage inequalities between member states. Two factors help to explain this. First, poorer member states such as Spain and Ireland experienced sizable development. This development came partly because the EU did more than simply lift immigration restrictions. It has also offered its members aid and free trade. Second, quite simply, people generally seem reluctant to migrate”(2016: 35).

In conclusion Oberman is advocating for a distinct way of analyzing immigration emphasizing that the same freedom and weight should be given to immigration as it is to expression, religion, occupational and martial choices. He concludes with a stern point on the response warranted when these rights are infringed upon:

“When states prevent us from going where we want to go, associating with whom we wish, or speaking our minds to those who care to hear our thoughts, the appropriate reaction is one of indignation. It does not matter whether states prevent us from doing these things by fining us, imprisoning us, deporting us, or denying us entry: indignation is the appropriate response since states have no right to interfere in our lives in these ways. Once we recognize and condemn unjustified immigration restrictions as the human rights violations they constitute, we take the first step in the long process of achieving their removal”(2016: 37).

### **2.3 The Human Rights Discourse: Opponents**

The rhetoric surrounding immigration is polarized. The terminologies, framings and views on the topic are vastly distinct when addressing the same issue. One could argue that the differences are rooted in the ideologically distinct lens by which supporters or

opponents to immigration look at the phenomenon. Heather Mac Donanld, in “Crime & the Illegal Alien, The Fallout from Crippled Immigration Enforcement,” illustrates the immigrants who are criminals. This article comes from the Center for Immigration Studies and one must be cognizant of the source of information since it can explain a particular lens by which immigrants are being viewed.

Mac Donald utilizes the terminology “illegal aliens” to refer to undocumented immigrants and sheds light on the very present reality of criminals within the United States. Mac Donald focuses on criminals in Los Angeles from a Salvadorian prison gang that were deported for crimes like shootings, murder and drug trafficking. She states, “police officers know who they are and know that their mere presence in the country is a felony. Yet should an LAPD officer arrest an illegal gangbanger for felonious reentry, it is the officer who will be treated as a criminal by his own department-for violating the LAPD’s rule against enforcing immigration law”(Mac Donald, 2004: 1). Mac Donald touches on the highly contestable subject of delineating powers to the state from the federal level when addressing immigration. The constant tug of power between states and the federal government is the direct result of being a federation. States pass laws that align with their views on immigration and the federal government steps in only if it is allowed to do so as dictated by the constitution.

Various cities around the United States like New York, Chicago, Austin, San Diego and Houston all have “sanctuary policies” which in essence do not allow a city’s employee, ie. the police, to report immigration violations to federal authorities(Mac Donald, 2004). Mac Donald is a proponent of allowing the police the authority to be able to detain and

deport undocumented immigrants or “illegal aliens” as she describes them. Mac Donald argues there should be more done to collect undocumented individuals, for example direct police action. Mac Donalds sees this as a logical solution, however, the USA is a federal country, thus proving this to be difficult to implement as state and federal governments are in competition for control over this matter. Moreover, another potential consequence is that it can lead to profiling of anyone who looks like an undocumented immigrant.

These policies are oftentimes generalized and made as a one size fits all and that brings its own consequences. On one side one can see how the average US citizen could be harassed, profiled and targeted if this policy was to go into effect, and any police officer was able to stop anyone and enforce federal immigration policies. On the contrary, not allowing the police force to act on criminals they know have snuck back into the country is also a loophole in the system in need of fixing. The solution would be somewhere in the middle: officers should be able to act when individuals have a criminal record. However, opening the doors to do so in more ways than that would terrorize the common citizen. For example, the US’s police force is flawed in its training toward its own African American citizens. Therefore, adding another target would prove to be more detrimental than beneficial. The police fail to protect all African Americans and Latinos.

Any general quick fixes will leave citizens in danger and people unsatisfied with the results. There is no one size fits all solution but instead there must be clear distinctions when addressing immigrants. The solution as stated above is nuanced and specific;

generalizations made on both sides of the spectrum leave individuals at an impasse that makes no progress. It is evident that, as Mac Donald argues, aggravated felons need to be removed from the territory, however, it is how this is to be done that causes conflict because it is dependent on what lens the viewer is looking at immigration from. Though Mac Donald makes valid points about the shortcomings and impact of sanctuary policies it is evident that this view is conservative and does not see an immigrant or in Mac Donald's dehumanizing terminology "an illegal alien" as a person that is deserving of basic human rights. Opponents to her outlook argue that sanctuary cities protect immigrants who already don't have any rights on the territory they inhabit.

Immigration is a complex phenomena and it must be taken into account that most economists agree that immigrants, including undocumented immigrants, increase total economic output within the United States(Johnson et al. 2011). Moreover, most immigrants pay more in taxes than they receive in services (Johnson et al. 2011). It is one thing to state and defend the validity that immigration is a human right; it is another to argue for how it is to be implemented. The human rights discourse is composed of proponents of immigration as a human right and opponents to this idea. It is important to note that there are shortcomings in looking at the human right discourse as the sole means to implement policy change. It is imperative to note that when speaking about immigration as a human right some proponents mean this in a theoretical manner as transforming it to policy change will take time; solutions to problems based on the ideological ideas being set forward by proponents.

## **2.4 Implement immigration as a human right**

It is important to delineate that to theoretically articulate that immigration is a human right and to draw up policies on it are two quite distinct notions. Stating immigration as a human right can lead to an implementation of policies to alleviate human right violations that often go unaddressed when migrants take huge risks to move to another country. However, to rely on the argument that immigration is a human right as the sole means to alter policy is naive and misguided. It is difficult and quite nuanced to implement the human rights discourse and take it from theory to practice.

Ruth Gavison delineates the nuances and shortcomings of utilizing the human rights discourse as a means of implementing change. She argues that using human rights discourse in immigration context is misguided for three reasons: (1) the tension between the moral claims are universal for all and that the protection of human rights falls to state responsibility. (2) The difference between recognizing a human right and the actual process of identifying the procedure of holding the recognition of said human rights accountable. (3) Lastly, the institutional implications of choosing between discussion of policy question and the human rights discourse (Gavison 2010). Relying heavily on the human rights discourse is generalizing and providing a one size fits all solution to an issue that varies greatly from state to state.

The notion of human rights is complex when looking at a state domestically and internationally. On December 10, 1948 the Universal Declaration of Human Rights (UDHR), a document expressing aspirations, and does not impose binding obligations



was created (Gavison 2010). Documents like these articulate what constitutes as a human right and condemns certain human rights violations; however, it cannot do much legally and impose consequences unless a certain right is supported by international law. Gavison articulates that the exact scope of rights enjoyed by individuals are dependent on the political regime and economic stability of the said states in the picture. Moreover, the recognition of said universal human rights is also dependent on the individuals' civic citizenship and residence in a state (Gavison 2010).

Proponents of the human right discourse argue that rights are, to every human being, dependent on certain privileges. Though this is the ideological moral belief the reality is more in agreement with Gavison. Gavison is not stating that immigration is not a human right, she is stating that utilizing this discourse to enact change is flawed for the following reason: claiming rights make the issue subject to trial in a court of law and take it away from the realm of the political branches, but the problem is not fixable in judicial decision, therefore, the process may create losses in the legitimacy of both HRD(Human Rights Discourse) and the courts themselves(2010). This thesis does not focus on the implementation of that policy change, however, it aims to shed light on the discussion of immigration as a human right, and touches on which actors play a role in the changing of mentality and what actual immigrants say in regards to the human right argument. Moreover, it is more efficient to enact a law that creates policy change instead of attempting to fight for immigrants in a case by case manner with this discourse, according to Gavison(2010).

Nevertheless, it is imperative to draw the clear distinction between ideology, actors and mentality shifts that can thus manifest themselves as political change in the future.

Gavison concludes that the human rights discourse is not suitable for addressing many of the core issues of mass immigration, but this does not mean that HRD is not applicable at all to immigration issues. Gavison articulates, unfortunately, some immigrants risk everything in their desperate attempts to improve their lives.

Nevertheless, stressing the limits of the HRD does not mean that anything qualifies to be supported and changed by the discourse. Core human rights to life, due process and to not be tortured, are all universal. They apply to all humans. Other rights apply to certain immigrants(2010). The issue here is that the people who determine the stratification of certain individuals are usually the ones in power attempting to maintain the status quo regarding immigration. The main issue is that to come up with a system that will not place one type of immigrant over another is impossible because to do so would mean opening borders up to everyone and treating everyone with equity which is largely ideological. Though this ideology seems unattainable, that does not mean that one should give up efforts to attempt to mitigate the human right violations and a dignified life for individuals who do decide to take the risk to achieve a better life.

## **2.5 The Issue of State Terrorism and the Example of ICE**

What classifies as terrorism has been heavily debated within the field of terrorism studies. The definition of terrorism is unclear and until 2001 terrorism studies was not really popular. The world changed after the September 11 attacks on the United States and the field began to grow exponentially. Within the field there are individuals that look at terrorism with an actor-based definition, which is an orthodox outlook. .

According to them, a terrorist is the individual committing the act and thus non state actors. For example, terrorist groups who illegitimately use violence and are non state actors. Critical terrorism studies defines terrorism with a more actionbased definition. According to this definition, the actions that are committed are first looked at, and then who commits them. Two types of theories are looked at within the field, explanatory and constitutive, the first seeks to understand whilst the latter to problem solve. Critical terrorism studies tends to try to understand while an orthodox outlook seeks to problem solve. Within the field of terrorism studies there are advocates for the idea that the state can itself be a terrorist, which is supported by the action-based definition when looking at what the state does and how it affects citizens.

States can be categorized as legitimized terrorists as their actions are lawful since they set up the status quo regarding immigration and intend to maintain it. According to critics, the United States has acted as a state terrorist inside and outside its borders and has violated human rights on foreign and domestic ground to achieve its goals and set the rules to maintain its hegemony. Supporters of critical terrorism studies argue that institutions of the US government like Immigration and Customs Enforcement (ICE) use domestic terrorist tactics to maintain control in America by utilizing the hierarchy of race, fear, deportations, policing, biased border enforcement, raids and a lack of accountability of human rights violations at detention centers.

It is important to define state terrorism within the context it is intended to be used. Terrorism studies is a complex field with many definitions, outlooks, and thus, precision is key when engaging with the literature. Utilizing the term “terrorism”

incorrectly can discount the understanding depending on of how the term is being used. Within terrorism studies, I intend to define it with a critical terrorism studies lens. To defining terrorism via an orthodoxal outlook is compromised because links between government funding and research have been found, which question the integrity of the study. Horgan and Boyle (2008) agree, they do not deny that government's funding research on terrorism can influence the direction and the findings of the research(2008). Jackson and Miller & Mills' article also support this because they argue that money dictates the story being told. Hence, it is important to realize the power dynamic between organizations funding research and the researchers themselves. Moreover, it is imperative to clearly delineate any biases one must have to critically engage and understand terrorism. Just as the prison system in America should not be privatized terrorism studies are not to be funded by the military because it creates a self reinforcing perpetuation of information supporting a single outlook toward terrorism, leaving blind spots for state terrorism.

There is no accepted definition for terrorism within the literature, thus, state terrorism must comply with the chosen definition of non state actors. Bruce Hoffman and Laqueur approach terrorism with an action based definition. Eugene Victor Walter defines terrorism with three features: "first, threatened or perpetuated violence directed at some victim; second, the violent actor intends that violence to induce terror in some witness who is generally distinct from the victim, in other words, the victim is instrumental; and third, the violent actor intends or expects that the terrorized witness to the violence will alter his or her behaviour"(1969:7). When looking at state terrorism Christopher

Mitchell, Michael Stohl, David Carleton and George Lopez utilized Walter's key traits when they defined state terrorism. They define terrorism as follows:

Terrorism by the state (o non-state actors) involves deliberate coercion and violence (or the threat thereof) directed at some victim, with the intentions of inducing extreme fear in some target observes who identify with that victim in such a way that they percieve themselves as potential future victims. In this way they are forced to consider altering their behavior in some manner desired by the actor (Mitchell et al. 1986:5)

After looking at existing definitions, especially Walter, I propose that state terrorism is to be defined as follows: It is a deliberate act of violence against a certain group, in this case toward immigrants and/or any ally, or a threat of such an act if the fear has already been established by the state. Moreover, the act is carried out by actors on behalf or with the state, in this case ICE serves as the institution using terrorism to maintain the agenda of the US government. Lastly, the act of violence is intended to create fear in a specific population or anyone who identifies with these victims so that the people targeted or those who identify with them are forced to change their behavior in some manner. Jackson also supports this definition of state terrorism, "state terrorism involves a delibberate threat or act of violence against a victim by state representatives, or a threat of such when a climate of fear already exists through prior acts of state terrorism, which is intended to induce fear in some target obeservers who identify with the victim, so that the target audience is forced to consider changing their behaviour in some way"(Jackson et al, 2011: 25). The coercive change of behavior is what determines if the state was effective via ICE implementing domestic terrorism.

Though this definition creates a clear way of identifying state terrorism the actual practice of holding states accountable is quite difficult for a wide array of reasons. For example, the state and governments often legalize their actions, thus, keeping themselves in the clear. Moreover, governments do not condemn their own terrorist actions. Moreover, in many cases of state terrorism, personnel are allowed to infringe their own laws because the state turns a blind eye or exceptions are made since the state is benefitting.

In summation, terrorism conducted by the state includes coercion and violence (or the threat of violence) directed at immigrants with the intention of creating fear in others that are part of that community of the victim or who identify with them who may see themselves as potential future victims. The result is changing the behavior in some way that is in approval by the entity creating the fear. Chomsky articulates, “the message is clear: no one has the right of self-defense against a US terrorist attack. The US is a terrorist state by right. That is unchallengeable doctrine”(Chomsky, 1991:1). He goes on to give the example that “the US is entitled to use violence against Nicaragua, an insignificant nation, though the USSR lacks this right in the case of Turkey or Denmark” (Chomsky 1991). Though the US being a state terrorist has been seen internationally it is important to note that it also occurs domestically with ICE and immigrants. It is important to note, that the hierarchy of the world order determines what state is and is not considered a state terrorist because it depends on power and privilege.

Amada Armenta argues that institutions of the US government like Immigration and Customs Enforcement (ICE) use domestic terrorism to maintain the status quo in

America by implementing the hierarchy of race. The hierarchy of race is seen domestically with police brutality, another institution that uses terrorism and is used by the government to maintain the racial hierarchy. Similarly, ICE is a US government key institution that uses terrorism to support the government in maintaining the status quo by racializing the targeted population and instilling fear via the deportation terror (2017).

Amada Armenta in her book, *Protect, Serve, and Deport*, “explains how local politics, state laws, institutional policies, and police practices work together to deliver immigrants into an expanding federal deportation system, conveying powerful messages about race, citizenship, and belonging”(Armenta, 2017: 1), which is exemplary of the very nature of the state legalizing ways to maintain the status quo and drive home a certain agenda: the removal of anyone the state deems a target. Similarly, Kanstroom states that the Spolansky Act was mostly used to deport Mexican Americans, many of whom were actually American citizens, from the Detroit area”(Kanstroom, 1935: 14). Not only does state terrorism impact the immigrant but also anyone who identifies or resembles them despite legality. Racial profiling is a way in which these agencies working for the state target not only the immigrant but also anyone who looks like the immigrant. Armenta states, “officials targeted residents based on a ‘Mexican’ appearance, using skin color and the ability to speak Spanish as markers for presumed illegality. During the joint operation, officials detained and deported 432 unauthorized immigrants, all but three of whom were Mexican. They also detained over forty US citizens”( 2017: 78-79). Armenta also states, “‘illegality’ is associated with being of Mexican and Latino origin, many of these police enforcement actions have targeted

minority residents by relying on corporeal markers of race and class” (2017: 24 ). There are certain factors one cannot change, for example, the color of one’s skin, the texture of one’s hair and this can leave native born nationals with the constant need to defend their rights. ICE as a key institution, working for the state, uses terrorism to deter people from immigrating.

Institutions of the US government like Immigration and Customs Enforcement (ICE) use domestic terrorism to maintain the status quo in America by instilling fear via the deportation terror. Rachel Ida Buff in “The Deportation Terror” states:

*“U.S.- Mexico border as a contested and racialized zone across which migrants and racialized U.S. citizens have been deported en masse at particular moments marks the emergence of a new technology: the deportation terror. The deportation terror draws on the power of the Border Patrol, as it emerged after 1924 and subsequently evolved into the Immigration and Naturalization Service, now subsumed into the Department of Homeland Security. These agencies have implemented mass deportations in the 1930s and again during Operation Wetback and the current ICE raids.”* (Buff, 2008: 546)

The Deportation terror, a new technology, plays on power dynamics between detainees and detainers. The fear of ICE is experienced by families who oftentimes do not fully understand what is occurring in these detention facilities due to language barriers and fear family separation because it is something that is prevalent within the US. ICE has evolved and conducted raids on a certain group of people confirming that ICE uses terrorism on behalf of the US.



David Bacon describes what a raid actually entails. Bacon states, “the raid’s shock waves swept outwards from the factory through the *barrios* of the small Southern towns around it, leaving behind children missing mothers or fathers. Parents were afraid to go to work or send their kids to school” (Bacon, 2007:1 ). Raids as a deliberate act to instill fear, are carried out by ICE, and affect employers and immigrants. All are intended to cause behavior changes: no undocumented immigrant to be allowed in or be hired. Bacon articulates, “The IMAGE and other ICE workplace programs are designed to enforce employer sanctions, a provision of the 1986 Immigration Reform and Control Act that prohibits employers from hiring undocumented workers. In reality, the law makes it a federal crime for someone without immigration papers to work”(2007:1). Here it is evident that the state makes certain systemic legal venues through ICE to determine who gets to come into and work in America and push its agenda of targeting a certain group.

Institutions of the US government like Immigration and Customs Enforcement (ICE) use domestic terrorism to maintain the status quo in America by using deportations as a technology of the state. Deportation raids are used as a crucial technology of the state, it is a racialized system of social control. The deportation terror encompasses “the large sweeps focusing on immigrant workers [which] have often been retribution for political organizing” (Buff, 2008:525). For instance:

*“In June of 2007, for example, the city of New Haven, Connecticut, passed a local ordinance creating a municipal ID available to everyone living in the city. These municipal IDs would have allowed the undocumented to register their*

*children for school, start bank and electrical accounts, and generally conduct the business of daily life. Two days later, ICE staged an unusual neighborhood-based raid in local Fair Haven, arresting migrants from Guatemala, Mexico, Ecuador, and Guinea. ICE claimed that the migrants were arrested on previous deportation orders, but only four of the thirty migrants arrested had such paperwork on file. The fear disseminated by such a raid is very much an intended outcome of policy: the endgame is to win the battle by intimidating opponents. But it is not the only outcome of the deportation terror” (Buff, 2008: 543)*

The terror of being deported creates a culture of fear which enables the state to reach a desired outcome via intimidation that not only affects the immigrant, but also, their families and any potential ally. Similarly to the IMAGE program, “ICE has [also] deployed the previously underutilized employer sanctions contained in the Immigration Reform and Control Act of 1986 to conduct raids on employers utilizing undocumented labor. These employers face penalties of fines and sometimes jail time; undocumented workers face deportation proceedings” (Buff, 2008: 530). Consequently, “one effect of the deportation terror is the creation of fear, and the resulting silencing of migrant populations” (Buff, 2008:543). The utilization of this tactic via ICE is to ensure victory by intimidating opponents.

Institutions of the US government like Immigration and Customs Enforcement (ICE) use domestic terrorism to maintain the status quo in America by policing immigrants. It has been widely contested whether the police force should have the right to detain and deport individuals. From the history of the police in America and the current standing of

the police force toward the African American population, one can see that racial profiling and police brutality occur within that scope where the police serves as another key institution for the US government to maintain an agenda. It is no longer a few bad apples as some defenders of the police force state when, “at least 1,068 people have been killed by police since the death of the unarmed Black man[George Floyd] a year ago”(Haddad, 2021:1). Therefore, adding another target would further the profiling to include not only African Americans but also anyone who could potentially be an immigrant, “civil rights and immigrant rights organizations drew a direct link between 287(g) programs and the racial profiling of Latino immigrants” (Armenta 2017:31). Policing immigrants would exasperate the already present issues within the police force. Opponents to police involvement argue that it is imperative that the police focus on being able to protect and serve all lives before they can take on another task which could potentially backfire if adequate training is not completed.

The state creates ways for these institutions to use terrorism benefit the state. Therefore, it is not surprising that “the newly formed Department of Homeland Security (DHS) sought to enlist police and sheriffs as immigration enforcement partners and encouraged agencies to participate in the 287(g) program. The DOJ also encouraged local police and sheriffs to participate in immigration enforcement”(Armenta, 2017: 30). Some states push for this to be passed more than others and though federally this has not been implemented if allowed to pass it would further support the claim that the state supports ICE who uses terrorism to maintain the status quo. Though the role of the police is to protect and serve, that is not the case for every individual in the United States of America.

Institutions of the US government like Immigration and Customs Enforcement (ICE) use domestic terrorism by partaking in biased border enforcement. The United States supports ICE financially and politically which enables them to use terrorism to maintain the status quo for the state. As Buff delineates, “under the rubric of Homeland Security, congressional appropriations bills have continually funded customs and border protection. These appropriations have included monies for the construction of detention facilities for deportees, as well as for the Bureau of Immigration and Custom Enforcement to hire more agents ” (2008: 530). The state facilitates the process and legalizes the ability of these institutions to use terrorism tactics to benefit the state.

Moreover, the state goes on to validate its tactics as noble and combatting terrorism when in reality it is the state that is the terrorist via agencies like ICE. These agencies legitimize the orthodox terrorism outlook that fails to understand the phenomenon of immigration, but instead, validates its actions against the targetted group whilst dehumanizing immigrants. As Natsu Taylor Saito indicates:

“The border now also connotes the imaginary line between safe and unsafe associated with the prevention of terrorism and, as a result, has moved onto the bodies not only of persons presumed to be undocumented but also those who look like potential terrorists, regardless of their legal status. For the latter group, this can mean special registration procedures, prolonged questioning, detention, deportation, or even rendition to a third country for interrogation(2006:246-247).”

If someone is innocent but is categorized as a terrorist, reality becomes guilty until proven innocent instead of innocent until proven guilty. Moreover, many of these detention facilities, deportation procedures and even rendition create an avenue for human right violations and mistreatment of immigrants that go unchecked since it is the state who would have to bring justice. Thus, the financial and political support to enforce borders shows how ICE is working with the state using domestic terrorism.

Institutions of the US government like Immigration and Customs Enforcement (ICE) use domestic terrorism by using key events to serve as examples. There have been various events that illustrate how ICE, enabled by the US government, has used terrorism to maintain the status quo. For example, on March 6, 2007, ICE raided the factory of defense contractor Michael Bianco, Inc., which produced backpacks and other items for use in the military. ICE apprehended 361 workers. People describing the event said they included: strip searches, isolation, deprivation, and being handcuffed and put aboard planes to uncertain destinations. Families were separated, including mothers from nursing children(The World, 2017). Raids were carried out in a way to maximize the terror among people inflicted and the broader migrant community in the region. Moreover, ICE set forth a policy that would allow for “strategic deception known as ‘ruses’ to facilitate enforcement. The policy allowed agents an avenue to overcome red tape of civil immigration arrest warrants to enter a home without consent. The ruses allowed people to “lure targets outside of their homes or, more controversially, elicit consent to gain entry into their homes”(Kam, 2022: 1). Once agents are inside they then search for anything that can warrant an arrest of suspected undocumented individuals.

The state has always allowed some level of deception according to the 4th amendment, however, ruses are to only be used in the criminal context not based on an inclination that someone is undocumented (2022). Events like these where ICE treads the line between legal and illegal in the eyes of the state show how ICE can get away with doing so outside of its intended context because it serves the state. ICE practices escape judicial scrutiny. Therefore, the US enables ICE to use terrorism to benefit the state.

Moreover, the US enables ICE to use terrorism to maintain the status quo with the implementation of detention centers and the lack of oversight on certain violations. Social and moral objectives are not priorities when “the detainment of undocumented individuals serves as a major source of business revenue for those in charge of the detention system, leaving little incentive for processing detainees in a timely and humane manner” (Villalobos, 2011: 153). Moreover, “undocumented women and children—were treated more as commodities humans, how many were held longer than necessary, and to what extent is growth of such camps [to] be directly attributable to the profit imposed through private contracting”(Villalobos, 2011:153)? Detaining individuals serves the state, perpetuates fear, strips individuals of certain rights and prioritizes money over human life. The US government using for-profit organizations to take care of undocumented immigrant detainment centers lends itself for a turbulent environment in which profit is prioritized over human conditions and the state fails to fulfill its duty to protect individuals. As the state cleanses its hands of their wrongdoings it reaps the benefits of how this serves them without being held accountable for its actions, “that includes abuse committed by inmates and/or detention officials, as well as other unchecked crimes resulting from the mixing of violent and non-violent

detainees"(Villalobos, 2011: 158). The state is not held accountable and categorized as a terrorist because it uses key institutions like ICE to hide behind. Moreover, the state does not hold these institutions accountable because they serve their agenda. The goal of the state is to remove and control immigration and it allows them to wipe their hands from the human right violations occurring in the detention facilities if ICE takes the blame and then the state does not bring them to justice. The state succeeds in maintaining the status quo via ICE and its use of terrorism. Villalobos argues that the claims of medical mistreatment, grouping of violent and nonviolent detainees together, and negligence regarding the oversight procedure of accountability for performance are in dire need of serious reform (2011: 161). Villalobos concludes real progress will not occur unless legally enforceable standards help ensure the effective oversight and penalties can be instituted against procedural violations. Unfortunately, it is the state that is to navigate these violations but since the state is the terrorist we can see how it is problematic and ICE and the state are not held accountable since the US enables ICE.

States legitimize their actions, nevertheless, they are state terrorists. Institutions of the US government like Immigration and Customs Enforcement (ICE) use domestic terrorism to maintain the status quo in America by implementing the hierarchy of race, instilling fear, using deportations as a technology of the state, policing immigrants, partaking in biased border enforcement, using key events to serve as an example and the support for a lack of accountability of detention centers. State terrorism was defined as: a deliberate act of violence against a certain group, in this case toward immigrants and/or employers, or a threat of such an act if the fear has already been established by the state. The act is carried out by actors on behalf or with the state, in

this case ICE serves as the key institution using terrorism to maintain the status quo for the US government. Finally, the act of violence is intended to create fear in a specific population or anyone who identifies with these victims so that the people targeted or those who identify with them are forced to change their behavior in some manner.

Nevertheless, it is imperative to note that human right violations occur and the human rights discourse sheds light on them. For instance, Villalobos (2011:159) identifies five areas of main concern regarding detained undocumented women. Firstly, a failure to address medical and mental health conditions for victims of violence. There are cultural and language barriers, in addition to ICE practices, that deny women access to outside social services which make it difficult for detained women to attain the medical and mental health care they need. Secondly, medical conditions for pregnant and postnatal women are insufficient and they are unable to acquire proper healthcare and nutrition while detained. Thirdly, sexual assault can also be present since guards and detention facility staff members have power over people detained. The lack of accountable systems leave women in vulnerable positions in danger of sexual assault from other inmates or jail personnel. Fourthly, family separation is also exemplary of a violation since many women who come to the US come with their families and are their families' caregivers; thus, when moms are detained, this has a ripple effect affecting the whole family. Lastly, the access to counsel is limited. There are many immigrant detainees who face hardship securing legal counsel. Moreover, women who have experienced violence or are vulnerable to abuse inside the jail have dire need for legal advocates, particularly those that are independent of the detention system. Moreover, attorneys who have trusting relationships with detained clients can also serve as advocates for the clients' legal and



human rights while these individuals are detained. To remove the human rights discourse altogether is not the solution either.

The United States and European countries have failed to manage the influx of undocumented immigrants. As a way to mitigate these failings, countries like the US and Greece have granted rights to immigrants within the country. Proponents of this idea believe that individuals that have lived within the country and contributed to the economy, whilst oftentimes not receiving benefits, deserve to be granted those rights (King, 2021). Opponents state that this incentivizes other undocumented immigrants to come and eventually attain documentation if they remain in the country long enough (Mac Donald, 2004). The reality though is that efforts to manage immigration have become an after-the-fact fix with various naturalization acts within the United States, which illustrates how flawed the current immigration system is and its failings (Mac Donald, 2004). Immigration is a phenomenon which states and actors must learn to manage. The ongoing debate between the individual versus the state and the rights that belong to them in regards to the question immigration as a human right has been observed. This was analyzed via a theoretical/philosophical/legal perspective, proponents and opponents to the human rights discourse, the actual implementation of immigration as a human right and the issue of state terrorism. Equally important as the theoretical/philosophical/legal view on immigration as a human right is how society perceives immigration.

# Chapter 3: Societal perspective

## 3.1 Role of Media

This chapter will focus on the societal perspective, the role of society in determining support or disapproval for the right of immigration, the rhetoric of the elite discourse, two media case studies, and vernacular utilized when speaking about the target population. It is relevant to note that very few instances show a close margin of objectivity, however, this is not the case in societal perspectives. Subjectivity is to be expected and though multiple sides may be telling the same story, they shed light on distinct issues pushing their own agenda.

The media is not exempt from providing a subjective outlook that impacts how people form their views based on psychological factors, information provided, the lens by which it is being provided, views held and how the information is being presented. Moreover, as has been stated objectivity is impossible and, thus, there are always subjective views that play a role when telling a story. Furthermore, it is imperative to look at who is funding research as was the case with Horgan and Boyle's (2008) study on the military funding terrorism research which they argued could play a role in the findings reported. Similarly, as was illustrated in chapter two of the thesis with David Miller and Tom Mills' study when they analyzed the 'invisible college' of experts on terrorism. These experts created a homogenous outlook on the study of terrorism and Miller and Mills found that there are connections between "academia with military, intelligence and government agencies, with the security industry and the media"(2009: 416). Both instances support the importance of crucially questioning what the story is illustrating,

where it comes from and why it was framed in a certain way because they argue that money dictates the story being told.

### **3.2 Lampedusa**

In 2011, this part of Italy became even more important as it represented the border into Europe. Swert et al. (2015) conducted a study that looked at five countries: Italy, the Netherlands, Belgium (Flanders), Germany and the UK and their coverage of irregular migration. It was an extensive, quantitative, international, comparative content analysis of new coverage on irregular migration during 2009-2013 focusing on Lampedusa. The study shed light on the distinctions in quantity and content elements of the newspaper articles. The goal of the study was to answer the main research question: "how news media coverage of irregular migration and Lampedusa differs in terms of issue attention, different voices, level of domestication, problem definitions, causal attributions, and solutions" (Swert et al. 2015:1). Results depicted that news coverage is extensive around Europe, however, it was primarily during the peak periods of attention in 2011, the year of the major outbreak of the Arab Spring. This is illustrative of the importance of current events and its correlation to coverage. Since this was a present and pressing event in 2011, news coverage attests to it being the main focus. Swert et al. argues that extensive and incremental coverage could lend itself as an opportunity for the media to serve as a platform that includes other voices on the issue. For example, voices of immigrants, people like Kamel or Weiwei, this is not the case. It is evident that in regular news stories, we know that elite discourses, like government voices, dominate the opinions presented in the media(Hopmann, 2011). Thus, it is important to critically

engage with the source from which the media is coming from because there is always an agenda that has been established prior to publishing.

### **3.3 Caravans**

Similarly, in the United States, one can observe how the polarization of the country is also present in the media. For example, Univision, CNN, Fox News, the New York Times and the Washington Post all have a certain leaning. Some leanings are more apparent than others, nevertheless, subjectivity is always present.

Tayde Ana Sofia Revilak Fonseca (2021) conducts a critical discourse analysis of the media coverage of the 2018 central American migrant caravans<sup>1</sup> by the US and Mexican News outlets. She delineates how the story was told depended on who was recounting the story, as well as, the context. For instance, Fonseca (2021: 95) states: “Dominant narratives in Mexico revolved around the themes of human rights, victimization, and resilience while in the US the narratives of national security and migrants as political tools predominated in coverage.” It is important to note that the caravan was just passing through Mexico and the final destination was the United States. Thus, “US media consistently reported events in regards to how they affected the midterm elections, bipartisan agendas, and President Trump's behavior. Mexican outlets on the other hand, reported extensively on asylum claims, figures of migrants in national territory at any given time, and the migrant experience as it transversed Mexico” (Fonseca 2021: 95).

Moreover, Fonseca goes on to articulate keen differences within American news outlets:

---

<sup>1</sup> Central American migrant caravans are migrant caravans that travel from Central America to the Mexico–United States border by foot and in masses.

“For example, *The New York Times* corpus presented important elements of liberal and humanitarian coverage, but ultimately tended to reproduce and reinforce structures of power found in the American political landscape by emphasizing the role of the Central American caravans in the domestic politics debate. This pattern was heightened within *The Wall Street Journal* corpus where the right-leaning editorial stance prevailed in terms of depicting migrants as out-group members and government officials as positive in-group members, despite their routine advocacy of racist and inhumane policies”(2021: 96).

Therefore, it is imperative to remember that subjectivity is present and what story is being shared depends on funding factors, the agenda set, and desired results. Media outlets are not neutral or objective but oftentimes reflect interests, positions or views of their "funders", usually this is a political orientation (progressive, conservative, etc.). Thus, migration will be covered with the lens consistent to the outlook dictating the narrative. Therefore, migrants can be underrepresented in media coverage or misrepresented. The polarization of news outlets reinforce narratives that align with what one believes already depending on where information is obtained. Whether a reader obtains news from the *New York Times* or *The Wallstreet Journal* the public perception and discourse on migration might differ.

Furthermore, the language utilized also plays an important role in the story being illustrated. “Figurative language used in Mexican coverage was in line with US coverage that depicted migrants as masses or hordes, stripping them of their human qualities and invoking strategies of positive self-presentation and negative other-presentation” (Fonseca 2021: 95). It is therefore relevant to note that just like an artist or a photographer sheds light on a particular reality so does the media. All of these actors: artists, photographers, documentarists, journalists, and politicians have one goal, to

portray a certain truth to the public, but public opinion is, as will be discussed in the following section, quite complex.

### **3.4 Public Opinion**

There has been a plethora of research done on the idea of public opinion and what a lot of the research in the field illustrates is that it is quite difficult and complex to actually measure public opinion. Though public opinion is not easily measurable it is heavily relied on, particularly in times of elections. The media refers to public opinion and that is important when covering events like Lampedusa and the Caravans because many citizens will take the presented percentage at face value without realizing that the figure and public opinion can be easily manipulated to achieve an agenda.

Previously within the field the argument was that people adhere to a file cabinet-like model, meaning that individuals will retrieve information based on how they have experienced it and create an opinion on said subject in the past. Contrary to this belief is that opinions are constructed and people form them as they go. These studies illustrate the complexity of how to measure public opinion on distinct subjects. One looks at how people's views can form and change on certain specific topics, consequently, these changes can also be seen regarding migration particularly if fear or anger are emotions elicited.

Understanding public opinion is imperative when analyzing the role of media and how easily people can be swayed. John Zaller argues that most people are not really certain of what their opinions are on the majority of political matters (1992). Zaller also supports the idea that people receive, be it directly or indirectly, political information

from elites. The elites frame current events using already available stereotypes to engage with the public. Thus, information can be filtered from those in power. Research in public opinion also shows us that attitudes can change as more information is provided. Though this is applied to politics it can also be applied to perception of immigrants in answering the question: is immigration a human right?

People are not informed about politics because individuals must critically think about the information provided and question how personal beliefs, emotions and experiences shape their view. However, this takes time, energy and effort and thus is performed for key decisions, not necessarily politics. Citizens are typically ill informed about politics and what is going on in the world, therefore, they are vulnerable to being manipulated by information. The following study illustrates that people can vote and choose to act against their own interests despite the information given or because of a lack of information. Larry M. Bartels discusses that people can vote against their interests and makes the argument that they do not always necessarily make rational decisions. In his article, "Homer Gets a Tax Cut: Inequality a Public Policy in the American Mind," Bartels looks at the 2001 and 2003 two tax cuts that the Bush administration passed that primarily benefited very wealthy Americans. Most Americans supported these tax cuts though they were not necessarily aligned with each individual's best interest from Bartel's point of view. Bartel makes the argument that they did so not because they were indifferent to economic inequality but because they did not connect inequality and public policy(2005). Bartel concludes that people's attitudes for their own tax burden is what directly affected support for the Bust tax cuts and they were virtually unaffected by their attitudes about the tax burden of the rich(2005). This illustrates a case where

people vote against what would be best for them in the long run due to a lack of information or understanding. Bartel argues that public opinion here was ill informed and not sensitive to the most important results of tax cuts thus leaving citizens to make choices that were harmful to their future(2005). Bartel supports the idea that a lack of information led citizens to make the choices they did, or that they could have resulted from an ignorance of some sort, or a disconnect with the implications. Similarly, lack of information, disinformation or misinformation all can play a role in how immigrants are perceived. There are plenty of reasons why people act against their own interest even when given information, for instance: ideology, emotions, personality, and their perspective of reality. Moreover, approaches in sociology also state that attitudes and opinions are shaped over socialization and that with age one becomes more attached to them. Similarly, behaviorist approaches can include cognitive mapping. Political psychology touches on the issue as well, in the case of the tax break, immediate assistance could have been prioritized to cover day to day costs over being patient and waiting for better community efforts to fully take off. Nevertheless, information results in individuals' changing their attitudes, however, one must not forget that there are factors that might mean that individuals do not update their attitudes.

Arthur Lupina et al. looked at the same tax cuts and data but revealed distinct results. In their article, "Were Bush Tax Cut Supporters "Simply Ignorant?" A Second Look at Conservatives and Liberals in "Homer Gets a Tax Cut"(2007) they challenge Bartels' view that voters acted as they did due to their ignorance and the inability to put the needed information together. Unlike Bartel, Lupina et al. do not state that the results were entirely attributable to simple ignorance. In fact, they show that for both



conservatives and republicans rising information levels was directly correlated with increased support for the tax cuts. They found that the most informed Republican respondents supported the tax cut at over 96% (2007). Lupina et al. found that unlike Bartel's claim, that better informed respondents were more likely to have a negative outlook on the 2001 tax cut, the opposite was true (2007). Lupina et al, allowed groups to process information in different ways and this helped political entrepreneurs better focalize on important social needs and citizens' desires (2007). Lupina et al. argue that people are to be seen as individuals with unique perceptions, needs, and wants to which the marketer needs to adapt. People have reasons for the opinions they have, thus, as social scientists, one must resist judging the rationales of others before understanding them(2007). Information helps people make decisions, however, Lupina et al. are able to delineate the nuances of the phenomena of public opinion. Additionally, people are complex individuals and must be treated as such, since the impact of information on their views varies and can be dependent on the individual, information given, how that information is presented or a wide array of psychological factors.

Espenshade tested five hypotheses of public opinion toward illegal migration to the United States. Attitudes toward illegal immigration and undocumented migrants using public opinion data from southern California were examined. Findings included weak support for a labor market competition hypothesis. There was "firmer evidence for hypotheses relating to cultural affinity between respondents and undocumented migrants and to the role of education. Respondents' evaluations of tangible costs and benefits to themselves also influence their assessments of illegal immigration. Finally, the results of this analysis provide additional support for a symbolic politics model of

opinion formation when the model is extended to the issue of undocumented migration to the United States”(1993: 189). Thus, we can observe that public opinion is complex and findings are not necessarily the most reliable, however, media outlets will use numbers to support the narrative they intend to push forward.

Political opinion on its own without credibility and trust is nothing, however, with that trust, credibility, and importance it is everything. Citizens' opinions are dictated by information presented and various studies in the literature are evidence for the fact that information impacts people's decisions and the study of public opinion is complex; people's views are able to change after receiving information. People look at what they trust even if these news outlines further reinforce already held notions or misinform the viewer. Subjectivity is given, therefore, critical engagement with academia, news, art, and individuals is essential to determining one's own view on a question like: is immigration a human right?

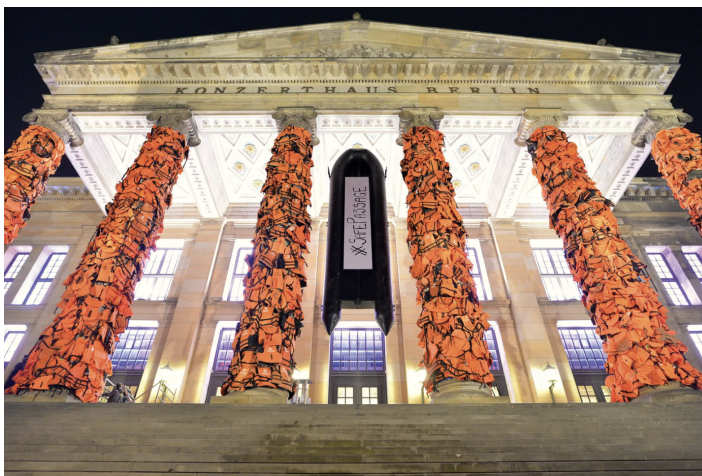
### **3.5 Actors: Artists, Photographers, Journalists**

When looking at immigration as a phenomenon one must understand that this fluid phenomenon is one that is impacted by various actors. Artists advocate for immigration to be a human right. Photographers advocate for immigration to be a human right, and journalists in the media can advocate for immigration or against it. This section will primarily focus on the artist WeiWei and his work advocating for immigration as he is an artist that advocates for immigrants. Moreover, it will also shed light on a conducted interview with Kamel Moussa, a documentary photographer who also advocates for immigration as a human right. It is evident that in addition to the media impacting

views on immigration, artists and photographers do the same. The role art has in shaping societal beliefs/convictions, is underrated. Art and certain narratives shape society gradually and these artists share their societal views of immigration as a human right. One could argue that artists are a minority reaching out to a specific, minority part of society and also creating waves to attain the attention of those in power to inspire change.

### *Ai Weiwei*

When Ai Weiwei lived in China, he was an outspoken critic of the regime and a human rights advocate, which led to his imprisonment, abduction and beatings. Weiwei's personal experiences shaped his views and his current work that impacts people's views today. Weiwei covered a concert house in refugee life jackets, made a documentary titled, *Human Flow*, and assembled a set of 300 installations around New York City based on fences and borders to illustrate "the 'narrow-minded' attempts used to 'create some kind of hatred between people'" (Sayej, 2017:1).



**Figure 1.** Ai Weiwei: installation at the Konzerthaus Berlin Installation of 14,000 life vests by Ai Weiwei at the Konzerthaus Berlin concert hall, 2016. Oliver Lang/Konzerthaus Berlin

In an interview with the Guardian he presents his goals and views regarding his art in New York City. Weiwei states, “the purpose is to show it to people of influence; people who are in a position to help and who have a responsibility to help.” Moreover, his public artwork in NYC with 300 installations is to illustrate “the political divisiveness and the rise of anti-immigrant nationalism. Anyone can walk through the entranceway of the silhouette, which is meant to represent borderless – and fenceless – territories”(Sayej, 2017:1). Thus, Weiwei is an advocate for immigration as a human right and argues that borders or walls are not really the solution. Weiwei stated: “Any kind of wall is ridiculous, even with the Great Wall of China, it never really worked. It shows a kind of narrow-minded idea to divide people and create some kind of hatred between people”.



**Figure 2.** Ai Weiwei’s Good Fences Make Good Neighbors art project in Washington Square Park. Photograph: JasonWyche

Weiwei is well renowned and thus has influence with his art from the average citizen to the people at the top as he placed a particular piece in front of the Trump tower in all gold to acquire the attention of former president, Donald Trump. Weiwei states, “in the

US, there are policies to limit refugees and trying to push away people who made a great contribution to society, trying to build a wall between US and Mexico, which is an unthinkable policy.” Moreover, Weiwei touches on the polarized division on the issue, he says: “there is no tolerance, it’s divided and trying to separate us by color, race, religion and nationality. It’s going backwards against freedom, humanity and our understanding of our time.” Artists impact how we think of immigration and whether or not it should be a human right. Weiwei is advocating for immigrants, refugees, and a vulnerable population that needs to be seen. Art is one way that advocates can argue toward immigration being a human right, and with time change perspectives. Moreover, documentary photography plays a similar role in the case of Kamel Moussa.

#### *Kamel Moussa: Interview with a Documentary Photographer*

Kamel Moussa is a documentary photographer who went to a school of superior arts in Brussels and studied photography for six years. He published his book, *Unstable Balance*, that delineates the story of the youth of Tunisia in 2011 during the revolution. As a documentary photographer, Kamel Moussa (2022), states “photography never shows the reality, the photographer selects and shows a part of the reality the photographer wants to show depending on image choice and what he wants to show the audience. Photography can be manipulated to show one side or the other. I like to share about the conflict of immigration”. As an immigrant himself from Tunisia he says that he sees himself in the people he is capturing in the image. Moussa is an advocate for immigrants and states his views on immigration as a human right: “Immigration has always existed since the start of man’s existence. I believe that the world began with everyone from all over the world. I don’t believe in borders and frontiers. We are citizens

of the world, I consider myself as a citizen of this world. I can go to the US, Africa, Asia, Canada, Tunisia for work or to live in another country. I presume I am a citizen of the world”. Moreover, when asked about the goals of his work he articulates: “I hope to transmit a message and have a testimony and a reaction from politics and associations”. In regards to immigrants and immigration his views are clearly in support of immigration as a human right. He comments as follows: “They[immigrants] are citizens of the world [and] should have the right to work, school for [their] children, and a house like any other person. They pay their taxes and why not have a passport. I don't think immigration can be stopped. It exists since human beings exist on the earth. It will never be stopped, there are wars, famines, problems, social issues, people need to immigrate for their families. People need to immigrate to have better lives for their children for them”. Moussa sheds light on various immigrant stories through his work.

Moussa has various exhibitions that he has worked on that focus on social justice and immigration. This section will only cover three of them: *Unstable Balance*, *Graveyard for the Anonymous* and *Emanuel*. Moussa states “I usually take three or four years to finish a photography project and then I contact the exhibition. I had an exhibition from June to September in a museum in Belgium for “Graveyard for the Anonymous”. Each story is crafted and the goal is that a message is received by the viewer. *Unstable Balance* depicts the story of the Tunisian youth after the Tunisian revolution through his experience and perspective. His work comments: “But what I know is that for me these portraits evoke the vulnerability, the fragility of Tunisian young people. Many years have elapsed since I moved to Europe. But each time I come back to my home land the same question arises: what would I have become if I had stayed here?” Moussa

sheds light on people and an event driving home his agenda.



**Figure 3.** Unstable Balance (<https://www.kamelmoussa.com/Equilibre-Instable->)



**Figure 4.** Unstable Balance (<https://www.kamelmoussa.com/Equilibre-Instable->)

Furthermore, Moussa also depicts the people who do not make the journey trying to get to Europe from Africa. This is part of his work from *Graveyard for the Anonymous*.



For years, the news is punctuated by tragic shipwrecks in the Mediterranean. This sea has become a cemetery, but an anonymous cemetery. Chemseddine Marzoug, Tunisian fisherman, native of Zarzis (Tunisia) fights daily to ensure that the remains of the dead migrants at sea are buried with dignity. He also fights for the survivors - trapped mid-way between the attractiveness of a Western world - that they could not reach - and the misery of their home country - that they flee, find a roof and a decent life. To offer a dignified burial to the migrant dead at sea: that is the mission he has given himself. With a shovel for only tool, Chemseddine has set a goal: to bury "deadly" the dead migrants off Tunisia trying to reach Europe. At the morgue, he recovers the bodies, which he places in body bags. Members of the police or the navy often lend him a hand. He borrows a car from acquaintances, then transports the remains to the "cemetery of the unknown". Flowers and wooden boards numbered, in a rocky landscape. Without a cross or a stèle, the "cemetery of strangers" has nothing of an ordinary necropolis, just like the destinies of those who are buried there. "Life rejected them. So, in their death, they must be given a dignified and respectful funeral. That's the least," insists Chemseddine Marzoug. The fisherman addresses the world asking for a suitable graveyard, which allows him to bury these migrants properly, with a small room for washing the bodies and a means of transporting them. "I feel that their souls are not happy," he says. Mohsen a friend of Chemseddine, ecological activist, has created in his garden a museum of immigration and the memory of the sea. He deposits everything that rejects the sea of precious according to him: lifejackets, clothes ... An intellectual fetishism that pushed him to create this space of peace, respect but also anger. An organization inspired by movement and chaos that represents the world in which we live.

**Figure 5.** *Graveyard for the Anonymous.* Text is retrieved from:  
(<https://www.kamelmoussa.com/Cimeti%C3%A8re-des-Inconnus>)



**Figure 6.** *Graveyard for the Anonymous.*  
(<https://www.kamelmoussa.com/Cimeti%C3%A8re-des-Inconnus>)





**Figure 7.** *Graveyard for the Anonymous.*  
(<https://www.kamelmoussa.com/Cimeti%C3%A8re-des-Inconnus>)



**Figure 8.** *Graveyard for the Anonymous.*  
(<https://www.kamelmoussa.com/Cimeti%C3%A8re-des-Inconnus>)

During the interview with Moussa he made reference to Emanuel when speaking about borders and how “we are citizens of the world.” Emanuel is a Gypsie without any documents who lives in Brussels. Moussa shared his story and his family story as the whole family does not have any documentation. Moussa gave Emanuel’s example as he

was making the case for his disbelief in borders and advocating for immigration as a human right.



**Figure 9. Emanuel (<https://www.kamelmoussa.com/Emanuel>)**

Although Moussa has been able to shed light on immigration and share individual stories he also shared the difficulty of publishing his work on a grand scale to reach a plethora of people. He spoke about his work about the black immigrant who died in the Mediterranean as a strong and serious project for which he contacted fifteen newspapers and was rejected from all because they said “it is too hard and it is too difficult to be appreciated by our clients”. Moussa argues, “The media just shows by helicopters the immigrants in the boat but they don't give the opportunity to immigrants to tell their stories. To treat them like human beings: people who suffer from poverty, war, and slavery. They [the media] don't give a voice to people like me who spend 3-4 years on this project. I tell them to take it for free but they don't accept it. They fear it, it is very strong, we talk about death, symmetry and [it is not the story they want to

present] since their clients do not want to see that. They close their eyes and they don't want to see this problem. I contacted newspapers in Belgium, France, and the USA. All of them told me it is a good project but it is not for us". Kamel Moussa through his work and interview shared the necessity to critically engage with any media provided. Photography, like art and the media, is showing a particular reality to impact the audience.

## **Chapter 4: Individual perspectives**

### **4.1 Personal Recounts Introduced**

The phenomenon of immigration can depersonalize the individuals that immigrate if generalized at the theoretical/legal/philosophical and societal level. Thus, this leaves the individual out of the picture. Humans are the ones that are immigrating. This chapter will share the untold stories of five individuals who took huge risks due to various push and pull factors to moving to the United States or Belgium. When analyzing the stories told there were various similarities and differences which will be delineated within this chapter.

The point of the personal recounts is not to compare them one to the other in validating distinct experiences, but to recognize similarities and differences in migration patterns and to offer the opportunity to these immigrants to define immigration and answer the question this thesis poses. The goal is to provide a voice for the voiceless and determine from their perspective whether immigration is a human right. The experiences of these individuals, their journeys, and their views pose the question not only if immigration is a human right but also if the state serves as a terrorist and if there were human rights

violations based on the accounts of those doing the immigrating. Their experiences touch on their journeys, an analysis of immigration, and their definition of immigration. This chapter is structured in the following manner: 1) push and pull factors 2) journey experience/perceptions on human rights abuses 3) view on immigration. This structure is in place so that the reader can understand the causes, thought process prior, during and post immigrating. Their personal recounts include: 1) Cyrille Salem from Tunisia who moved to Belgium 2) A Colombian couple, Paulina Cortez and Leonardo Cortez who moved to the US 3) Their daughter, Catarina Cortez who moved to the US 4) Federico Barriga from Mexico who moved to the US 5) John Zuluaga, a stowaway, who moved to the US.

#### **4.2 Prior to Immigrating: Push and Pull Factors**

There are various push and pull factors that catalyze the decision to move to another country for immigrants. Cyrille Salem comments on economic opportunity, he states,

“The cost of living is better [in Belgium] than in Tunisia. There are more choices here than there. I'm happy and I don't regret anything, on the contrary, I'm happy because I have succeeded in my life. I don't see why I should regret anything.”

Every immigrant has push and pull factors that push them to leave the country of origin and start a new life in a different country. Salem shared some of his push factors, like the revolution, the opportunity for a better future, however, family reunification was a huge pull factor to moving to Belgium. He states:

“My sister, brother, mother and family were there and I wanted to join them. I tried to do it the legal way through the embassy but I was refused every time so I found the solution and did it.”

Scientists claim that environmental migration will become more prevalent in the future.

Immigration will increase because of climate change, famine, war and poor living

conditions in countries around the world. Humans have always moved around to search for resources. Cortez comments on the inequality of distribution of resources in the world today, he states,

“There is not enough manpower to monitor the influx of immigrants and as long as the affluent regions of the world continue to profit off of the poorer countries people will continue to risk their lives for the hope of a better future. As long as these countries continue to suffer from exploitation, corruption and bad governance the phenomenon will continue.”

Barriga shares his decision to move for his family’s future. Barriga cannot leave the US and leave his children unattended and uncared for when asked about his outlook on immigrating he states,

“They depend on me. I regret nothing, immigrating was worth it because my children have access to better opportunities but it also comes at its costs. You suffer a lot, you miss your family members who you cannot see and have to adapt to a completely different norm and reality.”

For Barriga, his push factors were to escape the poverty that plagued him and his family.

As Barriga looked to the future he needed to flee his current conditions at the opportunity to provide his future family with better. He emphasizes,

“Unfortunately though there is work in Mexico that salary is extremely low and one can only make enough to eat but nothing else. My parents didn't have a home. My brothers and I had to give my parents a home [in Mexico] which we were able to do by the grace of God. I wanted to come, work, and construct a life to work myself out of poverty.”

The treatment of immigrants within the country they immigrate to comes at a price, according to interviews. Without such documentation comes a lack of privilege within that society. This is exemplary with a lack of healthcare, job security, and makes immigrants more vulnerable for exploitation. Barriga talks about how his boss recently passed away and that does not mean Barriga will no longer have work or must return to

Mexico. However, it has him considering how to move forward because starting anew would mean that he must decrease his salary to \$20 an hour after already having worked his way up. Therefore, he spoke to his boss' son and is working to open his own business. Barriga can do this because he has family members and is part of a mixed family (individuals that are documented and others that are not) which enables him to do the legal paperwork. Others in his place are not lucky and must accept the second-class citizen lifestyle and accept the wage they are given.

Immigrants have also been exploited by not being paid or being threatened that ICE would be called if the immigrant did not accept the exploitation according to the Cortez family. Undocumented immigrants have rights that are morally theirs but are lawfully taken away from them by the state. Most interviews agree a small number of immigrants are criminals and they tarnish the name for the rest, Barriga comments,

"I believe that there are more good, honest people just trying to make a daily living and bring home food than criminals."

Similarly to Barriga, John Zuluega agrees on the point that immigrating is a sacrifice for a better future and one pays a lot to live in these countries. Zuluega states,

"One pays a lot to get the documents. Each person carries a great deal of pain. What I have gone through is nothing because other people out of billions have had to lose a human being, their son, mother, uncle. For me to see someone die and not be able to do anything is hard. Recently a woman lost her 8 year old daughter. Why not me? I am a believing man, God always has a reason; there is always a sacrifice. But as a parent one does not want to pay such a big sacrifice."

Another point in which Barriga and Zuluega overlap is the portrayal and treatment of undocumented immigrants. Zuluega explains that the immigrant is always looked down upon for being an immigrant whilst being the backbone and workforce and bringing

fruit to the country. Zuluega states,

“If they see that they can take advantage of an immigrant [for a job opportunity at a lower price] then everyone benefits. If there is no benefit or when they see that you are no longer useful then you are thrown out like trash even if you worked for them for 20 years.”

The regard toward the immigrant is not a positive one and Zuluega describes this as unfortunate because an immigrant is a human being that wants to work to succeed and help himself, his family and others. Zuluega concludes with a similar argument to Cortez’s point on inequality of distribution, he states that,

“immigration will never stop, it is not possible for it to do so, there will always be immigration because the affluent and powerful countries continue to generate employment whilst the poorer countries continue to be paid at a non viable wage, so that means that it will never stop.”

Cortez believes that immigration will continue as long as the governments of the third world countries do not provide the people with viable opportunities to keep citizens in their own countries. Leonardo states,

“As long as corruption continues and opportunity is lacking people will continue to seek new horizons. There should be a complete amnesty like it was given in 1986 with Reagan. Immigration depends on the balance of the economy and opportunities that exist in these countries. Immigration has to continue.”

Paulina adds,

“immigration will not stop due to poverty and the desire to survive. People flee for a better life not so much to make money but to protect themselves and their families.”

At the core people have valid reasons for immigrating and do so despite the hardship.

#### **4.3 During the Immigration: The Journey Experience/ Perceptions on Human Rights Abuses**

The current systems in place not only fail to manage immigration but also create economies that profit from the current system in place. For example, to cross the desert

and the border to the USA one can pay between \$1,500-3,000. Similarly in Europe crossing the sea can cost around 2,000 euros. The immigration policies of these countries fail to mitigate the profitization of vulnerable communities. Individuals are paying to risk their lives for a chance at a decent life with basic human rights. Cortez states,

“Determining which immigrant is good enough to move and trying to manage immigration is ineffective and creates more reasons for people to immigrate through higher risk experiences. If people were offered the opportunity to migrate legally then they would not need to risk their lives and undergo human rights violations.”

This is not just observed in crossing the mediterranean but also when crossing the desert from Mexico into the United States. Federico Barriga’s experience is exemplary of this as *coyotes* were charging guides. Moreover, salary negotiation once one is working in the US is also exemplary, and as Barriga tried to legalize his situation the fees that the state imposes are also quite lucrative. Unfortunately, Barriga has not returned to Mexico in 23 years. He jadelly states,

“my immigration case could be lost completely. Each president comes in with promises creating false hope and nothing concrete being achieved.”

This is because he was deported once and there is no pardon that exists that can allow him to legalize his status. Barriga comments on how Mexicans were perceived during the Trump administration, he states,

“President Trump blames Mexicans for everything. There were various changes when he was in office. Clients looked at us differently and we felt less than. I don't know if we had internalized these feelings and they were just in our head.”

Barriga comments on internalizing a certain rhetoric. An individual being constantly told they are illegal makes them feel like a criminal though they are not criminals according to many interviews. The flawed immigration regulation system further pushes



immigrants to migrate in an undocumented manner. The journey illustrates the reality of immigrating.

*Cyrille Salem, On A Boat from Tunisia to Lampedusa*

Cyrille Salem shared his story with me in French, he has been able to organize his documents and currently legally resides in Belgium. He is reunited with his family who were in Belgium prior to his arrival by boat from Tunisia. Though he was able to return to Tunisia after three and a half years, his story was not always so positive. Salem decided to risk his life and travel to search for a better future for himself and reunite with his immediate family. Immigrating has had a positive effect on his life and though the culture shock was difficult he is able to attest that he can do things he would not be able to do back in Tunisia.

Salem made the decision to travel by boat during the Tunisian revolution because there were a plethora of issues within the country. Salem embarked on a boat ride that he described as extremely dangerous from Tunisia to Lampedusa which led him to Italy, then to France and lastly to reunite with his family in Belgium. He describes his journey as extremely difficult, he states,

“I had problems there and was obligated to traverse [the sea] to go to the other side of the world. We took a boat that normally could carry around 40 people but we were around 120 inside. Frankly, we almost died several times, we struggled because we had trouble on the way and everything. Normally the voyage would take 12 hours but we took 36 hours. This was not a boat to transport people.”

The boat was not a boat to transport people which could have explained the difficulty of the journey, however, out of necessity these individuals were pushed to board. Since the revolution was in motion in Tunisia they had no customs or police so this helped when

leaving Tunisia. Once the boat arrived at Lampedusa, Salem estimates that there were a minimum of 15,000 foreigners and 5,000 native residents of the island. Though there was a small center to welcome people this was not sufficient and, thus, they made little cabins in the mountains. After, there was a boat that transported them to Catana, Italy where Salem spent 20 days in prison. Then, he was then given a temporary schengen identity piece valid for six months. Though France was not accepting this document Salem was lucky to be able to pass from Italy to France because he took the train to Ventimiglia, Italy and then made it to Nice, France.

#### *Crossing the Desert-4 days and 3 nights*

Federico Barriga's story is not an anomaly, countless immigrants undergo the same dangerous journey for countless reasons. The hardest part of his experience was the actual journey, when he traversed the desert from Mexico to the United States of America. He describes all the times he crossed the border, however, it was the last time that he crossed the border that he came face to face with the desert. He describes his first experience as follows:

"My first time was in 1997, it was not that difficult. I arrived at a hotel and the *coyote*<sup>2</sup> arrived. The *coyote* held various legit green cards, he bought them from people who were legal residents of the United States and who then reported them as lost, and he worked with the green cards to get people across the border. In 1997, I crossed the border easily because I chose a card of a guy I resembled the most. I was on the line at border control and passed, it was simple and easy."

According to statista about 515,696 people pass the border daily between the US and Mexico, therefore, Barriga was passing as any other daily worker. This was Barriga's first time and he remained in the US for about two years working in landscaping and

---

<sup>2</sup> The person leading the crossing and getting paid for doing so.

agriculture. He spent three months in Phoenix, Arizona then headed to Merced California and then met his brother in Stamford, CT. Barriga then returned to Mexico in 1999 crossing the border in the other direction. The following times were not so easy according to Barriga; that is where the real adventure begins when he tried to recross the border and was caught.

### *Second attempt*

Barriga sought out the same *coyote*, however, this time Barriga did not resemble the person on the green card. The Coyote's plan was to pass at 5AM when there would be a shift change. Unfortunately, when it was Barriga's turn the shift had just been made and the new personnel of ICE grabbed him and Barriga was detained for 8 hours with a right to an attorney. Barriga was told that he would need to ask for a pardon in Mexico and that if he was caught crossing the border again he could be imprisoned from six months to three years. The treatment at the border by the US officials was inhumane, he describes it as follows:

“When I was released they had me in underwear and they grabbed my clothing and threw it to the other side of Mexico in front of everyone crossing the border at that time. They did not even give me the opportunity to change. I was so angry and threw the papers they gave me into the trash.”

Barriga then returned home where he stayed for two weeks but was frustrated seeing the poverty at home, the fact that money would not last for the cost of living and the labor being performed was underpaid. He states,

“how I did not suffer the first time I decided to cross the border again. I was thinking about the fingerprints that they had taken so I attempted to erase my fingerprints to the point of bleeding so that if I was caught the fingerprints would not be recognized.”

### *Third Attempt*

They attempted to cross the border that night, this time it was not through the border control, but in a clandestine way. They walked through the desert and the *coyote* knew the way. However, at 2 AM ICE caught them walking in the darkness. Barriga states,

“It was seven of us. The father of the coyote, his daughter who was about 8 months pregnant and the others. I was afraid and at 9am they took pictures of us and took my fingerprints. However, nothing came up and in 15 minutes a bus filled with other people they caught in the desert arrived which would take us to Mexico.”

### *The Final Attempt*

The following day another *coyote*, ensured that he could get them across going another way which was more sure to not be caught by ICE but it was a more dangerous, long and difficult trajectory. The *coyote* stated to bring a lot of water because they were going to traverse the desert. Barriga asked how long the journey would be and the *coyote* responded with an unclear answer because it depended on various factors. For example, if the moon was visible at night they could not walk because ICE has cameras in the desert. Moreover, during the day they would have to take a longer route. The journey turned into four days and three nights for Barriga. The same pregnant woman and her father also came on this trajectory and they lost them one night. Barriga states,

“I asked the *coyote*, what about your sister? The *coyote* stated, ‘my dad showed me this way, he isn’t dumb, he will signal ICE and they will return to Mexico.’”

Barriga is uncertain whether they made it safely back to Mexico. After a day and a night had passed they were hungry, tired and only had a bit of water from the gallon with which they had started the journey. Barriga states,

“We were in a plain desert and were following an energy tower light that was what would lead us to the first town Motores, Arizona. We arrived after four days and three days without eating, afraid and it was there that I remembered my parents’ tears before I embarked on the journey. It was very difficult, however, the adrenaline helped us do it.”

The hardest part was crossing the desert, the final attempt to enter the United States Barriga recounts. Barriga alludes to immigration being a human right when he says that no one should risk their lives for a better future.

### *A Young Couple with Two Children*

Paulina Cortez and Leonardo Cortez moved to the United States in the hopes of starting a new life, a better one for themselves and their two children. Paulina Cortez used to work with the Colombian government and once there was a change in leadership she was no longer employed. She states,

“In Colombia once you are 30, you are considered old and can't find good employment opportunities. I migrated to find better economic opportunities and for a better future for me and my family at the age of 34.”

Paulina Cortez moved to the United States first and then her husband and children followed shortly after because the family separation was too painful. Leonardo states,

“I wanted to reunite with my wife and wanted to keep the family together and work hard together.”

They all entered the country legally with a tourist visa to remain in the country legally for up to six months, however, they overstayed their visa putting them in the category of undocumented immigrant. Paulina and her husband worked blue collar jobs and began the procedural duties for legal documentation, nevertheless, it took Leonardo Cortez eight years to be able to go back to Colombia and Paulina 15 years. The couple states that immigrating was difficult but worth it because both children attained a college education in the US and all four are currently US citizens. Though this family had a happy ending their journey was full of difficulties to surpass. Leonardo states,

“The hardest aspect for me was the sudden drastic change of having a good home where we were living in Colombia with professional jobs to suddenly change and do a 180 degree shift to begin a new project of life in a foreign country.”

Leonardo began working as a window cleaner and was afraid of falling but as an immigrant, job choices are limited. Leonardo goes on to state,

“There is nothing easy about immigrating because there are various aspects that are difficult like raising children in a new culture, living in a country with a foreign language and navigating every difficulty as you try to survive in a country where your rights are limited if you do not have legal status or citizenship.”

With time this family adapted and it became easier and their new normal. Knowing that if they overstayed their visa they would be infringing the law they decided to go through with the decision for various reasons. Leonardo states,

“one does it for the necessity of continuing to search for a better future and make the dream a reality.”

Paulina adds,

“We needed to stay because we had too many debts back in Colombia and in order to pay them I did not care to infringe the law. The desire to continue forward was larger than staying still in my country owing money to everyone.”

After the six months the family began to live in fear of *redadas*<sup>3</sup> which often separated families.

### *Adapting to the New World-The daughter of Paulina and Leonardo*

Being an immigrant becomes part of one's identity and this can present itself through various generations. This personal story takes the all too common case of being the child of an immigrant. This creates an individual who grows up between cultures and must adapt to not belonging to the country of origin and the new country. Catarina Cortez is

---

<sup>3</sup> Arrests conducted randomly by Immigration and Customs Enforcement

one example of the plethora of children that are brought to the United States at a young age by the choice of their parents. She moved at the age of five from Colombia with her brothers and parents; she is currently 26 years old. She states,

“I remember not knowing English in first grade when I started elementary school and being completely fluent by second grade.”

The ability to adapt is not a choice for immigrant children. She was fortunate enough to fly to the United States and overextend her visa alongside her parents. This story is distinct to that of children who cross the border which can bring traumas of their own.

To her, immigrating,

“Moving from one place to another is a human right. If one is being a helpful citizen in the country and working to attain a better future one deserves to move where one pleases.”

Though Cortez did not face the trauma of fearing for her life in the desert, she grew up with the constant fear of ICE. Cortez comments,

“the constant fear that we would be deported because we were ‘illegal immigrants’ since we had decided to move and start a new life was always looming above us. The fear of “*redadas*” [rounding up of immigrants] which resulted in separation of families was a constant fear growing up for me.”

The term “illegal immigration” has negative connotations because there is a infringement of the law. However, Cortez states that

“immigrants are generalized and portrayed as criminals when the vast majority are hard working people trying to earn an honest living. The same countries they are immigrating to have set up a world economic stratification and made poorer countries dependent on the more affluent ones.”

It is not coincidental that the dollar and the euro are the two currencies that dominated the world economy and why people are attracted to the United states and European countries.

Cortez was undocumented from the age of five to fifteen. She then received documentation of an alien card. She states,

“no human is illegal and the jargon utilized dehumanizes an individual that is exploited and who is actually the one who makes the country run. The US and Europe would be nothing without immigrants. Immigration existed before documents, thus, I believe that borders make no sense. Immigration is a phenomenon that has always existed and will continue to increase.”

Cortez proceeded to attain a temporary green card and then a permanent green card. She became a US citizen when she was attending college at the age of 21. Thus, the entire procedure took about eight years. She states,

“after living my entire life in the USA, studying here, working here, I always felt like a foreigner, but I now had a document that validated the fact that I was American. I quickly noticed the privilege that came with having that blue passport because I was treated differently now than when I traveled with my Colombian passport and my green card.”

Cortez has grown up in a country with ample opportunities and is the fruit of the seed that her parents planted when they made the decision to move. At the time of the interview Cortez is 26 years old and holds a master’s degree. Her perspective, experiences and education has allowed her to see the reality of the immigration system within the US. She states,

“The fact that I can tell you my story is a privilege. There are many people like me that are not so lucky because they die on their journey to a better future, continue to live in fear and marginalization within the countries that depend on them to succeed or are unaware of the critical review of how immigration is presented and how it is in reality.”

Cortez argues that there are good and bad people all over the world and it is unfortunate how immigrants are perceived. Cortez argues that unless immigrants are pushing the economy, being exploited or serving a larger purpose they are often discarded and used as scapegoats which is similar to John Zuluaga’s claims.



*“I was a stowaway” John Zuluega*

John Zuluega, a Colombian immigrant came to the United States without documents as a stowaway passenger on a boat traveling from Venezuela to Philadelphia. In his personal recount he delineates the difference between the economic way of travel by plane and how he traveled. He describes his journey and says,

“The key is that people from certain countries need a visa but due to social class governments do not give these individuals a Visa to go to the USA due to prejudgements, color and the power of a passport. I arrived in the USA easily. I did not have to pay a cent and I arrived on a boat from Venezuela to Philadelphia. I learned this from my African and Cuban ancestors, my culture, and roots. [To be a stowaway you are] taking a boat to be able to hide without paying any ticket and showing any document, that is called immigrating, immigrating with a piece of paper and getting a plane ticket and arriving in another country that is not to immigrate that is called traveling. But there are risks in how I did it, if they found you there was a high percentage of them throwing you into the sea.”

Similarly to the other immigrant stories illustrated above Zuluega was attracted by the possibility of having a better life, finding a good job, a better future for his children and to help those who were left behind. Zuluega spent 22 years without returning to Colombia and after much work he is currently an American citizen.

The journey and chance that Zulega took were the definition of high risk, high reward. If one is caught as a stowaway passenger one runs the risk of being thrown overboard while asleep or killed as some of the boats are fumigated once they arrive. Traveling this way is a big risk, moreover, he states,

“At that time border control gave \$25,000 if they delivered the stowaways to border control and if not the ship had to pay that amount to border control if they found out there was a stowaway on board so in order not to pay some people throw stowaways into the sea.”

Zuluega speaks of his journey with pride and fond memory he even stated

“I will never be ashamed of my story, of what I lived because for me it is such a beautiful experience.”

Though his view of his trip is optimistic he is someone that can share his story unlike others who did not make it.

Zuluega got on the boat and had food for about ten days in case the boat stopped. He also had a watch, a piece of paper and a pen because in the dark without light one loses the notion of time and does not know what date or day it is. Zuluega describes having to rely on his instincts to see if the boat stopped, if caught were people lying or going to hurt him. He states,

“I came to this country five times this way. I came alone and then with 18 people and each person came hidden because if they find you they can throw you into the sea, kill you or hand you over to immigration. Everything became a habit that for me was already easy [as I had done it various times].”

Zuluega has lived in various parts of the world, a real citizen of the world. For example, he lived in Colombia, Honduras, Guatemala, Costa Rica, Nicaragua. He states that the difference of the value of the dollar depends on the country, purchasing power, and what you can buy is all dependent on the economics of the world. Zuluega concludes similarly to other immigrants,

“It was worth it because my children came to a country with a lot of abundance, the USA, and that for me is a very big achievement.”

#### **4.4 Post Immigrating: View on Immigration**

For Salem and many other immigrants, immigrating is a human right and should be treated as such. He finds that it is necessary to provide solutions so that people can

move and see the world and not do so illegally. From his perspective, one must make it more accessible for people to immigrate and that way some will stay and others will return home but most importantly people will not do it illegally and risk their lives.

Similarly, Federico Barriga, articulates that each story is different and his story was also hard, being an immigrant and what one goes through

“is something quite cruel. They make you feel like a dog chasing a bunny, you are always chased and the goal is to not let the immigrant in. He immigrated for something better and to flee poverty. Life in the United States is in dollars; what a farmer makes in Mexico barely serves to eat. No one should feel the need to cross the desert, risk their lives for basic needs to be fulfilled. There was a pregnant woman who crossed the border with me. She was 7-8 months pregnant and she got lost from the group.”

Barriga sees immigration as a human right. A woman about to give birth feeling the need to cross the border and knowing that the journey has huge risks is exemplary of a human right violation. If countries had livable conditions, effective systems in place to manage immigration, and states did not infringe on the individuals' rights then the individual would not feel the need to take such a huge risk. Barriga focalizes on the fact that immigrating comes at a price,

“It is a sacrifice one must make and every sacrifice in life has its recompense. Though it should be controlled it will never be controlled, it is impossible.”

The Colombian couple define immigration in their own way. Leonardo states

“It is an opportunity so many individuals from other parts of the world can find a better life. The main idea is to find better opportunities for their children and themselves. We made it!”

Similarly, Paulina defines immigrants as

“the flow of people who belong to different countries moving to a determined country to look for better conditions of life and to flee injustice in other countries.”

The couple agree that they see immigration as a human right, they state,

“We all have a right to look for ways to progress, if one is not happy in one place they have the right to move to another place. It should be a human right in practice because we all have the right to live a dignified life in whatever place we find ourselves.”

Though the way of immigrating may differ from immigrant story to immigrant story, at the core, one can observe certain realities about push and pull factors. Zuluega like other immigrants interviewed immigrated because he wanted a better future for his children and himself. In the country of origin living conditions are not viable and he states

“In my country one person cannot live to sustain two children. Immigration is caused because our countries are not paying well [for the same job].”

Barriga also mentioned this as he stated that farming in Mexico was enough money to only buy food and survive while agriculture in the US paid at a higher rate and the value of the currency weighs more. Zuluega agrees that it is a human right with nuance, he articulates,

“It is a human right but it depends on the social class of that individual and the economics of that individual.”

According to the interviews the world is stratified and it is a privilege to live in the most wealthy parts of the world. A privilege that comes at the price of a sacrifice. In consensus, immigration is a human right and people should be able to have access to a better life for themselves and their families. Moreover, states violate basic human rights when infringing on the right of the individual to move.

The Colombian couple believe that immigrating is a good opportunity for all individuals who wish to change countries as long as immigrants are coming to do good and not cause harm. Leonardo states,

“I believe that we, as immigrants, hold a huge strength in every part of the world. The capacity, sacrifice and the workforce is needed. However, the law does not protect individuals without documentation.”

Immigrants are needed in the capitalistic globalized world currently in place. Paulina shares a similar sentiment,

“I am content with the positive effect my compatriots and I have on the country because we all add something to have this country succeed.”

The couple agrees that how immigrants are perceived depends on the news channels and information sources that people adhere to, for example some channels spew xenophobic misinformation while others attract watchers with emotional immigrant stories, and their direct experiences or lack thereof. Many call undocumented immigrants illegal immigrants and Leonardo states,

“It should be people without documents not illegal because no one is illegal and we are all legal under God’s eyes. The term is derogatory.”

Paulina agrees and adds,

“I do not like the term because we are all equal under God with or without papers.”

Leonardo adheres to the belief that the majority of immigrants that move do so to earn an honest living. Paulina adds that recrimination, discrimination and generalizations plague the immigrant. For example Paulina states,

“I saw how President Trump criminalized Mexicans saying that they only came to kill and traffic drugs and this is not the case because one cannot generalize and in my experience they[Mexicans] are very hard-working and honest people.”

Through these five personal stories one is able to see that every individual immigration story is unique, however, there are overlaps regarding the push and pull factors, the

journeys and the viewpoints post immigrating. The recounts were not compared but instead validated and certain similarities and distinctions were highlighted. Immigrants themselves were able to define immigration and argued that it is a human right. Moreover, their shared experiences shed light on their view of the state acting as a terrorist in regards to human rights violations based on the accounts of those doing the immigrating.

## **Chapter 5: Conclusion**

### **5.1 Recapitulation**

Do people have the right to immigrate? This thesis aimed to provide an interdisciplinary approach when looking at the question. Immigration is considered a human right by some, however, not by others. Immigration was observed via both primary and secondary sources through a theoretical/philosophical/legal, societal, and individual lens. Undocumented immigrants were the focus as all interviewees fell into this category. The personal accounts shared insights from within, from the side of the individual doing the immigrating and what sacrifice was entailed to earn a place in the USA and within the Europe Union (EU). Unanimously, all people interviewed saw immigration as a human right, hence, their choice of action despite hardship along the way.

The aim was to cover the question: is immigrating a human right? It is up to the reader to decide for themselves where they stand on the answer to this question. Immigration requires an interdisciplinary approach because ideology, theory and law all impact how immigrants are treated. Society impacts how immigrants are regarded. Lastly, the

individuals are the voices of the immigrants. It is important to note that not every immigrant makes it through the journey, therefore, these voices are the voices of those who survived. Though the USA and the EU were not compared, one was able to see that both regions are magnets for immigrants because of opportunity, quality of life, and cost of living. Every story is distinct and context impacts the outcomes.

One never knows what the future holds, however, experts in the field all state that immigration is a phenomenon that will not disappear. As population continues to increase, climate change continues to displace people; war, famine and the economy continue to push people to move to areas with a better quality of life. States must create innovative effective reform. Do we have the right to immigrate? Is it the law that determines a right? Is it a norm that determines a right? If it is the latter, one can see that humans have immigrated from the beginning of time and have not stopped moving since.

## Bibliography

Armenta, A. *Protect, Serve, and Deport*. University of California Press, 2017. DOI:

<https://doi.org/10.1525/luminos.33>

Bacon, David, Feds Crack Down on Immigrant Labor Organizers, *The American Prospect*, May 9, 2007,

[http://www.prospect.org/cs/archive/web\\_archives\\_by\\_month?month=5&year=2007](http://www.prospect.org/cs/archive/web_archives_by_month?month=5&year=2007) (accessed March 24, 2022).

Bartels, Larry M. "Homer Gets a Tax Cut: Inequality and Public Policy in the American Mind." *Perspectives on Politics*, vol. 3, no. 1, [American Political Science Association, Cambridge University Press], 2005, pp. 15–31,  
<http://www.jstor.org/stable/3688108>.

Baylis, John, et al., editors. *The Globalization of World Politics*. 8th ed., Oxford University Press, 2020.

Buff, Rachel Ida. "The Deportation Terror." *American Quarterly*, vol. 60, no. 3, Johns Hopkins University Press, 2008, pp. 523–51,  
<http://www.jstor.org/stable/40068514>.

Chomsky, Noam, International Terrorism: Image and Reality, In Alexander George (ed.), *Western State Terrorism*, Routledge, December, 1991.

Espenshade, Thomas J., and Charles A. Calhoun. "An Analysis of Public Opinion toward Undocumented Immigration." *Population Research and Policy Review*, vol. 12, no. 3, 1993, pp. 189–224. *JSTOR*, <http://www.jstor.org/stable/40217598>. Accessed 15 Jun. 2022.



Fonseca, Tayde Ana Sofia Revilak, *¿QUIÉNES SON?: A CRITICAL DISCOURSE ANALYSIS OF MEDIA COVERAGE OF THE 2018 CENTRAL AMERICAN MIGRANT CARAVANS BY US AND MEXICAN NEWS MEDIA OUTLETS*. THE UNIVERSITY OF ARIZONA GRADUATE COLLEGE, 2021.

Gavison, Ruth. "Immigration and the Human Rights Discourse: The Universality of Human Rights and the Relevance of States and of Numbers." *Israel Law Review*, vol. 43, no. 1, 2010, pp. 7–48., doi:10.1017/S0021223700000030.

Haddad, Mohammed. "How Many People Have Been Killed by US Police since George Floyd?" *Infographic News | Al Jazeera*, Al Jazeera, 25 May 2021, <https://www.aljazeera.com/news/2021/5/25/how-many-people-have-police-killed-since-george-floyd>.

History Editors. "Hunter-Gatherers." *History.com*, A&E Television Networks, 5 Jan. 2018, <https://www.history.com/topics/pre-history/hunter-gatherers>.

Hopmann, David Nicholas, Peter Van Aelst, and Guido Legnante, 'Political Balance in the News: A Review of Concepts, Operationalizations and Key Findings', *Journalism*, 13.2 (2011), 240–57.

Horgan John & Michael J. Boyle (2008) A case against 'Critical Terrorism Studies', *Critical Studies on Terrorism*, 1:1, 51-64, DOI: 10.1080/17539150701848225

Jackson, Richard, et al. "Ch 1." *Contemporary State Terrorism: Theory and Practice*, Routledge, London, 2011.

John Locke, *Two Treaties of Civil Government* (orig edn 1690; WS Carpenter (ed), London/New York, Dent, Everyman's Library, 1966) bkII, ch VIII, para 95.

Johnson Hans and Laura Hill, "Illegal Immigration" *At Issue Public Policy Institute of California*. 1-13, 2011

Kam, Min K. Columbia Law Review. "Ice Ruses: From Deception to Deportation." *Columbia Law Review*, 30 Jan. 2005, <https://columbialawreview.org/content/ice-ruses-from-deception-to-deportation/>.

Kanstroom, Deportation Nation, 195; also "Deportation Special: Who's Who in Deportations: Brief Biographies of Workers Held for Deportation," American Committee for the Protection of the Foreign Born, September 1935, Tamiment Library, American Committee for the Protection of the Foreign Born Collection, Box 1, File, "1935-1945"; also see "Selected Immigration Laws" at <http://www.iib.umich.edu/socwork/rescue/archive/sw652.html>.

King, Danae. "Undocumented Immigrants Pay Billions in Taxes Each Year - and Have Been for 25 Years." *The Columbus Dispatch*, The Columbus Dispatch, 15 Mar. 2021, <https://eu.dispatch.com/story/news/2021/03/15/undocumented-ohio-immigrants-taxes-no-benefits/4628218001/>.

Lupia, Arthur, et al. "Were Bush Tax Cut Supporters 'Simply Ignorant?' A Second Look at Conservatives and Liberals in 'Homer Gets a Tax Cut.'" *Perspectives on Politics*, vol. 5, no. 04, 2007, <https://doi.org/10.1017/s1537592707072210>.

Mac Donald Heather, “Crime & the Illegal Alien. The Fallout from Crippled Immigration Enforcement” *Center for Immigration Studies*, 2005, 1-11

Miller David & Tom Mills (2009) The terror experts and the mainstream media: the expert nexus and its dominance in the news media, *Critical Studies on Terrorism*, 2:3, 414-437, DOI: 10.1080/17539150903306113

Mitchell, C., Stohl, M., Carleton, D., Lopez, G. (1986) 'State Terrorism: Issues of Concept and Measurement', in Michael Stohl and George Lopez (eds) *Government Violence and Repression: An Agenda for Research*, New York: Greenwood Press: 1-26.

Moussa, Kamel “Equilibre Instable.”

<https://www.kamel moussa.com/Equilibre-Instable->.

Oberman, Kieran, *Immigration as a Human Right* (2016). *Migration in Political Theory: The Ethics of Movement and Membership*, eds. Sarah Fine and Lea Ypi, (Oxford: Oxford University Press, 2016), Available at SSRN: <https://ssrn.com/abstract=2164939> or <http://dx.doi.org/10.2139/ssrn.2164939>

Saito, Natsu Taylor "Reflections on Homeland and Security, *CR: The New Centennial Review* b.1 (2006): 239-67, quote on 246-47.

Stohl, Michael and Lopez, George , *Government Violence and Repression: An Agenda for Research*, 1986 pp.1-25

Sayej, Nadja. “Ai Weiwei Launches Controversial Public Art Project Focused on Immigration.” *The Guardian*, Guardian News and Media, 11 Oct. 2017,

<https://www.theguardian.com/artanddesign/2017/oct/11/ai-weiwei-launches-controversial-public-art-project-focused-on-immigration>.

Swert, Knut De Laura Schacht & Andrea Masini (2015) More than Human Tragedy? A Quantitative Comparison of Newspaper Coverage on Irregular Migration and Lampedusa in Five European Countries, *Italian Studies*, 70:4, 506-520, DOI: 10.1080/00751634.2015.1120947

The World, “A Massive Ice Raid in This Town Didn't Stop Undocumented Labor - or Illegal Immigration.” The World from PRX, 20 Apr. 2017, <https://theworld.org/stories/2017-04-20/massive-ice-raid-town-didnt-stop-undocumented-labor-or-illegal-immigration>.

Tomuschat, Christian. *Human Rights: Between Idealism and Realism, Second Edition*. Oxford University Press, 2008.

UDHR, *supra* note 12, pmb., art. 2, 1 2; ICCPR, *supra* note 4, art. 12(2).

Villalobos, José D. “Promises and Human Rights: The Obama Administration on Immigrant Detention Policy Reform.” *Race, Gender & Class*, vol. 18, no. 1/2, Jean Ait Belkhir, *Race, Gender & Class Journal*, 2011, pp. 151–70, <http://www.jstor.org/stable/23884873>.

Walter, E.V. (1969) *Terror and Resistance*, Oxford: Oxford University Press.

Zaller, J. (1992). *The Nature and Origins of Mass Opinion* (Cambridge Studies in Public Opinion and Political Psychology). Cambridge: Cambridge University Press. doi:10.1017/CBO9780511818691