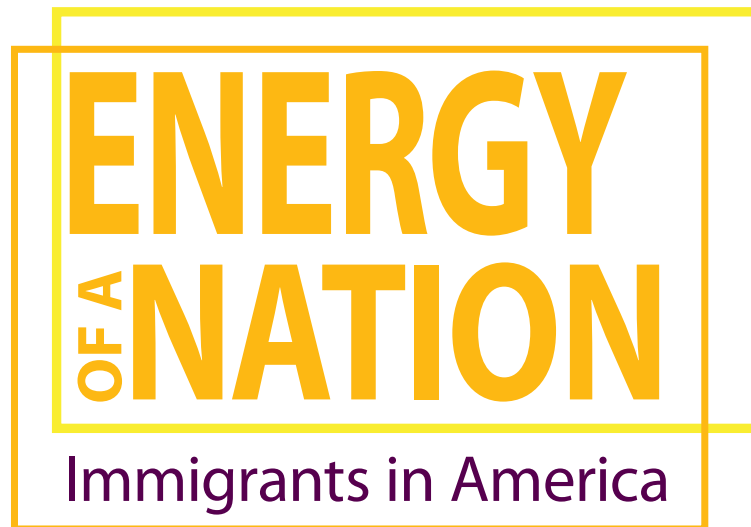




ENERGY OF A NATION

Immigrants in America

Third Edition



Third Edition

A Curriculum for 8th Grade – Adult Audiences (Module for Younger Grades Included)

The Advocates for Human Rights
Minneapolis

2012



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2012 Third Edition

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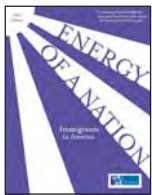
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About The Advocates for Human Rights

Headquartered in Minneapolis, The Advocates works in Minnesota, the United States, and around the world to save lives, fight injustice, restore peace, and build the human rights movement. For over 25 years, The Advocates' innovative programming has touched the lives of refugees and immigrants, women, ethnic and religious minorities, children, and other marginalized communities whose rights are at risk. Adapting traditional methodologies to conduct cutting-edge research, The Advocates has produced over 75 reports documenting human rights practices in 25 countries, including the United States.

The Advocates for Human Rights:

- Investigates and exposes human rights violations;
- Represents asylum seekers who are victims of human rights abuses;
- Trains and assists groups that protect human rights;
- Works through education and advocacy to engage the public, policymakers, and children in human rights; and
- Connects local communities and issues to the rest of the world.

Human Rights Education

The Advocates provides human rights education, training, advocacy, and materials to help people learn about and apply international human rights standards in their schools and communities. The Advocates develops and distributes curricular resources, publications, and reports and conducts presentations, conferences, lecture and film series, and professional development seminars. The websites EnergyofaNation.org and DiscoverHumanRights.org allow thousands of people across the world to access The Advocates' innovative educational materials that encourage everyone to get informed, get involved, and get others interested in human rights.

To combat child labor, The Advocates collaborates with community leaders in a village in Nepal to educate hundreds of the region's poorest students at the Sankhu-Palubari Community School.

Human Rights in the United States

The Advocates promotes U.S. compliance with international human rights obligations. The Advocates' work in the United States focuses on protecting the rights of non-citizens, abolishing capital punishment, fact-finding and reporting on violations of women's rights, addressing discrimination, and educating broad audiences on human rights issues and advocacy.

International Justice

The Advocates uses national and international justice processes to promote human rights. The Advocates develops practical and sustainable strategies to assist post-conflict countries in moving toward peace and accountability. For example, The Advocates collaborated with the Liberian Truth and Reconciliation Commission to develop a new model for involving diaspora populations in transitional justice. In addition, The Advocates holds consultative status with the United Nations and participates in monitoring and reporting to international and regional human rights bodies.

Refugee and Immigrant Rights

The Advocates works to protect the rights of refugees and immigrants in the United States. This work includes state and national level advocacy to promote immigration policies that adhere to international human rights standards. Additionally, The Advocates works with diaspora populations to document the human rights abuses experienced prior to entering the United States and to promote community reconciliation.

The Advocates offers free legal services to asylum seekers, providing direct representation at all stages of the asylum process, as well as brief advice and assistance through walk-in legal clinics. The Advocates also meets with detained immigrants in the Upper Midwest to ensure access to counsel. Volunteers, supported by expert staff, work with victims of human rights abuses as attorneys, mentors, physicians, and interpreters.

Women's Human Rights

The Advocates applies international human rights standards to advocate for women's rights in the United States and around the world. The Advocates works with local organizations to document rape, employment discrimination, sexual harassment in the workplace, and trafficking in women and girls for commercial sexual exploitation. The Advocates also provides training on legal reform related to violence against women and consultation on new laws to legal professionals and women's organizations in the United States and overseas. The Advocates' StopVAW.org website is a global online forum for information, advocacy, and change, intended to help end violence against women.

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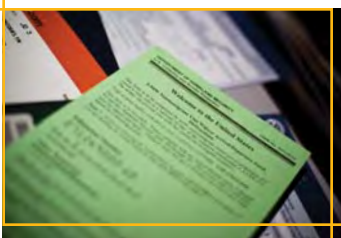
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ACTIVITY SUMMARIES

Lesson	Activity	Summary
Lesson 1: Who Are Immigrants?	1.1 Talking Migration	Students define key terms, such as “migration” as a class. They then walk around the room in pairs or small groups answering basic questions about human migration. The class discusses the answers together.
	1.2 Famous U.S. Immigrants	In groups of 2-3, students choose a famous immigrant, conduct background research on that person, and write a mock interview with him/her. Students will then bring an object to class representing the immigrant and will take turns role-playing the famous immigrant in an interview with a member of a different group. The class discusses lessons learned as a large group.
	1.3 Migration Histories	The teacher will tell an example migration history. Students will then interview a relative or other person to find out about their family’s migration history and write a report based on their findings that will include a page of photos, maps, drawings, etc. to be displayed around the classroom.
Lesson 2: Human Rights Defined	2.1 What Are Human Rights?	Independently and in pairs, students define “human rights.” As a class, students compare their answers and that of the United Nations and determine a class definition. Students brainstorm as many rights as possible, and the teacher explains that such rights are included in the Universal Declaration of Human Rights (UDHR). Students then look at the UDHR, choose one article, and create a poster to represent it that they will use to give a mini-presentation to the class.
	2.2 The U.S. Constitution and the UDHR	Students get a brief background on the drafting of the UDHR. They then compare selected articles of the U.S. Constitution with the UDHR to fill in a chart. The class discusses the comparisons.
	2.3 Global Inequality	Students play a game in which they are divided into groups and given “currency” representing different income levels worldwide. Income groups get together and come up with rules for everyone who wants to “migrate” to a new income group, with the understanding that when a person arrives at a new group, each existing member of the group must give the new arrival 1 unit of currency. The class votes on a set of migration rules after being informed that the weight of their vote is related to the amount of wealth they have. They then switch groups and redistribute currency as appropriate. The class discusses the result as a large group.
Lesson 3: The Rights of Immigrants in the United States	3.1 What Are the Rights of Immigrants?	Students review key immigration and human rights terms. They then imagine they are immigrants arriving in a new country and generate a list of things that would be important to them, connecting that list to human rights. In small groups, students study different sections of a fact sheet on migrant rights and then present their topic to the class.
	3.2 Migrants in the Media	Based on an example provided by the teacher, students find an article on immigration and analyze it. They then get in small groups and select one article that depicts the fulfillment or violation of migrant rights. A spokesperson for each group will share a summary of their analysis and then the class will evaluate how the United States is doing in protecting migrant rights based on these reports.
Lesson 4: Push and Pull Factors and Human Rights	4.1 Push and Pull Factors in History	Students brainstorm why people move to a new country, and classify the reasons as “push” or “pull” factors. Students work in pairs, reading scenario cards that reflect waves of U.S. immigration. They answer questions about push and pull factors in the scenarios and then identify relevant articles of the UDHR related to this factors. All students then hang their scenario along a timeline, which the class walks through to identify common push and pull factors throughout U.S. history.
	4.2 Waves of Immigration	In pairs, students use an “Immigration by Decade and Region” data table and chart and a “World Events and Immigration” timeline to answer questions about historical immigration trends in the United States and to predict future flows.

ACTIVITY SUMMARIES

Lesson	Activity	Summary
Lesson 5: U.S. Immigration Policy	5.1 Stand Up and Be Counted!	Students are given cards with symbols, letters, and numbers on them that represent demographic traits of immigrants to the United States (country of origin, U.S. state of residence, and category of entry). Students get into groups based on their symbols and guess which populations they represent. A percentage of the class stands up to represent the total foreign-born population in the United States and then the class reflects on the statistics.
	5.2 Understanding the Immigration System	Students learn the basics of the immigration system through a PPT and/or a “How to Immigrate” fact sheet. They use this information and a cartoon depiction to figure out how long various people would have to wait to get a green card and citizenship.
	5.3 Waiting in Line Game	Students play a game in which a few of them are border agents and lawyers with access to a list of immigration rules. The rest are trying to enter the United States with identity cards that provide three facts about themselves. Students must try to enter by asking advice from the lawyers or telling the border agent one fact. Many have no way to get through or else have wait times so long they do not get through during the game. When the game is over, the class talks about the experience.
	5.4 Improving the System	The class creates a mind map of the U.S. government’s protection of four rights (family, asylum, due process and equal protection, and adequate standard of living) based on the lessons learned in Activity 5.3. They think of ways to change the system to better protect human rights, completing a worksheet on the subject. The class then discusses the results.
Lesson 6: Refugees and Asylum Seekers	6.1 Refugee Basics	Students define “refugee,” “refugee,” and “asylee.” They read the first section of a fact sheet on refugees and asylum seekers to determine similarities and differences between the two groups. They then read the full fact sheet and/or view a PPT to learn more before discussing as a class.
	6.2 Stories of Survival	In pairs, students read a true story of a refugee or asylee. They answer questions about the person’s flight, journey, and arrival to the United States, as well as the human rights affected at each step. The class comes together to share and discuss the three phases of the refugee/asylee experience.
	6.3 Refugee Role-play	Students receive identity cards. They group themselves by family and then role-play that their state is being invaded by a neighboring state. Their family has to decide what 3 items each person will carry, their route of escape, and how they will survive until reaching the refugee camp. The class discusses the decisions each group made. Families reconvene to write down their needs and abilities and determine as a class what needs would not be met by the larger group in a refugee camp and where they would need help. Finally, students role-play being in a new country, with some families playing host and others new arrivals, outlining ideas for welcoming refugees and facilitating integration. The class comes together to debrief about the entire experience.
	6.4 Applying for Asylum	The teacher discusses the high burden of proof that asylum seekers bear when applying for status in the United States. Students fill out an application for asylum in Pig Latin. They exchange papers, and if there are any mistakes, the application is denied. The class discusses their reactions to the process.
Lesson 7: Undocumented Immigrants	7.1 Knowing the Facts	The class considers the implications of calling people “undocumented” vs. “illegal.” Students learn about undocumented immigration through a fact sheet and/or PPT. They create a “fact wall” with the interesting facts they learned and discuss the results. (Watching a film on undocumented immigration is also encouraged.)
	7.2 Stay or Go?	Students are reminded that immigrants are considered undocumented both if they come without permission or overstay a visa. Students put their heads down as the teacher reads them short stories with “Stay or Go” decisions. At each decision point, students decide whether they would risk living as an undocumented immigrant. The class discusses students’ decisions after each story.

ACTIVITY SUMMARIES

Lesson	Activity	Summary
Lesson 7: Undocumented Immigrants	7.3 Undocumented vs. Documented	Students review basic human rights concepts. After seeing an example comparison, in small groups, students read vignettes about documented or undocumented immigrants, analyzing the human rights violated or fulfilled in their experiences. Groups with stories of documented immigrants then pair up with those with undocumented stories to create a comparative Venn Diagram. The class discusses lessons learned.
Lesson 8: Mock Immigration Court	8.1 Mock Immigration Court	Students review the basics of the immigration system and watch a short video on the role of the judicial system in a democracy. The class then prepares to hold mock court by reading through general rules, rights, and role assignments. The four types of cases provided are: 1) cancellation of removal, 2) asylum, 3) waiver, and 4) bond. For each, students are assigned roles and must prepare to participate in a mock hearing using the script and the relevant case materials. After holding court, the class reflects on the experience.
Lesson 9: A Global Perspective on Immigration	9.1 An Introduction to Global Migration	Students review fundamentals of the U.S. immigration system and then form five groups. Each group is assigned a region of the world and must determine the top 3 migrant-receiving countries in that region, as well as the top 3 migrant-sending countries to each. They color in a map and draw arrows to visually present the data they gathered. The class discusses the information.
	9.2 Migration Council	The class is divided into 6 small groups and assigned one of the following countries: Ireland, New Zealand, Saudi Arabia, South Africa, and South Korea. The class is told they are a group living in Antarctica that must find a new permanent home due to global warming. They research immigration policies in their assigned country and present it to the class in a "Migration Council" meeting. Students fill out a comparison sheet during the presentations and then vote to determine where they will move. They then reverse the situation and create immigration policies with the premise that Antarctica is about to receive a large influx of immigrants. The entire class comes together to talk about the factors they considered during both phases of the exercise.
Lesson 10: Nativism and Myths about Immigrants	10.1 Spot the Myths	Students define "fact," "myth," and "opinion." They see an example of how true or false information affects opinions, and thus our actions. In small groups, students identify statements about immigration as facts, myths, and opinions. Groups report their answers to the class and discuss the exercise.
	10.2 A History of Nativism	After reviewing the definition of "nativism," students get in small groups and are given a group of quotes and images from a specific time period in U.S. history. They create an explanatory write-up that they post with the provided materials to create a chronological "Gallery of Nativism" around the classroom. Students walk the gallery to find repeated themes and then discuss the history of U.S. nativism.
	10.3 Challenging Myths	Students think of a rumor and how they could find out if it was true or false. They then review the myth they identified in Activity 10.1 and read a report online to find facts that disprove it. They note original sources from the report and evaluate them with a "Guide to Sources." Students then view a contemporary anti-immigrant network and the ways in which it spreads myths. After a class discussion, students practice refuting the anti-immigrant myth they researched.
Lesson 11: Deliberative Dialogue	11.1 The "Rights" Way to Listen	Students discuss the right to be respected in conversation and learn about empathetic (or active) listening skills. In pairs, students take turns using "non-listening" behaviors and then switching to empathic listening. The class discusses the exercise.
	11.2 Debate vs. Deliberation	The class brainstorms a list of sensitive immigration topics and discusses which communication methods are normally used to determine policy and their shortcomings. The teacher introduces a new communication method, deliberative dialogue. The class defines "debate" and "deliberation," practicing both with the issue of soda in schools. They discuss similarities and differences between the methods.

ACTIVITY SUMMARIES

Lesson	Activity	Summary
Lesson 11: Deliberative Dialogue	11.3 Deliberating Immigration	In groups of 3-4, students read through a deliberative dialogue script about undocumented immigrants “taking away” jobs from U.S.-born workers. They highlight areas of common ground and potential solutions. The class then comes together to analyze the exchange. Each group then writes an ending proposing a solution and acts it out for the class.
	11.4 Participating in a Deliberative Dialogue	The class is divided in half and given backgrounders for a deliberative dialogue simulation about whether the government should give priority to family- or employment-based immigration if they increase the number of available visas. The teacher moderates the simulation and then the entire class talks and writes about lessons learned.
Lesson 12: Civic Engagement and U.S. Immigration Policy	12.1 How Ideas Become Immigration Policy	Individually, students fill in what they already know (K) about how immigration law is created in a K-W-L chart. Then, in pairs, they complete what they want to know (W). Volunteers participate in a “policy scramble,” in which they are each given a step of the process in turning an immigration policy idea into federal law and must put themselves in order. The class helps if they get stuck. Students then complete their chart with what they have learned (L).
	12.2 Human Rights Policy Analysis	In small groups, students read summaries of immigration-related bills and create a visual depiction of the policy on poster paper (with words, pictures, or other imagery) that incorporates its effects on individuals’ human rights. Each group presents their poster to the class, and then the class discusses the policies.
	12.3 The Dream Act—Civic Engagement in Action	Students define civic engagement and list various types. They watch a short video about the DREAM Act and then research examples of civic engagement around the DREAM Act, bringing their favorite to class to share. All strategies are compiled and students vote for which they think would be the most effective.
	12.4 Making a Difference	Students research and record their position on a certain immigration-related policy and brainstorm civic engagement opportunities. They select one and carry it out. After they complete the project, they share it with the class. In small groups or together, students reflect on making a difference in their communities.
Lesson 13: Creating a Welcoming School and Community	13.1 A New Perspective	Students create a list of respectful questions to ask immigrant students in their school. Each student then writes a fictional short story from the point of view of an immigrant student in their school describing their experiences (from a different country, with a different story, for students who are immigrants themselves). Students pair off and role-play their character as their partner interviews them using the questions previously brainstormed. Students record the answers and then write a reflective piece about this new perspective.
	13.2 How Welcoming is Our School?	In teams of 3, students conduct research and answer questions on how welcoming their school is to new immigrants and refugees. (Teachers guide any interviews that take place.) When complete, the class tabulates the scores and discusses the ways in which the school is welcoming, as well as areas/ideas for improvement.
	13.3 Creating a Welcoming Project	Students create a mind map to generate ideas for a “welcoming project” in their school or community. In small groups, students write up a full proposal for a service-learning project. One member from each group joins a class-wide “Selection Committee” that evaluates the merit of the proposals and chooses a plan. The students develop and implement the project.
	13.4 Host a Speaker	The class invites in a speaker, based on student interest, to speak about creating a welcoming community. Students take notes during the presentation, and later discuss new ideas as a class.



INTRODUCTION

About the Curriculum



The *Energy of a Nation* curriculum was first created to provide teachers with thoughtful, factual lessons on the complex, and often sensitive, topic of immigration. Originally written in 1997, with a second edition in 2004 and online updates in 2006, the curriculum has been used in diverse communities across the country. Teachers who have used the curriculum say it is “precise and researched thoroughly,” praising its “up-to-date data.” Teachers reported that lessons were engaging and did the important task of helping students dispel popular myths about immigrants. In addition to recognition from educators, *Energy of a Nation* was also included in *Human Rights Education in the School Systems of Europe, Central Asia and North America: A Compendium of Good Practice*, compiled by the OSCE/Office for Democratic Institutions and Human Rights, the Office of the United Nations High Commissioner for Human Rights, the Council of Europe, and the United Nations Educational, Scientific, and Cultural Office.

Energy of a Nation: Immigrants in America, 3rd Edition raises the bar even further, with an expanded mandate; brand new activities; updated statistics; the incorporation of media; and colorful photos, graphs, and maps to engage students. Most importantly, the curriculum threads human rights education into all lessons to build empathy; encourage critical thinking; examine root causes and long-term solutions; and draw connections between facts, immigrant experiences, and the foundational principles of the Universal Declaration of Human Rights.

Energy of a Nation, 3rd Ed. is a distinctive, comprehensive guide to teaching students about immigration in the United States. Designed for 8th grade to adult audiences, with a module for younger students, it provides **important fundamental concepts**, such as:

- Definitions of key immigration terms;
- Informational background summaries;
- Admission categories and processes; and
- Statistics on immigration and trends over time.

In addition, this curriculum elevates students’ basic understandings and expands their perspectives through **critical context**, such as:

- The human rights of immigrants;
- Push and pull factors that cause people to move;
- The special case of refugees and asylum seekers;
- Root causes of undocumented immigration;
- The complex realities of removal through the immigration courts;
- Other countries’ experience with, and response to, immigration;
- Nativism and public discourse around immigration;
- Local and national U.S. policy considerations; and
- Service-learning opportunities to create a welcoming school and community.

About the Curriculum

Lessons are structured to reach different learning styles, can be used across disciplines, and are easily adapted for different audiences. Immigration can be a theme taught in nearly any class, but is especially conducive to the Social Studies (Civics, Current Events, Geography, Global Studies, History, Law, and Sociology), Art, English/Language Arts, and Mathematics. At the college level, it is relevant in these subject areas, as well as in Education courses.

The curriculum is filled with engaging, student-centered activities that follow best practices for human rights education (HRE). Information is presented through easy-to-read charts, tables, graphs, maps, images, Venn diagrams, and scripts. Students learn by writing from the perspective of an immigrant; exploring their own migration history; role-playing a refugee's journey; deciding under what conditions they might risk undocumented status; playing games to understand the immigration system; holding mock immigration court; drawing a picture to represent an immigration policy; rehearsing a deliberative dialogue about immigration; constructing a gallery of nativism over the centuries; and creating a service-learning project for their classroom or school.



Teaching human rights concepts has been found to lead to more socially responsible behavior, self esteem, and academic achievement. Using the HRE framework for immigration allows students to acquire the knowledge to understand immigration topics, but also to gain the skills and values necessary to process future information or experiences related to immigration and other sensitive issues. Students learn to put information in context, check it against reliable sources, consider root causes, make connections, and participate in democratic processes. Students are provided the opportunity to view themselves and the United States as actors in a global, fluid movement of people – the international phenomenon known as migration.

Why Teach Immigration?

Educators face constant demands on their time in the classroom from government bodies, school boards, administrators, parents, and students. Naturally, the first question on their minds when presented with a new topic is “Why should I teach it?” Especially for educators outside the social sciences, teaching immigration may seem like a stretch. However, immigration is a theme that allows students to gain a wide range of important academic and social skills, from historical analysis to cross-cultural communication. Perhaps more importantly, educators today are facing classrooms in which more and more students are themselves immigrants or children of immigrants. Incorporating their experiences and voices into the classroom is an effective way to build an inclusive environment that fosters academic excellence for all students, especially some of those most at risk of being left behind. Here are the top five reasons why immigration issues can find a place in all classrooms:

1

Provides a multidisciplinary platform. Immigration is an excellent thematic unit for multi-disciplinary cooperative teaching. Immigration topics can be incorporated into Social Studies (Civics, Current Events, Geography, Global Studies, History, Law, and Sociology), Art, English/Language Arts, and Mathematics, among others. Studying a single subject area through many lenses can help teachers reach students with different learning styles or interest areas, reinforcing content and skills acquisition.

2

Encourages critical analysis. Immigration is a complex and controversial issue that can evoke strong emotions and sometimes involves deep-seated beliefs. Exploring opinions about immigration in the classroom challenges commonly held myths and prepares students to grapple with difficult issues in a respectful, thoughtful, and productive way.

3

Promotes active citizenship. Immigration is an important policy issue at the federal level that directly affects people in students’ own lives and communities. Encouraging students to connect issues in their community with government policy, and to take action to create change, helps them become engaged and active citizens in our democracy.

4

Creates a welcoming environment. Integrating the facts and stories of immigrant experiences into classrooms and the school helps to create a more welcoming environment for new immigrant students and their families, as they see that their knowledge and experiences are valued.

5

Raises awareness of human rights. Immigration offers a comprehensive way to educate students about human rights in the United States and abroad. It touches on human rights violations happening in other countries that drive people to the United States *and* it addresses human rights violations that people in the United States experience as a result of the immigration system. Teaching about human rights has been shown to lead to improvements in self-esteem, socially responsible behavior, and academic achievement.

Overview

Energy of a Nation: Immigrants in America is designed for 8th grade to adult audiences; however, many of the lessons can be used or adapted for younger audiences. For the most comprehensive understanding of the subject matter, the lessons should be taught sequentially and as one unit. The lessons can also stand alone, be pieced together for shorter units (see page 19 for suggestions), or be woven into existing subject areas. The table of contents outlines each of the thirteen lessons and is followed by a table with a more detailed description of each activity. Each lesson establishes goals, objectives, essential questions, key skills, materials needed, suggested time frames, and vocabulary. The lessons are then broken down into individual activities. Following the lessons are appendices with further resources.

Background Information

Below is additional information to enhance your experience and effectiveness with the curriculum:

1. **Appendices:** The appendices of this curriculum contain further resources on immigration, including a glossary, a list of immigration-related books and films, connections to the national social studies standards, introductory backgrounders on human rights and human rights education, and best practices in working with immigrant and refugee students.
2. **Assessment:** Assessments are an important tool in instruction, allowing teachers to measure comprehension and adjust content or pedagogy as needed. Formal assessments have not been included in this curriculum; however, there are many opportunities to incorporate assessment throughout the curriculum. Teachers may collect students' writing exercises, handouts, and other materials. In addition, quizzes can easily be created from the vocabulary, fact sheets, and other informational content. Finally, students' engagement in role-plays, class dialogue, and activities will provide numerous avenues for assessment of knowledge, skills, and values acquired.
3. **Debrief/Reflection:** Immigration can be an emotional and controversial issue for students. Immigrant students, especially, may feel that a lesson touches on intensely personal topics. Many activities provide time for either a concluding group discussion or personal reflection on the information they learned that can help students process their reactions to the material. A period of reflection also creates a space for students to begin incorporating new information and perspectives into their worldview.
4. **Evaluations:** There are evaluation forms included in Appendix K on page 337. We strongly encourage teachers and students to fill out an evaluation at the end of the curriculum, as this feedback helps to inform and guide future work. Evaluation forms can be returned to the address provided or scanned and emailed to hrights@advrights.org. Your feedback is appreciated and valued.
5. **Human Rights Education (HRE):** This curriculum offers many examples of incorporating HRE principles into a given subject area. Creative strategies are used to engage students in complex subject matter by making it accessible and interesting while framing information in a broader context and connecting it to human rights principles. HRE promotes empathy and authentic connections between the classroom and students' community, nation, and world. For more information about human rights education, see Appendix H: Human Rights Education on page 324.
6. **Internet Research:** There are activities that require individual or group internet research. Not all students will have access to the internet at home, and even where students have access to the internet (on cell phones, etc.), they may not have the ability to print out materials or easily synthesize information from multiple sites into a written document. Class time to research should be scheduled accordingly. As part of the process of conducting internet research, it is of utmost importance that students learn to use reliable sources, especially on a controversial issue such as immigration (see #10, "Sources"). Additionally,

How to Use this Curriculum

because URLs are subject to change, please check websites included in the curriculum before using them in assignments.

7. **Journal Writing:** Journal writing is an effective tool for information retention, analysis of response, and assessment. Journal writing promotes critical thinking skills, while allowing students a “safe zone” to express their emotional responses to sensitive material. Teachers may wish to review only certain sections of students’ journals or to make them an open dialogue between students and themselves. One recommendation is to have students keep a notebook designated as their “Energy of a Nation Journal” for use throughout the unit. The journals can be divided into three sections: Vocabulary, Notes, and Personal Reflection. Keeping journals in the classroom will ensure that they are accessible for each lesson.
8. **Service-learning:** Learning about social issues should include opportunities for action within the community that is connected to academic studies. Service-learning is the “take action” piece of Human Rights Education and can further students’ personal development and facilitate deeper levels of understanding. It also promotes strong communities and a healthy democracy by empowering students to be advocates for themselves and others. This curriculum provides students with knowledge and skills that are universal and can be applied to any issue they face or care about in the future. Lessons 12 and 13 include direct opportunities for action.
9. **Small Groups:** Having students work in partners or small groups is a great way to encourage all students to participate in activities. Teachers should thoughtfully create partnerships and small groups with consideration given to personalities and learning styles. Allowing students to choose their own groups can alienate certain young people. One option to save time is for the teacher to create standard groups for a month or term that can be sub-divided or reorganized, if necessary.
10. **Sources:** It is particularly important with the subject of immigration that students understand how and why to identify reliable sources. For considerations in finding online sources for student research, please refer to *Lesson 10 Handout 4: Guide to Sources* on page 226.
11. **Vocabulary:** Each lesson contains vocabulary words that are important to content matter and may be new to students. Having the students create a dictionary that defines each of these words can be an important tool. Student dictionaries can also be combined with journals.

We welcome questions, comments, and feedback!

Please consider completing teacher and student evaluations found in Appendix K on page 337.

Feel free to contact a staff member at hrights@advrights.org or 612-341-3302.

We hope that you enjoy the *Energy of a Nation: Immigrants in America* curriculum.

Suggested Modules

The following suggested lesson and activity groupings are tailored to different length units, different curricular areas, and different age groups to help teachers plan the most efficient use of the *Energy of a Nation* curriculum.

Immigration Basics – One Week

- Lesson 2, Activity 1: What Are Human Rights?
- Lesson 4, Activity 1: Push and Pull Factors in History
- Lesson 5, Activity 2: Understanding the Immigration System
- Lesson 5, Activity 3: Waiting in Line Game
- Lesson 13, Activity 3: Creating a Welcoming Project

Immigration Basics – Two Weeks

- Lesson 6, Activity 2: Stories of Survival
- Lesson 7, Activity 2: Stay or Go?
- Lesson 7, Activity 3: Undocumented vs. Documented
- Lesson 10, Activity 1: Spot the Myths
- Lesson 10, Activity 3: Challenging Myths

History

- Lesson 1, Activity 2: Famous U.S. Immigrants
- Lesson 4: Push and Pull Factors and Human Rights (all activities)
- Lesson 10, Activity 2: A History of Nativism

Global Studies

- Lesson 2: Human Rights Defined (all activities)
- Lesson 4: Push and Pull Factors and Human Rights (all activities)
- Lesson 6: Refugees and Asylum Seekers (all activities)
- Lesson 9: A Global Perspective on Immigration (all activities)

Current Events

- Lesson 3: The Rights of Immigrants in the United States (all activities)
- Lesson 5: U.S. Immigration Policy (all activities)
- Lesson 6, Activity 1: Refugee Basics
- Lesson 7: Undocumented Immigrants (all activities)
- Lesson 12: Civic Engagement and U.S. Immigration Policy (all activities)

Upper Elementary and Middle Grades*

- Lesson 1: Who Are Immigrants? (all activities)
- Lesson 2, Activity 1: What Are Human Rights?
- Lesson 2, Activity 2: The U.S. Constitution and the UDHR
- Lesson 5, Activity 1: Stand Up and Be Counted!
- Lesson 5, Activity 3: Waiting in Line Game
- Lesson 6, Activity 3: Refugee Role-play
- Lesson 7, Activity 2: Stay or Go?
- Lesson 10, Activity 1: Spot the Myths
- Lesson 11, Activity 1: The “Rights” Way to Listen
- Lesson 13, Activity 1: A New Perspective
- Lesson 13, Activity 3: Creating a Welcoming Project
- Optional PowerPoints: Lesson 5, Lesson 6, and Lesson 7

*For additional lessons on teaching immigration to elementary and middle level grades, see http://www.discoverhumanrights.org/Lesson_plans.html.

Teacher Advisory on Immigration Status

Students in any classroom may be affected by immigration issues, either because they themselves are immigrants or because of immigrant family members. Students or their loved ones may lack legal status, may be going through immigration proceedings, or may have suffered from trauma associated with their immigration experiences, among other possibilities. Teachers should always follow a few basic guidelines to ensure that lessons centered around immigration do not inadvertently leave these students feeling singled out, uncomfortable in discussions or activities, or exposed to potential negative consequences in the immigration system.

1. **Maintain Confidentiality:** In classroom discussions or in private conversations, students may disclose information about their immigration status. This information should be kept confidential unless there are overriding concerns about the student's safety or health. Even seemingly harmless information may result in negative outcomes in immigration proceedings, including detention and deportation. When in doubt about whether information should be shared, consult a trusted legal expert on immigration (see "Provide Appropriate Support" below).
2. **Encourage Participation Without Singling Out:** Immigrant students have unique insight into the immigration process and its effect on families, communities, and their own personal lives. Their voices can add immediacy and emotion to an otherwise academic discussion. Indeed, one of the benefits of teaching about immigration is providing immigrant students with an opportunity to demonstrate their expertise and knowledge. However, do not assume they want to participate. Avoid singling them out to comment or answer, as they may feel "on display" in front of their classmates. Students should never feel as if they need to speak for, or represent, all immigrants.
3. **Discourage Sharing Status:** Remind students that they do not need to share any information about their own immigration stories, especially when it involves their immigration status. Children are sometimes unaware of the consequences of talking about their status, or they may feel the classroom is a private, safe space. Remind them that things said in the classroom are public and that they may want to keep the details of their immigration status private.
4. **Require Respectful Conversation:** Many of the lessons involve group or classroom discussions about potentially controversial immigration issues. Students may have a wide variety of opinions and strength of feeling. Remind students that their classmates may be immigrants or have immigrant family members, and that they need to be respectful when expressing opinions and avoid attacks, heated language, or bigoted jokes directed against immigrants.
5. **Avoid Re-traumatization:** Some of the lessons in the curriculum explore emotional and sensitive subjects. Students who have experiences related to those subjects, such as the refugee journey or being undocumented, may find it too emotional or difficult to participate. Discuss lessons with students in advance, hold private conversations with students you think may be personally affected, offer alternative activities, and stop any lesson that becomes upsetting without attaching any blame to the situation.
6. **Provide Appropriate Support:** Students may view their teachers as one of the few authority figures that are safe to talk to about their immigration issues. In addition to maintaining confidentiality, know your limits in providing assistance. Many immigration questions can only be answered by lawyers. Keep a referral list of reputable, low-cost or free immigration legal service providers who can help answer students' questions. The Immigration Advocates Network provides an online directory of legal service providers nationwide at <http://www.immigrationadvocates.org/nonprofit/legaldirectory/>.

For more information on working with immigrant students, see Appendix I on page 328.



LESSON 1

Who Are Immigrants?

*The United States themselves are essentially the greatest poem...
Here is not merely a nation but a teeming nation of nations.*

~ Walt Whitman, Preface to *Leaves of Grass* (1855)

LESSON 1

Who Are Immigrants?



Goals

- » Define key immigration terms.
- » Identify how migration and immigration have contributed to the United States and to students' own lives.

Objectives

- » Students will understand key immigration vocabulary.
- » Students will be able to give examples of immigrants past and present and understand how they have contributed to our country.
- » Students will explore the migration history of their own families or of someone they choose.

Essential Questions

- » Who are migrants and immigrants?
- » How have immigrants impacted my life, my family history, and the country in general?

Key Skill

- » Conducting an interview (Activities 2 & 3).





Materials

- Handout 1: Famous Immigrants to the United States*
- Handout 2: Creating a Mock Interview*
- Handout 3: Gathering a Migration History*
- Paper, tape, sticky notes
- Map, push pins, string (optional)

Time Frame

3-4 class periods

Vocabulary

-  emigrant
-  emigration
-  forced migration
-  immigrant
-  immigration
-  migrate
-  migrant
-  migration

Talking Migration

Procedure:

1. Prepare. Write each of the following questions about migration (without the answers) on a separate sheet of paper and hang them around the room.

- **When do you think that humans first began to migrate?**

Although this is still debated among historians and archeologists, humans are thought to have first migrated from Africa between 60,000-80,000 years ago.¹ From the earliest times, migration has been part of the human experience.

- **Do you think that a greater percentage of the world's population is migrating today than in previous periods? Why or why not?**

The total number of immigrants worldwide has been increasing steadily in the last 50 years, but because total population has also increased, the percentage of the world's population that is immigrating has remained relatively constant, at around 2.5%.²

- **List three reasons why people migrate. Do you think that the reasons for migration have changed over the years?**

Many of the reasons that people migrate are the same today as they have been for centuries: a desire to be with family members; a search for food, shelter, and economic opportunity; or a need to escape war or political repression. Migration can also be involuntary, when one group uses violence to displace another.

- **If you were going to move to another country, what are some issues you would need to consider?**

Answers will vary, but might include: learning a new language or culture; obtaining a visa; leaving behind family and friends; finding employment, schools, and/or housing; transporting pets; adapting to different climates/weather; paying for and arranging the move; finding transportation in a new country; leaving personal possessions behind; or accessing services.

2. Define. Ask students what they think the term “migration” means. Write their answers on the board. Next, ask them to define “immigration.” What is the difference between migration and immigration? Provide the following definitions:

 Migration: *people moving from one place to another*

 Emigration: *people moving out of a country*

 Immigration: *people moving into a new country*

Explain to students that *migration* is a fundamental human experience that has been going on for thousands of years. *Immigration*, in contrast, is a more recent phenomenon, resulting from the development of national borders that led to the regulation and control of migration. While every person in the United States has some family history of migration, everyone does not have a similar experience with immigration. Students will now get a chance to think more deeply about migration, and how both migration and immigration have shaped the United States and the people who live here.

(continued on next page)

¹ Guy Gugliotta, “The Great Human Migration: Why humans left their African homeland 80,000 years ago to colonize the world,” *Smithsonian Magazine* (July 2008), <http://www.smithsonianmag.com/history-archaeology/human-migration.html>.

² Çağlar Özden, Christopher Parsons, Maurice Schiff, and Terrie Walmsley, “Where on Earth is Everybody? The Evolution of Global Bilateral Migration 1960–2000,” World Bank Policy Research Working Paper 5709 (June 2011), http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2011/06/28/000158349_20110628100223/Rendered/PDF/WP5709.pdf, 4.

Talking Migration

(continued from previous page)

3. Visit. Divide the class into small groups of two or three students and give each group a small stack of sticky notes. Have each small group go around, read each question, and then discuss possible answers with their small group. Ask students to write their best answer on their sticky notes and put them under the question.

4. Discuss. After the small groups have visited all the questions, bring them back together as a large group and discuss their answers to the questions. Students can volunteer their answers or the teacher can choose to read some of the sticky notes under each question. Once students have discussed their answers to a question, provide the sample answers above and compare them to the students' answers.

Teacher Tip

Introducing this topic by talking about “migration” (as opposed to “immigration”) allows teachers to be inclusive of all students. This includes Native Americans whose ancestors have a history of migration, both voluntary and forced, within the United States, as well as African Americans who suffered forced migration during the slave trade. Be aware of the diversity of American migration histories when discussing the topic.



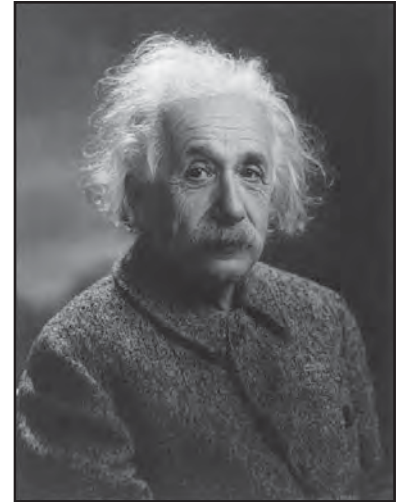
Famous U.S. Immigrants

Procedure:

1. Choose a famous immigrant. Divide students into groups of two or three. Explain that they will be researching the life of a famous immigrant and then presenting it to the class in the form of a mock interview. Give each student a copy of *Handout 1: Famous Immigrants to the United States* and ask the groups to choose a person from the list or select another famous immigrant to research.

2. Research and write. Have students research and write a 5-10 minute mock interview with the famous immigrant they have chosen, using *Handout 2: Creating a Mock Interview* as a guide. The students should work with their small groups to write the questions and answers. Encourage them to cover the following topics:

- The famous person's immigration story: where she or he came from, when she or he arrived in the United States, and why she or he came.
- The famous immigrant's experiences, positive or negative, in the United States.
- The famous immigrant's major accomplishments, or why she or he is famous.



3. Conduct mock interviews. Have an interview day in class. Students should come with an object, drawing, or piece of clothing that represents the famous immigrant they have studied. Pair students with someone who was not in their original small group. Each student will take turns role-playing the famous immigrant they researched while the other acts as the interviewer.

The first "famous immigrant" should give the interviewer *Handout 2* filled in with the questions that their small group generated, and then try to answer the questions in character. After the interview is over, have the students switch roles and interview the second "famous immigrant."

4. Discuss. As a class, discuss what students learned from talking to these "famous immigrants." Try to address the following questions:

Questions for Discussion

- ? Were there factors in common that led these immigrants to want to come to the United States? What were they?
- ? Did any of the immigrants have similar experiences after arriving in the United States?
- ? What are some ways that the United States as a whole has benefited from these famous immigrants' achievements? How have students benefited from them?

Migration Histories

Procedure:

1. Research a migration story. Tell students that migration is not only a part of U.S. history, but is also part of the family histories of many people. For this activity, students will research and report on the family migration history of a relative or other person of their choice. Students should interview their chosen person about either their own migration experience or about one of their ancestors that migrated to or within the United States. In some cases, the person will have migrated to the United States from another country, either by choice or because they were forced to come (as in the slave trade). A Native American may be part of a tribe with a history of migration (voluntary or forced) within the Americas.

Teacher Tip

Some students may not be able or willing to explore their own families' migration history due to adoption, trauma, or lack of knowledge, so it is important to offer them the alternative of interviewing a family friend, neighbor, or other adult of their choice. Teachers may want to recruit an adult or two at the school who can serve as interview subjects for students who have trouble finding someone to interview.

2. Tell a migration story. Help the students understand what kind of information they will be gathering by offering a brief overview of your own family's migration history or the migration history of someone you know well, answering as many of the same questions as the students will be asking as possible.

3. Write a report. Ask students to write a report on the family migration history of their relative or other chosen person. Give them *Handout 3: Gathering a Migration History* to help them conduct their interviews. The reports should include at least one page with photographs, maps, hand-drawn images, or other artistic representations of the student's chosen migration story that will be displayed around the room. Students should ask their interviewee the following questions and include the answers in their reports:

- What was the name of your ancestor who migrated to or within the United States?
- How many generations ago did your ancestor migrate? What year did he or she arrive?
- What country or region did your ancestor migrate from? Where did he or she migrate to in the United States?
- Why did your ancestor leave his or her home and migrate to or within the United States?
- What language(s) did your ancestor speak when he or she migrated? What language(s) does your family speak at home most often today?
- Do you feel you have any cultural, linguistic, or other connections with the region where your ancestor originated?

4. Display. Once students have completed their reports, hang the artistic representations of their migration stories around the classroom. Two good ways to display them are piecing together a "patchwork quilt" or sticking pins in a world map with string connecting the art to each migrant's place of origin.

FAMOUS IMMIGRANTS TO THE UNITED STATES

Students: Select one of the following immigrants to be the subject of your mock interview.

Government

Madeleine Albright, former U.S. Secretary of State (Czechoslovakia; modern-day Czech Republic)
 Zbigniew Brzezinski, former U.S. National Security Advisor (Poland)
 Felix Frankfurter, Supreme Court Justice (Austria)
 Henry Kissinger, former U.S. Secretary of State (Germany)
 Hyman G. Rickover, U.S. Navy admiral (Russia; modern-day Poland)

Business and Technology

Sergey Brin, co-founder of Google (USSR; modern-day Russia)
 Andrew Carnegie, industrialist (Scotland)
 Dov Charney, founder of American Apparel (Canada)
 Steve Chen, co-founder of YouTube (Taiwan)
 Oscar de la Renta, fashion designer (Dominican Republic)
 Max Factor, founder of Max Factor cosmetics (Russia; modern-day Poland)
 Domingo Ghirardelli, founder of Ghirardelli Chocolate Company (Italy)
 Vinod Khosla, co-founder of Sun Microsystems (India)
 Pierre Omidyar, founder of eBay (France)
 Igor Sikorsky, founder of Sikorsky helicopters (Russia; modern-day Ukraine)
 Levi Strauss, founder of Levi Strauss & Co (Germany)

Sports

Mario Andretti, race car driver (Italy; modern-day Croatia)
 Charles Atlas, bodybuilder (Italy)
 José Canseco, baseball player (Cuba)
 Nadia Comaneci, gymnast (Romania)
 Patrick Ewing, basketball player (Jamaica)
 Pau Gasol, basketball player (Spain)
 Sebastian Janikowski, football player (Poland)
 Martina Navratilova, tennis player (Czechoslovakia; modern-day Czech Republic)
 Hakeem Olajuwon, basketball player (Nigeria)
 Chan Ho Park, baseball player (South Korea)
 Knute Rockne, football coach (Norway)
 Sammy Sosa, baseball player (Dominican Republic)

Science and Academia

Hannah Arendt, philosopher (Germany)
 Albert Einstein, theoretical physicist (Germany)
 Enrico Fermi, nuclear physicist (Italy)
 David Ho, AIDS researcher (Taiwan)
 Simon Kuznets, economist (USSR; modern-day Belarus)
 John Muir, naturalist/writer (Scotland)
 Nikola Tesla, developer of AC power (Austria-Hungary; modern-day Croatia)

Arts and Entertainment

Isabel Allende, author (Chile)

Isaac Asimov, author (USSR; modern-day Russia)
 Mikhail Baryshnikov, dancer/choreographer (USSR; modern-day Latvia)
 Irving Berlin, composer/lyricist (Russia)
 David Byrne, musician (Scotland)
 Frank Capra, director (Italy)
 Charlie Chaplin, actor (England)
 Christo, artist (Bulgaria)
 Edwidge Danticat, author (Haiti)
 Willem de Kooning, artist (The Netherlands)
 Marcel Duchamp, artist (France)
 Gloria Estefan, musician (Cuba)
 Michael J. Fox, actor (Canada)
 Greta Garbo, actress (Sweden)
 Khalil Gibran, poet (Lebanon)
 Samuel Goldwyn, movie producer (Russia; modern-day Poland)
 Salma Hayek, actress (Mexico)
 Bob Hope, actor/comedian (England)
 Anthony Hopkins, actor (Wales)
 Khaled Hosseini, author (Afghanistan)
 Harry Houdini, magician (Hungary)
 Wyclef Jean, musician (Haiti)
 Elia Kazan, director (Turkey)
 DJ Kool Herc, musician/inventor of hip-hop (Jamaica)
 Mila Kunis, actress (USSR; modern day Ukraine)
 Ang Lee, director (Taiwan)
 Béla Lugosi, actor (Austria-Hungary; modern day Romania)
 Yo-Yo Ma, classical cellist (France)
 Claes Oldenburg, artist (Sweden)
 I.M. Pei, architect (China)
 Ayn Rand, author (USSR; modern-day Russia)
 Rihanna, musician (Barbados)
 Arnold Schwarzenegger, actor/politician (Austria)
 William Shatner, actor (Canada)
 M. Night Shyamalan, director (India)
 Gene Simmons, musician (Israel)
 Charlize Theron, actress (South Africa)
 Alex Trebek, game show host (Canada)
 Ludwig Mies van der Rohe, architect (Germany)
 Eddie van Halen, musician (The Netherlands)
 Elie Wiesel, Noble Prize winner/author (Romania)

News Media




Christiane Amanpour, reporter (Iran)
 Peter Jennings, news anchor (Canada)
 Joseph Pulitzer, newspaper magnate (Hungary)

Other

Saint Frances X Cabrini, first American Catholic Saint (Italy)
 Emma Goldman, anarchist (Russia; modern day Lithuania)

CREATING A MOCK INTERVIEW

Students: With your small group, write a script for an interview with the famous immigrant you've chosen to research. The mock interview should be 5-10 minutes long and should cover the following topics:

-  The person's immigration story: where she or he came from, when she or he arrived in the United States, and why she or he came.
-  The immigrant's experiences, positive or negative, in the United States.
-  The immigrant's major accomplishments or why she or he is famous.

Try to come up with five interview questions. Every group member should write them down on their own handout to give them to their interviewer. The interviewer will ask these questions and write down the responses in the boxes.

1.

2.

3.

4.

5.

GATHERING A MIGRATION HISTORY

Students: Choose a family member, friend, or neighbor to interview about either their own migration experience or about one of their ancestors that migrated to or within the United States. Write a report on that person’s migration story. The report should include at least one page with photographs, maps, hand-drawn images, or other artistic representations of your chosen migration story that will be displayed in the classroom. You can use this handout to help you conduct the interview. (Note: If you are interviewing an immigrant about their own experience, you will need to change the questions, for instance by replacing “your ancestor” with “you.”)

1. What was the name of your ancestor who migrated to or within the United States?
2. How many generations ago did your ancestor migrate? What year did he or she arrive?
3. What country or region did your ancestor migrate from? Where did he or she migrate to in the United States?
4. Why did your ancestor leave his or her home and migrate to or within the United States?
5. What language(s) did your ancestor speak when he or she migrated? What language(s) does your family speak at home most often today?
6. Do you feel you have any cultural, linguistic, or other connections with the region where your ancestor originated?
7. Add your own question here! _____



LESSON 2

Human Rights Defined

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

~ Article 1, Universal Declaration of Human Rights (1948)

LESSON 2

Human Rights Defined



Goal

- » Understand the definition of human rights.

Objectives

- » Students will be able to define human rights in their own words.
- » Students will know the rights contained in the Universal Declaration of Human Rights (UDHR) and be able to explain their importance.
- » Students will understand how global inequality leads to the denial of human rights and the decision to immigrate.

Essential Question

- » What are human rights and why are they important?

Key Skill

- » Interpreting and comparing U.S. and internationally recognized rights (Activities 1 & 2).

Additional Resources

The handout in this lesson is an abbreviated version of the Universal Declaration of Human Rights. A complete version of the UDHR can be found in Appendix G on page 320.

Materials

- Handout 1: The Universal Declaration of Human Rights*
- Handout 2: Selected U.S. Constitutional Amendments*
- Handout 3: Human Rights Comparison*
- Answer Key: Human Rights Comparison*
- Handout 4: Global Inequality Map*
- Paper, art supplies, magazines for collages
- Candy, paper money, or some other pretend currency

Time Frame

3 class periods

Vocabulary

-  **declaration**
-  **dignity**
-  **human rights**
-  **inequality**
-  **poverty**

What Are Human Rights?

Procedure:

1. Write. Instruct students to copy the phrase “human rights” into their notebooks. Ask students to write their own definition of human rights. Next, have students work in pairs to discuss their definitions and use them to create a new, comprehensive definition.

2. Define. Write the question “What are human rights?” on the board. Have students share and compare their answers with the class. Offer the definition of human rights according to the United Nations:

“The principles of human rights were drawn up by human beings as a way of ensuring that the dignity of everyone is properly and equally respected, that is, to ensure that a human being will be able to fully develop and use human qualities such as intelligence, talent and conscience and satisfy his or her spiritual and other needs.”¹

The class should collectively decide on a definition to be used throughout this unit. Make sure that it covers the concepts contained in the UN definition. Post the class’s definition in a visible location.

3. Brainstorm. Once the class agrees on a definition of human rights, try to brainstorm as many different rights as possible, writing the answers on the board. Try to get the students to identify as many of the rights listed in the Universal Declaration of Human Rights as possible (see *Handout 1: The Universal Declaration of Human Rights*). Use the following questions to prompt students if they get stuck:

- What rights do we protect in the United States in our Constitution and Bill of Rights? (*possible answers: freedom of speech, religion, and assembly; right to a fair trial; freedom from arbitrary arrest*)
- What is the minimum that people need to live in dignity? (*possible answers: food, housing, health care, education*)
- Think of famous movements in our country’s history - what kinds of things were they fighting for? (*possible answers: freedom from slavery, non-discrimination, right to vote*)

Give students a copy of *Handout 1: The Universal Declaration of Human Rights*. Explain that all of these rights are included in the Universal Declaration of Human Rights (UDHR), which was written by representatives from countries all over the world, including the United States. The UDHR defines the basic rights that all people are entitled to, no matter who they are or what country they live in.

4. Create. Ask students to pick one article from the UDHR. They will be preparing a mini-presentation for the class on a poster board or large sheet of paper. For their presentation, students should:

- Rewrite the UDHR article they selected in their own words.
- Add a visual. Draw a picture, or cut out an image from a magazine or newspaper to represent that right.
- Give three examples of how this right is upheld or violated in their own community.
- State why they do or do not consider this right to be important or relevant to their life.

Teachers should prepare a sample article so that students can see what the finished product will look like. Students may choose to present their articles individually or you may want to group them according to the articles they have chosen. Keep and post the articles for others to see.

¹ United Nations Cyber School Bus, “Understanding Human Rights,” <http://www.un.org/cyberschoolbus/humanrights/about/understanding.asp>.

The U.S. Constitution and the UDHR

Procedure:

1. Explain. Provide students with a brief background on the Universal Declaration of Human Rights (UDHR):

The creation of the UDHR can be traced to struggles to end slavery, genocide, discrimination, and government oppression. Atrocities during World War II showed that previous efforts to protect individual rights had not worked. Following the war, countries from around the world founded the United Nations to “maintain international peace and security.”¹ As part of joining the UN, these countries promised to uphold human rights. Representatives of many different countries drafted the UDHR to spell out exactly what those basic human rights should be. The United States played a leading role in the process. After three years of work, the UDHR was adopted without opposition by the UN General Assembly on December 10, 1948. Currently, 192 countries are members of the UN and have promised to uphold the rights in the UDHR.

2. Compare. The UDHR lists the rights that all people around the world should have. In the United States, the Constitution and Bill of Rights describe and protect the human rights of all people in this country. The two documents have a similar purpose and protect some of the same rights, but there are many differences. Students will use *Handout 1: The Universal Declaration of Human Rights* and *Handout 2: Selected U.S. Constitutional Amendments* to fill in the chart on *Handout 3: Human Rights Comparison*. They will need to identify which rights are listed in the UDHR and which are listed in the U.S. Constitution. Students may also feel that some things which should be rights are not listed in either document – these can be added to the fourth column. An answer key is provided on page 40.

3. Discuss. As a large group, have students discuss their answers to the Human Rights Comparison chart.

Questions for Discussion

- ? Were there any rights included in either the Constitution or the UDHR that surprised you?
- ? Would you add any rights to the Constitution? Would you add any to the UDHR? Which ones?
- ? Are there any rights that you think do not belong in either the Constitution or the UDHR or both? Why?
- ? How well do you think each document helps people live with dignity?

Optional Extension

Dig deeper. To provide your students with a more detailed explanation of human rights and the international human rights system, download The Advocates’ Human Rights Toolkit at http://discoverhumanrights.org/General_Human_Rights.html.

¹ UN, “Charter of the United Nations,” Article 1 (June 26, 1945), <http://www.un.org/en/documents/charter/index.shtml>.

Global Inequality

Procedure:

1. Set up. This activity requires some preparation. Each student will receive units of currency — teachers can use candy, paper money, or some other kind of currency for the activity. The class will be divided into five groups of equal size and each group will receive currency to represent their share of the world’s income. The following table lists the amount of currency students in each group should get. This distribution is more generous than the actual distribution of income worldwide, meaning the poorest students are better off under this distribution than poor people actually are worldwide (in reality, the poorest students should be receiving less than 1 unit of currency).

World income inequality is determined both by inequality *between* countries and *within* countries. However, inequality *between* countries is the largest contributor to world inequality, and thus will be the focus of this exercise. If students seem skeptical that all people in the United States are as wealthy as the exercise suggests, remind them that this is based on an average that includes all incomes. Moreover, even low-income Americans often have higher standards of living than many people in the poorest parts of the world. *Handout 4: Global Inequality Map* shows income distribution for countries around the world.

Poorest fifth of class	Each student gets 1 unit	Red countries
Lower middle fifth of class	Each student gets 2 units	Orange countries
Middle fifth of class	Each student gets 4 units	Yellow countries
Upper middle fifth of class	Each student gets 8 units	Green countries
Top fifth of class	Each student gets 40 units	Blue countries

An easy way to distribute the currency is to create paper bags for each student; this is especially useful when using a bulky currency like candy.

2. Distribute wealth. Write the following items on the board: housing, health care, food, sanitation, elementary education, clothing, higher education, car, and TV/computer. Ask students which of the items are basic human rights (housing, health care, food, sanitation, education). Draw a circle around each of the human rights as they answer correctly.

Hand out one currency bag to each student. After you have handed out the bags, explain to the students that the bags contain various amounts of currency, and its distribution is representative of wealth around the world. Let students know that the amount they possess affects their capacity to satisfy their basic needs such as housing, adequate food and nutrition, good health care, and education; and luxury items such as a car, TV, or computer. Let the students know that one unit of currency can buy one “need” on the board. Explain to the students that those in the room with eight or more units will have most of their needs and wants met, those with four units will have only their “basic needs” met, and those with two or less will have difficulty surviving due to disease, lack of education, malnutrition, or inadequate shelter.

3. Form groups. Have students form five groups based on how much currency they have (these groups should correspond to the table above). Either share with students or ask them to guess what parts of the world are represented in each income group. Give students *Handout 4: Global Inequality Map* so they can see how birthplace helps determine how much money they have. Explain that though all people are entitled to the same basic human rights, the realities of poverty and inequality mean that many people in the world do not enjoy their basic human rights, while others are able to acquire almost everything they need or want.

(continued on next page)

Global Inequality

(continued from previous page)

4. Plan for migration. Working in their small groups, give students 10 minutes to devise a plan to allow people to travel to other countries (i.e. change groups) in order to increase their income. When students arrive in a new income group, each current resident **must** give one unit of currency to each newcomer. Remind the students that they should try to devise a plan that is representative of what they think their income group would do, which may not necessarily be what they personally would do. For example, people in the top income group may not be willing to share their wealth, even if the students are personally more generous. Ask each group to appoint a spokesperson to explain their plan to others and to answer questions.

Each group should:

- Describe who, if anyone, should be allowed to move and why.
- Show why their plan is fair.

The teacher can offer a sample plan, such as the following, to help students understand how to create their own plan.

“Under my plan, people from the lowest income group can go to any other income group, but no one else is allowed to migrate. That way, the people who need the most help will get it without placing too much of a burden on other countries.”

5. Vote and implement. After the plans have been presented and discussed, announce that a vote will now be held on which plan to adopt. When students are ready to vote, announce the following to the class: 1) students with more than eight currency units have five votes each, 2) those with four to eight units have two votes, and 3) those with one or two units have 1/2 vote. This strategy introduces the connection between wealth and power. Have participants vote and tabulate the results. Announce which plan is to be implemented and carry out this plan. If people are allowed to migrate, have students stand up and move to their new income group. Once all students have arrived at their new groups, redistribute the wealth.

6. Discuss. Explain to the students that there was enough wealth in currency units to ensure that everyone in the room could have nine units and therefore fulfill all the needs and wants on the board. In the large group, discuss how the students felt about the exercise.

Questions for Discussion

- ? How many people were able to meet their needs adequately?
- ? How did you feel about having two units or less? Eight units or more?
- ? How did you feel about the outcome of the vote?
- ? In real life, how do you think wealth and power affect one’s ability to enjoy human rights and human dignity?
- ? How is the choice to migrate linked to global inequality and human rights?
- ? What might be some fair ways to address global inequality and the denial of human rights, other than migration?

Source: Adapted from Sherry Kempf and David Shiman, “Economic Justice: The Scramble for Wealth and Power,” in David Shiman, *Economic and Social Justice: A Human Rights Perspective* (Minneapolis MN: Human Rights Resource Center, 1999), <http://www1.umn.edu/humanrts/edumat/hreduseries/tb1b/Section2/activity2.html>.

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS (ABBR.)

Article 1

Right to Equality

Article 2

Freedom from Discrimination

Article 3

Right to Life, Liberty, Personal Security

Article 4

Freedom from Slavery

Article 5

Freedom from Torture and Degrading Treatment

Article 6

Right to Recognition as a Person before the Law

Article 7

Right to Equality before the Law

Article 8

Right to Remedy by Competent Tribunal

Article 9

Freedom from Arbitrary Arrest and Exile

Article 10

Right to Fair Public Hearing

Article 11

Right to be Considered Innocent until Proven Guilty

Article 12

Freedom from Interference with Privacy, Family, Home and Correspondence

Article 13

Right to Free Movement in and out of the Country

Article 14

Right to Asylum in other Countries from Persecution

Article 15

Right to a Nationality and the Freedom to Change It

Article 16

Right to Marriage and Family

Article 17

Right to Own Property

Article 18

Freedom of Belief and Religion

Article 19

Freedom of Opinion and Information

Article 20

Right of Peaceful Assembly and Association

Article 21

Right to Participate in Government and in Free Elections

Article 22

Right to Social Security

Article 23

Right to Desirable Work and to Join Trade Unions

Article 24

Right to Rest and Leisure

Article 25

Right to Adequate Living Standard

Article 26

Right to Education

Article 27

Right to Participate in the Cultural Life of the Community

Article 28

Right to a Social Order that Articulates this Document

Article 29

Community Duties Essential to Free and Full Development

Article 30

Freedom from State or Personal Interference in the Above Rights

Source: Human Rights Educators' Network of Amnesty International USA, Human Rights Resource Center, and Stanley Foundation, "Appendix 5: The Universal Declaration of Human Rights" in *Human Rights Here and Now* (Minneapolis MN: Human Rights Resource Center, 1998), http://www1.umn.edu/humanrts/edumat/hreduseries/hereandnow/Part-5/8_udhr-abbr.htm.

SELECTED U.S. CONSTITUTIONAL AMENDMENTS (ABBR.)

Amendment I

Freedom of Religion, Speech, Press, Assembly, and Right to Petition Government

Amendment II

Right to Bear Arms

Amendment III

Freedom from Housing Troops

Amendment IV

Freedom from Unlawful Search and Seizure

Amendment V

Right to Due Process of Law and Freedom from Self-Incrimination

Amendment VI

Right to a Fair Criminal Trial

Amendment VII

Right to a Trial by Jury in Civil Lawsuits

Amendment VIII

Freedom from Cruel and Unusual Punishment

Amendment XIII

Abolition of Slavery

Amendment XIV

Right to Equal Protection of the Law

Amendment XV

Right to Vote For All Races

Amendment XIX

Women's Right to Vote

Amendment XXIII

Right to Vote for President for Residents of Washington D.C.

Amendment XXIV

Right to Vote Cannot Be Blocked by Poll Tax

Amendment XXVI

Right to Vote at Age 18

HUMAN RIGHTS COMPARISON

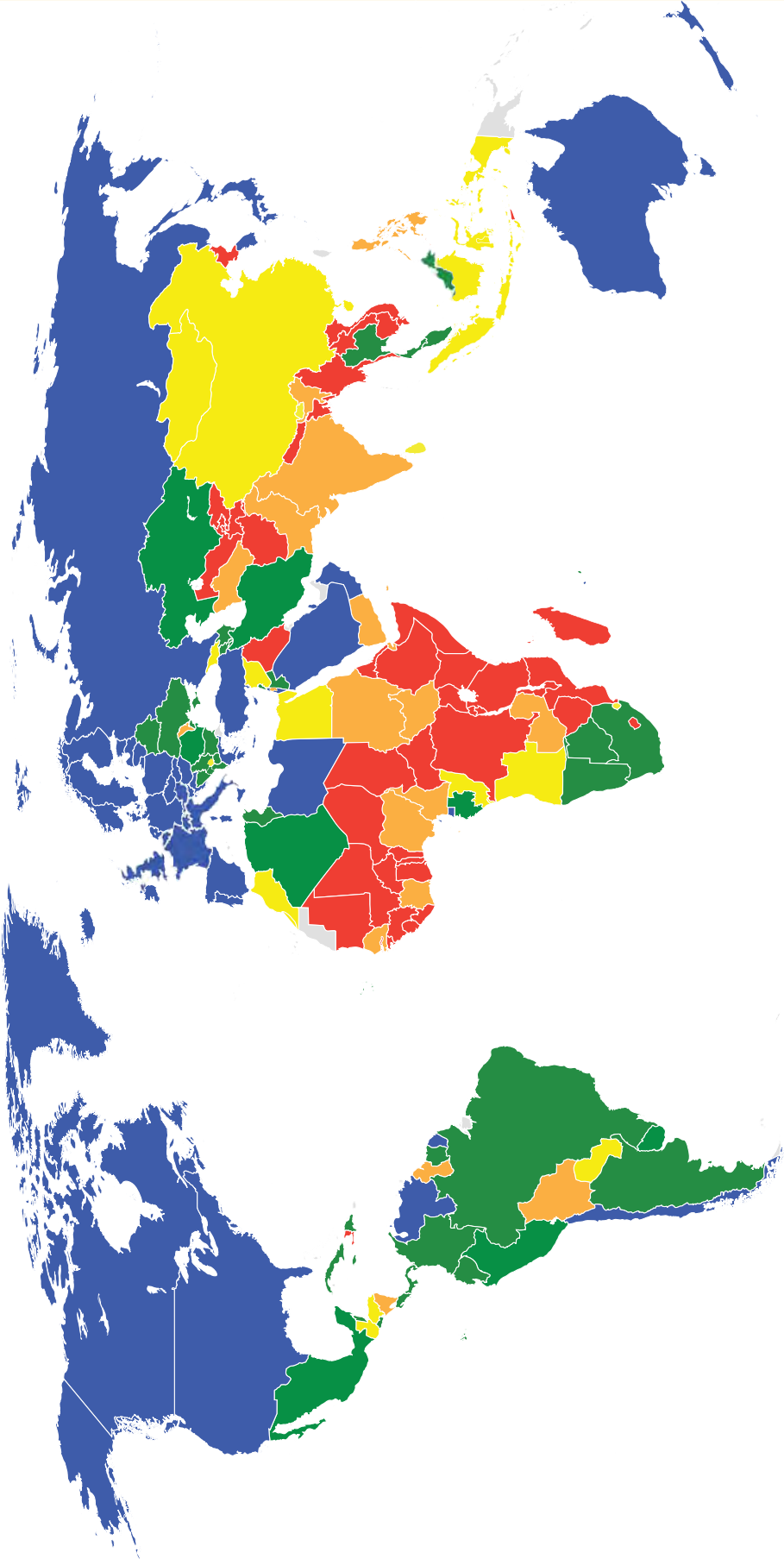
Students: Use *Handout 1: The Universal Declaration of Human Rights* and *Handout 2: Selected U.S. Constitutional Amendments* to fill in the table below. Rights found ONLY in the U.S. Constitution should go in column 1, while rights found ONLY in the Universal Declaration of Human Rights should go in column 2. Some rights are found in both the Constitution and the UDHR – list these in column 3. Finally, you may feel there are rights that should be protected but which are not in either document. Write these in column 4.

Constitution	UDHR	Both	Neither

HUMAN RIGHTS COMPARISON

Constitution	UDHR	Both	Neither
<ul style="list-style-type: none"> • Right to bear arms • Freedom from housing troops • Right to a jury trial 	<ul style="list-style-type: none"> • Right to remedy • Right to be innocent until proven guilty • Right to free movement • Right to asylum • Right to a nationality • Right to family • Right to social security • Right to desirable work and trade unions • Right to rest • Right to adequate living standard (health, housing, food) • Right to education • Right to participate in culture 	<ul style="list-style-type: none"> • Freedom of religion • Freedom of speech and press • Freedom of assembly and association • Freedom from unlawful search and seizure • Right to due process • Freedom from unlawful seizure of property • Freedom from arbitrary arrest • Right to a fair trial • Freedom from cruel and unusual punishment/torture • Freedom from slavery • Right to equal protection/freedom from discrimination • Right to vote 	<p>Possible answers include:</p> <ul style="list-style-type: none"> • Rights of LGBT individuals • Right to clean environment • Right to enter other countries/immigrate • Right to water

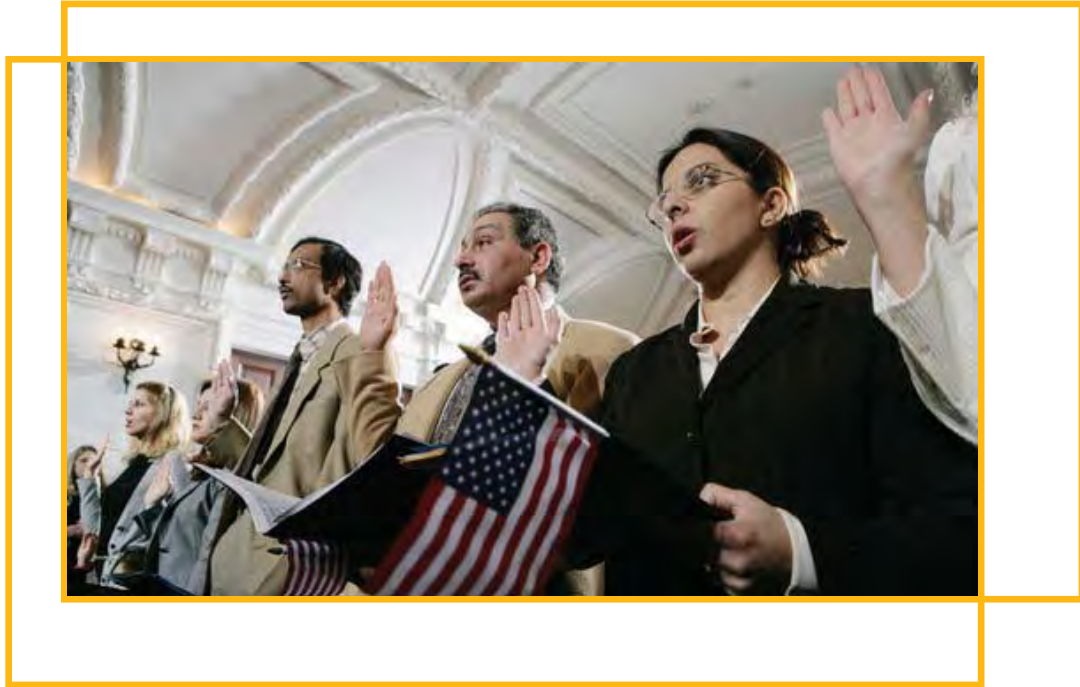
GLOBAL INEQUALITY MAP



World Income Distribution by Country

- Red countries = poorest fifth of world population
- Orange countries = lower middle fifth of world population
- Yellow countries = middle fifth of world population
- Green countries = upper middle fifth of world population
- Blue countries = wealthiest fifth of world population

Per capita GDP, 2009: United Nations Statistics Division, National Accounts Section, "National Accounts Main Aggregates Database," <http://unstats.un.org/unsd/snaama/Introduction.asp>.
Population Source: United Nations, Department of Economic and Social Affairs, Population Division, "World Population Prospects: The 2010 Revision" (May 2011), http://esa.un.org/unpd/wpp/Sorting-Tables/tab-sorting_population.htm.



LESSON 3

The Rights of Immigrants in the United States

*The bosom of America is open to receive not only the Opulent
and respectable Stranger, but the oppressed and persecuted of all
Nations and Religions; whom we shall welcome to a participation
of all our rights and privileges.*

~ George Washington, "Address to Irish Immigrants" (1783)

LESSON 3

The Rights of Immigrants in the United States



Goal

- » Understand the rights of immigrants and the U.S. record in guaranteeing those rights.

Objectives

- » Students will gain a general understanding of the rights of immigrants as outlined by U.S. law and international human rights treaties.
- » Students will work together to determine how well the United States is fulfilling the rights of immigrants.
- » Students will analyze news articles and other media about immigration from a human rights perspective.

Essential Question

- » How well is the United States fulfilling the rights of immigrants?

Key Skill

- » Analyzing news media (Activity 2).


Materials

- Handout 1: *The Rights of Migrants in the United States*
- Handout 2: *Migrants in the Media.*
- Example news article about immigration

Time Frame

3-4 class periods

Vocabulary

-  bias
-  human rights
-  immigrant
-  migrant

What Are the Rights of Immigrants?

Procedure:

1. Review. Ask students to share what they have already learned about immigration and human rights. Revisit the definitions of immigrant, migrant, and human rights covered in Lesson 1 (on page 21) and Lesson 2 (on page 31). Read the following excerpt from the Universal Declaration of Human Rights (UDHR):

“Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property or other status.”¹

The quote emphasizes how everyone, regardless of immigration status or other characteristics, is entitled to basic human rights.

2. Imagine. Ask your students to imagine that they are an immigrant coming to a new country. Have the class generate a list of things that would be important to them. What would they need? What would they fear? What would they wish for? Students could work in small groups to generate more ideas. Write their ideas down on the board. As a class, compare this list with the rights contained in the UDHR (see *Lesson 2 Handout 1: The Universal Declaration of Human Rights* on page 37). What rights might be particularly important to migrants?

3. Read. Distribute *Handout 1: The Rights of Migrants in the United States* to the entire class. Ask the class to take 10 minutes to read the first page of the handout to familiarize themselves with the rights of migrants (some of this will have already been covered in Steps One and Two).

4. Jigsaw. The purpose of this activity is to help students become familiar with the rights of migrants as outlined by U.S. law and by international human rights treaties. Through this activity, the students will put together the pieces of the “jigsaw”, and learn from each other whether or not the United States is fulfilling the rights of migrants.

- 1. Form Groups.** Have students form groups of 2-3 (depending on the size of the class), and assign each group a subsection to read under “Is the U.S. Fulfilling the Rights of Migrants?” For example, one group would be responsible for reading “Humane Treatment in Detention.” Another group would be responsible for reading “Equal Protection and Due Process”, and so on.
- 2. Provide Example.** Demonstrate what students should look for in their fact sheet section by reading through the “Safety and Security” section as a class. Ask students to identify two facts that show the U.S. record in protecting that right (possible answers include: persistence of hate crimes, increased domestic violence, and border-crossing deaths).
- 3. Read and Choose.** Ask the students to take 10 minutes to read their assigned subsection. First, have the group read the definition of the right from the sidebar on the first page. Then, ask each group to choose two items to share from their subsection that show how well the United States protects the right being discussed.
- 4. Present.** After 10 minutes, ask each group to choose one spokesperson to present to the class on the definition of the right covered by their subsection, as well as the two items they chose to highlight. This should take approximately 25-30 minutes. Students should record the definitions and examples in their notebooks.

¹ UN, “Universal Declaration of Human Rights,” Preamble (Dec. 10, 1948), <http://www.un.org/en/documents/udhr/index.shtml>.

Migrants in the Media

Procedure:

1. Research. Give each student *Handout 2: Migrants in the Media*. For this assignment, each student will use the internet and/or print media to identify and analyze one news article that deals with the issue of immigration in the United States. The article must be from a reputable news source, such as news magazines (e.g., *Newsweek*), newspapers (e.g., *The New York Times*), or a government publication (e.g., from the Department of Education). The students can use the subsections they discussed in Activity 3.1 to help them guide the search for their articles. Depending on time and resources, teachers can have students research this assignment at home or in class. If students do not all have internet access at home, it may be useful to set aside time for computer use during class or to provide hard copies of articles for students. If students are finding articles on the internet at home, they should print out hard copies to bring to class.

(An optional variation of this exercise is to have students analyze articles on the same subject and published the same day or week from different sources to make bias and differences in coverage easier to detect.)

2. Analyze. Explain to students that news sources often have viewpoints or opinions about a subject, even if they do not explicitly state their opinion. One important task when reading a news article is to be alert to bias or opinions that could be influencing the reporting. Demonstrate to students the kind of analysis they will be undertaking in this activity by walking them through a sample news article and answering the questions on *Handout 2* as a class. Then ask the students to analyze their own articles the same way, answering in writing the questions in *Handout 2: Migrants in the Media*. Students should be ready to discuss their answers with their classmates.

3. Small group discussion and presentation. Ask students to get in the same small groups they formed for the jigsaw. Ask them to take 15 minutes to discuss the answers they provided to each of the questions on their handout. After they have discussed each article, ask them to select one article they feel is particularly effective in demonstrating the fulfillment (or lack thereof) of a particular immigrant right, and to be prepared to paraphrase the article and summarize their analysis for the class.

Ask them to select one spokesperson to communicate this information to the rest of the class. When all of the groups are ready to present on their chosen article, take approximately 30-40 minutes to hear from all of the groups. As a class, evaluate the overall performance of the United States in protecting the rights of immigrants.

Questions for Discussion

- ? Did the information found in the newspaper articles support what they learned in Activity 3.1?
- ? What grade would students give the country?
- ? Based on what was discussed in the article, what kinds of actions need to be taken to ensure that the United States fulfills the rights of migrants?

THE RIGHTS OF MIGRANTS IN THE UNITED STATES



All Migrants Have a Right to:

SAFETY AND SECURITY: The right to life and personal security.¹

HUMANE TREATMENT IN DETENTION: The right to be treated with respect and dignity while in detention.²

EQUAL PROTECTION AND DUE PROCESS: Equality before the law, freedom from arbitrary arrest and detention, and the right to a fair trial.³

ASYLUM: The right to seek safety in other countries from persecution.⁴

FAMILY UNITY: Legal migrants have a right to reunification with spouses and children in an expeditious manner.⁵

NON-DISCRIMINATION: The right to live free from discrimination, especially on the basis of national origin.⁶

FREEDOM FROM SLAVERY: The right to be free from slavery, servitude, and other forms of involuntary work.⁷

JUST WORKING CONDITIONS: Access to fair wages, a decent living, and workplace standards of safety, leisure, and health equivalent to U.S. citizens.⁸

CULTURAL CONTINUITY: The right to enjoy their own culture, to practice their religion of choice, and to use their own language.⁹

EDUCATION: Equal access to K-12 education without regard to the citizenship status of parents or children.¹⁰

HEALTH CARE: Medical care necessary for health and well-being, especially care that is urgently required for the preservation of life or the avoidance of irreparable harm to health.¹¹

HOUSING: Access to adequate housing, without segregation or discrimination.¹²

WHAT IS A MIGRANT?

A migrant is “any person who lives temporarily or permanently in a country where he or she was not born....”¹³ Migrants leave one place for another in search of a decent living or better education, to flee persecution, or simply to be close to family or friends.

Migration is an ancient and natural human response to hunger, deprivation, persecution, war, or natural disaster. Today, most governments regulate their borders and govern who enters or leaves the country. Migrants are classified based on their intent and the manner in which they enter a country. Tourists, business travelers, students, temporary workers, asylum seekers, refugees, permanent residents, and undocumented migrants all are part of the worldwide migrant population. In 2010, an estimated 214 million people lived outside their country of birth.¹⁴ Approximately 42.8 million migrants live in the United States.¹⁵

WHAT ARE THE RIGHTS OF MIGRANTS?

International human rights apply to all human beings, regardless of immigration status. Everyone – citizen or migrant, documented or undocumented – enjoys basic human rights such as the right to life, liberty, and security of person; freedom from slavery or torture; the right to equal protection of the law and freedom from discrimination; freedom from arbitrary arrest and detention; the presumption of innocence; and freedom of association, religion, and expression.

These human rights are protected by international treaties, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Several treaties specifically address the human rights of migrants, including the Convention relating to the Status of Refugees and the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. These treaties outline rights of particular importance to migrants, including due process, family reunification, and asylum.

DOES U.S. LAW RECOGNIZE THE RIGHTS OF MIGRANTS?

The U.S. Constitution guarantees most rights for all people in the United States, whether citizens or migrants, documented or undocumented. These include equal protection under the law, the right to due process, freedom from unlawful search and seizure, and the right to fair criminal proceedings, among many others. Other U.S. laws, such as those governing immigration proceedings, also grant rights to migrants.

The U.S. is also bound by international treaties such as the ICCPR, the Refugee Convention and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), all of which grant basic human rights to all peoples, including migrants.

IS THE U.S. FULFILLING THE RIGHTS OF MIGRANTS?

Despite the commitments made in international and domestic law, the U.S. system often fails to protect the human rights of migrants. Certain domestic laws discriminate between citizens and migrants, or between documented and undocumented migrants, especially in the provision of basic social services. Migrants encounter prejudice and intimidation in the workplace and in society at large; unequal access to basic services such as health care, housing, and education; arbitrary infringement of their civil liberties; and the denial of their fundamental rights to due process.

THE RIGHTS OF MIGRANTS IN THE UNITED STATES

Safety and Security

U.S. domestic law protects migrants against violence and intimidation, but in recent years, the extreme and often racist rhetoric surrounding immigration issues has increased the threats migrants face to their personal safety. According to the FBI, 11% of all hate crimes in 2008 were based on the national origin of the victim.¹⁶ In other areas, the United States also has trouble guaranteeing the safety of migrants. For example, migrant women are more vulnerable than citizen women in cases of domestic violence and sexual assault, due to language barriers, social isolation, lack of financial resources, and fear of deportation.¹⁷ The violence often goes unreported, and the women do not receive the critical services they need.

U.S. border enforcement policies and the lack of legal entry options have placed migrants in mortal danger along the Mexico–U.S. border. The dangers migrants risk in crossing the increasingly militarized border are known to the United States, yet the government has failed to minimize the threats to safety. Instead, deployment of heavy security near population centers has pushed migrant flows to more treacherous and remote corridors where they are dependent on smugglers, increasing the risk of death. Between 365 and 725 migrants died in 2008 as a result of these border enforcement policies.¹⁸

Humane Treatment in Detention

The U.S. lacks mandatory standards for immigration detention facilities, and as a result, migrants are frequently denied their rights to necessary medical care and humane conditions of detention. Virtually all immigrant detainees are held in prison-like settings, wear prison uniforms, are regularly shackled during transport and in their hearings, and are mingled with the general prison population. Immigrants in detention may be held for prolonged periods of time without access to the outdoors. Appropriate psychological and medical services for torture survivors are universally unavailable.¹⁹ Between 2003 and April 2009, Immigration and Customs Enforcement reported over 90 deaths of non-citizens in their custody, many as a result of denied medical care or suicide.²⁰ Temporary holding facilities are even worse, with some holding cells essentially large cages in the desert, while in other cases, migrants are held on buses with inadequate food, water, and medical care.²¹

Equal Protection and Due Process

All people in the United States have the right to due process and equal protection under the U.S. Constitution. Under immigration law, however, many migrants are subject to mandatory detention and to deportation without a hearing, even when they are lawfully present in the United States.²² Over 30,000 people in 2009 were deported without ever appearing before an immigration judge to plead the specific facts of their case.²³ Many migrants, including asylum seekers who are fleeing government persecution and torture, are also detained - sometimes for months - without an individual hearing on whether they can be safely released.²⁴

Immigrants are also denied their right to effective representation. While U.S. law provides that migrants facing deportation have “the privilege of being represented,” representation must be “at no expense to the Government.” In 2008, approximately 57% of detainees in deportation cases were unrepresented, which limits the ability of migrants to present compelling cases on why they should be allowed to stay, especially given the complexities of the immigration system.²⁵ Migrants with mental disabilities face even greater odds, since the immigration system routinely fails to take into account their competency to stand trial, even when they do not understand the charges being brought against them.²⁶

Asylum

Though the United States has ratified the Refugee Convention, certain policies in the asylum and refugee system deny protection to migrants who would face persecution or death if returned to their country of origin. U.S. law denies asylum to migrants who fail to file their claims within one year of arriving, which penalizes those most in need of protection, such as survivors of torture who struggle with memory loss, PTSD, depression, and other barriers to quickly applying for asylum.²⁷ The United States also defines the risk of being tortured very narrowly, denying protection to many at-risk people.²⁸ Finally, the United States bars individuals who have provided support to terrorist groups, but the definition is so broad that it covers peaceful political speech, assistance provided under coercion or threat of force, and even association with groups that support U.S. policies such as anti-Taliban fighters or Kurdish groups that fought against Saddam Hussein.²⁹

Family Unity

The right to maintain the unity of a family is one of the most fundamental human rights. The United States recognizes this by granting special preference to family members of immigrants who wish to join them in the United States. However, in practice, a strict quota system combined with slow processing times has led to an enormous backlog of visa applications – almost 3.5 million.³⁰ As a result, migrants have waited years – and sometime decades – before being reunited with family members. The United States also does not take into account family unity when enforcing immigration laws, detaining and deporting family members without considering the impact on families left behind. Over 1 million family members were separated by deportation between 1997 and 2007.³¹ U.S. law also establishes high penalties for unlawfully residing in the United States, forcing immigrants who may have entered illegally to spend up to 10 years apart from family members even after acquiring a pathway to legal status.³²

THE RIGHTS OF MIGRANTS IN THE UNITED STATES

Non-discrimination

Though both U.S. laws and international treaties protect people from discriminatory treatment on the basis of ethnicity or national origin, migrants are often denied these protections. In many cases, immigration officials and local police rely almost entirely on Hispanic ethnicity to justify stopping, questioning, searching, and detaining suspected undocumented migrants.³³ In Texas, allowing local police to enforce immigration laws led to a sharp increase in the numbers of Hispanics detained on minor misdemeanor charges compared to other races, even though most of those arrested were lawfully present in the United States.³⁴

After September 11, 2001, Arab and Muslim Americans were also victims of discrimination. The FBI questioned thousands of men of Middle Eastern descent despite having no evidence of their involvement in terrorist activity or even immigration violations, while new immigration policies target migrants from Middle Eastern and Muslim countries even when there is no evidence that the migrant poses a risk.³⁵

Freedom from Forced Labor

Both undocumented and documented immigrants can be victims of forced labor. The H-2 guestworker program allows people to enter the United States legally for temporary seasonal employment. Once here, these workers are vulnerable to exploitation and enslavement, including stolen wages, seizure of identity documents, poor living conditions, and denial of medical care for workplace injuries.³⁶ Many undocumented migrants end up in slavery-like situations as a result of human trafficking. While the Trafficking Victims Protection Act of 2000 was created to reduce trafficking violations, many victims are too afraid of their traffickers to report the crime and less than one percent of cases are solved annually.³⁷

Just and Favorable Working Conditions

Migrants to the United States face serious barriers to economic prosperity and favorable working conditions. On average, migrants have median weekly earnings that are less than 80% of the earnings of native-born Americans.³⁸ Many of the industries in which immigrants work, particularly in the agricultural and domestic services sectors, are excluded from minimum wage, overtime, trade union, and occupational health and safety laws. Employers also use the threat of deportation and workplace raids to discourage undocumented migrants and their co-workers from reporting labor law violations.³⁹

Cultural Continuity

The rights of individuals to enjoy their own culture and to practice the religion of their choosing are core American principles, and are generally well protected under the Constitution. The right of migrants to their own language, however, is under threat. Currently, at least 26 states have passed constitutional amendments or statutes declaring English to be the official language and limiting the circumstances in which other languages can be used for government business.⁴⁰ At the federal level, repeated efforts have been made to ban the use of non-English languages for official purposes, in violation of U.S. obligations under the ICCPR.

Education

Though migrant children enroll in elementary and high school at about the same rate as citizen children, they have worse educational outcomes. In most states, English Language Learners score between 30-40 percentage points lower than their classmates on national assessments.⁴¹ In addition, undocumented migrant children are denied equal access to higher education in the United States. Under a 1996 federal immigration law, states are discouraged from providing in-state tuition, work-study, or financial aid to undocumented migrants. As a result, only 5-10% of undocumented migrants currently receive any post-secondary schooling.⁴² These children, many of whom were brought by a parent at a young age and have lived and attended school in the United States for most of their lives, face limited job opportunities because they lack college degrees.

Health Care

Migrants suffer from unequal access to both health insurance and health care. Most legal migrants who have been in the United States for less than 5 years, as well as undocumented migrants, are denied access to federally funded health insurance programs such as Medicaid. As a result, 47% of non-citizens are uninsured as compared to 15% of citizens.⁴³ In addition, many states have statutory bans on providing non-emergency health care to undocumented migrants. As a result of these restrictions, migrants are far less likely to receive health care than citizens. A recent study found that 25% of migrants had not seen a doctor in the past 2 years compared to only 10% of citizens.⁴⁴

Housing

Migrants suffer from discrimination in their access to housing. Local governments use housing regulations to prevent migrants from moving to their areas, either by targeting immigrant residency patterns, such as large or extended-kin households, or by requiring verification of legal status before buying homes or renting apartments.⁴⁵ Between 2005 and 2007, thirty municipalities across the country made it a criminal offense to rent apartments to undocumented migrants.⁴⁶ Landlords and real estate agents also discriminate against migrants, discouraging them from living in particular areas or creating higher barriers for migrants who want to rent or purchase a home. Hispanic renters, for instance, were found to face discrimination in housing in 25% of cases studied by the Department of Housing and Urban Development.⁴⁷

THE RIGHTS OF MIGRANTS IN THE UNITED STATES

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MIGRANTS IN THE MEDIA

Students: Your assignment is to find a news article that deals with the issue of immigration in the United States. You may use electronic or print media for your research. The article must be from a reputable news source, such as: news magazines (e.g., *Newsweek*), newspapers (e.g., *The New York Times*), or a government publication (e.g., from the Department of Education). Bring a printed copy of your article and the answers to the questions below to class. You will be asked to use this information further in a small group discussion and presentation.

Recommended News Sites:

- www.immigrationforum.org/press/clippings
- www.nytimes.com
- www.washingtonpost.com
- www.bbc.com (be sure to add "U.S." to your search)
- www.cnn.com
- www.latimes.com
- www.msnbc.com

Questions Used to Analyze Articles:

On a separate piece of paper, answer the following questions regarding your chosen article on immigration. You may use the *The Rights of Migrants in the United States* fact sheet to help you identify the human rights issues presented in the article.

- What facts about U.S. immigration did you find in the article?
- What opinions about immigration did you find in the article?
- Was the article slanted or skewed in any particular way? If so, how? Can you list any words or phrases that show the bias contained in the article?
- Were any voices missing in the article? In other words, were there perspectives not included that would have been helpful in giving you a full understanding of the issue being discussed?
- In your view, was the article advocating for or against immigration? How about immigrant rights? What led you to this conclusion?
- Which of the immigrant rights included in *The Rights of Migrants in the United States* fact sheet were discussed in the article?
- What solutions were considered or proposed?
- Write at least two questions or ideas you have for further research.



LESSON 4

Push and Pull Factors and Human Rights

*Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tost to me,
I lift my lamp beside the golden door!*

~ Emma Lazarus, "The New Colossus" (1883)

LESSON 4

Push and Pull Factors and Human Rights



Goal

- » Establish the human rights issues that draw immigrants to the United States or push them to leave their country of origin.

Objectives

- » Students will be able to describe why people would want to leave their home countries (push factors) and why they would want to come to a new country (pull factors).
- » Students will connect push and pull factors to the human rights described in the Universal Declaration of Human Rights.
- » Students will find examples of the link between human rights and immigration in both the modern and the historical context.

Essential Questions

- » What motivates people to immigrate to the United States?
- » How is the decision to immigrate connected to the protection of human rights here and abroad?

Key Skills

- » Critically analyzing personal narratives (Activity 1).
- » Interpreting quantitative data (Activity 2).



Materials

- Handout 1: Push and Pull Scenarios*
- Handout 2: Story Analysis Cards*
- Answer Key: Push and Pull Scenarios*
- Handout 3: Timeline Observations*
- Handout 4: Immigration by Decade and Region*
- Handout 5: World Events and Immigration Timeline*
- Handout 6: Historical Analysis*
- Answer Key: Historical Analysis*
- Construction paper and tape

Time Frame

2 class periods

Vocabulary

-  pull factor
-  push factor

Push and Pull Factors in History

Procedure:

1. Brainstorm. Provide the following prompt to students and ask them to write their answers in their notebooks.

“Why might a person or family leave their home country to come to a new country?”

Draw a line down the center of the board, and write “Push factors” on one side and “Pull factors” on the other. Ask students to share with the class what they’ve brainstormed. Help them decide whether their example is something that would draw someone to come to a new country (a pull factor), or a reason why they may want to leave their home country (a push factor); each response should be written on the corresponding side of the board. For example, if a student responds “to find a job” or “to go to college,” the key words should be written on the pull factors side; if the response is “to escape danger,” “not enough food,” or “no jobs to be found in their home country,” the key words should be written on the push factors side. Some themes will have corresponding reasons on both sides. Keep the list up on the board for the rest of the activity.

2. Prepare. Write the following time frames on construction paper (each on a separate sheet), and place them in chronological order on the classroom walls:

Before 1830	1830-1859	1860-1889	1890-1929	1930-1969	1970-1999	2000-Present
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Then give each student one short story from *Handout 1: Push and Pull Scenarios*, one explanation card from *Handout 2: Story Analysis Cards*, and a copy of *Lesson 2 Handout 1: The Universal Declaration of Human Rights* (see page 37). The scenarios in the cards reflect the composition of the various waves of immigration to the United States, both in number of immigrants and countries of origin. If you have fewer students than there are cards, select cards from a wide variety of time periods, countries, and continents.

3. Demonstrate. Explain to students that they will be working together as a classroom to build a timeline of immigration to the United States showing the push and pull factors that have driven migration throughout history. Demonstrate the process by reading one of the short stories aloud to the class. Ask students to identify what led the person in the story to immigrate to the United States and write their answers on an explanation card. An answer key is available on page 64 to help teachers guide the discussion.

4. Read and analyze. Now, students should follow the same process, working in pairs. The students should take turns reading their short story and then identifying the push and/or pull factors that led their character to immigrate to the United States. Students should write their answers on their explanation cards.

5. Make the connection. Explain to students that many push and pull factors are closely related to the protection of human rights around the world and in the United States. Go back to the list that the class brainstormed in Step One and ask students to identify which of the factors can be reframed as human rights issues. Use *Lesson 2 Handout 1: The Universal Declaration of Human Rights* as a guide if students need help identifying various human rights.

(continued on next page)

Push and Pull Factors in History

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6. Identify the rights. In their same pairs, have students look at the push and pull factors they have written down on their cards. Ask them to repeat the analysis they just performed as a class, connecting the push and pull factors in their story to the human rights listed in the UDHR. The pairs should take turns analyzing each story, writing down on their explanation cards the specific articles that relate to the push and pull factors they identified. Once both students have finished filling out their explanation cards, they should hang their stories and cards under the appropriate time period on the wall.

5. Walk the timeline. As a class, have students stroll along the timeline. Using *Handout 3: Timeline Observations*, students should record some of the differences and similarities in the historical push and pull factors they see. Then as a class, discuss the following questions:

Questions for Discussion

- ? Are some of the push or pull factors on the timeline the same as those you brainstormed at the start of the activity?
- ? What push or pull factors were most common throughout the history of the United States?
- ? Were any of the push or pull factors unique to a specific time period?
- ? Was it easy to connect the push and pull factors to human rights?



Waves of Immigration

Procedure:

1. Explain. Tell students that they will now have a chance to analyze immigration patterns in U.S. history. Historians often look at quantitative data, like numbers of immigrants over time, and try to see if patterns emerge that will let them tell a story about why events happened and what might happen next. Discovering the factors that influenced people to immigrate in the past can help us understand why people immigrate today and predict how we can affect immigration trends.

2. Analyze. Have students form pairs and give them *Handout 4: Immigration by Decade and Region*, *Handout 5: World Events and Immigration Timeline*, and *Handout 6: Historical Analysis*. Explain that students will fill out *Handout 6* using the information on *Handouts 4 and 5*. Demonstrate the first question for the class, walking students through the process of analyzing quantitative data. Some students may be unfamiliar with how to read charts, graphs, and tables, so go through a few examples of increasing and decreasing immigration to help them recognize the patterns.

3. Share and discuss. As a class, go over the answers to *Handout 6*. Try to answer the following questions:

Questions for Discussion

- ? Did any of the information you learned surprise you?
- ? Based on immigration trends in the past, what are some events happening today that might impact immigration to the United States?
- ? If every government protected human rights in its own country, how would that change immigration patterns?



PUSH AND PULL SCENARIOS

<p>My name is Abigail Taylor. My husband Simon and I are both from Birmingham, England. Though we have been loyal subjects of the King, we no longer feel safe in our country. Just last month, rioters burned down our home and the little store we ran. We want to move to America where Protestant Dissenters like us are safe to practice our religion in peace. (1791)</p>	<p>My name is Dáire McCormack, and I am a potato farmer in Ireland. This past year has been horrible for me. Almost all of my potatoes were lost to a disease which made them turn black and rotten. Most of the healthy crops in the country are being forcibly shipped to England because of a trade policy the country must abide by, despite these difficult times. I do not have enough food to feed my family or to sell potatoes at the markets. My family will have to leave Ireland to find a place where I can feed my family. (1845)</p>
<p>My name is Franz Hecker, and I am from Baden in Germany. I came to the U.S. in despair after we failed to create a democratic Germany with our March Revolution. Seeing King Frederick William IV crowned again was bad enough, but when the army crushed the uprisings in support of the constitution, I knew I had to leave. It seemed as if we might succeed in creating a democratically elected government, but it was not to be. (1848)</p>	<p>My name is Marcel Durand, and I am from Paris, France. I have been reading stories in the newspaper for weeks about how the Americans have found gold in the mountains of California. I am heading to California to strike it rich! (1849)</p>
<p>My name is Santiago Muñoz, and I was born in Alta California, Mexico. After the Mexican-American War, Alta California was given to the U.S. and eventually became the state of California. I was given the choice of remaining a Mexican citizen or becoming a U.S. citizen. I decided to become a U.S. citizen so that I could stay on the land my family has farmed for generations. (1850)</p>	<p>My name is Mattias Nilsson, and I am from Småland in Sweden. I have heard that the U.S. government is giving away rich farmland to anyone who wants it. I am sick of struggling with stony soil and poor crops. My friends who have already arrived in America say that it is easy to build a good life there. I cannot wait to join them. (1862)</p>
<p>My name is Heinrich Braun, and I am from Hamburg, Germany. I was thrilled when Otto von Bismarck finally unified our country – no longer would the Germans be scattered and weak! However, shortly afterwards, Bismarck decided that Catholics were not truly German. He passed laws that discriminated against us and took over our schools. I left for the United States, where I have found a farming town full of German Catholics. Now I can raise my children in my faith. (1871)</p>	<p>My name is Chou Jing Yi. I came to the United States from China last year to join my husband who has been working on the new railroads being built all over the West. I'm glad I came when I did – I heard that Congress just passed a law excluding future Chinese immigrants from coming to the country. I'm sad that we don't seem to be welcome here, but we are building a good life for ourselves anyway. (1881)</p>

PUSH AND PULL SCENARIOS

<p>My name is Robert O'Connor, and I am from Ireland. I am a tenant farmer and I am sick of paying high rents to an absentee landlord while I can barely buy food for my family. I joined a group demanding land reform. In response to our protests, the government passed a Coercion Act. I was arrested under the Act and kept in jail without a trial. After five months, I was finally released. I am going to America, where I can be free of British rule. (1881)</p>	<p>My name is Antonio Souza, and I am from Portugal. My father came to the United States three years ago – he was one of the first people processed at Ellis Island. He has just sent me an ocean liner ticket so I can join him. He wants me to go to school in the United States so that I can learn a better trade than brick-laying like him. (1895)</p>
<p>My name is Ryo Nakamura, and I am from Japan. I came to the United States because I heard there were good jobs picking pineapples on plantations in Hawaii. Just before I arrived, Hawaii became a state. I'm glad because this will make it easier for me to leave the plantation and move to the mainland once I have earned a little money. (1898)</p>	<p>My name is Sara Warszawski, and I am a Polish Jew. I live in a part of Poland ruled by the Russian Empire. Leftists have started a revolution against the Tsar, and the government is blaming the Jews. There was a riot in our town, and people started looting Jewish homes and businesses, and even killing Jews who tried to resist. Instead of arresting the rioters, the police helped them! I am leaving with my family for a country where we can be safe. (1905)</p>
<p>My name is José Ortega, and I am from Mexico. My country is in the middle of a revolution that has been going on for over three years! The armies on both sides aren't very careful about who they kill. I was afraid for my life if I stayed, so I came to the United States. (1913)</p>	<p>My name is Kayaneh Levonian. I am Armenian and I used to live in Turkey. My family and I fled to America to escape the attacks after the war. Soldiers of the Ottoman Empire killed thousands of Armenian people. My parents do not speak of home and we no longer receive letters from our relatives back in Turkey. I wonder what happened to my friends and relatives; I only hope that they escaped to the United States too. (1915)</p>
<p>My name is Istvan Lantos, and I am from Hungary. My country was taken over by a Communist dictatorship a few months ago and the government is desperate to hold on to power. They have set up revolutionary tribunals to try anyone they accuse of being an enemy of the state, but it seems like they have already decided the person is guilty before the trial even begins. Hundreds of people have been executed, including many of my close friends. I am afraid I will be next, so I am leaving for the United States. (1919)</p>	<p>My name is Marta Novy, and I am from Czechoslovakia. My family is German and the region we live in is mostly German. After the Great War, we wanted to become part of Austria or Germany, where our ethnicity and language would be respected. Instead, we were forced to become part of Czechoslovakia under a constitution we did not help write. I am going to leave for the United States rather than stay in a country that I cannot support. (1919)</p>

PUSH AND PULL SCENARIOS

<p>My name is Pyotr Stepanov, and I am from Russia. My family fled the civil war between the Communists and the Tsarists. When the Communists finally won, they said that anyone in exile was no longer a citizen of Russia. Without a nationality, we could not travel to a safe country. Eventually, the League of Nations gave us a special Nansen passport and we came to the United States. (1922)</p>	<p>My name is Mehmet Karagioules, and I am from Greece. My family may be Muslim, but we have roots in Greece going back generations. After the recent war between Greece and Turkey, the governments agreed to a population transfer: all the Greeks in Turkey would be sent to Greece and all the Turks in Greece would go to Turkey. Because we are Muslim, the government decided we were Turks. They stripped us of our Greek citizenship and planned to forcibly move us to Turkey. We decided to leave before that could happen. (1924).</p>
<p>My name is Gino Filippone, and I am from Italy. I am a member of an anarcho-syndicalist trade union. We believe in the rights of the worker and oppose the fascists who are trying to take over our government. Mussolini proclaimed himself the head of the government last year and this year he banned my union entirely. I am going to the United States where I can try to mobilize the workers against fascism. (1926)</p>	<p>My name is Agnes Rosen, and I am an artist working in Berlin, Germany. I want to leave for the United States as soon as I can. Life has been very difficult since Hitler came to power. My paintings have been labeled “degenerate” by the Nazis so no one will buy or exhibit them. I am Jewish, and I am worried about all the anti-Semitic propaganda put out by the government. I want to feel safe and have a place where I can again be an artist. (1934)</p>
<p>My name is Gabriel Rodríguez. I am a farmworker, and I came to the United States a few months ago as part of the Bracero Program run by the U.S. government. U.S. farms have a shortage of workers to work in the fields and harvest crops, because most American men are fighting in the war against the fascists. The pay is better here, but I had to leave my family which I am still sad about because I miss them very much. (1942)</p>	<p>My name is Rose Null, and I came to the United States after I met my husband Mark, who was a U.S. Marine passing through Sydney, Australia during the war. We fell in love and after the Americans defeated the Japanese, we got married in Sydney. A year later, I was able to join Mark in America and start raising a family. Though I miss Australia, I am excited to explore all that the United States has to offer. (1946)</p>
<p>My name is Ferenc Nagy, and I live in Hungary. A few weeks ago, I participated in protests against Communist rule of Hungary. It looked as though we had driven the Soviet Union out of Hungary, but two days ago, a large number of Soviet troops and tanks invaded Budapest to crush our revolution. I want to leave the country as soon as I can. I am afraid of being killed or arrested. I am hopeful that in the United States, I can voice my opinions freely and without fear. (1956)</p>	<p>My name is Celia Pérez. I was forced to flee to the U.S. with my family after Fidel Castro’s new government of Cuba started nationalizing land and private property. My family lost everything we had. Rather than live under the new regime that wants to force everyone to become a Communist, we left for the United States. Until Cuba returns our property, it is better for us to live here, where at least we can keep the money we earn and the land we buy. (1959)</p>

PUSH AND PULL SCENARIOS

<p>My name is Arva Placencio, and I live in the Dominican Republic. I work for a political organization that President Balaguer has labeled an “enemy of the state.” I was arrested last month even though I hadn’t committed any crime. While I was in prison, some of the guards tortured me. I do not know why they released me, but I am staying in hiding until I can flee to the United States. I hope America will be safer for me. (1972)</p>	<p>My name is Avrom Roginsky. I live in the Soviet Union. Because I am Jewish, I have trouble finding work and getting higher education. I want to leave the country and go to the United States, but the government refuses to let me leave. Some American Jews have heard of my case and are pressuring the U.S. and Soviet governments to help me leave. Hopefully, they will succeed soon! (1973)</p>
<p>My name is Mai Vuong, and I am from Vietnam. My father fought for the Americans during the war. When the Americans left, we also had to flee the country. We were afraid the Communist government would kill us for fighting against them. Now we have to start our lives all over again in a new country. (1975)</p>	<p>My name is Fikile Nyathi, and I am from South Africa. As a black man living under apartheid, I had very few rights, but I still considered myself South African. Last year, however, the government decided that I really belonged to a new country, Ciskei, which they invented and made independent. They stripped me of my South African citizenship. I left as soon as I could for the United States. If I cannot be a citizen of my own country, I will at least live somewhere I can be treated equally. (1981)</p>
<p>My name is Augusto Flores, and I am from El Salvador. I belong to a trade union, and since the start of our civil war five years ago, I have seen all of the leaders of our union killed by government death squads. The courts never did anything to bring the perpetrators to justice. I worry if I stay that I will suffer the same fate as my friends. How can the death squads be stopped if they are never punished for the murders they commit? I will be safer in the United States. (1985)</p>	<p>My name is Jodh Singh, and I am from India. I am Sikh, a religious minority. Sikhs have been fighting the Indian government for two years now, ever since they invaded our most holy temple and killed one of our leaders. I am not a fighter, but because I support Sikh autonomy, the police in Punjab harass me. Even when I moved to another part of India, the government monitored me and my family. I want to move to the U.S. where I will no longer be tracked. (1986)</p>
<p>My name is Sun Hi Jackson, and I was adopted as a small child from South Korea. My adoptive parents came for the Seoul Olympics and fell in love with the Korean culture and people. They adopted me the following year. I love my new family. When I am older, we are going back to South Korea so I can see my homeland again. (1988)</p>	<p>My name is Zhang Hao, and I came to the United States from China after the Tiananmen Square massacre. I was one of the student protestors in the square. All we wanted was a chance to speak freely and maybe even elect some of our leaders. Instead, the government sent in tanks and soldiers. I believed that I would be killed if I stayed in China, but here in the United States I can tell my story and make sure people know the truth about what happened. (1989)</p>

PUSH AND PULL SCENARIOS

<p>My name is Nathan Snow, and I am from Canada. After the North American Free Trade Agreement (NAFTA) was signed last year, I moved to the United States using one of the special visas available for Canadians. I am excited to be working for a major software company and earning more money than I could in Canada. Maybe someday I will go home, but I am happy here right now. (1995)</p>	<p>My name is Oscar Martínez, and I am from rural Mexico. My family lives in extreme poverty. After the peso was devalued last year, my wages were worth almost nothing and there were no government programs to help us buy food. My village has no access to electricity, water, or sanitation. I am sick of living in such poverty. I want to move to the United States where I can earn a decent living and get clean water right in my own house. (1995)</p>
<p>My name is Jomar Carrasco, and I am from the Philippines. I came to the United States to join my children, who have been living and working here for years. I am looking forward to retirement and spending time with my grandchildren. It will be nice to finally have some time to relax! I look forward to a new millennium in a new country. (1999)</p>	<p>My name is Hirut Tadesse, and I am from Ethiopia. I am Oromo, an ethnic group with its own culture and language. If I speak Oromo in public, people harass me. You cannot get a job if you speak Oromo, and musicians are arrested for playing Oromo music. I do not want to be forced to give up my cultural identity just to survive, so I am leaving for the United States. (2001)</p>
<p>My name is Alejandro Morales, and I used to live in Colombia. I was a member of the local teachers union. After President Uribe was elected, he promised to disarm the paramilitaries that used to kill union members. He did not succeed. I continued to receive death threats from people accusing me of being a terrorist for joining a union, and other union members were killed. I left for the United States, but I hope someday I can return to a safer Colombia. (2003)</p>	<p>My name is Wirat Kunchai, and I am from Thailand. I was brought to the United States as a guest worker on a Hawaiian farm. When I arrived, they took my passport and made me stay in filthy, overcrowded housing without enough food to eat. They said if I complained or tried to leave, I would be deported. I was never paid the money they promised me. The government found out and arrested my boss for human trafficking. I got a special visa as a victim of trafficking to stay in the U.S. permanently. (2007)</p>
<p>My name is Chen Bo, and I am from China. After my sister lost her only son in the Sichuan earthquake, I started blogging about how many of the deaths were the result of corrupt officials who cared more about money than about the Chinese people. The government started monitoring everything I did online, even reading my private emails. Other internet activists were arrested and disappeared and I was afraid I would be next, so I came to the United States. (2008)</p>	<p>My name is Mona Alizadeh, and I am from Iran. I was accused of adultery by a neighbor who has never liked me. In court, my testimony was worth only half of his, because I am a woman. I could have been put to death! Luckily, my father and uncles all supported me, and I was found innocent. I am leaving for the United States, where I believe I will be free. (2010)</p>

STORY ANALYSIS CARDS

<p>Step One: Identify the push and/or pull factors in the story:</p> <p>Step Two: Which articles of the Universal Declaration of Human Rights relate to the push and pull factors you have identified?</p>	<p>Step One: Identify the push and/or pull factors in the story:</p> <p>Step Two: Which articles of the Universal Declaration of Human Rights relate to the push and pull factors you have identified?</p>
<p>Step One: Identify the push and/or pull factors in the story:</p> <p>Step Two: Which articles of the Universal Declaration of Human Rights relate to the push and pull factors you have identified?</p>	<p>Step One: Identify the push and/or pull factors in the story:</p> <p>Step Two: Which articles of the Universal Declaration of Human Rights relate to the push and pull factors you have identified?</p>

PUSH AND PULL SCENARIOS

Name	Push and Pull Factors	UDHR Articles
Abigail Taylor	discrimination against Dissenters; home attacked; no freedom of religion	2, 12, 18
Dáire McCormack	inadequate standard of living	25
Franz Hecker	political repression; no right to vote	19, 21
Marcel Durand	economic opportunity	23, 25
Santiago Muñoz	right to own property; right to choose nationality	15, 17
Mattias Nilsson	economic opportunity	23, 25
Heinrich Braun	discrimination against Catholics; no freedom of religion; no right to education	2, 18, 26
Chou Jing Yi	family	16
Robert O'Connor	arbitrary arrest; no freedom of association; inadequate standard of living	9, 20, 25
Antonio Souza	family; better education	16, 26
Ryo Nakamura	economic opportunity	23, 25
Sara Warszawski	discrimination against Jews; no freedom of religion; life at risk	2, 3, 18
José Ortega	life at risk	3
Kayaneh Levonian	discrimination against Armenians; life at risk	2, 3
Istvan Lantos	unfair trial; no presumption of innocence; life at risk	3, 10, 11
Marta Novy	discrimination against Germans; no right to choose government; no right to culture	2, 21, 27
Pyotr Stepanov	denial of nationality	15
Mehmet Karagioules	discrimination against Muslims; no freedom of religion; denial of nationality	2, 15, 18
Gino Filippone	anti-union repression	23
Agnes Rosen	discrimination against Jews; denial of cultural participation	2, 18, 27
Gabriel Rodríguez	economic opportunity	23, 25
Rose Null	family	16
Ferenc Nagy	no freedom of speech/opinion	19
Celia Pérez	property confiscated	17
Arva Placencio	no freedom of association; arbitrary arrest; torture	5, 9, 20
Avrom Roginsky	discrimination against Jews; no freedom of religion; no freedom of movement	2, 13, 18
Mai Vuong	life at risk	3
Fikile Nyathi	discrimination against blacks; denial of nationality	2, 15
Augusto Flores	anti-union violence; no effective remedy; life at risk	3, 8, 23
Jodh Singh	no freedom of religion; government surveillance; discrimination against Sikhs	2, 12, 18
Sun Hi Jackson	family (adoption)	16
Zhang Hao	no freedom of speech or right to vote; life at risk	3, 19, 21
Nathan Snow	economic opportunity	23, 25
Oscar Martínez	no safety net; inadequate standard of living	22, 25
Jomar Carrasco	family; relaxation	16, 24
Hirut Tadesse	discrimination against Oromo; denial of cultural participation	2, 27
Alejandro Morales	death threats; anti-union repression	3, 23
Wirat Kunchai	slavery; unsafe working conditions	4, 23
Chen Bo	lack of freedom of speech; government surveillance; arbitrary arrest	9, 12, 19
Mona Alizadeh	life at risk; unfair trial; discrimination against women	2, 3, 7, 10

TIMELINE OBSERVATIONS

Write down four push or pull factors that you see on the wall (for example, economic opportunity, or freedom from persecution). Keep a tally of how many times those factors appear as you walk along the timeline.

- | | |
|----|-------------|
| 1. | Total _____ |
| 2. | Total _____ |
| 3. | Total _____ |
| 4. | Total _____ |

Write down the name of one person whose story caught your attention. What did you find interesting about the story?

Write down one of the countries of origin that you saw in the early part of the timeline. Also write down a country of origin from the end of the timeline. Are they from the same part of the world? What might have changed to cause different parts of the world to immigrate in different time periods?

Which human rights violation on the timeline most disturbed you? Was it something unique to a particular time, or did you see it happen in more than one time period?

IMMIGRATION BY DECADE AND REGION

The following data tables show how many immigrants came to the United States from various regions of the world in a given decade. The region with the highest immigration for that decade is highlighted.

Region of last residence	1820-1829	1830-1839	1840-1849	1850-1859	1860-1869
<i>Total</i>	128,502	538,381	1,427,337	2,814,554	2,081,261
Northern and Western Europe	95,945	416,981	1,364,950	2,599,397	1,851,833
Southern and Eastern Europe	3,327	5,790	4,309	20,283	25,893
Asia	34	55	121	36,080	54,408
Americas	9,655	31,905	50,516	84,145	130,292
Africa	15	50	61	84	407

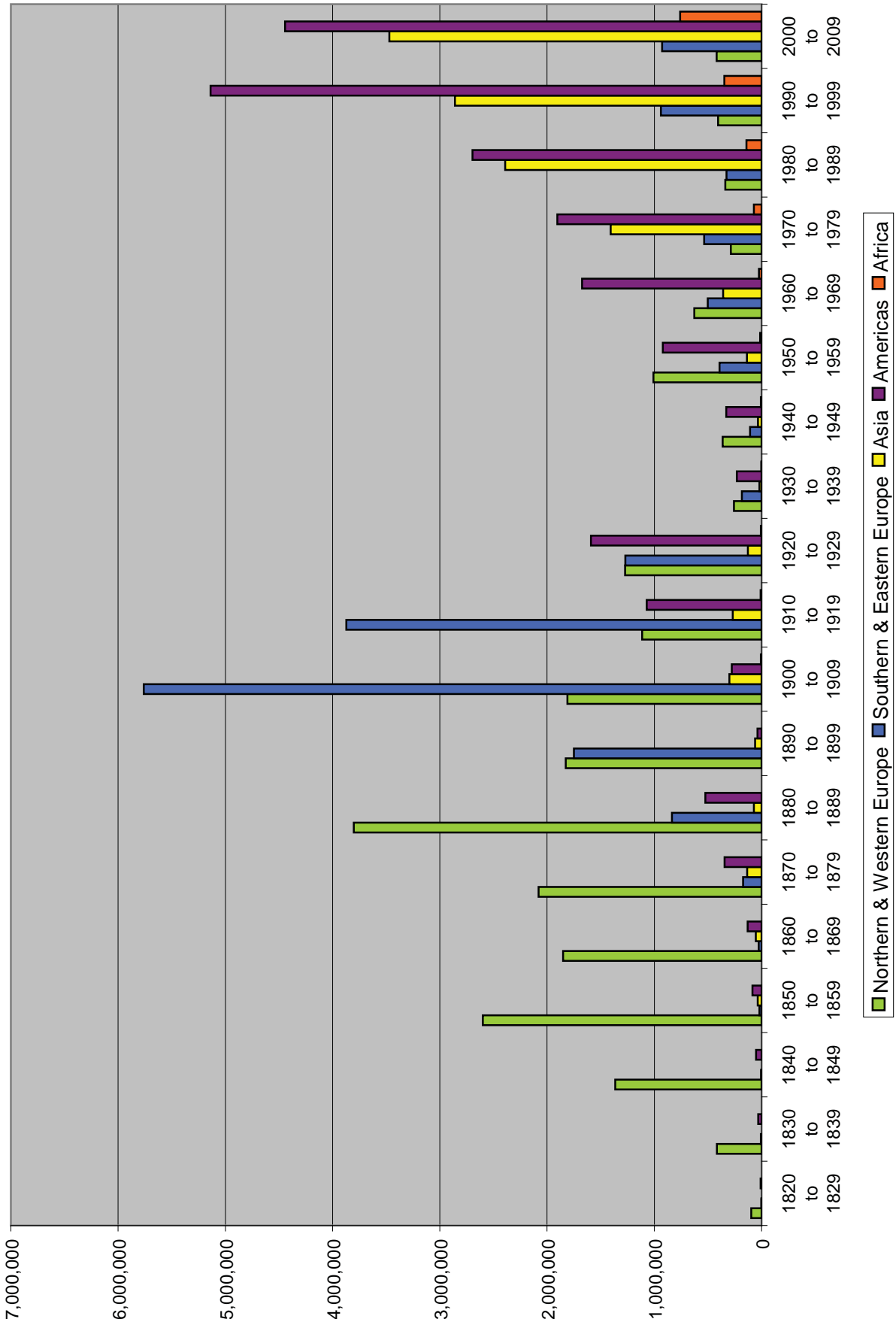
Region of last residence	1870-1879	1880-1889	1890-1899	1900-1909	1910-1919
<i>Total</i>	2,742,137	5,248,568	3,694,294	8,202,388	6,347,380
Northern and Western Europe	2,078,952	3,802,722	1,825,897	1,811,556	1,112,638
Southern and Eastern Europe	172,926	835,955	1,750,514	5,761,013	3,872,773
Asia	134,128	71,151	61,285	299,836	269,736
Americas	345,010	524,826	37,350	277,809	1,070,539
Africa	371	763	432	6,326	8,867

Region of last residence	1920-1929	1930-1939	1940-1949	1950-1959	1960-1969
<i>Total</i>	4,295,510	699,375	856,608	2,499,268	3,213,749
Northern and Western Europe	1,273,297	257,592	362,084	1,008,223	627,297
Southern and Eastern Europe	1,270,121	184,369	108,210	391,827	501,836
Asia	126,740	19,231	34,532	135,844	358,605
Americas	1,591,278	230,319	328,435	921,610	1,674,172
Africa	6,362	2,120	6,720	13,016	23,780

Region of last residence	1970-1979	1980-1989	1990-1999	2000-2009
<i>Total</i>	4,248,203	6,244,379	9,775,398	10,299,430
Northern and Western Europe	287,127	339,038	405,922	418,038
Southern and Eastern Europe	535,634	327,259	938,720	926,896
Asia	1,406,544	2,391,356	2,859,899	3,470,835
Americas	1,904,355	2,695,329	5,137,743	4,442,226
Africa	71,408	141,990	346,416	759,742

Source: Office of Immigration Statistics, Department of Homeland Security, *2010 Yearbook of Immigration Statistics*, "Table 2" (Washington DC: August 2011), http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2010/ois_yb_2010.pdf.

IMMIGRATION BY DECADE AND REGION



Bar graph from data tables on previous page.

WORLD EVENTS AND IMMIGRATION TIMELINE

1790	Naturalization Act: Only “free white persons” of “good moral character” can become naturalized citizens of the United States
1840s	Crop failures in Germany and Ireland
1848-49	Failed revolutions across Europe, especially in Germany and Austria-Hungary
1848	Treaty of Guadalupe Hidalgo: Ends Mexico-American War; treaty gives American citizenship to Mexicans who choose to stay in United States after the war
1849	California Gold Rush
1850s	Introduction of steamship reduces time and hardship of ocean travel
1852	California imposes tax on all foreign miners (greatly impacts Chinese and Mexican immigrants)
1860s	Increase of Chinese workers to build railroads and gold mines; anti-Chinese backlash includes riots, burning Chinatowns, and driving Chinese residents out of towns and cities
1861	Civil War begins in United States, slowing immigration
1862	Homestead Act: Offers free land to citizens and immigrants intending to become U.S. citizens
1882	Chinese Exclusion Act: Prevents all Chinese from entering the United States
1892	Ellis Island opens as a port for receiving immigrants
1900s	Economic problems, overpopulation, lack of jobs, and religious persecution of Jews in Europe
1907	Gentlemen’s Agreement of 1907: Informal arrangement to limit immigration from Japan
1910-20	Mexican Revolution
1914-18	World War I interrupts international travel
1921	Emergency Quota Act: Drastically reduces number of immigrants from eastern and southern Europe allowed to enter the United States
1924	Immigration Act: Introduces permanent quota system designed to prevent any major change in the racial and ethnic makeup of the U.S. population
1929	Stock market crashes, causes economic slump throughout United States
1939-45	World War II in Europe
1942	Bracero Program started: U.S. employers replace men fighting in the war with temporary contract laborers from Mexico; abuse and exploitation is common
1943	Chinese Exclusion Act repealed
1959-75	Vietnam War causes large numbers of Southeast Asians to flee as refugees
1965	Immigration and Nationality Act: Repeals long-standing ethnic quota system and gives priority to family reunification
1980	Refugee Act: Creates new visas for people fleeing persecution in their home country
1989	Fall of Berlin Wall in Germany and end of Soviet Union
1990	Immigration Act: Increases legal immigration ceilings by 40 percent
1994	Mexican peso collapses in value, causing a severe economic recession in Mexico
1996	Illegal Immigration Reform and Immigrant Responsibility Act: Increases penalties for undocumented immigration and establishes mandatory detention and deportation in a wide range of cases
2000s	Multiple violent conflicts break out or intensify across Africa
2001	New immigration controls in the aftermath of Sept. 11 attack on the World Trade Center

Sources: PBS, “U.S. Immigration Timeline (abridged),” <http://www.pbs.org/its/thecity/america1.html>; Harvard University Library Open Collections Program, “Key Dates and Landmarks in United States Immigration History,” <http://ocp.hul.harvard.edu/immigration/timeline.html>; Krista M. Perreira, “Immigration Timeline,” University of North Carolina at Chapel Hill, <http://www.unc.edu/~perreira/198timeline.html>.

HISTORICAL ANALYSIS

1. Using the world timeline and the data table about immigration to the United States, list events that may have led to either a decrease or increase in immigration to the United States. For example, immigration from Northern and Western Europe began to rise in the 1840s, at the same time that Germany and Ireland both experienced crop failures, driving people to leave those countries to avoid starvation.

Events that increased immigration	Events that decreased immigration

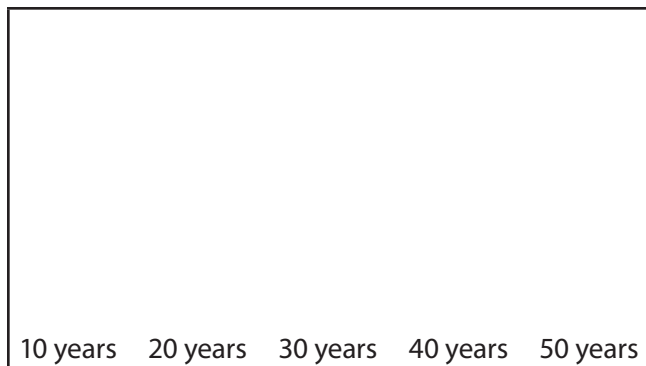
2. Between 1810 and 1910, what were some of the strongest pull factors for immigrants coming to the United States?

3. Between 1830 and 1900, the greatest number of immigrants came from northern and western Europe. From where did most immigrants come between 1900 and 1920?

4. Why do you think immigration to the U.S. decreased so much between 1910 and 1930?

5. What international events may have caused the huge increase of immigrants coming to the U.S. after 1980?

6. In the box below, draw a simple bar graph of what you think the next fifty years of immigration might look like on a chart (see *Handout 4* for an example). Write a brief explanation next to your chart that includes the events or push and pull factors that might affect immigration trends.



Explanation:

HISTORICAL ANALYSIS

1. Using the timeline and the data about immigration to the United States, list world events that may have led to either a decrease or increase in immigration to the United States. For example, immigration from Northern and Western Europe began to rise in the 1840s, at the same time that Germany and Ireland both experienced crop failures, driving people to leave those countries to avoid starvation.

Events that increased immigration	Events that decreased immigration
<i>Religious and ethnic persecution in other countries</i>	<i>Restrictive immigration laws</i>
<i>Economic slumps in other countries</i>	<i>U.S. economic depressions</i>
<i>U.S. economic opportunities and booms</i>	<i>Civil War and World Wars</i>
<i>Permissive immigration laws</i>	

2. Between 1810 and 1890, what were some of the strongest push and pull factors for immigrants coming to the United States?

Crop failures in Europe, such as the Irish potato famine, pushed many Europeans to migrate to find jobs and to be able to feed their families. Political unrest and repression also encouraged people to leave. The United States attracted immigrants because of the economic opportunities created by the Gold Rush, the Homestead Act and the construction of the transcontinental railroads.

3. Between 1830 and 1900, the greatest number of immigrants came from northern and western Europe. From where did most immigrants come between 1900 and 1920?

Southern and eastern Europe.

4. Why do you think immigration to the U.S. decreased so much between 1910 and 1930?

The dangers and difficulties of traveling during World War I reduced immigration, which was restricted even further by discriminatory anti-immigrant legislation passed in the 1920s.

5. What events may have caused the huge increase of immigrants coming to the U.S. after 1980?

The end of the Cold War opened up the borders of formerly Communist countries, allowing more people to immigrate. U.S. immigration laws became less restrictive, with the 1965 Immigration and Nationality Act abolishing ethnic quotas and the 1980 Refugee Act providing a way for people facing political, religious, or ethnic persecution to seek safety in the United States.

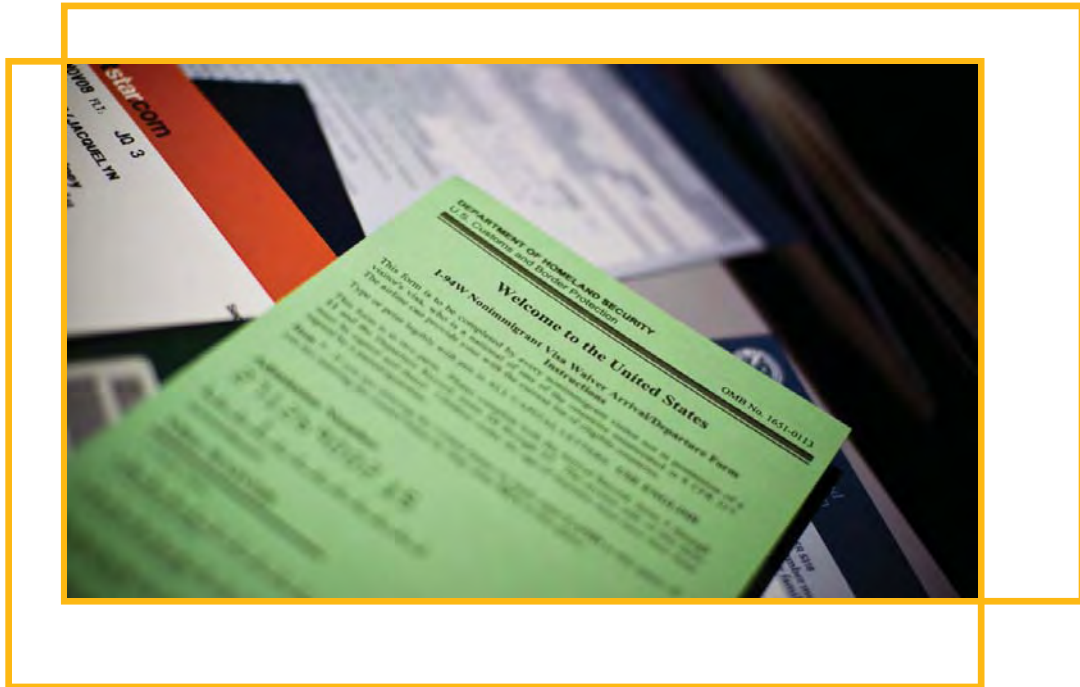
6. In the box below, draw what you think the next fifty years of immigration might look like on a chart (see *Handout 4* for an example). Next to your chart, explain why you drew the chart the way you did; what events might influence how your chart looks; and what kind of push or pull factors might affect immigration trends.

Expect many different kinds of charts here

10 years 20 years 30 years 40 years 50 years

Explanation:

Students should list factors that might cause immigration to increase or decrease, such as wars, economic booms, or depressions, new immigration laws, environmental changes, and others.



LESSON 5

U.S. Immigration Policy

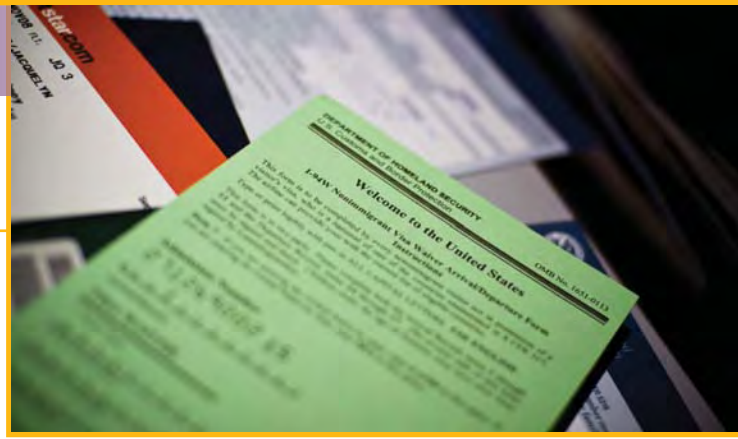
This bill says simply that from this day forth those wishing to immigrate to America shall be admitted on the basis of their skills and their close relationship to those already here.

This is a simple test, and it is a fair test. Those who can contribute most to this country — to its growth, to its strength, to its spirit — will be the first that are admitted to this land.

~ Lyndon B. Johnson, "Remarks at the Signing of the Immigration Bill" (1965)

LESSON 5

U.S. Immigration Policy



Goal

- » Understand how people can immigrate to the United States and how the immigration system can affect human rights.

Objectives

- » Students will learn key facts about contemporary immigrants to the United States.
- » Students will understand the basic categories of immigrants admitted to the United States.
- » Students will evaluate the current U.S. immigration system from a human rights perspective.

Essential Questions

- » How does the U.S. immigration system work?
- » What are the system's effects on the rights of immigrants?

Key Skill

- » Applying legal rules to real-life situations (Activities 2 & 3).

Teacher Advisory

Please read the Advisory on Immigration Status on page 20 before beginning this lesson.





Materials

- Handout 1: Stand Up Cards*
- Handout 2: How to Immigrate to the United States fact sheet*
- Ch. 5 PowerPoint: How to Immigrate (Download online.)*
- Handout 3: What Part of Legal Immigration Don't You Understand?*
- Handout 4: How Long Will it Take?*
- Answer Key: How Long Will it Take?*
- Handout 5: Immigration Rules*
- Handout 6: Immigrant Identities*
- Answer Key: Teacher Guide to Waiting in Line*
- Handout 7: Reforming the System*
- Masking tape (optional)

Time Frame

3-4 class periods

Vocabulary

-  asylum seeker
-  citizen
-  employment-based immigration
-  family-based immigration
-  green card
-  immigrant
-  Lawful Permanent Resident
-  naturalize
-  refugee
-  visa

Stand Up and Be Counted!

Procedure:

1. Prepare. Before class, cut out three cards for each student in the class from *Handout 1: Stand Up Cards*. The cards use symbols, letters, and numbers to represent demographic information about lawful permanent residents (green card holders) in the United States. The tables below show how to divide the papers for a class of 40, 30, and 20. Use the percentages given to adjust the numbers for other class sizes. After cutting out all the papers, put a sticker or large colored dot on 12% of the pieces of paper (5 in a class of 40).

Symbol	Class of 40	Class of 30	Class of 20	Percentage	Where They Came From
@	5	4	3	13%	2010 immigrants from Mexico
#	3	2	2	7%	2010 immigrants from China
!	2	2	1	6%	2010 immigrants from India
~	2	1	1	5%	2010 immigrants from Philippines
*	28	21	13	69%	2010 immigrants from all other countries

Number	Class of 40	Class of 30	Class of 20	Percentage	Where They Live Now
1	8	6	4	20%	2010 immigrants living in California
2	6	4	3	14%	2010 immigrants living in New York
3	4	3	2	10%	2010 immigrants living in Florida
4	3	2	1	9%	2010 immigrants living in Texas
5	19	15	10	47%	2010 immigrants living in all other states

Letter	Class of 40	Class of 30	Class of 20	Percentage	How They Immigrated
A	19	14	10	46%	2010 immigrants joining U.S. citizen spouses, parents, or adult children
B	8	6	4	21%	All other 2010 immigrants joining family members
C	6	4	3	14%	2010 immigrants sponsored by employers
D	5	4	2	13%	2010 immigrants fleeing political, religious, or ethnic persecution
E	2	2	1	5%	2010 immigrants coming through the diversity lottery

Source: U.S. Department of Homeland Security, Office of Immigration Statistics, Tables 2, 4, and 6, *Yearbook of Immigration Statistics 2010*, (August 2011), http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2010/ois_yb_2010.pdf.

2. Distribute. As they enter the room, provide each student with one card from each of the three categories. Explain to the students that they now represent the population of legal permanent residents, or green card holders, that entered the United States in 2010. Have the class sit as they normally would in their seats.

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Stand Up and Be Counted!

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3. Stand. Ask students to stand and organize themselves in groups based on the symbol on their cards. Tell students that they represent the countries that people emigrated from in 2010. Have each group guess which country they originate from, and have them state how they came to that conclusion, based on their own knowledge of immigration. Give students one to two minutes to discuss their answer, and then ask each group to explain to the class why they think they represent a particular population and any disagreements they had about that choice. If students need assistance in guessing, write the answers on the board (Mexico, China, India, Philippines, All Other Countries) and have them choose from the list. Once students have shared their answers, provide them with the correct choices from the table above. If students are curious about the origins of immigrants coming from “All Other Countries,” provide them with the following regional breakdowns: 40% from the Americas, 31% from Asia, 14% from Africa, 13% from Europe, and 1% from Oceania.

Next, have students sort themselves into groups based on the number on their paper, and tell them they now represent the states where the newly-arrived immigrants live. Have them repeat the same guessing game as before, listing the possible answers if needed on the board.

Next, have students sort themselves by the letter on their paper, and tell them they now represent how people immigrated to the United States (in other words, the reason they were admitted under U.S. immigration law). This guessing game might be especially hard for students, so write the possible answers on the board (see table on page 73).

Finally, highlight the difference between annual entries and the total U.S. foreign-born population. Explain that the whole class now represents the total population of the United States. Ask the students with stickers or colored dots on their piece of paper to stand up, and have the class guess what group these students represent. Explain that these students represent ALL the foreign-born residents of the United States in 2009. If the class wanted to show the percentage of immigrants that came in a single year relative to the population of the United States, no one would stand up because it is less than 1% (i.e. it would be a fraction of a student).

4. Reflect. Provide a moment for the class to reflect on what they learned in the activity using the following discussion questions:

Questions for Discussion

- ? What immigration statistic surprised you the most?
- ? Did you have any questions about the facts or further information you want to research?

Understanding the Immigration System

Procedure:

1. Present. Give students an overview of the U.S. immigration system. Download the PowerPoint that accompanies Lesson 5 by visiting the online version of this curriculum at www.energyofanation.org and selecting "Education."

Students can also study *Handout 2: How to Immigrate to the United States*, which contains much of the same information as the PowerPoint. As you present, ask students to write down key vocabulary words in their notebooks. By the end of the presentation, students should have an idea of the main ways that immigrants come to the United States and some of the problems associated with our current immigration system.



2. Apply. If you haven't done so already, give students *Handout 2: How to Immigrate to the United States*, as well as *Handout 3: What Part of Legal Immigration Don't You Understand?*, and *Handout 4: How Long Will it Take?* Have students form pairs and fill in the answers to the scenarios based on the fact sheet and cartoon. As a class, go over the answers together. An answer key is provided on page 89.

Waiting in Line Game

Procedure:

1. Prepare. In this game, students role-play the experiences of people attempting to immigrate to the United States. Some of the students will be border agents who decide who can enter the country or lawyers who provide assistance to immigrants. The remaining students will be prospective immigrants from different countries. Print four to six copies of *Handout 5: Immigration Rules* to give to the border agents and lawyers. Cut out story cards for the rest of the students from *Handout 6: Immigrant Identities*. Set up the classroom so that there is a large open space in the middle. Lay down a long piece of masking tape or set up four or five chairs down the middle of the room to serve as the “border” for the game.

2. Explain. Tell students that they will now be taking on the identity of someone in the immigration system. Choose three or four students to be border agents, and one or two students to be lawyers. Give them each *Handout 5: Immigration Rules* and ask them to read the instructions silently. They can gather in a group and discuss the rules in order to understand them better, but they should talk quietly so that the other students cannot overhear.

Give each of the remaining students a story card and explain that they will be playing the role of people hoping to immigrate to the United States. Ask them to familiarize themselves with their story. Although their story cards contain several facts about their character’s life, they must choose just one fact to tell the border agent. They must decide which part of their story is the most likely to grant them access to the United States. Explain that some students have identities that will allow them to immigrate very easily, while others will have to wait a few minutes before entering the country, and others may not have a way to immigrate legally at all.

Answer any questions that the students have about their roles or the rules of the system before moving on with the simulation.

3. Play the game. Have the border agents stand or sit on the border in the middle of the room. Students who want to immigrate can go to any of the agents and tell them **one** fact from their card. If the fact does not fit with the rules the border agents were given, the person is not allowed to immigrate and must go to the back of the line and try again with a different fact from their card. Students who are given waiting times should stand to one side of the border agents until their time is up.

Students wanting to immigrate can ask the lawyers for assistance with their case. The immigrants should read their story cards to a lawyer, who can tell them what fact to use with the border agents. The immigrant cannot talk to the lawyer while waiting in line – the consultation must happen first, and then the immigrant can get in line. If students are having difficulty with a particular identity or rule, consult the answer key on page 94 for who is eligible to enter and why.

Stop the activity after 5-10 minutes (once some, but not all, of the students have managed to immigrate). Some students may find that they could not cross during the activity, either because their



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Waiting in Line Game

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wait was too long or because they were not eligible to enter the country. Remind students that this is a reality in the immigration system: the wait time for certain visas is so long that people from certain countries must wait for decades before they have a chance of entering the United States, and many people cannot immigrate at all.

Before students leave their places in the game, ask a few of the immigrant students to read their country and a statement or two from their card. Choose students in all the stages of the process: successful immigrants, those serving wait periods, those in line with immigration, and those denied entry.

4. Debrief. Discuss the game as a class using the following questions:

Questions for Discussion

- ? Was it difficult to decide how to tell your story to the border agent?
- ? Which reasons for entering the country did the border agents accept? Which reasons did they reject?
- ? Which countries had a long wait time? Why might that be?
- ? Did the border agents ever feel uncomfortable rejecting someone who wanted to immigrate? Which stories were hard to reject?
- ? For those of you with a long wait time, how did it feel when people from other countries were able to enter the country much faster than you?
- ? For those of you who could not enter the United States during the time allowed for the activity, how did that make you feel? What would you do if you were in that position in real life?
- ? Based on this game, do you think the process of immigrating to the United States is fair to everyone?

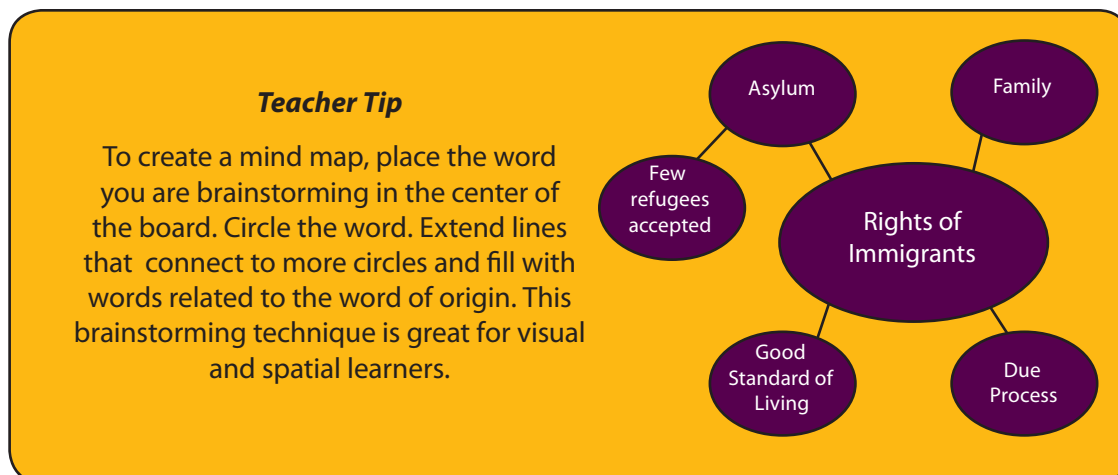
Improving the System

Procedure:

1. Review. Have students review the human rights that might be especially important to immigrants (from Lesson 3, Activity 1). Help students generate the following list of human rights that are particularly likely to be affected by the rules of the immigration system:

- Right to family
- Right to asylum
- Right to due process and equal protection of the law
- Right to an adequate standard of living

2. Analyze. Using their experience in the “Waiting in Line” game they just completed, ask students how these four important human rights are or are not being well protected by the current U.S. immigration system. Create a mind map on the board connecting the rights with different examples showing how they are protected or violated.



3. Be the government. Based on their human rights analysis, ask students to write for 15-20 minutes about how they would change the U.S. immigration system to better protect human rights. Give them *Handout 7: Reforming the System* to help guide their thinking. After each student is finished, go through the handout as a class and write down student suggestions for each area, then discuss the results.

Questions for Discussion

- ? What reforms or changes were particularly popular or common suggestions? Why?
- ? What proposed changes do you disagree with? Why?
- ? How would these changes help protect the rights of immigrants?
- ? Would these changes help or hurt the current population of the United States?
- ? What problems could the proposed changes potentially cause?

STAND UP CARDS

*	*	*	*
*	*	*	*
*	*	*	*
*	*	*	*
*	*	*	*
*	*	*	*
*	*	*	*
*	*	*	*
*	*	*	*
@	@	@	@
@	#	#	#
!	!	~	~

STAND UP CARDS

1	1	1	1
1	1	1	1
2	2	2	2
2	2	3	3
3	3	4	4
4	5	5	5
5	5	5	5
5	5	5	5
5	5	5	5
5	5	5	5

STAND UP CARDS

A	A	A	A
A	A	A	A
A	A	A	A
A	A	A	A
A	A	A	B
B	B	B	B
B	B	B	C
C	C	C	C
C	D	D	D
D	D	E	E

HOW TO IMMIGRATE TO THE UNITED STATES



U.S. immigration laws govern who can come to this country, how long they can stay, and the benefits and privileges they enjoy while they are here. While over 30 million people come to the U.S. each year, the vast majority are here only temporarily.¹ Less than 3% of all people coming to the U.S. each year have a status that will allow them to stay permanently.²

People coming to the U.S. generally must have a passport issued by their country of nationality and a visa issued by the United States. The government issues “non-immigrant” visas to people who want to come to the United States temporarily (such as a tourist). “Immigrant” visas, are issued to people intending to live permanently in the United States. Individuals from certain countries (known as “visa waiver countries”) do not have to obtain a visa before visiting the U.S. for up to 90 days. Visa waiver countries include most European countries, Australia, New Zealand, Japan, Singapore, and South Korea.³

Immigration by the Numbers

INTERESTING STATISTICS:

73,293: Refugees admitted to the United States.⁴

1,042,625: Number of people obtaining legal permanent resident status in the United States.⁵

42,813,281: Estimated number of migrants in the United States.⁶

213,943,812: Estimated number of migrants worldwide.⁷

TOP FIVE COUNTRIES OF ORIGIN:⁸

- Mexico (139,120)
- China (70,863)
- India (69,162)
- Philippines (58,173)
- Dominican Republic (53,870)

TOP FIVE COUNTRIES OF ORIGIN FOR REFUGEES:⁹

- Iraq (18,016)
- Burma (16,693)
- Bhutan (12,363)
- Somalia (4,884)
- Cuba (4,818)

CALIFORNIA: State with the most immigration.¹⁰

WYOMING: State with the least immigration.¹¹

(Note: All statistics from 2010.)

Temporary (Non-immigrant) Status

People can come to the United States temporarily for many different purposes, but all forms of temporary status have specific restrictions and requirements. For example, a person admitted as a student must maintain full-time enrollment.¹² A person admitted as a temporary professional worker may work only in the position, and for the employer, specified in the visa petition.¹³ If a student fails to maintain a full course load or the worker takes an additional part-time job, they are deportable.

Some kinds of temporary status depend on the circumstances in a person’s home country. For instance, if there is a humanitarian crisis in a person’s home country that would make it dangerous for them to return, the United States may allow them to stay until the situation in their home country improves.¹⁴

Most people living temporarily in the United States cannot obtain legal permanent residency, and are expected to leave when their period of authorized stay ends.¹⁵ People who fail to leave when their status expires are part of the United States’ undocumented population; they have “overstayed” their visa. Almost half of all undocumented people came on a temporary status, but did not leave when required.¹⁶

Only two categories of non-immigrants have a path to permanent residency. Those admitted as fiancé(e)s must marry the U.S. citizen who petitioned for them within 90 days of entry and may then file an application for permanent resident status.¹⁷ Professional workers admitted temporarily may pursue immigrant visa petitions that will allow them to work permanently in the United States, but other temporary workers, such as seasonal or agricultural laborers, cannot.¹⁸

Legal Permanent Resident Status

In the last decade, around one million people became legal permanent residents of the United States each year.¹⁹ While this sounds like a large number, it is less than one half of 1% of the total U.S. population. A complicated formula determines the number of permanent resident visas available annually.

Getting legal permanent residency is a two-step process. First, applicants must fit into certain categories or they cannot legally immigrate to the United States. Only close family members of legal permanent residents or citizens, people with job offers, refugees and asylum seekers, winners of the diversity visa lottery, and certain particularly vulnerable groups are eligible to immigrate to the United States. Second, the person must be individually admissible. Even if an individual has immediate relatives or a job offer in the United States, they may have to wait for many years to become personally admissible or may never be allowed to immigrate. Considerations that can restrict a person’s ability to immigrate include certain crimes, posing a threat to national security, fraud, and previous immigration violations.²⁰

Following are the main avenues to immigrate permanently to the United States:

HOW TO IMMIGRATE TO THE UNITED STATES

1. Family

The majority of immigrants - over 60% - come to the U.S. on family-sponsored visas.²¹ Only spouses, children, parents, or siblings of U.S. citizens and spouses or children of lawful permanent residents may immigrate to the U.S. on family-sponsored visas. Of all immigrants who enter to be reunited with family, two thirds are the immediate relatives of U.S. citizens, namely spouses, unmarried minor children, and parents.²² There are no quotas on the number of immediate relatives of U.S. citizens who may immigrate to the U.S. in any given year.²³

The remaining immigrants fall into different categories based on their relationship to the petitioning family member, whether that family member is a citizen or legal permanent resident (LPR), and their country of origin. Combined, these factors determine how long the person must wait for an immigrant visa to the United States. The U.S. does restrict how many people can receive these family-sponsored visas in a given year. The current cap is 226,000 and the rules state that no more than 7% of available visas to be issued to citizens of a single country.²⁴ Over time, the overall family immigration cap and the individual country cap have resulted in long backlogs for people from certain countries who are trying to join their families in the United States.

The following table shows the wait times for different categories of family-based immigrant visas for applicants from different parts of the world.²⁵ In November 2010, U.S. Customs and Immigration Services was processing only those applications submitted before the following dates:

Family Preference Category	All Countries except those listed	Mexico	Philippines
Spouses, children under 21, parents (citizens)	N/A	N/A	N/A
Unmarried adult children (citizens)	February 15, 2006	December 22, 1992	April 1, 1997
Spouses and children under 21 (LPR)	June 1, 2010	March 1, 2010	June 1, 2010
Unmarried adult children (LPR)	June 1, 2005	June 22, 1992	September 1, 2002
Married children (citizens)	June 1, 2002	October 22, 1992	March 1, 1995
Siblings (citizens)	January 1, 2002	December 15, 1995	April 1, 1991

According to the chart, the married daughter of a U.S. citizen from Mexico who applied for a visa 18 years ago would only now be having her application processed.

2. Employment

People can also immigrate to the U.S. on employer-sponsored visas. On average, 15% of immigrants in the past decade came to the U.S. through an employer.²⁶ As with family-sponsored visas, prospective immigrants are divided into preference groups based on various factors: their skills and qualifications, the type of job they are filling, and their country of origin.

First preference: people with extraordinary ability (such as an Oscar or Olympic medal); outstanding professors or academics; executives of multinational companies.

Second preference: people with advanced degrees or equivalent experience; people with exceptional ability.

Third preference: skilled workers with at least two years experience; professionals with bachelor's degrees; unskilled workers (up to 5,000 per year).

Fourth preference: religious workers; employees of international organizations; certain people who worked for the U.S. government abroad.

Fifth preference: investors who invest at least \$1 million in a business and create 10 new jobs for U.S. workers, not including themselves and their family members.²⁷

HOW TO IMMIGRATE TO THE UNITED STATES

The U.S. government caps the total number of employer-sponsored visas allowed in a year at 140,000 and also limits each country to 7% of the total.²⁸ As part of the application process for an employer-sponsored visa, the employer usually must prove that they could not find a U.S. worker for the job by getting a labor certification from the Department of Labor.²⁹

The following table shows the wait times for different categories of employer-sponsored visas for applicants from different parts of the world.³⁰ In November 2010, U.S. Customs and Immigration Services was processing only those applications submitted before the following dates:

Employment Preference Category	All Countries except those listed	Mexico	India	China
First preference	no wait	no wait	no wait	no wait
Second preference	no wait	no wait	May 8, 2006	June 1, 2006
Third preference	January 22, 2005	May 1, 2001	January 22, 2002	November 22, 2003
Unskilled workers	April 1, 2003	May 1, 2001	January 22, 2002	April 1, 2003
Fourth preference	no wait	no wait	no wait	no wait
Fifth preference	no wait	no wait	no wait	no wait

3. Refugees and Asylum Seekers

Refugees and asylum seekers are people who are seeking protection in a new country after fleeing persecution in their country of origin. On average, 12% of immigrants in the past decade were either refugees or asylum seekers.³¹ The United States extends protection to them as a reflection of its commitment to political and religious liberty and racial tolerance. The difference between refugees and asylum seekers is that refugees apply for their status while they are still outside the United States, and asylum seekers apply once they are in the United States. Both refugees and asylum seekers must prove that they fear persecution in their home country, such as torture, imprisonment, or physical abuse, on the basis of one of the following:

- Race;
- Nationality;
- Political opinion;
- Religion; or
- Membership in a particular social group.³²

Examples of social groups protected under U.S. law:³³

- Women in cases of domestic violence
- Lesbian, gay, bisexual, or transgender individuals
- HIV+ individuals

In a refugee or asylum case, the burden of proof is on the applicant, who must be able to provide objective evidence or credible testimony to support his or her claim.³⁴

Not everyone who suffers persecution in another country is eligible for refugee status. The U.S. only accepts refugees who have either been referred by the UN High Commissioner for Refugees (UNHCR) or when the person is a member of a designated group or from a designated country. In 2011, for instance, the U.S. accepted applications from Burmese minorities living in Thailand or Malaysia, among others. People who belong to these groups still have to prove that they individually qualify as a refugee because of a fear of persecution on one of the five grounds previously mentioned. The U.S. caps the number of refugees it will accept annually. In 2011, that maximum was 80,000 refugees.³⁵

People who are not from one of the designated groups or countries and who cannot get a referral from the UNHCR can only receive protection if they travel to the U.S. and claim asylum once they arrive. Asylum seekers can either make an affirmative asylum claim by filing a form within a year of arriving in the U.S. or they can make a defensive asylum claim once they have been placed in deportation proceedings. Anyone in the U.S. can claim asylum whether they are here legally or not.³⁶

4. Diversity Visa

A small number of immigrants, on average 4% each year, receive their permanent residency through the diversity visa lottery.³⁷ This visa distributes 50,000 visas to applicants from countries that do not send many immigrants to the United States. An applicant must have a high school education or two years of work experience. People from high admission countries, such as Canada, Mexico, Brazil, China, India, the Philippines, and South Korea are not eligible for this "lottery."³⁸

HOW TO IMMIGRATE TO THE UNITED STATES

5. Vulnerable Groups

U.S. immigration laws offer special protections to certain groups of people, such as victims of domestic violence, trafficking, or crime; abandoned and neglected children; and people with special or long-term ties to the United States. A very small number of people each year can immigrate under these laws.³⁹

Citizenship

The U.S. government confers citizenship on three groups of people:

- People born in the United States;
- People born to U.S. citizen parents abroad; and
- People who naturalize (or whose parents naturalize before they turn 18).⁴⁰

To become a naturalized citizen, an individual must usually be a legal permanent resident first for at least five years, residing in the U.S. for half of that time. Naturalization requires passing an interview (in English), an English test, and a civics test, undergoing a background check, and taking an Oath of Allegiance.⁴¹ Naturalized citizens are entitled to all the same rights and privileges of a citizen at birth, except that they may not become President of the United States.⁴²

Undocumented Immigrants

U.S. immigration laws provide only a limited number of ways for people to immigrate permanently to the United States and limited numbers of visas for those who do qualify. The pathways to immigrate do not match the demand for timely family reunification, for workers to fill economic needs, and for protection from persecution. As a result, some people come without a visa or to overstay a temporary visa once they arrive; they are known as undocumented or illegal immigrants.⁴³ In 2009, the estimated undocumented population in the United States was 11.1 million, or 3.6% of the total population.⁴⁴

Enforcement and Deportation

Any person who is not a U.S. citizen can be detained and removed if they are found to have violated immigration laws. Undocumented people may be arrested and deported at any time if found by immigration officials. Refugees, permanent residents, and people on temporary visas all may be deported or refused permission to re-enter the U.S. if they violate the conditions of their visas. An estimated 1,012,734 family members were separated by deportation between 1997 and 2007.⁴⁵

Immigration Enforcement

The U.S. immigration enforcement system is an enormous operation. Increasingly, ICE cooperates with state and local law enforcement, leading to growing numbers of people being detained or deported. In fiscal year 2009, Immigration and Customs Enforcement (ICE) completed 387,790 deportations.⁴⁶ Customs and Border Protection (CBP) apprehended over 556,000 people between ports of entry and encountered over 224,000 inadmissible immigrants at ports of entry.⁴⁷

In addition to overseeing deportation proceedings, ICE operates the largest detention program in the United States, with a total of 378,582 non-citizens from 221 countries in custody or supervised by ICE in fiscal year 2008.⁴⁸ Many people, including arriving asylum seekers⁴⁹ and non-citizens convicted of certain crimes⁵⁰ face mandatory detention without a hearing by a court. People in detention may spend weeks or months in jail while they wait for their hearing or pursue an appeal.

Removal from the United States

In general, people accused of being in the United States in violation of immigration laws have a right to a hearing in front of an immigration judge. At the hearing, the judge decides whether there is sufficient evidence that the person is in the United States without permission or in violation of his or her immigration status. The judge also decides whether there is any defense the person can raise that will allow him or her to remain in the country. While U.S. law provides that people in removal proceedings have “the privilege of being represented,” representation must be “at no expense to the Government.”⁵¹ In approximately 57% of all removal cases in 2008, the accused immigrants did not have a lawyer.⁵²

U.S. immigration laws are strict. Undocumented people facing removal have few options to prevent deportation. An undocumented person who has lived in the U.S. for at least ten years, has “good moral character,” and whose deportation would result in *exceptional and extremely unusual* hardship to their U.S. citizen or lawful permanent resident children or spouse may apply for a waiver of deportation.⁵³ Victims of crimes, human trafficking, persecution, or domestic violence who are in removal proceedings generally may ask the judge for protection.

People removed from the United States are barred from returning for at least ten years; those removed because of an aggravated felony conviction are permanently barred from returning to the United States.

HOW TO IMMIGRATE TO THE UNITED STATES

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WHAT PART OF LEGAL IMMIGRATION DON'T YOU UNDERSTAND?

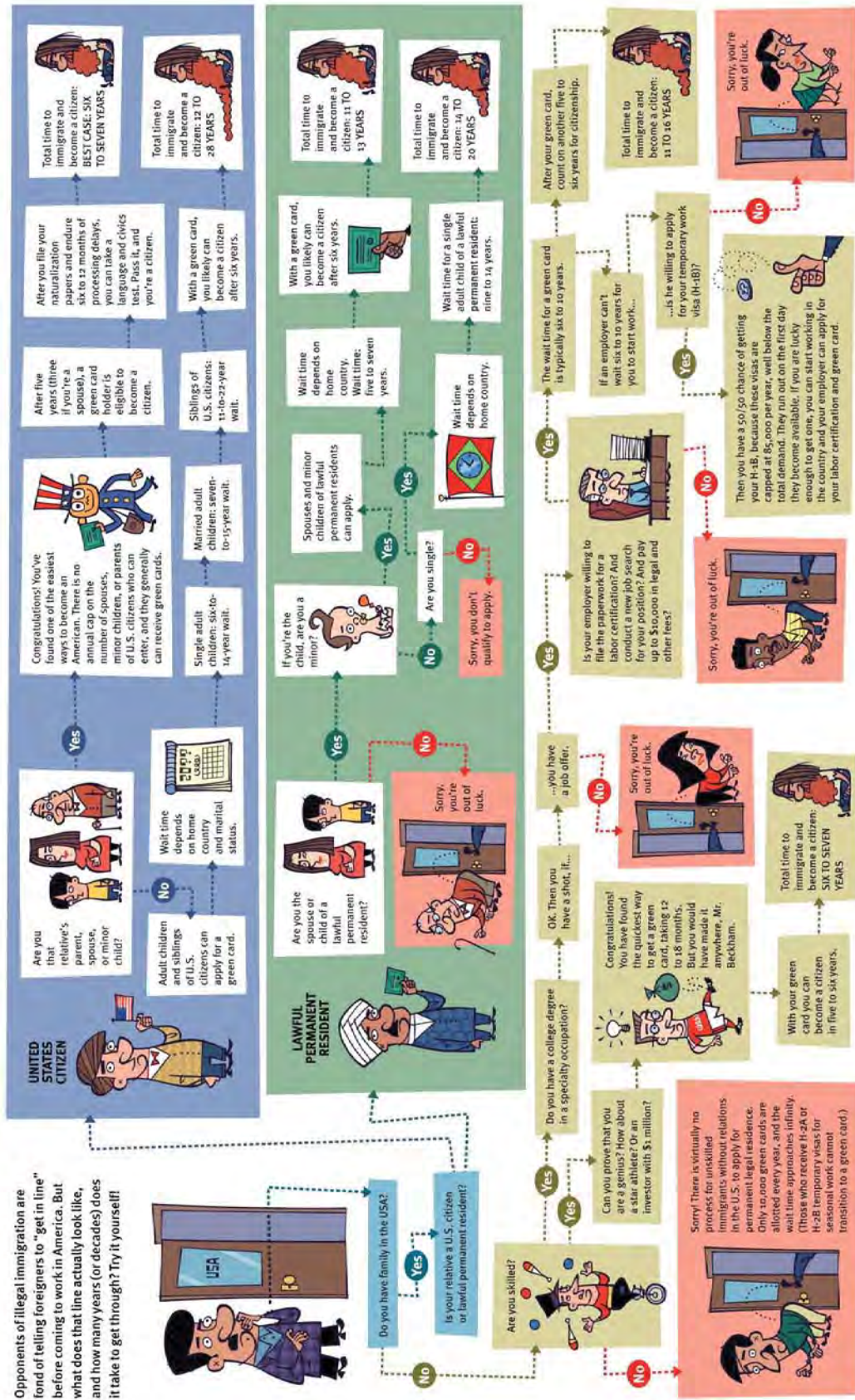
Reason magazine, October 2008 Issue

What Part of Legal Immigration Don't You Understand?

Mike Flynn and Shikha Dalmia

Illustrated by Terry Colon

Opponents of illegal immigration are fond of telling foreigners to "get in line" before coming to work in America. But what does that line actually look like, and how many years (or decades) does it take to get through? Try it yourself!



(Flynn is director of government affairs and Dalmia is a senior policy analyst at Reason Foundation. This chart was developed by Reason Foundation in collaboration with the National Foundation for American Policy.)

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HOW LONG WILL IT TAKE?

Students: In pairs, answer the following questions using the illustration ***What Part of Legal Immigration Don't You Understand?*** Because you don't know the specific facts of each case, the answers will be estimates or date ranges.

1. Your mother is a lawful permanent resident of the United States. You are 22 years old and unmarried.

How long will it take you to receive a green card? _____

How long will it take you to become a citizen? _____

2. You have no relatives in the United States. You have a college degree and a job offer from an employer who is willing to wait for you to get a green card.

How long will it take you to receive a green card? _____

How long will it take you to become a citizen? _____

3. You are a very famous physicist who is known all over the world as one of the best scientists in your field. You have no job offer from a U.S. employer.

How long will it take you to receive a green card? _____

How long will it take you to become a citizen? _____

4. You have an adult daughter who is a U.S. citizen. You are retired and no longer work.

How long will it take you to receive a green card? _____

How long will it take you to become a citizen? _____

5. You have a brother who is a lawful permanent resident and you are 15 years old.

How long will it take you to receive a green card? _____

How long will it take you to become a citizen? _____

Students: Answer these questions using the fact sheet ***How to Immigrate to the United States.***

6. Your best friend is a U.S. citizen. You did not graduate from college and work in construction.

How long will it take you to receive a green card? _____

How long will it take you to become a citizen? _____

7. You do not have family or a job offer in the United States. You are from Ukraine.

How could you get a green card? _____

8. You have been targeted by your government for your political opposition and threatened with arrest.

How could you immigrate to the United States? _____

HOW LONG WILL IT TAKE?

From the illustration ***What Part of Legal Immigration Don't You Understand?***

- Your mother is a lawful permanent resident of the United States. You are 22 years old and unmarried.

How long will it take you to receive a green card? 9-14 years

How long will it take you to become a citizen? 14-20 years
- You have no relatives in the United States. You have a college degree and a job offer from an employer who is willing to wait for you to get a green card.

How long will it take you to receive a green card? 6-10 years

How long will it take you to become a citizen? 11-16 years
- You are a very famous physicist who is known all over the world as one of the best scientists in your field. You have no job offer from a U.S. employer.

How long will it take you to receive a green card? 12-18 months

How long will it take you to become a citizen? 6-7 years
- You have an adult daughter who is a U.S. citizen. You are retired and no longer work.

How long will it take you to receive a green card? no wait/as soon as it is processed

How long will it take you to become a citizen? 6-7 years
- You have a brother who is a lawful permanent resident and you are 15 years old.

How long will it take you to receive a green card? You are not eligible

How long will it take you to become a citizen? You are not eligible

From the fact sheet ***How to Immigrate to the United States:***

- Your best friend is a U.S. citizen. You did not graduate from college and work in construction.

How long will it take you to receive a green card? 8-10 years

How long will it take you to become a citizen? 13-16 years
- You do not have family or a job offer in the United States. You are from Ukraine.

How could you get a green card? Through the diversity lottery
- You have been targeted by your government for your political opposition and threatened with arrest.

How could you immigrate to the United States? As a refugee or asylum seeker

IMMIGRATION RULES

Border agents: Your job is to enforce the rules below. When you are interviewing someone wanting to immigrate, ask them for ONE fact that shows why they should be admitted to the United States. If their fact does not fall into the categories below, they **MUST** return to the end of the line. If they are eligible to come into the United States, your next job is to ask them what country they are from. If they are from one of the four countries listed below, let them know that they have a waiting time, and direct them to stand to one side until their waiting period is over.

Lawyers: Your job is to help immigrants navigate the system. If someone approaches you for legal help, ask them to tell you ALL the facts on their story card. Choose the fact that most closely fits one of the categories below – this is what they should tell the border agent. You can do nothing about the wait times.

Rules for admittance:

Applicants can enter the country...









1. If they have a **citizen relative** who is a:
 - Parent
 - Child
 - Spouse
 - Sibling
2. If they have a **permanent resident relative** who is a:
 - Spouse
 - Parent
3. If they have a **job offer** AND at least a college degree
4. If they are **extremely famous** or rich
5. If they are being **personally threatened** with death or physical violence for their race, religion, or politics (a generally unsafe or violent environment does **not** count)

Wait times:











People who meet one of these criteria but are from the following countries **must wait five minutes** before entering:

- Mexico
- China
- India
- Philippines











IMMIGRANT IDENTITIES

<p style="text-align: center;">Country of Origin: Guatemala</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. My mom is a U.S. citizen. 2. I'm excited to go to the United States, because I can get a better education there. 3. I am fluent in English. 	<p style="text-align: center;">Country of Origin: India</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. My aunt and uncle live in the United States. 2. I have a PhD in chemistry and a job offer to be a college professor in Boston. 3. I went to college in the United States.
<p style="text-align: center;">Country of Origin: Morocco</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I am a lawyer in my home country. 2. I know all about the U.S. Constitution and laws. 3. I want to come to the U.S. because I believe in democracy and freedom. 	<p style="text-align: center;">Country of Origin: Honduras</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I have three children, and I'm worried about their safety because our city has a lot of violent crime. 2. I am in training to be an electrician. 3. I am a lay minister in my local church.
<p style="text-align: center;">Country of Origin: Mexico</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I am not earning enough money to support my family. 2. I have a college degree, so I found a job as a teacher in the United States. 3. I have two uncles who are U.S. citizens. 	<p style="text-align: center;">Country of Origin: Bangladesh</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. My dad is a citizen of the United States. 2. I love soccer and want to play for the U.S. national team. 3. I just graduated from college and am looking for a job.
<p style="text-align: center;">Country of Origin: Philippines</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. My mother is a citizen of the United States. 2. My mother is sick, and she needs me to come live with her and take care of her. 3. I am trained as a nurse. 	<p style="text-align: center;">Country of Origin: South Africa</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. My brother is a citizen of the United States. 2. I work as a computer technician in my home country, and this skill will be helpful in the United States. 3. I plan to open a computer repair business.
<p style="text-align: center;">Country of Origin: Ukraine</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I have five cousins living in the United States. 2. I am a nurse with a college degree, and I found a job at a U.S. hospital. 3. I want to bring my family to the United States so that my children can have more opportunities. 	<p style="text-align: center;">Country of Origin: Cambodia</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I am a high school student who wants to serve in the U.S. military. 2. My mom is a U.S. permanent resident. 3. I have an uncle and two cousins who are U.S. citizens.

IMMIGRANT IDENTITIES

<p style="text-align: center;">Country of Origin: China</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I have a PhD in engineering and have been offered a job in the United States. 2. I am sick of living in a country with no free speech, so I want to come to the United States. 3. I have patented several inventions. 	<p style="text-align: center;">Country of Origin: Mexico</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I am a corn farmer and could easily find a job as a farm worker in the United States. 2. My brother and sister are both U.S. citizens. 3. I have visited the United States many times and I love the country.
<p style="text-align: center;">Country of Origin: Russia</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I am an Olympic silver medalist in figure skating. 2. I am very famous all over the world for my figure skating. 3. I already have a job lined up as a figure skating coach in the United States. 	<p style="text-align: center;">Country of Origin: Lebanon</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. My grandparents are permanent residents. 2. My grandparents own a successful restaurant and have offered me a job. 3. My parents died recently, so I want to move to be with the rest of my family.
<p style="text-align: center;">Country of Origin: Jamaica</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. My wife is a permanent resident of the United States. 2. My wife is pregnant with our first child, so I want to be there for her. 3. I have a college degree in accounting, and I plan to find a job as an accountant. 	<p style="text-align: center;">Country of Origin: Ecuador</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. My mother lives in the United States but doesn't have legal status. 2. I plan to open my own store in the United States, which will create jobs. 3. I have trouble earning enough money to feed my family because my town is so poor.
<p style="text-align: center;">Country of Origin: Spain</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I am one of the most famous film directors in the world. 2. My film won an Oscar for Best Foreign Film at last year's Academy Awards. 3. I have a contract to direct a new film in the United States. 	<p style="text-align: center;">Country of Origin: Senegal</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. My daughter is a U.S. citizen. 2. My husband just died, and I can't take care of our house by myself. 3. My daughter thinks I will like the United States and has offered to let me move in with her.
<p style="text-align: center;">Country of Origin: Philippines</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I have been accepted to a U.S. college. 2. I did a high school student exchange program with an American family, and they offered to let me live with them while I'm in college. 3. They live in the same state as my sister, who is a citizen of the United States. 	<p style="text-align: center;">Country of Origin: Japan</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I love American culture, and have always wanted to move to the United States. 2. I am fluent in English and graduated in the top 5% of my college class. 3. I want to live with my father, who is a U.S. citizen.

IMMIGRANT IDENTITIES

<p style="text-align: center;">Country of Origin: Brazil</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I am fluent in five languages, including English. 2. I have been to the United States many times on business trips. 3. I am very wealthy and would like to invest \$10 million dollars in an American company. 	<p style="text-align: center;">Country of Origin: Argentina</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. My aunt and uncle are U.S. citizens. 2. My uncle is a lawyer, and he is helping me to apply to live in the United States. 3. I just graduated with a degree in anthropology and got a job offer from a museum in the United States.
<p style="text-align: center;">Country of Origin: India</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I am a very famous Bollywood actress, and I am beginning to star in American movies. 2. I have been to the United States a couple of times on press tours. 3. My manager thinks I should move to Los Angeles. 	<p style="text-align: center;">Country of Origin: Belarus</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I went to college in the United States and have many friends there. 2. I really liked living in the United States and want to move back. 3. I plan to move in with my sister, who is a U.S. citizen.
<p style="text-align: center;">Country of Origin: Afghanistan</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I want to move to the U.S. to protect my son from the war and violence in my country. 2. We will move in with my brother, who is a U.S. permanent resident. 3. My brother has already found me a job at a store near his house. 	<p style="text-align: center;">Country of Origin: Somalia</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. My country has been torn apart by a violent civil war. 2. One of the rebel groups has threatened to kill me for speaking out against them. 3. Many people from my hometown already live in the United States.
<p style="text-align: center;">Country of Origin: France</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I graduated from college with a degree in business. 2. I have a lot of work experience at very successful companies. 3. I plan to use my experience to start my own business in the United States. 	<p style="text-align: center;">Country of Origin: Egypt</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I have visited my uncle, who is a U.S. citizen, many times at his home in California. 2. I speak English fluently. 3. I just graduated from college, and my uncle found me a job at the bank where he works.
<p style="text-align: center;">Country of Origin: Burma</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. My country is ruled by a dictatorship, so I want to move somewhere I can be free. 2. The army came to my village and tried to kill me for being from a minority ethnic group. 3. An American church group visited my village and encouraged us to move to the U.S. 	<p style="text-align: center;">Country of Origin: Canada</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1. I am one of the top high school hockey players in my town and want to play at a U.S. college. 2. My parents lived in Vermont for a few years before I was born. 3. My older brother is a U.S. citizen.

TEACHER GUIDE TO WAITING IN LINE

Country	Eligibility and basis for admission to the United States
Afghanistan	Not eligible
Argentina	I just graduated with a degree in anthropology and got a job offer from a museum in the United States.
Bangladesh	My dad is a citizen of the United States.
Belarus	I plan to move in with my sister, who is a U.S. citizen.
Brazil	I am very wealthy and would like to invest \$10 million dollars in an American company.
Burma	The army came to my village and tried to kill me for being from a minority ethnic group.
Cambodia	My mom is a U.S. permanent resident.
Canada	My older brother is a U.S. citizen.
China (5 minute wait)	I have a PhD in engineering and have been offered a job in the United States.
Ecuador	Not eligible
Egypt	I just graduated from college, and my uncle found me a job at the bank where he works.
France	Not eligible
Guatemala	My mom is a U.S. citizen.
Honduras	Not eligible
India 1 (5 minute wait)	I have a PhD in chemistry and a job offer to be a college professor in Boston.
India 2 (5 minute wait)	I am a very famous Bollywood actress, and I am beginning to star in American movies.
Jamaica	My wife is a permanent resident of the United States.
Japan	I want to live with my father, who is a U.S. citizen.
Lebanon	Not eligible
Mexico 1 (5 minute wait)	I have a college degree, so I found a job as a teacher in the United States.
Mexico 2 (5 minute wait)	My brother and sister are both U.S. citizens.
Morocco	Not eligible
Philippines 1 (5 minute wait)	My mother is a citizen of the United States.
Philippines 2 (5 minute wait)	They live in the same state as my sister, who is a citizen of the United States
Russia	I am very famous all over the world for my figure skating.
Senegal	My daughter is a U.S. citizen.
Somalia	One of the rebel groups has threatened to kill me for speaking out against them.
South Africa	My brother is a citizen of the United States.
Spain	I am one of the most famous film directors in the world.
Ukraine	I am a nurse with a college degree, and I found a job at a U.S. hospital.

REFORMING THE SYSTEM

How would you change **family-sponsored immigration** to better protect the right to family for all immigrants? Possible changes could include: increasing the total number of available visas in order to decrease waiting times; changing the relatives eligible to sponsor someone to immigrate; and removing the limits on immigrants from certain countries. Be as specific as possible.

How would you change **employer-sponsored immigration** to better protect the right to an adequate standard of living for all immigrants? Possible changes could include: increasing the total number of available visas in order to decrease waiting times; changing the education or skill requirements required to immigrate; removing the need for an employer sponsor; and removing the limits on immigrants from certain countries. Be as specific as possible.

How would you change the **refugee or asylum process** to better protect the right to asylum for all immigrants? Possible changes could include: increasing the total number of refugees accepted each year; opening the refugee program to all interested applicants; or broadening the reasons for being granted refugee or asylum status. Be as specific as possible.

How would you change the **immigration system as a whole** to better protect the right to due process and equal protection? Possible answers include: changing the limits on immigrants per country to avoid discriminating against certain groups; making the immigration system less confusing and expensive; and providing lawyers to immigrants who cannot afford to hire them. Be as specific as possible.



LESSON 6

Refugees and Asylum Seekers

While every refugee's story is different and their anguish personal, they all share a common thread of uncommon courage — the courage not only to survive, but to persevere and rebuild their shattered lives.

~ António Guterres, "Speech for World Refugee Day" (2005)

LESSON 6

Refugees and Asylum Seekers



Goal

- » Understand the experiences of refugees and asylum seekers through a human rights perspective.

Objectives

- » Students will learn basic facts about refugees and asylum seekers and the distinction between the two terms.
- » Students will examine the personal stories of refugees and asylum seekers.
- » Students will understand U.S. policy toward refugees and asylum seekers.
- » Students will analyze how well the U.S. refugee and asylum system protects human rights.

Essential Question

- » Who are refugees and asylum seekers, and how can we protect their human rights?

Key Skills

- » Comparing and contrasting (Activity 1).
- » Analyzing an issue through personal narratives (Activity 2).

Teacher Advisory

Please read the Advisory on Immigration Status on page 20 before beginning this lesson.

Please also be aware that the refugee stories in Activity 2 contain some graphic descriptions that would be best to discuss with your students in advance of the lesson.





Materials

- ✓ *Handout 1: Facts about Refugees and Asylum Seekers*
- ✓ *Ch. 6 PowerPoint: Facts about Refugees and Asylum Seekers* (Download online.)
- ✓ *Handout 2: Refugee and Asylee Stories*
- ✓ *Handout 3: Mapping the Journey*
- ✓ *Handout 4: Refugee Role-play Cards*
- ✓ *Handout 5: Asylum Application in Pig Latin*
- ✓ *Handout 6: Asylum Application in English*

Time Frame

4-5 class periods

Vocabulary

-  asylee
-  asylum
-  asylum seeker
-  refugee

Refugee Basics

Procedure:

1. Brainstorm. Ask students what the word “refuge” means to them. Write down key words on the board. Once they have finished contributing, explain that refuge, which means shelter or protection, is the root of the word “refugee.” Ask students if they have ideas of what refugees might be seeking protection or shelter from and write their answers on the board. Explain that asylum seekers are another group seeking protection or shelter and that the United States offers special protection to both groups because of the threats that they face. Once asylum seekers have been granted asylum by the government, they are called “asylees.”

2. Distinguish. Give students *Handout 1: Facts about Refugees and Asylum Seekers*. Have them read the first section silently and underline the parts that talk about the similarities between asylum seekers and refugees and circle the parts that talk about the differences. Some of the information in the fact sheet will be familiar to students who have completed *Activity 5.2* on page 75, but provides a chance to review the specifics about refugees and asylum seekers. Draw a line down the middle of the board. Write “similar” on one side and “different” on the other. Ask students to share what they read about the ways that refugees and asylum seekers are similar or different. Write their answers on the appropriate side of the board. Be sure to capture that the primary difference between refugees and asylum seekers is that refugees are given their status while they are outside the United States, and asylum seekers apply after they have arrived in the United States. Both groups are similar, however, in that they have faced persecution on the basis of race, nationality, political opinion, religion, or membership in a particular social group.

3. Share facts. Give students an overview of the basic facts about refugees worldwide and in the United States. Download the PowerPoint that accompanies Lesson 6 by visiting the online version of this curriculum at www.energyofanation.org and selecting “Education.” Students can also study the rest of *Handout 1: Facts about Refugees and Asylum Seekers*, which contains much of the same information as the PowerPoint. After the presentation, discuss the new information that students learned.

Questions for Discussion

- ? What facts about refugees and asylum seekers surprised you the most?
- ? What events might be causing people to leave the top countries of origin for refugees and asylum seekers?
- ? Why might the United States offer protection to refugees and asylum seekers?
- ? Why might the U.S. government provide benefits to refugees and asylum seekers above what other immigrants receive?

Stories of Survival

Procedure:

1. Read. In this activity, students will get a chance to learn what the refugee or asylum seeker experience looks like from the point of view of an individual fleeing his or her country. Divide students into pairs and give each pair one of the stories from *Handout 2: Refugee and Asylee Stories*. Students should read their stories and then discuss them with their partner to make sure they both understand the events in the story.

2. Analyze. Give students *Handout 3: Mapping the Journey* and *Lesson 2 Handout 1: The Universal Declaration of Human Rights* (see page 37). In their pairs, students should fill out *Handout 3: Mapping the Journey* using the story they read. First, they should break down the story into the different stages of the journey that the person experienced. They should then use their copies of the UDHR to write down which human rights were affected at each stage, and whether they were being fulfilled or violated. Often, many human rights are affected by becoming a refugee, so tell students to concentrate on the most important rights at each step.

3. Discuss. After the pairs have finished filling in *Handout 3*, bring the class together to discuss the stories they read. Write on the board the three broad stages of the refugee or asylee journey: Fleeing Home (the decision to leave), Making the Journey (what happened on the way to safety), and Coming to the United States (receiving legal status in the United States). Ask students to volunteer some of the events that happened to the person in their story for each stage of the journey and write them on the board in the appropriate category. Then ask students to offer the human rights that they identified in the story and write those in the relevant stage of the journey as well. As a class, discuss the following questions:

Questions for Discussion

- ? How did the people in your stories feel about what was happening to them? How do they feel now that they are in the United States?
- ? Did the people in the stories leave their countries for the same reasons? How might better protections for human rights worldwide have helped them stay in their homes?
- ? Did the people in the stories have the same kind of journey from their home country to the United States? What were some similarities? What were some differences?
- ? Based on these stories, what kinds of human rights protections do people need when they flee their countries as refugees or asylum seekers? How could we help provide those protections?
- ? Did the people in the stories have the same kind of experiences once they arrived in the United States? What were some similarities? What were some differences?
- ? Based on these stories, do you think the United States does a good job of protecting the human rights of refugees or asylees? What are we doing well? What could we be doing better?

**Featured Resource**

The personal narratives used in this activity are taken from *This Much I Can Tell You: Stories of Courage and Hope from Refugees in Minnesota*, compiled by Minnesota Council of Churches Refugee Services. For more information on the book, including how to purchase a complete edition, visit: www.mnchurches.org/refugeeservices.

Refugee Role-play

Procedure:

1. Prepare. Cut out identities from *Handout 4: Refugee Role-play Cards* for each of your students. Each family group has a different number of family members, so try to choose family groups such that every student can have a card and each family can have all of its members. If you have more students than cards, duplicate one or more of the family groups until there are enough cards for everyone.

Teacher Tip

This activity may be especially difficult or emotional for students with their own refugee experience. If you have students who may be reluctant to participate in the exercise, either skip the activity or offer an alternative, such as creating an artistic piece illustrating the refugee or asylee story they read in Activity 6.2.

2. Set up. Pass out an identity card to each student. Shuffle the cards so that students are not sitting near their family members if possible. Before beginning the activity, tell students that they will now be acting out the refugee experience. Remind them that though it may seem funny to imagine their state being invaded, this scenario has happened to many people who have suffered very real and serious consequences as a result. They should approach the role-play with those people in mind. Read the following scenario out loud and **replace the bold items with names and places relevant to your state:**

*Citizens of **[Neighboring State]**, wanting more land for their people, have invaded **[Your State]**. Entering the state through the city of **[Border City]**, the people of **[Neighboring State]** have now taken control of the Capitol Building in **[Capitol City]** and the police and National Guard throughout the state. There are snipers in the capitol buildings and **[Major Shopping Center or Stadium]** has been blown up. All interstate highways have been closed. The people of **[Neighboring State]** have taken over the main stadium and are using it as a staging ground for their troops. You have heard rumors that the invaders are going to be going door to door, and unless you can prove that you were born in **[Neighboring State]**, you will be arrested and taken to an undisclosed location. Fighting has begun in **[Capitol City]** and is spreading into the suburbs and rural towns across the state. You can hear the fighting from your house. Mobs of people from **[Neighboring State]** are roaming the streets and have set fire to your neighbor's house. You realize that you must flee **[Your State]** tonight. You have two hours to pack your belongings. Because all of the roads are blocked, you must head toward a refugee camp in **[Other Bordering State/s]**.*

3. Imagine. Tell the students to write down ten items that they would bring with them based on their identity, without talking to anyone else. Give them two minutes to decide. Time them and give a warning after a minute and a half has passed. They should write clearly so their list can be shared with others.

4. Convene the family groups. Ask students to form small groups with everyone from their assigned family. These small family units must now decide together what they can take with them. Each person can only carry three things. All the items recommended from individual lists must be considered, but with the interest of the family in mind. Each person should construct a list of the three items he or she can carry. The group must take into consideration any elderly, sick, or very young people in the group who cannot carry items. The groups should meet for 5-10 minutes. Time students and give them a warning when a minute remains. Do not let the groups use more than 10 minutes to make a decision; tell them they must leave now with whatever they have chosen at this point.

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Refugee Role-play

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5. Decide a route. Once the time limit has passed, tell the families they now have to decide whether they will flee by foot, escape by boat, or find some other means of transportation. They need to think about where they will sleep, find food, etc. There are refugee camps in the surrounding states where they can stay.

6. Present and discuss. Come back together and have each group present their plan. Where did they decide to go? How will they get there? What did they decide to take and why? After each group has presented, discuss the following questions as a class:

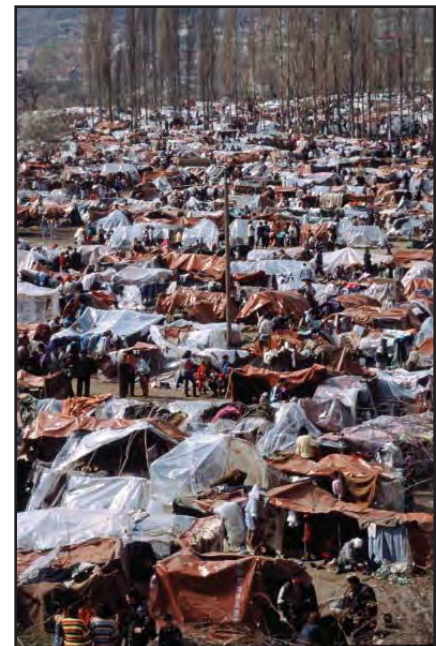
Questions for Discussion

- ? Did you choose items based on what you thought you would need to survive or what would help you remember your life back home?
- ? Do you think you could realistically carry all of the items you chose?
- ? Who had the most say in the decision-making process? Why was that?
- ? How did you feel about what was happening?

7. Regroup. Ask students to reconvene with their “families.” The families have now made it into refugee camps. Explain to the students that in the camps, the refugees themselves handle a great many of the day-to-day responsibilities of keeping the camp running. Based on their identity cards, have students write down what kinds of help they would need, either from relief workers or from fellow refugees, while they are in the camp. They should copy the list onto a piece of paper, writing clearly in large enough letters for other students to easily read it. Then, they should make a second list of what they think they can offer to others in the camp based on their identities.

9. Share. Have the family groups post their list of needs on the walls of the classroom and then walk the room to read other groups’ lists. For each, have them look to see if they can meet any of the needs based on the skills and talents they have to offer. If they can meet a need, they should make a check mark next to that item on the list. After all the groups have looked at all the lists, go over the items that aren’t being met. Ask students how they think those needs may or may not be met in a refugee camp.

10. Four years later. After spending four years in the refugee camp, the families have been safely resettled in a “third country” — in this case, in your local community. Reassign Family #1 and Family #2. They will now play the role of families living in the chosen city. New refugee families (the other families in the role-play) have just been resettled in their neighborhood.



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Refugee Role-play

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11. Welcome. Families #1 and #2 will play the role of host community. They should outline what they would do to welcome the new families. They should be encouraged to include ideas at the individual, school, and community levels. They should also offer suggestions for the new families on how they can start integrating themselves into their new community.

12. Integrate. The other families continue to play the roles of refugees. These students should list what they would do to start adjusting to their new school and community, and what their school and community could do to welcome them.

13. Compare. Draw a line down the middle of the board. Write “Welcome” on one side and “Integrate” on the other. Have students share the ideas they generated in their small groups. Once they have offered their suggestions, have students identify any of the ideas that might be particularly easy to carry out and circle them on the board. Have students identify ones that might be particularly difficult and put a star next to them.

14. Debrief. As a class, discuss how students felt about the role-play.

Questions for Discussion

- ? Based on your experience in the role-play, what do you think it would feel like to be a refugee?
- ? What do you think the hardest part of being a refugee would be?
- ? During the role-play, did you ever feel that your character’s human rights were being violated? When? What rights?
- ? What are ways that governments could better protect the human rights of refugees? What are ways that individuals could better protect the rights of refugees?

Teacher Tip

To adapt this activity for younger grades, do not use the role-play cards. Simply have students write down what they would bring independently, and then put them in families to agree on a set number of items.

Be sure to tell younger students that they will be pretending and that the scenario you read at the beginning of the exercise has not really happened. Repeat that the scenario is fictional before, during, and after reading it.

Applying for Asylum

Procedure:

1. Review. Remind students of the difference between refugees and asylum seekers (that refugees receive their status outside the United States, while asylum seekers first come to the United State and then apply for their status). Explain that asylum seekers, like refugees, must prove that they fear persecution in their home country, such as torture, imprisonment, or physical abuse, on the basis of one of the following: race, nationality, political opinion, religion, or membership in a particular social group.

Just as with refugees, the burden of proof is on the asylum seeker. This means that the person who is seeking protection must prove who they are, what or who they fear, and that their fear is reasonable. Applying for asylum is a complex and difficult process, especially for people who are not fluent in English or who are still upset or traumatized by their experiences.

2. State the rules. Tell students they will now be applying for asylum in a country that speaks Pig Latin. Provide students with a quick explanation of the rules of Pig Latin: 1) Move the first letter of the word to the end, and then add "ay." 2) If there are two or more consonants together at the beginning of the word that combine to make a sound, they are moved together (e.g., "sh"). 3) If the word starts with a vowel, simply add "hay" to the end of the word.

For example, "refugee" becomes "efugeeray," "should" becomes "ouldshay," and asylum becomes "asylumhay." Answer any questions that students have before moving on to the application. You may write a few examples of Pig Latin words on the board to help students understand how the "language" works.

3. Apply. Give students *Handout 5: Asylum Application in Pig Latin*. Give them 15 minutes to fill out the form. Remind them that their answers must be in Pig Latin as well. If they need extra assistance, you may give them *Handout 6: Asylum Application in English*.

4. Evaluate. After 15 minutes, have students switch applications with the person sitting next to them. Each student should now grade the application they received, using *Handout 6* to help them see if the person has answered the questions correctly. If any of the answers are wrong, have students write "Denied" in big letters at the top and return it to the original author.

6. Discuss. Once students have evaluated their neighbor's form, discuss their reactions to the exercise.

Questions for Discussion

- ? How easy was it to make mistakes?
- ? How might you feel if you had to fill out the real asylum application, which is more than 20 pages long?
- ? How might mistakes impact the success of a genuine asylum application?
- ? What are the consequences if an applicant is denied?
- ? Do you think this application process is a fair way to judge whether someone should be allowed to stay in the United States?

FACTS ABOUT REFUGEES AND ASYLUM SEEKERS

Refugees and asylum seekers are people who are fleeing persecution in their own country. On average, 12% of legal immigrants to the United States in the past decade were either refugees or asylum seekers.¹ The United States extends protection to them as a reflection of its commitment to political and religious liberty and racial tolerance. The difference between refugees and asylum seekers is that refugees apply for their status while they are still outside the United States, and asylum seekers apply once they are in the United States. Both refugees and asylum seekers must prove that they fear persecution in their home country, such as torture, imprisonment, or physical abuse, on the basis of one of the following:²

- Race;
- Nationality;
- Political opinion;
- Religion; or
- Membership in a particular social group.

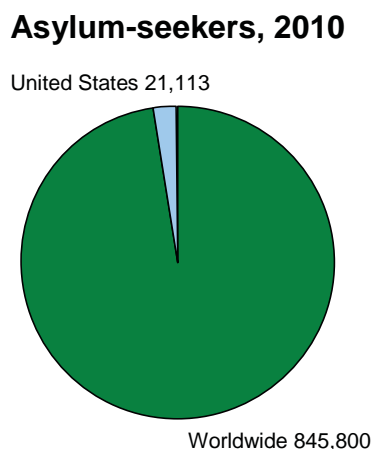
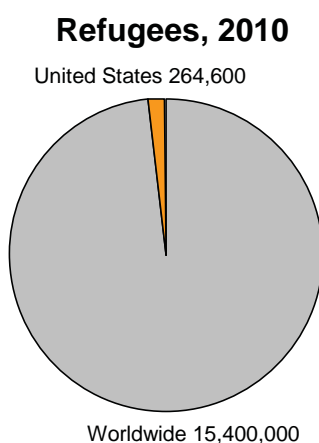
Examples of social groups protected under U.S. law:³

- Women in cases of domestic violence
- Lesbian, gay, bisexual, or transgender individuals
- HIV+ individuals

In a refugee or asylum case, the burden of proof is on the applicant, who must be able to provide objective evidence or credible testimony (such as government records or media reports) to support their claim.⁴

Not everyone who suffers persecution is eligible for refugee status. The U.S. caps the number of refugees it will accept annually. For 2011, the maximum was 80,000 refugees.⁵ Also, the U.S. only accepts refugees who have either been referred by the UN High Commissioner for Refugees (UNHCR) or another refugee protection organization, or when the person is a member of a designated group or from a designated country. In 2011, for instance, the U.S. accepted applications from Burmese minorities living in Thailand or Malaysia, among others.⁶ People who belong to these groups still have to prove that they individually qualify as a refugee because of a fear of persecution on one of the five grounds previously mentioned.

People who are not from one of the designated groups or countries and who cannot get a referral from the UNHCR can only receive protection if they travel to the U.S. and claim asylum once they arrive. Asylum seekers can either make an affirmative asylum claim by filing a form within a year of arriving in the U.S. or they can make a defensive asylum claim once they have been placed in deportation proceedings. Anyone in the U.S. can claim asylum whether they are here legally or not.



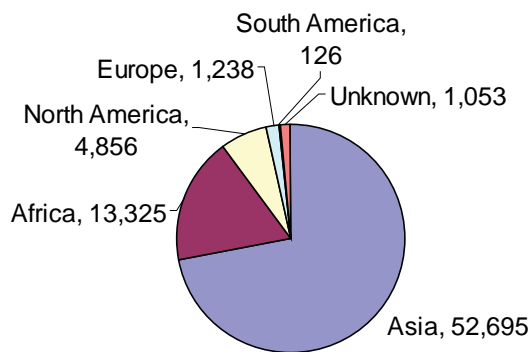
Top host countries for refugees worldwide (2009):

1. Pakistan (1,740,700)
2. Iran (1,107,500)
3. Syria (1,054,500)
4. Germany (593,800)
5. Jordan (450,800)
- ...
9. United States (275,500)

Sources: UN High Commission for Refugees, "UNCR Global Trends 2010," June 20, 2011, <http://www.unhcr.org/4dfa11499.html>; Office of Immigration Statistics, 2010 Yearbook of Immigration Statistics, US Department of Homeland Security, August 2011, Table 16, http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2010/ois_yb_2010.pdf.

FACTS ABOUT REFUGEES AND ASYLUM SEEKERS

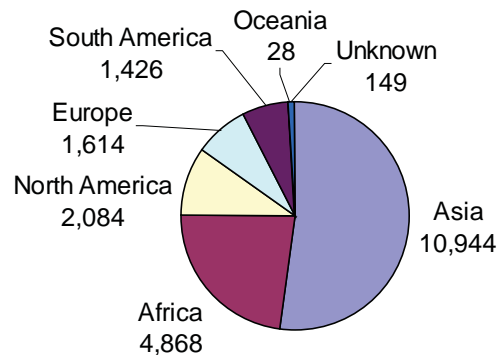
Refugee Arrivals by Region, 2010



Top Five Countries of Origin for Refugees (2010)

Iraq (18,016)
Burma (16,693)
Bhutan (12,363)
Somalia (4,884)
Cuba (4,818)

Individuals Granted Asylum by Region, 2010



Top Five Countries of Origin for Asylees (2010)

China (6,683)
Ethiopia (1,093)
Haiti (832)
Venezuela (660)
Nepal (640)

Office of Immigration Statistics, "Tables 14 and 19," Yearbook of Immigration Statistics 2010, Department of Homeland Security (August 2011), http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2010/ois_yb_2010.pdf.

The Application Process: Refugees

Most refugees work with a non-governmental agency overseas to prepare their applications for refugee resettlement in the United States. The United States Citizenship and Immigration Services (USCIS) then interviews each refugee to verify that she or he has a legitimate claim to refugee status.⁷ All applicants go through background security checks and a health screening. The U.S. government also provides everyone who is granted refugee status a cultural orientation to the United States. Not everyone with a legitimate refugee claim is granted entrance. Refugees can be excluded for public health, national security, criminal, and other reasons.

Once a refugee has been admitted to the United States, a private voluntary agency arranges initial resettlement services. The refugee receives a loan to cover the costs of their travel to the United States, which they must begin repaying within 6 months of arrival. The U.S. government provides cash grants to the private agencies to help refugees find food, housing, clothing, employment, and medical care during their first 90 days in the United States.⁸ During the first eight months they are in the United States, all refugees are eligible to receive cash assistance and medical care. After the first eight months, however, refugees must meet the same eligibility requirements for public assistance as any legal resident of the state in which they live.⁹

The Application Process: Asylum Seekers

Any person can apply for asylum affirmatively by filing a form within a year of arriving in the United States or defensively once they are in deportation proceedings. Some asylum seekers are held in detention for months or years while they wait for their application to be processed. Affirmative applications are reviewed by an asylum officer, who can choose to grant or deny asylum. If the officer denies asylum, the case goes before an immigration judge. All defensive asylum cases are heard by an immigration judge. The judge can choose to grant or deny asylum. If the judge denies the asylum claim, the applicant can appeal this decision. Asylum cases can take many years to make their way through the courts. Once someone has gone through all of his or her appeals without being granted asylum, that person cannot usually reapply.

Asylees are eligible for many of the same benefits as refugees, including short-term cash assistance and certain social services. Like refugees, asylees are eligible for public assistance if they meet the same eligibility requirements as any legal resident of the state in which they live.¹⁰ The U.S. government also funds torture treatment centers for victims of torture, which include many asylees.¹¹

THE RIGHTS OF MIGRANTS IN THE UNITED STATES**Endnotes**

- 1 U.S. Department of Homeland Security, Office of Immigration Statistics, Table 6, 2009 Yearbook of Immigration Statistics, (August 2010), http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois_yb_2009.pdf.
- 2 The Advocates for Human Rights, "Pro Bono Representation Manual: An Overview of Asylum Law and Procedure," (2010), http://www.theadvocatesforhumanrights.org/uploads/ahr_pro_bono_asylum_manual.pdf (accessed December, 2010).
- 3 The Advocates for Human Rights, "Pro Bono Representation Manual: An Overview of Asylum Law and Procedure," (2010), http://www.theadvocatesforhumanrights.org/uploads/ahr_pro_bono_asylum_manual.pdf (accessed December, 2010).
- 4 The Advocates for Human Rights, "Pro Bono Representation Manual: An Overview of Asylum Law and Procedure," (2010), http://www.theadvocatesforhumanrights.org/uploads/ahr_pro_bono_asylum_manual.pdf (accessed December, 2010).
- 5 "Proposed Refugee Admissions for Fiscal Year 2011: Report to the Congress," (Submitted on Behalf of the President of the United States to the Committees on the Judiciary United States Senate and United States House of Representatives), September 30, 2010, <http://www.state.gov/documents/organization/148671.pdf>.
- 6 Ibid
- 7 National Immigration Forum, "Refugees and Asylees," (June 29, 2010), <http://www.immigrationforum.org/research/display/refugees-and-asylees/>
- 8 Ibid
- 9 U.S. Department of State, "Refugee Resettlement in the United States: Fact Sheet," (Sept. 16, 2010), <http://www.state.gov/g/prm/rls/147254.htm>
- 10 Public Law, 05-320 Torture Victims Relief Act of 1998
- 11 Ibid

REFUGEE AND ASYLEE STORIES

Abdul and Dunia

"I'm Abdul H. Mali. I'm working currently for the University of Minnesota. I'm called an asylee [and I've been] in the United States for almost four years now. I am coming from — I almost said the United States of America! — coming from the Democratic Republic of Congo. And my spouse and kids just joined me, for a year."

"[In the DRC] I was working as a journalist for six years. Now, as a journalist, I ended up having a contract with the PBS, an American channel. And I helped them to issue two documentaries. The first assignment was about the politics in the Congo, in general. Our democracy was still very, very young. There is a semblance of democracy. Sometimes people can say these things on the radio, like question what the president is doing and have never really been arrested or threatened. But the major issue is firstly with me, in my case, was my collaboration with external media."

Abdul explains that he had been working on the documentary for a whole month, and even though it was progressing successfully, the work was intense and time consuming. So they took some time off and Abdul went with his coworkers to Minnesota. "As soon as I moved to Minnesota, they broke into my house on a Sunday morning." Abdul explains that the men tried to force his wife to tell them where he was hiding. They searched the house and accused Abdul of being with the CIA. Abdul says they took Dunia to their office and questioned her for hours. Dunia continues, "We had first to hide. His mother had to hide. My father, too. So it was me, my father, and his mother. We all separated, changed our places a couple times, and then came back."

Abdul explains why he did not return to the Congo. "The United Nations went to my radio station, tried to find out why they were trying to arrest me, And the UN got in touch with this arrest warrant that was issued against me. Coming from the high court! You know, saying that I had endangered the country. I had insulted the president. So the arrest warrant said wherever place they could see me, I should be arrested on the spot. The UN just called me in Minnesota and said, 'You just can't come back, because we're not able to ensure your safety and security. And we're trying to protect your family, but you need to look for asylum.'"

Meanwhile, Dunia was back in the DRC. "I had most of important things in my house taken away when they came and said, 'We are searching for proof of his betrayal.' They took the car. They took all his ... journalist stuff we had. And when I've been questioned by those people. You know, they take you for hours. Questioning you the same questions. I had my baby. They take your baby in the other room, and you are listening to him crying! and you are answering those silly questions. And they are menacing you. 'You're never going to back outside again!' It was stressful."

Abdul continues, "The first thing was when I was granted asylum. I was not really prepared for that. I didn't even know if it was going to be possible. When I got asylum, that was the first time that I felt like, 'Well, at least I'm sure that I can, for a couple years at least, be here and make sure I get my family out of that place.'" Abdul was in Minnesota for three long years before his family was able to join him. Dunia says she feels safer in Minnesota, but it is hard to forget her family back home. Her siblings, parents, and in-laws are all back in the DRC, and it is impossible to know if they are in danger of being threatened again by the people seeking Abdul.

Abdul says, "I feel like America is a place where you can undertake your own business; as long as you respect the rules and pay your taxes you are good to go. You won't see anybody trying to get in your way, forcibly. You feel free. The opportunities are immense. I'm very happy for my kids. Especially they can go to grade school and study. I have some smart boys. I want them to push hard and get ahead and become real guys. This is something great. This is something great."

Excerpted from "Abdul & Dunia," in *This Much I Can Tell You: Stories of Courage and Hope from Refugees in Minnesota*, compiled by Minnesota Council of Churches Refugee Services (Edina MN: 2011), www.mnchurches.org/refugeeservices, p. 106-122.

REFUGEE AND ASYLEE STORIES

Bayongson

"I am Bayongson. I was born in West Cameroon, [which is] different from East Cameroon. West Cameroon is English, British. But East Cameroon is guided by the French culture. West Cameroon was an independent entity until 1961, when we had a historic merger with East Cameroon." Since then, a repressive single party, dominated by French speakers, has ruled the country. English speakers claim systemic discrimination. "So now we are fighting for our independence, for the sovereignty of West Cameroon. The East Cameroonian French, want to eliminate us. That is why you see those escaping to come here to the U.S...."

"Before I came, I was a politician. I was preaching a democratic rule. There is no democracy in Cameroon — not an ounce of democracy. When I was there, you would be arrested, dumped in the prison, in the cells — I had been to the cell more than forty-two times, can you imagine? Not for any crime, only because I was agitating for democracy and the sovereignty of southern Cameroon. It reached a time when the search for me was just to eliminate me. They had tortured me and discovered that I could not give up. They said to me, 'If you don't advocate for West Cameroon, everything will be good.' I told them that is over my corpse. So many times they told me, 'You will be made somebody; you will be an important person in society. You are knowledgeable, educated — look how you are wasting your education.' I told them no. Finally they saw that I was not bendable. So the only alternative was to eliminate me.

"When I was arrested next, I was in West Cameroon and transferred to East Cameroon, to a place called Kondengui. When you are transferred there, your family members know that if you are not fortunate, that's it for you. I was arrested along with most of the friends I had been with. We sat in a room like this, about fifty people. They would come and call out names, five names in a night. Those people go, and the following morning you discover that you are only forty-two in the room. You cannot ask where the other people are. You don't know where they have gone or whether they are alive. They keep taking them out and they are gone, just like that."

"One of my Francophone friends from the university went to the army and became a general in East Cameroon. I think he saw my name, or maybe he saw me moving around in this detention camp. One evening, he sent his subordinate to come and call me. He has called me here for this: 'You only have one option now, not two. You move to an unknown.' He said he was going to aid me and if I was successful, good; but if I was not, that was the end of my luck. I only had on slippers, so he gave me canvas shoes and some money, which was in the equivalent of around one hundred dollars. I hid myself somewhere, and then the following morning, I got a vehicle to the neighboring village and I crossed to Nigeria.

"I found my way back to Cameroon, because I could not move anywhere without a passport. I had to bribe my way around in Cameroon. I had to bribe to get my passport and travel documents. I contacted a family friend in America; he was Cameroonian, and told him my plight, that I am now a dead man. The friend now built up a letter to invite his friend to come to a political meeting in Minnesota. I took it to the embassy. I saw the visa, saw it stamped, and my friend here had paid my ticket, a two-way so it would look like I was coming back."

"When I arrived in America, I knew that I was safe. I had the shortest asylee [petition] ... there was not any hitch — no hitch. In total, it did not take me up to one year. When I had my asylee documents, I applied now to bring my family. That was another process; it takes a long time. I was struggling to get the money — tickets were getting dearer and dearer. It was not an easy thing. I tried and tried until my family came." Bayongson finished his training as a nursing assistant and began working in an assisted living home. He works hard to preserve his connection to his culture and politics: "I strongly believe that no matter how long my children stay here, they will adapt to American culture but will still identify themselves as Cameroonians. I am teaching them to grow up in their background."

Excerpted from "Bayongson," in *This Much I Can Tell You: Stories of Courage and Hope from Refugees in Minnesota*, compiled by Minnesota Council of Churches Refugee Services (Edina MN: 2011), www.mnchurches.org/refugeeservices, p. 162-173.

REFUGEE AND ASYLEE STORIES

Kaw Lah

Kaw Lah was born in Burma in 1981. He is Karen, a minority ethnic group that has been the target of persecution and repression by the Burmese government. “When military troops came to attack our villages, we had to run away. During that time I was five, maybe six years old. I just knew we were not eating or playing. The old people would say, ‘We have to go,’ and we would go and sleep in the cliffs. We could not study during that time. Some days, the teacher told me, ‘Today you cannot come because the situation is not good.’”

“When I was five or six years, maybe four or five years old, we moved because of too much military troop activity in my village area. We moved to the taller mountain to find a safe place. But one year later, the military troop activity expanded to there, too. During that time, my father was caught — we can say arrested. We didn’t know when he would return ... we waited and we waited. The military troops arrest the Karen because they need more porters to carry the food for the military. My father and his friend tried to run away. The Burma military — the soldiers — tried to arrest them back. And the shooting ... the target that they shot was my father. [After my father was killed], my mother’s face was not well, like she felt sad, something like that, and after one year or two years, she got sick. She passed away after two years from illness, maybe disease. But I still had my grandma.”

“We didn’t want to live in the refugee camps, but we had no choice to stay in Burma. Village after village was attacked. My grandmother and I took a boat. I was eight years old after we crossed the river. We stayed in a temporary resettlement place, a place with tents and small buildings. It was quite small, and the Thai soldiers make sure the people stay there: you can’t leave. We later moved into Thailand, to Mekong Ka Refugee Camp. This refugee camp is quite permanent, and I was there maybe seventeen years. I started my education properly. I graduated high school. We had good support from [refugee assistance organizations]. The building construction in the refugee camp was better than other countries, I have heard.”

“The first time I got an opportunity to resettle in Norway. But I did not feel confident; I think, ‘Oh, I don’t want to go.’ So I answered my grandma, ‘No, I prefer to stay in Thailand. I can look after myself.’ So she said ‘Okay, not a problem; sure.’ She went. After one year alone I think ‘Oh! What is going on?’”

“My understanding of the U.S. was ... what is the big, what is the best, what is the good, what is the challenge? I think the most powerful country in the world is the U.S.. And the process is easy and fast. The young people are encouraged to come here to the U.S. to find a new world and for the challenge. I was not scared. I was confident to come. I believe that I can progress, can arrive at my ambitions. I want to have a degree. I want to study. I don’t want the time to pass away for nothing. I want to be active. I want to go. I don’t want to stay at home and sleep and eat. At the first training provided by [the International Office of Migration, which helps refugees through the resettlement process], one of the trainers asked, ‘What do you want to be?’ I said I want to be secretary of the United Nations; I like Kofi Annan.” Kaw Lah laughs.

“Before I came, I communicated with other Karen who had come to Minnesota. I asked them, ‘How is life?’ They answered, ‘Oh, not well yet; it is hard. And there are a lot of strong hurricanes [snowstorms]’ ... I thought, Is not safe for me! But I decided to come.” When he arrived, Kaw Lah was lucky enough to speak English fairly well; he had studied in school in the camp. He says, “I have no idea to go back. Yes, we should list now what we want to do: I want to see snow. Soon that will be completed — then I have to complete another thing: education. I have to work. I want to have a house. Yes, I have many plans. Although it is very cold, and I walk outside for a few minutes and I think, ‘Oh, am I wrong to go here!’ But I am still here.”

Excerpted from “Kaw Lah,” in *This Much I Can Tell You: Stories of Courage and Hope from Refugees in Minnesota*, compiled by Minnesota Council of Churches Refugee Services (Edina MN: 2011), www.mnchurches.org/refugeeservices, p. 49-53.

REFUGEE AND ASYLEE STORIES

Krishna

Like the majority of the Bhutanese refugees coming to the U.S., Krishna grew up in southern Bhutan. His family members were farmers who grew crops typical for the region: “Rice, wheat, and all the crops. Also I had a cow, many cows. The cows slept at home. Cows, buffalo, sheep, goat, and chicken.”

“In Bhutan there are no human rights [for the Lhotshampa people]. They asked for the human rights. The government sent military to all the houses. They came in the nighttime and the daytime and they beat the people. They killed like that. In daytime, we worked in the field; at the nighttime, the military came and captured Lhotshampas, took them and beat them. So at night, we went to the forest to sleep. There is too much rain in Bhutan and we sit in the [forest] in the raining time also. It was very difficult. One time, they captured me. When they came to the house, I say that I have not done anything and they leave, but another group came. They do not ask questions. Many other people they shoot and they killed. I was not. Sometimes when the Bhutan military — army — attack, they cut off one leg. Sometimes they cut off the hand and they throw it to the truck. Many people are dying in Bhutan.”

“We moved at night. Januka was six, Prakash was four, Shailesh was two, and Renuka was one and a half years old. We did not take anything from our house when we moved, because I carried Prakash and held hands with Januka. Nar Maya carried Shailesh and Renuka. We walked and walked. I had some money, but there is place called the Asum where there were men with guns. They asked for the money and I gave it to them.” After walking for hours and hours, they arrived in India where they joined other Bhutanese families, and local villagers provided the group with some food. “We sit there for five days. [Then] the Indian army came and put us in the truck. They took us and they threw us to the Bengali state. And when morning time came, at 5:00 a.m., again the Bengali police came. They took us to the Nepal border and at 9:00 p.m. they threw us to Nepal.”

“There is a long bridge [between] India and Nepal. After we crossed, the Nepal police captured us and asked, ‘Where you are coming from? Why are you coming?’ The Nepali police brought [us] to a temporary camp called Mai. There was one small house [for everyone] and there was nobody to cook the food. There were no tents. After some days, the Red Cross provided food and some tents. We lived in small tent. The wind blew and the fire would go out. We spent six months in the Mai camp. Many people there died. Too much cholera. So we went to the Goldhap Camp. When we moved the UN High Commissioner for Refugees provided us with some food. They saw that we are refugees and countries like the United States, Canada — they helped the refugees. They gave a little food for the family and I worked outside the camp.” Krishna and his family lived in the camp for seventeen years.

A fire in the camp happened just before the family came to the United States. Krishna lost all of the family’s possessions and money. “All were gone from the fire. When I came from Bhutan to Minnesota, I did not bring anything, because all was gone by the fire. The different organizations, they helped us, and after four months, we came to the United States. We came with only one bag each, with some clothes. After the fire happened in the camp, we were in the forest for a month, so when we came to the United States, I was very happy to sit in a house.”

“In the United States, it is so expensive and sometimes Januka and Prakash have only three or four days of work a week. This week, they have done only three days. It is difficult to pay the rent, water and electricity, gas, and travel loans. [Despite the difficulties], I will become a citizen of the United States, and grow old in the United States, and die in the United States. If I am well, I will work. When I was in Nepal, I used to work, but because I am not well, it is difficult. I hope that I will buy a house and a car, be a citizen, and sit in the United States.”

Excerpted from “Krishna,” in *This Much I Can Tell You: Stories of Courage and Hope from Refugees in Minnesota*, compiled by Minnesota Council of Churches Refugee Services (Edina MN: 2011), www.mnchurches.org/refugeeservices, p. 141-147..

REFUGEE AND ASYLEE STORIES

Senan

"I was born in the south of Iraq; it's Basrah. After the [U.S. invasion in] 2002, I went to the U.S. embassy. They test me and they hire me as an electrician and interpreter with the U.S. embassy." Senan explains that he liked his job and his coworkers liked him, too. He was making good money and getting professional experience with a U.S. company. But one day, "I went inside [my work] and they said, that there is a big news. They said, 'There's a letter saying if you work today not tomorrow, if you don't quit today, you get killed.' After three hours, they say that militia, they are outside with guns, waiting for us just to go out. And the military inside, they heard about it and they take like Humvees and tanks outside. And they start shooting between the British and the American soldiers and them till they became very safe for us and they let us go." So Senan quit his job that day.

"One day, we are sitting outside in the street, just in front of my gate and we saw a white SUV just out in front of me. And we know this car is the specific for militia or the government. I did like I was going to jump, and he said stop. And I didn't stop. He just pull his gun and shoot one time; he hit the wall. I run and he shoot the front gate and he come after me. And he shoot three times, like after me in the garden, but he didn't touch me."

Senan ran to the neighbor's house, but they wouldn't let him in because they were afraid of what could happen to them. So Senan went to the next house and was finally given a hiding place, under their bed. Senan called his cousins and asked them to drive him away to safety without suspicion. "They come after one hour. I jump in the car and we went far away from the city. We just continue driving until I get to a farm; it's for our family. I stay there and they give me a gun, just to make me feel better. I said I cannot forget. It's just ... scary. We stay at the farm for fifteen days. My brother got me a passport and a new ID and stuff. After the fifteen days, they got a ticket for me to go to Syria. From there I fly to Syria and stay there for three years and a half. "

"In Damascus I applied for [refugee assistance from the International Office of Migration]; they give you a bed and pillow and they tell you go ahead and find your house or apartment; we aren't going to help you with anything more. You have to sit there and somebody help you from your country. My dad send me three hundred every month just to go through the month and pay my bills and everything." Senan says his passport was stamped when he entered Syria, which meant he was unable to work in that country. If somebody catches you working, you could be deported.

"One day, I thought 'okay; I have friends in United States. His name is Randy and he said, 'this folder has all my information: my phone, my address in United States. If something happen and you want to come to the United States, you're free to come to visit.'" So Senan emailed Randy, and explained everything that happened to him, how he was forced to quit his job for fear of being killed and that he had fled from Iraq to Syria. "He said, 'Anything I can do for you?' I tell him to just write me a letter that supports me, because they don't trust that I'm working with United States. " Senan returned to the International Office of Migration. "I believe that there's a visa for us just to go to the United States just to become safe," Senan told an administrator. "She said, 'Yeah, we can help you.' She did the process within nine months."

"When I came here, I speak English and know a little bit about the culture. But you have to apply for Social Security card, ID, and driver's license. I was just confused and confused and confused, and scared to go out, also, because I don't know the roads. Every time I wanted to buy something or go to the market, I called Randy to come pick me up and take me to this market. [Now that I have adjusted], I want to apply to a bank to get a house, and not be paying the rent to the landlord. Always my wife, she asks, 'Do you think to go back to Iraq?' I said, 'I am never going to Iraq.' The country that brought me and said, 'This is your life, you can live here and do anything you want in here' — that is my country."

Excerpted from "Senan," in *This Much I Can Tell You: Stories of Courage and Hope from Refugees in Minnesota*, compiled by Minnesota Council of Churches Refugee Services (Edina MN: 2011), www.mnchurches.org/refugeeservices, p. 124-138.

REFUGEE AND ASYLEE STORIES

Sharmake

"I remember I was a kid in Somalia. I was younger. I was living with my family, with my mom and my two brothers, before the civil war." Sharmake explains that his parents owned a grocery store, which supported their family. Sharmake is the middle of three brothers. As a child, Sharmake remembers the fun he had with his friends. "We played on the beach. I remember that it was fun to play soccer."

"When we fled, I was seven years old. One morning, I was hearing some guns, the sound of guns saying that people are fighting together. Earlier in the morning, some bandits came to our home. And then they killed my father. I woke up and my mom was crying over there, outside the apartment. She said what happened and was crying and she held us. We left that place the same evening. Oh, I was tired. We would go from neighbors, to neighbors' homes, and we would feel comfortable. But we weren't going a direct route. We were going through the bush."

"I remember when we come to border, there was army people who had guns. I think it was the government of Kenya. In the morning, I remember we took a big van and a big truck, my mother and brothers and two of my neighbors traveled with us. And then we come all the way down, ninety miles inside to the country of Kenya. And there were houses already prepared with roofs and trees. There wasn't any wall; the house was only tree and a roof. And Mom picked one; it was nice. I was there for eighteen years. It was four meters by three meters and there was a roof."

"When you come to the camps, people in United Nations was giving food. Then they told people they didn't have firewood or a machine to cook the food. So the mothers and fathers are going to the bush to take the firewood to cook the food. And you know, when the fathers go out, he would be killed by the bandits. When the women go there, they're going to rape the women. At the same time they were coming at nighttime to the camps and they were killing. I just remember one night, it was midnight, and I said, 'Mommy, I wanna go outside. I wanna go to bathroom.' And then the mom saw a light in front of the other apartment. She said, 'Oh, my son, there's something wrong. Let's go back.' After an hour, my mom went out and she see that one of our neighbors was just shattered in his back. They killed, you know."

"That was the life in the refugee camp. There was no fence, but you can't go outside the border. If you go to Somalia, people are killing people. If you go to Kenya, the government of Kenya will arrest you. They don't have enough food. They don't have enough water. They don't have enough health care even. Kids are malnourished. Kids, you know, need milk, vegetables to grow up. They are not getting that."

Sharmake says that the UN gave people a lot of hope [with the resettlement program], offering them the possibility of leaving their harsh lives and moving on to something new. After his mom was interviewed, Sharmake went in for his own interview. "I just told him this process I have been waiting a long time, you know? Long years, you know? I tell him, 'I think you are the only one who can decide my case to make me pass and you know everything I told you was about my life.' So I said, 'Can you do me a favor? Give me approval.' He just laughed, he just told me, 'Okay, you'll be alright.'"

"I come all the way down to the airport in Minneapolis MN, I see the mom and my sister, they run to me, 'Oh, Mom, you're here!' Now, I just finish my ESL class. I can go now to college or I can go anywhere. I was approved to start my nursing classes, to be nursing assistant. After that I can be a full nurse, [and then] I can take four years for doctor. That's my dream, you know. I wanna be a doctor."

Excerpted from "Sharmake," in *This Much I Can Tell You: Stories of Courage and Hope from Refugees in Minnesota*, compiled by Minnesota Council of Churches Refugee Services (Edina MN: 2011), www.mnchurches.org/refugeeservices, p. 7-19.

MAPPING THE JOURNEY

Fleeing Home

Why did the people in your story leave their home? What threats or harms were they fleeing? Why had they been targeted?

Human rights affected in home country

Making the Journey

Where did they go after leaving their home? Did they travel to multiple places? What were the problems with those places that inspired them to come to the United States?

Human rights affected during the journey

Coming to the United States

How did they come to live legally in the United States? Are they refugees or asylees? What were some experiences they had adjusting to their new home?

Human rights affected during arrival

REFUGEE ROLE-PLAY CARDS

Refugee Identities:

The refugee identities can be added to and adapted as necessary. You may want to cut and laminate the refugee identity cards for future use. Be sure that you have one identity card for each student in class.

FAMILY #1: Grandmother

- 60 years old
- Teaches 5th grade
- Enjoys cooking

FAMILY #1: Grandfather

- 65 years old
- Retired farmer
- Collects valuable coins

FAMILY #1: Grandson

- 12 years old
- Parents have died
- Likes to help his grandfather garden

FAMILY #2: Father

- 43 years old
- Dentist
- Likes to jog

FAMILY #2: Mother

- 44 years old
- English teacher
- Competitive runner

FAMILY #2: Daughter

- 13 years old (twin)
- Good swimmer
- Likes to text with friends

FAMILY #2: Daughter

- 13 years old (twin)
- Very athletic
- Just got a kitten

REFUGEE ROLE-PLAY CARDS

FAMILY #3: Father

- 40 years old
- Works at local paper mill
- Expert handyman

FAMILY #3: Mother

- 39 years old
- Stays at home with children
- Skilled at sewing

FAMILY #3: Daughter

- 18 years old
- Looking forward to going to community college
- Has a boyfriend who attends the same school

FAMILY #3: Son

- 14 years old
- Likes to play soccer
- Straight-A student

FAMILY #3: Son

- 9 years old
- Has health problems and needs regular medication
- Has a golden retriever

FAMILY #4: Mother

- 55 years old
- Works as a doctor
- Specializes in family medicine

FAMILY #4: Father

- 56 years old
- Works for a newspaper as a business reporter
- Loves to cook

FAMILY #4: Daughter

- 18 years old
- Computer whiz
- Makes apps for her friends

REFUGEE ROLE-PLAY CARDS

FAMILY #4: Daughter

- 16 years old
- Wants to be an actress
- Enjoys hanging out at the mall

FAMILY #4: Daughter

- 12 years old
- Very studious
- Loves to read
- Uses a wheelchair

FAMILY #4: Aunt

- 70 years old
- Not able to walk easily
- Loves to tell stories

FAMILY #5: Mother

- 35 years old
- Divorced
- Works as a city bus driver

FAMILY #5: Cousin

- 21 years old
- College student staying with family during school
- Helps with child care

FAMILY #5: Son

- 10 years old
- Loves to play basketball
- Always listening to his iPod

FAMILY #5: Son

- 6 years old
- Likes animals
- Shy

FAMILY #5: Daughter

- 10 months old
- Has been crying a lot lately
- Allergic to milk

ASYLUM APPLICATION IN PIG LATIN

DHS - USCIS

U.S. Department of Homeland Security - EOIR

Application for Asylum and for withholding of removal

TARTSAY EREHAY. Ypetay orhay rintpay inhay lackbay inkhay. Eesay ethay instructionshay orhay informationhay about hay eligibilityhay andhay owhay otay ompletecay andhay ilefay isthay applicationhay. Erethay ishah onay ilingfay eefay orhay isthay applicationhay.

Otenay: Eckchay isthay oxbay ifhay ouyay antway otay applyhay orhay itholdingway ofhay emovalray underhay ethay Onventioncay Against hay Orturetay.

Artpay A.1. INFORMATIONHAY ABOUTHAY OUYAY

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3. Ompletecay Astlay Amenay	4. Irstfay Amenay		5. Iddlemay Amenay
6. Atwhay otherhay amesnay avehay ouyay usedhay? (Includehay aidenmay amenay andhay aliaseshay.)			
7. Esidenceray inhay ethay U.S.hay			Elephonetay
Reetstay Umbernay andhay Amenay			Aphay. #
Itycay	Atestay		IPZAY Odecay
8. Ailingmay Addresshay inhay ethay U.S.hay, ifhay otherhay anthay abovehay			Elephonetay
Reetstay Umbernay and Amenay			Aphay. #
Itycay	Atestay		IPZAY Odecay
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11. Ateday ofhay Irthbay (mm/dd/yyyy)		12. Itycay andhay Ountrycay ofhay Irthbay	
13. Esentpray Ationalitynay	14. Ationalitynay athay Irthbay	15. Aceray, Ethnichay orhay Ribaltay Oupgray	16. Eligionray
17. Eckchay ethay oxbay, A roughthay C, atthay applieshay: A: Ihay avehay evernay eenbay inhay immigrationhay ourtcay roceedingspay. <input type="checkbox"/> B: Ihay amhay ownay inhay immigrationhay ourtcay roceedingspay. <input type="checkbox"/> C: Ihay amhay otnay ownay inhay immigrationhay ourtcay roceedingspay, utbay lhay avehay eenbaay inhay ethay astpay. <input type="checkbox"/>			
18. Ompletecay #18 A-B: A. Enwhay idday ouyay astlay eavelay ouryay ountrycay? (mm/dd/yyyy) _____ B. Atwhay ishah ouryay urrentcay I-94 umbernay, ifhay anyhay? _____			
19. Atwhay ountrycay issuedhay ouryay astlay assportpay orhay raveltay ocumentday?		20. Assportpay #	21. Expirationhay Ateday (mm/dd/yyyy)
22. Atwhay ishah ouryay ativenay anguagelay?		23. Arehay ouyay luentfay inhay Englishhay? ___ Y ___ N	24. Atwhay otherhay anguageslay oday ouyay peaksay luentlyfay?
<u>ORFAY EOIR USEHAY ONLYHAY</u>		<u>ORFAY USCIS USEHAY ONLYHAY</u> Actionhay: Interviewhay Ateday: _____ Asylumhay Officerhay ID#: _____ Ecisionday: _____ Approvalhay Ateday _____ Enialday Ateday _____ Eferralray Ateday _____	

ASYLUM APPLICATION IN ENGLISH

DHS - USCIS

U.S. Department of Justice - EOIR

Application for Asylum and for Withholding of Removal

START HERE. Type or print in black ink. See the separate instruction pamphlet for information about eligibility and how to complete and file this application. There is NO filing fee for this application.

Note: Check this box if you want to apply for withholding of removal under the Convention Against Torture.

PART A.1. INFORMATION ABOUT YOU

1. Alien Registration Number(s) (A#'s) (If any)		2. Social Security No. (if any)	
3. Complete Last Name	4. First Name	5. Middle Name	
6. What other names have you used? (Include maiden name and aliases.)			
7. Residence in the U.S.		Telephone	
Street Number and Name		Apt. No.	
City	State	ZIP Code	
8. Mailing Address in the U.S., if other than above		Telephone	
Street Number and Name		Apt. No.	
City	State	ZIP code	
9. Gender: ___ Male ___ Female	10. Marital Status: ___ Single ___ Married ___ Divorced ___ Widowed		
11. Date of Birth (mm/dd/yyyy)	12. City and Country of Birth		
13. Present Nationality	14. Nationality at Birth	15. Race, Ethnic or Tribal Group	16. Religion
17. Check the box, a through c that applies: A: I have never been in immigration court proceedings. <input type="checkbox"/> B: I am now in immigration court proceedings. <input type="checkbox"/> C: I am not now in immigration court proceedings, but I have been in the past. <input type="checkbox"/>			
18. Complete #18 A-B: A. When did you last leave your country (mm/dd/yyyy) _____ B. What is your current I-94 number, if any? _____			
19. What country issued your last passport or travel document?		20. Passport #	21. Expiration Date (mm/dd/yyyy)
22. What is your native language?		23. Are you fluent in English? Y ___ N ___	What other languages do you speak fluently?
FOR EOIR USE ONLY		FOR USCIS USE ONLY Action: Interview Date: _____ Asylum Officer ID#: _____ Decision: _____ Approval Date _____ Denial Date _____ Referral Date	



LESSON 7

Undocumented Immigrants

You who are so called illegal aliens must know that no human being is "illegal." That is a contradiction in terms. Human beings can be beautiful or more beautiful, can be right or wrong, but illegal? How can a human being be illegal?

~ Elie Wiesel, Nobel Peace Prize Laureate, "The Refugee" (1985)

LESSON 7

Undocumented Immigrants



Goal

- » Understand the causes of undocumented immigration and how being undocumented affects the human rights of immigrants.

Objectives

- » Students will learn basic facts about undocumented immigrants in the United States.
- » Students will examine the factors causing undocumented immigration and how these are related to U.S. immigration policy.
- » Students will understand how being undocumented affects the human rights of immigrants.

Essential Questions

- » What causes undocumented immigration?
- » How should the human rights of undocumented immigrants be protected?

Key Skill

- » Using a Venn diagram to compare and contrast (Activity 3).

Teacher Advisory

Please read the Advisory on Immigration Status on page 20 before beginning this lesson.





Materials

- Handout 1: Facts about Undocumented Immigration*
- Ch. 7 PowerPoint: Facts about Undocumented Immigration (Download online.)*
- Handout 2: Stay or Go Stories*
- Handout 3: Case Studies*
- Answer Key: Case Studies*
- Handout 4: Comparing Case Studies*
- Sticky notes*

Time Frame

2-3 class periods

Vocabulary

-  **documented immigrant**
-  **illegal immigrant**
-  **unauthorized immigrant**
-  **undocumented immigrant**

Knowing the Facts

Procedure:

1. Define. Take a moment at the beginning of the activity to help students understand the implications of the language that people use to talk about undocumented immigration. First, ask students to guess what the difference might be between an undocumented immigrant and a documented immigrant. What documents are the difference between the two kinds of immigrants? (Answer: currently valid immigration documents, like green cards.) Explain that many people who work for the rights of immigrants prefer to use the term “undocumented immigrant” to describe people who do not have legal permission to be in the United States.

One of the other terms that many people use is “illegal immigrant.” Write the words “undocumented” and “illegal” on each side of the board. Ask students to think of the emotions evoked by each word, or other words that they associate with the two words, and write their answers on the board under the appropriate word. Typically, the term “illegal” has many more negative associations than the term “undocumented.” Using the word “illegal” to talk about undocumented immigrants can be dehumanizing, so ask that students try to use “undocumented immigrants” throughout the rest of the lesson (and preferably whenever they talk about the issue). Another neutral alternative is “unauthorized immigrant.”



2. Explain. Give students an overview of the facts about undocumented immigration in the United States. Download the PowerPoint that accompanies Lesson 7 by visiting the online version of this curriculum at www.energyofanation.org and selecting “Education.” Students can also study *Handout 1: Facts about Undocumented Immigration*, which contains much of the same information as the PowerPoint. Ask students to write down one fact or statistic from the presentation or handout that they found interesting, surprising, or important.

3. Create a fact wall. Give students large post-it notes or pieces of paper with tape, and have them transfer their facts to the paper. Next, have students stick their papers up on one wall of the classroom. Ask students to try to group their notes next to others that have the same or a similar fact. Work with students as they place their facts on the wall to facilitate the grouping process. After all the facts are posted, the class can see a visual representation of what they thought about the information they just learned about undocumented immigration. As a class, discuss the result.

Questions for Discussion

- ? What facts were chosen most often by the class? Why?
- ? Did you have more questions about any of the information you learned in this activity?

Recommended Extension

Watch a film. There are several excellent movies about undocumented immigrants in the United States that put a human face on the issue. Some of them highlight the reasons that people come to the United States as undocumented immigrants, while others show what life is like for undocumented immigrants after they arrive. See the list of immigration-related films in Appendix C on page 289 for good choices.

Stay or Go?

Procedure:

1. Explain. Tell students that in this activity, they will be thinking about the decision people make to live in the United States as an undocumented immigrant. They will be listening to various stories and imagining themselves as the main character. At key turning points during the story, they will be asked to decide whether they would choose to live in the United States as an undocumented immigrant, if they were in the same situation as the main character. Remind students that people can become undocumented immigrants in two ways, either by crossing the border without permission (about 55% of the undocumented population) or staying in the United States after their legal status has expired (about 45% of the undocumented population). Some of the characters will be deciding whether to leave their homes and enter the United States without permission, while others will be deciding whether to remain in the United States after they have lost their legal status. In both cases, the choice is between living in their home country as a citizen or living in the United States as an undocumented immigrant.

2. Prepare. Ask students to sit in their seats, close their eyes, and place their heads down on the table. Explain that they are sitting this way so that everyone can vote on their decisions anonymously, and that after the story, you will tell them how many students voted to stay or go at each point in the game.

3. Read. Read each of the stories in *Handout 2: Stay or Go* to the class. When you reach a point in a story that says “Stay or Go,” pause. Record the number of students who vote to come to, or stay, in the United States, although it will mean they will become undocumented immigrants.

4. Discuss. After reading each story, ask students to sit up and open their eyes. Share with them the number of students who chose to live in the United States without status at each “Stay or Go” decision point. Invite students to share their reasoning with the rest of the class. If they chose to leave, when and why did they do so? If they chose to stay, how did they make that decision? After reading all of the stories, encourage further discussion with the following discussion questions:

Questions for Discussion

- ? What reasons do people have for wanting to stay in their home country?
- ? What circumstances drive people to leave their home country?
- ? What opportunities draw people to the United States?
- ? What are the possible consequences of choosing to live in the United States as an undocumented immigrant?
- ? What are the possible consequences of choosing to live in a home country that is not safe, does not have adequate job opportunities, or is not good for your children?

Undocumented vs. Documented

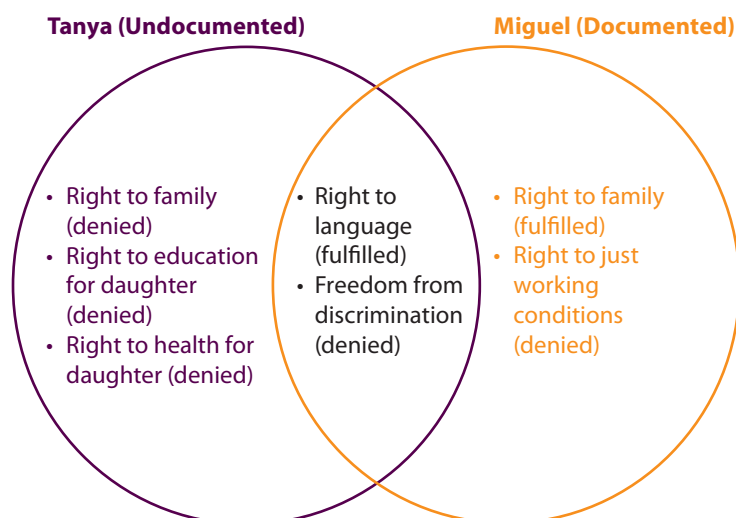
Procedure:

1. Review. For this activity, make sure students understand basic human rights concepts, especially as they relate to immigration. Lesson 2 on page 31 and Lesson 3 on page 43 can help provide the background necessary for this activity.

2. Demonstrate. Tell students that they will now be comparing and contrasting the experiences of documented and undocumented immigrants using Venn diagrams, focusing especially on the human rights of both people. Model for the class how to use a Venn diagram for this kind of analysis. Draw two overlapping circles on the board, labeling one “Tanya (Undocumented)” and the other “Miguel (Documented).” Give students *Lesson 2 Handout 1: The Universal Declaration of Human Rights* (see page 37). Ask students to take a moment to read it over and re-familiarize themselves with the rights it contains. Read the following vignette. Ask students to use the UDHR as a guide and listen for moments when either Tanya, Miguel, or both have a human rights violated or fulfilled. They should note the rights in their notebook or on their UDHR.

Miguel and Tanya are at the Department of Motor Vehicles one Saturday morning to apply for their first U.S. driver’s licenses. Miguel has a green card, but Tanya is an undocumented immigrant. Miguel came to the United States to join his wife, a U.S. citizen. Tanya tried to apply to join her brother, but was discouraged by the nine-year wait, so she decided to come on a temporary visa and then stayed after it expired. Neither of them speaks English very well, so they ask to take foreign language versions of the written exam. Both Miguel and Tanya pass their tests, and Miguel is given a driver’s license. He is very pleased, because his bus is not always on time, and his boss threatened to fire him if he was late again. His boss treats him differently than the other workers and makes rude comments about Mexicans. Tanya is denied a license, because she cannot prove that she has legal permission to be in the United States. She is worried about how she will take her daughter to school and to doctor appointments to treat her asthma. Her neighbors will not help her. Instead, they sometimes say things like “Speak English!” or “Go back to where you came from.”

After reading the vignette, ask students to share the human rights issues they identified. Start with the human rights issues that Tanya experienced. As students share their answers, decide whether the right was violated or fulfilled. Then ask whether Miguel had a similar experience. If Miguel had a similar experience, put that human right in the space where the two circles overlap. If Miguel did not have a similar experience, put the right in the part of Tanya’s circle that does not overlap with Miguel’s. Repeat the process looking at human rights issues that affected Miguel. At the end, the diagram should look like the example below:



(continued on next page)

Undocumented vs. Documented

(continued from previous page)

3. Read and analyze. Have students form small groups of 2-3 students. Students should keep out their copy of *Handout 1: The Universal Declaration of Human Rights* from Lesson 2. Pass out *Handout 3: Case Studies*, giving each story to about one quarter of the small groups. Small groups will be pairing up later, so make an equal number of documented and undocumented stories to use when dividing them up. Have the small groups read their case studies, noting places where the person's human rights were fulfilled or violated by the actions of either the government or other people. They should highlight the moment on their handout and write down what human right was affected. Teachers can use the answer key on page 134 to help students draw out all the human rights issues in the stories.

4. Pair up. Next, have each small group pair up with another small group that analyzed a different story. Groups that read a story about a documented immigrant should pair with one that read about an undocumented immigrant. Have the small groups fill in *Handout 4: Comparing Case Studies* using the analysis they just completed. Students can refer back to the Venn diagram they filled out as a class for a guide on how to fill in their handout. In some cases, both people in the stories will have had a right fulfilled or violated. Students should enter these answers in the shared space. In other cases, one of the individuals will have a right violated or fulfilled while the other person has no similar experience or an opposite outcome. Those answers should go in the parts of the circles that do not overlap.

5. Reflect. Once the small groups have finished filling out their Venn diagrams, bring students back together to discuss what they learned.

Questions for Discussion

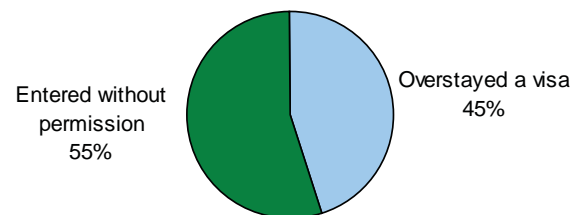
- ? What issues did the undocumented and documented immigrants have in common?
- ? What experiences were unique to undocumented immigrants?
- ? Why does not having a legal immigration status lead to the violation of seemingly unrelated rights such as the right to just working conditions or the right to housing?
- ? What could the United States do differently to protect the rights of undocumented immigrants? Who needs to act — the government or individuals or both?
- ? Should we be more respectful of the rights of undocumented immigrants? Are there reasons to protect or not to protect certain rights just because someone is undocumented?

FACTS ABOUT UNDOCUMENTED IMMIGRATION

U.S. immigration laws provide a limited number of ways for people to immigrate permanently to the United States and limited numbers of visas for those who do qualify. People who want to join their family members may face long wait times or their U.S.-based family may not meet the income requirements to sponsor them. People coming to work must meet very strict requirements and employers must go through a lengthy and expensive process, which can make them less willing to sponsor immigrants. Many categories of workers are not eligible to immigrate at all or have so few visas that immigrating is virtually impossible. People facing persecution or unsafe environments in their home countries cannot always meet the high standard of proof required by the immigration system. Many people are unable to legally immigrate to the United States at all because they do not fit into one of the available categories or because they face personal bars to admission such as certain crimes or previous immigration violations

Even though the immigration system may not offer them a legal pathway, some people still want to come to the United States to join family, to work and make a good living, or to find safety. As a result, some people choose to come to the United States without a visa or to overstay a temporary visa once they arrive and are known as undocumented or illegal immigrants.¹ In 2010, the estimated undocumented population of the United States was 11.2 million, or 3.7% of the total population.²

How undocumented immigrants entered the U.S.

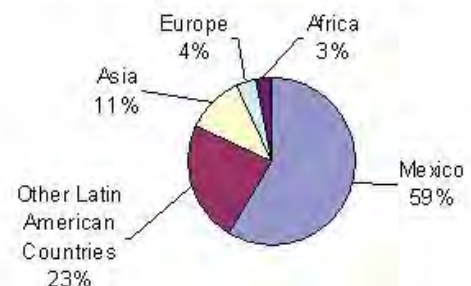


Life as an undocumented immigrant is very hard. Undocumented immigrants cannot legally work in the United States. To work, they must either use false documents and lie about their identity, or they must work for someone who does not follow proper employment laws and who may take advantage of them by paying very low wages or making them work in unsafe and unhealthy conditions. Undocumented immigrants are also not eligible for any public assistance other than emergency medical care, so they cannot get help if they cannot afford food or routine medical care. Finally, undocumented immigrants are always vulnerable to being arrested and deported, so they are often afraid of talking to government officials such as police officers, school administrators and teachers, or labor law enforcement. This can limit their ability to be safe from crime, get a good education for their children, or be protected from exploitative employers.

Fast Facts³

- Half of all undocumented immigrants in the United States live in California, Texas, Florida, or New York.
- There are 1 million undocumented children in the United States. Another 4.5 million children have at least one undocumented parent.
- The number of undocumented immigrants in the United States has declined by 8% since 2007.

Origins of undocumented immigrants



1 Pew Hispanic Center, "Modes of Entry for the Unauthorized Migrant Population," May 22, 2006, <http://www.pewhispanic.org/files/factsheets/19.pdf>.

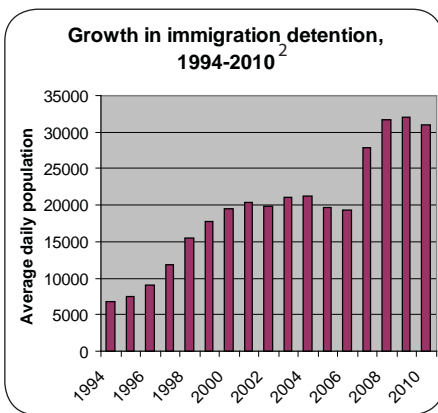
2 Jeffrey Passel and D'Vera Cohn, "Unauthorized Immigrant Population: National and State Trends, 2010," Pew Hispanic Center, February 1, 2011, <http://www.pewhispanic.org/2011/02/01/unauthorized-immigrant-population-national-and-state-trends-2010/>.

3 Ibid.

FACTS ABOUT UNDOCUMENTED IMMIGRATION

Understanding the experience of undocumented immigrants also requires understanding how the United States enforces its immigration laws. Any person who is not a U.S. citizen can be detained and removed if they are found to have violated immigration laws. Undocumented people may be arrested and deported at any time if found by immigration officials. Refugees, permanent residents, and people on temporary visas all may be deported or refused permission to re-enter the United States if they violate the conditions of their visas, even if this might separate them from their family or their job.

Over 1 million family members have been separated by deportation between 1997 and 2007.¹



Immigration Enforcement

The U.S. immigration enforcement system is an enormous operation. In fiscal year 2009, Immigration and Customs Enforcement (ICE) completed 387,790 deportations.³ In addition to overseeing deportation proceedings, ICE operates the largest detention program in the United States, with a total of 378,582 non-citizens from 221 countries in custody or supervised by ICE in fiscal year 2008.⁴ Many people, including arriving asylum seekers and non-citizens convicted of certain crimes face mandatory detention without a hearing by a court. People in detention may spend weeks or months in jail while they wait for their hearing or pursue an appeal.

Removal from the United States

In general, people accused of being in the United States in violation of immigration laws have a right to a hearing in front of an immigration judge. At the hearing, the judge decides whether there is sufficient evidence that the person is in the United States without permission or in violation of their immigration status. The judge also decides whether there is any defense the person can raise that will allow them to remain in the United States. While U.S. law provides that people in removal proceedings have “the privilege of being represented,” representation must be “at no expense to the Government.”⁵

U.S. immigration laws are strict. Undocumented people have few options to prevent deportation. An undocumented person who has lived in the United States for at least ten years, has “good moral character,” and whose deportation would result in *exceptional and extremely unusual* hardship to their U.S. citizen or lawful permanent resident children or spouse may apply for a waiver of deportation.⁷ Victims of crimes, human trafficking, persecution, or domestic violence who are in deportation proceedings generally may ask the judge for protection. People deported from the United States are barred from returning for at least ten years.

In over half of all deportation cases, immigrants did not have access to a lawyer.⁶

- 1 US Immigration and Customs Enforcement, “Forced Apart (By the Numbers): Non-Citizens Deported Mostly for Nonviolent Offenses,” Human Rights Watch: 5, 64, April 15, 2009, <http://www.hrw.org/node/82173>.
- 2 Chad C. Haddal and Alison Siskin, “Immigration-Related Detention: Current Legislative Issues” (2010), *Federal Publications*, Paper 707, http://digitalcommons.ilr.cornell.edu/key_workplace/707.
- 3 U.S. Department of Homeland Security, Annual Financial Report for Fiscal Year (FY) 2009. (Washington DC: March 17, 2010), http://www.dhs.gov/xlibrary/assets/cfo_afry2009_vol1.pdf, pg 12.
- 4 Dr. Dora Schriro, *Immigration Detention Overview and Recommendations* (Immigration and Customs Enforcement, Washington DC: Oct. 6, 2009), <http://www.ice.gov/doclib/about/offices/odpp/pdf/ice-detention-rpt.pdf>, pg 2.
- 5 INA § 235(b)(1)(B)(iii)(IV).
- 6 *Reforming the Immigration System*, pg 39.
- 7 INA § 240A(b).

STAY OR GO STORIES

Situation 1: You live in a small town in Mexico. You married your childhood sweetheart and had three children. Your craft is farming; you grew up learning about the soil and how to keep your crops healthy. Lately, however, the government has stopped supporting small farmers and it has been difficult to make a living. You and your wife have been fighting about money and putting food on the table. You're only 29 – still young enough to farm for many more years or even learn a new trade and start over. You have heard there are opportunities in the United States. **Stay or go?** You have two cousins who went to the United States and got jobs. They sent home enough money to buy your aunt a nice new house. They promise you that they can get you a job and that in a few years, you will have a new house for your family, and maybe even a car. **Stay or go?** This summer, your region has experienced a horrible drought. Now, instead of being worried about buying new clothes, you are worried that your family may starve. Your oldest child drops out of school to earn some money doing dangerous construction work, even though he is only 12. You know he could be injured and should be in school, but he also has to eat. **Stay or go?** Two months later, your father dies, and your mother moves in with you. You are not sure how you can afford to feed another person. **Stay or go?**

Situation 2: You are 24 years old. You were born in Nigeria, spent a year in London, and then moved back to Nigeria. Three years ago, you were thrilled to learn you were accepted to study at Boston University for college. Now, as you finish your four years of college, you know that your visa is going to expire in a few months. You have to decide if you are going to return to Nigeria. You love Boston and all of your friends here. **Stay or go?** You hear in the news that the United States might pass comprehensive immigration reform soon, which would make it easier for you to get a permanent visa and find a job. You think the risk might be worth it. **Stay or go?** On Valentine's Day (a new holiday to you), one month before your visa is about to expire, you mention your concerns to your girlfriend. She says that she has been thinking about marrying you, but that she really wants to finish college first. She begs you to stay for another year so that she can finish college and find a good job before the wedding. **Stay or go?**

Situation 3: You are the young mother of a beautiful new baby girl. You live in the city of Kabul, Afghanistan. Your parents were always supportive of you, and despite the restrictions imposed by the Taliban, your mother and father provided you an excellent education at home. Even now that the Taliban has been overthrown, however, you don't feel like your values fit in and you are concerned about what life will be like for your daughter. You have a distant relative in the United States who has offered you a place to stay whenever you want. **Stay or go?** Your husband has been saving money to travel to the United States, and has found a woman who can sell you false passports that will get you past the border. You are sure that once you are in the United States, you can figure out a way to stay and work, even without valid visas. **Stay or go?** Fighting breaks out in Kabul, and you fear for your family's safety. It seems like it never stays peaceful and safe for long. As the fighting intensifies, you learn that one of your nephews who lives nearby has been killed by a stray bullet. **Stay or go?**

Situation 4: You are from Romania, and you have a smart, ten-year-old son who has a physical disability and is in a wheelchair. He is teased and marginalized in your home country, and there are few services for him. Your husband died, so now it is just you and your son. You decide to take your son on a trip to visit your best friend in the United States. You have temporary permission to be in the United States with a tourist visa. You immediately notice that public spaces are more accessible and there are many more social services for people with disabilities. Your visa expires in two months, and you know that you should buy your return plane ticket soon. **Stay or go?** You decide to enroll your son in a school, because it is the start of a new school year. He makes a new friend, is in mainstream classes, and seems much happier than you have ever seen him. **Stay or go?** At a parent-teacher conference, your son's new teacher mentions a medical group that specializes in your son's condition. When you go to your first appointment, the doctor is very optimistic that your son can become even more independent and mobile with a new treatment that is only available in the United States. Your tourist visa is now due to expire in only two weeks. **Stay or go?**

CASE STUDIES

Ling

Ling's Story (documented)

Ling was born in China. From the time she was a small baby, her aunt and uncle have lived in the United States. Her aunt invited Ling's family to join them there. Ling's parents applied to immigrate to the United States, and it took ten years for their request to be granted. Finally, when Ling was 16, she and her parents came to the United States as documented immigrants. At first, Ling had trouble adjusting, since her life in the United States was so different from what it had been in China. Speaking English was very challenging for her. Her new school in America had limited numbers of English Language Learner (ELL) classes, and because the classes were so large, she got little individual attention. This made learning English much harder. Although she had studied how to read and write English at her school in China, she had trouble listening and speaking the language. Many of her classmates in non-ELL classes had little patience with Ling and her broken English. Due to this and the fact that she was an immigrant, she was often socially excluded at school.

After her high school graduation, Ling tried to get a job at a local factory that paid very good wages. They rejected her because she was an immigrant. When Ling mentioned this to her parents, they said it was illegal for the employer to discriminate against her. She decided to file a complaint with the government. The company had to pay a big fine and promise to change its policies in the future. Ling decided she no longer wanted to work for such a discriminatory employer, so she got a job working for a family friend in order to make some money.

Ling is now a college student studying art history. She dreams of becoming a curator at a museum. Although she had trouble settling into her life in the United States at first, she now plans to live here for the rest of her life and has decided to become a naturalized citizen.

Human Rights Violated or Fulfilled

CASE STUDIES

Alejandro

Alejandro’s Story (undocumented)

When Alejandro was just eight months old, his parents brought him from Mexico to the United States. They were undocumented immigrants, and they never filed immigration papers because there was no visa category through which they were eligible for permanent residency.

As he grew up, Alejandro’s life was similar in many ways to that of many boys his age. He loved to play basketball and baseball, and he was good at math. Alejandro worked hard in high school, graduating near the top of his class. He dreamed of graduating from college and becoming a doctor. However, because he was an undocumented immigrant, Alejandro was not eligible for in-state tuition or any scholarships or financial aid for college. Unable to afford the education he dreamed of, Alejandro got a job working part-time stocking shelves at a grocery store.

One day, Alejandro went to a large party to celebrate the Fourth of July. The neighbors called the police about the noise. When the police came to break up the party, they noticed Alejandro and one of his Latino friends and questioned both of them about their immigration status. Two days later, immigration authorities came to Alejandro’s house at 5:00 am and arrested him. They handcuffed him and took him to an immigration detention center. Alejandro was given an orange jumpsuit and shackles to wear, and was not allowed to go outdoors. He had no contact with his parents, who were too afraid to visit him.

After more than three months, Alejandro was taken to court, where he faced an immigration judge. He had no lawyer and had never been given legal advice on his case. The judge decided to deport him. Alejandro had lived in the United States since he was a baby. In spite of this, he was deported back to Mexico, the country where he was born. Alejandro’s parents remained behind with his younger siblings, who are all U.S. citizens. Deportation cases are very difficult to reverse, so it is unclear when or if Alejandro’s family will be reunited.

Human Rights Violated or Fulfilled

CASE STUDIES

Ana

Ana's Story (undocumented)

Ana and her mother came to the United States from Russia as undocumented immigrants when she was 19 years old. Determined to do well, she entered English Language Learner (ELL) classes and she worked hard to learn English so she could communicate and succeed in the United States. Ana stayed late after classes and spent her weekends reading books in English. Within the next two years, she was able to enroll in a local community college.

Unfortunately, six months later, her mother became too sick to work. Because they were both undocumented, her mother was not eligible for any public benefits such as subsidized medical care or cash assistance. Ana was forced to drop out of school to work full time and support the family.

Ana found a job as line worker at a factory. At first, Ana was very pleased to have a paying job. After a few weeks, however, she discovered that her employer was very demanding. Her employer expected Ana to work from 5:00 am until late at night, doing very strenuous work with few breaks, though she was only paid for an eight-hour day. When Ana asked for either shorter working hours or overtime pay, her employer threatened to report Ana's immigration status to authorities. If this occurred, Ana could be deported back to Russia. Ana knew that another employee had tried to complain to the government agency in charge of enforcing labor laws, but had been deported before anything could happen with her case. Ana decided not to risk deportation and to put up with her employer's demands.

After a year of difficult work and little sleep, Ana became very sick. Her factory job offered no health insurance, so Ana couldn't afford to go to the doctor. When Ana asked for a sick day, her employer refused. Eventually, Ana became too sick to work. Her employer fired her, and refused to pay her for the last two weeks she had worked, taking away Ana's ability to support her mother and herself. Ana worries that she will have to take an even worse job now in order to make ends meet.

Human Rights Violated or Fulfilled

CASE STUDIES

Ling

Ling's Story (documented)

Ling was born in China. From the time she was a small baby, her aunt and uncle have lived in the United States. Her aunt invited Ling's family to join them there. Ling's parents applied to immigrate to the United States, and it took ten years for their request to be granted. Finally, when Ling was 16, she and her parents came to the United States as documented immigrants. At first, Ling had trouble adjusting, since her life in the United States was so different from what it had been in China. Speaking English was very challenging for her. Her new school in America had limited numbers of English Language Learner (ELL) classes, and because the classes were so large, she got little individual attention. This made learning English much harder. Although she had studied how to read and write English at her school in China, she had trouble listening and speaking the language. Many of her classmates in non-ELL classes had little patience with Ling and her broken English. Due to this and the fact that she was an immigrant, she was often socially excluded at school.

After her high school graduation, Ling tried to get a job at a local factory that paid very good wages. They rejected her because she was an immigrant. When Ling mentioned this to her parents, they said it was illegal for the employer to discriminate against her. She decided to file a complaint with the government. The company had to pay a big fine and promise to change its policies in the future. Ling decided she no longer wanted to try to work for such a discriminatory employer, so she got a job working for a family friend in order to make some money.

Ling is now a college student studying art history. She dreams of becoming a curator at a museum. Although she had trouble settling into her life in the United States at first, she now plans to live here for the rest of her life and has decided to become a naturalized citizen.

Human Rights Violated or Fulfilled

[Right to family \(fulfilled\)](#)

[Right to education \(violated\)](#)

[Freedom from discrimination \(violated\)](#)

[Freedom from discrimination \(violated\)](#)

[Right to a remedy \(fulfilled\)](#)

[Right to desirable work \(fulfilled\)](#)

[Right to education \(fulfilled\)](#)

CASE STUDIES

Alejandro

Alejandro’s Story (undocumented)

When Alejandro was just eight months old, his parents brought him from Mexico to the United States. They were undocumented immigrants, and they never filed immigration papers because there was no visa category through which they were eligible for permanent residency.

As he grew up, Alejandro’s life was similar in many ways to that of many boys his age. He loved to play basketball and baseball, and he was good at math. Alejandro worked hard in high school, graduating near the top of his class. He dreamed of graduating from college and becoming a doctor. However, because he was an undocumented immigrant, Alejandro was not eligible for in-state tuition or any scholarships or financial aid for college. Unable to afford the education he dreamed of, Alejandro got a job working part-time stocking shelves at a grocery store.

One day, Alejandro went a large party to celebrate the Fourth of July. The neighbors called the police about the noise. When the police came to break up the party, they noticed Alejandro and one of his Latino friends and questioned both of them about their immigration status. Two days later, immigration authorities came to Alejandro’s house at 5:00 am and arrested him. They handcuffed him and took him to an immigration detention center. Alejandro was given an orange jumpsuit and shackles to wear, and was not allowed to go outdoors. He had no contact with his parents, who were too afraid to visit him.

After more than three months, Alejandro was taken to court, where he faced a immigration judge. He had no lawyer and had never been given legal advice on his case. The judge decided to deport him. Alejandro had lived in the United States since he was a baby. In spite of this, he was deported back to Mexico, the country where he was born. Alejandro’s parents remained behind with his younger siblings, who are all U.S. citizens. Deportation cases are very difficult to reverse, so it is unclear when or if Alejandro’s family will be reunited.

Human Rights Violated or Fulfilled

[Right to education \(fulfilled\)](#)

[Right to education \(violated\)](#)

[Right to desirable work \(fulfilled\)](#)

[Freedom from discrimination \(violated\)](#)

[Freedom from degrading treatment \(violated\)](#)

[Right to fair hearing \(violated\)](#)

[Freedom from arbitrary exile \(violated\)](#)

[Right to family \(violated\)](#)

CASE STUDIES

Ana

Ana's Story (undocumented)

Ana and her mother came to the United States from Russia as undocumented immigrants when she was 19 years old. Determined to do well, she entered English Language Learner (ELL) classes and she worked hard to learn English so she could communicate and succeed in the United States. Ana stayed late after classes and spent her weekends reading books in English. Within the next two years, she was able to enroll in a local community college.

Unfortunately, six months later, her mother became too sick to work. Because they were both undocumented, her mother was not eligible for any public benefits such as subsidized medical care or cash assistance. Ana was forced to drop out of school to work full time and support the family.

Ana found a job as line worker at a factory. At first, Ana was very pleased to have a paying job. After a few weeks, however, she discovered that her employer was very demanding. Her employer expected Ana to work from 5:00 am until late at night, doing very strenuous work with few breaks, though she was only paid for an eight-hour day. When Ana asked for either shorter working hours or overtime pay, her employer threatened to report Ana's immigration status to authorities. If this occurred, Ana could be deported back to Russia. Ana knew that another employee had tried to complain to the government agency in charge of enforcing labor laws, but had been deported before anything could happen with her case. Ana decided not to risk deportation and to put up with her employer's demands.

After a year of difficult work and little sleep, Ana became very sick. Her factory job offered no health insurance, so Ana couldn't afford to go to the doctor. When Ana asked for a sick day, her employer refused. Eventually, Ana became too sick to work. Her employer fired her, and refused to pay her for the last two weeks she had worked, taking away Ana's ability to support her mother and herself.

Human Rights Violated or Fulfilled

Right to education (fulfilled)

Right to social security (violated)

Right to education (violated)

Right to fair work conditions (violated)

Right to rest and leisure (violated)

Freedom from discrimination (violated)

Right to equal protection (violated)

Right to health (violated)

Right to adequate standard of living (violated)

CASE STUDIES

Nadif

Nadif’s Story (documented)

When he was four years old, Nadif and his family fled Somalia and found their way to a refugee camp. During their flight, his uncle died, so his parents adopted his young cousin to raise as their own. After living as a family for five years in the refugee camp, Nadif thought of his cousin as a brother. In early 2001, he and his family came to the United States. However, U.S. immigration would not allow them to bring his cousin because he had not been officially adopted and was not an immediate relative. The cousin was left behind with friends and Nadif heard from him very infrequently after that.

Nadif had a difficult time at first, because so much was unfamiliar to him — the snow, the culture, and the way people talked. He remembers that he cried often. Over several months, however, the sadness of his loss began to fade. He was quickly learning English and he had made friends with other Somali kids in his building. He loved school and discovered that he adored math.

He had just started fourth grade when the attacks of September 11 took place. Nadif could tell that his teacher felt nervous for him, although he did not understand why. When he went home, he saw the images of the very tall buildings collapsing, and there was a lot of talk around his apartment complex, which had a lot of Somalis living in it. He became scared and asked his mother if they were again in danger. His mother explained that the people who carried out the attacks practiced the same religion they did, although they had not behaved in the way Allah would want them to. She said that Americans were sad and scared. They might treat Muslims differently for awhile.

Many people in his building stayed inside for days afterward, but his mother sent him to school. His teacher said she was happy to see him. One of his best friends wouldn’t talk to him, however, and some older kids started pushing him around on the playground. They got in trouble, and the principal held an all-school meeting to talk about fair treatment.

Over the years, Nadif felt that he lived a privileged life in many ways. He had parents who loved him and were able to provide for him. He had a supportive school environment. He now wants to be an accountant and provide free services to refugees in order to give back to his community.

Human Rights Violated or Fulfilled

Right to asylum (fulfilled)

Right to family (violated)

Right to education (fulfilled)

Freedom from discrimination (violated)

Right to personal security (violated)

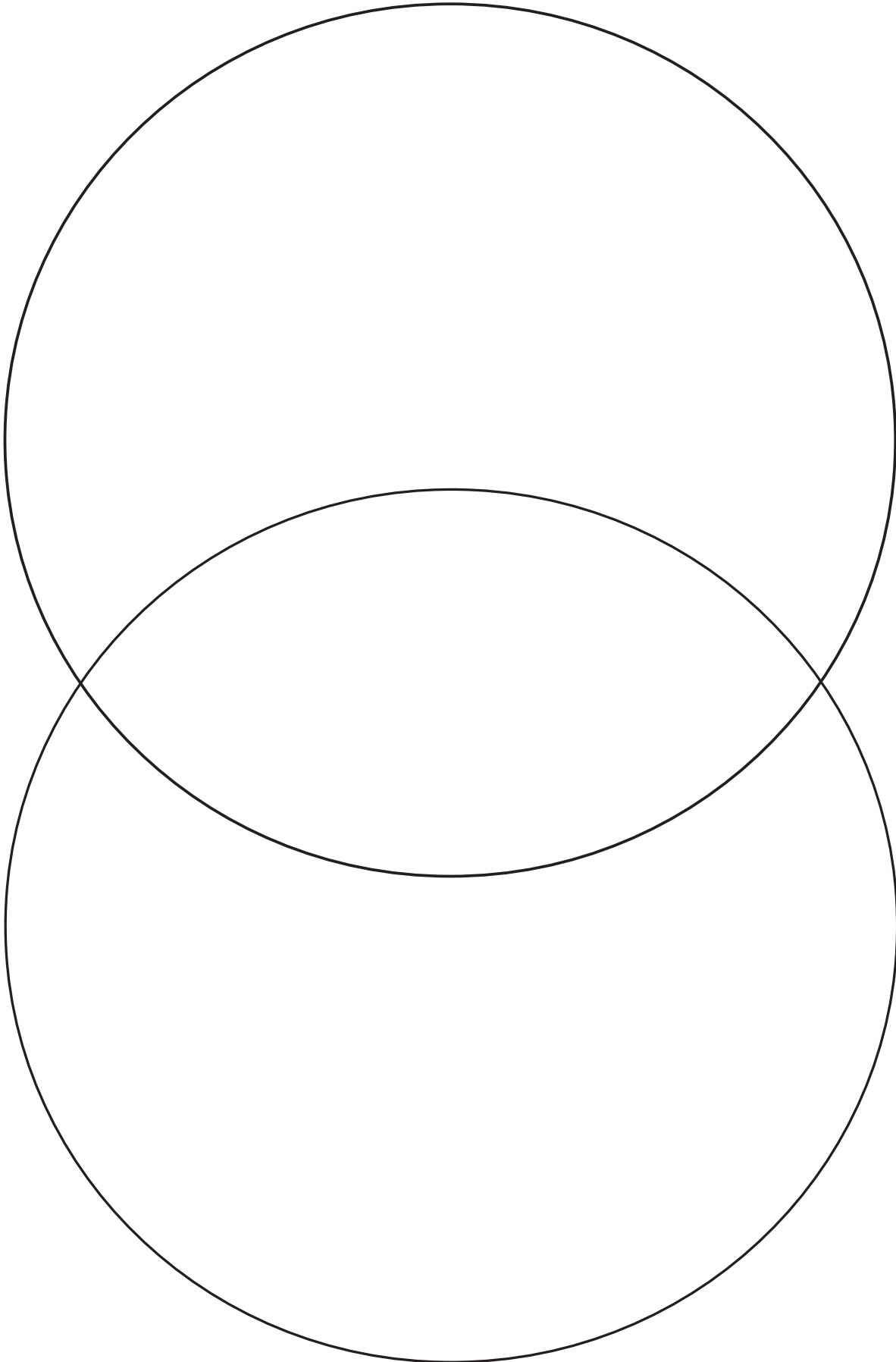
Freedom from discrimination (fulfilled)

Right to family (fulfilled)

COMPARING CASE STUDIES

_____ (Documented)

(Undocumented) _____





LESSON 8

Mock Immigration Court

*Let us realize that the arc of the moral universe is long,
but it bends toward justice.*

~ Martin Luther King, Jr., "Where Do We Go From Here?" (1967)

LESSON 8

Mock Immigration Court



Goal

- » Understand the workings of immigration courts and their impact on justice and the rights of immigrants.

Objectives

- » Students will learn the various roles people play within the immigration court system.
- » Students will experience a wide variety of immigration cases that highlight the challenges immigrants face in securing justice.
- » Students will analyze how well the immigration courts serve the interests of justice and protect the rights of immigrants.

Essential Questions

- » How do the immigration courts work in practice?
- » How do the courts affect justice and the rights of immigrants?

Key Skill

- » Public speaking (Activity 1).

Materials

- Handout 1: Rights and Responsibilities*
- Handout 2: Immigration Court Roles*
- Handout 3: Immigration Court Script*
- Handout 4: Case #1-Maria (Cancellation of Removal)*
- Handout 5: Case #2-Sera (Asylum)*
- Handout 6: Case #3-Xiong (Waiver)*
- Handout 7: Case #4-Tomas (Bond)*

Time Frame

2-5 class periods

Vocabulary

-  attorney
-  bond
-  cancellation of removal
-  immigration court
-  impartiality
-  interpreter
-  judge
-  justice
-  removal
-  respondent
-  waiver
-  witness

Mock Immigration Court

Procedure:

1. Review. Immigrants who are charged with being in the country without authorization or in violation of the terms of their visa often end up before an immigration judge. The following exercise will give students an opportunity to see what a courtroom might look and sound like when different kinds of immigration cases are being heard. Students will need two important sets of background information. The first is a grasp of the basic vocabulary and structure of the U.S. immigration system, which can be found in *Activity 5.2: Understanding the Immigration System* on page 75.

Second, as a class briefly discuss the role of the judicial system in a functioning democracy. A great introduction to the concept is the five-minute video “An Impartial Judiciary” by the U.S. Courts found at http://wn.com/court_shorts_an_impartial_federal_judiciary. After watching the video, discuss what students think about the importance of an impartial judiciary and the rule of law. How might those concepts apply in an immigration context?

2. Prepare. Give each student a copy of *Handout 1: Rights and Responsibilities* and *Handout 2: Immigration Court Roles*. Have students read through both handouts, which will help them understand the rules that govern the operations of the immigration court, as well as the different actors in the courtroom. Address any questions the students may have about the basics of how the immigration courts work.

3. Assign roles. The activity contains four unique cases that represent different situations in which immigrants might find themselves ordered in front of a judge. Each case has a set of roles for students to play. Depending on the size of the classroom, students can be assigned to a single role, the same role in multiple cases, or different roles in different cases. In large classrooms, students may want to double-up on the attorney roles, with two lawyers representing the immigrant or the government. “Interpreters” can be used, even if English is the only language spoken (see *Handout 2: Immigration Court Roles*). Students who do not have an assigned role or who do not feel comfortable speaking can be assigned to be court monitors, representing non-governmental watchdog organizations who attend court sessions to make sure they are fair. Court monitors should take notes on the proceedings, which they will report back to the class at the end of the trials.

Cancellation of Removal	Asylum	Waiver	Bond
Maria	Sera	Xiong	Tomas
Maria’s attorney	Sera’s attorney	Xiong’s attorney	Tomas’ attorney
Government attorney	Government attorney	Government attorney	Government attorney
Judge	Judge	Judge	Judge
Miguel (witness)	Psychologist (witness)	Moua (witness)	Interpreter (optional)
Interpreter (optional)	Interpreter (optional)	Interpreter (optional)	Court monitor (optional)
Court monitor (optional)	Court monitor (optional)	Court monitor (optional)	

(continued on next page)

Mock Immigration Court

(continued from previous page)

4. Prepare cases. Have students form small groups with the other people participating in their case. Pass out *Handout 3: Immigration Court Script* and the relevant case material (*Handouts 4-7*) to each student. Give them a chance to read the background material for their case and the immigration script. They should make notes as they go, indicating what they plan to say in court. The judge should also decide what factors are going to help them make their decision. The immigrants, their attorneys, and the witnesses can work together to design their questions and answers.

5. Hold court. Once students feel comfortable with their roles and what they will say in court, start the court session. For each case, set up the classroom as a mock courtroom. Have students take turns acting out their immigration court cases. If you do not have any students acting as court monitors, have the students who are not currently participating take notes on the proceedings and the outcomes.

6. Discuss. After concluding the trial or trials, have the court monitors or other students report back a summary of the court cases and their outcomes. Ask the monitors for any observations they had about the fairness or impartiality of the court. As a large group, reflect on the classroom's experience with the mock court.

Questions for Discussion

- ? Did you enjoy your role? Why or why not?
- ? What did you learn from this trial?
- ? Were there any courtroom rules that you felt were critical to ensuring fairness and justice? Were there any that you felt were unfair?
- ? Discuss the role of the judge in this trial. How important would impartiality be for an individual hearing case with such significant ramifications?
- ? Do you think that justice was carried out? Why or why not?

RIGHTS AND RESPONSIBILITIES

Rights:

In immigration court, the immigrant has certain rights. He has the right to have an attorney in court with him, but this lawyer is not provided free of charge by the government. The immigrant may need to hire and pay an attorney or find a pro bono (free) lawyer. The immigrant also can speak for himself; he is not required to have an attorney.

The immigrant has the right to appeal any decision to a higher court if he is not satisfied with the judge's decision or feels the judge made a mistake in his case. The immigrant must indicate whether or not he wishes to "reserve his right" to appeal at the time the decision is given by the judge. Reserving the right to appeal does not require the immigrant to appeal, it simply gives him the chance to appeal. Waiving the right to appeal means that he is giving up the chance to appeal and will not be able to appeal in the future, even if he changes his mind. Any appeal must be filed within 30 days of the decision, so if the immigrant reserves the right to appeal he has 30 days to decide whether to appeal or not.



The immigrant has the right to see anything that the government offers as evidence in his case. This means that if the government provides a record of a statement the immigrant made to a border patrol officer, the immigrant has the right to review that statement. The immigrant also has the right to object and oppose that piece of evidence being considered in his case. If the immigrant does object to a piece of the evidence, the judge must decide whether that evidence will be considered or not.

The immigrant has a right to a fair hearing. This means he has the right to an interpreter who interprets completely and accurately. It also means that he has the right to complete an application to stay in the country, within a reasonable time provided by the judge. A fair hearing allows the immigrant an opportunity to present witnesses and information about his case and why he should be allowed to stay. Part of a fair hearing means that the government has a chance to question the immigrant and any witnesses. The immigrant also has the opportunity to question any witnesses the government brings to court.

Responsibilities:

The immigrant must swear to tell the truth in any statements made in court. If she fails to tell the truth, she can lose the right to stay in the United States even if she otherwise would qualify for that benefit.

The immigrant must show up at all hearings. If the immigrant does not show up for a hearing, she can be ordered deported and her case will be finished.

IMMIGRATION COURT ROLES

Immigrant:

You are trying to show why you should be allowed to stay in the United States. You must be honest and truthful in your answers, or you could lose the chance to stay in the United States. You will be answering questions from your lawyer and the government lawyer, as well as the judge. You should only respond to questions asked directly to you, unless the judge gives you the opportunity to speak freely. If there is an interpreter, talk to him or her about how you will communicate with each other.

Attorney for Immigrant:

You work for the immigrant. You are responsible for representing her interests and rights and making sure that she has a chance to have her case heard in a fair hearing. Your job is help the immigrant present her story in a way that demonstrates how her situation fits with the law and makes her eligible to stay in the United States. You will do this by asking questions of the immigrant to help tell her story; this is called "direct examination." You have to carefully review the law so that you know the important parts of her story to highlight as you ask her questions. You are also responsible for explaining to the judge why your client deserves to stay in the United States and how she qualifies within the law.

You may also need to challenge and disagree with the government lawyer if he tries to classify your client in an unfair way. If the government lawyer asks a question you feel is unfair, you can say "objection" and then the judge will decide whether the question is fair or unfair. The judge may ask you to explain why you think the question is fair or unfair.

If you feel that something has happened that makes the hearing unfair, such as the interpreter not properly translating, then you should say that to the judge. Your job is to make sure your client's rights are protected.

Government Attorney:

You work for the immigration service as a lawyer. Your job is to make sure that immigrants who are allowed to come into the United States follow the laws, and if they do not follow the laws, to prosecute those people for removal from the country.

You will be cross-examining the immigrant who is applying to stay in the United States. Your job is to ask difficult questions to make sure that the person is telling the truth. You should be skeptical of answers to questions that do not match the facts the person wrote down or told someone else. You are limited to asking questions about the information that is included in the immigrant's application or the things the immigrant's lawyer asked about previously.

You may also challenge and disagree with the immigrant's lawyer if she tries to classify the immigrant in an unfair way. If the immigrant's lawyer asks a question you feel is unfair, you can say "objection," and then the judge will decide whether the question is fair or unfair. The judge may ask you to explain why you think the question is fair or unfair.

IMMIGRATION COURT ROLES

Interpreter:

You are an interpreter. It is your job to translate exactly – word for word – everything the immigrant says in his or her language into English, and everything the judge and lawyers say into the immigrant’s language. You cannot add any words. If the immigrant asks you to repeat something or explain it further, you must state that to the Judge before you can repeat or explain the question. For example, if the immigrant asks “What did he say?” you must translate “What did he say?” and then the Judge will repeat what he said and you will translate that.

As the only person in the courtroom who understands both languages, your role is very important. If one word is not correctly interpreted, it may change the meaning of a sentence and cause a discrepancy which the government attorney might use to accuse the client of not being truthful. You may need to ask the immigrant, the judge, or the lawyers to speak in short sentences so that you are able to translate everything. You are hired independently, so are not supposed to take any particular side.

For the purpose of this mock court, one way to represent interpretation is to have the student playing the immigrant speak to you very softly, in a whisper, so that the other people in the court can’t understand. Then you can repeat what the student said in a normal speaking voice.

Judge:

You are an immigration judge. Your job is to listen to all of the testimony given by the immigrant, the arguments made by the lawyers for each side, and to review all of the documents and statements made in writing by the immigrant. Then you must make a decision about whether he or she qualifies under the law to stay in the United States or whether he or she will be deported/removed.

You must consider not only the law, but also decide how much value to place on each piece of evidence given by the immigrant and, most importantly, whether or not you believe the immigrant is telling the truth about his or her situation.

You are allowed to ask questions of the immigrant at any time during the hearing, although most of the questions should be asked by the attorneys. If an attorney objects to a question, you must decide whether that question is okay or whether the attorney has to ask it a different way. You also control how much time the attorneys can spend asking questions.

Witness:

Your role is to talk about a specific topic, in order to provide information that is helpful to the immigrant’s case. You are giving information that the immigrant himself cannot necessarily give either because he does not know it or because you have special expertise. You are only allowed to talk about the topic you specifically know about — not about the whole case. You will be answering questions from both attorneys and from the judge. It is important that you listen carefully to the questions and only answer what is asked.

IMMIGRATION COURT SCRIPT

Judge: This is Immigration Judge [Insert Last Name] sitting in the Immigration Court in [City, State]. These are removal proceedings in the matter of [immigrant]. The Respondent is present in court with an attorney. Counsel, please identify yourself:

Attorney for Immigrant: [Name] on behalf of [immigrant].

Judge: And for the government?

Attorney for Government: [Name] on behalf of the immigration service.

Judge: Also present is the interpreter [Name]. Interpreter, I need to swear you in. Please stand up. Do you swear that you will interpret faithfully and accurately everything that is said in court today?

Interpreter: I do.

Judge: Please be seated. Now, to the Respondent, do you speak and understand the [language name] language?

[Interpreter translates] — continue translating for all questions posed to the immigrant for the rest of the court session

Client: Yes

[Interpreter translates]

Judge: And do you want the hearings conducted in the [language name] language?

Client: Yes.

Judge: I am going to put you under oath. Please stand and raise your right hand. Do you swear that you will tell the truth, the whole truth, and nothing but the truth?

Client: I do.

Judge: Be seated. I understand we are here today for a hearing regarding Respondent's application for [type of immigration case], is that correct counsel?

Attorney for Immigrant: Yes it is, your honor.

Judge: I have the application and supporting documents you submitted in front of me. Will there be any witnesses other than the Respondent?

Attorney for Immigrant: Yes, your honor; the client's [relationship to immigrant] is present and will be a witness.

Judge: We will take the testimony of the Respondent first. Please come up and sit beside me here in the witness chair.

[Immigrant sits next to Judge]

IMMIGRATION COURT SCRIPT

Judge: Counsel, I'd like you to focus on [main reasons to grant immigrant's application]. Please keep your questions focused on that topic. Go ahead with your questions.

Attorney for Immigrant: Okay your honor. Thank you.

[Question and answer between attorney and immigrant]

Attorney for Immigrant: No further questions at this time, your honor.

Judge: Government, cross examination.

Government Attorney: Thank you, your honor.

[Question and answer between attorney and immigrant]

Government Attorney: Nothing further, your honor.

Judge: Respondent, you may step down. Witness, please come to the stand. I need to place you under oath. Please stand and raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?

Witness: Yes, I will your honor.

Judge: You may be seated. Counsel, proceed with your questions.

Attorney for Immigrant: Thank you, your honor.

[Question and answer between attorney and witness]

Attorney for Immigrant: No further questions at this time, your honor.

Judge: Government, cross examination.

Government Attorney: Thank you, your honor.

[Question and answer between attorney and witness]

Government Attorney: Nothing further, your honor.

Judge: Thank you. Witness you may step down. I will now take a short break and then make my decision.

Judge: This will be my decision. I will [grant/deny] [type of immigration case] for this reason [explain why granting or denying]. Does either side wish to reserve appeal?

Attorney for Immigrant: [either accept or reserve appeal.]

Attorney for Government: [either accept or reserve appeal.]

Judge: That being all, this hearing is closed.

CASE #1 - MARIA (CANCELLATION OF REMOVAL)

The Law

Cancellation of removal (“removal” is another term for deportation) requires that the immigrant:

- Has lived in the United States for 10 years continuously.
- Has shown good moral character.
- Has a U.S. citizen or permanent resident husband/wife, parent, or child (“qualifying relative”).
- Can demonstrate that if the immigrant was removed, the immigrant’s qualifying relative(s) would suffer exceptional and extremely unusual hardship.

In considering “exceptional and extremely unusual hardship” the judge cannot consider any hardship to the immigrant – only to his or her citizen or permanent resident relative. The hardship must be beyond that caused by ordinary family separation. Some of things to consider in deciding whether there is “exceptional and extremely unusual hardship” are: age, health, and circumstances of the qualifying relative; the dependence of the qualifying relative on the immigrant; and adverse country conditions in home country (only relevant if the qualifying relative would have no choice but to leave with the immigrant).

If cancellation of removal is granted, the immigrant will become a permanent resident and be allowed to stay in the United States and eventually become a citizen. As a permanent resident, she can apply for her husband and children to join her in the United States (if they are not already here with status).

Background

Maria is 33 years old and was born in Mexico. Her parents brought Maria and her five siblings to the United States when she was 8 years old. After graduating from high school in the United States, she began working for a local hotel where she has remained employed as a housekeeper. Maria has always paid income taxes and has never been arrested. Fourteen years ago, Maria met José who was also an immigrant. José and Maria fell in love and married. They have two children Miguel, 12, and Angelita, 5. Two years ago there was an immigration raid at the hotel where Maria and José worked. José was arrested and deported.

Maria remained in the United States with Miguel and Angelita. One year ago, immigration officers came to Maria’s house looking for José. When she said he wasn’t there, the officers asked her for her immigration documentation. When she was unable to produce documents, the officers arrested Maria.

Maria does not want to leave the United States. She has lived the majority of her life here, her parents and siblings live in the United States, and she has had steady employment which enables her to support her two children. Maria says that the deportation of José put a strain on their relationship and that she has not heard from him in six months.

Miguel has an A average and is an outstanding soccer player. Last year his school team won the championship. Angelita was born prematurely and requires ongoing medical treatment. She has severe hearing loss, attention problems, and a weakened immune system. Angelita regularly receives medical treatment at a top hospital, counseling at a pediatric clinic, and attends a special needs pre-school program. Maria relates that Angelita is very afraid of moving to Mexico and that it has made her aggressive in school and at home. Maria worries that the separation from her extended family, the lack of medical and counseling services, and the inability of the school system to provide the special services Angelita needs will severely limit her development. Maria has applied for cancellation of removal to enable her to remain in the United States.

CASE #1 - MARIA (CANCELLATION OF REMOVAL)

Roles

Maria - You will be testifying to the facts in your story. Use the background information to help guide you.

Maria's lawyer - You will be asking Maria and Miguel questions and arguing that Angelita in particular would suffer exceptional and extremely unusual hardship if Maria were deported.

Questions to Ask Maria

When did you come to the United States?
 How many children do you have?
 Do your children have any problems?
 What would happen to your children if you had to return to Mexico?

Questions to Ask Miguel

Who do you live with?
 What's your responsibility in the family?
 How have you observed your sister behaving?
 What would happen to you or your sister if your mom went to Mexico?

Government Lawyer – You will be asking questions and arguing that the harm to Miguel and Angelita would not be enough to allow Maria to stay.

Questions to Ask Maria

Is there anyone else who could take care of your children?
 Isn't there medical care available in Mexico?

Questions to Ask Miguel

Does anybody else take care of your sister?
 Do you think you could live with your grandparents in the United States?

Judge – You will be determining whether Maria's case fits into the law of cancellation of removal. Specifically, you will have to decide if the harm to Miguel and Angelita if Maria were deported would be "exceptional and extremely unusual hardship."

Interpreter – You will be translating questions posed to Maria and the answers she gives. Use *Handout 2: Immigration Court Roles* to help guide you.

Miguel (Witness) - You will be testifying to what happened; to how you felt after your dad was deported; and to what would happen to you and your sister if your mom were deported.

You are twelve years old and live with your mom and your sister. You are a good student and enjoy school. You also play on a soccer team and have a lot of friends from the team. You have struggled a little bit since your dad was deported, as you feel like you have a lot of responsibility to be the man of the house and look after your sister and mom.

Your younger sister, Angelita, has had more problems. You try to look after her but it's sometimes very difficult and she gets upset and aggressive with you, even hitting you on occasion when she is really frustrated. You were afraid when the immigration officers came to your house, as you remember when your dad was deported and are afraid of the same thing happening to your mom.

If your mom were deported, she has said that you and Angelita would probably go to Mexico with her. This worries you because you do not speak Spanish very well and you do not want to leave your school and friends here. You are also worried about Angelita, because you have heard that schools and hospitals in Mexico are not as good and you think she might be even more aggressive in Mexico.

CASE #2 - SERA (ASYLUM)**The Law**

In order to gain asylum in the United States, an immigrant must prove a number of things. First, the immigrant must demonstrate that she either suffered persecution (very serious harm) in the past in her home country or that she is likely to be persecuted in the future if she returns. There is no specific definition of persecution, but it is more than discrimination or harassment.

The immigrant must show that she was persecuted because of one of the following reasons: race, religion, nationality, political opinion, or membership in a particular social group. The immigrant also must show that either it is the government of her country that is persecuting her or that the government of her country is not able to protect her. This means that the police or other government officials cannot or will not assist in helping keep her safe from harm.

The immigrant must show that she has a well-founded fear of persecution. This means that her fear of persecution is both something that an average person would be afraid of and also that newspaper articles and other sources can document that it is something that is actually happening in her country.

Finally, the immigrant must be telling the truth. Part of what the judge will assess is whether the immigrant is “credible” – is her story consistent, or does it change a little bit every time it is told? The immigrant is required to submit a written application for asylum and also tell her story in person to an immigration officer or judge. The officer or judge will be comparing the written story to the in-person story to make sure they are the same. Differences between the two can result in asylum being denied.

If the immigrant is granted asylum, she gets the right to stay in the United States indefinitely, become a permanent resident and eventually a citizen. She can apply to bring her husband and children to join her in the United States.

Background

Sera is a 24-year-old married woman from Ethiopia. She came to the United States on a visitor’s visa three months ago. She recently graduated from college in Ethiopia. While she was in college, Sera became very involved with a number of student groups. One of these groups was the student chapter of the Coalition for Unity and Democracy (CUD), a political party. The CUD is involved in advocating for a more democratic government in Ethiopia and calls for new leadership as well as reform of existing governmental structures.

As part of Sera’s participation in the CUD, she led the student chapter at her school, the University of Addis Ababa. She regularly called meetings of approximately 250 other student members, communicated with the broader CUD group, and spoke to other students on campus about CUD activities. She also participated in nearly thirty protests against the Ethiopian government on behalf of CUD advocating for governmental change. A number of these protests were broken up violently.

About one year ago, while at a protest holding a sign that said “Stop the Corruption! Democracy!,” Sera was arrested by Ethiopian police. About three officers started beating her and when she fell down, she was kicked repeatedly. The officers then took her and about ten other protestors in a small van to a prison. At the prison, she was interrogated about her involvement with the CUD. The person interrogating her was a military commander, and he repeatedly asked about other more senior leaders of the CUD. He also threatened that if she did not cooperate and provide information about the plans and operation of the CUD, she would be tortured and her family could be hurt, as well. Sera told him what she knew, withholding some information to protect her friends. However, he was not satisfied. She was put into a cell by herself and subjected to regular beatings. She was held in this prison for three months.

CASE #2 - SERA (ASYLUM)

When Sera was released, the officer made her sign a statement saying she would not be involved with the CUD anymore and that she would check in with the local police office every week. She was terrified of what would happen in the future and relieved to be released. She checked in at the police station for the first three weeks, and each time she was detained at the station for more than three hours in a small room. The stress of these encounters was causing her not to be able to sleep at night and to lose weight. After talking with her family, Sera decided to try to leave Ethiopia.

With the help of a good family friend, Sera was able to get a visitor visa to the United States. While she waited for the visa, she hid in a small village about two hours from Addis Ababa with a distant cousin. Her family told her that police came to her home in Addis on three occasions looking for her because she didn't check in as required. Sera finally left Ethiopia, with help from another friend to get safely through the security at the airport. She thinks he paid a bribe to an officer. Sera is now seeking asylum in the United States.

Roles

Sera - You will be testifying to the facts in your story. Use the background information to help guide you.

Sera's Lawyer – You will be asking Sera and her psychologist questions to demonstrate to the judge that she qualifies for asylum under the law and also that she is telling the truth.

<i>Questions to Ask Sera</i>	<i>Questions to Ask Her Psychologist</i>
Why did you leave Ethiopia?	How long have you been working with Sera?
Why did you join the CUD?	What services have you provided to her?
What happened the first time you were arrested?	What have you observed of her behavior?
Have you experienced any subsequent harm?	What is your diagnosis of Sera?
Did anyone ever threaten you or your family?	How is this connected to her experiences in Ethiopia?
Why did they want to harm you?	
What do you think would happen to you if you went back to Ethiopia?	

Government Lawyer – You will be questioning Sera and her psychologist to uncover any inconsistencies in her story that would show she is not telling the truth. However, if you believe her, you can indicate that by agreeing to (granting) her request for asylum.

<i>Questions to Ask Sera</i>	<i>Questions to Ask Her Psychologist</i>
Have you been talking to your family since you have been in the United States?	Have you testified for a lot of asylum seekers?
How were you able to leave the country if the government was targeting you?	Do you always believe the stories you here from the torture survivors you treat?
Is the CUD party violent?	Is it possible that her post-traumatic stress disorder is due to something else?
So you were only taken by the government one time and they released you?	
Your testimony is that after the first arrest, you were never physically harmed at the police station?	

CASE #2 - SERA (ASYLUM)

Judge – You will be listening to Sera’s testimony to assess whether she meets the legal definition of asylum and whether she is telling the truth. You will also be deciding whether to consider the testimony of the psychologist and if so, how important that information is to Sera’s case.

Interpreter – You will be translating questions posed to Sera and the answers she gives. Use *Handout 2: Immigration Court Roles* to help guide you.

Sera’s Psychologist (Witness) – You will be testifying about Sera’s ongoing nightmares and post-traumatic stress disorder which you believe is consistent with her lengthy detention and torture.

You first met Sera when she came to the torture treatment center where you work. You have been working as a psychologist for fifteen years, eight of which have been with torture survivors. You meet with Sera individually once a month and every week in a group therapy session. You have been meeting with Sera for two months and are continuing to meet with her.

You assessed Sera after four meetings, based on what she reported to you about the torture she experienced in Ethiopia and the feelings she continues to experience in the United States. She told you about ongoing nightmares, problems sleeping, anxiety, as well as her nervousness in small rooms. Sera also reported to you that she scares easily, and finds herself jumping at any small noise. You observed this jumpiness during your meetings with her; once or twice someone knocked at the door during your meeting and Sera visibly jumped and looked sweaty and nervous. Based on what you observed and she reported, you have written a psychological assessment that Sera’s behavior and symptoms are indicative of post-traumatic stress disorder and are consistent with someone who experienced the torture she reported.

CASE #3 - XIONG (WAIVER)**The Law**

Refugees who have been convicted of certain crimes (including drug crimes) can be deported and lose their status. A refugee who has not applied to become a permanent resident can ask for a waiver of these criminal convictions when he applies for permanent resident status. This application is called a 209(c) waiver. To get this waiver, the refugee has to show that he should be allowed to stay for humanitarian reasons, such as ongoing threats of violence in his native country; for family unity; or for public interest reasons. If this waiver is granted, the refugee can become a permanent resident and eventually a citizen. If the waiver is not granted, the refugee will lose his status and be deported to his country of origin.

Background

Xiong came to the United States with his family as a refugee from Laos when he was 12 years old. When he first arrived, he went to a school with other refugees where he could learn English and become familiar with the U.S. education system. In 9th grade, Xiong enrolled in a large public high school.

The transition was difficult. Xiong still struggled with English, and some of the other students snickered or laughed in class when he misspoke or made other mistakes. He often sat alone in the lunchroom, and was sometimes teased in the hallway. At home, his parents did not speak English and were always busy working multiple jobs. Xiong became frustrated and depressed. One day, a student made a cruel joke about his backpack. Angry, Xiong dropped his backpack and hit the other student. A teacher witnessed the incident and sent Xiong to the principal's office. The principal called his parents and told them that if anything else happened, Xiong would be suspended from school. His parents were ashamed of his actions.

To try to fit in, Xiong found a few friends to hang out with. One night, while he was riding around in a friend's car, one of the boys pulled out a bottle of alcohol. He started passing it around to everyone, including the driver. A short while later, they drove to a party hosted by a fellow student. At the party, Xiong saw kids streaming in and out of a back room. When he went to see what everyone was interested in, he found a group of young people doing drugs. One of his friends was there, and he gave Xiong a small bag "for later." Xiong put the bag in his pocket. On the way home, his friend got pulled over by the police. The officers asked everyone for their IDs and made them all get out of the car. The officer patted down Xiong's pockets and found the bag of drugs his friend had given him earlier. Xiong and his friends were all arrested. After going to court, he was convicted of underage drinking and possession of cocaine. The judge sentenced him to sixty days in jail and probation for two years.

The day before Xiong thought he was going home, he found out that he had to stay in jail for immigration offenses. He is now being detained by immigration officials in preparation for being deported back to Laos. Xiong has applied for a waiver to remain in the United States with his family.

Roles

Xiong – You will be testifying to the facts in your story, as well as expressing why you want to stay in the United States.

CASE #3 - XIONG (WAIVER)

Xiong's Lawyer – You will be arguing that Xiong should be given a waiver for humanitarian reasons.

Questions to Ask Xiong

How long have you lived in the United States?
 Do you live with your family?
 How many times have you been arrested?
 Have you ever been convicted of a crime?
 Can you describe the circumstances of the crime?
 Are you afraid to go back to Laos?

Questions to Ask His Father

Has Xiong ever lived in Laos?
 What do you think would happen if your son had to return to Laos?
 Tell us why you left Laos.
 Would you ensure that your son followed the law if he were allowed to stay in the United States?

Government Lawyer – You will be arguing that Xiong should not receive a waiver because his conviction is too serious.

Questions to Ask Xiong

So you were in possession of cocaine?
 Why did you accept the drugs from your friend?
 Have you had problems at school?
 Have you had any other fights?

Questions to Ask His Father

If you couldn't control your son before, why would you be able to now?
 Do you know anyone in Laos your son could live with?
 It has been a long time since the Vietnam War, so how could your son still be at risk?

Judge – You will be deciding whether to grant the waiver to Xiong based on the arguments made by the government lawyer and Xiong's lawyer.

Interpreter – You will be translating questions posed to Xiong and the answers he gives. Use *Handout 2: Immigration Court Roles* to help guide you.

Xiong's Father, Moua (Witness) - You will be testifying to what your family experienced in Laos to help show that Xiong should not have to return to Laos because there are humanitarian reasons that he should stay.

You are Xiong's father. You have six other children and a wife who all came to the United States with you. During the Vietnam War, you fought with other soldiers on behalf of the United States against the North Vietnamese. Immediately after the United States pulled out of Vietnam, you and your family fled to a refugee camp because you were targeted for retaliation for fighting for the United States. Your family lived in the refugee camp for many years before coming to the United States. You still know many people in Laos and you know that the situation is not good for individuals like you who supported the United States during the war. Also, since your family is Hmong, you would face discrimination because the Hmong are a minority group and are associated with supporting the United States.

You struggled to adjust to life in the United States and have had a hard time learning English. However you are very proud of the opportunities your children have had to grow up here in a safe environment. You are disappointed in Xiong because he has gotten into trouble and brought shame on your family. However, you are very concerned that he will be deported to a bad situation in Laos and you do not think he fully understands what would happen to him since he never lived there – he only lived in the refugee camp.

CASE #4 - TOMAS (BOND)**The Law**

Bond is an amount of money which a person can pay to be released from jail while his or her case is pending. Paying bond does not affect the outcome of the case, but allows the person to pursue their case outside of jail. Bond is determined first by the immigration officers who detain someone, but can be revised during a hearing before an immigration judge. Factors that are considered in setting the amount of the bond include:

- Whether the person is likely to show up at a future hearing,
- Whether the person has lied about his/her identity,
- Whether the person was cooperative with immigration,
- Type and number of criminal convictions,
- Family connections in the United States and the immigration status of those family members,
- The person's connections to the community, such as attending a church, a community group, volunteer work etc., and
- The possibility of a legal way for the person to be able to stay in the United States.

Someone who has a lot of connections to the United States and a possible way to stay legally is more likely to receive a lower bond than someone without those connections. The law says that the lowest bond amount allowed is \$1,500.

Background

Tomás is a 20-year-old, single man from Ecuador. He came to the United States two years ago looking for work so he could help support his parents back in Ecuador. His father has cancer and needs money for the treatments. Tomás spent a year and a half working on a construction project in Utah but when that project ended, he struggled to find work. A friend knew about some jobs in North Dakota so he travelled there and was able to get work at a farm. In order to get the job, he had to show a social security card and a driver's license in someone else's name. He has been depositing his money at the local bank until he can send it back to his parents, and he has managed to save over \$5,000.

One night, Tomás was driving from the farm where he worked into Bismarck with two other people. The highway patrol pulled his car over. When he asked the officer "Habla español?" the officer called the Border Patrol. Tomás and his two friends admitted that they were in the United States without papers and were detained by Border Patrol. Tomás would like to be released from immigration detention. He is depressed all the time and thinks he could fight his case better from the outside. He is requesting a lower bond that he can afford.

Roles

Tomás - You will be testifying to the facts in your story. Use the background information to help guide you.

CASE #4 - TOMAS (BOND)

Tomás' lawyer - You will be asking Tomás questions and arguing for his bond to be lowered to an amount he could reasonably pay.

Questions to Ask Tomás

How much money are you able to pay for bond?
 What assets do you have with which to pay this amount?
 Where will you live when you are released on bond?
 Did you cooperate with immigration authorities after you were stopped by the highway patrol?
 Will you continue to cooperate by appearing at your deportation hearing?

Government Lawyer – You will be arguing that Tomás' bond should not be lowered because his use of false documents makes him a flight risk.

Questions to Ask Tomás

What documents did you use to obtain your employment at the farm?
 How easy was it for you obtain false identification?
 Do you have a legal driver's license in your own name, or were you driving without a license?
 Do you have any family in the United States that could help you get legal status?
 Why would you return for your hearing when you have access to false identity documents and no ties to the local community?

Judge – You will be deciding on the proper amount of Tomás' bond based on the arguments made by his lawyer and the government lawyer.

Interpreter – You will be translating questions posed to Tomás and the answers he gives. Use *Handout 2: Immigration Court Roles* to help guide you.



LESSON 9

A Global Perspective on Immigration

International migration is a fundamental attribute of our ever-shrinking world... Our societies would be poorer without the contributions of migrants. Today, as we celebrate those contributions, let us also resolve to safeguard the human rights of every man, woman and child who crosses borders in search of a better life.

~ Kofi Annan, "Message on International Migrants Day" (2003)

LESSON 9

A Global Perspective on Immigration



Goal

- » Understand immigration as a global phenomenon and analyze the ways that diverse countries have responded to immigration.

Objectives

- » Students will recognize that immigration is a global phenomenon.
- » Students will become familiar with patterns of immigration internationally.
- » Students will compare how countries around the world have responded to immigration in their policies and practices.
- » Students will learn to evaluate immigration systems from the point of view of both immigrants and receiving communities.

Essential Question

- » How do immigration systems and patterns of migration vary between countries?

Key Skill

- » Analyzing data using maps, charts, and fact sheets (Activities 1 & 2).







Materials

- Handout 1: Global Migration Worksheet
- Handout 2: Regional Migration Maps
- Handout 3: Migrant-sending Countries
- Handout 4: Country Presentations
- Handout 5: Ireland
- Handout 6: New Zealand
- Handout 7: Saudi Arabia
- Handout 8: South Africa
- Handout 9: South Korea
- Handout 10: Country Comparison Chart
- World political maps
- Colored pencils or markers

Time Frame

4-5 class periods

Vocabulary

-  dual citizenship
-  family reunification
-  foreign-born
-  integration
-  migrant-receiving
-  migrant-sending

(additional vocabulary for this lesson can be found in Lessons 5, 6, and 7)

An Introduction to Global Migration

Procedure:

1. Review. To help students place this lesson in context, review the key features of U.S. immigration policy. Activity 5.2 on page 75 provides a brief background on the U.S. immigration system, and Activity 3.1 on page 45 analyzes some of the human rights issues affecting immigrants in the United States.

2. Form regional groups. Have students form five small groups. Assign each group one of the following regions:

- Africa
- Asia
- Europe
- Latin America
- Middle East

Give each student a copy of *Handout 1: Global Migration Worksheet* and the appropriate regional map from *Handout 2: Regional Migration Maps*. Tell students they will be conducting research with their group on the migration patterns within their region of the world and then mapping the data that they find. To help students identify the countries on their regional map, provide political maps as a reference.

3. Research. The small groups should begin by researching the top three migrant-receiving countries in their region. The best source of information in terms of ease of use is the International Migration 2009 wall chart, found at http://www.un.org/esa/population/publications/2009Migration_Chart/ittmig_wallchart09.pdf. Using the wall chart, students should fill in *Handout 1: Global Migration Worksheet* with the names of the top three migrant-receiving countries in their region in terms of total number of migrants. In the wall chart, the Middle East is referred to as “Western Asia,” so the group studying the Middle East should look there, and the group studying Asia should make sure to exclude those countries from their analysis. Demonstrate how to use the wall chart by finding the top migrant-receiving country in Oceania (Australia) as a class. Once students have found the top three migrant-receiving countries in their region, they now need to research the top three countries of origin for immigrants to each of those countries. Give students *Handout 3: Migrant-sending Countries*. They should add this information to their worksheets.

4. Map. Once the small groups have filled in *Handout 1*, they should use the data to create a regional map showing immigration flows. On their regional map, students should color in the top three migrant-receiving countries, each in a different color. The next step is to show the origins of these migrants by drawing arrows between the sending and receiving countries. For instance, if students were mapping U.S. immigration, they would color the United States a certain color, such as blue, and then draw blue arrows to the United States from Mexico, the Philippines, and China, the top source countries for immigrants in 2010. In some cases, the migrant-sending countries are from the same region as the migrant-receiving countries, and the arrows can be drawn directly between the two countries. In other cases, migrants originate outside the region, and can be shown by writing the name of the sending country on the edge of the map and drawing the arrow from the name to the receiving country.

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An Introduction to Global Migration

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5. Present. After all groups have finished mapping their region's migration patterns, have each group share its map and the following information with the class:

- The region of the world they researched.
- The top three migrant-receiving countries in that region.
- The top three migrant-sending countries for each of the receiving countries.

One great way to keep a class record of the information students found would be to create a large world map for the classroom showing the top migrant-receiving countries identified by the students and then adding the arrows from migrant-sending countries to show how people are migrating within and between regions. As a class, reflect on the information that the small groups shared.



Questions for Discussion

- ? What surprised you about migration patterns worldwide?
- ? Did you have questions about any of the information you learned in this activity?

Migration Council

Procedure:

1. Set up. Divide the class into five small groups and assign each group to one of the following countries: Ireland, New Zealand, Saudi Arabia, South Africa, and South Korea. When students have arranged themselves by group, read the following script to the entire class:

“You are a group of people living in Antarctica. After discussions with the UN, you have decided that due to climate change, it is becoming too difficult to sustain your traditional livelihoods. You would like to find a new country to live in. You do not have any “technical skills” and have never worked for a formal business or company. As a concerned Antarctic, you have come together with your fellow citizens to research some possible destination countries. Your concerns are the ease or difficulty of living legally in the country for an extended period of time and whether you think you would feel welcome in your new country.”

2. Research. Give every student *Handout 4: Country Presentations* and their assigned country handout (*Handouts 5-9*). Explain that students should use the handouts to research their proposed destination country’s laws and regulations regarding immigration. The small groups will be creating a presentation for the class on the immigration laws and treatment of immigrants in their destination country. Assign roles within the small groups to ensure that everyone has a chance to contribute equally to the research and presentation. The presentation should cover the following topics (also listed on *Handout 4*):

- *Immigration History of the Country:* Who came in the past and who is coming in the present? Has the country always been a destination for migrants?
- *Immigration Policies:* What are the primary ways people enter the country? How easy is it for people on temporary visas to become permanent residents? How easy is it for people to enter permanently to 1) reunite with family members, 2) work in a skilled job, 3) work as an unskilled worker, or 4) seek safety from persecution as refugees or asylum seekers?
- *Citizenship:* What is the process for becoming a citizen? How hard is it and how long does it take? Are there special barriers for certain kinds of immigrants?
- *Undocumented Immigration:* Is there a large undocumented population? How does the country deal with undocumented immigrants? Can people legalize their status? Do undocumented immigrants receive any government protection from exploitation?
- *Treatment of Immigrants:* How are immigrants treated by the government? By the general population? Are policies designed to protect immigrants effective?

3. Present. Hold a “Migration Council” meeting with the entire class. Remind students that they researched their countries in order to decide where they as Antarciticans should move. Give each student a copy of *Handout 11: Country Comparison Chart*. Students should complete the handout as they listen to the presentations from the other groups. Have the small groups take turns presenting the results of their research to the “Migration Council.” Allow time at the end of each presentation for the class to ask questions.

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Migration Council Meeting

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4. Decide. Once all country groups have presented their research, ask students to decide where they as Antarcitians will migrate. Students should consider what they learned about immigration processes, tolerance for newcomers, and other factors about each country after hearing the presentations. After discussing the various options, hold a vote with the entire class. Write the name of the winning country on the board.

5. Reverse. Now that students have decided which country would be the best country in which to be immigrants, reverse the question and pose this situation to the class:

“Antarctica has just discovered massive deposits of natural resources and become very wealthy. People from around the world want to move to Antarctica to work in their new factories and enjoy the high standard of living. What immigration policies would the class want to adopt if they were Antarcitians? How can Antarctica protect its citizens while ensuring the human rights of migrants?”

6. Create policies. Have students get into the same small groups. Based on the different models that the class heard about during the small groups presentations, have students come up with five main goals or rules of their immigration policy. One idea would be to start from the idea that people have a right to migrate. What kinds of policies would Antarctica create with that as the starting point? After small groups have discussed their policy proposals, come back together as a whole group and have students share with the class the proposed policies they would want to adopt.

7. Reflect. To wrap up this activity, debrief as a class with the following discussion questions.

Questions for Discussion:

- ? What did you learn from this activity?
- ? What were important considerations when you were deciding whether the Antarcitians should immigrate to the country you were researching?
- ? What were important considerations when you were deciding on an immigration policy from the vantage point of an Antarcitian whose country is starting to receive a lot of immigrants?
- ? What are some important factors in determining a sound immigration policy that promotes national interests while protecting immigrants' human rights?

Name: _____

GLOBAL MIGRATION WORKSHEET

Use the International Migration 2009 wall chart (found at http://www.un.org/esa/population/publications/2009Migration_Chart/ittmig_wallchart09.pdf) to figure out the top three migrant-receiving countries in your region (remember that the Middle East is known as “Western Asia” on the wall chart). Record the names of the countries and total number of migrants on the lines below.

Next, use *Handout 3: Migrant-sending Countries* to fill in the top three countries of origin for migrants to each of the top three receiving countries in your region. When you have entered in all the information, you are ready to use this worksheet to color in your map.

Region of the world to which your group was assigned: _____

#1 Migrant-receiving Country: _____

How many migrants live in this country? _____ Color of country/arrows _____

What are the top three countries of origin for migrants to this country?

#2 Migrant-receiving Country: _____

How many migrants live in this country? _____ Color of country/arrows _____

What are the top three countries of origin for migrants to this country?

#3 Migrant-receiving Country: _____

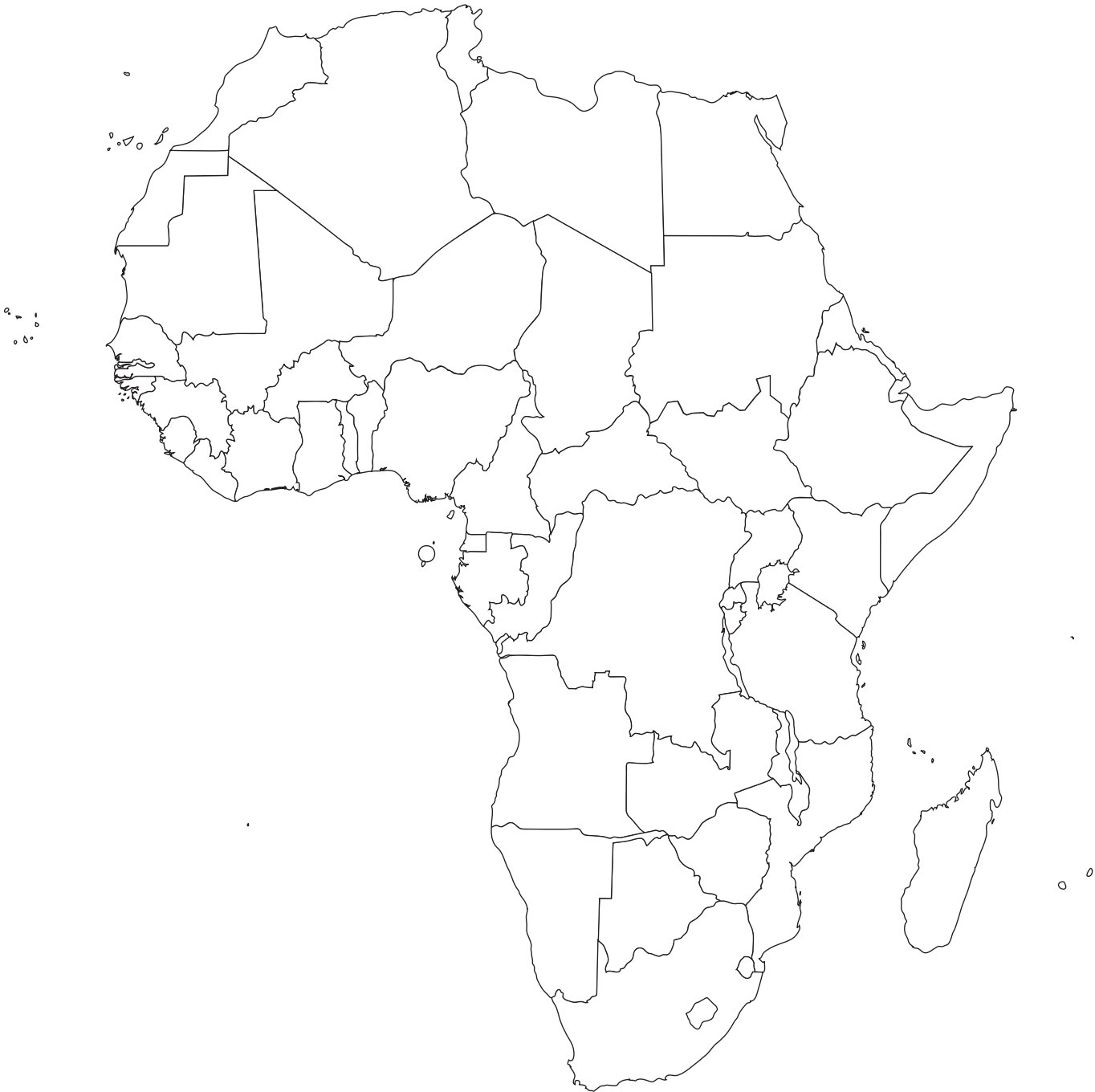
How many migrants live in this country? _____ Color of country/arrows _____

What are the top three countries of origin for migrants to this country?

REGIONAL MIGRATION MAPS**Africa**

Step One: Color in the top three migrant-receiving countries in your region, each in a different color.

Step Two: Draw arrows between each migrant-receiving country and its top three migrant-sending countries. (Use the color of the country for the arrows coming into it.)



REGIONAL MIGRATION MAPS**Asia**

Step One: Color in the top three migrant-receiving countries in your region, each in a different color.

Step Two: Draw arrows between each migrant-receiving country and its top three migrant-sending countries. (Use the color of the country for the arrows coming into it.)



REGIONAL MIGRATION MAPS**Europe**

Step One: Color in the top three migrant-receiving countries in your region, each in a different color.

Step Two: Draw arrows between each migrant-receiving country and its top three migrant-sending countries. (Use the color of the country for the arrows coming into it.)



REGIONAL MIGRATION MAPS**Latin America**

Step One: Color in the top three migrant-receiving countries in your region, each in a different color.

Step Two: Draw arrows between each migrant-receiving country and its top three migrant-sending countries. (Use the color of the country for the arrows coming into it.)



REGIONAL MIGRATION MAPS**Middle East**

Step One: Color in the top three migrant-receiving countries in your region, each in a different color.

Step Two: Draw arrows between each migrant-receiving country and its top three migrant-sending countries. (Use the color of the country for the arrows coming into it.)



MIGRANT-SENDING COUNTRIES

Migrant-receiving country	Migrant-sending countries*		
Argentina	Paraguay	Bolivia	Italy
France	Algeria	Morocco	Portugal
Germany	Turkey	Italy	Serbia
Ghana	Mali	Burkina Faso	Nigeria
India	Bangladesh	Pakistan	Nepal
Ivory Coast	Burkina Faso	Mali	Ghana
Jordan	India	Afghanistan	Egypt
Kazakhstan	Russia	Ukraine	Uzbekistan
Mexico	United States	Guatemala	Spain
Pakistan	Bangladesh	India	Nepal
Russia	Ukraine	Kazakhstan	Belarus
Saudi Arabia	India	Egypt	Pakistan
South Africa	Angola	Mozambique	Congo (DRC)
United Arab Emirates	India	Afghanistan	Egypt
Venezuela	Colombia	Spain	Portugal

*Based on the number of nationals residing in the country during the 2000 round of census surveys, this is a multi-decade view of immigration, rather than a yearly snapshot. The number also excludes naturalized citizens.

Source: Development Research Centre on Migration, Globalisation and Poverty, "Global Migrant Origin Database," March 2007, fourth version, http://www.migrationrc.org/research/typesofmigration/global_migrant_origin_database.html.

COUNTRY PRESENTATIONS

3. *Citizenship*: What is the process for becoming a citizen? How hard is it and how long does it take? Are there special barriers for certain kinds of immigrants?
4. *Undocumented Immigration*: Is there a large undocumented population? How does the country deal with undocumented immigrants? Can people legalize their status? Do undocumented immigrants receive any government protection from exploitation?
5. *Treatment of Immigrants*: How are immigrants treated by the government? By the general population? Are policies designed to protect immigrants effective?

IRELAND

Background

Ireland is located on an island in the Atlantic Ocean off the northwest coast of Europe. Ireland shares a border with Northern Ireland, a separate country on the island.¹ The entire country of Ireland covers approximately 27,000 square miles.² Just to the east is the large island of the United Kingdom. The country has a temperate climate with mild winters and cool summers.³

The country's government is a parliamentary democracy with a president elected by popular vote.⁴ The president appoints a prime minister, who serves as the country's executive power, along with an executive cabinet.⁵ Ireland also has two houses of parliament, the Senate (Seanad Eireann) and the lower house (Dail Eireann).⁶

Approximately 4.7 million people reside in Ireland, with 40% of the population living in or around the city of Dublin.⁷ Both English and Gaelic are the official languages of the country.⁸



Immigration History

Ireland was initially founded by Celtic tribes between 600 – 150 B.C.⁹ These settlers were followed by a flood of individuals from Norway in the 8th century, and the English in the 12th century.¹⁰ After Ireland gained its independence from the United Kingdom in 1922, Ireland's immigration history was stagnant and unremarkable for hundreds of years.¹¹

Ireland has not seen a significant flow of immigrants until recently; instead, it had been known throughout its history primarily for its emigration.¹² In the early 1800's, Ireland suffered extreme population losses because of poor living conditions.¹³ Laborers in Ireland were paid low wages compared to other countries, such as the United States and other parts of Europe.¹⁴ Additionally, Ireland suffered an historic potato famine wherein crops suffered from disease, and healthy crops were forcibly sent to England as part of trade agreements that the Irish had to comply with. As a result, Ireland saw nearly half of its population disappear during that time.¹⁵

In the 1990's, Ireland experienced considerable economic growth, which brought workers back to the country.¹⁶ Because of Ireland's supportive immigration laws for European Union (EU) residents, the first influx of workers to Ireland was made up of individuals of Irish descent who returned to the country to find jobs, followed by other immigrants from within the EU.¹⁷ In the early 2000's, Ireland saw a rise in immigration from outside the European Union, as well, when its immigration laws became less restrictive.¹⁸ Beginning in 2004, however, Ireland's immigration laws expanded the countries within the EU from which workers could easily enter. This influx of EU citizens reduced employment opportunities for those outside the region and slowed their arrival into Ireland.¹⁹

In recent years, Ireland once again flipped, seeing a rise in *emigration*, based on lack of jobs in the difficult economy.²⁰ Non-Irish residents account for approximately 12% of the total population of Ireland.²¹ EU citizens make up about 6.6% of the overall population of Ireland, and nearly half come from the United Kingdom.²²

Entering Ireland

There are two primarily ways for immigrants to obtain immigration status in Ireland – work-based permission (through work permits or green cards) and residence permits. Despite the influx of immigrants since the 1990s, Ireland still lacks sophisticated immigration laws.²³ Particularly for non-European citizens, obtaining

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long-term residence in Ireland can be difficult and time consuming.

Although there are several ways for immigrants to enter Ireland for work-related purposes, many of these processes are only available for highly-skilled workers. Ireland grants work permits based on an immigrant's employment with a particular employer.²⁴ Employers must demonstrate that they are unable to fulfill the position with an Irish or EU candidate.²⁵ Overall, Ireland's work permit structure favors highly skilled or specialized workers. Work permit applications can be obtained for long-term stays in Ireland for individuals who wish to live and work in the country.²⁶ Obtaining a work permit generally takes about eight weeks.²⁷

Recently, Ireland introduced a new green card program as another method for foreign workers to reside in Ireland for a two-year period.²⁸ The new green card program also is available only for highly skilled workers, their spouse, and their dependent children. Under this program, workers can apply for long-term residency at the end of the initial two-year period.²⁹ The Irish government has also begun issuing two-year work permits for individuals who are not eligible for the green card program and who earn EUR 30,000 or more. These workers may also apply for a three-year extension.³⁰ This is one of the few established methods of obtaining entry to Ireland for entry-level or low-skilled jobs, but does not provide a permanent option for immigrants to stay in the country.

Certain employees do not need to obtain a work permit before coming to Ireland. EU citizens do not need to have a work permit to work in Ireland, which often means that these workers are readily available for employers who need to fill lower skilled jobs that cannot be filled with non-European immigrants.³¹ Workers who will be in Ireland for less than 12 months for training purposes also do not to obtain a work permit.³² The Irish government has also issued special work visas or authorizations for workers in certain jobs where there are shortages in the available work force.³³

Residency permits, allowing immigrants to enter and live in Ireland temporarily, are available only to certain groups – workers and refugees.³⁴ Workers with employment authorization may obtain residence permits and must register for residency within three months of coming to Ireland. For other immigrants, long-term residency is available, but they must have worked in Ireland for at least five years.³⁵ Even if an immigrant is granted permission to enter Ireland for work purposes, it is difficult to obtain citizenship with Ireland's lengthy process, high rejection rates, and lack of appeal process for naturalization applications.³⁶ The Irish government seems particularly likely to reject applicants who rely on government benefits.³⁷ For non-European citizens, there is no process for obtaining permanent residence status in Ireland.³⁸ While new immigration legislation was introduced in 2010 to improve the process of obtaining visas and long-term residence in Ireland, the law has not yet passed.³⁹

Ireland is known as one of the most difficult countries in which to obtain refugee status.⁴⁰ Ireland rejected a significant number of its asylum applications, and granted refugee status only to 10,000 of those who applied between 1992 and 2008.⁴⁴ Asylum is technically available in Ireland for refugees who have a "well-founded fear or being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion" and are unable to take advantage of the protection of the country of his or her nationality.⁴⁵ The Irish government has established a priority list for asylum applications, however, and has a list of "safe countries of origin" from which Ireland presumes asylum is not necessary unless the application establishes otherwise, which creates a high hurdle for immigrants in obtaining refugee status.⁴⁶ Additionally, Ireland does not accept asylum applications from other European Union countries.⁴⁷

Applications for asylum in Ireland have grown significantly since the early 1990's, but have declined again in the last few years. In 1994, only 400 people sought asylum in Ireland.⁴⁸ That number climbed to over 11,000

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in 2002,⁴⁹ but by 2008, had dropped back down to 3,900.⁵⁰ In 2008, most asylum-seekers were Nigerian, representing 26.1% of the total applications.⁵¹ Pakistani, Iraqi, Georgian, and Chinese applicants each make up about 5% of the total applications.⁵²

Ireland does not have a significant undocumented immigrant population, based primarily on the fact that it has a limited border with other countries.⁵³ Additionally, Ireland has recently established laws to assist in fighting illegal immigration within its borders.⁵⁴ The few issues Ireland sees with undocumented populations primarily stem from asylum-seekers who do not leave the country after their applications are denied and workers who continue to stay in the country after their permits have expired.⁵⁵

Immigrant Rights

Prior to the 1990's, Ireland had few established laws that protected the interest of immigrants. One of the only existing laws was the Prohibition of Incitement to Hatred, which was a broad and ineffective law that was rarely used.⁵⁶ More recently, Ireland has put several laws in place to prevent discrimination against immigrants who come to the country, such as the Equal Employment Act of 1998 and the Equal Status Act of 2000.⁵⁷ The Equal Employment Act prohibits discrimination against individuals based on race in employment, including in hiring and advancement.⁵⁸ The Equal Status Act expands upon the Equal Employment Act, and prohibits discrimination based on race in public services, such as retail establishments that provide goods and services and access to educational opportunities.

Ireland has only recently established a number of agencies whose goals include preventing discrimination and providing assistance to immigrants, including the Office of the Director of Equality, the National Consultative Committee on Racism and Interculturism, and the Immigrant Council of Ireland.⁵⁹

Ireland has also experienced issues with human trafficking, which involves the sale of human beings for either sex or labor – a serious violation of human rights.⁶⁰ The majority of human trafficking victims in Ireland come from Eastern Europe, Nigeria, and Asia.⁶¹ In the past, the Irish government has not taken significant steps to eliminate human trafficking into Ireland, and has even denied that a human trafficking problem exists.⁶² In 2008, however, the government passed a law making the practice of human trafficking a crime.⁶³

Living in Ireland

In general, Ireland is seen as a welcoming place for immigrants.⁶⁴ This attitude may be changing, however, in light of the immigration boom in recent decades.⁶⁵ Some immigrants feel that Irish residents resent their presence in the country.⁶⁶ Stricter immigration and citizenship laws have received strong support from Irish voters.⁶⁷ Additionally, research studies have reported that violent, racist behavior has a strong presence in Ireland, particularly against non-EU immigrants.⁶⁸ The black immigrant population experiences the most racial discrimination according to these studies.⁶⁹ Although significant issues of violence against immigrants have been prosecuted by the government, less severe and isolated incidents of racism seem to go largely unaddressed.⁷⁰

Despite the presence of discrimination laws and protective agencies, individuals who are not of Irish decent experience significantly more discrimination in work applications, as well, and immigrants have been more likely to lose their jobs during the recession. Because of the structure of the country's immigration laws, this has made it difficult for those immigrants to remain in Ireland.⁷¹

Prior to 2004, individuals who were born in Ireland to non-Irish parents were automatically granted Irish

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citizenship, but this is no longer the case.⁷² Irish-born individuals are now granted citizenship only if one of their parents was a lawful resident for at least three out of the four years prior to the individual's birth, excluding time during which the parent was a student or was seeking asylum.⁷³ This law provides a disincentive for immigrants to establish roots in Ireland with their families.



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NEW ZEALAND

Basic Information

New Zealand is an island nation about the size of the state of Colorado located in the southwest Pacific Ocean, about 1,400 miles east of Australia. The weather is varied, from warm and subtropical in the far south and harsh conditions in the mountainous areas.¹ It is a parliamentary democracy in which political power is held by a popularly elected parliament, representing the people. The leader of the majority party in parliament serves as the prime minister. The population of New Zealand is about 4,360,000, with principal ethnic groups being European (76.8%), indigenous Maori (14.9%), Asian (9.7%), and Polynesian peoples from neighboring Pacific island groups, such as the Cook Islands, Fiji, Samoa, and Tonga (7.2%).² English and Maori are the official languages of New Zealand, with English being the most widely used.³



Immigration History

New Zealand was originally settled 900 – 1,000 years ago by Maori people who made their way to New Zealand in voyaging canoes from Polynesian islands in the South Pacific.⁴ An Englishman first extensively explored the islands in 1769.⁵

After that time, European (mostly British) settlers began to come to New Zealand, primarily involved in whaling and sealing. In 1840, the Treaty of Waitangi was signed by the British and the Maori, making New Zealand a British colony, but also guaranteeing Maori authority over their land and possessions and the rights and privileges of British citizenship.⁶ Status as a British colony led to a significant increase in immigration from Britain, with colonial companies often paying for colonists' passage from Britain.⁷

Until the 1970's, the vast majority of immigrants coming to New Zealand were from Europe, with most of the rest coming from Pacific islands. This largely reflected government policies that favored what were believed to be more easily assimilated Europeans.⁸ During the 1970's, attitudes on immigration began to change in New Zealand, a change that was ultimately reflected in the passage of the Immigration Act of 1987, which emphasized selection on the basis of personal merit, as opposed to nationality or ethnicity. At the same time, the Immigration Act of 1987 also sought to recognize the humanitarian goals of reuniting families and admitting refugees.⁹ This policy shift led to greater and more diverse immigration, as the number of immigrants from countries such as China, India, South Korea, Japan and the Philippines increased significantly. By 2006, 22.9% of New Zealand's population was born in another country, one of the highest percentages in the world.¹⁰

Entering New Zealand

New Zealand operates a comprehensive visa system that applies to individuals who seek either a temporary or permanent stay in the country. Temporary visitor visas are available to applicants of good health and character who have adequate resources to support themselves while in the country and have arranged transportation out of the country at the end of their visit. Travelers from Australia, the United Kingdom, and countries on the "visitor waiver list" do not require visitor visas if their stay will not exceed a specified minimum period (generally three months).¹¹ Temporary visa opportunities are also available for workers who engage in seasonal agricultural work; who want to gain work experience after studying in New Zealand; or who are between the ages of 18 and 30 and participate in the "working holiday" program.¹²

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New Zealand has a special category of temporary visa for people who want to work in New Zealand for several years before applying for permanent residency. These temporary residence visas are available to eligible applicants who: 1) have a job offer from a New Zealand employer, preferably in an occupation that is on the government's long-term skill shortage list; 2) have a recognized talent in the arts, culture, or sports; or 3) want to establish a business in New Zealand.¹³ A person who has obtained such a temporary residence visa may usually apply for a permanent residence visa after two years.¹⁴

For those who want to immigrate permanently to New Zealand, admission is determined through a point system that emphasizes skills and qualifications.¹⁵ Visas for permanent residence are available in the "skilled migrant category" to eligible applicants who are age 55 or less and who receive a sufficiently high score in the points system, with points awarded based on age, experience, qualifications, educational level, and employability in industries experiencing high growth or a skills shortage.¹⁶ Permanent residence in New Zealand is also available in the "migrant investment category" to eligible applicants who are age 65 or less and invest at least NZ\$1.5 million in New Zealand.¹⁷

To be eligible to apply for a visa for either temporary or permanent residence, an applicant must generally be able to speak English and furnish proof of both good health and good character. For the financial year from July 1, 2010 to June 30, 2011, the maximum number of applicants that could be approved for permanent residence was set at 50,000, or a little over 1% of the total population.¹⁸

In addition to providing permanent residence opportunities to immigrants who will bring valuable skills or qualifications, start a business, or make a financial investment, New Zealand also provides programs by which New Zealand citizens or permanent residents can sponsor family members (spouses, children, parents, and siblings) for permanent residence status.¹⁹ Spouses and children can generally come individually, while parents and siblings face one to two year waiting times for visas.²⁰ New Zealand also runs a visa lottery through which up to 1,100 people from Samoa and 400 people from other Pacific islands may apply each year for permanent residence.²¹

New Zealand accepts up to 750 refugees each year through the United Nations High Commission for Refugees resettlement process.²² Asylum seekers who arrive in New Zealand can apply for refugee status upon arrival. From July 1994 through June 2010, between 15% and 30% of refugee status applications were approved each year.²³ Qualifying refugees and asylum seekers are considered permanent residents of New Zealand, enjoying the same rights as any other permanent resident.²⁴

Permanent residents of New Zealand who have been physically present in New Zealand for five years are eligible for New Zealand citizenship if they intend to continue to reside in New Zealand, are able to understand and speak English, are of good character, and understand the responsibilities and privileges of New Zealand citizenship.²⁵

Due in large measure to New Zealand's geographic isolation, illegal entry into the country is not a significant factor in New Zealand.²⁶ Instead, the undocumented population is mostly "overstayers," people did not leave when their temporary visas expired.²⁷ An estimated 20,000 people live in New Zealand on expired visas.²⁸



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Immigrant Rights

The Immigration Act of 2009 maintained New Zealand's commitment to the UN Refugee Convention and incorporates the country's obligations under the UN Convention Against Torture and the International Covenant on Civil and Political Rights.²⁹

Migrants who are granted permanent resident status generally qualify immediately for publicly funded health and disability services, free primary and secondary school education, and hardship financial benefits from the Ministry of Social Development, but generally must be a resident in New Zealand for two years before becoming eligible for unemployment benefits and government assistance with housing.³⁰

Permanent residents who are at least 18 years old are permitted to vote in New Zealand elections after they have been in New Zealand for one year, but are not permitted to stand as a candidate for Parliament until they have achieved New Zealand citizenship.³¹

The New Zealand Human Rights Commission, in a series of studies and annual reports, has provided its assessment of immigrant rights in New Zealand. Discrimination on the grounds of race, color, and ethnic or national origins is prohibited by law, and the rights of immigrant workers and their families are generally well protected by New Zealand legislation and policy, including effective enforcement mechanisms for employment laws.³²

New Zealand's immigration system is not perfect, however. The Human Rights Commission expressed concerns that the current standards for admission are still biased against people from non-English speaking countries, especially applicants from Asia and the Pacific islands.³³ Another concern is the treatment of arriving asylum seekers, who are automatically detained while their case goes through preliminary processing, generally for several weeks. Detained asylum seekers face limited access to health care, inadequate legal representation, overuse of solitary confinement, and threats to their personal safety from other inmates.³⁴

Living in New Zealand

Recognizing the importance of maintaining a socially inclusive society in the face of increasing diversity, the New Zealand Settlement Strategy was launched by the government in 2004. The stated objectives of this strategy are to assist immigrants in obtaining employment appropriate to their qualifications and skills; achieving English language proficiency; forming supportive social networks and a community identity; participating in civic, community and social activities; expressing their ethnic identity; and accessing necessary information and services. As part of this strategy, migrant resource service centers have been established in cities throughout the country.³⁵

While living conditions and opportunities for immigrants are fairly positive, the New Zealand Human Rights Commission notes that many new immigrants report having experienced racial discrimination and harassment, particularly international students and Asians. It also observed that well developed settlement strategies are not in place in all areas of the country with significant numbers of new immigrants; that immigrants have difficulty accessing culturally appropriate health and welfare services; and that new immigrants need better access to English language training and information about New Zealand society and their rights.³⁶

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SAUDI ARABIA

Basic Information

Situated in the Middle East, Saudi Arabia is the largest country in the Arabian Peninsula,² with a population of roughly 27 million people.³ Saudi Arabia's government is a monarchy based on Islam.⁷ It is ruled by a King, who appoints a Crown Prince to help him with his duties.¹⁰ Saudi Arabia's judicial system is based on *Shari'ah*, or Islamic law.¹² The national language is Arabic, although English is widely spoken in urban areas.¹⁵

Immigration in Saudi Arabia

Immigration into Saudi Arabia has historically been for purposes of seeking work. Though foreign workers have been a mainstay in Saudi Arabia since the country first began its oil operations in the 1930s, "it was not until the oil price boom of 1973 that the country started to receive large inflows of workers."¹⁶ With new projects to build roads, buildings, and other infrastructure, the demand for labor in Saudi Arabia increased dramatically.¹⁷ As it became apparent that Saudi's own workforce would be unable to support the work load, employers began to recruit workers from abroad.¹⁸



During this boom period tied to Saudi Arabia's oil industry, a number of South and Southeast Asians migrated to the country looking for work opportunities.¹⁹ From the perspective of the Saudis, the migration of Asian workers into the country was encouraged "as they thought that, compared to Arab foreign workers, [Asians] would be less likely to settle, less likely to organize, and hence more easy to control."²⁰ According to a recent United Nations study on immigration policies in the Middle East, the majority of immigrants entering Saudi Arabia are from India, Pakistan, Bangladesh, Sri Lanka, and Indonesia,²¹ though many also come from Yemen, Jordan, Syria, and Kuwait.²²

The number of foreign workers in Saudi Arabia has steadily increased. In 1985, it was estimated that there were 4.6 million foreigners in Saudi Arabia.²³ In 1990, just five years later, the number of foreigners had risen to 5.3 million.²⁴ In 2010, according to a government census, that number again rose to 8.4 million,²⁵ or thirty-one percent of Saudi Arabia's total population.²⁶

Entering Saudi Arabia

There are a number of requirements one must meet to gain entry into Saudi Arabia. At its most basic level, a foreigner must possess a valid passport for at least six months and must obtain an entry visa.²⁸ Entry visas are issued for business and work, to visit close relatives, and for transit and religious visits by Muslims.²⁹ As of 2010, Saudi Arabia does not issue visas solely for tourism purposes.³³

Saudi Arabia imposes specific requirements for different categories of entry visas, as well as general requirements for all visitors. For instance, business visas are only issued to individuals traveling for the express purpose of visiting the country on a business basis.³⁰ For a woman traveling alone to Saudi Arabia, she must be met by her sponsor or a male relative and have confirmed accommodations for the entirety of her stay.³¹ Moreover, the Saudi Kingdom may refuse any visitor it judges to be behaving indecently, according to Saudi Arabian law and custom.³² In addition, all Saudi visas require a sponsor.

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Permanent residency in Saudi Arabia is largely nonexistent. Though such status can be conferred by the King, Saudi Arabia otherwise does not provide permanent residence status to foreign workers or other long-term residents, who instead remain on residency visas tied to a particular employer.³⁴

Acquiring citizenship in Saudi Arabia, much like securing an entry visa or permanent residency, is difficult and is limited in its opportunities. Unlike the United States,³⁵ being born in Saudi Arabia does not automatically confer citizenship on an individual. Rather, they must meet the requirements as set out in the Saudi Arabian Nationality Regulations. Based on the Saudi Arabian Nationality Regulations,³⁶ there are three avenues to gain citizenship in Saudi Arabia: (1) descent, (2) marriage, or (3) naturalization.³⁷ First, whether one can get citizenship through descent depends on your parents and where you were born. There are three ways to get citizenship by descent:

- being a “[c]hild of a Saudi father, born in wedlock, regardless of the child’s country of birth;
- being the foreign mother of a child from a Saudi father born out of wedlock;³⁹
- being a child born in Saudi Arabia to a Saudi mother and an unknown father.⁴⁰

The rules make clear that a child born to a Saudi mother out of wedlock and outside the country will not be granted citizenship by descent.⁴¹

Second, though marriage provides a possibility to gain citizenship, it is generally decided on a case-by-case basis. With regards to a woman who marries a Saudi citizen, she may apply for citizenship by registration, but citizenship is not automatically granted. In making the citizenship determination, the state may vary the residency requirements case to case, with a maximum of up to five years.⁴² For a man who marries a Saudi citizen, he is able to apply for citizenship, but it is only granted on a case-by-case basis.⁴³

Finally, naturalization, like marriage, does not automatically confer citizenship. Rather, for persons who otherwise qualify for permanent residency, there are additional naturalization requirements, which include: residence in the country for at least five years, having no criminal record, and having renounced one’s previous citizenship (Saudi Arabia does not recognize dual citizenship).⁴⁴



Perhaps because of its restrictive immigration policy, Saudi Arabia has a sizable undocumented immigrant population.⁴⁶ People illegally enter and stay in Saudi Arabia for a number of reasons. Many illegally enter Saudi Arabia to secure work and a better livelihood for themselves and their families than they would get in their country of origin.⁴⁷ Others, according to recent news reports, come for the Haji festival—festivities that follow the Islamic holiday of Eid al-Adha—and simply do not return to their native countries.⁴⁸ According to one report, Saudi authorities have sought to expel over 27,000 Nigerians that have overstayed their visas after the Haji.⁴⁹

Immigrant Rights

The Saudi Labour Law is the primary law governing the treatment of foreigners working in Saudi Arabia.⁵⁰ The Saudi Labour Law covers work permits and visas for foreigners, employment contracts, trade unions, termination of employment, and contractual disputes.⁵¹ For instance, Article 147 of the Labour Law states that “a workman shall not be employed for more than eight actual working hours in any one day, or forty-eight hours a week”⁵² However, these laws are often not enforced with regard to foreign workers,

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especially low-skilled foreign workers. “Case after case demonstrates that the Saudis are turning a blind eye to systematic abuses against foreign workers,” according to one Human Rights Watch official.⁵³

At one end of the spectrum is the exploitation of foreign workers through the Saudi visa sponsorship program. In that program, foreign workers are effectively tied to their employers, who “must grant explicit permission before the worker can enter Saudi Arabia, transfer employment, or leave the country.”⁵⁴ In effect, this system provides the employer extreme control. Even when the employee is abused, he or she may be unable to escape the situation because the employer can deny them permission to leave.⁵⁵

Reports have documented foreign workers in Saudi Arabia having been subjected to torture and forced confinement at the hands of their employers, and then having received unfair trials at the hands of the state.⁵⁶ One report that documented the lives of Kenyan workers in Saudi Arabia stated the following: “A working day of 18 to 22 hours, constant threat of sexual abuse from employers and beatings, sometimes with the use of hot irons, by the wives of employers characterize an ordinary life of a domestic worker from Kenya in Saudi Arabia.”⁵⁷

Living as an Immigrant in Saudi Arabia

Life in Saudi Arabia as a foreigner can be difficult. However, low-skilled workers are much more likely to suffer abuses than high-skilled workers. High-skilled workers tend to be well treated, both by their employers and the government. For instance, Saudi Arabia’s labor secretary recently made the comment to his Filipino counterpart that Filipino skilled workers in Saudi Arabia will not be subject to Saudi’s recent “Saudization” law, which seeks to remove foreigners so as to provide a greater number of jobs to Saudi nationals.⁵⁸ In addition, these workers, ranging from mechanics to engineers, can command the “highest comparative salaries” to Saudi nationals.⁵⁹

In contrast, for low-skilled workers, life in Saudi Arabia can be extremely difficult, if not outright dangerous. Female foreign workers, most notably, are subject to not only beatings, but also rape and sexual abuse at the hands of their Saudi male employers.⁶⁰ The UN Refugee Agency documented in 2004 the prison-like confinement many of these women suffer while working in Saudi Arabia. Whereas the women enjoyed “unrestricted freedom of movement in their home countries,” in Saudi Arabia they experienced “locked doors and gates . . . that kept them virtual prisoners in workshops, private homes, and dormitory-style housing that labor subcontracting companies provided to them.”⁶¹ In one account, “[s]killed seamstresses from the Philippines [reported] that they were not permitted to leave the women’s dress shop in Medina where they worked twelve-hour days, and were forbidden to speak more than a few words to customers and the Saudi owners.”⁶²

In that regard, it appears different populations of foreigners have different experiences in Saudi Arabia. Filipinos in Saudi Arabia, for instance, are primarily highly skilled workers and thus enjoy a higher standard of living in the country. By contrast, Kenyans, who make up a portion of the low-skilled workers in Saudi Arabia,⁶³ have experienced much more dire living situations.⁶⁴ And even more so, low-skilled female workers from many different countries appear to receive the worst treatment of all, being subject to physical violence, rape, sexual abuse, long work hours, a prison-like living environment, and so on. One’s educational background in many ways determines one’s treatment as a foreign worker in Saudi Arabia, thereby creating an almost caste-like system in the kingdom of Saudi Arabia.

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SOUTH AFRICA

Basic Information

South Africa is located at the southern tip of Africa. It borders Lesotho, Botswana, Namibia, Zimbabwe, Mozambique, and Swaziland. South Africa had its first democratic elections in 1994,¹ and today is a constitutional democracy with a multiparty national government.² The population of over 50 million people is diverse,² with eleven official languages spoken (IsiZulu, IsiXhosa, Afrikaans (based on the Dutch language), Sepedi, Setswana, English, Sesotho, Xitsonga, SiSwati, Tshivenda, IsiNdebele).³



Immigration in South Africa

Between the late 15th century and the early 19th century, immigration consisted mainly of white European settlers interested in wine, wheat, and the slave trade. In 1795, South Africa became part of the British trading empire.

Generally, migration of black Africans was controlled through the slave trade and labor requirements. In the late 1800s, black immigrants came to South Africa to work in the diamond mines and goldfields. In order to assert political and economic dominance, the white Europeans segregated themselves from the non-white Europeans. This segregation became known as the apartheid. During the apartheid era, black migration was highly regulated and severely limited.

With the end of apartheid, temporary immigration permits granted annually have increased from 3 million to 9.9 million people in 1999.¹ In 2007, South Africa had 1.2 million foreign-born residents (almost 3 percent of its population) and between 9 and 10 million and temporary residents (20 percent of its population) respectively.⁵ Currently, immigration includes mostly investors and skilled workers (interested in mining, commerce, industry, and finance)⁶, refugees, and migrants seeking socioeconomic relief.

Entering South Africa

Assuming the migrant is not a refugee or an asylum seeker, any person wishing to migrate to South Africa as a foreigner must first apply for a temporary residence permit. In most cases, foreigners must have a temporary residence permit before they can apply for permanent residency. Some exceptions are workers with a permanent offer of employment, investors, and spouses or children of citizens or permanent residents.¹⁰

The success of the applications depends mostly on the type of the visa and the type of applicant. Generally, the higher skilled the applicant then the easier and quicker the process. South Africa is currently suffering a 'brain drain,' where its professionals are leaving the country to find work elsewhere. The government estimates a 1.2 million person gap in skills by 2014, and has developed programs to speed up the migration process for skilled workers.⁸

For less skilled migrants, it is much more difficult. The South African migration policy does not accommodate this type of migration, and because of this many African migrants are attempting instead to enter via the asylum route. This has led to severe backups in the system. Roni Amit, a Post-Doctoral fellow at the African Centre for Migration and Society, looked at 324 asylum rejection letters dating between January

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and April 2009, and found that ‘they were characterized by errors of law, a failure to give reasons, a lack of individualized decision making and a widespread failure to ‘apply the mind’ or to use sound reasoning.’⁹ Migration policy has focused on getting through the applications quickly, rather than looking at the legitimacy of the asylum claims.

A large number of Zimbabweans have been attempting migration to South Africa over the past few years. Civil unrest in Zimbabwe and severe economic difficulties have forced many to seek refuge elsewhere. They are, however, routinely denied permits. Out of 275,000 applications only 50,000 have been processed at the end of the year,¹⁰ and in 2007 of 33,351 applications by Zimbabweans for refugee status only 477 were granted.¹¹



The final step in South African migration is citizenship. Gaining this legal right, however, can be quite difficult, and especially for the unskilled and asylum seekers. Claims are also being made that the migration system in South Africa is corrupt, and that “almost anyone with money to secure South African citizenship and documentation” can do so.¹⁴

Immigrant Rights

South Africa has many laws to protect its immigrants. It has the Constitution Act 108 of 1996, and within it a Bill of Rights. South Africa is a signatory to the 1951 Convention Relating to the Status of Refugees, and also the 1967 Protocol Relating to the Status of Refugees. South Africa also has the Refugees Act of 1998 which protects against refoulement, which is the involuntary return of the migrant to a place where his or her life or safety may be endangered.

More specifically, section 33 of the Bill of Rights says that administrative action (by the government and public institutions) must be lawful, reasonable, and procedurally fair. This would include the grant or rejection of permit applications and social rights for example. These rights are not only for citizens, but for “all people in our country and affirms the democratic values of human dignity, equality and freedom.”¹²

Unfortunately, despite the laws and conventions many foreigners within South Africa live without protection. The United Nations South Africa Case Study found that “inadequate documentation, ignorance, and outright discrimination, prevents many non-nationals who are legally in South Africa from accessing” social services.¹⁴ As discussed above, Amit’s analysis of the rejection letters found that the principles of section 33 of the Bill of Rights had not been upheld and that justice had not been administered.

In the majority of cases people are detained or deported by the police without respect for the rule of law. Of those deported most are Zimbabweans who are arrested after crossing the border and are then left on the other side of it.¹³

Recently, a case regarding Mozambican citizens who were challenging the denial of the benefits under the Social Assistance Act¹⁴ reached the South African Constitutional Court. Grants for child support and social grants for the aged were denied because the Mozambicans were permanent residents and not South African citizens. The Court found, however, that this denial was an unreasonable breach of the equality and social rights provisions in the South African Bill of Rights and that the application for social security should be approved.¹⁵

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Living as an Immigrant in South Africa

South Africa has had a relatively violent recent history, with the apartheid and its aftermath. In many cases the sole purpose of the looting and the murders was to instill fear into foreigners. This is evidenced by the fact that the killings were public and knives were used rather than guns.¹⁶ In May 2008 foreigners and their property were violently attacked by South African citizens. In the International Organization for Migration (IOM) 2009 report it was found that 62 people were killed, 670 were wounded, dozens of women raped, hundreds of thousands of people were displaced, and millions of Rand worth of property was stolen or destroyed.

The IOM investigated the 2008 attacks and their response. It found that the government and the police responses were slow and ineffective. In Alexandra, the police took longer than 24 hours to respond to the violence. Some members of local government actually participated in the attacks, and others did nothing to support the foreigners. An election was scheduled for 2009 and politicians did not want to lose favour with the voters.¹⁹

Although there have been many attacks to foreign nationals in South Africa's recent history, as of 2009 not one person has been held accountable – and although some have been arrested they have all been let off.

Citizens in South Africa are generally not very welcoming. Citizens are concerned that they will be financially responsible for foreigners unable to support themselves. They also believe foreigners are taking their jobs, illegally accessing social services, and illegally owning social housing.¹⁷

The government and police say that foreigners are entering South Africa illegally to commit further crime. Although there is no evidence of this the United Nations study shows that many South African citizens believe the government and the police and think this is the reason why the foreigners were attacked (rather than xenophobia).²⁰

Acclimation is also not easy for foreign nationals. They find it difficult to obtain social services and cannot get bank accounts.¹⁸ Foreigners are blamed for violence and are considered a threat to South Africa.

The IOM report blames the 2008 violence and the lack of response to “the micro-politics of the country's townships and informal settlements”. It found that in every site where there was violence there was a lack of official leadership. Unlike the South African citizens, foreign nationals were unrepresented and thus had no one to defend them or to give them a voice.¹⁹

The migration system in South Africa has been greatly criticized. Civil society groups and the United Nations High Commission for Refugees (UNHCR) have put pressure on South Africa to address xenophobia. The South African Police Services now have prevention and report mechanisms. There are also public service announcements to promote tolerance. In 2010, the UNHCR reports a decrease in xenophobic violence.²⁰

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SOUTH KOREA

South Korea is a country in East Asia located on the southern half of the Korean Peninsula. Its neighboring countries are China to the west, Japan to the east, and North Korea to the north. Its official name is the Republic of Korea and its president, who is democratically elected by its citizens for a 5-year term, appoints its prime minister (with the consent of the National Assembly).¹ South Korea's population totals almost 49 million people, with almost 10 million people living in its capital city of Seoul. Korean is the main language, although English is widely taught in junior high and high schools.



Immigration in South Korea

In the 19th century, Korea was nicknamed the “Hermit Kingdom” by some Westerners due to its reluctance to engage in dialogue with the outside world.³ However, after the Japanese occupied and colonized Korea in the early part of the 20th century, millions of Koreans left the country. This led to large Korean communities in China, Japan, Russia, and Hawaii that still exist today.⁴ After the defeat of the Japanese in World War II, the country was divided into North Korea, which has been governed by a communist regime, and South Korea, a republic. The Korean War, which lasted from 1950-1953, caused roughly 10 million people to move from North Korea to South Korea. After the war, and especially after the United States changed its immigration policies regarding non-European immigrants in 1965, many South Koreans began migrating to the United States for study or to find a better quality of life.⁵

Historically, South Korea has been a very homogenous country, but due to its rapid economic development over the last 40 years, by the 1990s, it realized that it needed temporary workers to do the unskilled jobs that native Koreans were becoming less willing to do themselves.⁶ Unfortunately, strict immigration policies made it difficult for South Korean businesses to fill low-level jobs with legal, temporary workers, so by the mid-1990s, increasing numbers of people from other Asian countries – China, the Philippines, Indonesia, Thailand, Vietnam, and Mongolia – were overstaying their tourist visas to work. These immigrants were able to find jobs in small manufacturing companies, construction, and restaurants, with many of them having paid large fees to job agencies at home and/or in South Korea.⁷ As of 2007, the number of undocumented immigrants was estimated to be 223,464, which accounted for 21% of the total number of immigrants in Korea at that time.⁸

In addition to immigrants seeking work, South Korea also receives significant numbers of immigrants who come to marry South Koreans (particularly Korean men who live in rural areas) and members of the Korean diaspora (i.e., immigrants whose ancestors left Korea and settled elsewhere). As of June 2008, 26% of resident foreigners in South Korea were overseas Koreans on a work-visit program, 18.6% were unskilled laborers, 10.3% were immigrants through marriage, 6% were international students, 2.6% were skilled workers, 1.6% were legal permanent residents, and .7% were investors.⁹ As of July 2011, about 1.25 million foreigners (with more than half of them being Korean-Chinese) lived in Korea, which accounts for 2.5% of the entire population. The government projects that foreigners will be 5% of the population by 2020.¹⁰

Entering the Country

Currently, residence status for foreigners is divided into 8 categories, from type A to type H. Of these, only

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3 types, type E through type H offer the possibility of employment.¹¹ In general, skilled workers, including entertainers, researchers, and language teachers, have been welcome to temporarily work and live in Korea.¹² However, as of June 2008, only about 5.5% of the total number of foreigners legally working in Korea were considered professionals (this includes language teachers).¹³

Prior to the early 2000s, South Korea had no official means of giving unskilled workers temporary access to the labor market.¹⁴ However, in 2004, the Korean government implemented a new employment permit system for guest workers. Under this system, qualifying Korean employers (which include small and medium-sized manufacturers with less than 300 employees, farmers, certain ranchers and fishers, and construction companies) can hire foreign workers from the following 15 countries through an E-9 visa: Vietnam, Indonesia, Thailand, Philippines, Nepal, East Timor, Myanmar, Pakistan, Cambodia, Sri Lanka, China, Kyrgyzstan, Uzbekistan, Mongolia, and Bangladesh. However, such employers must first demonstrate that they have spent at least 14 days (or 7 days if the efforts are made through mass media like newspapers and broadcasting) trying to find native Korean workers to fill these positions.¹⁵ Through this employment permit system, about 40,000 foreign workers are hired every year.¹⁶ Of these workers, 87% work in the manufacturing sector.¹⁷ As of August 2011, there were 1.4 million foreign workers living in South Korea.¹⁸

These workers are initially hired for an employment period of up to 3 years, but that period can be extended to a maximum period of 4 years and 10 months.¹⁹ Once they have reached that maximum time period, they must return to their home countries for at least 6 months before re-applying to come back to work in South Korea.²⁰ Family members of foreign workers are not allowed to enter, a restriction purposely designed to dissuade foreign workers from permanently settling in South Korea. When this scheme was introduced, it gave many undocumented foreign workers the opportunity to apply for a permit, depending on how long they had been in the country illegally. Undocumented workers who did not qualify for a permit were given a chance to leave the country without paying any fines. This legalization increased the population of registered immigrants 73.4% between 2002 and 2003.²¹

F2 (residence) visas are available to immigrants who have legally resided in Korea for one year or more before applying and reached at least 80 points out of a possible 120 points (allocated based on age, income, academic credentials, Korean language ability, etc.), determined on a case-by-case basis.²² Although an F2 (residence) visa may be granted to unskilled workers who have developed into skilled workers, the program has not met Korean companies' needs for skilled workers, probably in large part due to what requirements an unskilled worker must meet, which are the following: 1) employed at a Korean company as an unskilled worker for 5 or more years, 2) obtained a certificate of a skill designated by the Justice Minister or earned wages above a predetermined amount, 3) possess enough assets to support themselves, 4) equipped with basic knowledge of Korean culture and language, and 5) "has decency."²³ An F5 (legal permanent residence) visa may be granted to those who have lived in Korea for 5 or more years.



Immigrants may also apply for refugee status in Korea, but not many have applied and even fewer have succeeded. In 2007, out of 717 applicants, only 13 received refugee status.²⁴ Part of the problem is the limited number of officials who have been assigned to determine who qualifies for refugee status, which results in a long waiting list of applicants.²⁵ North Koreans who successfully reach South Korea are not technically considered "refugees" under South Korea law, but are eligible to receive some special assistance,

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including both money and training, to help them settle and adjust to life in the south.²⁶

Defectors from the north may end up in Hanawon, an agency that provides housing to approximately 100 North Korean “refugees” and helps with employment services.²⁷

In general, the easiest way for a person to become a Korean citizen is by marrying a Korean spouse or having at least one parent who is a Korean citizen. It is possible for immigrants with no family ties to Korea to become a citizen, but it is difficult, because they must prove to the authorities that they have a serious desire to become a citizen. Authorities require 5 consecutive years of residency,²⁸ proficiency in the Korean language, and an understanding of Korean culture and history, which may be tested through an interview and a written test.²⁹ In 2007, 110,362 immigrants immigrated to South Korea through marriage, which has led to a growing number of applications for naturalization; in 2007, 23,485 immigrants applied for Korean citizenship. Naturalization is a time-consuming process: the overall average time for naturalization approval is one-and-a-half years.³⁰



Immigrant Rights

Article 10 in the Act on the Treatment of Foreigners in Korea provides that “The nation and local governments shall endeavor to prevent unreasonable discrimination against foreigners in Korea and their children, provide them with education and promote the protection of their human rights.”³¹

Although Korea is a member of the UN Convention on the Elimination of All Forms of Racial Discrimination, both Koreans and immigrants “perceive that Korea has unreasonable and discriminatory institutions and practices in education, welfare and employment.” Immigrants are vulnerable to various forms of human rights abuses, “and often do not know how to use the safeguards that are in place, as they are a social minority and lack [an] understanding of Korean language and culture.”³²

However, the government has taken steps to address these problems by establishing a nationwide support system for migrant female victims of domestic violence, which includes access to counseling in various languages and implementing an Immigration Contact Center hotline through which examples of human rights infringement can be reported.³³

Living as an Immigrant in South Korea

Many foreign workers are exposed to poor working conditions at their work sites because they are employed by small businesses. The problems such workers face include: “verbal abuse during working hours, confiscation of their passports, industrial accidents, back wages, off-duty injuries, and physical violence.”³⁴ These workers’ poor command of the Korean language and their relatively low social and economic status often hinder their ability to solve the problems they face.³⁵ In an attempt to address some of these issues, the government has opened counseling centers to promptly provide advice to both foreign workers and their employers regarding difficulties that arise in the workplace.³⁶

Outside of the workplace, many immigrants find it difficult to live in Korea because of limited communication and access to information (i.e., multilingual amenities and administrative services are lacking). As a result, many of them are reluctant to bring their family members to Korea.³⁷ However, the government is attempting to address these issues by implementing an expanded 3-party translation service via a call

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center for immigrants, providing more English-language translations and announcements for transportation services, building more immigrant-friendly residences, expanding social security benefits to include permanent residents, and establishing immigrant-friendly cultural facilities such as “mini-libraries” in areas where many immigrants live.³⁸

Many immigrants also “suffer discrimination and prejudice because of their appearance and cultural differences.”³⁹ The government is taking steps to address this by raising awareness of the increasingly multi-cultural nature of Korean society through new textbooks and extracurricular classes in Korean schools, holding forums and seminars in the community, and producing and disseminating public service messages and broadcasting programs about this topic.⁴⁰

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23. “Basic Plan for Immigration,” Korea Immigration Service, 26.
24. Ibid., 99.
25. Ibid., 100.
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29. Park, “Balancing Labor Demand.”
30. Basic Plan for Immigration,” Korea Immigration Service, 85-86.
31. Ibid., 13.
32. Ibid., 90.
33. Ibid., 92-93.
34. Ibid., 28.
35. Ibid.
36. “Counseling center for foreign workers opens on Jul. 1,” South Korea Ministry of Employment and Labor Employment Policy, accessed November 24, 2011, http://www.moel.go.kr/english/topic/employment_policy_view.jsp?idx=818.
37. “Basic Plan for Immigration,” Korea Immigration Service, 34.
38. Ibid., 34-38.
39. Ibid., 39.
40. Ibid., 40-43.

COUNTRY COMPARISON CHART

Countries	Ireland	New Zealand	Saudi Arabia
How easy is it to immigrate to this country? For work? For family?			
How easy is it to become a citizen?			
How well are immigrants treated by government and society?			
Would you want to immigrate to this country? Give reasons.			

COUNTRY COMPARISON CHART

Countries	South Africa	South Korea
How easy is it to immigrate to this country? For work? For family?		
How easy is it to become a citizen?		
How well are immigrants treated by government and society?		
Would you want to immigrate to this country? Give reasons.		



LESSON 10

Nativism and Myths about Immigrants

It is not new or unusual for the real Americans, meaning those immigrants who came to America a little bit longer ago, to fear the outsiders, the pretenders, the newcomers.

~ Rep. Luis Gutierrez, speech on floor of U.S. House (April 27, 2005)

LESSON 10

Nativism and Myths about Immigrants



Goals

- » Understand nativism and anti-immigrant prejudice in U.S. history and relate it to present-day movements.
- » Learn how to recognize myths and find accurate information to refute them.

Objectives

- » Students will learn to distinguish between fact, myth, and opinion.
- » Students will understand why myths about immigrants are created and spread.
- » Students will recognize nativism as a recurring problem in U.S. history that still exists today.
- » Students will learn how to evaluate the accuracy of information about immigrants in the United States.

Essential Question

- » Where do anti-immigrants myths come from, and how can I refute them?

Key Skill

- » Critically analyzing media and identifying reliable sources (Activity 2 & 3).

Teacher Advisory

Some of the images and quotes in this lesson are racist and disturbing, but are included for historical understanding. Please warn your students and offer them an opportunity to discuss their reactions. All dialogue should be respectful.

Additionally, please read the Advisory on Immigration Status on page 20 before beginning this lesson.









Materials

- Handout 1: Fact, Myth, or Opinion*
- Handout 2: Gallery of Nativism*
- Handout 3: Nativism in U.S. History Timeline*
- Handout 4: Guide to Sources*
- Tape (for 10 groups), colored paper
- Scissors
- Sticky notes (optional)

Time Frame

3-4 class periods

Vocabulary

-  bias
-  fact
-  myth
-  native-born
-  nativism
-  nativist
-  opinion
-  reliability

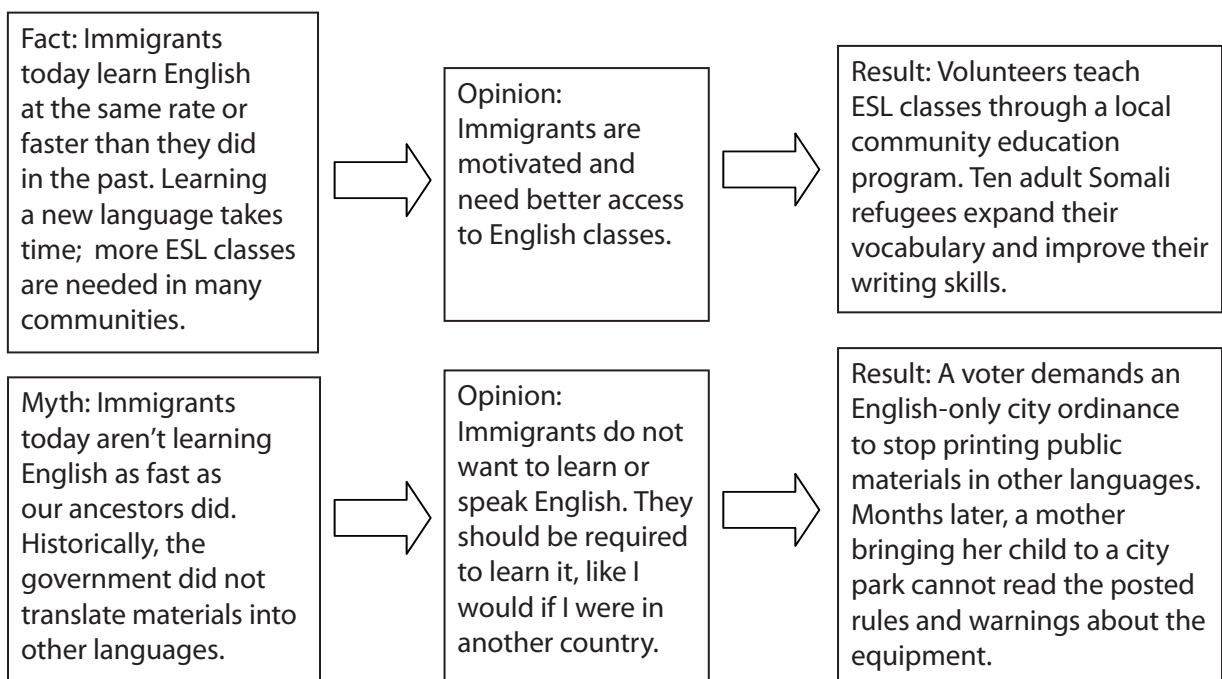
Spot the Myths

Procedure:

1. Prepare. Cut out the cards (being careful not to include the answers) from *Handout 1: Fact, Myth, or Opinion* and set them aside.

2. Think. Ask students to define the terms “fact,” “myth,” and “opinion.” Explain that opinions reflect personal beliefs, but they are often based on information a person has read, heard, or seen. The information on which we base our opinions may be true (a fact) or false (a myth).

Further explain that the opinions we hold have consequences on the human rights and daily lives of immigrants. Opinions that are based on negative myths or false information can be very harmful. Draw a shorthand version of the following sequences on the board.



3. Identify. Divide students into small groups of three or four. Give each group one card from *Handout 1: Fact, Myth, or Opinion*. Go over the example card about human rights as a class, having students vote on which statement they think is fact, myth, or opinion before revealing the answers. Have the small groups repeat the process with the statements on their cards. After they have finished, have the groups share their answers with the class, and then tell them how their results compare to the real answers.

4. Discuss. After students have correctly identified the fact, myth, and opinion about immigration, have the small groups discuss the following questions:

Questions for Discussion


- ? How or why do you think the myth on your card started?
- ? Is the opinion based on the myth or the fact on your card?
- ? How might the opinion impact the human rights of immigrants?

A History of Nativism

Procedure:

1. Prepare. Print out all pages from *Handout 2: Gallery of Nativism*. Cut out the date range cards and hang them around the classroom in chronological order. Group the images and quotes by their respective historical periods (Early American Intolerance, Anti-Catholicism, etc.). (Note: If you can have students cut them out, it will save time.)

2. Define. Explain that negative myths about immigrants are often created and spread by people known as nativists. Ask students what they think the term nativism might mean. Provide them with the following definition:

 *Nativism: the policy or practice of prejudice against immigrants in favor of the native-born, established inhabitants of a country.*

Point out that the meaning of “native inhabitants” in this definition is not Native Americans, but instead whatever group is the hegemony currently residing in the United States when a new, distinctive group of immigrants arrive.

Teacher Tip

Be sensitive to the fact that some students may be the target of some of current myths and stereotypes. You may wish to assign new immigrant students to some of the earlier time periods for the first part of the exercise.

3. Create the gallery. Divide the class into ten groups (2-4 students in each group). Give all students *Handout 3: Nativism in U.S. History Timeline*. Also give each group one or two pieces of colored paper and one of the sets of images and quotes from a particular time period, created in Step One: Prepare. Explain that the class is now going to be creating a “Gallery of Nativism” around the classroom. Tell students that each group should use the information in their handouts to create a sign (with the information below) and a collage (made up of the images and quotes from their time period) for their section of the gallery. Tell them to tape/glue the images and quotes to the colored sheet/s of paper, and have them get out a sheet of paper and write the following information on their signs:

- the immigrant group being targeted;
- the main stereotypes, myths, or prejudice being perpetuated; and
- possible reasons why nativism occurred at that time.

Let students know that some of the time periods overlapped, and that there were resurgences in prejudice against certain groups. The date ranges provided reflect the most intense anti-immigrant sentiment toward a particular group. When they have finished their sign, each group should find the relevant time period and hang their quotes, images, and write-up on the wall.

4. Walk the gallery. Now have the class walk around the timeline and write down the myths about immigrants that appear more than once in the timeline. You can choose to have the class walk it independently or together, taking turns having a representative from each group give a brief summary of their time period as they go along.

(continued on next page)

A History of Nativism

(continued from previous page)

5. Discuss. Bring the class back together to discuss what they learned from the timeline. Have students first share anything they found particularly surprising or disturbing. Next, ask them to share the myths that they saw repeated at different eras and with different immigrant groups. Use the following questions to explore what might lead to the same anti-immigrant myths appearing repeatedly throughout U.S. history.

Questions for Discussion

- ? Was this exercise disturbing for you? Were you surprised by the levels of animosity?
- ? What are some common myths, stereotypes, or prejudices about immigrants that appear many times for different immigrant groups?
- ? Why would the same myths be applied to immigrant groups from very different countries and cultures?
- ? Are the groups that are considered “native” in a particular time period always the same? Are the “natives” of the 1790s the same as the “natives” of today?
- ? Do we still apply the anti-immigrant myths, stereotypes, or prejudices used in the past to the same ethnic or cultural groups today? For instance, do people still think that Irish-Americans or German-Americans will never learn English? What changed?
- ? Are anti-immigrant myths today similar to ones from the past, even though they target different ethnic and cultural groups? Why or why not?
- ? Why would someone create or spread anti-immigrant myths, stereotypes, or prejudices? What purpose do they serve?
- ? How is nativism a reaction to feeling threatened, and why do we feel threatened by immigration?
- ? How do you think these myths, stereotypes, or prejudices affected the human rights of immigrants over the years?
- ? How would you feel if you were the target of one of these myths?

Challenging Myths

Procedure:

1. Brainstorm. Explain that many times, when people hear a piece of information, they do not know whether it is true or not, and so they believe anything that matches what they already think and reject new ideas. Instead of relying on our instincts, which can be wrong, it would be better if people tried to find out from reliable sources if the new information they heard is a fact or a myth.

Ask students to give an example of a rumor that might be told about a person or group of people. How could they figure out if the rumor is true or not? If the rumor is not true, how could they stop it? Write down their ideas on the board.

Just as there are ways to stop rumors at school or among friends, people can also stop anti-immigrant myths through these three steps:

- Question new information that you hear or read, instead of just accepting it as true.
- Go to reliable sources to verify the information.
- If the information is untrue, speak up when you hear the myth and make an effort to spread the truth.

2. Question. Have students revisit the myth from their fact, myth, and opinion card. Pose the following question to students: “If you had never seen this myth before, how could you try to find out if it was a fact or a myth?” Explain that one way to find out the truth is to seek out reliable sources of information. For this exercise, they will be provided with a trustworthy source. Have students go online and access the Immigration Policy Center’s 2010 report “Giving Facts a Fighting Chance,” which can be found with a simple Google search.¹

Have students look for the section of the report that relates most closely to their myth and then read the section in its entirety for facts that disprove their myth and for more information about the topic. Have them write down any original sources they find (e.g., “The National Research Council reported that...”) and why they think the sources may or may not be reliable.

3. Check. Pass out *Handout 4: Guide to Sources*. Have students read through it, then go over the main points with them as a class. Allow them to ask questions about vocabulary or ideas they do not understand. Next, ask students to form pairs (with a student not from their original Fact, Myth, and Opinion group) and use the credibility checklist on *Handout 4* to determine the reliability of the sources they found in “Giving Facts a Fighting Chance.” When they are finished, have groups share what reliability criteria matched the sources they found.

4. Make the connection. Explain that part of the reason it is important to find reliable sources is that sometimes myths are intentionally spread by people with hidden agendas. In the case of immigration, much of the misinformation and ill feelings spread in the media and elsewhere originate from nativist organizations. Many modern anti-immigrant myths, stereotypes, and prejudices are sustained through a highly organized network of groups with distinct messages and audiences that are designed to look independent, but in fact share funding, resources, supporters, founders, key leaders, and tactics. Some of these founders and supporters hold controversial or even racist views on immigration, and some have been connected to white supremacist groups.

(continued on next page)

¹ To access the report directly, go to <http://immigrationpolicy.org/sites/default/files/docs/Brief22%20-%20Endless%20Wait.pdf>.

Challenging Myths

(continued from previous page)

Have students study the map created by the Center for New Community to show all the anti-immigrant organizations connected to this network (found at www.newcomm.org/pdf/CNC-Tanton_Network_2009.pdf). Point out the variety of niches that the network fills. For example, FAIR has established itself as an expert group; the Center for Immigration Studies describes itself as a think tank and provides data that it and FAIR frequently use in the media; ProEnglish provides template language for city councils to pass English-only policies (see www.energyofanation.org/English-only_ordinance_in_mn.html for an example); and there are many local groups that have sprung up as smaller affiliates of FAIR that feed off of its information and tactics. As a class, discuss some of the potential problems and implications of this anti-immigrant network.

Questions for Discussion

- ? Do you think that it matters that these groups have connections to white supremacist or racist people or organizations? What if they only receive money from such groups?
- ? Some of these organizations have publicly distanced themselves from the most controversial founders and leaders in the network. Do you think that their credibility is still in question?
- ? Should people know the background of these organizations when reading or hearing the facts and opinions they provide?
- ? Until recently, most people did not know about this anti-immigrant network. Why do you think that is?
- ? Do you think something should be done to counter myths started or perpetuated by nativist groups? If so, what?

5. Practice. Explain to students that it can seem discouraging to learn about the long history of nativism in the United States that is still being sustained today by an influential network of anti-immigrant organizations. However, remind students that previous cycles of nativism have been overcome by people willing to stand up and tell the truth when confronted by anti-immigrant myths and stereotypes. It can be difficult or intimidating to challenge someone who is repeating incorrect information, so students will get now a chance to practice refuting a myth.

Have students return to the pairs they were in when they checked the reliability of their sources. Have the students take turns practicing refuting a myth. One student should read one of the myths they originally researched, as if they were telling a friend or family member something they just learned (e.g., “It makes me so mad that...” or “Did you hear that immigrants...?”). The other student should reply using the fact that they discovered that refutes the myth (e.g., “That’s not actually true. Did you know...?” or “That’s a common myth about immigrants, but the reality is...”). After one exchange, the students should switch roles and refute the other myth.

If students created the “Gallery of Nativism” in Activity 2, one powerful end to the lesson is for each student to write down the statement they practiced refuting an anti-immigrant myth on a sticky note (or write down another action they can take to refute myths and bias). Students can then take their sticky notes and cover up one of the images or quotes that they found particularly offensive in the gallery.



FACT, MYTH, OR OPINION

CARDS	ANSWERS
<p>EXAMPLE – Human Rights</p> <p>Human rights include family unity, access to just working conditions, and freedom from discrimination on the basis of national origin for everyone.</p> <p>People who immigrate illegally should not be guaranteed any rights.</p> <p>Only documented immigrants have human rights.</p>	<p>Fact</p> <p>Opinion</p> <p>Myth</p>
<p>#1 – Economy</p> <p>Immigrants help improve the U.S. economy, adding over \$37 billion to the gross domestic product (GDP) each year.</p> <p>Immigrants are a drain on the economy.</p> <p>I think the U.S. needs immigrants to be prosperous.</p>	<p>Fact</p> <p>Myth</p> <p>Opinion</p>
<p>#2 – Undocumented Immigration</p> <p>Undocumented immigrants could come legally, they just don't want to.</p> <p>Many people have no way to legally immigrate to the U.S., because there are very few visas for low-skill workers, and wait times for family members can stretch for decades.</p> <p>I think the immigration system should be changed so more people can immigrate legally if they want to.</p>	<p>Myth</p> <p>Fact</p> <p>Opinion</p>
<p>#3 – Integration</p> <p>Immigrants should only be allowed into the country if they already speak English.</p> <p>By the second generation, nearly all (98%) immigrants know English.</p> <p>There is less of a need to learn English now, so immigrants stay within their own communities and speak their own languages.</p>	<p>Opinion</p> <p>Fact</p> <p>Myth</p>

Source: "Giving Facts a Fighting Chance: Answers to the Toughest Immigration Questions," Immigration Policy Center, American Immigration Council, Oct. 12, 2010, <http://www.immigrationpolicy.org/special-reports/giving-facts-fighting-chance-answers-toughest-immigration-questions>.

FACT, MYTH, OR OPINION

<p>#4 – Immigration Enforcement</p> <p>Having local police enforce immigration law leaves immigrants too frightened to report crimes or serve as witnesses, making communities less safe.</p> <p>Everyone, including individuals and local police officers, should be part of the effort to get rid of undocumented immigrants.</p> <p>If someone knows their neighbor is undocumented, they are legally obligated to call the police.</p>	<p>Fact</p> <p>Opinion</p> <p>Myth</p>
<p>#5 – Crime</p> <p>New immigrants are more likely to be criminals than native-born residents.</p> <p>My neighborhood is lucky that several immigrant families are moving in.</p> <p>Immigrants’ incarceration rate is five times less that of the native-born population.</p>	<p>Myth</p> <p>Opinion</p> <p>Fact</p>
<p>#6 – Taxes</p> <p>Immigrants do not pay taxes.</p> <p>Even undocumented immigrants pay taxes. The majority pay income tax, and everyone pays sales and property taxes.</p> <p>Immigrants are enjoying services that are paid for with my tax money, and they should be fined because they are not contributing otherwise.</p>	<p>Myth</p> <p>Fact</p> <p>Opinion</p>
<p>#7 – Benefits</p> <p>I think that immigrants who are hardworking and law abiding should not have to struggle so hard to make ends meet because of a lack of social benefits.</p> <p>Immigrants are bankrupting public benefit systems.</p> <p>Undocumented immigrants are not eligible for food support, Social Security, or Medicaid. In fact, they are restricted from all public benefits, except from emergency medical care in the case of life-threatening situations.</p>	<p>Opinion</p> <p>Myth</p> <p>Fact</p>

Source: “Giving Facts a Fighting Chance: Answers to the Toughest Immigration Questions,” Immigration Policy Center, American Immigration Council, Oct. 12, 2010, <http://www.immigrationpolicy.org/special-reports/giving-facts-fighting-chance-answers-toughest-immigration-questions>.

GALLERY OF NATIVISM

Early American Intolerance

Pre-1830

Anti-Catholicism

**Mid- to Late 19th century
(1830-1860s)**

Chinese Exclusion

**Late 19th century
(1870-1890s)**

Americanization Campaign

**Late 19th century/Early 20th century
(1890-1920)**

World War I

**Early 20th century
(1910-20)**

GALLERY OF NATIVISM

Ethnic Quotas

**Mid-20th century
(1920s-30s)**

World War II

**Mid-20th century
(1940s-50s)**

English-only Movement

**Late 20th century
(1980s-present)**

Undocumented Immigration

**Late 20th century/Early 21st century
(1990s-present)**

Post-September 11

**Early 21st century
(2001-present)**

GALLERY OF NATIVISM

Early American Intolerance



Benjamin Franklin

[Regarding the Germans] "...Those who come hither are generally of the most ignorant Stupid Sort of their own Nation. Few of their children in the Country learn English ... the Signs in our Streets have inscriptions in both languages, and in some places only German ... I suppose in a few years they [interpreters] will be also necessary in the Assembly, to tell one half of our Legislators what the other half say ... they will soon so out number us, that all the advantages we have will not in My Opinion be able to preserve our language, and even our Government will become precarious."

~ Benjamin Franklin, "A Letter to Peter Collinson," May 9, 1753

"Do we not know that the French nation have organized bands of aliens as well as of their own citizens, in other countries, to bring about their nefarious purposes ... By these means they have overrun all the republics in the world but our own."

~ Representative Harrison Otis, statement on floor of U.S. House of Representatives, June 1798

"Why should Pennsylvania, founded by the English, become a Colony of Aliens, who will shortly be so numerous as to Germanize us instead of our Anglifying them, and will never adopt our Language or Customs, any more than they can acquire our Complexion.

Which leads me to add one Remark: That the Number of purely white People in the World is proportionably very small ... in Europe, the Spaniards, Italians, French, Russians and Swedes, are generally of what we call a swarthy Complexion; as are the Germans also ... And while we are, as I may call it, Scouring our Planet, by clearing America of Woods, and so making this Side of our Globe reflect a brighter Light to the Eyes of Inhabitants in Mars or Venus, why should we in the Sight of Superior Beings, darken its People? why increase the Sons of Africa, by Planting them in America, where we have so fair an Opportunity, by excluding all Blacks and Tawneys, of increasing the lovely White and Red? But perhaps I am partial to the Complexion of my Country, for such Kind of Partiality is natural to Mankind."

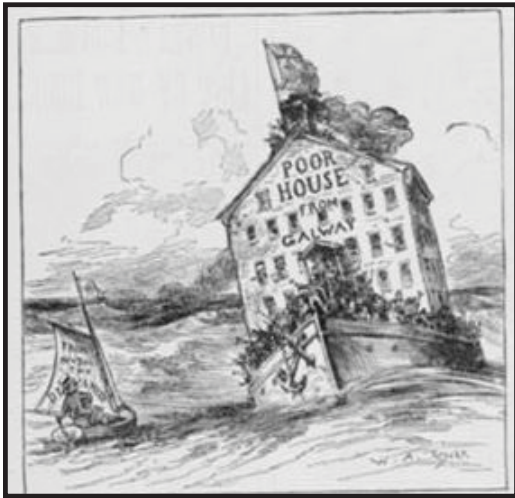
~ Benjamin Franklin, "Observations Concerning the Increase of Mankind, Peopling of Countries, etc," 1751



President John Adams

GALLERY OF NATIVISM

Anti-Catholicism



“The Roman Catholic Church claims infallibility for itself, and denies Spiritual Freedom, Liberty of Mind or Conscience to its members. It is therefore the foe to all progress ; it is deadly hostile to Democracy. She is the natural ally of tyrants, and the irreconcilable enemy of Freedom.”
 ~ Theodore Parker, “A sermon of the dangers which threaten the rights of man in America,” July 2, 1854

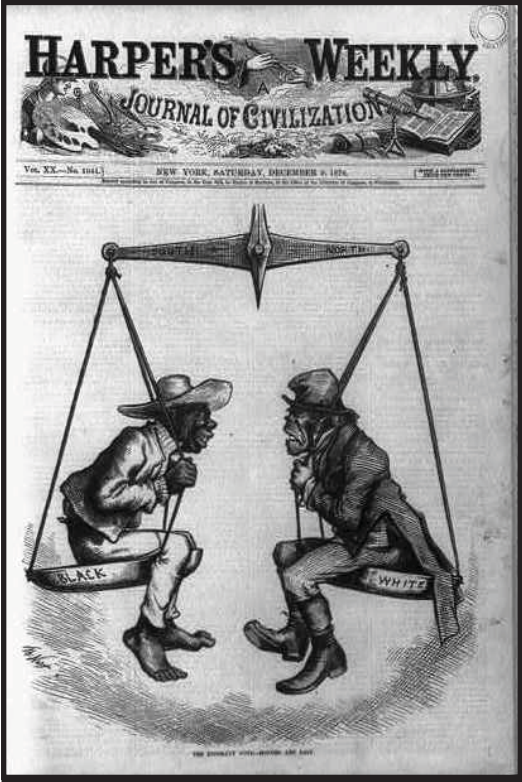
“If the potentates of Europe have no design upon our liberties, what means the paying of the passage and emptying out upon our shores of such floods of pauper emigrants—the contents of the poor house and the sweepings of the streets—multiplying tumults and violence, filling our prisons, and crowding our poor houses, and quadrupling our taxation, and sending annually accumulating thousands to the polls to lay their inexperienced hand upon the helm of our power?”
 ~Beecher, “A Plea for the West”



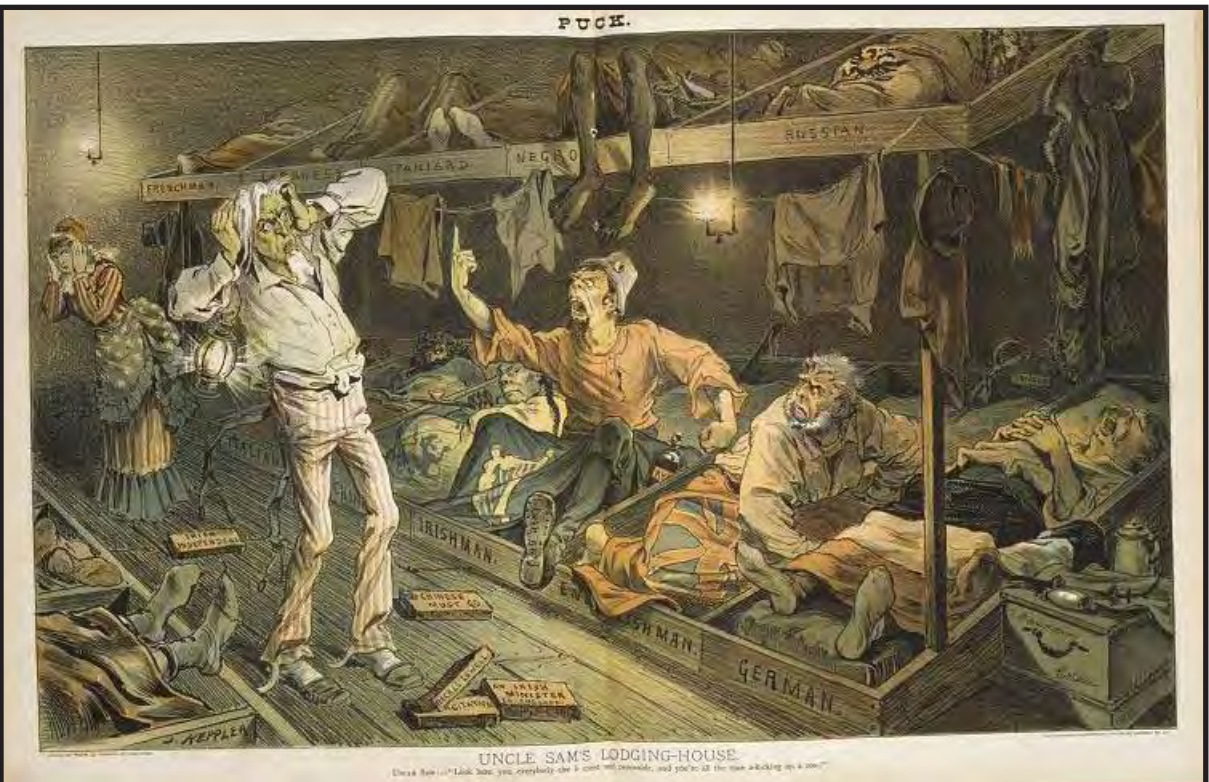
GALLERY OF NATIVISM



"The Mortar of Assimilation — And the One Element that Won't Mix [the Irish]"



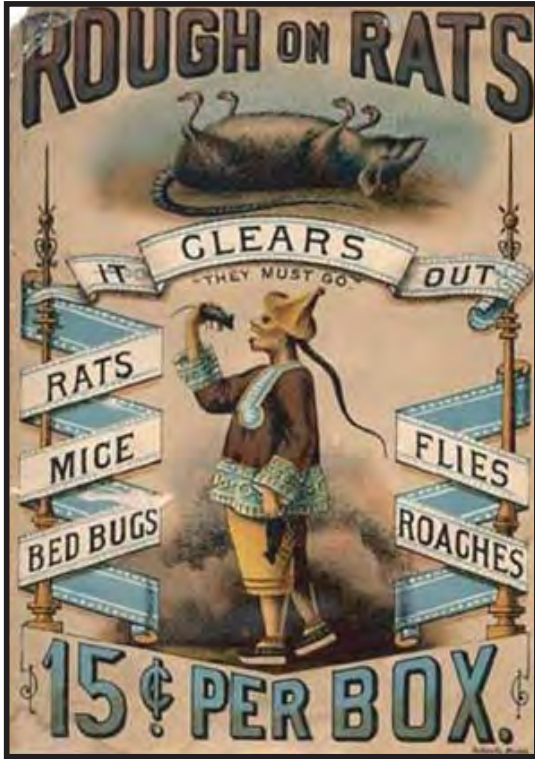
"The Ignorant Vote — Honors Are Easy" [African American man on left, Irishman on right]



"Uncle Sam's Lodging House"
Uncle Sam [to Irishman]: "Look here, you, everybody else is quiet and peaceable, and you're all the time a-kicking up a row!"

GALLERY OF NATIVISM

Chinese Exclusion



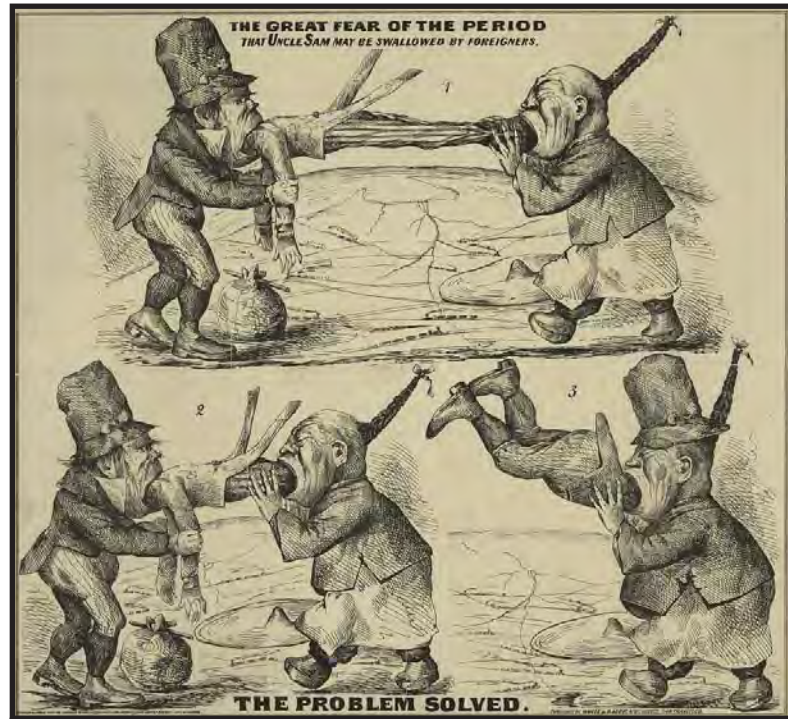
"The Chinese Question"
"The Remedy Too Late"

GALLERY OF NATIVISM

Chinese Exclusion

"During their entire settlement in California, they have never adapted themselves to our habits, modes of dress, or our educational system, have never learned the sanctity of an oath, never desired to become citizens, or to perform the duties of citizenship, never discovered the difference between right and wrong, never ceased the worship of their idol gods, or advanced a step beyond the musty traditions of their native tribe."

~California Senate, Special Committee
on Chinese Immigration, 1877



[Cartoon shows Uncle Sam being devoured by an Irish man and Chinese man, who in turn eats the Irish man]



"Why They [the Chinese] can live on 40 cents a day, and They [Americans] can't"
"A Picture for Employers"

GALLERY OF NATIVISM

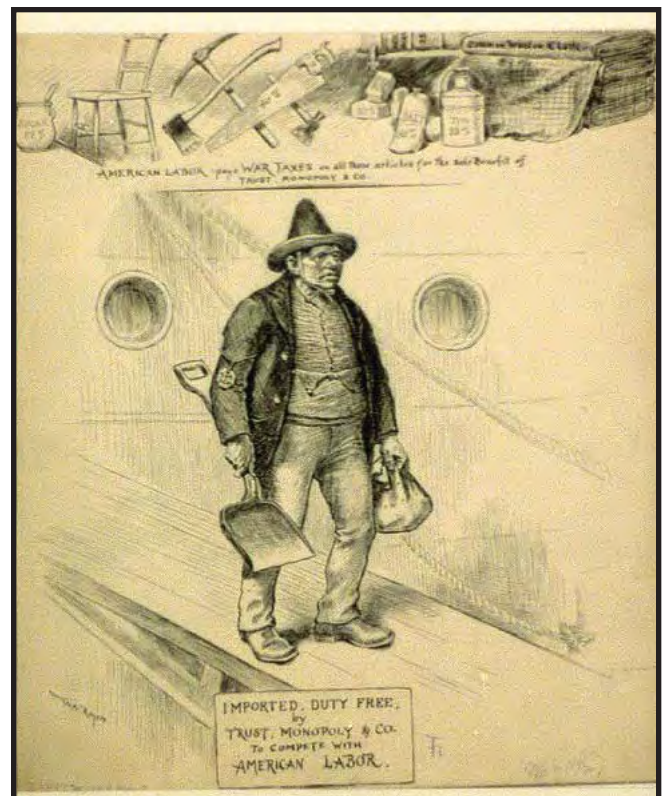
Americanization Campaign



"If Immigration was properly Restricted you would no longer be troubled with Anarchy, Socialism, the Mafia and such kindred evils!"

"There may be those who can contemplate the addition to our population of vast numbers of persons having no inherited instincts of self-government and respect for law; knowing no restraint upon their own passions but the club of the policeman or the bayonet of the soldier; forming communities, by the tens of thousands, in which only foreign tongues are spoken, and into which can steal no influence from our free institutions and from popular discussion. But I confess to being far less optimistic."

~ Francis A. Walker, "Restriction of Immigration," June 1896.



"Imported Duty Free by Trust, Monopoly & Co. to Compete with American Labor"

GALLERY OF NATIVISM

Americanization Campaign

But when alien immigration pours its stream of half a million yearly, as has been frequently done during the last decade, and when that stream is polluted with the moral sewage of the old world, including its poverty, drunkenness, infidelity and disease, it is well to put up the bars and save America, at least until she can purify the atmosphere of contagion which foreign invasion has already brought.

~ *The Ram's Horn*, April, 1896



"The Stranger at Our Gate
Emigrant - Can I come in? Uncle Sam - I 'spose you can
there's no law to keep you out."



GALLERY OF NATIVISM

World War I



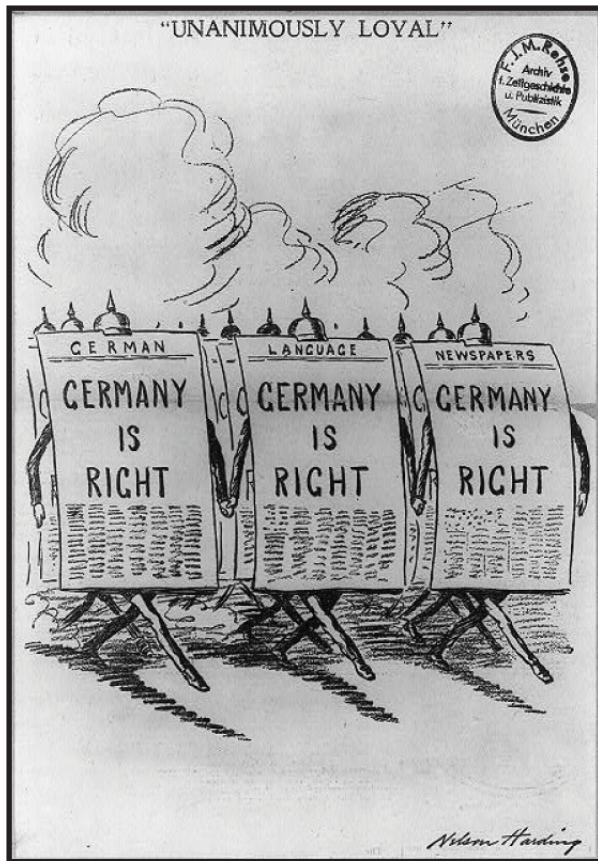
"If there are any German-Americans here who are so ungrateful for all the benefits they have received that they are still for the Kaiser, there is only one thing to do with them. And that is to hog-tie them, give them back the wooden shoes and the rags they landed in, and ship them back to the Fatherland."

~ James Gerard, "Loyalty," 1917



GALLERY OF NATIVISM

World War I



[Cartoon shows Uncle Sam riding the country of traitors including an Irish radical, a Communist, and German money]



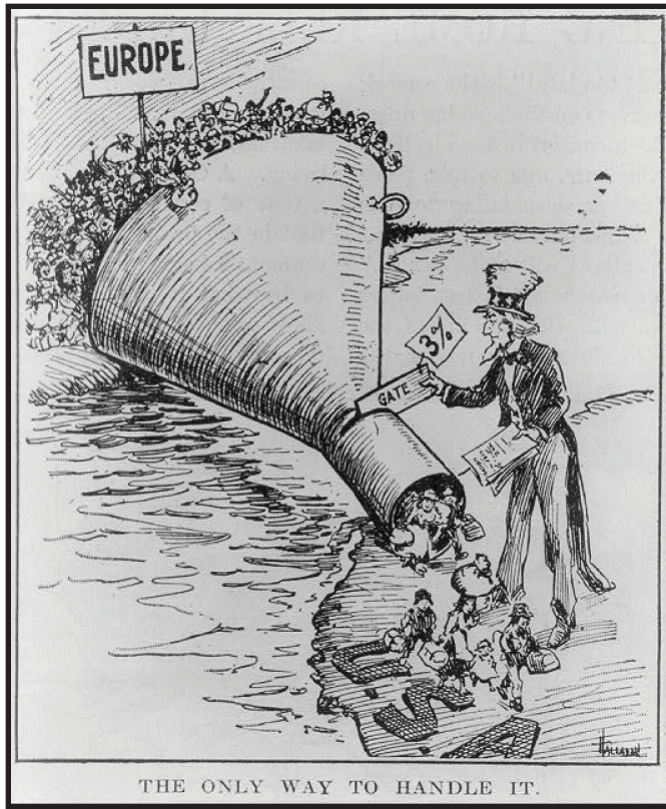
"Enemy Alien Menace"

"The Hun within our gates is the worst of the foes of our own household, whether he is the paid or the unpaid agent of Germany. Whether he is pro-German or poses as a pacifist, or a peace-at-any-price-man, matters little. He is the enemy of the United States ... The German-language papers carry on a consistent campaign in favor of Germany against England. They should be put out of existence for the period of this war ... Every disloyal native-born American should be disfranchised and interned. It is time to strike our enemies at home heavily and quickly."

~ Theodore Roosevelt, *The Foes of Our Own Household*, 1917

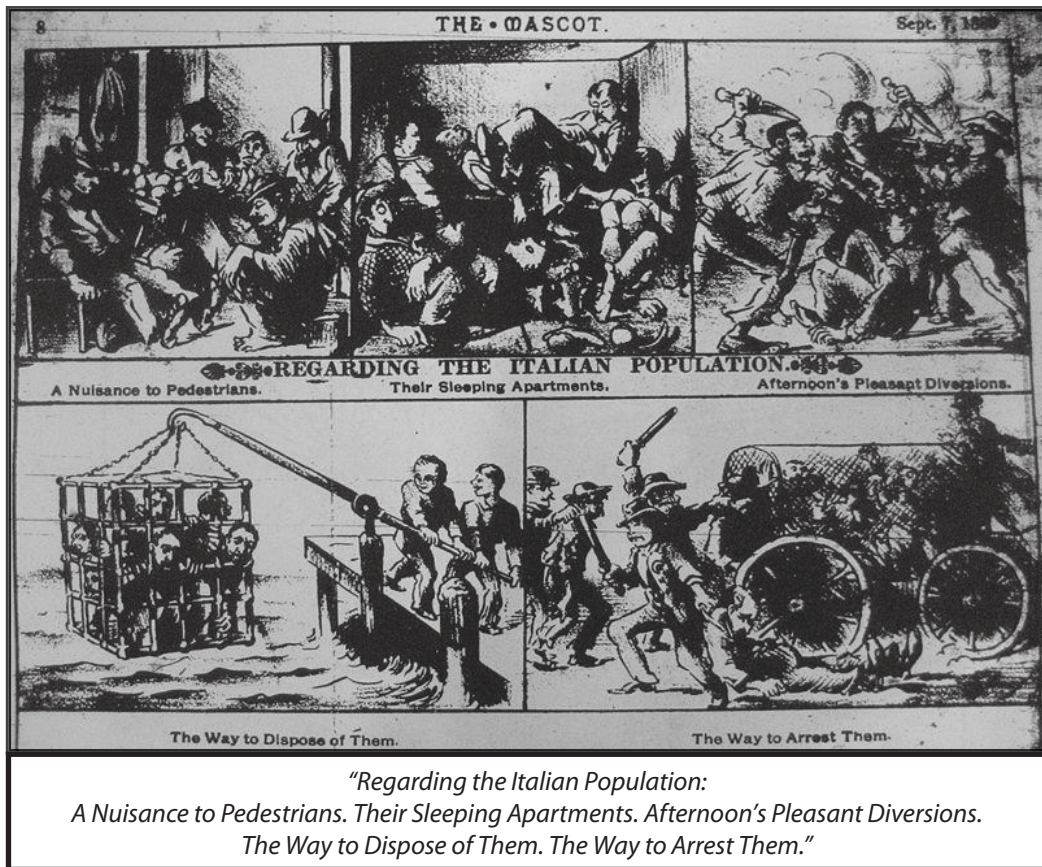
GALLERY OF NATIVISM

Ethnic Quotas



America was beginning also to smart under the irritation of her 'foreign colonies'-- those groups of aliens, either in city slums or in country districts, who speak a foreign language and live a foreign life, and who want neither to learn our common speech nor to share our common life. From all this has grown the conviction that it was best for America that our incoming immigrants should hereafter be of the same races as those of us who are already here, so that each year's immigration should so far as possible be a miniature America, resembling in national origins the persons who are already settled in our country.

~ "Our New Nordic Immigration Policy,"
Literary Digest, May 10 1924

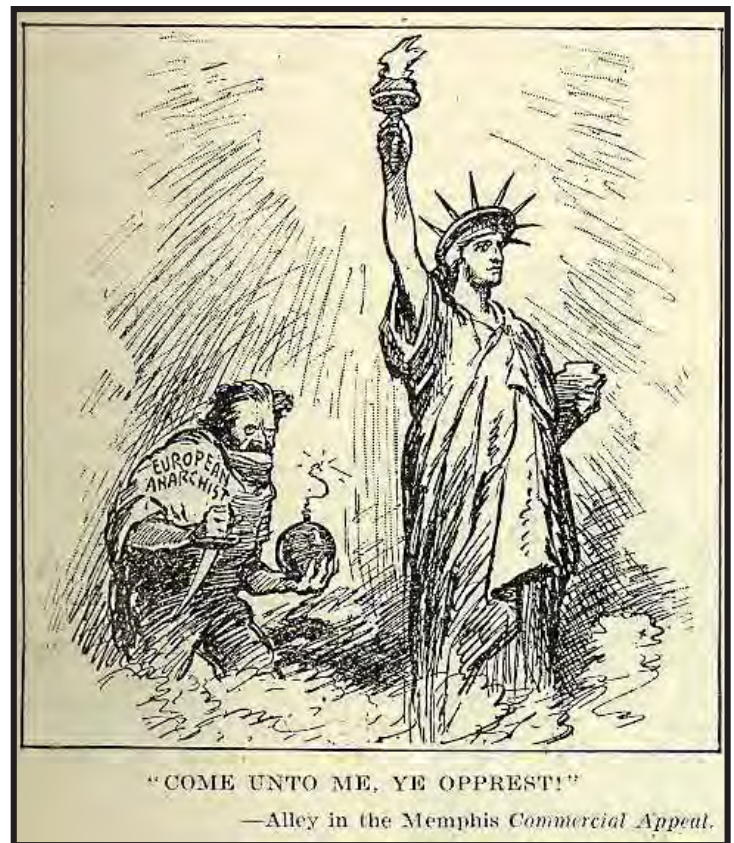


GALLERY OF NATIVISM

Ethnic Quotas

"America must be kept American."

~ President Calvin Coolidge, State of the Union speech, 1923

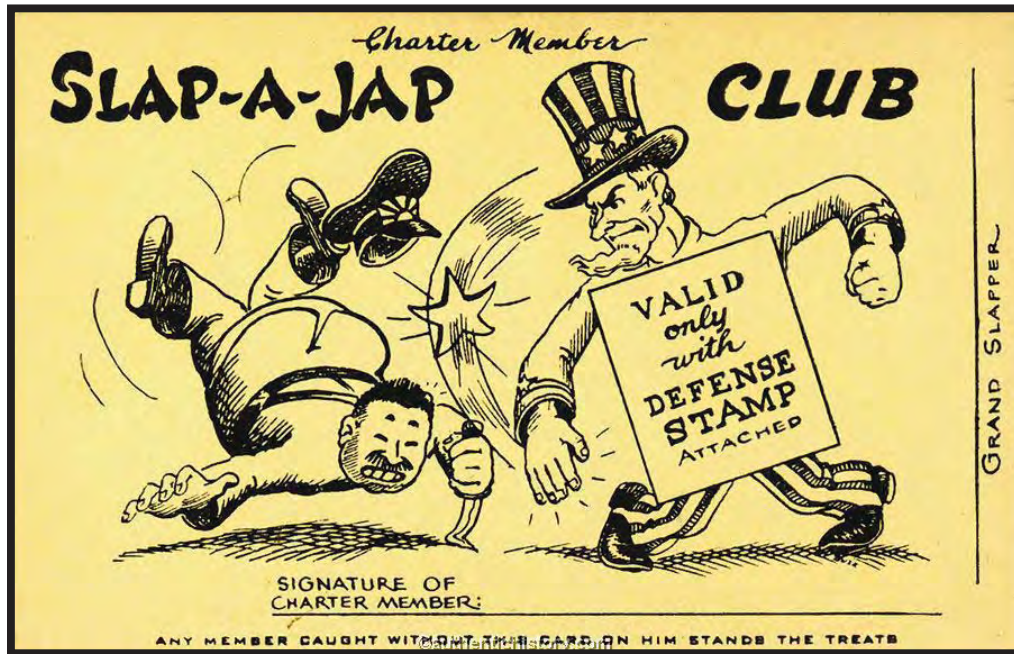


My information showed that communism in this country was an organization of thousands of aliens who were direct allies of Trotzky. Aliens of the same misshapen caste of mind and indecencies of character, and it showed that they were making the same glittering promises of lawlessness, of criminal autocracy to Americans, that they had made to the Russian peasants.

~ Attorney General A. Mitchell Palmer, "The Case Against the Reds," 1920

GALLERY OF NATIVISM

World War II



"A Jap's a Jap. It makes no difference whether he is an American citizen or not. I don't want any of them ... They are a dangerous element, whether loyal or not."

~General DeWitt, in congressional testimony.

Source: "Resisting arrest" by Gary Kamiya, Salon.com, <http://dir.salon.com/opinion/freedom/2004/06/29/korematsu/index.html>.



GALLERY OF NATIVISM

World War II



GALLERY OF NATIVISM

English-Only Movement



(A bumper sticker on a window)

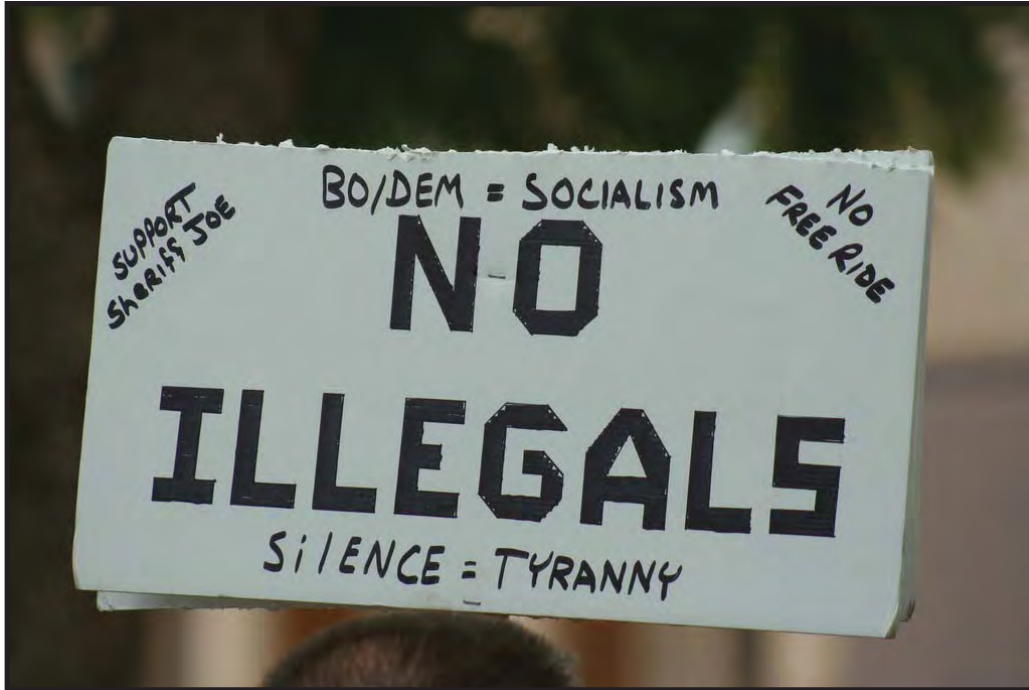
"In short: The situation today is far different from in the past, and unfortunately, presages trouble in the future. The rules are different and the aims are new. For example, assimilation and learning English do not seem to be high priorities."

~John Tanton

Source: Southern Poverty Law Center, Intelligence Report, Summer 2002, Issue Number: 106.
"WITAN Memo' II," <http://www.splcenter.org/get-informed/intelligence-report/browse-all-issues/2002/summer/the-puppeteer/witan-memo-ii>.

GALLERY OF NATIVISM

Undocumented Immigration



"The current situation, which seems so bad to us, could be -- indeed will be -- vastly worse in another decade. The political power of the immigrants -- legal and illegal -- will be so great that nothing can stop it, and the greatest migration in the history of the United States will fundamentally transform our society and economy."

~John Tanton

Source: Southern Poverty Law Center. Intelligence Report, Summer 2002, Issue Number: 106. "WITAN Memo' II," <http://www.splcenter.org/get-informed/intelligence-report/browse-all-issues/2002/summer/the-puppeteer/witan-memo-ii>.

"[A]t the very least, illegal immigrants are attacking our culture, and our way of life. They are not melting into our melting pot -- they're here for the cash."

~Glenn Beck

Source: "Burn the Mexican flag!": A look back at the hateful anti-immigration rhetoric from 2006." Media Matters for America, <http://mediamatters.org/research/201003180049> on 7/9/11.

GALLERY OF NATIVISM

Undocumented Immigration



"Beck listed the only three reasons a Mexican would come to the United States on his CNN show: 'One, they're terrorists; two, they're escaping the law; or three, they're hungry. They can't make a living in their own dirtbag country.'"

(Reference to Glenn Beck.) Source: "'Burn the Mexican flag!': A look back at the hateful anti-immigration rhetoric from 2006." Media Matters for America, <http://mediamatters.org/research/201003180049> on 7/9/11.



GALLERY OF NATIVISM

Post-9/11



Islam is more than just a spiritual system — it's also a political system, a system regulating economics, war, the subjugation of infidels, personal hygiene, and every other aspect of life. And *of course* radical elements - i.e., orthodox Muslims - are behind the construction of many, if not most mosques in the West. Both of these facts make Islam a unique danger to our Republic and are arguments for enhanced scrutiny of mosques and all Muslim organizations, the use of undercover agents to infiltrate them and track their activities, a resumption of the use of ideological exclusion in visa and immigration matters, and the categorical rejection of all special demands, whether wearing a hijab in a driver's license photo or giving legal authority to sharia courts in family-law matters.

[Arguing Muslims should be able to have mosques, but the U.S. should limit immigration. Source: Mark Krikorian, "Herman Cain and Mosques," National Review Online, July 18, 2011, <http://www.nationalreview.com/corner/272074/herman-cain-and-mosques-mark-krikorian#>

GALLERY OF NATIVISM

Islamists arrive in the United States despising the country and all it represents, intending to make converts, exploit the freedoms and rights granted them, and build a movement that will effect basic changes in the country's way of life and its government...Islamists do not accept the United States as it is but want to change it into a majority Muslim country..."

Source: Daniel Pipes and Khalid Durán, "Muslim Immigrants in the United States,"
Center for Immigration Studies, Aug, 2002,
<http://www.cis.org/articles/2002/back802.html>



NATIVISM IN U.S. HISTORY TIMELINE

Early American Intolerance. From the very beginning of written U.S. history, immigration has brought with it fear of newcomers and the changes they might bring to the economy, culture, and national security of the country. Areas with high concentrations of immigrant groups, like the Germans in Pennsylvania, were especially likely to provoke resentment. Politicians also encouraged ethnic divisions as a way of securing political power. One early anti-immigration law was the 1798 Alien and Sedition Acts, which gave the President the power to exclude or deport foreigners who were considered dangerous or who had criticized the government. The supporters of the law played on anti-French and anti-radical feelings inspired by the French Revolution in order to gain support for the law. Though most of the Act expired with the end of President John Adams' term in office, the Alien Enemies Act, which allows the President to arrest and deport without judicial review the nationals of any country with which the U.S. is at war, remains in effect today.

Anti-Catholicism. In the 1830s and 40s, immigration grew sharply with the arrival of many Roman Catholics from Ireland and Germany. Simultaneously, a Protestant revival flourished in a climate of economic insecurity. Evangelists demonized Catholics as immoral "Papists" who followed authoritarian leaders, imported crime and disease, and stole native jobs. A convent near Boston was burned and dozens of people were killed in anti-Catholic riots in several other cities. Political parties, collectively referred to as the "Know-Nothings," sprang up to oppose Irish Catholic immigration and won large victories in state and federal government. They enacted numerous laws that penalized immigrants (as well as newly annexed Mexicans), including the first literacy tests for voting, which disfranchised the Irish in particular. Anti-Catholicism had a revival following the Civil War, but was soon eclipsed by a more general anti-immigrant movement directed against a new wave of immigrants from Southern and Eastern Europe.

Chinese Exclusion. Nativists in the West singled out Chinese immigrants for violence and legalized discrimination, claiming that white wage earners could never compete with so-called "coolies" willing to live in squalor. The nativist Workingmen's Party led a movement for a new state constitution in California in 1878-79, adopting provisions to ban Chinese immigrants from employment by corporations or state government, segregating them into Chinatowns, and seeking to keep them from entering the state. When Congress changed the naturalization statute to reflect the newly-freed status of African Americans, legislators pointedly excluded Asian immigrants from citizenship – only white people and people of African descent were eligible. Anti-Chinese sentiment culminated in the Chinese Exclusion Act of 1882, the nation's first immigration restriction targeting immigrants on the basis of national origin alone. In 1907, in another move to limit Asian immigration, the United States entered into an informal "Gentlemen's Agreement" with Japan. As part of this arrangement, the United States agreed to allow for family reunification among current Japanese immigrants, and in exchange, the Japanese government agreed not to issue passports to most emigrants to the United States.

Americanization Campaign. By the turn of the century, public attention began to focus on poverty, disease, and crime rates of immigrant ghettos, as well as the cultural distance between newcomers and the native-born. Around 1890, fewer immigrants came from Ireland, England, Germany, and Scandinavia as more arrived from Italy, Greece, Poland, Hungary, and Russia. In 1911, a federal commission issued a 42-volume study of the foreign-born population, alleging that the new immigrants were less skilled and educated, more clannish, slower to learn English, and generally less desirable as citizens than the "old immigrants." A campaign to "Americanize" these Eastern and Southern European immigrants began in an attempt to change their cultural traits, civic values, and especially their languages. The U.S. government's Bureau of Americanization encouraged employers to require English classes for foreign-born workers. Most states banned teaching in other languages. Congress repeatedly tried to pass a literacy test requirement for incoming immigrants. After being vetoed four times by three different Presidents, Congress finally overrode President Wilson's veto to pass the law in 1917.

NATIVISM IN U.S. HISTORY TIMELINE

World War I. The Americanization campaign received renewed energy with the beginning of World War I, which aroused suspicions of immigrants from Germany, Austria, and Hungary. The large German populations of many Midwestern states were viewed with hostility, and faced harassment and occasionally violence. German place names were changed, German businesses were vandalized, and German-language books, schools, and newspapers were banned or shut down.

Ethnic Quotas. Following World War I, nativists predicted a flood of foreign radicals from Europe, especially Communists (“Reds”). Immigrants from places outside of Northern Europe were seen as genetically inferior to the English, Germans, and Scandinavians. Their perceived inferiority supposedly made them unable to function in a democratic society and a threat to American democratic institutions. Anti-Semitism (discrimination against Jewish people) was strong during this time period. As a result of these racist theories, Congress passed legislation in 1921 and again in 1924 designed to favor Northern Europeans while strictly limiting immigration from Southern and Eastern Europe and prohibiting Asian immigration entirely.

World War II. As in World War I, the United States’ entry into the war sparked suspicion and hostility towards immigrant groups connected to enemy nations. The President ordered the internment of these “enemy aliens,” primarily the Japanese, but also Germans and Italians suspected of sympathizing with the governments of their home countries. As a result of an Executive Order, more than 110,000 people of Japanese ancestry, including many citizens, were forcibly evicted from their homes and detained in internment camps for up to four years. Additionally, due to continued anti-Semitism, quotas, and departmental policies, many refugees from Germany and Austria fleeing the horrors of the Holocaust were denied entrance to the United States.

English-Only Movement. The 1965 Immigration and Nationality Act ended the racial quotas first established in the 1920s. Immigration increased, bringing to the United States a new diversity of national origin, culture, and language. Americans who felt unsettled by these changes found a symbolic target for their discontent: “bilingualism.” In the early 1980s, nativists launched a movement to make English the official language of the United States and restrict the use of other languages, especially by the government. Twenty-six states have passed English-only laws, which often deny non-English speakers essential rights and services, including health care, public safety, and the right to vote. This movement continues to some degree today.

Undocumented Immigration. Immigration from Latin America rose dramatically beginning in the 1990s. At the same time, rates of undocumented immigration also increased, with the largest proportion of undocumented immigrants coming from Mexico. Worries about the cultural and economic impact of large numbers of Hispanic immigrants combined with concerns about widespread violation of immigration laws led to new attacks against “illegal immigrants” that focused almost entirely on Hispanics, even when most Hispanics in the United States are citizens or legal permanent residents. The nativist movement against undocumented immigration has pushed for harsh immigration enforcement measures at the federal level and then moved to enacting increasingly punitive laws at the state and local level. Many of the laws, like the nativist rhetoric that inspired them, encourage discrimination against Hispanics under the guise of fighting undocumented immigration.

Post-September 11. After the terrorist attacks on September 11, anti-Muslim sentiment increased. In some cases, this led to vandalism and violence. The government passed new immigration restrictions on immigrants coming from predominantly Muslim or Arab countries, and rounded up thousands of Muslim immigrants for special questioning. The anti-Muslim movement has opposed granting Muslims the same religious freedom as other faiths, including blocking the construction of mosques and opposing workplace accommodations.

Source: Adapted from James Crawford, “Cycles of Nativism in U.S. History,” National Immigration Forum (1994).

GUIDE TO SOURCES

Part I: Your Source Matters

Imagine that you read the following excerpt on a friend's blog: *"Biting dogs are an increasing problem in our city. In one neighborhood, 50% of dogs have caused serious injury to children. This problem has got to be addressed!"*

1. What might your opinion be, based on this information? Would you agree that biting dogs are a problem?

2. Now, what if you discovered the following facts?
 - There are only two dogs in the neighborhood, so 50% is actually only one dog.
 - The dog in question did bite a child – a four-year-old who took away its bone and struck it in the face.

How might these facts change your opinion?

3. Think about the source of the information. Is a personal blog the best place to find statistics on dog bites in a given area? If you did read this, and you questioned it, what are some sources you could turn to in order to check the facts?

Generally, you want your source to match the material you are looking for. If you want to know what your friend thinks about his neighbor's dog, then his personal blog is a great source. If, however, you want to find out statistics on neighborhood dog bites, you should turn to a government agency that collects such data, such as your city's Department of Animal Care or Control. Even if that agency does not have the data, someone there can probably direct you to another reliable source.

Part II: Credibility Checklist

When researching social or policy issues that can be considered controversial, such as immigration, it is especially important that you find and use reliable sources. The following ten criteria in the "Credibility Checklist" can help you determine whether a source is appropriate when looking for accurate information about such a topic. The best place to start is to follow links to the original research, article, or report, and then use the list from there to judge its reliability.

GUIDE TO SOURCES

1. ___ The source matches the kind of information I am looking for.
2. ___ The article or report is hosted on the author's website, or else I am looking at a published copy of the material.
3. ___ The source is highly respected, with a good reputation. For example, it is a government agency, professional journal, national/international news agency, university, think tank, or a reputable organization.
4. ___ The source does not have an inappropriate agenda, bias, or conflicts of interest that are obvious in its programs or funding. (For example, it does not have racist or sexist language on its website, receive funding from political parties or companies looking to sell a product related to the research, or have close allies that are aligned with an unsuitable agenda.)
5. ___ The content in the article or report seems to be objective, reasonable, and fair.
6. ___ The research is either original (conducted by the source) and provides information about the scientific methods used, or it provides citations to the original research.
7. ___ If a group is claiming to be neutral, and opinions or individual stories are provided, there seems to be reasonable attention given to both/all sides of an issue.
8. ___ There is a publication date, and this seems to be some of the most current research available on the topic.
9. ___ I can find other reliable sources online that corroborate, or agree with, the information I found in the article or report.
10. ___ I can do an online search with the source's name with words like "controversial," "political," or "watchdog" and there does not seem to be information to suggest that other credible sources believe they are biased.

Part III: Sources to Use with Caution

Try to avoid using the following sources when conducting objective research. If you do use them, understand their limitations and/or biases before reading the content.

- Blogs (personal or informal)
- Organizations labeled as "hate groups" (see <http://www.splcenter.org/get-informed/hate-map> for a list of active hate groups in the United States)
- Political party websites (except where they are being used to describe a candidate's position or provide information about upcoming events, etc)
- Social media (If someone is linking to a credible source, go to that site and use the information from the original source.)
- Websites that appear outdated or non-credible
- Wikipedia (This can be a nice source for informal research on a subject, but go to other sources to get information to use in reports.)



LESSON 11

Deliberative Dialogue

Our ways of handling power differences and diverse points of view and cultures should be models of the civic life we wish to engender in our communities. Encouraging the articulation of differences, and then finding areas for collaboration, should be the norm rather than the exception.

~ Z.F. Gamson, *Civic Responsibility and Higher Education* (2000)

LESSON 11

Deliberative Dialogue



Goal

- » To understand and practice deliberative dialogue as a method of addressing controversial issues, such as immigration, and choosing courses of action.

Objectives

- » Students will learn how to communicate in a way that is respectful of human rights.
- » Students will practice using skills that promote effective and active communication.
- » Students will develop communication tools that allow them to discuss controversial issues with people who have opposing ideas.
- » Students will use deliberative dialogue to explore different opinions and create a plan of action around immigration.

Essential Question

- » How can I communicate effectively and make collective decisions with people who have different opinions than I do while respecting their human rights?

Key Skills

- » Improving communication skills through active listening (Activity 1).
- » Using critical thinking skills and reasoned arguments to explore an issue (Activities 3 and 4).

Materials

- ☑ *Handout 1: Are You an Empathetic Listener?*
- ☑ *Handout 2: Empathetic Listening Exercise*
- ☑ *Handout 3: Debate vs. Deliberation*
- ☑ *Handout 4: Deliberative Dialogue Script*
- ☑ *Handout 5: Deliberative Dialogue Overview*
- ☑ *Handout 6: Deliberative Dialogue Background (Family)*
- ☑ *Handout 7: Deliberative Dialogue Background (Employment)*
- ☑ *Handout 8: Moderating a Deliberative Dialogue*

Time Frame

5-6 class periods

Vocabulary

-  common ground
-  communication
-  debate
-  deliberation
-  deliberative dialogue
-  dialogue
-  listening
-  respect
-  trust

The “Rights” Way to Listen

Procedure:

1. Think. Ask students the question: “Do people have the *right* to be respected in a conversation? Why or why not? What if the people talking do not agree with each other?” Remind students that every person has human rights, which can be found in the Universal Declaration of Human Rights (UDHR). If students are not familiar with human rights and the UDHR, Lesson 2 on page 31 provides an introduction to the basic concepts. Write the following articles from the UDHR on the board:

- Article 1: “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”
- Article 19: “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

Let students know that the goal of this lesson is to practice communicating effectively about difficult or sensitive issues in a way that respects everyone’s human rights. Using the above articles, discuss the following questions as a large group:

Questions for Discussion

- ? How do these rights apply to having a discussion with someone?
- ? What are some things you can do in conversations that would help uphold the other person’s human rights? (Examples could include: listening carefully, taking the other person seriously, and trying to understand their position.)
- ? What are some things you can do in conversations that might violate the other person’s human rights? (Examples could include: refusing to let the other person talk, personal attacks, threats, and hate speech.)
- ? Have you ever felt like your rights have been violated in a conversation?
- ? Why is it important to uphold human rights in discussions?

2. Read. Give the students *Handout 1: Are You an Empathetic Listener?* and have them read through it silently. Ask for volunteers to give an example or a demonstration of each key skill provided. Tell students that these are basic listening skills. They are going to have a chance to practice these skills while discussing something neutral so that they will be ready to apply them again during a dialogue about immigration policy.

3. Practice. Pair off students, and have them choose one person in the pair to be in Group A, and the other in Group B. Give each student *Handout 2: Empathetic Listening Exercise*. Tell students to read over the handout and think about the personal story they want to tell their partner. After giving students a few minutes to think of their personal story, have the Group A students tell their story to their partner. At first, the Group B students should use “non-listening” behavior. After a minute, announce that the Group B students should start using their active listening skills. Once the Group A students have finished, the Group B students should summarize what they heard. Have the students change roles and repeat the activity, with the Group A students switching from non-listening to listening behavior halfway through the story. When Group B is done with their stories, Group A should summarize what they heard.

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The “Rights” Way to Listen

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4. Debrief. After the pairs have finished telling and summarizing their stories, have students fill out the questions at the bottom of *Handout 2*. As a class, discuss how students felt during the exercise and whether the active listening skills helped them in the conversation.

Questions for Discussion

- ? As a listener, was it easier to follow and understand the story when you used your active listening skills?
- ? How did you feel when you were not listening? When you were listening?
- ? As a speaker, how did you feel when your partner was not listening? When your partner was listening?
- ? Was it easier to tell your story when your partner was listening?
- ? Why is it important to be engaged when listening and speaking?
- ? Do people always have something “earth-shattering” to share? If not, is it still important to listen to them?
- ? Is it insensitive for speakers to go ahead and share whatever they want even if the listener is not interested or paying attention?
- ? How might these active listening skills help respect other people’s human rights during a conversation?

Debate vs. Deliberation


Procedure:

1. Brainstorm. Explain to students that respecting the human rights of others in conversation is only the first step to sharing opinions, discussing options, and deciding on a common course of action. The way people choose to make collective decisions affects what decisions are made, how much support they have, and how effective they are at solving a community problem.

Have the class brainstorm a short list of immigration issues that are difficult to solve and generate a wide range of opinions about the best course of action. These issues could relate to who the United States allows into the country (*Are too many or too few allowed in? Do we prioritize the right things - family, employment, freedom from persecution?*); how the government enforces immigration laws (*Should the border be more secure? Should we be more lenient with immigrants who have U.S. family members?*); what benefits immigrants can enjoy (*Do immigrants have a right to health, housing, or education?*); or the impact of immigration on citizens (*Do immigrants take jobs away from citizens? Is it important that immigrants assimilate?*).

Once the class has brainstormed the list, ask students which communication methods are typically used to help decide and determine these immigration policies. Possible answers might include voting, protests, letters to elected officials, debates in Congress, arguments, and media campaigns. Ask students: do these methods emphasize working together and finding areas of agreement, or prioritizing one's own goals at the expense of other people's? How successful have these methods been at finding solutions to problems in the immigration system?

2. Discuss. Tell students that there are other ways of solving community problems or disagreements that emphasize understanding and collaboration instead of winning. One such method is deliberative dialogue. Provide students with the following definition.

 Deliberative dialogue combines open communication, critical thinking, and reasoned argument in order to create mutual understanding, build relationships, solve public problems, address policy issues, and to connect personal concerns with public concerns.¹

Point out that the term encompasses two important concepts: talking about people's opinions in order to understand them, and using this understanding to craft solutions to community problems.

One way to better understand deliberative dialogue is to understand what it is not. Students will now get a chance to contrast deliberative dialogue with a more common, familiar way of exploring an issue: debate. Give students *Handout 3: Debate vs. Deliberation*. After giving students a few minutes to read over the handout, discuss the differences between debate and deliberation.

3. Debate. Students will now have a chance to see the differences between debate and deliberation in action. Choose a topic that the whole class will discuss, first in a debate and then in a deliberative dialogue. The issue should be one where students will be able to generate arguments for and against without needing to do research. One good topic for the activity is whether soda should be allowed in elementary school vending machines.

For the debate, divide the class into two opposing sides. One half will take the position that soda should *not* be allowed in elementary school vending machines, and the other will take the position that soda should be allowed. Have students work in small groups of 3 or 4 to generate arguments for their side of the debate. If they are having trouble coming up with ideas, tell them to consider things like the funding schools receive

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¹ <http://ncdd.org/rc/glossary#D>.

Debate vs. Deliberation

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from soda companies, the long-term health effects for young children, freedom of choice for children and parents, potential alternatives, the need to teach children healthy choices, or the effects of sugar on children's learning outcomes. The small groups should write down their ideas on a piece of paper.

Choose a volunteer from each side of the issue to present their team's arguments to the class. The volunteer should take a moment to read over the ideas created by the small groups and organize their thoughts. Explain to the class that the goal of the debate is to have one student emerge as the clear winner at the end, with the majority of the class voting for his or her position. The class is not allowed to choose a compromise or take both points of view into consideration.

Tell the class that the students will present their best arguments for and against, but they must respect human rights while debating by refraining from personal attacks, discriminatory statements about the other person or a group of people, hate speech, or other disrespectful behavior. The entire class will monitor and report whether these ground rules are met.

When the volunteers are ready, have them present the arguments for or against that were generated by the small groups. After five minutes is up (or when the students run out of arguments, depending on which comes first), ask the class to vote on the winner of the debate and record the winner on the board.

4. Deliberate. Tell the class that they will now revisit the issue of soda in elementary school vending machines, but in the form of a deliberative dialogue. Each student should take a moment to individually think through their actual position on the issue and the arguments they would use to support it. Unlike in a debate, their position does not have to be one extreme or the other; students can argue that soda should be allowed in certain situations or with certain restrictions rather than banned entirely. Give the class a few minutes to write down their thoughts.

Next, act as a moderator for the dialogue, calling on volunteers to share their positions and asking students to speak up when they agree or disagree with one of the arguments or positions. Encourage students to search for common ground with their classmates rather than looking for differences. As in the debate, students should respect human rights during the dialogue. They should also practice the empathetic listening skills they learned in Activity 11.1, trying to understand why their classmates feel a certain way about the issue.

After five or ten minutes, start summarizing the points of agreement and seeing if there is a solution that most students can accept. One way to end the dialogue would be to write down two or three of the most popular options and ask students to vote on their choice. Students may have a tendency towards arguing or debating, and should be guided back to the idea that they are looking for points of agreement and a policy they all can support, even if it doesn't address all the issues. Write the chosen policy on the board. Is it the same as the debate winner? Why or why not?

5. Debrief. Have students stand around the outer periphery of the classroom. Ask them to volunteer similarities and differences between debate and deliberative dialogue that they observed in the activity. Encourage them to think of things not found on their handout. With each correct answer, have everyone take one step toward their desks. When they are close enough to their desks or have answered enough questions, allow them to sit down. If they have not covered all of the answers below, go over the remaining comparisons as a large group.

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Debate vs. Deliberation

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- Both explore community issues or problems.
- Both can be intense and can elicit emotions and argument.
- Both can highlight critical facts and important considerations.
- Both should respect basic human rights.
- The style is different. In debate, participants focus their attention on preparing their arguments without considering the feelings or motivations behind the other side's position. In deliberative dialogue, participants use empathetic listening skills to understand the personal basis for people's positions and to foster an environment of openness and mutual understanding.
- The questions are different. In debate, rhetorical questions are often asked to make a point (e.g., "Doesn't this country stand for freedom of choice, even in what we drink?"). In deliberative dialogue, questions are asked in order to get a real answer and to better understand the person's perspective (e.g., "Why do you believe students might not make good decisions about drinking soda?").
- The answers are different. Debate presents a choice between two contrasting viewpoints while deliberation explores many different opinions, not all of which conflict with each other.
- The process is different. In debate, the parties try to connect their reasoning in a logical chain that inevitably leads to their preferred result. Debaters typically do not change their positions or reasoning, but can instead become more committed to their own opinion. In deliberative dialogue, the progression towards a solution may not be straightforward and can allow for many different results. Participants are open to new possibilities, influenced by the input of group members.
- The end goal is different. In debate, it is winning an argument; in deliberative dialogue, it is finding a solution that people can truly support based on common concerns and understandings.



Deliberating Immigration

Procedure:

1. Apply. Now that students are familiar with what deliberative dialogue is, they will get an opportunity to see this method used to discuss an immigration issue. This activity is a great way to explore immigration through deliberative dialogue when there may not be class time or resources to conduct the full dialogue offered in the next activity.

2. Read. Put students in groups of three to read through *Handout 4: Deliberative Dialogue Script*. Have them select one of the three roles: the moderator, David, or Maria. Tell them they will be reading through a script of a deliberative dialogue about undocumented immigrants being perceived as “taking away” jobs from U.S.-born workers. Remind them of the goals of deliberative dialogue, both in the process (respecting the other person as you dig deeper and try to understand their viewpoint) and in the result (reaching common ground in order to make a plan of action). Have students highlight areas of common ground or potential solutions as they read the deliberative dialogue.

3. Analyze. After students finish reading the scripts, bring the class back together and write one or two sentences describing David’s and Maria’s positions. Ask for examples of underlying issues or concerns driving their individual opinions. Then, ask students for examples of when David or Maria learned something new about the other person’s ideas or the issue itself that changed their original understanding of the issue. Have students refer back to the script to look at the questions that “dug deeper,” or brought about these understandings. Did discussing the issue through deliberative dialogue help David and Maria better understand each other?

4. Propose. One of the key purposes of deliberative dialogue is to reach an agreement on possible solutions to community problems. In this example, David and Maria’s dialogue did not finish; they are going to return for another discussion. The class has an opportunity to finish the dialogue for them by thinking of potential solutions that might be supported by both people. Have students return to their small groups of three and review the text they highlighted while reading the script, showing areas of common ground or potential solutions. Next, each group should write an ending to the dialogue that has Maria and David agreeing on a solution to the issue. Once the small groups have finished their dialogues, have them take turns acting out their ending for the class.

Participating in a Deliberative Dialogue

Procedure:

1. Review. Remind students of the basic principles of deliberative dialogue. Deliberative dialogue is a type of public discussion that addresses a question through deliberation instead of debate to:

- collectively explore a question;
- weigh the strengths and weaknesses of alternative perspectives;
- move beyond clash of opinions and reach shared understanding; and
- search for common ground and decide on a course of action.

2. Set up. Divide the class into two groups to conduct a dialogue about whether the United States should prioritize family- or employment-based immigration if the government decided to increase the number of visas it gives out. After assigning the groups to a position, give them *Handout 5: Deliberative Dialogue Overview*, and their respective position backgrounder, *Handout 6: Deliberative Dialogue Background (Family)* or *Handout 7: Deliberative Dialogue Background (Employment)*. The handouts provide students with an overview of the dialogue structure, background for their position, and resources for further research. The dialogue can either be based on the information in the background handouts only, or students can be asked to do research to find more data on their topic. Give students one or more class periods to research and prepare their positions with their group.

3. Simulation. Once students have finished preparing their positions, it will be time to set up the deliberative dialogue. Please use *Handout 8: Moderating a Deliberative Dialogue* to aide the deliberative dialogue. Before beginning, go over the agenda with the class and answer any questions students have. Remind students to use the active listening skills they practiced in Activity 11.1. Once students are ready, begin the deliberative dialogue.

4. Debrief. After the simulation, debrief the class using the following discussion questions:

Questions for Discussion

- ? What was the hardest part of the dialogue?
- ? Was it hard to maintain an open-minded attitude and not get defensive? Why or why not?
- ? Do you think it would be more difficult with an issue very close to you?
- ? Did you find deliberative dialogue to be an effective way of talking about the issues?
- ? Did the communication skills that we practiced earlier in the lesson help you in the simulation?
- ? Do you think this method of discussion would be useful in other situations? If so, which kind? Provide a few concrete examples.

5. Closure. Have students free write for ten minutes about what they learned, both about the immigration issue they discussed and about deliberative dialogue as a method of group problem-solving.

ARE YOU AN EMPATHETIC LISTENER?

Empathy: The ability to identify with, understand, and even vicariously experience another person's thoughts, emotions, motivations, or circumstances. Empathy asks the question, "How would it feel to be in their shoes?"

Empathetic Listening: Empathetic listening (also called "active listening") is a communication technique that enables the listener to understand, interpret the speaker's message, and respond appropriately. Empathetic listening not only elicits information, but also allows for deeper understanding, builds trust and respect, reduces tension and conflict, and creates a safe environment that is conducive to collaborative problem solving.

Sometimes, when people are listening, they are distracted, thinking about other things, or thinking about what they are going to say next. Empathetic listening is a structured way of listening and responding to others, focusing attention on the speaker. Suspending one's own frame of reference, reserving judgment, and avoiding other internal mental activities are important to fully attend to the speaker. Through empathetic listening, the listener lets the speaker know, "I understand your problem and how you feel about it, I am interested in what you are saying, and I am not judging you."

Skills	Explanation
Attention	Give your undivided attention. Provide non-verbal and verbal recognition of the other person through eye contact, head nodding, and having your expressions/mood match the speaker. Keep a relaxed body, and respond to statements with "mm-hmm," "uh-huh" or "I see."
Support	Show warmth, caring, and concern. Offer encouragement or support if the speaker is upset.
Quiet	Allow for quiet time. Give the speaker time to think, as well as to talk.
Mirroring	Mirror back what you hear. Reword, or paraphrase, a person's basic verbal message to confirm your understanding. Example: "What I hear you saying is..."
Questioning	Ask questions to get more information and to find out if your interpretations and perceptions are accurate. Example: "Did you mean...?" "How did you feel...?"
Patience	Be patient if the person is having trouble saying something that is emotionally difficult, or if the person's first language is not English.
Feedback	Share perceptions of the other's ideas or feelings, without judging or trivializing their experiences. Disclose relevant personal information (without bringing the focus back to you). Summarize or synthesize information, if appropriate. Example: "It sounds like that entire trip was one headache after another."

Source: Adapted from Richard Salem, "Empathic Listening," in *Beyond Intractability*, eds. Guy Burgess and Heidi Burgess, (Boulder: Conflict Research Consortium, University of Colorado, July 2003), http://www.beyondintractability.org/essay/empathic_listening/.

EMPATHETIC LISTENING EXERCISE

Instructions:

1. Decide which of you will be in Group A (speaking first), and which will be in Group B (listening first). You will get a chance to play both roles. Set up your chairs so that you are facing one another.
2. Think about a personal story that is important to you. You will tell this story to your partner. The story should last at least two minutes. Take notes to outline the story, if that is helpful. Possible topics include:
 - What was your favorite vacation?
 - What has been an influential experience or person in your life?
 - What is one of your aspirations?
 - What band or singer do you admire, and why?
 - What do you like to do on your free time?
 - What is your favorite book or movie, and why?
3. The teacher will tell you when to begin the exercise. Whoever is in Group A should start telling his or her story, while the Group B person listens. Group B should begin by using “non-listening” behavior such as:
 - Body language such as turning away, slouching back, or looking around the room
 - Pretending to check your cell phone, ipod, etc.
 - Twiddling with a pen or doodling
 - Making impatient noises, such as sighing
4. When the teacher announces it, switch to using the active listening skills listed on *Handout 1: Are You an Empathetic Listener?* Try to use as many different skills as you can.
5. After the Group A person is done telling his or her story, the student in Group B should summarize what he or she just heard.
6. Now, switch roles so that the person in Group B is the speaker and the person from Group A listens. The person from Group A should follow the same steps, starting out using “non-listening” behavior and then switching to using active listening skills when the teacher gives the signal. After the Group B person is done telling his or her story, the Group A student should summarize what he or she just heard.
7. Answer the following questions:

When you were the listener	When you were the speaker
How did your partner respond to your non-listening behavior? To your listening behavior?	How did you feel during the first part of the exercise?
Did you feel differently about the conversation when you started actively listening? What changed?	What did you notice about your partner’s behavior?
Was it easier to follow and understand the story when you used your active listening skills?	Did you notice when their behavior changed? How did you feel after they started listening?
	How well did your partner summarize your story? Why do you think that is?

DEBATE VS. DELIBERATION

In DEBATE, you...	In DELIBERATION, you...
Assume you have all the right answers	Assume many people have pieces of a workable solution
Search for weaknesses/what does not make sense in the other's position	Search for strengths/what does make sense in another position
Invest wholeheartedly in your beliefs	Temporarily suspend judgment of other's beliefs
Remain oppositional and seek to prove the other wrong	Remain collaborative and seek common ground
Defend your own assumptions as truth	Reveal your assumptions in order to reevaluate them
Listen primarily to find flaws and counter-arguments	Listen to understand and find agreement
Defend your own solution	Are open to the possibility of different solutions
Try to win even if it only confers a short-term advantage	Try to build a common ground for action, which is the basis for long-term change
Submit your best thinking to defend it	Submit your best thinking to expand or improve it

Source: Adapted from Sandra Hodge, "Debate vs. Deliberation," in *Discovering Common Ground*, Community Development, University of Missouri Outreach and Extension and National Immigration Forum (2003), <http://extension.missouri.edu/cd/pubdelib/trainmaterials/deliberationmanual2.pdf>.

DELIBERATIVE DIALOGUE SCRIPT

Topic: Should we prioritize native-born Americans over immigrants in the workplace?

Moderator: Welcome. Today we have Maria Valdez and David Hartwell with us to discuss an issue that concerns many people in our community. Maria and David, please read over the following ground rules. If you are in agreement, let's say them together.

Moderator/Maria/David:

- I will be respectful.
- I will be honest.
- I will maintain an open mind.
- I care about this issue. I know that the other person cares about this issue, too.
- I want to understand (name of other individual)'s reasoning and values.
- My primary goals are expanding my own understandings and finding common ground. In accomplishing these goals, we will find some solutions that we both can agree upon.

Moderator: Let's start by having you each give your name, as well as a brief personal story that relates to the topic at hand today.

Maria: Hello, my name is Maria Valdez. I am here today, because I help some immigrant families through my church, St. Joseph's, and they told me that they were scared to come here today. They are really good people, and they can't move back home because there are no jobs there. The family I work with the most has two little girls. The girls go to school here, and sometimes they are picked on. I know that life is not easy for them. I also have a personal connection to this issue. My parents came to the United States in the 1980s from Guatemala, and although I was born in the United States, I saw them struggle and I know that their lives have been very hard. They were fleeing for their lives and got asylum, but they received very little help from the government. They had to take whatever jobs they could find when they got here. They didn't have a choice; it was about feeding their families.

David: Hi, my name is David Hartwell. Two of my uncles lost their jobs to immigrants. One of them had worked at a meat-processing plant as a union employee for over 20 years, and now the plant has almost all Mexicans and Somalis working there. His family lost their home. They had to move into an apartment, which was in a different part of town. My younger cousins had to switch elementary schools. My aunt got a job to cover the bills while he went to the community technical college to learn something else, but she ended up injuring her back, so she can't work anymore. My uncle just got a job driving a forklift, so we'll see how that goes. He should've been able to retire at the plant he worked in for 20 years. I've heard that companies will shut down plants and hire cheap labor to break up unions. That's not right, and I think we should prevent that from happening.

Moderator: It does sound like you're both concerned about people being able to find jobs to take care of themselves and their families. You've both stated pieces of the issue we're talking about. Can you say a little more about the topic?

David: Well, I guess part of my concern is that people who have worked somewhere for many years should not have their jobs taken by cheaper foreign labor. I don't think immigrants should break the law by coming

DELIBERATIVE DIALOGUE SCRIPT

here and then fill jobs they know are being taken away from Americans. Companies can just pretend to close a plant and then “re-open” with immigrant workers and pay them less to get rid of union labor.

Maria: Do companies do that?

David: All the time. And not just here. They do it all over. Are the immigrants you work with aware of that?

Maria: To be honest, I don’t know. I would totally agree that companies shouldn’t try to break up unions – I didn’t realize that was happening. I would agree to laws to prevent that.

Moderator: Great, we already have one agreed upon solution.

Maria: Going back to the initial question posed by the moderator, I think the problem is that people living in other countries sometimes have hardships that drive them to the United States and sometimes there aren’t other jobs for them to take. They need to support their families, too.

David: Don’t you think that is the responsibility of their home country’s government? Not to be mean or anything, but maybe some of those problems should be solved back in their home country.

Maria: Yes, of course, but the world isn’t black and white like that. They don’t have control of their government. Sometimes, people who come without permission are even fleeing from their own government. My parents fled Guatemala because people were being killed across the country. They watched many of their relatives die before coming.

David: There should be exceptions in extreme cases like that. Your parents should have been able to come.

Moderator: So, we’ve identified another solution — providing special protection for people fleeing persecution.

Maria: My parents did get asylum eventually, but they entered as undocumented immigrants, just like some of the people being called “illegals” and risking their lives in the desert.

David: I’ve read that most immigrants come to join their families or get a job. In that case, I don’t think they should be prioritized. I said a little about my uncle’s family, but there’s a lot more. They really suffered when he lost his job, and there’s no country close by with a better economy that he can just pick up and move to.

Maria: I never thought about it like that. I think I need more time to process that ... I mean, I think the worst of what people experience in the United States isn’t as bad as some countries, but for young entrepreneurs just seeking opportunity, maybe we should consider people here first. How do we establish immigration policies based on need? Or do we?

David: I think we should. Well, when I think about it, that might not be best for our economy, just allowing in everyone who needs it the most.

Moderator: I just wanted to point out that you both have again identified the common concern of ensuring that people are able to find jobs that meet the needs of themselves and their families and that governments hold some responsibility for making sure that happens. Go on.

DELIBERATIVE DIALOGUE SCRIPT

Maria: Well, I just thought of something else. If we did just give visas to low-skilled workers, then they wouldn't have to live in the shadows and people like David's uncle might not be laid off. It would put people on a "level playing field," so they are hired for the right reasons. We only give out 5,000 low-skilled visas every year, which everyone knows is not enough.

David: Is that right? Why don't we give out more?

Maria: Because we can't pass comprehensive immigration reform. When immigrants don't have legal status, it puts them in a vulnerable position where employers can treat them worse than American workers. So, not only are Americans like your uncle being hurt, but the immigrants can be exploited and abused in the workplace, too, and they don't have anyone to advocate for them, like a union.

David: When I think about it, though, if we did that, then wouldn't there just be others who would come illegally and work for less? It seems like a cycle.

Maria: We just need to enforce immigration laws and actually fine companies hiring undocumented workers. If there was a functioning legal system, I really don't think — based on the immigrants I've talked to — that very many people would risk living here illegally if they didn't have to.

David: I would agree to changing laws to give more visas to low skilled workers, if we actually enforce them.

Moderator: Another area of common ground.

David: I would add a caveat – if a company could hire an American or an immigrant with the same skill set, don't you think they should hire the American?

Maria: Regardless if they are an American or an immigrant, they need jobs equally – they're human beings with families to support. Practically, I understand the U.S. government has to take care of its own people. How often would two people have the exact same skill set, though? If it's a job that doesn't require any experience or education, then, I don't know.

David: Well, I think Americans should get the job first.

Maria: Who do you mean by "Americans"? People born here? Citizens?

David: I mean people who were born here. And there should be training programs for Americans who want to switch careers or are being forced out.

Maria: Well, I think your idea makes sense if we had such programs for all people living and working in the United States. If we provide skilled labor education to all people, they can have backup careers if they lose their jobs. Everyone living here contributes to our economy.

Moderator: Okay, well, with that, I will ask you both to wrap it up, as we've run out of time for today. We'll be having another meeting next week. For now, could you both reflect on what you've learned? Do you have deeper understandings?

David and Maria: (Answer the question as you think your character would.)

DELIBERATIVE DIALOGUE OVERVIEW

Deliberative dialogue is a type of public discussion that addresses a question through deliberation instead of debate to:

- collectively explore a question;
- weigh the strengths and weaknesses of alternative perspectives;
- move beyond a clash of opinions and reach a shared understanding; and
- search for common ground and decide on a course of action.

How to Participate in a Deliberative Dialogue

Step 1: Preparing for the deliberative dialogue

1. **Identify:** Using the background information and any further research you have done, identify key information and data supporting your position, core values and concerns that motivate you to support this position, and your desired policy outcomes.
2. **Relate:** Try to identify with the issue and your position by thinking of how it relates to your life. You can do this by thinking of personal stories about your experiences or imagining a relevant situation happening to you or a loved one.
3. **Prepare:** Gather all of your research, analyses, and personal narratives and prepare for the deliberative dialogue by choosing how you will go about presenting your opinions and addressing the questions.

Step 2: Staging the deliberative dialogue

You will now have a chance to simulate a deliberative dialogue. Your teacher will serve as the moderator for the deliberative dialogue. During the dialogue, you should use the empathetic listening skills you have practiced in this lesson, and find ways to respect your fellow participants' human rights.

Part 1: Welcome and Introductions

1. The moderator will begin the deliberative dialogue by welcoming participants, explaining the format, laying out ground rules, and identifying the topic.
2. Participants will introduce themselves and share personal connections or experiences with the issue.
3. Participants will name the issue by agreeing on what it is they are discussing and trying to solve.

Part 2: Purposeful Deliberation

1. Participants will draw on their background research to lay out their competing concerns and choices.
2. Participants will work through conflicts that arise from competing values or viewpoints.
3. Participants will uncover and examine the assumptions behind their positions.
4. The moderator will help the group identify common values and objectives, as well as points of disagreement.

Stage 3: Summary and Conclusion

1. The moderator will help participants summarize key points and conclusions made during the dialogue.
2. Participants will choose a course of action that reflects the core values of the group.

Source: Adapted from Sandra Hodge, *Discovering Common Ground*, in Community Development, University of Missouri Outreach and Extension and National Immigration Forum (2003), <http://extension.missouri.edu/cd/pubdelib/trainmaterials/deliberationmanual2.pdf> and Scott London, "Thinking Together: The Power of Deliberative Dialogue" (2005), <http://www.scottlondon.com/reports/dialogue.html>.

DELIBERATIVE DIALOGUE BACKGROUND (FAMILY)

Deliberative Dialogue Topic

The 1965 Immigration and Nationality Act created our current immigration system, under which permanent residency is granted to people trying to reunite with family members living in the United States, to people with job offers or important job skills who want to work in the United States, to refugees or people seeking asylum, and to a small number of other groups that receive special protection or priority in immigrating to the United States. Currently, around two-thirds of all permanent residents come to the United States to join family members. 15% come on employment-related visas. In both categories, many applicants face backlogs and long wait times before they are allowed to come. **If the United States was considering granting 500,000 additional visas each year, would you give priority to individuals who want to be reunited with their families, or prospective workers from other countries?**

Your Position

If the United States decided to grant 500,000 additional visas each year, the visas should be given to individuals seeking reunification with family members already living in the United States.

Supporting Facts

The presence of one or more family members in a particular country can draw other family members to try to immigrate to that country to join them. When families are divided across borders, it can be emotionally and financially trying for all family members. According to human rights law, families have the right to be together,¹ and immigration systems should recognize this right.

Although the number of individuals who enter the United States to be reunited with family members significantly outnumbers those who enter with visas for other reasons, the United States still does not issue enough visas to satisfy the demand for family reunification. As of October 2011, most family members coming to the United States have to wait for a minimum of nearly three years to a maximum of 23 years before being allowed to immigrate.² Over 3 million people are currently waiting for their family-based immigration application to be processed.³

Because there are not enough visas for everyone who wants to join their family in the United States and because the wait times are so long, thousands of people come to the United States without authorization to be with their families. Undocumented immigrants, if found by immigration, are usually deported to their home country and face additional barriers to returning to the United States legally. Since 1997, at least 500,000 legal residents and citizens were separated from their family members by deportation.⁴ Some people believe that if the United States provided more visas to individuals hoping to join their families, the number of undocumented immigrants would drop significantly, removing this threat to family unity.

Resources for further research

- Migration Information Source, "U.S. Focus," www.migrationinformation.org/USfocus/.
- Immigration Policy Center, "Immigration Problems and Solutions: A Resource Page," www.immigrationpolicy.org/just-facts/immigration-problems-and-solutions-resource-page.
- U.S. Citizenship and Immigration Services, www.uscis.gov.
- Department of Homeland Security, *2010 Yearbook of Immigration Statistics*, www.dhs.gov/files/statistics/publications/yearbook.shtm.

1 UN, Universal Declaration of Human Rights, Article 16 (Dec. 10, 1948), <http://www.un.org/en/documents/udhr/index.shtml>.

2 U.S. Department of State, "Visa Bulletin for October 2011," Number 36, Volume IX, http://www.travel.state.gov/visa/bulletin/bulletin_5560.html.

3 Citizenship and Immigration Services Ombudsman, *2010 Annual Report to Congress* (June 30, 2010), http://www.dhs.gov/xlibrary/assets/cisomb_2010_annual_report_to_congress.pdf.

4 Human Rights Watch, *Forced Apart (By the Numbers): Non-Citizens Deported Mostly for Nonviolent Offenses* (April 15, 2009), <http://www.hrw.org/en/reports/2009/04/15/forced-apart-numbers-0>.

DELIBERATIVE DIALOGUE BACKGROUND (EMPLOYMENT)

Deliberative Dialogue Topic

The 1965 Immigration and Nationality Act created our current immigration system, under which permanent residency is granted to people trying to reunite with family members living in the United States, to people with job offers or important job skills who want to work in the United States, to refugees or people seeking asylum, and to a small number of other groups that receive special protection or priority in immigrating to the United States. Currently, around two-thirds of all permanent residents come to the United States to join family members. 15% come on employment-related visas. In both categories, many applicants face backlogs and long wait times before they are allowed to come. **If the United States was considering granting 500,000 additional visas each year, would you give priority to individuals who want to be reunited with their families, or prospective workers from other countries?**

Your Position

If the United States decided to grant 500,000 additional visas each year, the visas should be given to individuals seeking employment in the United States.

Supporting Facts

The number and quality of opportunities for employment in the United States exceeds that of many other countries; therefore, the United States draws both high-skilled and low-skilled immigrants looking for jobs. The United States sets an annual limit for employment visas each year; on average, less than 160,000 visas — representing just 1 in 7 new immigrants — are available to people seeking employment.¹

One effect of the cap on employment visas is long wait times for certain kinds of workers and people from certain countries, China and India in particular. People without graduate degrees face waits of six to nine years before being eligible for permanent residency.² Many of these workers are able to live in the United States on a temporary visa while waiting for permanent residency. However, getting a temporary visa is also very difficult. One of the most common temporary worker visas has an annual cap of 65,000. In 2008, demand for these visas was so high, the cap was reached the first day the visas were available.³

The shortage of employment visas has two effects. First, it deprives the United States of the economic benefits generated by immigrant workers. Immigrants help the U.S. economy by starting businesses, filling gaps in the U.S. workforce, and increasing demand for goods and services. Limiting their potential contributions with low visa quotas hurts the economy. Second, the visa shortage encourages many people to bypass the immigration system and become undocumented workers instead. Undocumented workers are vulnerable to exploitation by employers, which hurts all workers in the United States by allowing companies to evade labor protections and minimum wage standards. If the United States changed its immigration laws to provide legal status to undocumented workers and grant more visas to people seeking employment, the country could add \$1.5 trillion to the economy in just ten years.⁴

Resources for further research

- Migration Information Source, "U.S. Focus," www.migrationinformation.org/USfocus/.
- Immigration Policy Center, "Immigration Problems and Solutions: A Resource Page," www.immigrationpolicy.org/just-facts/immigration-problems-and-solutions-resource-page.
- U.S. Citizenship and Immigration Services, www.uscis.gov.
- Department of Homeland Security, "2010 Yearbook of Immigration Statistics," www.dhs.gov/files/statistics/publications/yearbook.shtm.

1 Citizenship and Immigration Services Ombudsman, *2010 Annual Report to Congress* (June 30, 2010), http://www.dhs.gov/xlibrary/assets/cisomb_2010_annual_report_to_congress.pdf.

2 U.S. Department of State, "Visa Bulletin for October 2011," Number 36, Volume IX, http://www.travel.state.gov/visa/bulletin/bulletin_5560.html.

3 Migration Information Source, "H-1B Temporary Skilled Worker Program" (October 2010), <http://www.migrationinformation.org/usfocus/display.cfm?ID=801>.

4 Raúl Hinojosa-Ojeda, *Raising the Floor for American Workers*, Center for American Progress (January 2010), <http://www.americanprogress.org/issues/2010/01/pdf/immigratioreconreport.pdf>.

MODERATING A DELIBERATIVE DIALOGUE

During this activity, you will be serving as the moderator of a deliberative dialogue. Your job will be to guide students through the process of deliberative dialogue outlined in *Handout 5*. An important part of your job will be to steer students away from debating tendencies and encourage them to use the active listening and deliberation skills that they have practiced throughout this lesson.

Suggested Questions for Moderators

Part 1: Welcome and Introductions

Start by welcoming participants, explaining the format, laying out ground rules, and identifying the topic. Then begin the discussion by having participants introduce themselves and their views on the topic.

- How has this issue affected you personally? Why is this important to you?
- What problem do you want to solve today?

Part 2: Purposeful Deliberation

- When you think about this issue, what concerns you?
- What are the strongest arguments in favor of your position?
- What do you see as the conflict among the choices?
- Why is this issue so difficult to decide?
- What would be the consequences of doing what you are suggesting?
- What would be an argument against the choice you like best? Is there a downside to this course of action?
- If the policy you favor had the negative consequences some fear, would you still favor it?
- What trade-offs are you willing and unwilling to accept?

Stage 3: Summary and Conclusion

- Can we detect any shared sense of direction or common ground for action?
- Which direction seems best? Where do we want this policy to take us?
- What are we willing and unwilling to do as individuals or as a community in order to solve this problem?

Resources on Deliberative Dialogue

- National Issues Forum, www.nifi.org/.
- Community Deliberation Program, University of Missouri Extension, extension.missouri.edu/cd/pubdelib/.
- National Coalition for Dialogue and Deliberation, ncdd.org/.
- Citizens and Public Choice, Kettering Foundation, www.kettering.org/foundation_programs/citizens_and_public_choice.

Source: Adapted from Sandra Hodge, *Discovering Common Ground*, Community Development, University of Missouri Outreach and Extension and National Immigration Forum (2003), <http://extension.missouri.edu/cd/pubdelib/trainmaterials/deliberationmanual2.pdf>



LESSON 12

Civic Engagement and U.S. Immigration Policy

Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a current which can sweep down the mightiest walls of oppression and resistance.

~ Robert F. Kennedy, "Speech at University of Capetown" (1966)

LESSON 12

Civic Engagement and U.S. Immigration Policy



Goals

- » Understand the role of civic engagement in influencing U.S. immigration policy.
- » Undertake a civic engagement project around an immigration-related issue.

Objectives

- » Students will understand how U.S. immigration policy is created.
- » Students will analyze various state and federal immigration policies in the United States from a human rights perspective.
- » Students will recognize different kinds of civic engagement and how they can influence public policies at any level of government.
- » Students will create a civic engagement project on an immigration-related issue of their choice.

Essential Question

- » How can students use civic engagement to influence U.S. immigration policy?

Key Skills

- » Analyzing legislation against human rights standards (Activity 2).
- » Researching and taking action on a policy issue (Activities 3 & 4).

Materials

- Handout 1: Immigration Policy K-W-L
- Handout 2: Turning an Idea into Law
- Handout 3: U.S. Immigration Policies
- Handout 4: Civic Engagement Brainstorm
- Markers and poster materials

Time Frame

4-5 class periods

Vocabulary

- bill
- bipartisan
- civic engagement
- legislation
- policy proposal
- public policy

How Ideas Become Immigration Policy

Procedure:

1. Build. Explain to students that the class will be learning how citizens' ideas about immigration can turn into federal law. In order to do this, students will be completing *Handout 1: Immigration Policy K-W-L*. The K-W-L chart allows students to explain what they already **know** about how immigration policy is created, what they **want** to know, and then at the end of the lesson, what they have **learned**.

First, have students work individually to remember what they know about how immigration policy is created. Tell them that they should think about what they already know about how a bill becomes a law in general, as well as specific influences on immigration policy. Students should write what they know in the "K" column of *Handout 1*. When they are finished, ask for volunteers to share their ideas. Write correct responses on the board.

Next, have students get together with a partner and think about what they want to know about how immigration policy is created. Have them write their answers in the "W" column, and then ask students to share these with the class. The "L" column of the K-W-L chart will be filled out at the end of the activity.

2. Create immigration policy scramble. Explain to students that they will now be putting together a step-by-step process of how U.S. immigration policy can be changed. Call on ten students using a random method of selection. Copy and cut out the strips from *Handout 2: Turning an Idea into Law*, and give each of the ten students one of the strips. (The correct order is provided below and in the handout, but make sure to mix up the slips of paper before handing them out.)

Let students know that in this version the bill will *first enter the House of Representatives*. Tell students that they need to place themselves in order from the first step in the process to the last. Once students have organized themselves, have each group read their step in the process. Ask the class to raise their hands if they think they are in the correct order. If they are not, have the other class members help rearrange them.

1. As part of a school club, a group of students writes a letter to their congressional representative, stating that they think more refugees should be allowed to enter the United States each year.
2. The representative turns the students' idea into a bill that raises the amount of refugees allowed into the United States.
3. The bill goes to the House of Representative's "Subcommittee on Immigration Policy and Enforcement" and is approved.
4. The bill is discussed and debated on the House floor and is voted on.
5. The bill passes the House of Representatives with a majority of votes.
6. The bill enters the Senate's "Immigration, Refugee, and Border Security Committee" and is approved.
7. The bill is discussed and debated on the Senate floor and is voted on.
8. The bill passes the Senate with a majority of votes.
9. The President signs the bill.
10. The bill to increase the number of refugees allowed into the United States each year is now law.

3. Reflect. Students should then fill in the "L" column of *Handout 1*. Ask them to focus on what they learned that was specific to immigration policy (e.g., original idea, relevant Committee, etc).

Human Rights Policy Analysis

Procedure:

1. Divide. Put students into groups of four. Pass out markers, a piece of poster paper, *Lesson 2 Handout 1: The Universal Declaration of Human Rights* (see page 37) and a different policy summary from *Handout 3: U.S. Immigration Policies* to each group (some groups may have copies of the same policy).

2. Create. Explain that students are to read the summary sheets to themselves, then discuss as a group what the immigration policy does, its impact (positive and negative) on the human rights of immigrants and others, and how they would like to portray it visually. If students are able, encourage them to be creative and use metaphors and symbols in their posters, in addition to literal representations. They will have 15 minutes to use any imagery they would like that explains their policy — words, pictures, etc. — as long as it is respectful. They can use the Universal Declaration of Human Rights to help them identify the impact of the law on various basic rights.

3. Present. After all groups have completed their posters, they will present them to the class. Each group should summarize the immigration policy that they read and explain how their poster represents that policy. Other students may ask questions. Have groups that had the same policy (if any) present back-to-back to help students mentally organize the information.

4. Discuss. As a class, discuss the policy analysis that students just conducted.

Questions for Discussion

- ? What were some of the positive impacts of the policies you analyzed?
- ? What were some of the negative impacts?
- ? What are some changes you could make to the policies to make them less harmful to immigrants?
- ? Do you think human rights was a consideration in drafting these proposals? Which ones? Why?
- ? Who do you think participated in creating these policies? Would the policies be better if more (or different) people had engaged in the process?

Optional Extension

Staying Current. Give students extra credit if they research an immigration policy that is currently being considered in their state legislature or in Congress. Students can write a report, draw or paint a poster, or create a short dramatic piece to demonstrate understanding of the policy proposal.

The DREAM Act: Civic Engagement in Action

Procedure:

1. Brainstorm. Define the term “civic engagement” for students. One good definition is people working together to support or change the values and policies that shape community life.¹ Ask them to brainstorm different ways that people can make their voices heard about an issue of public concern. Make a list on the board of different forms of civic engagement (e.g., writing letters to the editor; creating a blog about an issue; attending public forums, city hall meetings, or legislative hearings; writing letters to local, state, or federal representatives; holding demonstrations; or creating informative advertisements).

2. Explore. In Activity 12.2, students learned about the DREAM Act legislation. Now they will be exploring the many civic engagement methods that its supporters use. If students need a reminder of the main components of the DREAM Act, give them the handout on page 253.

First, watch a short video by Campus Progress about the issue and the DREAM Act: <http://www.youtube.com/watch?v=jZdBzhc91c>. Next, have students use the internet or other resources to explore the different forms of civic engagement used by supporters of the DREAM Act. They can look for actions by young people, organizations, or anyone interested in passing the legislation. These websites are good starting points:

- <http://dreamact.info>
- <http://www.dreamact.com>
- <http://twitter.com/#!/DreamAct>
- <http://www.nilc.org/immlawpolicy/dream>

Examples of what students may find include, but are not limited to, the following:

- Blogs
- T-shirts/buttons/merchandise
- Videos
- Protests/rallies/marches
- Letters to newspapers
- Letters or petitions to representatives
- Social media (Twitter, Facebook, etc.)

3. Collect. Have students choose their favorite example of civic engagement around the DREAM Act, and bring a copy of it to class. Most of the DREAM Act materials can be printed out, but teachers may want to offer students the opportunity to play videos or other multimedia they have found on a class computer.

4. Share. Have students share the examples of civic engagement that they found, writing down examples on the board. Students should discuss how effective they think each strategy is. Hold a vote for most effective strategy. Which received the most #1 votes? Ask students if they can think of a new strategy to promote the DREAM Act through civic engagement.

¹ The Carnegie Foundation for the Advancement of Teaching provides an excellent discussion of the different forms and purposes of civic engagement in the first chapter of their book, *Educating for Democracy: Preparing Undergraduates for Responsible Political Engagement*, found at http://media.wiley.com/product_data/excerpt/46/07879855/0787985546.pdf.

Making a Difference

Procedure:

1. Apply. At this point, students have thought about how people can influence immigration policy through different forms of civic engagement and have also analyzed how those policies can either help or hurt the right of immigrants. They will now use their knowledge of the importance of civic engagement and the many forms it can take to design a civic engagement project of their own.

2. Choose. For this exercise, students will work independently or with a partner to design and carry out a civic engagement project. Students can choose one of the policy issues they studied in Activity 12.2 or they can choose an immigration-related policy they know and care about. First, students should analyze the immigration policy they have chosen and identify whether they support or oppose the policy. Do they want the policy accepted or rejected completely, or do they want to ask for specific changes? They should research the policy and write down their position in as much detail as they can. Pass out *Handout 4: Civic Engagement Brainstorm* for students to record their position. Next, they should think about why they want to change this particular policy. Will it be more protective of the rights of immigrants or refugees? In what ways?

3. Brainstorm. Ask students to brainstorm for a moment the different kinds of civic engagement they could use to advocate for their position and write them down on the third part of the handout. From the list they brainstormed, ask them to choose one form of civic engagement that they think would be effective *and* that they would be able to do on their own for class. They should explain why they chose this form of civic engagement and why they think it would be effective.

4. Do. Collect *Handout 4* and read through the ideas. If all seem viable, pass them back out and give students an adequate amount of time to carry out their civic engagement project. You can decide if students will research and create their project in class or as homework.

6. Share. After students complete their project, have them share it with the class. Students can read, demonstrate, or explain their project to the class. Give time for questions after each presentation. If students wrote a letter to a representative or to a newspaper, be sure they mail it. Encourage students who made visuals or other forms of civic engagement to exhibit them around the school and community.

7. Reflect. Give students time to respond to the following questions, either in small groups or as a class.

Questions for Discussion

- ? How can students make a difference in their communities?
- ? Why is civic engagement important?
- ? Did you feel empowered after carrying out your civic engagement project?
- ? How will you continue to participate in decision-making processes in your community?

Name: _____

IMMIGRATION POLICY K-W-L

Students: When asked to do so by your teacher, fill in each column.

<p>K What do I <i>know</i> about how immigration policy is created?</p>	<p>W What do I <i>want to know</i> about how immigration policy is created?</p>	<p>L What did I <i>learn</i> about how immigration policy is created?</p>

TURNING AN IDEA INTO LAW

Teachers: Cut out the strips of paper below and distribute in random order as part of Activity 1.

As part of a school club, a group of students writes a letter to their congressional representative, stating that they think more refugees should be allowed to enter the United States each year.

The representative turns the students' idea into a bill that raises the amount of refugees allowed into the United States.

The bill goes to the House of Representative's "Subcommittee on Immigration Policy and Enforcement" and is approved.

The bill is discussed and debated on the House floor and is voted on.

The bill passes the House of Representatives with a majority of votes.

The bill enters the Senate's "Immigration, Refugee, and Border Security Committee" and is approved.

The bill is discussed and debated on the Senate floor and is voted on.

The bill passes the Senate with a majority of votes.

The President signs the bill.

The bill to increase the number of refugees allowed into the United States each year is now law.

U.S. IMMIGRATION POLICIES

Comprehensive Immigration Reform — Legalization and Visa Reform

The current U.S. immigration system was created in 1965 and has not seen major revisions since. Changing circumstances have made the current law inadequate, with problems such as a lack of legal options for low-skilled workers to immigrate legally, long delays in the family reunification process, unnecessary detention and inadequate detention facilities, and restricted access to public services. The United States is also home to an estimated 11 million undocumented people, who are in the country without a legal immigration status. People of all political opinions feel that current immigration laws are not effective at controlling migration flows into the United States in a way that respects the rights of immigrants and serves U.S. national interests.

For decades, lawmakers have been attempting a comprehensive reform of U.S. immigration policies, but with the exception of a large legalization program in 1986, have only managed to implement small changes to the system and pass bills focused on enforcing current laws. While some enforcement is necessary, it does not solve all of the system's problems. To address bigger problems with the immigration system, Congress has repeatedly considered comprehensive immigration reform (CIR) bills, though none have passed. The term "comprehensive immigration reform" means that the reform is trying to address many issues: the current undocumented population, future flows of immigrants, and enforcement measures. One typical version was introduced on December 15, 2009.

The 2009 CIR bill focuses both on addressing the current undocumented population in the United States and on reforming the visa system to better support family unification and employment-based immigration. A legalization program would give undocumented immigrants already in the United States conditional legal status, allowing them to work and live in the United States legally. After six years, undocumented immigrants could adjust to full legal resident status. People applying for legalization would need to demonstrate that they had paid taxes, contributed to their community in some way, and pay a fine.

The bill also changes the visa system to make it easier for family members to stay together. Spouses and children of both citizens and legal permanent residents would be able to immigrate immediately without being subject to an annual limit. Per-country caps would be raised to reduce wait times for other family members. In addition, family unity would be given greater weight in immigration decisions, including deportation cases.

Immigrants coming to work in the future would also have an easier process, with fewer people subject to the annual limit, more temporary visas, and more protections from exploitation and abuse. Refugees and asylum seekers would also gain new protections against deportation.¹

Supporters of the CIR bill argue that it provides a fair and humane way of dealing with the undocumented immigrant population, as well as a faster, easier immigration system for all immigrants. Legalization helps undocumented immigrants access important services, increases their ability to earn fair wages, and ensures that they will pay taxes and contribute to their communities. Visa reform helps keep the United States economically competitive and enables the government to keep its commitment to family unity and protection from prosecution.

Opponents of the bill believe that it unfairly rewards people who broke immigration laws and encourages future undocumented immigration. Some also worry that visa reform will increase immigration to the United States to an unsustainable level, at the expense of American workers and communities.

¹ AILA Info Net American Immigration Lawyers Association. (2011), <http://www.aila.org/content/default.aspx?docid=30803>.

U.S. IMMIGRATION POLICIES

Comprehensive Immigration Reform — Enforcement

The current U.S. immigration system was created in 1965 and has not seen major revisions since. Changing circumstances have made the current law inadequate, with problems such as a lack of legal options for low-skilled workers to immigrate legally, long delays in the family reunification process, unnecessary detention and inadequate detention facilities, and restricted access to public services. The United States is also home to an estimated 11 million undocumented people, who are in the country without a legal immigration status. People of all political opinions feel that current immigration laws are not effective at controlling migration flows into the United States in a way that respects the rights of immigrants and serves U.S. national interests.

For decades, lawmakers have been attempting a comprehensive reform of U.S. immigration policies, but with the exception of a large legalization program in 1986, have only managed to implement small changes to the system and pass bills focused on enforcing current laws. While some enforcement is necessary, it does not solve all of the system's problems. To address bigger problems with the immigration system, Congress has repeatedly considered comprehensive immigration reform (CIR) bills, though none have passed. The term "comprehensive immigration reform" means that the reform is trying to address many issues: the current undocumented population, future flows of immigrants, and enforcement measures. One typical version was introduced on December 15, 2009.

The enforcement provisions of the 2009 CIR bill focus on border security, stricter workplace enforcement, and more humane treatment of people who violate immigration laws. Under the border security provisions, the bill would increase funding, training, the number of agents, and the amount of equipment used to secure borders and ports of entry. In addition to increasing enforcement at the borders, the bill also increases enforcement inside the country, requiring businesses to use a new verification system to make sure employees are eligible to work. The bill creates stiff penalties for employers who do not use the verification system or who hire undocumented immigrants. Along with the increased enforcement provisions, the bill affirms that immigration enforcement is the responsibility of the federal government.

The enforcement provisions of the bill also addresses the treatment of people who violate immigration laws. Under the current system, people who are suspected of being undocumented or in violation of immigration laws are often held in detention unnecessarily and face poor conditions and mistreatment while they are there. The 2009 CIR bill establishes minimum standards for detention, especially regarding health care, personal safety, and family unity. The bill also promotes alternatives to detention that allow immigrants to wait outside of jail for their case to be processed.¹

Supporters of the enforcement provisions argue that they correctly balance the need for effective enforcement of immigration laws with the humane treatment of immigrants. The immigration detention standards address long-standing human rights violations in the current immigration system.

Opponents view the reliance on a new employment verification system as costly to employers and less effective than existing methods of preventing undocumented immigrants from finding jobs. They also see the immigration detention standards as a way to weaken enforcement by increasing costs and raising barriers to removing undocumented immigrants. Finally, opponents are concerned that the provision defining immigration enforcement as a federal matter would limit or overturn many state and local laws that target undocumented immigrants.²

¹ AILA Info Net American Immigration Lawyers Association. (2011), <http://www.aila.org/content/default.aspx?docid=30803>.

² Center for Immigration Studies, "Comprehensive Immigration Reform for America's Security and Prosperity Act of 2009 (CIR ASAP) (HR 4321)" <http://www.cis.org/amnesty2010CIRASAP-HR4321>.

U.S. IMMIGRATION POLICIES

The DREAM Act

The Development, Relief, and Education for Alien Minors (DREAM) Act is a piece of bipartisan legislation that seeks to give undocumented students access to higher education, employment, military service, and citizenship. In many cases, these students were brought to the United States by their parents when they were very young, grew up in the United States, and graduated from U.S. high schools. Their parents are undocumented, and cannot sponsor their children for legal residency. Both the children and parents may be deported under current immigration laws. These young people have no way to gain legal residency themselves, even if they have lived in the United States for most of their lives.

The first version of the DREAM Act was first introduced in 2001. It failed to pass and has been re-introduced almost every year with only slight differences. Each version has focused on the legalization of undocumented students who have no other way to gain U.S. citizenship. Despite intense advocacy by and on behalf of undocumented students, the bill has yet to pass Congress.

The DREAM Act of 2011 contains similar components as previous versions. It would apply to individuals who:

- came to the United States when they were 15 years of age or younger;
- have lived continuously in the United States at least 5 years prior to the adoption of the Act;
- demonstrate good moral character;
- have no criminal history that would make them inadmissible to the United States; and
- have earned a high school diploma or equivalent certification in the United States.¹



If the applicant meets these conditions, she or he would be granted six years of conditional permanent residency. This status would make it possible for students to work, travel, drive, go to school, and be eligible for student loans and work study programs. However, they would not be allowed to travel abroad for an extended period of time or be eligible for certain federal financial aid grants. After six years of conditional residency status, applicants would be offered the opportunity to apply for legal permanent residency, if they have completed two years of college or military service and pass criminal background checks. If these conditions are not met, the candidate would be disqualified and subject to deportation. In the Senate bill, students must be under the age of 35 to qualify for U.S. residency under the DREAM Act, while the House bill requires them to be under the age of 32.²

Supporters of the DREAM Act believe that the children who would be eligible under the Act are American in everything but legal status, having typically been raised and schooled in the United States for a substantial portion of their lives. They also represent human capital the United States should embrace, since they are young, educated people looking to work and contribute to U.S. society. Some supporters worry that the Act does not go far enough, because it excludes people above a certain age who would otherwise fit the definition, and it does not apply to more recently arrived children who face the same circumstances as DREAM-eligible children.

Opponents see the DREAM Act as rewarding people who broke U.S. immigration laws and perhaps encouraging future unauthorized migration to the United States. They also worry that the bill will hurt legal residents and citizens by increasing competition for financial aid for college.

¹ Library of Congress, <http://thomas.loc.gov/cgi-bin/query/z?c112:S.952.IS:/>

² National Immigrant Law Center, <http://www.nilc.org/immigrationpolicy/dream/dream-bills-summary-2011-05.pdf>.

U.S. IMMIGRATION POLICIES

Separation Ordinances

In a community where a separation ordinance is in effect, police are not allowed to ask about an individual's immigration status, unless this status directly relates to the crime that the police are investigating. One such separation ordinance, Oregon Revised Statute chapter 181, section 850, states that "no law enforcement agency of the State of Oregon or of any political subdivision of the state shall use agency moneys, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws."¹ This separation ordinance is Oregon's way to ensure that local police are not responsible for federal immigration law, but rather focus on crimes solely within their own local jurisdiction.

Even if a separation ordinance is in effect, police are typically still allowed to investigate an individual's immigration status if that person has been arrested for a crime. In the case of Oregon's statute, local police are allowed to exchange information with federal immigration officials when the information relates to a crime they are investigating. They can also detain people who have an arrest warrant against them for a criminal violation of federal immigration law.² The main result of a separation ordinance is that local police are not responsible for enforcing (or are not allowed to enforce) civil violations of federal immigration law, especially when individuals have not committed any crimes.

Supporters of the ordinances, which include many police departments, argue that these laws contribute to community policing efforts by ensuring that people within immigrant communities will call the police when they need to, without fearing deportation. When victims and witnesses are more likely to come forward and report crimes, individual and community safety improves. Separation ordinances also help police departments allocate limited resources to crimes under their direct jurisdiction, rather than taking on an additional enforcement burden without additional funding.³ Diverting funding away from local public safety and crime prevention to immigration enforcement could hurt all communities served by the police, in addition to the negative impact on immigrant communities.

Opponents of the ordinances do not want to create a safe space for people who have committed civil violations of federal immigration laws. In their view, undocumented individuals should be treated as equivalent to criminals, regardless of the negative impact on the relationship between local police and immigrant communities and on overall public safety. Some police departments also oppose the ordinances because they want to be able to use immigration violations as a tool for removing people from the community when they suspect them of criminal activity but cannot prove a criminal case against them.

1 Oregon State Legislature "State Police Crime Reporting and Records; Public Safety Standards and Training 2009 Edition." <http://www.leg.state.or.us/ors/181.html>.

2 Oregon State Legislature "State Police Crime Reporting and Records; Public Safety Standards and Training 2009 Edition." <http://www.leg.state.or.us/ors/181.html>.

3 The Advocates for Human Rights, "Talking Points: Separation Ordinances & Local Immigration Enforcement" (2011), http://www.energyofanation.org/sites/25e1f498-741c-478a-8a08-aa486d8533a5/uploads/Separation_Ordinances.pdf.

U.S. IMMIGRATION POLICIES

English-Only Laws

English-only (also known as “Official English”) laws seek to establish English as the official language of a community, state, or the United States as a whole. Some statutes simply declare English as the ‘official’ language of the city or state, while others limit or bar the government’s provision of foreign language assistance and services. At the federal level, the English Language Unity Act of 2011, which was introduced in March of 2011, is an example of an English-only law that would take effect throughout the United States.

The English Language Unity Act of 2011 would:

- require that all official government functions of the United States be carried out in English;
- require that all naturalization ceremonies be carried out in English;
- demand that a uniform test of English language ability be issued to candidates for naturalization (with exception for extraordinary cases, such as asylum seekers); and
- allow additional English language requirements and workplace policies in the public and private sector.¹

The sponsors of the English Language Unity Act of 2011 state that its purpose is “to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the law of the United States.”² Supporters of English-only laws cite additional benefits, such as creating a common cultural foundation, encouraging the integration of immigrants, and saving money on translation and interpretation services.

Opponents dispute that such laws encourage integration, pointing out that demand for English classes regularly exceeds the supply, and that immigrants today learn English at about the same rate as immigrants in the past. No laws are necessary to encourage this process. Instead, they view the laws as actually discouraging integration by isolating immigrants from their communities and from needed government services. In view of the opponents, English-only laws:

- create a hostile or unwelcoming environment for immigrants in a community;
- discourage immigrant integration by isolating non-English speakers from the community;
- make it more difficult for immigrants to access the justice system;
- create barriers for immigrants to receive emergency assistance, medical care, and other government services;
- make it difficult for immigrants to participate in the election process; and
- make it harder to fight employment and housing discrimination against immigrants.³

1 Library of Congress, <http://thomas.loc.gov/cgi-bin/query/z?c112:S.503.IS:/>.

2 Library of Congress, <http://thomas.loc.gov/cgi-bin/query/z?c112:S.503.IS:/>.

3 The Advocates for Human Rights, “English-Only Laws” (2011), http://www.energyofanation.org/english-only_laws_2.html.

U.S. IMMIGRATION POLICIES

Arizona's SB 1070

Frustrated at a perceived lack of federal enforcement, activists have begun pushing for state laws that would allow state and local governments to enforce federal immigration laws directly. One of the first of these sweeping state enforcement laws to pass was Arizona's SB1070, considered at the time to be "the broadest and strictest immigration measure [in the U.S.] in generations."¹ Subsequently, other states have adopted or considered similar bills, some of which are even broader in their enforcement powers.

Arizona's SB1070 creates many different ways of enforcing immigration laws. First, it requires local police to check the immigration status of anyone stopped, detained, or arrested if they have a "reasonable suspicion" that the person is undocumented. All state and local government agencies also have an obligation to report undocumented immigrants to federal immigration officials and can be sued if they fail to do so. Local police are allowed to arrest someone without a warrant if they believe the person may be deportable from the United States (for instance, because they are a permanent resident but have committed a crime that triggers deportation).

In addition to requiring public officials to enforce immigration law, the statute also creates new crimes, such blocking traffic in the process of hiring or being hired as a day laborer, transporting or sheltering an undocumented immigrant, and not carrying documentation of legal status while in Arizona.²

Supporters of the law believe it will mean federal immigration laws will be enforced in Arizona, reducing or eliminating the state's undocumented immigrant population. They argue that this will reduce the financial burden on government services and open up employment opportunities for legal residents and citizens.

Opponents of the law have several concerns. One of the most prominent concerns is that the law encourages racial profiling, because there are no clear standards governing what constitutes "reasonable suspicion" of being an undocumented immigrant. In fact, the training manual for police officers lists possible reasons for having "reasonable suspicion" as circumstances in which a person:

- does not have identification with them;
- is in an area where undocumented persons are generally present;
- is dressed distinctively;
- is nervous; or
- has difficulty communicating in English.³

These characteristics are not unique to undocumented immigrants. Many could apply to anyone, including U.S. citizens or legal residents, particularly if they are from non-English speaking countries or if their clothing or behaviors differ from mainstream culture.

Like other initiatives that involve local police enforcing immigration laws, SB1070 could potentially harm public safety and crime prevention by discouraging immigrants from interacting with the police. The warrantless arrest provision raises concerns that immigrants and minorities may be at risk of arbitrary arrest from police officers who do not know the complexities of federal immigration law and have no reliable standards for determining whether someone is deportable.⁴



¹ Archibold, Randal C. "Arizona Enacts Stringent Law on Immigration" The New York Times (April 23, 2010) <http://www.nytimes.com/2010/04/24/us/politics/24immig.html>.

² National Conference of State Legislatures, "Arizona's Immigration Enforcement Laws." (2011), <http://www.ncsl.org/?tabid=20263>.

³ Arizona Peace Officer Standards and Training Board, "Implementation of the 2010 Arizona Immigration Laws Statutory Provisions for Peace Officers Arizona POST – June 2010," (2010), http://agency.azpost.gov/supporting_docs/ArizonaImmigrationStatutesoutline.pdf.

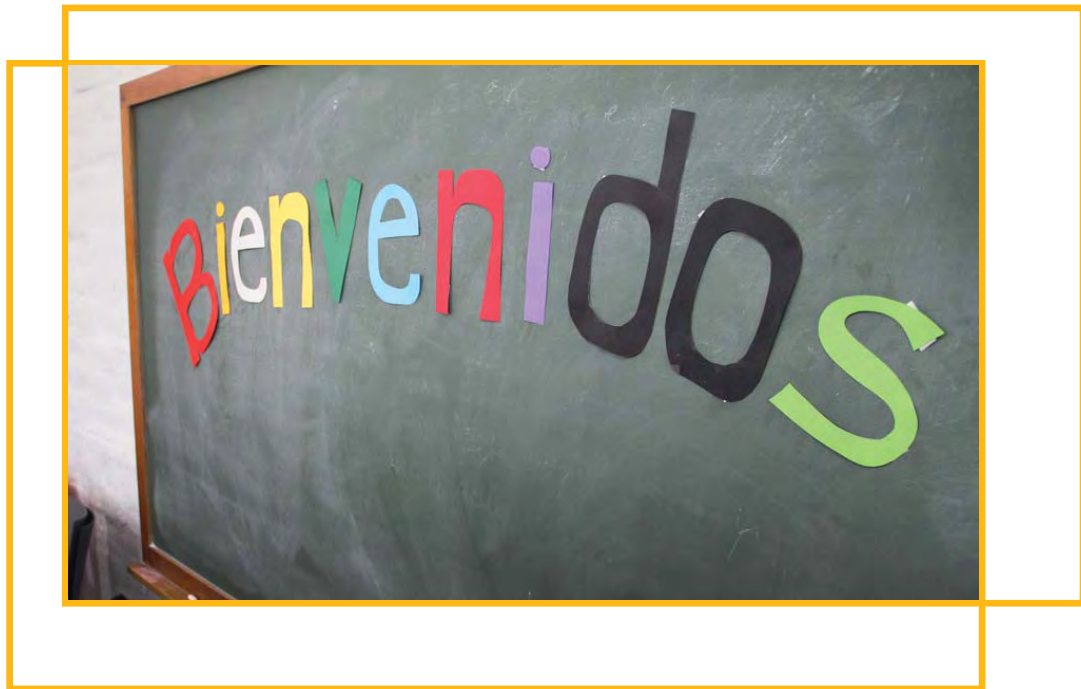
⁴ Van Denburg, Hart "Immigration: Top cops Dolan and Harrington oppose Arizona-style anti-immigrant law." CityPages Blogs, (2010), http://blogs.citypages.com/blotter/2010/05/twin_cities_top.php.

Name: _____

CIVIC ENGAGEMENT BRAINSTORM

Students: Answer the following questions to plan for your Civic Engagement Project.

1. What immigration policy will your project address? What is your position on this policy (support, oppose, change)?
2. What forms of civic engagement could you use to advocate for your position?
3. How will your position promote the human rights of immigrants and refugees?
4. Choose the civic engagement method you want to undertake for this project:
5. What are the benefits of this form of civic engagement? Why is it effective?



LESSON 13

Creating a Welcoming School and Community

A smile is the universal welcome.

~ Max Eastman, *The Sense of Humor* (1921)

LESSON 13

Creating a Welcoming School and Community



Goal

- » Create a welcoming environment for immigrant students by taking action in the school and community.

Objectives

- » Students will imagine their own reaction to immigrating to a new country and will relate this to the experiences of immigrant children.
- » Students will learn how to evaluate their school from a human rights perspective.
- » Students will design a project for their classroom or school to raise awareness of immigration and build support for immigrant classmates.
- » Students will explore what they can do in their larger community to help welcome and build connections with immigrants.

Essential Question

- » What can you do in your personal life and in your larger community to welcome and support immigrants and other newcomers?

Key Skills

- » Developing creative writing skills (Activity 1).
- » Conducting a survey and analyzing results (Activity 2).
- » Developing a plan for taking collective action to benefit the community (Activity 3).





Materials

- Handout 1: A Creative Short Story*
- Handout 2: Peer Interview*
- Handout 3: How Welcoming is Our School?*
- Handout 4: Ten Steps to Becoming a Human Rights Activist*
- Handout 5: Welcoming Project Ideas*
- Handout 6: Develop a Welcoming Project*
- Handout 7: Criteria for Selection Committee*

Time Frame

5-6 class periods

Vocabulary

-  **advocate**
-  **fictional**
-  **perspective**
-  **welcoming environment**

A New Perspective

Procedure:

1. Brainstorm. Ask students to brainstorm respectful questions that they would like to ask immigrant students in their school about their experiences. Tell the class that these questions should not be directed at any particular student, but rather are hypothetical and could apply even if students do not know any immigrant students themselves. Students who are immigrants themselves should be encouraged to think of questions they may have about the experiences of people from different countries or with different reasons for immigrating.

Write the questions they offer on the board. Next, ask students to brainstorm what kind of questions immigrant students might want to be asked, and write these next to the first set of questions. Finally, write the following questions on the board to supplement the questions that were already brainstormed:

- What is something that someone did for you, as a new immigrant, to help you feel welcome in the United States?
- Do you feel welcome in our school?
- What can we do as members of our school community to make immigrants feel more welcome?

2. Write creatively. Distribute *Handout 1: A Creative Short Story*. Explain to students that they will be writing a creative short story that will be followed by role-play interviews. Their short story will be written in first person, as if they are a modern immigrant or refugee who is now a student at their school. This story should be realistic. Stories should include information about why and how the character came to the United States, their experiences since they arrived, and how they feel as a new student in the school.

The background information for this story can come from what they have learned from previous lessons in *Energy of a Nation*, individual research, or discussions with immigrant friends or acquaintances. Students who are themselves immigrants should write their stories from the perspective of someone from a different country or with different reasons for immigrating.

3. Role-play. After students have written their stories, tell them that they will now take on the role of the immigrant they wrote about for a role-play. Have students form pairs and distribute *Handout 2: Peer Interview*. The students will take turns acting as the character in their story while their partner interviews them.

Ask each student to pick four of the questions that the class developed during the brainstorm session to use during their interview and write them on the handout. In addition to those questions, students will also ask the three questions listed above. Interviews will happen in two rounds. One student will begin as the interviewer, while the other answers the questions from the point of view of their immigrant character. After the interview is over, the students should switch roles. Interviewers should write down their partner's answers on the handout.

4. Reflect. After students have finished the interviews, ask them to write a brief reflection that answers the following questions:

- What experience in your character's story would be the hardest for you to live through?
- How was your partner's story different than yours?
- Will you change the way you think about or treat immigrants because of this exercise?
- How can your school change to be more welcoming for immigrants?

How Welcoming is Our School?

Procedure:

1. Introduce. Explain to students that there are a number of things schools and students can do to create welcoming environments for immigrant students. In the last activity, they imagined what life might be like for an immigrant student at their school. In this activity, they will gather data to try to demonstrate whether their school is welcoming in reality. Gathering data on a situation is a key method of human rights work, and can be used as the basis for planning actions or solutions that address common problems.

2. Form research teams. Have students form groups of three students and give each student a copy of *Handout 3: How Welcoming is Our School?* Each team will try to fill in the answers to each of the questions on the survey. Students can answer some of the questions by drawing on their own knowledge of the school. They may also need to examine the classroom, visit public resource spaces, and if possible, interview key school staff members such as guidance counselors or ELL teachers. The more in-depth the research is, the more accurate their answers will be. If there is not enough time to facilitate student access to different departments and administrators, either offer what you know of school policies or allow students to guess based on their own experiences.

Teacher Tip

If students want to interview fellow students who are immigrants or English language learners, set up a formal interview process with willing volunteers.

Otherwise, immigrant students may feel unfairly singled out and uncomfortable if they are approached directly without someone first explaining the project and soliciting their input.

3. Share results. Create a grid on the board with four spaces numbered 1-4 for all of the survey questions. Have small groups offer their scores for each of the questions, tabulating how many groups chose which number score. When everyone has finished sharing their scores, discuss the results as a class.

Questions for Discussion

- ? In what areas is the school doing very well at offering a welcoming environment?
- ? In what areas could the school improve its performance in welcoming immigrant students?
- ? What areas were the most controversial (had the widest variety of scores given)? Why do you think these were so difficult to score?
- ? Can you explain why the school might be having problems in certain areas of being welcoming? Are there common reasons such as limited resources or lack of awareness?
- ? What needs to be done to improve the welcoming environment of your school? What is something easy the school could do? What would make the biggest difference?
- ? Are there any ways that you or your fellow students have contributed to the current environment either positively or negatively?
- ? What could students do differently even if the school does not change its policies?
- ? Were those completing the survey representative of the school's population overall? Would a different group of students have answered this survey differently? What might be some differences in their responses?

Source: Adapted from "Taking the Human Rights Temperature of Your School" in *This is My Home K-12 Tool Kit*, University of Minnesota Human Rights Resource Center and Minnesota Department of Human Rights (2005).

Creating a Welcoming Project

Procedure:

1. Introduce. Discuss the importance of taking action in the community through service-learning projects that provide students with real world experiences based on the knowledge they gain in class. Pass out *Handout 4: Ten Steps to Becoming a Human Rights Activist* and go over the general process of becoming involved on an issue you care about. Explain that the class has already spent time understanding immigration from a human rights perspective by doing activities from the curriculum (Steps 1 and 2). In the last activity, students carried out Step 3 and researched the issue in their own school. Now, students will turn to Step 4 and try to decide on a course of action as a class.

2. Brainstorm. Create a mind map on the board around the goal of “Creating a welcoming community for immigrants” (see page 78 for instructions on creating a mind map). Have students suggest different ways communities can be welcoming to immigrants, such as providing important services, demonstrating an interest in other cultures, including immigrants in decision-making processes, and being friendly to newcomers. These “welcoming methods” can be at the government, community, or individual level. Students can refer back to the survey they conducted in the last activity to identify areas where the school could improve, and add those to the mind map.

Once students have generated a list of ways a community can be welcoming, add another level to the mind map that shows class projects students could undertake to improve or support one of the “welcoming methods” already generated. Encourage students to brainstorm projects that can happen on a personal level (saying hello, learning other languages, including newcomers in activities), the school level (holding a school heritage festival, creating a language or cultural exchange), and the community level (helping tutor immigrants in English, collecting donations for refugee families, volunteering at an immigrant service organization). If students are having trouble generating ideas, use *Handout 5: Welcoming Project Ideas* to fill in the mind map.

3. Create project proposals. Split the students into small groups of three or four. Give each student *Handout 6: Develop a Welcoming Project* and *Handout 7: Criteria for Selection Committee*. Groups will be asked to select a welcoming project from the list that the class brainstormed and then develop a written proposal outlining how the class could carry out the project. The project they choose should be a project that is feasible for the whole class to initiate and complete. The goal is for students to engage in service-learning and explore what they can do in their larger community to help welcome and build connections with immigrants.

4. Present. After writing their proposals, each group will present its plan to the class. Before you begin the presentations, ask each group to choose one of its members to be an “Evaluator.” Evaluators will sit on the “Selection Committee” that will evaluate projects and ultimately determine which project should be undertaken by the class. Make sure the Selection Committee has a copy of each group’s proposal and enough copies of *Handout 7: Criteria for Selection Committee* to use one for every proposal. Each group should be given three minutes to present their project. After each presentation, allow time for the entire class to ask questions and offer suggestions. When all of the plans have been presented, ask the Selection Committee to meet for ten minutes to deliberate and choose one plan they think would work best for the class.

5. Implement. Once the Selection Committee has chosen a project, have them announce their selection to the class. Let the students know that it is now their responsibility to implement the proposal developed by the winning group. (If class time will not allow for the implementation stage of this activity, you could also make it an after-school opportunity for extra credit.)

Host a Speaker

Procedure:

1. Survey. Tell students that you are going to invite in a speaker from the community, but would like their input. Have one student lead the class in a large group discussion of what they have learned about creating a welcoming classroom and community. Have another student record the ideas on paper. Then, ask the facilitating student to find out from the class what students would like to know more about, and have the scribe write those ideas down, as well. Collect the notes when the students have finished, and tell students that you will research the opportunities in your community.

2. Invite a speaker. Based on student interest generated by the discussion, do an internet search to find nonprofit service providers who work primarily with immigrants and refugees or educational institutions with programs that focus on immigration. Contact an expert and ask that they come into your class and speak about creating a welcoming community.

3. Host. Have one of the students tell the speaker about the work they have done, and what they have already learned, based on the notes taken during the first phase of this activity. Then, invite the speaker to talk to the group about their field, what organizations in the community do to make it more welcoming, and their ideas on shared responsibility for the integration of immigrants.

4. Debrief. Lead a large group discussion (either with the speaker, or after she or he has departed) about what the students have learned from the speaker.

Questions for Discussion

- ? What is the most interesting thing you learned from the speaker?
- ? What new ideas for welcoming immigrants did you learn about?
- ? What are some community needs that you hadn't previously recognized?
- ? Based on everything you have learned, do you think that your community is welcoming to immigrants and refugees?
- ? Is there anything more you can do to ensure that people who have moved here from other countries have their human rights respected when they arrive?

A CREATIVE SHORT STORY

Students: For this creative writing activity, you will be writing a fictional short story about the experiences of a modern immigrant or refugee student who attends your school. You will put yourself in the shoes of that character and write the piece in the first person. For example, “I had to move away from my home in India when I was 12 years old...” This story should be realistic, meaning that it could potentially be true.

You will need to demonstrate that you understand what it is like to be an immigrant and that you comprehend the American immigration system. The background for your story will come from what you have learned in class, doing individual library and internet research, or through discussions with immigrants that you know. If you moved to the United States yourself, do not use your own story. Rather, create a story of a student from a different country other than your own and write from that perspective.

Below is a basic framework for your paper and questions that you will need to answer. After you write your story, you will be conducting a peer interview and role-playing as the character you wrote about.

Your story about a fictional immigrant student should include the following:

1. What country did you move from, and why?
2. Describe your journey out of your home country and to the United States.
3. How and where did you enter the United States?
4. Did you have legal permission to enter? If so, on what grounds were you eligible? (For example, did you come as a refugee, or did you have a family- or employment-based visa?) If not, is there a way for you to obtain legal immigration status?
5. What were some of your initial impressions of your current school and community?
6. When you first arrived, were students and teachers in your new school welcoming?
7. What are your favorite things about living in your new community or attending your school?
8. What are some of the challenges in your new life, at school and at home?
9. Do you miss your life back in your home country?
10. What are your dreams or goals for the future?



Name: _____

PEER INTERVIEW

Information about the person you are interviewing:

Character Name: _____

Age: _____

Country of Birth: _____

Interview questions and responses (write responses on back side, if necessary)

Question #1: _____

Response:

Question #2: _____

Response:

Question #3: _____

Response:

Question #4: _____

Response:

5. What is something that someone for you, as a new immigrant, to help you feel welcome?

6. Do you feel welcome in our school?

7. What can we do as members of our school community to make immigrants feel more welcome?

HOW WELCOMING IS OUR SCHOOL?

Students: Work in your small groups to research and score your school environment for each of the following questions. These questions are designed to identify how well your school welcomes and supports immigrant students. You can answer some of the questions by drawing on your own knowledge of the school. You may also need to examine the classroom, visit public resource spaces, and if possible, interview key school staff members such as guidance counselors or ELL teachers. Your teacher will help you arrange the necessary interviews. The more in-depth the research is, the more accurate your answers will be.



Rating Scale

1- No/Never

2- Sometimes

3- Often

4- Yes/Always

1. All ELL/immigrant students have equal access to information and support about academic opportunities such as Advanced Placement classes and information about college. **Rating:** _____
2. Members of the school community take necessary action against forms of bullying or discrimination based in differences such as nationality, cultural practices, or citizenship status. **Rating:** _____
3. School administrators require teachers and staff members to participate in trainings and informational sessions about new immigrant populations and their cultural, religious, and other practices in order to ensure a respectful environment. **Rating:** _____
4. Newcomer students and other members of the school community are able to express their beliefs and practices without fear of discrimination. **Rating:** _____
5. The classroom has images, posters, or displays that reflect other languages and cultures. **Rating:** _____
6. The school curriculum includes the voices and stories of immigrant populations past and present. **Rating:** _____
7. The school provides access to school computers and other resources in order to give immigrant and/or low-income student the tools essential to academic success. **Rating:** _____
8. Students who are undocumented are not required to give information that may reveal their immigration status, and their status does not limit their access to schooling. **Rating:** _____
9. School leaders such as teachers, staff, and administrators challenge their own negative assumptions surrounding immigrant populations and encourage students to do the same. **Rating:** _____

HOW WELCOMING IS OUR SCHOOL?

10. The school community requires respectful expression of opinions about immigration and immigrant students within the school community. **Rating:** _____
11. School staff and administration reflect racial, national, and ethnic diversity. **Rating:** _____
12. Teachers convey the material in a variety of ways in order to reach all students regardless of their learning styles or first language. **Rating:** _____
13. ELL/ESL classes are well staffed and promote the integration and equalization of ELL students. **Rating:** _____
14. Social action surrounding immigration and migrant rights is encouraged as well as integrated into school curriculum. **Rating:** _____
15. Immigrant students and non-immigrant students alike are given an opportunity to share their culture and background with others through presentations, food, or art. **Rating:** _____
16. Teachers promote understanding through group learning/partners that break down social boundaries and cliques based in language, nationality, or citizenship status. **Rating:** _____
17. The school community provides important letters, documents, or messages in multiple languages so immigrant students, as well as their parents and guardians, can have an active voice in their education. **Rating:** _____
18. There are institutions and programs in place to ensure that immigrant voices are heard through avenues such as school board meetings, student council meetings, and access to teachers and administrators. **Rating:** _____
19. Services are available either through the school or through referrals to other reputable community service providers to meet immigrant needs in areas such as mental health, healthcare, and legal services. **Rating:** _____
20. I actively promote equality, compassion and learning for all members of the school community regardless of their country of origin or ethnic background. **Rating:** _____

Total Points: _____ / 80 Welcoming Points

Source: Adapted from "Taking the Human Rights Temperature of Your School" in *This is My Home K-12 Tool Kit*, University of Minnesota Human Rights Resource Center and Minnesota Department of Human Rights (2005).

TEN STEPS TO BECOMING A HUMAN RIGHTS ACTIVIST

1. **Choose a human rights issue.** What are the biggest problems you are observing in your community, or that you hear about in the news? Is there a particular issue you feel passionate about? Write out a definition of what you want to address. Deal with just one problem at a time and stay focused.
2. **Identify the related human right(s).** Learn what human rights are connected to your problem. Download a copy of the UDHR at www.un.org/en/documents/udhr/ and choose the human rights most relevant to your issue.
3. **Research the issue.** Get informed about your issue. Read newspapers, magazines, and reports that discuss the problem. Call or write letters to organizations and officials asking for information. Collect statistics. If appropriate, survey your community. Learn what your government is doing to address the issue. Find out what your state or national laws say. Find out who is already taking action on the issue.
4. **Decide on a course of action.** Try to understand the root causes behind the problem. Brainstorm ideas that would help to address those root causes and choose one or two actions that seem the most possible and likely to make the biggest difference. Consider some of the different methods listed in the sidebar.
5. **Organize.** It is often easier to work with other people to achieve your goals. Build a coalition of support. Find other organizations and individuals who are concerned about the problem and agree with your solution. Try to get support from as many different sectors as possible — teachers, officials, students, businesses, community groups. The more people on your team, the more power you will have to make a difference.
6. **Identify your opposition.** Find out who the people and organizations are that oppose your solution. They may not be the "bad guys," but people with different opinions. Consider meeting with your opponents; you might be able to work out a compromise. It is important to try to understand each other's point of view. Always be polite and respectful of other opinions.
7. **Make an action plan.** Make a list of all the steps you need to take to implement your chosen action. Who will do them? When and where will these actions happen? What is the desired result? Will you need to raise money to fund your idea? If possible, practice the action before you carry out your plan.
8. **Advertise.** Let as many people as possible know about the problem you are trying to solve and your proposed solution. Newspapers, radio, and television are usually interested in stories of community action. Some TV and radio stations offer free air time for worthy projects. Write a letter to the editor. The more people who know about what you are doing, the more who may want to support you.
9. **Take action.** Carry out your plan and do not give up if things do not work out exactly as planned. Making change happen takes time. Problem solving means eliminating all the things that do not work until you find something that does.
10. **Evaluate and follow-up.** After you have taken your action, take time to think and talk about what happened. Did you achieve what you wanted to achieve? How do you know? What could you have done better? Try to define some indicators for what progress means. Are some efforts effective and others not? Have you tried everything? Keep thinking creatively about how to solve the problem and decide on what to do next.

Advocacy Methods

Monitor:

Be a human rights witness. Document the problems you see in your community and categorize them as human rights violations.

Mobilize:

Pressure governments and other institutions to stop violations and change policies through protests, letter-writing, and media campaigns.

Educate:

Raise awareness on human rights violations and educate others about our human rights and responsibilities.

Empower:

Build the capacity of others to claim their rights, participate, have their voices heard, and create change.

Change Policies:

Use human rights standards to make recommendations and pressure government officials to change budgets, policies, and laws.

Connect:

Bring together community members, government officials, and other decision-makers to solve human rights problems through collaboration.

Enforce:

Claim rights and bring violators to justice through courts and other mechanisms.

WELCOMING PROJECT IDEAS

Here are possible suggestions for Welcoming Projects to help during the brainstorm:

- Bring people together in a community picnic.



- Make a "Global School Map" showing all the countries where students at your school originated.



- Host a community film screening and discussion about immigration.



- Host an "International Fair" or a "Heritage Fair."



- Set up a Language Exchange between English language learners and English-speakers who want to learn a new language.



- Start an "International Community Garden" with crops grown from around the world.



- Start a neighborhood dinner that brings together newcomers and long-time residents.



- Make welcome bags or baskets for new immigrants and refugees.



- Create a mural to depict what immigration looks like in your community.



- Organize a speakers bureau of immigrant students in your school to talk to classes about their personal experiences and culture.



- Start a school book club exploring immigration-related themes.



- Work with cafeteria staff to create a week or month dedicated to foods from the home countries of immigrant students.



- Volunteer at an immigrant service organization.



- Have welcome signs in a variety of languages around your school.



DEVELOP A WELCOMING PROJECT

Students: As a small group, choose a Welcoming Project that you think is important and can be accomplished by your class. You may choose a project that was developed during the brainstorm session, or a project that your group came up with on your own. Once you have chosen a project, prepare a written proposal that outlines the action or event that your group would like the class to undertake. Write your proposal on a separate sheet of paper. Use your written proposal to prepare a three-minute presentation for the class on the Welcoming Project you want them to consider undertaking. Each written proposal will be reviewed by a peer selection committee and one of the proposals will be chosen for implementation. Answer all of the questions below in as much detail as possible so the selection committee can make an informed decision.

You will need 3 copies of your proposal: one for your teacher, one for the Selection Committee, and one for the group to reference during the presentation.

Outline

I. General Information

1. What is the name of your project?
2. Who are the members of your group?
3. Why did you select this particular project?

II. Project Proposal

1. What is the project?
2. What problem does the project hope to address?
3. What goal or positive impact is the project trying to achieve?
4. Why do you think the class will be motivated to undertake this project?
5. Who will make decisions about the project and make sure actions are carried out?
6. Who needs to be involved? Does the project require input from people outside the classroom?
7. Does the class need to raise money? If so, how will money be raised?
8. When will the project take place? How long will it take to prepare? How long will it take to complete?
9. Where will the project take place?
10. What resources will you need?
11. How will you get those resources?
12. What possible obstacles exist?
13. How will you overcome those obstacles?
14. Provide any other helpful information.

III. Evaluating your Project

1. What do you want to happen as a result of your project?
2. How will you know the project was successful?
3. What will the class learn from doing this project?
4. What criteria will you use to determine the success of your project?

CRITERIA FOR SELECTION COMMITTEE

Each person in the Selection Committee should use the following score sheet to assess all of the proposals. Check the box next to the description that best fits the proposal. A point value is assigned to each of the choices. Total up these points at the end of the score sheet. Use the total values to discuss as a group which of the proposals you think the committee should choose. Keep in mind that the best proposal will be one that the whole class will enjoy doing!

PROJECT NAME:			
UNDERSTANDING OF ISSUE — The proposal demonstrates:			
Thorough understanding of human rights issue and a highly convincing reason for project. (4 points) <input type="checkbox"/>	Considerable understanding of human rights issue and an appealing reason for project. (3 points) <input type="checkbox"/>	Some understanding of human rights issue and an ambiguous reason for project. (2 points) <input type="checkbox"/>	Incomplete understanding of human rights issue with no convincing reason for project. (1 point) <input type="checkbox"/>
CONCEPT — The concept for the project is:			
Creative, compelling, thoroughly outlined, and directly relates to the human rights issue. (4 points) <input type="checkbox"/>	Well-outlined, somewhat compelling, and relates to the human rights issue. (3 points) <input type="checkbox"/>	Vaguely justified and bears some relation to the human rights issue. (2 points) <input type="checkbox"/>	Weak or unjustified, and bears no clear relation to the human rights issue. (1 point) <input type="checkbox"/>
PLANNING — The plan for carrying out the project is:			
Detailed, clearly outlined, highly strategic, and includes evaluation (4 points). <input type="checkbox"/>	Detailed and achievable and includes some evaluation. (3 points) <input type="checkbox"/>	Coherent, yet lacking in strategy and includes very little evaluation (2 points). <input type="checkbox"/>	Incoherent and/or unachievable and includes no evaluation (1 point). <input type="checkbox"/>
FEASIBILITY — The project is feasible in terms of cost, time, resources, and student interest:			
Definitely feasible. (4 points) <input type="checkbox"/>	Mostly feasible. (3 points) <input type="checkbox"/>	Barely feasible (2 points).. <input type="checkbox"/>	Not feasible. (1 point) <input type="checkbox"/>
POINT TOTAL (Write down total of points scored in box below)			
TOTAL			

Source: This evaluation matrix was adapted from *Cultivating Peace: Taking Action*, Classroom Connections (2004), www.cultivatingpeace.ca, p. 63.



APPENDICES: Immigration Resources

Immigration Glossary

alien: A person who is not a citizen of the country in which he or she lives. A legal alien is someone who lives in a foreign country with the approval of that country. An undocumented, or illegal, alien is someone who lives in a foreign country without the legal approval of that country. See undocumented immigrant.

appeal: A written request to a higher court to modify or reverse the judgment of lower level court.

asylum: Legal permission to live in a country given by its government to people fleeing danger or persecution in their original homelands. A country of asylum grants a person asylum. A country of first asylum gives a person temporary asylum until he or she leaves it for another country. A person who seeks safety in a foreign country from danger at home is an asylum seeker. An asylee is someone who has been granted asylum.

advocacy: Pleading the cause of others: the act of upholding or defending as valid or right.

bias: A personal prejudice in opinion or action.

bipartisan: Having to do with both political parties (Democrat and Republican).

bill: A policy proposal, put forward for a vote in a legislative body.

cancellation of removal: Legal permission for a legal permanent resident (LPR) to remain in the United States, if their removal would create extreme hardship on a U.S. citizen or LPR spouse, parent, or child. The individual must have lived in the U.S. for a certain period of time and must not have committed a crime.

citizen: A person born in the United States (or to citizen parents abroad) or a person who has immigrated and gone through the naturalization process.

civic engagement: Working to make a difference in one's community for the common good.

common ground: Areas of interest or opinion in common with other individuals or groups.

communication: An exchange of thoughts, ideas, or opinions using words or non-verbal messages to convey meaning.

country of origin: The country from which a person emigrates (moves away from).

debate: An argument, sometimes formal, about an issue between two or more parties.

declaration: A statement or document that declares a position or announcement.

deliberation: The process of thoughtfully considering options or opinions and making a decision based on all possible information.

deliberative dialogue: A form of discussion that aims to promote common understandings and find mutually agreeable courses of action.

deportation: See removal.

detainee: An alien in the custody of government authorities who is waiting for officials to decide if he or she may stay in the country or will be forced to leave. Also called internee.

Immigration Glossary

Department of Homeland Security (DHS): The U.S. government entity whose branches have taken over the responsibilities of the former INS. The agency is headed by the Secretary of Homeland Security, responsible for aspects of law enforcement related to homeland security, including immigration. DHS's immigration functions are divided primarily in 3 components: USCIS (U.S. Citizenship and Immigration Services) responsible for benefits and adjudications; ICE (Immigration and Customs Enforcement) responsible for interior enforcement of immigration and customs matters (detention, prosecution, deportation); CBP (U.S. Customs and Border Protection) responsible for border controls of agriculture, customs, including border patrol and inspection.

Department of Justice (DOJ): The entity that hears immigration cases and administers immigration laws along with DHS. This agency is headed by U.S. Attorney General, responsible for federal civil and criminal law enforcement. The Executive Office for Immigration Review, a component of DOJ, houses the Board of Immigration Appeals and the U.S. Immigration Courts, both of which are responsible for the adjudication of removal cases.

dialogue: A verbal exchange between people that communicates thoughts, emotions, opinions, or other information.

dignity: Bearing self-worth, evident as self-esteem or pride.

displaced person: A person who has been forced by dangerous circumstances to leave home for a place of safety within the home country. The dangerous circumstances could be natural disasters such as droughts or storms or they could be persecution or social unrest such as wars or revolutions. If a person flees to a place within the home country, he or she is called displaced. If that person flees to another country, he or she is called a refugee.

documented immigrant: A person from another country who has authorization from the U.S. government to reside in the United States.

dual citizenship: Holding citizenship in two countries at the same time.

economy: The wealth or resources of a given country, measured in part by production and consumption of goods and services.

emigrate: To move from one country or region to another. An emigrant is a person who leaves their home countries to settle elsewhere.

employment-based immigration: The authorized movement of people into the United States for purposes of work, or employment.

exile: To send someone out of a place; to banish. Unlike a deportee, who is forced to leave a country where he or she is not a citizen, an exile is a person who is forced to leave his or her home country. When a legal decree or banishment forces a person to leave, he or she is in involuntary exile. When circumstances cause a person to leave, he or she is in voluntary exile.

fact: A true statement or statistic.

family-based immigration: The authorized movement of people into the United States for purposes of joining family members.

Immigration Glossary

family reunification: U.S. citizens and lawful permanent resident may sponsor certain close relatives to live in the United States.

fictional: Fabricated or made up, not true.

forced migration: The involuntary movement of people.

foreign-born: Persons born outside of their country of residence. (See also “immigrants.”)

green card: A slang term describing the legal document that indicates that a person who is not a citizen has been granted lawful permanent resident (LPR) status in the United States. Such a resident alien can permanently live and work in the U.S. unless he or she commits certain acts that would cause removal, such as committing certain crimes or abandoning his or her residency by living outside of the U.S.

Habeas Corpus: Filed by prisoners who seek release from prison, it requires that the inmate be brought to court to determine whether he/she is unlawfully imprisoned and whether or not to release the person.

human rights: Fundamental rights regarded as belonging to all people, as established in the Universal Declaration of Human Rights (UDHR), passed by the United Nations General Assembly in 1948. Human rights are part of many international treaties, declarations, and conventions.

illegal immigrant: See undocumented immigrant.

immigrate: To move to a country where one is not a native. Immigrants are people who come to a country where they intend to settle permanently and obtain citizenship.

Immigration and Customs Enforcement (ICE): See DHS.

Immigration Court: Part of the Executive Office for Immigration Review (EOIR) and the Department of Justice agency responsible for hearing and deciding removal (deportation) hearings.

Immigration and Naturalization Service (INS): The government agency that administered the country’s immigration laws and procedures until March 2003.

inequality: Being unequal or uneven, often used to describe social conditions or wealth distribution.

interpreter: A person who translates one language into another for people communicating in different languages.

lawful permanent resident (LPR): Status allows a non-citizen to remain in the U.S. permanently and, under certain conditions, to eventually apply to become a U.S. citizen if he or she so chooses. LPR status is not the same as citizenship - LPRs may be deported from the U.S. and may abandon their status if they remain outside the U.S. for an extended period of time.

legislation: A law or group of laws that is enacted by a government body, such as Congress.

listening: The act of hearing what is being communicated.

long-term resident: A person living in a country or community for an extended period of time.

Immigration Glossary

migrant: A person who moves from one country (or place) to another.

migrate: To move from one place and settle in another. Migration may also result from natural disasters such as volcanic eruptions or droughts, or from social disorders such as wars and revolutions.

migrant workers: Also called economic migrants, they must travel from place to place, sometimes from country to country, to find employment. This migration is often determined by what crops need harvesting and in which season.

myth: A false belief, either intentionally or mistakenly created and maintained by public perpetuation.

native-born: Persons born in their country of residence.

nativism: The policy or practice of prejudice against immigrants in favor of the native-born, established inhabitants of a country. A nativist is someone who ascribes to nativism.

naturalize: The process by which an immigrant becomes a citizen. Naturalized citizens in the United States have all the rights of native-born citizens except election to certain public offices such as the Presidency.

Non-governmental organization (NGO): Nonprofit organizations working anywhere in the world, usually operating for the betterment of humanity (e.g., The Advocates for Human Rights, The Red Cross, Oxfam, CARE).

non-immigrant: A person who plans to be in the United States temporarily, such as a person with a tourist or student visa.

opinion: A personally held idea or belief.

persecution: Mistreatment or oppression based on characteristics such as race, gender, or political opinions.

perspective: One's viewpoint, or the way a person sees things, sometimes referring to a set of personal ideas or beliefs.

policy proposal: See "bill."

public policy: A law or group of laws to address a public issue.

pull factor: A condition or consideration that attracts an immigrant to a particular country.

poverty: The state of being very poor, lacking sufficient resources to meet even basic needs.

push factor: A condition or consideration in a that leads people to move out of their home country.

refoulement: When a person is forcibly returned to the home country where his or her life or freedom would be threatened.

refuge: Protection or shelter; relief; a place to which one goes for help, comfort, or escape.

refugee: A person who leaves his or her country of origin because of a well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion. (Definition

Immigration Glossary

used by U.S. Refugee Act of 1980 and the United Nations.) Persons meeting that definition may be eligible for political asylum or refugee status. The term economic refugee is sometimes used to describe someone who does not meet the refugee definition because his or her survival is threatened not by persecution but by conditions like poverty or famine.

reliability: A measure of how dependable something is, for example, how consistently accurate a source of information proves to be.

removal: Formerly called “deportation,” removal is the process by which the government expels non-citizens from the US.

repatriate: To return someone to his or her home country. Voluntary repatriation is when a person chooses to return to the home country. This may occur when the danger that threatened the person has ended. Involuntary repatriation, forced repatriation, or refoulement occurs when a person is forced to return to the home country against his or her will. This may occur when the country where a person seeks asylum does not recognize that person as a refugee; i.e., a person with a well-founded fear of persecution.

resettlement: Moving a refugee from the country of first asylum to another country where he or she can settle permanently. Resettlement occurs when the refugee has no hope of returning safely to the home country. People waiting to be moved from the country of first asylum are often kept in resettlement camps until a place of resettlement can be found in another country.

respect: Admiration, esteem, or regard for a person, thing, or idea.

sponsor: A U.S. company or person who files a petition for an alien to enter the U.S. as a legal immigrant.

trust: Confidence in the ability or reliability of another person or thing.

unauthorized immigrant: See undocumented immigrant.

undocumented immigrant: A person who enters or stays in a country without legal permission from the government. Illegal immigrant is also used as a derogatory term to describe a person who is undocumented.

UNHCR: Acronym for the United Nations High Commissioner for Refugees.

visa: A permit granted to aliens that allows them to enter the United States. There are two basic kinds of visas: temporary visas (like those used by tourists visiting the United States) and permanent, or immigrant visas (for those who are applying to stay in the United States on a long-term basis). Visitors from certain countries do not need visas for short-term stays.

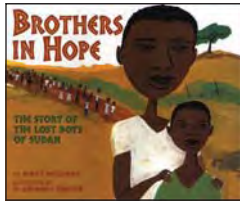
voluntary departure: Permission granted to a non-citizen to leave the United States on his own voluntarily. This person could potentially re-enter legally at a later time.

welcoming environment: Safe, inviting surroundings that allow a person to fully express her thoughts, feelings, and opinions; learn; and achieve.

work-based immigration: If a company is looking to fill a position and cannot find someone in the U.S. to do the job, it is allowed to look elsewhere in the world to find a qualified person. This person must have special skills, such as an expertise in a particular field, in order for the company to be permitted to sponsor her.

Books about Immigration

Elementary Level

**Brothers in Hope**

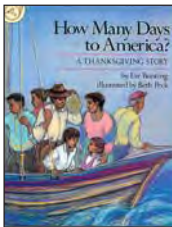
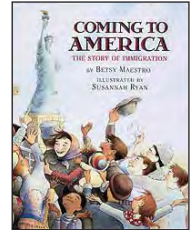
By Mary Williams, Illustrated by R. Gregory Christie

After a terrible civil war in Sudan leaves many children orphaned and homeless, 8-year old Garang Deng faces a difficult journey through Ethiopia and Kenya on his way to a refugee camp. A chance meeting with an American man gives him hope for a new life in the United States. Grades 1-5.

Coming to America: The Story of Immigration

By Betsy Maestro, Illustrated by Susannah Ryan

An illustrated history of U.S. immigration over the years, with insight into the reasons behind immigration, this book is an exploration of the difficulties and joys of immigrants looking for new opportunities. Grades 3 and up.

**How Many Days to America: A Thanksgiving Story**

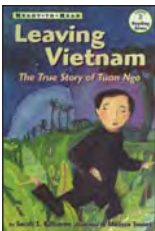
By Eve Bunting, Illustrated by Beth Peck

A Caribbean family flees to America in a small boat and land there on Thanksgiving. This book shows the determination of a family making their way to the United States with hopes of a better life for all. Grades 1-2.

Landed

By Milly Lee, Illustrated by Yangsook Choi

Sun, a 12-year-old boy from China, travels to America with his father in 1882, a difficult time in the history of American immigration when Chinese immigrants were not welcome. Sun's immigration tests at Angel Island threaten his entry into the country. Grades 3-6.

**Leaving Vietnam: The Journey of Tuan Ngo, a Boat Boy**

By Sarah Kilborne

Tuan Ngo, a young Vietnamese boy, and his father face many hardships after they manage to escape from their native Vietnam. Safely landing after many days in their boat, the boy and his father spend many months at different refugee camps before they can journey to the United States. Grades 4-6.

My Name Is Yoon

By Helen Recorvits, Illustrated by Gabi Swiatkowska

Yoon is a young Korean girl who has recently come to America. Despite her excitement for her new life, she has difficulty adjusting to school, English, and her different-sounding name. This book illustrates the challenges of immigration to America. Grades 1-2.

**Waiting for Papá**

By Rene Colato Lainez

Beto, a five-year-old boy, and his mother, leave for America when his family's house in El Salvador burns down. Beto's father cannot get a visa and is forced to stay behind, despite efforts to bring him to America with the help of an immigration lawyer. With little hope left, their only chance of reunification lies in a class project and a radio broadcast. Grades 1-3.

Books about Immigration



When Jessie Came Across the Sea

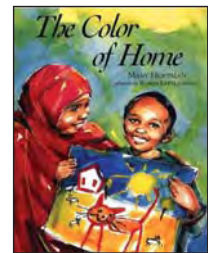
By Amy Hest, Illustrated by P.J. Lynch

This book tells the story of Jessie, a young Eastern European girl, who makes her way from her native country to New York City. The long boat ride, the friends she makes, and her new life are all depicted in this book. Grades 2-4.

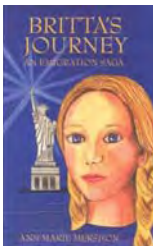
The Color of Home

By Mary Hoffman

When a young Somali boy named Hassan moves to America, he finds it difficult to get used to the new culture and language. After a difficult day at school he finds his voice with an art assignment that gives him the chance to paint pictures of his home, both in Somalia and America. Grades 1-2.



Middle Level



Britta's Journey: An Emigration Saga

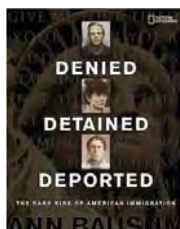
By Ann Marie Mershon

This incredible true story tells the tale of a young girl named Britta who travels with her family to the United States in 1904 in search of a new life. Her journey to America and entry into the country reveals a stronger side to Britta than she has ever known. Grades 5-6.

Crossing the Wire

By Will Hobbs

When fifteen-year-old Victor Flores's family is in danger of starving, young Victor makes the difficult decision to travel to the United States in search of a job so he can send money back home. The hardships of crossing the border from Mexico come to the surface in this emotional story. Grades 5 and up.



Denied, Detained, Deported: Stories from the Dark Side of American Immigration

By Ann Bausum

This eye-opening book takes a look at the some of the more challenging sides of the U.S. immigration system and its policies. This book brings to light the issues that many immigrants face in their efforts to come to America. Grades 5-9.

First Crossing: Stories About Teen Immigrants

By Don Gallo

This book is a collection of stories written by eleven prominent authors. Each author writes about the experiences of teen immigrants who come to America. This book is an excellent resource for educators, especially those with multicultural literature units. Grades 6-10.



Immigration and Migration (The Story of America)

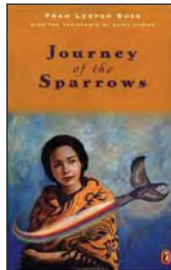
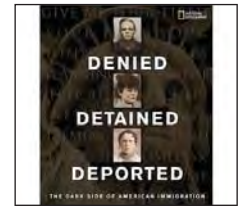
By Greg Roza

This book thoroughly and accurately details the history of immigration and migration in America. In addition to presenting a solid foundation, this book also includes fact boxes, photos, and timelines relevant to contemporary immigration debates. Grades 6 and up.

Books about Immigration

Immigration, Migration, and the Growth of the American City*By Tracee Sioux*

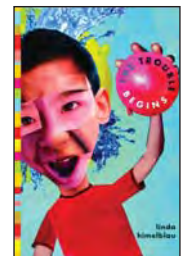
This book offers a look into the history and progression of immigration to the United States, in addition to the effects of the migrants on the growth and progress of America during times of immigration. Grades 5-6.

**Journey of the Sparrows***By Fran Leeper Buss*

This book tells the story of Maria and her brother and sister, who are refugees from El Salvador. After a difficult journey to Chicago that involves being smuggled across the border in crates, Maria and her siblings move around in low-paying services jobs with the fear of deportation hanging over their heads. Grades 5-8.

The Trouble Begins*By Linda Himmelblau*

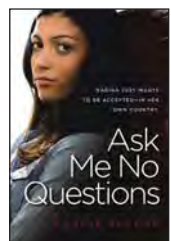
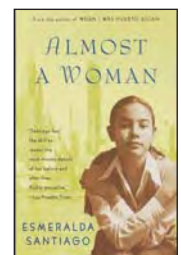
Du is an 11-year-old Vietnamese boy who travels with his grandmother to the United States to live with his parents and siblings. Though happy at being reunited with his family, Du finds it hard to adjust to his new life in America. This story helps readers better understand the difficulties immigrants face. Grades 6 and up.

**U.S. Immigration (Graphic Library: Cartoon)***By Liam O'Donnell*

This book brings a humorous element to the study of U.S. immigration. Colorful cartoon illustrations outline the essential elements of American life and reveal the intricacies of immigration to America. Grades 5-6.

Secondary Level**Almost a Woman***Esmeralda Santiago*

This sequel to the story of Santiago's childhood, *When I Was Puerto Rican*. It covers her life as an adolescent and young woman in Brooklyn with her mother (Mami) and 10 siblings during the 1960s. Puerto Rican immigrants, the family suffered through periods of poverty exemplified by the author's trips to the welfare office, where she translated her mother's Spanish so that they could obtain benefits. Grades 9-12.

**Ask Me No Questions***By Marina Budhos*

Fourteen-year-old Nadira, her sister, and their parents leave Bangladesh for New York City, but the expiration of their visas and the events of Sept. 11, 2001 bring frustration, sorrow, and terror for the whole family. Grades 7-10.

Books about Immigration**Born Confused**

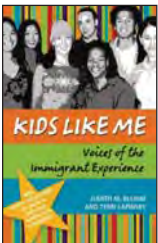
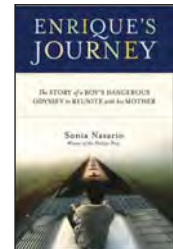
Tanuja Desai Hidier

Dimple Lala has spent her entire life trying to fit in. In India, she is too American, while in America she feels unable to conform, largely because of her parents' efforts to educate and involve her in Indian culture. By her 17th birthday, she feels incapable of making anyone happy and is hopelessly confused as to where she belongs. Grades 9-12.

Enrique's Journey

Sonia Nazario

When Enrique is five years old, his mother, Lourdes, leaves Honduras to work in the United States. The move allows her to send money back home to Enrique. Struggling in this new place, Lourdes is unable to return even after several years, leaving her son lonely and troubled. Longing to see her again, Enrique is determined to reach her. This is the story of his dangerous travel through Mexico, which thousands of immigrant children make each year. Grades 9-12.

**Kids Like Me: Voices of the Immigrant Experience**

By Judith M. Blohm and Terri Lapinski

Twenty-six personal narratives celebrate the experiences of young people making new homes in unfamiliar communities—finding common ground as they make new friends, learn different languages, and share their unique cultural identities. Grades 9-11.

Pushed to Shore

By Kate Gadbow

In the mid-1980s, 35-year-old Janet Hunter leaves her tenure-track job at the University of Montana to devote herself to helping high school-age Hmong and Vietnamese refugees adjust to cacophonous American life. Janet encourages her students to write about their harrowing ordeals. Grades 9-12.

**Refugees**

By Catherine Stine

Stine follows an American and an Afghan teen's struggle to cope with the tragedies of 9/11. She tells an ambitious, haunting story that asks urgent questions about conflict, the human lives behind the headlines, and the healing that must follow. This is a novel that teachers and teens will want to discuss together. Grades 9-12.

Song of the Buffalo Boy

By Sherry Garland

This book is an in-depth story about seventeen-year-old Loi, an Asian American who must choose between her country and the United States. Her trials and hardships both at home in Vietnam, and in her new home in America, are detailed in this touching novel. Grades 9-10.

**When I was Puerto Rican**

By Esmeralda Santiago

Santiago's memoir tells of her remarkable journey from the barrios of Puerto Rico to her graduation from Harvard University. A moving narrative of survival, the book explores the universal immigrant theme of assimilation and its effects on family, culture, and identity. Grades 9-12.

General Immigration



Golden Door

Sicilian peasant Salvatore yearns for a better life, one he believes exists only in the fabled land known as America. He sells everything he owns to make the trans-Atlantic passage with his two sons and elderly mother. On the perilous steamship crossing, Salvatore meets a mysterious, worldly Englishwoman, Lucy, and an unexpected romance unfolds. But neither Salvatore nor Lucy is prepared for the arrival at Ellis Island, where families are inspected, interrogated and split apart. They will have to bravely face their personal and collective dilemmas in order to become part of the American dream. Rated PG-13.

In America

When an Irish family suffers a terrible loss, they seek a new beginning in America. After crossing the Canadian border, the family settles in New York. They deal with new problems and difficulties, but the presence of an unexpected friend helps them in more ways than they could have ever imagined. Rated PG-13.

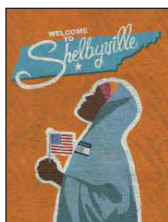


New Americans

This acclaimed seven-part television series explores four years in the lives of a diverse group of contemporary immigrants and refugees as they journey to start new lives in the United States. We follow an Indian couple in Silicon Valley, a Mexican meatpacker, two families of Nigerian refugees, two Los Angeles Dodgers' prospects and a Palestinian woman. The series presents a kaleidoscopic picture of immigrant life today, and reveals first impressions of the United States that few born in America can imagine. Unrated.

Sugar

Sugar follows the story of Miguel Santos, a.k.a. Sugar, a Dominican pitcher from San Pedro De Macoris, struggling to make it to the big leagues and pull himself and his family out of poverty. Playing professionally at a baseball academy in the Dominican Republic, Miguel finally gets his break at age 19 when he advances to the United States' minor league system. Rated R. (PG-13 version available.)



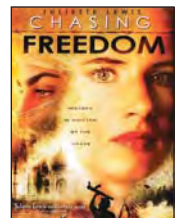
Welcome to Shelbyville

This documentary is a glimpse of America at a crossroads. In this one small town in the heart of America's Bible Belt, a community grapples with rapidly changing demographics. Just a stone's throw away from Pulaski, Tennessee (the birthplace of the Ku Klux Klan), longtime African American and white residents are challenged with how best to integrate with a growing Latino population and the more recent arrival of hundreds of Muslim Somali refugees. Unrated.

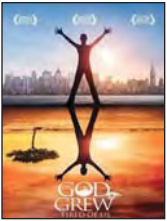
Refugees

Chasing Freedom

Inspired by true events, this Court TV film is the story of Libby Brock, an ambitious, young securities lawyer who reluctantly takes on a pro bono asylum case. Her client is Meena, a young Afghan woman who, fearing for her life, has fled the oppressive Taliban regime to request asylum in the United States. As Libby becomes more involved in the case, she discovers not only the obstacles her client survived prior to arriving in the United States, but also the grueling process she must endure to obtain asylum once here. Rated R.



Films About Immigration



God Grew Tired of Us

Winner of the Grand Jury Prize at the 2006 Sundance Film Festival, this documentary explores the indomitable spirit of three “Lost Boys” from the Sudan who leave their homeland, triumph over seemingly insurmountable adversities, and move to America, where they build active and fulfilling new lives but remain deeply committed to helping the friends and family they have left behind. Rated PG.

The Lost Boys of Sudan

This Emmy-nominated feature-length documentary follows two Sudanese refugees on an extraordinary journey from Africa to America. Orphaned as young boys in one of Africa’s cruelest civil wars, Peter Dut and Santino Chuor survived lion attacks and militia gunfire to reach a refugee camp in Kenya along with thousands of other children. From there, remarkably, they were chosen to come to America. Safe at last from physical danger and hunger, in a world away from home, they find themselves confronted with the abundance and alienation of contemporary American suburbia. Unrated.



Sentenced Home

Putting a human face on a controversial immigration policy, this documentary follows three young Cambodian Americans through the deportation process. Raised in inner city Seattle, they pay an unbearable price for mistakes they made as teenagers. Under strict anti-terrorism legislation enacted in 1996, even minor convictions can result in automatic deportation. Told in the voices of the deportees, their families and friends, the film explores what it’s like to be deported along with the reasons behind the deportees’ fate. Unrated.

Undocumented Immigration

9500 Liberty

Racial tension and threats of violence erupt when Prince William County, Virginia adopts a law requiring the police to question people who appear to be undocumented immigrants. Supporters of the law ride a wave of hysteria to an election victory. But many reconsider when the local economy feels the impact of a sudden exodus of immigrants. Despite fears of reprisal, a group of concerned citizens launches a “virtual resistance” using social media, setting up a final showdown with the law’s ferocious advocates. Unrated.



abUSed: the Postville Raid

This full-length documentary that tells the story of the most brutal, expensive, and one of the largest Immigration and Customs Enforcement (ICE) raids in the history of the United States. Weaving together the personal stories of individuals, families, and the town directly affected by the events of May 12, 2008, the film presents the human face of the issue of immigration reform and serves as a cautionary tale against abuses of constitutional human rights. Unrated.

El Norte

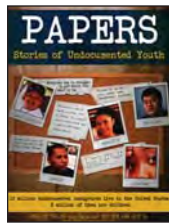
Brother and sister Enrique and Rosa flee persecution at home in Guatemala and journey north, through Mexico and on to the United States, with the dream of starting a new life. It’s a story that happens every day, but until Gregory Nava’s groundbreaking *El Norte* (The North), the personal travails of immigrants crossing the border to America had never been shown in the movies with such urgent humanism. Rated R.



Films About Immigration

La Americana

When nine-year-old Carla suffers a life-threatening accident, her mother, Carmen, must leave her behind and make the dangerous and illegal journey from Bolivia to the United States, where she hopes to earn enough to save her daughter's life. Carmen struggles in vain to legalize her immigration status and wrestles with the prospect of never seeing her daughter again. This documentary is Carmen's story, and the story of millions of undocumented immigrants who leave their families behind to pursue the American dream. Unrated.



Papers: Stories of Undocumented Youth

"Papers" is a documentary about undocumented youth in the United States and the challenges they face as they turn 18 without legal status. There are approximately 2 million undocumented children who were born outside the United States and raised in this country. These are young people who were educated in American schools, hold American values, know only the United States as home and who, upon high school graduation, find the door to their future slammed shut. Unrated.

The Visitor

The life of a lonely college professor is forever changed when he returns to his spare apartment one day to find a young undocumented immigrant couple living there. The couple – a Syrian musician who teaches the professor African drums, and his girlfriend, a Senegalese vendor – add vibrancy and meaning to his life. They form a meaningful and lasting friendship. When the young man gets taken into custody, they find out together how cold and harsh the immigration detention system can be. Rated PG-13.



Under the Same Moon

This feature film tells the parallel stories of nine-year-old Carlitos and his mother, Rosario. In the hopes of providing a better life for her son, Rosario works illegally in the United States, while her mother cares for Carlitos back in Mexico. Unexpected circumstances drive both Rosario and Carlitos to embark on their own journeys in a desperate attempt to reunite. Along the way, mother and son face challenges and obstacles but never lose hope that they will one day be together again. Rated PG-13.

Which Way Home

This Oscar-nominated documentary follows several unaccompanied child migrants as they journey through Mexico en route to the United States on a freight train they call "The Beast." Director Rebecca Cammisa tracks the stories of children like Olga and Freddy, nine-year-old Hondurans who are desperately trying to reach their families in Minnesota, and Kevin, a canny, streetwise 14-year-old Honduran, whose mother hopes that he will reach New York City and send money back to his family. Unrated.



Online Resources

Organizations

The Advocates for Human Rights – www.theadvocatesforhumanrights.org

The Advocates for Human Rights hosts an online resource center on immigration, www.EnergyOfaNation.org, which provides accurate, up-to-date information and resources for educators, advocates, and community members with fact sheets, curricula, quizzes, action alerts, policy updates, and immigration-related news and events.

aMaze – www.amazeworks.org

A non-profit organization of parents, educators, and other caring adults which challenges bias through the Families All Matter Book Project in schools, faith communities, after-school programs, and anywhere else children are together. This project is a tool for engaging children - and adults - in important conversations about diversity, including the theme of immigration.

American Civil Liberties Union – www.aclu.org/immigrants-rights

Advocates for the rights of immigrants, refugees and non-citizens, challenging unconstitutional laws and practices, countering the myths upon which many of these laws are based.

American Immigration Council – www.americanimmigrationcouncil.org

Dedicated to increasing public understanding of immigration law and policy and the value of immigration to American society. This site has targeted policy information and curricula for attorneys, teachers, and immigrants.

American Refugee Committee – www.arcrelief.org

ARC works with its partners and constituencies to provide opportunities and expertise to refugees, displaced people and host communities. They help people survive conflict and crisis and rebuild lives of dignity, health, security and self-sufficiency. ARC is committed to the delivery of programs that ensure measurable quality and lasting impact for the people they serve.

Americans for Immigrant Justice – www.fiacfla.org

The Americans for Immigrant Justice, formerly Florida Immigrant Advocacy Center (FIAC), is a not-for-profit legal assistance organization dedicated to protecting and promoting the basic human rights of immigrants of all nationalities.

America's Voice – www.americasvoiceonline.org

America's Voice aims to create the public momentum for reforms that will transform a dysfunctional immigration system into a regulatory system that works. They conduct cutting edge public opinion research, perform rapid response communications in English and Spanish, and support courageous leaders who are standing up for real immigration reform.

Amnesty International USA – www.amnestyusa.org

Advocates for the rights of asylum-seekers in the United States, and for the humane and dignified treatment of refugees and migrants worldwide.

Catholic Charities USA – www.catholiccharitiesusa.org

Runs a "Justice for Newcomers" site with background on immigration, policy papers, and a call to action.

Catholic Legal Immigration Network – www.cliniclegal.org

Online Resources

The Catholic Legal Immigration Network enhances and expands delivery of legal services to indigent and low-income immigrants principally through diocesan immigration programs and to meet the immigration needs identified by the Catholic Church in the United States.

Center for Human Rights and Constitutional Law - www.centerforhumanrights.org

A non-profit organization based in Los Angeles, CA, that focuses on the human rights and domestic civil rights of insular minorities including immigrants, refugees, children, and indigenous peoples. They have several websites that can be accessed from the one linked on this page concerning aspects of immigration such as legalization for undocumented immigrants, protections for immigrant victims of domestic violence, and issues concerning unaccompanied minors.

December 18 – www.december18.net

A Brussels-based non-profit organization working for the promotion and protection of the rights of migrants worldwide. Website offers resources, upcoming events, and highlights news relating to migrants' rights worldwide.

Department of Education and Early Childhood Development – www.education.vic.gov.au

The Department brings together a range of learning and development services for children, young people and adults. This website includes information, resources and policy on learning, development, education and training in Victoria, Australia.

Detention Watch Network – www.detentionwatchnetwork.org

Has compiled resources for advocacy on immigration issues including tips for effective advocacy, an overview of provisions of the proposed legislation, and an outline of talking points.

Duke Human Rights Center – www.humanrights.fhi.duke.edu

The Duke Human Rights Center brings together an interdisciplinary group of scholars and students to promote new understandings about human rights, terror, political violence and the politics of forgiveness, accountability and reconciliation.

Families for Freedom – www.familiesforfreedom.org

Multi-ethnic defense network by and for immigrants facing and fighting deportation.

Human Rights Education Associates – www.hrea.org

Human Rights Education Associates (HREA) is an international non-governmental organisation that supports human rights learning; the training of activists and professionals; the development of educational materials and programming; and community-building through on-line technologies.

Human Rights Watch – www.hrw.org

A non-profit that supports struggles for human rights internationally and provides educational support for advocates and those interested in getting involved in international efforts to promote human rights.

Immigration Advocates Network – www.immigrationadvocates.org

The Immigration Advocates Network (IAN) is a collaborative effort of leading immigrants' rights organizations designed to increase access to justice for low-income immigrants and strengthen the capacity of organizations serving them. IAN promotes more effective and efficient communication and collaboration among immigration advocates and organizations by providing free, easily accessible and comprehensive online resources and tools.

Online Resources

Immigrant Legal Resource Center – www.ilrc.org

The mission of the ILRC is to work with and educate immigrants, community organizations, and the legal sector to continue to build a democratic society that values diversity and the rights of all people. ILRC has resources on civic engagement, legal assistance, and law and policy.

Immigration Policy Center – www.immigrationpolicy.org

The research arm of the American Immigration Law Foundation (AILF). Established in 2003 with the mission to provide policymakers, academics, the media, and the general public with access to accurate information about the effects of immigration on the U.S. economy and society.

International Organization for Migration – www.iom.int

Promotes humane and orderly migration for the benefit of all by providing services and advice to governments and migrants. Also available in Spanish.

Islamic Resource Group – www.irgmn.org/resources_school.php

Provides resources to help make schools a more welcoming place for Muslim students. The website also offers a video on the Muslim American experience in the State of Minnesota.

Justice for Immigrants – www.justiceforimmigrants.org

The website of US. Council of Catholic Bishops' Justice for Immigrants Campaign includes immigration basics, statements on immigration from bishops, and educational tools for parishes.

Lutheran Immigrant and Refugee Services – www.lirs.org

A national organization that provides services to migrants and refugees and tries to create a network of organization to promote public policy changes surrounding immigrant and refugee rights.

Migration Policy Institute – www.migrationpolicy.org

MPI provides analysis, development, and evaluation of migration and refugee policies at the local, national, and international levels. It aims to meet the rising demand for pragmatic and thoughtful responses to the challenges and opportunities that large-scale migration, whether voluntary or forced, presents to communities and institutions in an increasingly integrated world.

National Council of La Raza – www.nclr.org

The largest national Latino civil rights and advocacy organization in the U.S. The site provide news updates and resources about immigration, civil rights, and justice. The website it hosts, We Can Stop Hate (www.wecanstopthehate.org) documents hate groups that are active in the anti-immigration debate, catalogs the words they use to justify draconian public policies and reports on the rise in hate crimes against Latinos since 2004.

National Immigration Forum – www.immigrationforum.org

A site that documents policies and recent immigration news and publications nationwide.

National Immigrant Justice Center – www.immigrantjustice.org

Heartland Alliance's National Immigrant Justice Center (NIJC) is dedicated to ensuring human rights protections and access to justice for all immigrants, refugees and asylum seekers.

National Immigration Law Center – www.nilc.org

Founded in 1979, the National Immigration Law Center is the only national legal advocacy organization in the U.S. exclusively dedicated to defending and advancing the rights of low-income immigrants and their families.

Online Resources

National Legal Sanctuary for Community Advancement – www.legalsanctuary.org Provides legal defense, policy advocacy, and public education to protect the needs of targeted Middle Eastern, Muslim and South Asian communities.

National Network for Immigrant and Refugee Rights – www.nnirr.org

This group is committed to promoting immigrant and refugee rights as part of a global movement for economic and social justice.

Pew Hispanic Center – www.pewhispanic.org

This site chronicles the Latino experience in America, with a number of policy papers and reports on immigration issues.

Reform Immigration for America – reformimmigrationforamerica.org

A national coalition of grassroots organizations committed to ensuring comprehensive, just immigration reform quickly.

Rights Working Group – A national coalition of over 250 local and national organizations dedicated to protecting due process and human rights for everyone in America, regardless of citizenship or immigration status.

Somali Family Care Network – www.somalifamily.org

Committed to increasing the economic and social opportunities of all Somali groups in the U.S. by creating a network of Somali organizations and refugee service providers.

United Nations High Commissioner for Refugees – www.unhcr.org

Protects and supports refugees and assists in their return or resettlement.

Urban Institute – www.urban.org

Provides links to several recent academic publications categorized according to their specific connection to the different aspects of immigration in the United States.

USA for the United Nations High Commissioner for Refugees - www.unrefugees.org

A non-profit organization which builds support in the United States for the humanitarian work of the United Nations High Commissioner for Refugees.

U.S. Conference of Catholic Bishops – www.usccb.org

Has a Migrant and Refugee Services program which takes a global look at immigration issues, with updated information about U.S. policies and a forum on how to take action.

We Are America – www.weareamericastories.org

We Are America raises the voice of immigrants in the dialogue around our country's broken immigration system. A story bank of video, audio, photo and text stories tell about real people and what they have at stake as new immigrants to the United States.

Online Resources

Curriculum Guides and Lesson Plans

A Different World – www.adifferentworld-unmondifferent.org

This site provides an educational tool kit for building global justice.

Amnesty International – www.amnestyusa.org/educate/lesson-plans/page.do?id=1102163

Lesson plans for Human Rights Education, available for Elementary, Middle, and High School.

Choosing to Participate – www.choosingtoparticipate.org

This site teaches students how to think about democracy and how standing up for rights makes a difference in their communities.

Commanding Heights – www.pbs.org/wgbh/commandingheights/lo/index.html

This site promotes better understanding of human rights, globalization, and the global economy.

Curriculum – www1.curriculum.edu.au/ddunits/units/ms2human_glance.htm

A human rights curriculum available online.

Foreign Policy Blogs Network – www.foreignpolicyblogs.com/resources-teachers-and-parents

This website provides information on children's human rights.

Global Dimension – www.globaldimension.org.uk

Teaching about human rights and the values underlying them helps to create a culture within a school where everyone's rights are respected.

International Justice Mission UK – www.ijmuk.org/resources/for-teachers

This page instructs teachers how to educate their students on human rights.

Learning To Give – www.learningtogive.org/lessons

This site provides a lesson plan to educate students on Poverty and Human Rights.

Lesson Planet – www.lessonplanet.com/lesson-plans/human-rights

Human Rights Lesson Plans and Activities for Teachers.

National Economic & Social Rights Initiative – www.nesri.org

This site has resources including a publication with teachers who talk about school culture, safety, and human rights.

New American Opportunity Campaign – www.cirnow.org

A campaign for comprehensive immigration reform powered by immigrant advocacy, grassroots, religious and labor organizations across the United States and on Capitol Hill. They offer links to reports, resources and opportunities to take action.

Northwest Territories Human Rights Commission – www.nwthumanrights.ca/education-outreach/schools/teachers-resources

This site includes a list of useful resources aimed at teaching human rights concepts to students.

Project Citizen - www.civiced.org

Online Resources

This organization helps students get involved in their local and state government and how to support democratic and humane policies.

RESPECT – www.respectrefugees.org

Refugee Education Sponsorship Program Enhancing Communities Together. Raises awareness and promotes action in youth around the world.

This is My Home – www.hrusa.org/thisismyhome

This toolkit helps integrate and simplify human rights education in K-12 schools.

United Nations Cyber School Bus – www.cyberschoolbus.un.org

This website provides information and activities for primary and secondary teachers who want to foster an awareness of human rights.

United Nations Global Classrooms – www.unausa.org

This global classroom curriculum educates students on human rights.

United Nations Refugee Agency – www.unrefugees.org

The Teachers' Corner of this site helps educate students about refugees and human rights.

Take Action Guides

Educations for Social Responsibility – www.esrnational.org/otc

This site helps teachers instruct their students on international security, conflict resolution, peacemaking, violence prevention, and social responsibility.

Human Rights Campaign – www.hrcactioncenter.org

Activities and ideas for how to take action in promoting human rights.

Institute for Humane Education – www.humaneeducation.org

This site will give teachers ideas for how to educate their students on human rights, social justice, and other topics.

One America - www.weareoneamerica.org

Activities and steps to promote Human Rights in your community.

Teachers Without Borders – www.teacherswithoutborders.org

Bringing Human Rights Day to classrooms. Materials and teaching ideas provided.

United For Human Rights – www.humanrights.com/educators

This site offers dozens of human rights education resources, including lesson plans and curricula.

Welcoming America – www.welcomingamerica.org

Welcoming America is a national, grassroots-driven collaborative that works to promote mutual respect and cooperation between foreign-born and U.S.-born Americans. The ultimate goal of Welcoming America is to create a welcoming atmosphere – community by community – in which immigrants are more likely to integrate into the social fabric of their adopted hometowns.

Social Studies Standards

Energy of a Nation Connections to the National Curriculum Standards for Social Studies

Each activity in *Energy of a Nation, 3rd Ed.* has been carefully crafted and tied to specific language within one or more of the ten standards in the National Curriculum Standards for Social Studies. Most activities meet distinct criteria for multiple standards. For your convenience, a table is provided below to illustrate the connections for each activity.

If you have questions or would like to learn how this curriculum meets state-specific standards in any subject area, please contact The Advocates at hrights@advrights.org.

Social studies programs should include experiences that provide for the study of:

1. Culture and cultural diversity
2. The past and its legacy
3. People, places, and environments
4. Individual development and identity
5. Interactions among individuals, groups, and institutions
6. How people create, interact with, and change structures of power, authority, and governance
7. How people organize for the production, distribution, and consumption of goods and services.
8. Relationships among science, technology, and society.
9. Global connections and interdependence
10. Ideals, principles, and practices of citizenship in a democratic republic.

Activity	Standards
1.1 Talking Migration	3, 9
1.2 Famous U.S. Immigrants	3, 9
1.3 Migration Histories	2, 3, 9
2.1 What Are Human Rights?	3, 4, 6, 9, 10
2.2 The U.S. Constitution and the UDHR	3, 6, 9, 10
2.3 Global Inequality	3, 6, 7, 9, 10
3.1 What Are the Rights of Immigrants?	3, 6, 9
3.2 Migrants in the Media	6, 9
4.1 Push and Pull Factors in History	2, 3, 9
4.2 Waves of Immigration	2, 3, 9
5.1 Stand Up and Be Counted!	3, 9
5.2 Understanding the Immigration System	3, 9, 10

Social Studies Standards

Activity	Standards
5.3 Waiting in Line Game	9, 10
5.4 Improving the System	6, 9, 10
6.1 Refugee Basics	3, 9, 10
6.2 Stories of Survival	3, 9
6.3 Refugee Role-play	3, 4, 9
6.4 Applying for Asylum	10
7.1 Knowing the Facts	3, 9, 10
7.2 Stay or Go?	3, 4, 9
7.3 Undocumented vs. Documented	6, 9
8.1 Mock Immigration Court	5, 6, 10
9.1 An Introduction to Global Migration	3, 9
9.2 Migration Council	1, 3, 6, 9
10.1 Spot the Myths	4, 9
10.2 A History of Nativism	2, 3, 4, 9, 10
10.3 Challenging Myths	2, 4, 9, 10
11.1 The "Rights" Way to Listen	4, 6, 9, 10
11.2 Debate vs. Deliberation	4, 9
11.3 Deliberating Immigration	4, 9
11.4 Participating in a Deliberative Dialogue	4, 6, 9, 10
12.1 How Ideas Become Immigration Policy	3, 6, 10
12.2 Human Rights Policy Analysis	3, 6, 9, 10
12.3 The Dream Act - Civic Engagement in Action	3, 5, 6, 9, 10
12.4 Making a Difference	3, 5, 6, 9, 10
13.1 A New Perspective	3, 9
13.2 How Welcoming is Our School?	6, 9, 10
13.3 Creating a Welcoming Project	5, 6, 9, 10
13.4 Host a Speaker	5, 6, 9, 10

Introduction to Human Rights

What Are Human Rights?

Human rights are standards that allow all people to live with **dignity, freedom, equality, justice, and peace**. Every person has these rights simply because they are human beings. They are guaranteed to everyone without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.¹ Human rights are essential to the full development of individuals and communities.

Many people view human rights as a set of moral principles that apply to everyone. Human rights are also part of international law, contained in treaties and declarations that spell out specific rights that countries are required to uphold. Countries often incorporate human rights in their own national, state, and local laws.

The modern human rights era can be traced to struggles to end slavery, genocide, discrimination, and government oppression. After World War I, scholars, activists, and national leaders called for a declaration and accompanying international system – the League of Nations – to protect the most basic fundamental rights and human freedoms. Atrocities during World War II made clear that these previous efforts to protect individual rights from government violations were inadequate. Thus was born the Universal Declaration of Human Rights (UDHR) as part of the emergence of the United Nations (UN).

The UDHR was the first international document that spelled out the *“basic civil, political, economic, social and cultural rights that all human beings should enjoy.”*² The declaration was ratified without opposition by the UN General Assembly on December 10, 1948.³

When it was adopted, the UDHR was not legally binding, though it carried great moral weight. In order to give the human rights listed in the UDHR the force of law, the UN drafted two treaties, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). The division of rights between these two covenants is artificial, reflecting the global ideological divide during the Cold War. Though politics prevented the creation of a unified treaty, the two covenants are interconnected, and the rights contained in one covenant are necessary to the fulfillment of the rights contained in the other. Together, the UDHR, ICCPR, and ICESCR are known as the International Bill of Human Rights. They contain a comprehensive list of human rights that governments must respect, protect, and fulfill.

CHARACTERISTICS OF HUMAN RIGHTS

UNIVERSAL

They belong to all people equally regardless of status. We are all born free and equal in dignity and rights.

INALIENABLE

They may not be taken away or transferred. People still have human rights even when governments violate those rights.

INTERCONNECTED

The fulfillment or violation of one right affects the fulfillment of all other rights.

INDIVISIBLE

No right can be treated in isolation. No one right is more important than another.

NON-DISCRIMINATORY

They should be respected without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS (Abbreviated)⁴

- Article 1:** Right to Equality
- Article 2:** Freedom from Discrimination
- Article 3:** Right to Life, Liberty, Personal Security
- Article 4:** Freedom from Slavery
- Article 5:** Freedom from Torture and Degrading Treatment
- Article 6:** Right to Recognition as a Person before the Law
- Article 7:** Right to Equality before the Law
- Article 8:** Right to Remedy by Competent Tribunal
- Article 9:** Freedom from Arbitrary Arrest and Exile
- Article 10:** Right to Fair Public Hearing
- Article 11:** Right to be Considered Innocent until Proven Guilty
- Article 12:** Freedom from Interference with Privacy, Family, Home and Correspondence
- Article 13:** Right to Free Movement in and out of the Country
- Article 14:** Right to Asylum in other Countries from Persecution
- Article 15:** Right to a Nationality and the Freedom to Change It
- Article 16:** Right to Marriage and Family
- Article 17:** Right to Own Property
- Article 18:** Freedom of Belief and Religion
- Article 19:** Freedom of Opinion and Information
- Article 20:** Right of Peaceful Assembly and Association
- Article 21:** Right to Participate in Government and in Free Elections
- Article 22:** Right to Social Security
- Article 23:** Right to Desirable Work and to Join Trade Unions
- Article 24:** Right to Rest and Leisure
- Article 25:** Right to Adequate Living Standard
- Article 26:** Right to Education
- Article 27:** Right to Participate in the Cultural Life of the Community
- Article 28:** Right to a Social Order that Articulates this Document
- Article 29:** Community Duties Essential to Free and Full Development
- Article 30:** Freedom from State or Personal Interference in the Above Rights

Why Are Human Rights Important?

Human rights reflect the minimum standards necessary for people to live with dignity. Human rights give people the freedom to choose how they live, how they express themselves, and what kind of government they want to support, among many other things. Human rights also guarantee people the means necessary to satisfy their basic needs, such as food, housing, and education, so they can take full advantage of all opportunities. Finally, by guaranteeing life, liberty, equality, and security, human rights protect people against abuse by those who are more powerful. According to the United Nations, human rights:

“Ensure that a human being will be able to fully develop and use human qualities such as intelligence, talent, and conscience and satisfy his or her spiritual and other needs.”⁵

Introduction to Human Rights

Who Is Responsible for Upholding Human Rights?

Under human rights treaties, governments have the primary responsibility for protecting and promoting human rights. However, governments are not solely responsible for ensuring human rights. The UDHR states:

“Every individual and every organ of society ... shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance.”⁶

This provision means that not only the government, but also businesses, civil society organizations, and individuals are responsible for promoting and respecting human rights.

When a government ratifies a human rights treaty, it assumes a legal obligation to respect, protect, and fulfill the rights contained in the treaty.⁷ Governments are obligated to make sure that human rights are protected by both preventing human rights violations against people within their territories and providing effective remedies for those whose rights are violated. Government parties to a treaty must do the following:

RESPECT

Governments cannot curtail the scope of a right or interfere with persons exercising their rights.

HOW GOVERNMENTS CAN RESPECT HUMAN RIGHTS

- Create constitutional guarantees of human rights.
- Refrain from limiting individual freedom unless absolutely necessary for the well-being of society.
- Provide ways for people who have suffered human rights abuses by the government to seek legal remedies from domestic and international courts.
- Sign international human rights treaties.

PROTECT

Governments must prevent private actors from violating the human rights of others.

HOW GOVERNMENTS CAN PROTECT HUMAN RIGHTS

- Prosecute people for crimes, such as hazardous work conditions, domestic violence, and discrimination.
- Educate people about human rights and the importance of respecting the human rights of others.
- Cooperate with the international community in preventing and prosecuting crimes against humanity and other violations.
- Pass laws that prohibit individuals from committing human rights violations.

FULFILL

Governments must take positive action to facilitate the enjoyment of basic human rights.

HOW GOVERNMENTS CAN FULFILL HUMAN RIGHTS

- Fund a public education campaign on the right to vote.
- Provide free, high-quality public education.
- Create a public defender service so that everyone has access to a lawyer.
- Support civil society and public participation in order to encourage freedom of expression and association.
- Assist those in need through funding public assistance programs.

Introduction to Human Rights

How Do Human Rights Become Law?

International human rights law provides an important framework for guaranteeing the rights of all people regardless of where they live. International human rights law is contained in many different types of documents, including treaties, charters, conventions, and covenants. Despite the different official names, all of these documents are considered treaties and have the same effect under international law: countries that ratify a treaty are legally obligated to protect the rights it describes.

The human rights treaty process usually begins at the United Nations or a similar international body. Legal and subject matter experts might first create a draft of the treaty. After the draft is written, the UN or other body will arrange a meeting between representatives of interested countries to negotiate the final terms, or content, of the treaty. This can be a lengthy process if large numbers of countries want to participate in the drafting process. Non-governmental organizations are sometimes allowed to offer recommendations during some of the stages of the drafting process. After the negotiating countries agree on a final text of the treaty, the treaty is opened for ratification by countries that want to become parties to it.

DEFINITIONS

Declaration:
document stating agreed upon standards or principles, but which is not legally binding

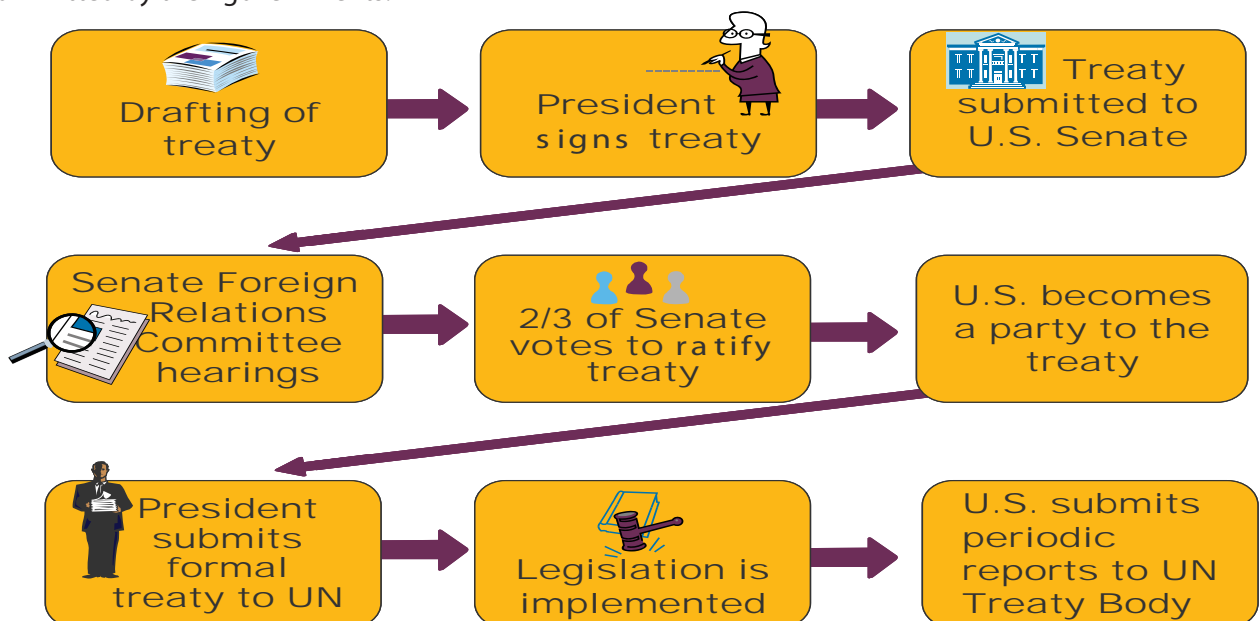
Covenant/Convention/Charter/Treaty:
legally binding agreement between two or more States

Ratification:
formal process by which the legislative body of a State confirms a government's action in signing a treaty

Reservation:
an exception that a State makes to a treaty (provisions within the treaty that the government does not accept)⁸

U.S. Ratification Process

Countries that ratify treaties are allowed to enter reservations to those instruments. Reservations are statements made by a country that *"modify the legal effect of certain provisions of the treaty."*¹⁰ Entering a reservation allows a government to agree to most of a treaty, while excluding or limiting parts that might be controversial or unconstitutional in its own country. Many countries have entered reservations to the major human rights treaties, which can limit the effectiveness of the treaties in protecting people against abuses committed by their governments.



Introduction to Human Rights

Major Human Rights Treaties

The international community has created a series of human rights treaties to comprehensively protect against human rights violations. Each treaty creates a legally binding obligation on ratifying governments to protect the rights it describes. The following is a list of major human rights treaties by topic with examples of some of the rights they protect.¹¹

International Bill of Rights

ICCPR: International Convention on Civil and Political Rights (1966)

Freedom from arbitrary arrest & detention

Freedom of expression

Right to vote

ICESCR: International Convention on Economic, Social, and Cultural Rights (1966)

Right to adequate food, clothing, and housing

Right to education

Right to work

Women

CEDAW: Convention on the Elimination of All Forms of Discrimination against Women (1979)

Freedom from discrimination in politics, work, and education

Freedom from sex role stereotyping and prejudice

Freedom from trafficking and prostitution

Racial Minorities

ICERD: International Convention on the Elimination of All Forms of Racial Discrimination (1965)

Right to equal treatment in the legal system

Freedom from apartheid and racial segregation

Provide public education to promote understanding and tolerance

Children

CRC: Convention on the Rights of the Child (1989)

Protection from physical and mental abuse

Right to free primary education

Protection from hazardous work

Refugees

Convention and Protocol relating to the Status of Refugees (1954 & 1967)

Right not to be returned to a country where they will face persecution

Right to identity and travel documents

Freedom of movement within the host country

Introduction to Human Rights

Persons with Disabilities

International Convention on the Rights of Persons with Disabilities (2006)

- Right to participation and inclusion
- Right to accessibility
- Freedom from exploitation and abuse

Migrant Workers

International Convention on the Rights of All Migrant Workers and Members of their Families (2003)

- Freedom from slavery or forced labor
- Protection from collective expulsion
- Right to emergency medical care

Torture

CAT: Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (1984)

- Freedom from torture in all circumstances
- Right to compensation for victims of torture

Slavery and Human Trafficking

Slavery Convention of 1926

Abolition of slavery

Convention Against Transnational Organized Crime (2001)

- Prevention of trafficking in persons
- Right to medical, psychological, and material assistance for victims

Labor

International Labour Organization Core Conventions (Nos. 29, 87, 98, 100, 105, 111, 138, 182)

- Freedom from forced labor
- Abolition of child labor
- Freedom from discrimination
- Right to form unions

Crimes Against Humanity, War Crimes and Genocide

Convention on the Prevention and Punishment of the Crime of Genocide (1951)

Prosecution of people who commit genocide

Rome Statute of the International Criminal Court (2002)

Creation of an international court to prosecute genocide, crimes against humanity, and war crimes

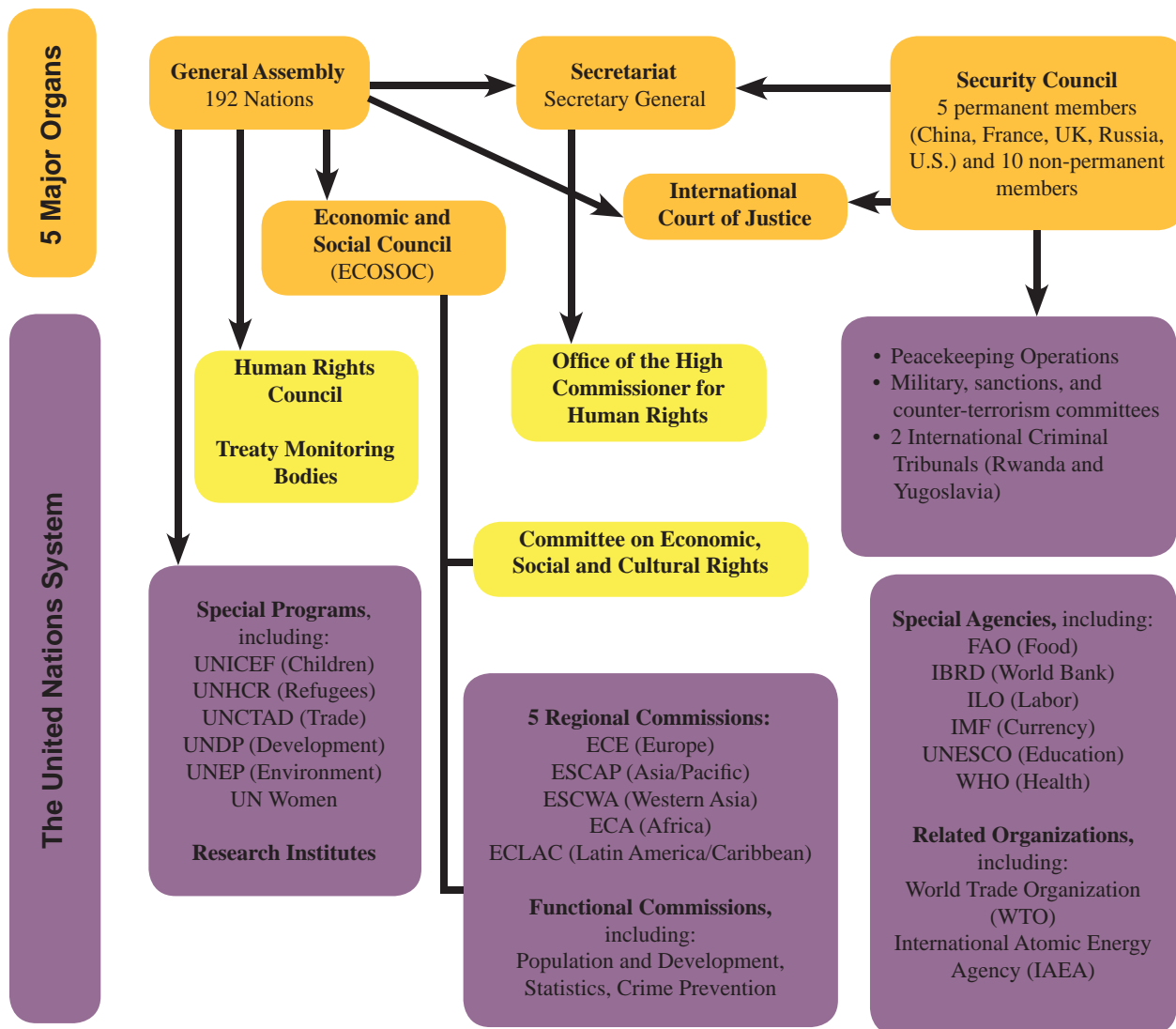
Geneva Conventions I-IV (1949)

Protection of wounded soldiers, prisoners of war, and civilians during war or conflict

The International Human Rights System

The United Nations was formed after World War II to help promote international peace and cooperation by creating a forum where countries can resolve disputes and address common problems. Representatives from 50 countries met in San Francisco in 1945 to draft the UN Charter, which created the framework for future UN activities and established key parts of the UN structure such as the Security Council, the General Assembly, and the Commission on Human Rights (now the Human Rights Council). The UN Charter entered into force on October 24, 1945 after it was ratified by a majority of signatories including the United States, the Soviet Union, China, Great Britain, and France.¹²

Today, the UN is a global organization that includes nearly every country in the world. When a country becomes a member of the UN, it is legally bound to uphold the obligations set forth in the Charter of the United Nations, which include the promotion of human rights and fundamental freedoms for all people. As part of its mission to protect human rights, the UN oversaw the creation of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights, as well as most other global human rights treaties. These treaties created new structures in the UN to protect human rights.



Introduction to Human Rights

International Human Rights System at Work

The United Nations (UN) and other human rights bodies engage in a variety of activities to protect, monitor, and advance human rights worldwide. The activities include the following:



CREATE TREATIES. An important function of human rights bodies is to expand our understanding of the scope and content of human rights. One way to do this is to oversee the drafting of new treaties. The UN and other human rights bodies also issue declarations and comments that define and clarify existing human rights treaties, educating governments and civil society on their responsibilities under international law.



MONITOR AND REPORT. International and regional human rights bodies monitor and report on human rights conditions in member countries. Parties to international and regional human rights treaties are required to submit regular reports detailing their compliance. Sometimes a human rights body independently undertakes missions to monitor human rights conditions in a particular country or for a particular group of people. The reports can include information from domestic or international human rights groups, independent experts, and government sources. These reports are used to expose human rights violations to a global audience and pressure countries to improve their human rights records.



TAKE COMPLAINTS. Some UN and regional human rights bodies, such as the Inter-American Commission on Human Rights, are able to take complaints from individuals and others whose human rights have been violated. These bodies may request a government response to the complaint, hear testimony from the victim, and make a public report on the case. If the individual is found to have suffered a violation of human rights, the body may mediate a settlement between the victim and the government, require the country to report on what steps it has taken to remedy the violation, and in some instances refer unresolved cases to international courts.



ENFORCE HUMAN RIGHTS STANDARDS. The UN Security Council can impose consequences on countries that engage in massive human rights violations by enforcing sanctions or authorizing humanitarian intervention. Regional organizations, such as the Inter-American Court, investigate and rule on cases involving human rights violations in their member countries. The International Criminal Court and special international criminal tribunals (such as those created for Yugoslavia, Rwanda, and Sierra Leone) provide legal remedies for massive human rights violations. These tribunals have the power to impose criminal sentences on people found guilty of genocide, war crimes, crimes against humanity, and crimes of aggression.



DIRECTLY IMPROVE HUMAN RIGHTS. The UN contains agencies that work directly with governments and civil society to improve human rights. These agencies run educational programs, provide training to government officials, and fund projects that increase understanding of human rights and responsibilities worldwide. In some cases, these agencies directly improve conditions for people, fulfilling human rights such as the right to food, the right to education, women's rights, or the right to a clean environment.

Introduction to Human Rights



Human Rights Legal Bodies

The UN not only helps create international human rights law, it also promotes and protects human rights through different human rights bodies. These bodies are divided into two groups: **charter-based bodies**, which derive their power from the UN Charter,¹³ and **treaty-based bodies**, which oversee international human rights treaties that have entered into force.¹⁴ Depending on their origin and mandate, each of these bodies has different powers to monitor and enforce human rights. They are supported in their work by the **Office of the High Commissioner for Human Rights (OHCHR)**. The OHCHR is charged with coordinating all of the human rights activities of the UN. It provides staff and logistical support to the Human Rights Council and the core treaty bodies, and it coordinates UN action to promote human rights.¹⁵

UN Charter-Based Bodies

Human Rights Council. The UN Charter called for the creation of a Commission on Human Rights, which was reorganized in 2006 into the current Human Rights Council. The Council consists of 47 UN member countries who meet regularly to review the status of human rights in countries around the world, address human rights violations, and make recommendations to improve the fulfillment of human rights.¹⁶ Council members are elected to staggered three-year terms. Seats on the Council are allocated among different geographical regions, with each region nominating candidate countries that are then approved by the General Assembly.¹⁷ The Human Rights Council conducts its work through three principal mechanisms: 1) Universal Periodic Review, 2) Special Procedures, and 3) a Complaint Procedure.¹⁸

Universal Periodic Review (UPR). The UPR is a relatively new human rights process under the auspices of the Human Rights Council. The UPR is designed to review the human rights records of all 192 UN member countries once every four years.¹⁹ During the UPR, the country under review presents what it has done to improve human rights in its country and to fulfill its human rights obligations.²⁰ As one of the main features of the Human Rights Council, the UPR is designed to ensure equal treatment for all countries when their human rights practices are evaluated.

The UPR involves a three-hour, interactive discussion between the country being reviewed and other UN member countries. During this discussion, any UN member can pose questions, offer comments, and/or make recommendations on the country's human rights record. The review ends with a draft outcome document that includes recommendations to the country under review. The final outcome document is then formally adopted by the Human Rights Council at the next plenary session. The country under review has the opportunity to answer questions, respond to recommendations, and make comments about issues raised during the review. The national government has the primary responsibility to implement the recommendations contained in the final outcome document and must provide information on implementation efforts when it returns for the next review.²¹

Under the UPR, the Council examines the extent to which governments uphold their human rights obligations under the UN Charter, the Universal Declaration of Human Rights, treaties they have ratified, voluntary pledges, and international humanitarian law. The broad scope of the review allows the Council to examine a range of human rights issues, even when a country may have refused to sign certain treaties.

Introduction to Human Rights

Special Procedures. Special Procedures are mechanisms established by the Human Rights Council to address specific country situations or broad human rights themes. Special Procedures mandates are established by resolutions of the UN General Assembly. Special Procedures usually have the power to examine, monitor, and publicly report on human rights situations in specific locations (known as country mandates) or on major human rights issues worldwide (known as thematic mandates). Special Procedures mandate holders are either an individual (called “Special Rapporteur,” “Special Representative of the Secretary-General,” or “Independent Expert”) or a working group usually composed of five members that are representative of different regions.²²

Some of the most relevant mandates in the U.S. context include:

- Special Rapporteur on violence against women;
- Special Rapporteur on adequate housing;
- Special Rapporteur on the right to education;
- Special Rapporteur on the rights of migrants;
- Working Group on arbitrary detention; and
- Independent Expert on minority issues.

Those appointed to carry out the mandate of a certain Special Procedure typically engage in the following types of activities: examining, monitoring, and advising various bodies on human rights situations; publicly reporting on human rights situations; responding to individual complaints; visiting countries or regions; conducting studies; providing advice on technical cooperation; and engaging in human rights promotion. Most Special Procedures receive information on specific allegations of human rights violations and send urgent appeals or letters of allegation to governments asking for clarification. In 2010, Special Procedures sent more than 600 communications to 110 countries.²³

Complaint Procedure. The Complaint Procedure is a confidential, victims-oriented mechanism established to allow the Human Rights Council to address consistent patterns of gross human rights violations. After receiving the complaint (“communication”) from an individual or group claiming to be a victim or having direct knowledge of a human rights violation, the Working Group on Communications assesses the admissibility and merits of the communication and then passes it on to the Working Group on Situations, which determines whether there is a pattern of gross human rights violations, considers the country’s reply, and presents a report and recommendations for action to the full Human Rights Council. The HRC will not accept complaints unless domestic remedies have been exhausted (except when remedies would be ineffective or unreasonably prolonged) or if another international or regional human rights complaint mechanism is considering the issue.²⁴ The HRC will only accept complaints that include a factual description and are based on clear evidence, preferably direct, first-hand knowledge of the event.²⁵

UN Treaty-Based Bodies

Nine core international human rights treaties have entered into force.²⁶ Each of these treaties established a committee of independent experts to monitor implementation of the treaty provisions by its member countries. Each country that has signed and ratified a treaty is required to submit regular reports to the monitoring body on their compliance with the terms of the treaty.²⁷ Some treaty bodies are also able to take complaints from individuals and others whose human rights have been violated. The following are the nine UN treaty-monitoring bodies (*stars indicate those that can receive individual complaints):

MAJOR HUMAN RIGHTS TREATY BODIES

- **Human Rights Committee (CCPR)***
- **Committee on Economic, Social and Cultural Rights (CESCR)**
- **Committee on the Elimination of Racial Discrimination (CERD)***
- **Committee on the Elimination of Discrimination against Women (CEDAW)***
- **Committee against Torture (CAT)***
- **Committee on the Rights of the Child (CRC)**
- **Committee on Migrant Workers (CMW)**
- **Committee on the Rights of Persons with Disabilities (CRPD)***
- **Committee on Enforced Disappearance (CED)**



Regional and Other Human Rights Legal Bodies

The United Nations is not the only international organization involved in creating, monitoring, and enforcing international human rights law. Some of the following international organizations focus on a particular category of human rights issues, while others restrict their focus to a geographic region. This web of human rights treaties and declarations, governed by a network of international and regional human rights bodies, provides activists with many opportunities for improving human rights conditions in their countries. Governments that may resist or ignore one means of addressing human rights violations can be encouraged or compelled through another mechanism.



The **International Labour Organization (ILO)** oversees a group of legally binding conventions that guarantee certain human rights related to work, especially: *“freedom of association and the effective recognition of the right to collective bargaining; the abolition of all forms of forced or compulsory labor; the effective abolition of child labor; and the elimination of discrimination in respect of employment and occupation.”*²⁸



The **International Criminal Court (ICC)** is an independent, permanent court that tries persons accused of the most serious international crimes: genocide, crimes against humanity, and war crimes.²⁹ The ICC is based on a treaty ratified by more than 100 countries.³⁰



The **Inter-American Court of Human Rights** and the **Inter-American Commission on Human Rights** together interpret and enforce the **American Convention on Human Rights** and the **American Declaration on the Rights and Duties of Man**. The Commission investigates individual complaints, conducts independent monitoring, and refers cases to the Inter-American Court. The Court rules on cases involving violations of the Convention brought by governments or by the Commission and offers advisory opinions on the correct interpretation of regional human rights treaties.³¹



The **European Court of Human Rights** rules on the **European Convention on Human Rights**, which protects rights such as the right to life, freedom from torture, the right to a fair trial, and freedom of expression. Individuals and countries bring complaints before the Court, which then passes judgment. The judgments of the Court are binding and typically involve compensation for the victim of the violation.³²



The **African Commission on Human and Peoples' Rights** and the **African Court on Human and Peoples' Rights** together oversee implementation of the **African Charter on Human and Peoples' Rights**. The Commission receives regular reports on human rights conditions from governments that are signatories to the Charter.³³ The Court adjudicates allegations of human rights violations brought by the Commission, governments, and individuals.³⁴

Introduction to Human Rights

Human Rights and U.S. Law

Although international human rights law provides an important framework for guaranteeing the rights of all people in all countries, human rights standards generally do not become enforceable in the United States unless and until they are implemented through local, state, and/or federal law. International treaties define rights very generally, and international courts and monitoring bodies typically lack the ability to directly enforce their decisions in the United States. Because the greatest capacity for protection lies in domestic law, one of the best ways to improve human rights in the United States is to strengthen domestic legal protections for human rights by passing laws recognizing those rights and ensuring the implementation of those rights by the government and U.S. courts is consistent with international standards.

The U.S. Constitution and the Universal Declaration of Human Rights

In the United States, the Constitution and the Bill of Rights provide broad human rights protections. Many of the rights contained in the Constitution are equivalent to rights found in the UDHR, especially those related to political and civil liberties. In addition, the U.S. Supreme Court has identified fundamental rights not explicitly stated in the Constitution, such as the presumption of innocence in a criminal trial³⁵ and freedom of movement.³⁶ U.S. courts provide a remedy for people whose constitutional rights have been violated. The U.S. Congress also passes laws that protect constitutional rights and provide remedies for victims of human rights violations when court

UDHR ARTICLE	RELATED U.S. CONSTITUTIONAL AMENDMENT
Article 2	14 th Amendment (non-discrimination)
Article 3	14 th Amendment (life, liberty, security)
Article 4	13 th Amendment (slavery)
Article 5	8 th Amendment (cruel and unusual punishment)
Article 6	14 th Amendment (equal protection)
Article 7	14 th Amendment (equal protection)
Article 9	5 th Amendment (arbitrary arrest)
Article 10	6 th Amendment (fair trial)
Article 12	4 th Amendment (privacy)
Article 17	5 th Amendment (property)
Article 18	1 st Amendment (religion)
Article 19	1 st Amendment (speech)
Article 20	1 st Amendment (association)
Article 21	15 th , 19 th , 23 rd , 24 th , and 26 th Amendments (vote)

cases may be too costly or difficult. The most important of these domestic laws are those that prohibit discrimination, including discrimination based on race, gender, religion, or disability.

The Missing Human Rights

Although the U.S. Constitution provides strong protections for civil and political rights, it fails to recognize the economic, social, and cultural rights guaranteed in the UDHR. Some rights, such as the right to education, can be found in some state constitutions; others, such as the right to an adequate standard of living including food, shelter, and medical care, have not been recognized as rights. Statutes may address issues such as access to food and treat it as meeting a need for some defined group of people, but they do not recognize it as a right to which all people are entitled. Because economic, social, and cultural issues are not viewed as rights enjoyed by all, public policies can exclude people from eligibility as long as they do not discriminate on prohibited grounds such as race. While ensuring that public policies are not discriminatory is important, it does not address the underlying problem of failing to guarantee for all people in the United States an adequate standard of living and other rights necessary to live in dignity.

U.S. Reservations to International Law

When the United States ratifies a human rights treaty, it often adds a reservation, declaration, or understanding that restricts protection of certain rights. The United States generally makes two kinds of reservations to treaties:

Declares treaty “not self-executing.” This means that the treaty alone is not enforceable in domestic courts unless Congress passes legislation to implement its provisions. If the United States fails to pass the necessary legislation to uphold its international obligations, people whose treaty rights are violated have no recourse in domestic courts.



Limits scope of treaty. The United States frequently makes reservations limiting the scope of the treaty so as not to supersede the rights protected in the U.S. Constitution. For instance, a reservation to the Convention against Torture reads:

“That the United States considers itself bound by the obligation under Article 16 to prevent ‘cruel, inhuman or degrading treatment or punishment,’ only insofar as the term ‘cruel, inhuman or degrading treatment or punishment’ means the cruel, unusual and inhumane treatment or punishment prohibited by the Fifth, Eighth, and/or Fourteenth Amendments to the Constitution of the United States.”³⁷

This reservation has both negative and positive consequences. On the one hand, it means that the United States is not taking on an additional obligation over the protections currently offered in the U.S. Constitution, essentially negating the ability of the international system to impose higher standards. On the positive side, however, this reservation allows lawyers to use the extensive 5th, 8th, and 14th Amendment case law already in existence to prosecute violations of the Convention rather than having to establish new legal standards.

A more problematic U.S. reservation limiting the scope of the treaty states:

“Nothing in this Covenant requires or authorizes legislation, or other action, by the United States of America prohibited by the Constitution of the United States as interpreted by the United States.”³⁸

This reservation was offered by Senator Jesse Helms during the ratification of the International Covenant on Civil and Political Rights on March 4, 1992.³⁹ This reservation has also been added to the Convention against Torture and the Convention on the Elimination of Racial Discrimination. This reservation means that U.S. courts make the final determination about the meaning of treaties that the U.S. government has signed, not the international bodies responsible for overseeing and interpreting the treaty. Thus, rather than accepting the international system of human rights law when it signs international human rights treaties, the United States continues to rely on domestic protections alone.

Timeline: Human Rights and the United States

The Bill of Rights guarantees civil and political rights to individuals, including: freedom of speech, religion, and association; the right to a fair trial; and the prohibition of cruel and unusual punishment.



One hundred women and men sign the Seneca Falls Declaration demanding equal social, civil, and religious rights for women.

The U.S. signs the Hague Conventions which define the laws of war and maritime combat, create protections for prisoners of war and civilians, and establish mechanisms for the peaceful settlement of international disputes.



The League of Nations forms "to promote international cooperation and to achieve international peace and security."⁴² President Woodrow Wilson leads the effort to establish the League, but the U.S. never joins.

Following the Japanese government's attack on Pearl Harbor, the U.S. government forcibly interns 120,000 Japanese Americans, many of them citizens, in detention camps.



The American Declaration of the Rights and Duties of Man and the Universal Declaration of Human Rights (UDHR) are adopted. The U.S. leads the efforts to draft both documents.

1776

The Declaration of Independence states that "all men are created equal ... [and] are endowed by their Creator with certain unalienable Rights."⁴⁰



1791

1830

Congress passes the Indian Removal Act, leading to the forced relocation of 70,000 Native Americans. Many die on the westward journey. The Act was one of many official government actions that violated the rights of Native Americans.

1848

1863

The 1863 Emancipation Proclamation helps to end slavery, eventually leading to the 13th Amendment (1865), abolishing slavery, and the 14th Amendment (1868), guaranteeing equal protection to all people in the country.



1907

1918

Congress passes the Sedition Act of 1918, which makes it a crime to publish or speak "disloyal, profane, scurrilous, or abusive language"⁴¹ about the form of government, the Constitution, or the military. Over 2,000 people are prosecuted under the Act.

1920

1933

President Franklin Delano Roosevelt launches the New Deal in an effort to bring the U.S. out of the Great Depression, establishing Social Security, banning child labor, legalizing trade union practices, and providing jobs to millions.



1942

1945

The United Nations is established. One of its purposes is "promoting and encouraging respect for human rights and for fundamental freedoms for all."⁴³ The United States is instrumental in helping to create the United Nations.

1948

Introduction to Human Rights



Martin Luther King, Jr. wins the Nobel Peace Prize for his nonviolent resistance to racial injustice in America. The Civil Rights Act of 1964 outlaws major forms of racial and sexual discrimination in voting, the workplace, schools, and public accommodations.



Sandra Day O'Connor becomes the first woman Supreme Court justice.

The United States ratifies the International Covenant on Civil and Political Rights. While signed, the International Covenant on Economic, Social and Cultural Rights remains unratified.



Congress passes the Defense of Marriage Act, which prohibits federal recognition of same-sex marriages and allows states to pass similar laws.



Citing international standards, the U.S. Supreme Court abolishes the death penalty for juveniles under age 18.

President Obama signs the repeal of "Don't Ask, Don't Tell," which allows gay, lesbian, and bisexual service-members to serve openly in the military for the first time.

1954

In *Brown v. Board of Education*, the U.S. Supreme Court rules that racial segregation in public schools is unconstitutional.



1964

President Lyndon B. Johnson signs into law the Medicare and Medicaid programs, providing government-funded health care to the poor and to people over age 65.



1965

1981

1988

Almost 40 years after its creation, the United States ratifies the Convention on the Prevention and Punishment of the Crime of Genocide.

1992

1994

The United States ratifies the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.

1996

2002

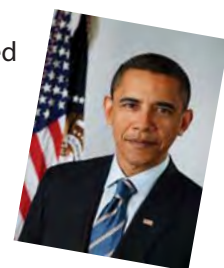
The U.S. begins using a detention camp at Guantanamo Bay to hold terrorism suspects in custody without a trial.



2005

2008

Barack Obama is elected as the first African American president of the United States.



2010

MAJOR INTERNATIONAL TREATIES THE UNITED STATES HAS RATIFIED⁴⁴

Slavery Convention • (1926) Created under the League of Nations, this convention banned all forms of slavery, putting an end to the slave trade. The United States ratified the Slavery Convention in 1929.

Geneva Conventions • (1949) Starting with the first Geneva Convention in 1864, these four treaties were drafted to protect wounded soldiers, prisoners of war, and civilians during war and conflict. The United States ratified the Conventions in 1955.⁴⁵

Convention and Protocol relating to the Status of Refugees • (1951 and 1967) A key document in protecting and assisting refugees worldwide, the 1951 Convention defines the term refugee, their rights, and the legal obligations of their host governments. The Convention protected victims in Europe after World War II. The 1967 Protocol was drafted to remove geographical and temporal restrictions and address issues of displacement around the world. The United States ratified the Protocol in 1968.

Convention on the Prevention and Punishment of the Crime of Genocide • (1948) This convention declares genocide a crime under international law. It requires punishment of genocide, conspiracy to commit genocide, direct and public incitement to commit genocide, attempt to commit genocide, and complicity in genocide. The United States ratified the Convention in 1988.

International Covenant on Civil and Political Rights • (1966) This treaty is one of two (the other being the International Covenant on Economic, Social, and Cultural Rights) which codifies the rights set forth in the Universal Declaration of Human Rights. The ICCPR contains human rights such as the right to equality, life, freedom from slavery, freedom of movement, and freedom of expression. The United States ratified the Covenant in 1992.

International Convention on the Elimination of All Forms of Racial Discrimination • (1966) Seeking to promote understanding and tolerance among all races, this convention outlines measures to be taken by states to eliminate all forms of racial discrimination, giving individuals the freedom from racial segregation and apartheid, the right to equal treatment in the legal system, and the right to public education that promotes understanding and tolerance. The United States ratified the Convention in 1994.

Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment • (1984) Requiring freedom from torture in all circumstances, this convention commits its parties to take effective measures to prevent torture, including criminalizing all acts of torture under its jurisdiction and giving victims the right to compensation for torture committed against them. Under this treaty, no person can be returned to a country where they may be subject to torture. The United States ratified the Convention in 1994.

MAJOR INTERNATIONAL TREATIES THE UNITED STATES HAS NOT RATIFIED

International Covenant on Economic, Social and Cultural Rights • (1966) Part of the International Bill of Human Rights, this is the only covenant that requires governments to promote and protect such rights as health, education, social protection, and an adequate standard of living for all people. The ICESCR has been ratified by more than 150 countries. President Carter signed the Covenant in 1977, but the U.S. has yet to ratify it.

American Convention on Human Rights • (1969) Adopted by the nations of the Americas in San Jose in 1969, this Convention contains a list of individual civil, political, economic, social, and cultural rights which are based on “respect for the essential rights of man.” President Carter signed the Convention in 1977, but the U.S. has yet to ratify it.⁴⁶

Convention on the Elimination of All Forms of Discrimination against Women • (1979) The most comprehensive and detailed international agreement that seeks the advancement of women, CEDAW has been ratified by 185 countries. Although President Carter signed CEDAW in 1980, today the U.S. is the only industrialized country that has not ratified the treaty.

Convention on the Rights of the Child • (1989) Protecting children from physical and mental abuse and hazardous work, and giving children the right to free primary education, the CRC has been ratified by 193 countries, making it one of the most widely adopted conventions. President Clinton signed the CRC in 1995 but the United States has yet to ratify it, one of only two countries in the world not to do so.

Rome Statute of the International Criminal Court • (1998) The ICC conducts trials of individuals accused of genocide, war crimes and crimes against humanity when there is no other recourse for justice. 146 countries have signed the ICC, including the United States. In 2002, President Bush stated that the United States did not intend to be bound by its signature to the Rome Statute and that it had no intention of ratifying it.⁴⁷

International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families • (1990) The Migrant Workers Convention protects migrant workers and their families from abuse and inhumane treatment in the countries where they work. No industrialized, migrant-receiving country, including the U.S., has signed this treaty.

Convention on the Rights of Persons with Disabilities • (2006) The CRPD is the first global convention that specifically addresses the human rights of persons with disabilities. President Obama signed the treaty in 2009, but the United States has yet to ratify it.

International Convention for the Protection of All Persons from Enforced Disappearance • (2006) This Convention affirms that enforced disappearances constitute a crime against humanity when practiced in a widespread or systematic manner. The U.S. has not yet signed this treaty.

International Labour Organization Core Conventions • As of 2011, the U.S. has only ratified 14 of the 162 active ILO Conventions. In addition, the U.S. has only ratified two out of the eight conventions that the ILO describes as fundamental to the human rights of workers.⁴⁸

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Universal Declaration of Human Rights

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

*Now, therefore, The General Assembly,
Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.*

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Universal Declaration of Human Rights

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13

1. Everyone has the right to freedom of movement and residence within the borders of each State.
2. Everyone has the right to leave any country, including his own, and to return to his country.

Article 14

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.
2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Universal Declaration of Human Rights

Article 16

1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
2. Marriage shall be entered into only with the free and full consent of the intending spouses.
3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17

1. Everyone has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

Article 21

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
2. Everyone has the right to equal access to public service in his country.
3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Everyone has the right to form and to join trade unions for the protection of his interests.

Universal Declaration of Human Rights

Article 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
3. Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.
2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

Human Rights Education

Why Should I Teach Human Rights?

“The short answer to this question is that human rights are part and parcel of children’s everyday life, and schools have a responsibility to enable children to make sense of the world around them... Knowing about rights and responsibilities, understanding what they are, and learning how they have been struggled for and sustained are important elements in the preparation of all young people for a life in a democratic and pluralistic society. Children of all ages express concerns or outrage at events or situations which they see as unjust in their own lives and the wider world... Human rights education (HRE) can build on that understanding of injustice and the sense of fair play and can explore why certain behavior is unfair.”

- *Our World, Our Rights*, Amnesty International, 2000.

The concepts taught in HRE are universal. There are violations of human rights all around us. We see and/or experience societal problems such as homelessness, racial discrimination, and intolerance on a daily basis. Students enter the classroom with their own prejudices and biases which can prevent them from viewing a societal problem with an open mind. It is the job of a human rights educator to first assess their own prejudices and biases and then to assist students in the great task of opening their minds to new ways of seeing the complexity of the challenges faced in our communities and the world. The general objectives of human rights education include:

- **NEEDS AND RIGHTS** - to strengthen respect for human rights and fundamental freedoms.
- **RESPECT AND DIGNITY** - to value human dignity, develop a sense of individual self-respect, and show respect for others through attitudes and behaviors.
- **EQUALITY** - to ensure genuine gender equality and equal opportunities for women and men in all spheres.
- **DIVERSITY** - to promote respect, understanding, and appreciation of diversity and practice non-discrimination.
- **GLOBAL CITIZENSHIP** - to empower people towards more active citizenship.
- **SOCIAL JUSTICE** - to promote democracy, development, social justice, communal harmony, solidarity, and friendship among people and nations.
- **PEACE** - to further the creation of a culture of peace, based upon universal values of human rights, international understanding, tolerance, and non-violence.

WHAT IS HUMAN RIGHTS EDUCATION?

HRE DEFINITION:

Human Rights Education is a lifelong process of teaching and learning that helps individuals develop the knowledge, skills, and values to fully exercise and protect the human rights of themselves and others; to fulfill their responsibilities in the context of universal human rights principles; and to achieve justice and peace in their communities and the world.

The HRE Framework

Many teachers often deal with aspects of human rights without giving it that name. HRE provides a common framework through which different subject matters may be taught in relation to one another. The topics of globalization, the environment, peace, citizenship, gender equality, democracy, poverty, and intercultural relations all address human rights issues and attempt to build a culture that respects human rights. Rather than teaching about these subject matters in isolation, using an HRE framework provides educators and students with a shared value system through which all subjects intersect. For example, peace education incorporates human dignity and the right to peace and security. Multicultural education reflects the human rights principles of non-discrimination and participation in one’s own language, culture, and religion. Law-related education enables students to measure U.S. law against international human rights standards.

Human Rights Education

Benefits of Human Rights Education

Case studies have shown that adopting a rights-based framework for your classroom can lead to improvements in self-esteem, socially responsible behavior, academic achievement, interpersonal relationships, school culture, and teacher satisfaction. It has also been shown to reduce absenteeism, bullying, and vandalism. As one teacher from a rights-based school stated:

“[HRE] has contributed to outstanding spiritual, moral, social, and cultural development for [students]. They say that ‘they have learned to listen to others, be kind to each other, and take turns more readily.’”

- Review of Hampshire Rights Respecting School, May 2006.

HRE also provides teachers with the opportunity to help students figure out how to act according to their newly discovered human rights understanding. Since the UDHR was introduced in 1948 after the horrors of the Holocaust, schools and society at large have recognized the need to end intolerance. Still, acts of intolerance and discrimination persist. Human rights education teaches students not only about their rights but also their responsibilities. We all have the responsibility to ensure that we do not infringe upon the rights of others. For example, the right to freedom of expression also carries with it the responsibilities not to hurt, insult, or incite others to prejudicial behavior. Through HRE, teachers can instill in students a sense of respect toward others and inspire them to become, in their own right, educators and activists who will assist in the defense of human rights. Human rights education:

- **PRODUCES CHANGES IN VALUES AND ATTITUDES**
- **PRODUCES CHANGES IN BEHAVIOR**
- **PRODUCES EMPOWERMENT FOR SOCIAL JUSTICE**
- **DEVELOPS ATTITUDES OF SOLIDARITY ACROSS ISSUES AND NATIONS**
- **DEVELOPS KNOWLEDGE AND ANALYTICAL SKILLS**
- **PRODUCES PARTICIPATORY EDUCATION**

10 REASONS TO ADOPT HRE

1. Promotes effective, participatory teaching and learning practices.
2. Helps address pressing issues faced by schools, including participation, attendance, classroom management, and academic achievement.
3. Creates an inclusive school culture that generates enthusiasm, engagement, and respect for self and others; such an environment can help to close the achievement gap.
4. Improves student behavior and relationships; reduces bullying.
5. Contributes to the development of higher order thinking and literacy.
6. Provides a useful lens and “critical toolkit” to view core concepts and explore contentious issues.
7. Creates active citizenship, helping students build connections between themselves and the world.
8. Increases teacher satisfaction, improves morale, and reduces burnout.
9. Provides a value framework suitable for modern society that is multi-cultural, multi-faith, and part of an increasingly interdependent world.
10. Offers young people something positive to believe in and support.

Human Rights Education

How Do I Teach Human Rights?

Methodologies used to teach about human rights should include three elements: learning about human rights, learning for human rights, and learning through human rights. In other words, students should be aware of the issues, concerned by the issues, and capable of standing up for human rights. Human rights education will move students from understanding human rights concepts to examining their experiences from a human rights perspective and incorporating these concepts into their personal values and decision-making processes.

To effectively educate using a human rights framework, educators should use age-appropriate teaching methods that:

- Promote awareness and understanding of human rights issues so that learners recognize violations of human rights (**knowledge**);
- Help learners develop the skills and abilities necessary for the defense of human rights (**skills**); and
- Help learners develop attitudes of respect for human rights so that people do not violate the rights of others (**values**).

The following goals can be used to evaluate how well your students are incorporating these human rights concepts in their lives:

<p>KNOWLEDGE Learn <u>about</u> human rights <i>Promote awareness and understanding of human rights so that people recognize violations</i></p>	<p>SKILLS Learn <u>for</u> human rights <i>Develop the skills and abilities necessary for the defense of human rights.</i></p>	<p>VALUES Learn <u>through</u> human rights <i>Develop attitudes of respect for human rights, so that people do not violate the rights of others.</i></p>
<ul style="list-style-type: none"> • Understand that every human is born with the inalienable human rights listed in the UDHR. • Grasp key concepts such as: freedom, justice, equality, human dignity, non-discrimination, democracy, sustainability, poverty, universality, rights, responsibilities, interdependence, solidarity, peace, conflict resolution, and globalization. • Understand that human rights provide a framework for negotiating and agreeing on standards of behavior in the family, school, community, and the world. • Recognize the interdependence of civil/political rights and economic/social/ cultural rights. • Recognize the root causes of human rights issues/concerns. • Understand human rights terms and concepts according to age/grade level. 	<ul style="list-style-type: none"> • Respect: Use language respectful of others regardless of race, gender, religion, sexual orientation, class, size, etc. • Active Listening and Communication: Be able to listen to different points of view, recognize and accept diverse opinions, make a genuine effort to understand them, and advocate one’s own rights and those of other people. • Critical Thinking: Find relevant information, appraise evidence critically, be aware of preconceptions and biases, recognize forms of manipulation, and make decisions on the basis of reasoned judgment. • Cooperation and Conflict Resolution: Work cooperatively and address conflict positively. • Making Connections: Share information on human rights issues with other students, family, and the community. • Taking and Sharing Responsibility: Identify human rights violations and attempt to respond to them both locally and globally. • Problem Solving: Analyze a human rights problem, examine potential solutions, and take action in a way which upholds the human rights of all parties involved. 	<ul style="list-style-type: none"> • A sense of responsibility for one’s own actions, a commitment to personal development and social change. • A commitment to learning. • Willingness to engage in mediation and conflict resolution. • A belief that people can make a difference. • A commitment to democratic processes. • Curiosity, an open mind, and an appreciation of diversity. • Empathy and solidarity with others and a commitment to support those whose human rights are under threat. • A sense of human dignity irrespective of social, cultural, linguistic, or religious differences. • A sense of justice and the desire to work toward the ideals of freedom, equality, and respect for diversity.

“Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance, and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.”
Article 26, UDHR

Human Rights Education

How You Teach Is What You Teach...

Human rights education is more than just subject matter, it's a way of thinking about the world. It is about putting the underlying principles of human rights to work — fairness, respect for human dignity and difference, tolerance, and equality. For teachers, this means demonstrating a personal commitment to human rights values through their teaching methods, being able to present lessons that go beyond content, and helping students put their ideas into practice.

Students pick up quickly on whether a teacher's actions matches her or his words. If a teacher talks about participation and respect, but does not allow everyone to contribute, the message does not go very far. Students are likely to learn more from what teachers do, rather than from what they say. As one human rights educator explained:

“A culture of rights requires certain personal skills, attitudes, and knowledge that begin with oneself. These include openness, dialogue, self-criticism, listening, honesty with oneself, exuding attitudes that neither discriminate, undermine, nor dictate, and no pretense.”

- Sarah Motha, Human Rights Educator, *Inspiring Practice*, Northern Ireland Human Rights Commission, Oct. 2008

HRE MUST BE:

- **Learner-centered, participatory, and dialogical.**
- **Learner-designed by all participants and facilitators.**
- **Action-oriented, not just knowledge acquisition.**
- **Relevant and practical to the lives of the participants.**
- **Integrated holistically into all fields of study and action.**
- **Flexible, interactive, and tailored to the target audience.**
- **About learning life skills and preparing for active citizenship.**
- **Accessible to everyone.**



Working with Immigrant and Refugee Students

Everyone in the United States is affected by immigration and the changes immigrants bring to our economy, culture, and society. What is the best way for teachers to explore the complex topic of immigration with their students, to prepare them to deal with the issue in the present and in the future? In addition, some students are especially affected by the challenges of the immigration system, potentially interfering with their academic success. How can teachers support immigrant and refugee students in and out of the classroom?

A useful framework for answering both of those questions is human rights. Human rights provides a way of identifying what is wrong with the immigration system and how it hurts immigrant students, as well as showing how students, teachers, and communities can start to make things right.

Here are a few ways that human rights connects with teaching immigration and building welcoming classrooms for all students:

BUILDING A WELCOMING CLASSROOM

Human rights is premised on the basic dignity and worth of all people.

Students should respect and value each other regardless of differences in race, ethnicity, gender, class, culture, or immigration status.

Non-discrimination is a core principle of international human rights law.

Every student deserves an equal opportunity to learn free from ill treatment, stereotyping, and bullying.

Everyone has the right to education.

Immigrant and refugee students need the appropriate supports to achieve academic success.

Freedom of opinion is a human right.

No matter how emotional or controversial a topic, people must be able to discuss it without intimidation, hatred, or violence.

All people are entitled to basic human rights.

Immigrants, whether legal or illegal, all have human rights and our immigration system must respect them.

Human rights come with corresponding responsibilities.

We have a duty to ourselves and to others to make sure that our government respects human rights.

The international human rights system is the result of generations of activists trying to make a better world.

When we cooperate, we can create change that helps everyone enjoy a more peaceful, just, and free world.

Working with Immigrant and Refugee Students

Immigrant and refugee students face a variety of issues that can affect their performance in school. Some of these are related to U.S. immigration policies, while others are a result of language and cultural differences. Immigrant and refugee students are a highly diverse group — not all of them will have the same problems or issues. One of the most important lessons for teachers is to not make assumptions about the experiences of students based on their immigrant status, but to investigate their particular circumstances and needs on an individual basis. Here are some of the possible issues that immigrant and refugee students might have, and a good starting point for teachers and administrators to begin considering appropriate responses.

Student's Own Immigration Status

Students, like adults, can fall into many different immigration classifications, such as legal permanent resident, refugee, temporary visa holder, or undocumented immigrant. Each brings with it its own set of anxieties and challenges.

- **Undocumented students** typically have no pathway to legal status. They often arrive in the U.S. with their parents as young children and frequently consider themselves entirely American, having lived in this country for the majority of their lives. Although the U.S. Supreme Court has ruled that they have the same right and responsibility to receive primary education as all other children,⁵³ undocumented students cannot find legal employment and are ineligible for in-state tuition and most financial aid packages when they graduate. With such limited options for the future, many end up discouraged and drop out of high school. Because they are undocumented, these students may fear discovery by immigration officials, and thus are often reluctant to interact with authority figures, even when they need assistance.
- **Refugees and asylum seekers** are often grappling with traumatic experiences in their past and a family and community that have been scattered by violence. The psychological toll of persecution, flight, family separation, and resettlement can make it difficult for them to focus on school work and can isolate them from their classmates.
- **Students going through immigration proceedings** face the stress of a long, complex, and difficult process before they can feel secure in their community and their lives. It can take many years to progress through the steps to permanent residency and then citizenship, which takes an emotional toll on children and may prevent them from being able to focus on schoolwork.
- **Legal permanent resident students** may not be aware that they can lose their residency for seemingly minor acts. The very stability of legal permanent residency can lead students to assume that they don't have to worry about their immigration status. In one common scenario, an immigrant student commits a crime that does not have serious consequences in the criminal justice system, but that leads to deportation under immigration law and a bar on returning to the U.S. for at least 10 years, and possibly permanently.⁵⁴

Many immigrant students may actually be unaware of their exact immigration status, relying on their parents to manage things for them. Sometimes, this protects the child from unnecessary stress, but in other cases, students jeopardize their futures by unknowingly violating the terms of their immigration status or aging out of a possible route to citizenship or residency.

Working with Immigrant and Refugee Students

Family Immigration Status

Even if students have a secure immigration status, they may still be experiencing the anxieties of the immigration process on behalf of their family members. Families often have mixed immigration status; for instance, the student is a citizen, but one or both parents are undocumented. In these circumstances, students may be feeling the stress of being undocumented or of navigating the immigration system, even though their own status is secure. Students may also live with the anxiety that if their parents are deported, they will be forced to choose between remaining in the U.S. separated from their parents or moving to another country, leaving their friends and the familiarity of their home in the United States.

Families who are grappling with the immigration system may also be less able to engage with the school system or to assist their children with school work. Undocumented parents might fear contact with authority figures who could expose them to immigration officials. Parents who are pursuing immigration cases may lack the time or energy to interact with teachers and school administrators.



Children protesting the deportation of their mother

Cultural Differences

Immigrant students may have trouble adapting to a new school environment. The U.S. educational system tends to emphasize individualized and competitive learning, often in informal and noisy classrooms. Students are expected to express their own opinions about topics discussed in the classroom, even (or perhaps especially) when they disagree with the teacher or their fellow students. The dominant cultural preference is for direct, explicit verbal communication.

Students from other countries may be used to quiet, formal classrooms, with an emphasis on fitting in rather than standing out. In some cultures, expressing open disagreement is very rude, with a preference for indirect communication that relies heavily on non-verbal clues. Such students may feel overwhelmed or uncomfortable in the classroom, while teachers may assume they are disengaged or struggling.³⁰

Parents may also have cultural assumptions about school that influence how they interact with teachers and school administrators, and the support they provide their children. First, immigrant parents may not be able to help their child with homework, either because their own education was limited or because they are working multiple jobs and have little free time. The same factors may make it difficult for parents to become actively involved with the school, attend parent-teacher conferences, or otherwise communicate with the teacher.

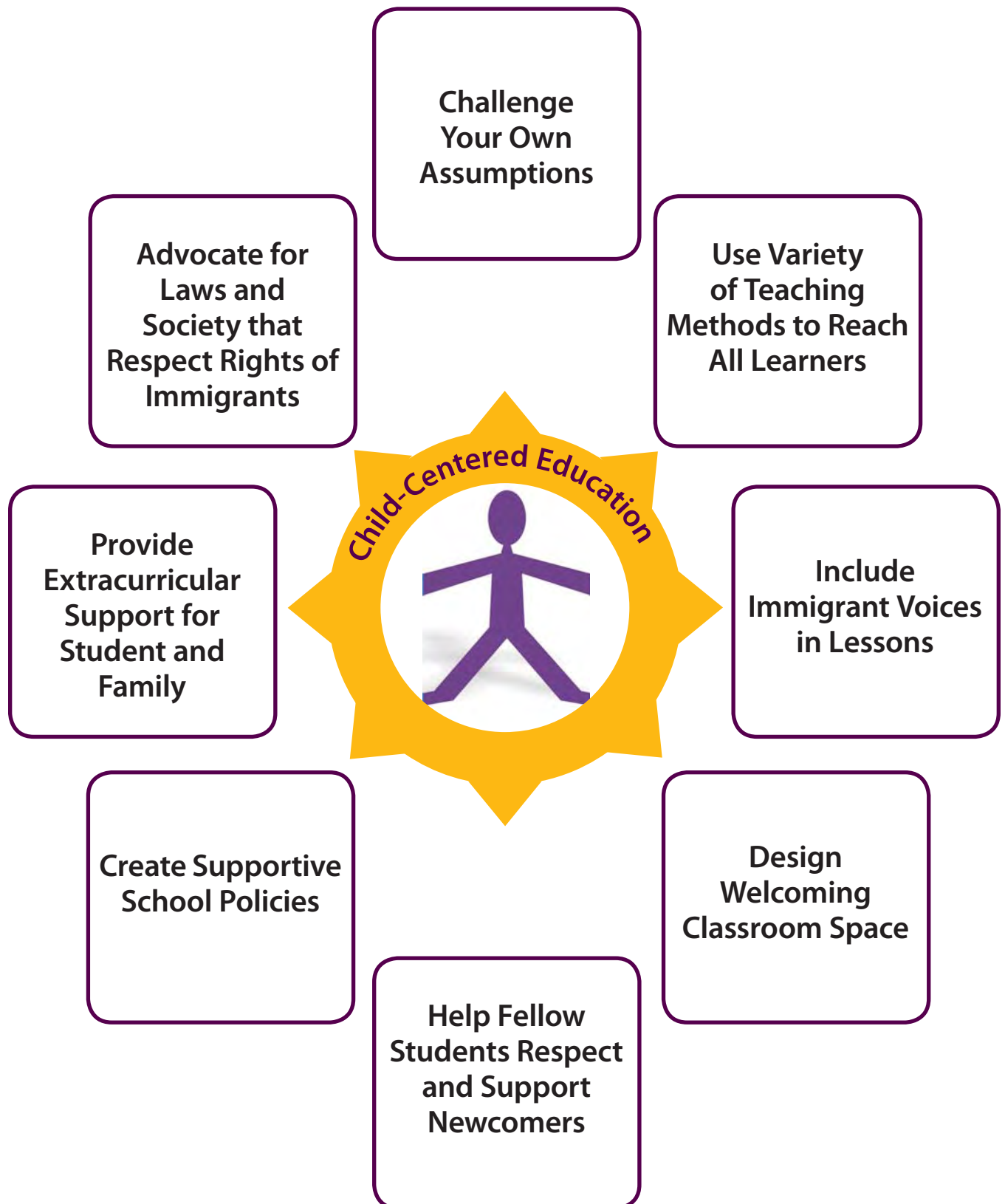
Immigrant parents may also have different expectations for the role of the teacher and the parent. In some countries, once a child starts school, teachers and school administrators are responsible for all discipline. Parents may not understand why they are being told about their child's misbehavior and see it as a sign of an ineffective teacher, rather than assuming responsibility for the problem.

Language Barriers

Many immigrant children arrive in the U.S. speaking a language other than English. English language learners (ELLs) face serious barriers to education, which are reflected in the large achievement gap in test scores. In all 35 of the states with sufficient data from high school reading tests, the percentage of ELLs who were proficient was 30 to 40 percentage points lower than the percentage who were proficient among students who are not English language learners.⁵⁵

One of the main difficulties for ELL students is mastering a new language while not falling behind in acquiring the appropriate content and skills for their grade level. As a result of the difficulty of simultaneously learning a language and academic content, ELL students may arrive in mainstream classes either without the academic English needed to comprehend the subject matter, or behind grade level in skills and content mastery, and without special assistance, they continue to fall behind native English speakers.

Working with Immigrant and Refugee Students



Working with Immigrant and Refugee Students

Challenge Your Own Assumptions

Meaningful change in the classroom must begin with the teacher. It is easy to harbor unchallenged assumptions about different ethnic groups, especially if they are newcomers to a community. These assumptions need not be negative to have an adverse impact on immigrant students – assuming that a child will be studious or well-behaved based on their cultural background can lead teachers to overlook emotional or academic problems the student may be having.

Even when teachers avoid explicit stereotyping of ethnic groups, they may still face problems from unchallenged assumptions. Some concepts seem natural, but are in fact heavily culturally determined. Calendars, for instance, are not uniform across the world – the year and even month can vary significantly between cultures. Immigrants from countries with different climates may have a different understanding of seasons. Naming practices and even methods of determining birthdays are not uniform.

There are a number of ways for teachers to uncover these hidden cultural assumptions. First is to research the countries that immigrant students come from. One good source is travel guides, which often spell out the cultural differences in such things as time, naming, social interaction, gender roles, and many are specifically for American travelers. Teachers can find members of the immigrant community to talk about common cultural practices and serve as cultural interpreters in the event of communication problems. Finally, the students themselves can serve as cultural resources, by sharing their background and information about their culture and country.

Use A Variety Of Teaching Methods To Reach All Learners

Immigrant students benefit from teachers that follow standard good practices in the classroom, such as varying the way information is presented and analyzed. Students have different learning styles and even an individual student may absorb information differently at different stages of the learning process. Immigrant students, who face the added complication of cultural differences and potential language limitations, are especially likely to need multiple ways of learning content – mixing images or physical objects with academic prose to provide context and language cues, for instance, or focusing on small group work as a way to encourage cooperative problem-solving rather than individual competition.

Human rights education practices encourage teachers to use a wide array of teaching methods with the goal of building empathy, humanizing complex issues, and bringing the student's skills and capabilities into the center of the classroom. HRE methods are participatory and invite a deeper engagement with the materials, by helping students move through learning content, to applying content, and finally to reflecting on what they have learned.

EXAMPLES OF HUMAN RIGHTS EDUCATION METHODOLOGIES

- **Artistic and Creative Expression:** The arts can make concepts more concrete, personalize abstractions, and affect students by involving emotional, as well as intellectual, responses to material.
- **Cooperative Learning:** Students work together to accomplish shared goals within small groups. Having students take assigned roles within the group encourages independent thought and responsibility while teaching students how to assist one another and cooperate.
- **Case Studies:** Students apply human rights standards to real or fictional case studies, learning and practicing analysis, problem-solving, and planning skills.
- **Discussion:** Educators and students explore and analyze issues for themselves.
- **Taking Pictures and Making Film:** Modern technology makes photography and filmmaking more accessible to everyone. This method allows students to vividly show their points of view and attitudes. "Video letters" can enable students who would not otherwise meet face-to-face to "talk" and share insights.
- **Field Trips and Community Visits:** Students benefit from learning in settings where human rights issues develop (e.g., courts, prisons, international borders) or where people work to defend human rights.

Working with Immigrant and Refugee Students

Include Immigrant Voices In Lessons

Incorporating student experiences into curriculum is another good practice for teachers to follow with all their students, but takes on renewed importance with immigrant students, who may find it especially difficult to relate to unfamiliar cultural and historical issues. Teachers can weave immigration themes into lessons, bring in examples from students' home countries and cultures, and ask students to contribute their own experiences to classroom discussions. By showing that immigrant students have valuable and relevant knowledge, teachers can improve their engagement and academic performance, and help them build a strong, self-confident identity.

Incorporating immigrant voices should go beyond changes in content; immigrant students should also play a role in choosing what is studied and how it is taught. A learner-designed curriculum demonstrates respect for the human rights of students – their right to participation and to freedom of belief and opinion. Modeling respect for human rights reinforces the importance of treating everyone with dignity and encourages students to show similar respect to their classmates. Student participation also helps the teacher be sure that lessons are appealing and effective, by providing feedback and ideas for improvement by those most able to evaluate their own learning.

Design Welcoming Classroom Space

The physical environment of the classroom can provide important signals of inclusiveness for immigrant students. Decorations in multiple languages, with photos or cultural items from the home countries of immigrant students, provide a familiar anchor in a new space and demonstrate that the teacher values immigrant experiences. A well-designed classroom space can also help English language learners by providing them support as they learn a new language – teachers can label common objects in multiple languages and post classroom schedules with pictures to help ELLs translate unfamiliar terms. In both cases, the physical environment reinforces the message that teachers want to send: immigrant students have a meaningful contribution to make to the classroom, and support is available whenever needed to help immigrant students adjust to a new culture.

Help Fellow Students Respect And Support Newcomers

One of the most important things teachers can do to create a welcoming environment for immigrant students is to encourage their fellow students to treat them with respect, to build friendships across cultural boundaries, and to provide support for newcomers as they adjust to American society. Teachers can introduce information about the home countries of immigrant students, the immigration process, and being a refugee, if appropriate. Classroom activities can have students assuming the role of immigrants, refugees, or newcomers to help them feel the emotions associated with immigration, increasing empathy and understanding. Finally, teachers can provide opportunities for students to support and interact with their immigrant classmates. This can be in an academic context, such as cooperative learning, or socially, with “mix it up days” that encourage students to break boundaries between different social groups at lunch, recess, and during class. The human rights framework gives students a way to think about their place in the classroom and the responsibilities they have towards others, encouraging positive interactions.

Create Supportive School Policies

Immigrant students are not only affected by what happens in the classroom, but also by school policies, in general. Just as the teacher can benefit from resources and experts on immigrant students and cultural differences, the whole school staff should receive trainings or background materials on newcomers to the school. The physical school environment can be made welcoming in the same way as the classroom, with signs in multiple languages and things familiar to immigrant students, such as occasional lunch menus that feature traditional foods.

Working with Immigrant and Refugee Students

More drastic changes to school policies might also be necessary. For instance, some studies suggest that ELL students learn best when they are taught in a cross-disciplinary, holistic way, but secondary schools are usually structured by subject area, making such collaboration difficult. Schools must also demonstrate a commitment to high achievement by all students. Though immigrant students face obstacles to academic success, they should be given the support they need to access gifted programs and college preparation courses. Funding should also reflect the needs of immigrant students, who may need more resources and support to achieve the same level of academic success. Teachers can advocate for all of these policies within the school and district.

Schools should also understand their legal obligations towards immigrant students. Undocumented students have the same right to attend school as legal residents and citizens. Schools cannot prohibit students from attending based on immigration status, and any policy that targets undocumented students and makes them fear enrolling in school is probably illegal. Schools should review their policies to make sure they are not collecting information that might prevent an undocumented parent from enrolling their child out of fear of exposure, especially if the information is not absolutely necessary.

Provide Extracurricular Support For Students And Families

Teachers can assume the role of a trusted authority for immigrant students, who may approach them with problems that go beyond classroom activities. Immigrant families may have complex social and economic needs, from counseling for psychological trauma to immigration legal advice. In many cases, teachers will not have the expertise to solve the problem and should maintain a referral list of trustworthy service providers. Two important principles to keep in mind are confidentiality and recognizing limits. Teachers do not have an obligation to report anything about a student's immigration status, and so should keep confidential any information they gain about a student's status to avoid causing problems with immigration. Teachers should also recognize their own limits in providing assistance – when non-experts provide legal or other expert assistance, they can inadvertently make a problem worse. Sometimes nothing can be done other than to advocate for long-term legal and policy changes.

Advocate For Laws And Society That Respect The Rights Of Immigrants

Many of the issues that immigrant students face are outside of school – the U.S. immigration system is complex and unforgiving, and political rhetoric often scapegoats immigrants. Some communities find it difficult to adapt to the changes that immigrants bring with them, with the result that newcomers feel unwelcome and resented in daily life. Punitive laws and societal prejudice lead to violations of the human rights of immigrants.

Teachers are uniquely situated to improve the legal framework and societal attitudes that contribute to human rights violations. First, they can help shape the values and attitudes of the next generation, encouraging students to respect the human rights of all people and to fight for social justice. This is one of the most important reasons to use a human rights framework in the classroom – it empowers students to create a better world for themselves and others. By incorporating service-learning or civic engagement lessons into the classroom, teachers give students the skills and knowledge to take action, whether it be lobbying for school policies, working with community organizations, or advocating at the national or even international level.

Second, teachers have a powerful voice in debates about the place of immigrants in our society. In letters or phone calls to elected officials, in town hall meetings, and even in gatherings with family and friends, teachers can talk about the impact that harsh immigration laws have on the children they work with and the way their classes benefit from the diversity immigrant students bring.

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Evaluation

STUDENT EVALUATION

DATE: _____ LOCATION: _____ CLASS/SUBJECT: _____ GRADE: _____

I. Please rate the following statements:

	Strongly Agree	Agree	Disagree	Strongly Disagree	No opinion
I learned about immigration.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I learned about human rights.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I gained skills to take action on issues I care about.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
It is important to know about social issues like immigration and take action on them.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Every person has human rights, and it is the responsibility of all of us to stand up on behalf of others.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. How much did you KNOW about the topic(s) addressed:

BEFORE the event	A lot	A fair amount	A little	Not much
AFTER the event	A lot	A fair amount	A little	Not much

3. What was your OPINION of the topic(s) addressed:

BEFORE the event	Very important	Somewhat important	Somewhat unimportant	Mostly unimportant
AFTER the event	Very important	Somewhat important	Somewhat unimportant	Mostly unimportant

4. What will you do as a result of what you learned?

- Talk to others about the issues raised
- Seek out more information
- Apply new perspectives in my school, work and/or community
- Find ways to take action, such as: _____
- Other (please describe): _____
- Nothing

5. The most enjoyable activity was:

6. Which lessons had the most impact on you? Why?

7. If I could change something about any of the activities, it would be:

8. Additional comments:

9. Gender: M F
 Transgender

10. Age: _____

11. Were you born in the U.S.?

Yes No

12. Ethnic/Cultural background (please check all that apply):

- ___ African
- ___ African American/Black
- ___ American Indian/Alaska Native
- ___ Arab/Middle Eastern
- ___ Asian/Pacific Islander
- ___ Latino/Hispanic
- ___ White
- ___ Other (please specify): _____

Evaluation

TEACHER EVALUATION

DATE: _____ LOCATION: _____ CLASS/SUBJECT: _____ GRADE: _____

1. Please rate the quality of the material:

	Excellent	Good	Fair	Poor	N/A
Content/Information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Activities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Presentation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connections to Human Rights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Handouts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. If you rated anything POOR or FAIR, please explain your rating:

3. How much did you KNOW about the topic(s) addressed:

BEFORE the event	A lot	A fair amount	A little	Not much
AFTER the event	A lot	A fair amount	A little	Not much

4. What was your OPINION of the topic(s) addressed:

BEFORE the event	Very important	Somewhat important	Somewhat unimportant	Mostly unimportant
AFTER the event	Very important	Somewhat important	Somewhat unimportant	Mostly unimportant

5. The best thing about the curriculum was:

6. If I could change something about the curriculum, it would be:

9. Gender: M F
 Transgender

10. Age: _____

11. Were you born in the U.S.?

Yes No

12. Ethnic/Cultural background (please check all that apply):

- African
- African American/Black
- American Indian/Alaska Native
- Arab/Middle Eastern
- Asian/Pacific Islander
- Latino/Hispanic
- White
- Other (please specify): _____

8. Additional comments:

Evaluation

Please send student and teacher evaluations to:

The Advocates for Human Rights
Attn: EON Evaluations
330 Second Avenue South, Suite 800
Minneapolis, MN 55401 USA

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