

A Path to Earn Citizenship of the United States and National Security in the First Term of President Obama

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Abstract

The aim of this article is to evaluate the Immigration Policies of President Obama in his first term to pursue whether or not his immigration policies could meet the security objectives of the United States. For this purpose, the article has used secondary data and sources with the main emphasis on the security measures of President Obama's immigration legislation in his first term of office. The study shows that President Obama's immigration policies can indeed promote the domestic security of the United States. The paper also offers some suggestions for improvement of the immigration policies.

Keywords: immigration, immigrants, national policy.

Introduction

Immigration has been one of the major challenges of the Obama Administration. The previous President tried to improve the security of the United States by ramping up the immigration laws in the wake of 11 September. This tragic event caused an upsurge of patriotism and chauvinism, which are often a positive manifestation of national feeling but which may also result in a fixation on the narrower aspects of national identity such as place of birth or ability to speak English and involvement in civic duties as indicators the level of assimilation into the national culture (Mukherjee, Molina, & Adams, 2011). Furthermore, the intention to exact revenge against the perpetrators of these events steered the foreign policy of President Bush away from the old adversary of Soviet Communism towards the war against terrorism. Immigration was seen as a potential threat, endangering the security of the homeland, so the war on terror morphed into the war on immigrants.

The consequences of 11 September at home included an increase in the budget and the size and numbers of security agents used to control the border and to counter the potential threat posed by immigrants, particularly illegal immigrants (Andreas, 2003). Although the Bush Administration applied a tough policy against illegal immigrants, the requirements of free trade included transitional arrangements for guest workers to acquire legal status in a mutually beneficial financial arrangement between the host communities and the guest workers (Bacon, 2008), so that guest workers were allowed in if they could secure employment to achieve legal status (Ting, 2007).

In the first term of the Obama Administration, immigration policy has become much tougher than Bush's, with three center pieces; secure borders, accountability of employers and earned citizenship. Security of borders through which immigrants (legal and illegal) enter the country is the main priority of the Obama Administration, then there have been put in place penalties against employers who hire illegal workers and, finally, illegal immigrants are expected to be involved in civic affairs to assimilate them in order to reduce the negative impact of ethnic, cultural and regional tensions that the immigrants bring. This paper discusses the immigration policy of the Obama Administration and its outcomes and also makes some suggestions for improvements.

1.1 Security and Immigration

The main concerns of the United States public about foreign and domestic policy priorities from 1978 to 2002 as revealed by surveys carried out by the Chicago Council on Foreign Relations showed that during the Cold War people were concerned with Foreign Policy on expansion of Communist (Daly, 2004). The event of September 11 changed the security measures of the United States.

The response of federal government to this tragedy, provided a grate discrimination between the civil rights and immigration law in which the immigrants were deprived or at least had minimal protections by the government (Trujillo & Johnson, 2006). Additionally, after the attack of September 11, the racial, political and

different kinds of discrimination were supported by the Supreme Court against the immigrants. The immigration laws neglected the non-citizens' rights that was clearly violate the Constitution. Before September 11, the concern of the Americans was principally economic, because of collapse of the economy, while, the immigration and security at home were connected (Chin, 1998).

Other consequences of September 11, were the measures of the Homeland Security Department (HSD) that its job is to apprehend suspected terrorists and other important organizations such as Immigration and Nationalization Service (INS), about immigrants on American passport and the security of borders (Preston, 2010b). The travel documents of the immigrants are the primary stage to allow them to inter in the United States. The border problem can be covered two main issues; the mobility, and the security, in which mobility means trade and travel, culture and variety, diplomacy and association. Its dangers can be the threat of security, crime, the diversity of cultures, and widespread disease (Salter, 2004).

Most of the time the concept of 'security' is mixed with the notion of National Security set out in the United States Act of National Security in 1947 which broadened the responsibility of national security beyond mere exercise of military power into areas of economic and other influence even into the cultural values held by the society (Williams, 2008). The reasons why immigrants are regarded as a threat can be summarized in three realities: as all immigrants enter from outside the state, they could be coming as terrorists, criminals or secret agents into the host country; the second threat is that immigrants could be conveyers of contagious diseases and finally, the third threat is that they could change the ethnic, religious and cultural form of the host state even to the extent leading to home-based revolt (Wickramasekera, 2002).

Jan C. Ting (2007) in her paper 'Immigration and National Security' argues that the political divide regarding to the security and immigration in the United States. She states that two factors pressure the politicians to disregard security when looking at immigration, first the business sector that counts on illegal immigrants to provide a cheap source of labor which keeps salaries of American workers at a satisfactory level and they also create gainful opportunities for other businesses. Another pressure on politicians to down play the issue of national security is the vigorous response of ethnic voters to politicians who seek to place restrictions on illegal immigrants. These two restraints, the political one and the trade pressures of the free market tend to undermine politicians performance on illegal immigration (Ting, 2007).

2. Obama's Policies towards Immigrants

President Obama claims that the United States has a "fundamentally broken immigration system," and America needs a comprehensive reform on immigration policy to join the illegal immigrants to earn citizenship (Committee, 2012). In fact, President Obama was expected to challenge two main problems of the United States, health and immigration reform during his terms of office. He granted an amnesty to 12 million illegal immigrants who were often unskilled and worked in low-wage jobs such as in the restaurant and agricultural sectors (Czenwonka, 2013).

During the Bush administration, the 'war on terror' had two main fronts, against immigrants at home and against global terrorists outside its borders (Hammond, 2011). The concerns of national security were therefore increasingly connected with immigration. President Obama mentioned in state of the union address "Now, I strongly believe that we should take on, once and for all, the issue of illegal immigration. And I am prepared to work with Republicans and Democrats to protect our borders, enforce our laws and address the millions of undocumented workers who are now living in the shadows." (Obama, 2011).

As mentioned the main focus of President Obama towards immigration policy, was however on 'earned citizenship' for illegal immigrants, as it was for many moderate democrats and also for George W. Bush. Both parties in the United States believe that if undocumented immigrants meet certain touchstones, they will deserve to get the opportunity of citizenship. The criteria were to be hard workers, learning English, background checks and liable to pay a fine if they broke immigration laws (Dorsey & Diaz-Barriga, 2007a). The policy of 'earned citizenship' was proposed early in 2007, when President Bush negotiated with the small group of lawmakers who wrote a Bill as a comprehensive reform in which they suggested a path be opened to illegal immigrants after payment of fees and penalties as part of a guest worker program to finally assimilate them.

Obama's earned citizenship involves the participation of illegal immigrants in the labor market to obtain a job. It is important both for civil life, and for the free market. The aim of the policy was to stop illegal immigration across the country's borders and reducing the total number of illegal immigrants. To achieve this, he considered three factors; the main part was border security in which the scale of patrols with enhanced technology, border agents and detention facilities had been increased; the second one was employer accountability, under which were considered severe penalties for employers who hired illegal immigrants and used counterfeit documents for their workers; and finally 'earning citizenship' (Dorsey & Diaz-Barriga, 2007a).

In addition, regarding assimilation, the Coalition for Comprehensive Immigration Reform (CCIR) was charged with protecting national security by promoting democracy through the civic participation of illegal immigrants, re-unification of undocumented worker families living in the United States and protecting the rights

of guest workers (allowing freedom to change jobs because the immigrants were tied to one employer and could not change jobs regardless of how abusive the conditions were (Preston and Greenhouse, 2009), reforming existing labor laws and finally obtaining permanent citizenship (Dorsey and Diaz-Barriga, 2007).

The process of legalization of the undocumented immigrants can provide the negative consequences, such as, increasing the average wages for illegal immigrants who earned the citizenship rights. Because when they are allowed to use the citizen rights, they are expected to pay the insurance, and other civil services, therefore; it will lead to reducing a fraction of poverty who now are able to acquire taxpayer-financed health care (Camarota, 2009).

President Obama announced his new policy towards illegal immigrants in the White House Rose Garden. He indicated that because of the importance of education, as a temporary stopgap it was necessary to remove the ambiguity and threat of deportation for young people and to make immigration policy more efficient (Preston & Cushman, 2012).

The policy of a path towards earned citizenship has a considered, comprehensive program for integrating illegal immigrants. The lives of illegal immigrants are tied to immigration policies and immigration policy is sure to increase or decrease the national security of the homeland. So the policy should consider the futures of children of immigrants who were born in the United States and had never seen the countries of their parents, while the lowest rate of college entry was among Latino students who had the highest rate of high school dropout (Suarez-Orozco, 2009). More than 7000,000 illegal immigrants could get legal status and those under 16 among them could go to high school if permitted to stay in the United States (Preston, 2010b).

Dorsey(2007) has indicated that the policy of earning citizenship can meet the intentions of both the Democrats and the Republicans, although ultra-conservatives believe that American workers ' interests will be undermined by President Obama's policies on illegal immigration. Moderate conservatives, such as George W Bush, however agree that the requirements of free trade are adequately served through the normal use of border protection forces (Dorsey & Díaz-Barriga, 2007b).

Some policies, such as the 'civil detention system', shifted the burden of detaining illegal immigrants from prisons and halted the sending of immigrant families to the Hutto (a 51- bed detention center) and considered three centers for new families with the aim to centralize authority over some 400,000 immigrants who are detained annually. The policies also tempted to answer some of the problems faced by immigrants such as dismissing representations about the conditions of their detention and supporting the cooperation of federal agents and the local police in dealing with immigrant's issues although without judicial enforcement settlement of many issues seemed impossible (Bernstein, 2009).

President Obama signed into law Act, the Legal Children's Health Improvement in 2009, that canceled the requirements of Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) that limited the availability of immigrants to health care and other welfare services for pregnant women and children, but the healthcare barriers still exist (Takenaka & Osirim, 2010).

In some cases the Obama Administration attempted to improve some of the negative rules directed at immigrants, for example, it used litigation to block the four sections of Arizona law to reconcile them with federal laws and policies (Czenwonka, 2013), in which provisions require agencies to determine the immigration status of arrested people before release; stopping and arresting any suspects if believed to be illegal and also deeming employment or even attempting to seek employment by illegal immigrants to be a crime and finally, permitting the arrest of illegal immigrants without warrants simply on the grounds of police suspicions that they are illegal.

With regard to guest workers, President Obama spoke about the two step policy of immigration in which it was considered both in workplaces and at the borders to severely enforce against illegal immigration. He spoke of a legislative overhaul which would be implemented to shift the illegal status of guest workers to legal immigrants (Preston, 2010a). Briggs in his article believed that the policies of President Obama had different impacts on employment wages and working conditions especially of low-skilled workers (citizens and non-citizen) who had legal status. He believed that sweeping action to shift the status of illegal immigrants to legal would violate the rights of eligible workers protection (Briggs, 2010).

Ms. Janet Napolitano (The Secretary of Homeland Security) argued that in Obama's immigration policy, the focus was on deporting criminals and employer accountability for hiring illegal immigrants. She believed that the overall approach of President Obama was more multilateral, cooperative and effective. She said to better enforce policy; both border strategy and immigration laws should combine (Briggs, 2009).

These techniques could increasingly reduce the numbers of illegal immigrants so that in order to utilize the privileges of citizenship, immigrants are not obliged to hide or to get a wage under the usual conventional wage system; they could assimilate themselves among the host country to reduce the ethnic, regional and cultural tensions that they have brought from their original countries. The population of immigrant Latinos and others was 13.5 % of the total United States population, higher than African Americans that were 12.7% of the total United States population by 2002 (Patterson, 2005). In addition to Asians, Europeans and other national

populations, they could create multicultural textures with the ethnic and cultural tensions derived from them. Assimilation was the best way to reduce ethnic, cultural and regional conflicts of immigrants. Another positive point of Obamas immigration policy is to prevent criminals and human traffickers who use illegal immigrants in unlawful activities during their passage through the borders. Participation in civic duties for those illegal immigrants involved in the policy of earning citizenship can engender feelings of belonging to the host nation resulting in improved home security.

3. Conclusion and Suggestions

One of the main objectives of President Obama was to try and improve the immigration problem. Granted the immigration barriers, especially for illegal immigrants and in order to meet national security objectives. President Obama considered that comprehensive immigration reform, which was called 'A path to earned citizenship', was essential, through which he would reduce the consequences of religious, cultural, and ethnic challenges of the immigrants while increasing the national security of the United States.

The way he intended to enforce his plan was focused on three policy issues; respectively security of borders, employer accountability and earning of citizenship. To get to this point, he would set immigration objectives coupled with economic, social and cultural objectives, passing federal legislation for higher education for undocumented students and improving the educational available to them (Suarez-Orozco, 2009).

To moderate some policies of immigration especially for illegal immigrants and to make a way for them to shift their status to legal can be good motivators for illegal immigrants to participate in civic affairs and prevent them from engaging in unlawful issues that illegal immigrants might have because of their more certain status.

Some suggestions seem useful regarding to illegal immigrants on the opportunity to earn citizenship. Familiarization with the cultures of the dominant groups of the immigrant population and improve use of the media to remove negative preoccupations of the people against immigrants especially in the wake of the events of 9/11. This strategy would lead to diligently administer the implementation of the new immigration policy in order to evaluate its shortcomings.

Finally, it is necessary to cooperate with neighboring countries that share borders with the United States to help in the security of their common borders, especially those that share the longest common borders.

Sources

- Andreas, Peter. (2003). Redrawing the Line: Borders and Security in the Twenty-First Century. *International Security*, 28(2), 78-111.
- Bacon, David. (2008). *Illegal People: How Globalization Creates Migration and Criminalizes Immigrants*: Beacon Press.
- Bernstein, Nina. (2009). Us to Reform Policy on Detention for Immigrants. from <http://www.nytimes.com/2009/08/06/us/politics/06detain.html?pagewanted=all>
- Briggs, Vernon M. (2010). Illegal Immigration and Immigration Reform: Protecting the Employment Rights of the American Labor Force from Center for Immigration Study <http://cis.org/>
- Camarota, Steven A. (2009). *Illegal Immigrants and HR 3200: Estimate of Potential Costs to Taxpayers*. Washington, DC: Center for Immigration Studies.
- Chin, Gabriel J. (1998). Segregation's Last Stronghold: Race Discrimination and the Constitutional Law of Immigration. *UCLA Law Review*, 46(1).
- Committee, Democratic National. (2012). *Moving America Forward: 2012 Democratic National Platform*. from <http://assets.dstatic.org/dnc-platform/2012-National-Platform.pdf>
- Czenwonka, Michal. (2013). Immigration and Emigration. from <http://topics.nytimes.com/top/reference/timestopics/subjects/i/immigration-and-emigration/index.html>
- Daly, Herman E. (2004). Population, Migration, and Globalization. *World Watch*, 17(5), 41-44.
- Dorsey, Margaret E, & Díaz-Barriga, Miguel. (2007a). Senator Barack Obama and Immigration Reform. *SAGE*, 38(1).
- Dorsey, Margaret E, & Díaz-Barriga, Miguel. (2007b). Senator Barack Obama and immigration reform. *Journal of Black Studies*, 38(1), 90-104.
- Hammond, John L. (2011). Immigration Control as a (False) Security Measure. *Critical Sociology*, 37(6), 739-761.
- Mukherjee, Sahana, Molina, Ludwin E, & Adams, Glenn. (2011). National Identity and Immigration Policy: Concern for Legality or Ethnocentric Exclusion? *Analyses of Social Issues and Public Policy*.
- Obama, Barack. (2011). *President Obama's State of the Union Address*. Washington, D.C.
- Patterson, James T. (2005). *Restless Giant: The United States from Watergate to Bush v. Gore*. United States of America: Oxford University Press.
- Preston, Julia. (2010a). Illegal Workers Swept from Jobs in 'Silent Raids,'. *New York Times*. from

- <http://www.nytimes.com/2010/07/10/us/10enforce.html?pagewanted=all>
- Preston, Julia. (2010b). Number of Illegal Immigrants in US Fell. from <http://www.nytimes.com/2010/09/02/us/02immig.html>
- Preston, Julia, & Cushman, John H. (2012). Obama to Permit Young Migrants to Remain in US. 15, from http://www.nytimes.com/2012/06/16/us/us-to-stop-deporting-some-illegal-immigrants.html?pagewanted=all&_r=0
- Salter, Mark B. (2004). Passports, Mobility, and Security: How Smart Can the Border Be? *International studies perspectives*, 5(1), 71-91.
- Suarez-Orozco, Carol. (2009). Educating Latino immigrant students in the twenty-first century: Principles for the Obama administration. *Harvard educational review*, 79(2), 327-340.
- Takenaka, Ayumi, & Osirim, Mary Johnson. (2010). *Global Philadelphia: Immigrant Communities Old and New*. United States of America: Temple University Press.
- Ting, Jan C. (2007). Immigration and National Security. *Orbis*, 50(1), 41-52.
- Trujillo, Bernard, & Johnson, Kevin R. (2006). Immigration Reform, National Security after September 11, and the Future of North American Integration *Minn. L. Rev.* (Vol. 101, pp. 1369). California: School of Law University of California, Davis
- Wickramasekera, Piyasiri. (2002). *Asian labour migration: Issues and challenges in an era of globalization*. Geneva: International Migration Programme, International Labour Office.
- Williams, Paul D. (2008). *Security Studies: An Introduction* (Vol. 1st). New York: Routledge.

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