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The Politics of Deservingness: Comparing Youth-Centered Immigrant Mobilizations in the Netherlands and the United States

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Abstract

In the late 2000s, campaigns arose in the Netherlands and the United States advocating for the legal residency of immigrant youths with precarious legal status. In spite of differences between the campaigns, advocates argued that youths possessed certain cultural attributes and that these attributes made them *deserving* of permanent residency status. These two campaigns had very different histories, were made up of very different stakeholders, and drew upon different action repertoires to assert claims. Yet they both centered on immigrant youth, and they both stressed that the possession of specific cultural attributes made this subgroup uniquely deserving of exceptional consideration by the public and government authorities. The aim of this article is to highlight and explain similarities in discursive strategies across seemingly different national contexts. We suggest that the similarities in mobilizing strategies reflect responses to increasingly similar "rules of the game" in national citizenship regimes, whereby culture has become an increasingly effective lever in pressing the claims of certain subgroups of undocumented immigrants.

Keywords

political mobilizations, immigrant youth, discursive strategies, deservingness

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Introduction

In the late 2000s, campaigns in the Netherlands and the United States emerged advocating for the legal residency of immigrant youths with precarious legal status.[1] In spite of differences between the campaigns, advocates argued that youths possessed certain cultural attributes and that these attributes made them *deserving* of permanent residency status. By using culture in this way, they hoped to tap into the moral ambiguities of the public concerning the deportation of people who looked, spoke, and behaved just like "normal" members of the national community. By tapping into these moral ambiguities, advocates could transform a small "niche opening" (i.e., moral ambiguities) into real political opportunities to legalize the status of this subgroup of immigrants (Nicholls, 2013). These two campaigns had very different histories, were made up of different stakeholders, and drew upon different action repertoires. Yet they both centered on immigrant youth and stressed that the possession of specific attributes made this subgroup uniquely deserving of an exemption from looming deportations.

This article aims to explain the use of similar discursive strategies in countries and situations that were very different—by drawing attention to a convergence of citizenship regimes. We argue that both countries have introduced restrictive immigration measures in response to perceptions that immigrants present a pressing threat to the nation. This has contributed to narrowing traditional pathways of regularization for most immigrants, coupled with very narrow moral, cultural, and legal openings for certain subgroups, "niche openings." For well-positioned subgroups, activists and advocates can point to openings and assert the qualities that make the subgroup exceptional and "deserving" of residency status.

Concerning our particular case, legal protections for children have provided them a chance to settle, acquire national cultural capital, and assimilate into national cultural norms. Their cultural resources and effective framing strategies have allowed them to tap the moral ambivalences of national publics concerning the deportation of people who look and sound just like "normal" people. Greater restrictions on legalization have made cultural and moral discourses more important than ever, and we argue that certain groups are in a stronger position than others to make these claims because of their acquisition of cultural resources. Arguments for deservingness on the basis of cultural and moral resources have always been part of struggles for legalization and rights (Ngai, 2004). However, as other avenues for legalization have narrowed, finding and pushing through these niches has become one of the most prominent strategies by advocacy organizations.

Last, though we stress some convergence in these two countries, we also recognize important differences between them (Koopmans, Statham, Giugni, & Passy, 2005). In terms of discursive strategy, advocates in the Netherlands stressed the primacy of cultural assimilation in response to strong national concerns about Muslim cultural integration. Advocates in the United States foregrounded assimilation but they also stressed the "innocence" of children and their utility for the country (Nicholls, 2013). This reflected a national context that was much more concerned about border security (Inda, 2006; Inda & Dowling, 2013) and one with a much longer and stronger tradition

of stigmatizing the "undeserving poor." Thus, we suggest that increasingly similar "rules of the game" have precipitated similarities in generic strategies but continued national differences result in enduring variations in how these generic strategies are actually deployed (see also van den Breemer & Maussen, 2012).

The first part of the article presents its theoretical foundations. The second part examines growing similarities in the citizenship regimes of the two countries. And the third part of the article examines the discursive strategies employed by advocates and youths to make claims in these restrictive political fields. The research on the Netherlands is based on the findings of two separate research projects on the issue of youth mobilizations. Combined, the studies employed 22 semistructured interviews with advocates and participants in these struggles and extensive analyses of national and regional newspapers.[2] The research on the United States is based on a previous study of the undocumented youth movement. This research was based on 34 semistructured interviews and a content analysis of the *New York Times* for the period 2000 to 2014. This article lists informants and primary resources cited directly here.

Contexts of Deservingness: Between Restrictions and Openings

Citizenship regimes of the two countries discussed here have been characterized by greater restrictions on legal residency, a growing culturalization of citizenship, and the availability of narrow openings for well-placed subgroups of immigrants. Some scholars have argued that there is a case to be made for convergence in citizenship regimes across the global North (Bertossi & Duyvendak, 2012, Fassin, 2005; Joppke, 2007; Schain, 2009; Schinkel & van Houdt, 2010). Countries have become less apt to recognize residency claims for legal status on the basis of family, refugee, and work-based rights (Castles & Miller, 2003; Fassin, 2005, 2012). These avenues for legal status remain open but national governments have had great discretion in narrowing eligibility criteria and procedures (Schain, 2009, p. 99). Government policy makers have introduced higher fees, more complicated procedures, and more restrictive qualifying criteria. Such measures limit the number of people considered as legitimate and bona fide claimants of refugee and family rights. For instance, Western European countries have continued to recognize the rights of refugees (or for that matter family reunification), but the rate of recognition has decreased dramatically between 1980 and 2000 as a result of restrictive eligibility criteria (Neumayer, 2005). "The Geneva Convention," remarks Didier Fassin, "is thereby implemented in a more and more restricted way by governments who declare that it should be rewritten" (Fassin, 2005, p. 369). Similar trends can be found with regard to family reunification. Many countries in the global North have restricted access to legal status, and justified these measures by framing the residency claims of immigrants as suspicious, bogus, and sometimes criminal (Fassin, 2005; Inda & Dowling 2013). This has cast a pall over the legitimacy of *all* rights, introduced a bright boundary between "real" and "fake" claimants (paralleling deserving/underserving frames), and intensified scrutiny of claimants at each step of

the regularization process. This restrictive environment has by no means eliminated the possibility of making claims for legal status through these avenues. But it does mean that gaining access is more challenging. It induces claimants to perform their deservingness, find ways to justify why they deserve to be members of the society, and seek out alternative strategies to regularize their status.

Other scholars have also argued that culture has become a more salient feature in national citizenship regimes (Berezin, 2009; Bertossi & Duyvendak, 2012; Fassin, 2005, 2012; Joppke, 2007; Lamont & Duoux, 2014; Schinkel & van Houdt, 2010). This has been referred to as the "culturalization of citizenship." Neoliberalism has increased a general sense of uncertainty and weakened class-based solidarities. Ethnonational identities have become more meaningful as a basis for solidarity and setting the boundaries of a political community (Berezin, 2009; Lamont & Duoux, 2014). This has produced "*a narrowed definition of those worthy of attention, care and recognition*" (Lamont & Duoux, 2014, p. 60, italics added). Common culture in all its guises (norms, moralities, worldviews, tastes, language, dispositions) has, according to this argument, become an increasingly important basis to assess whether a group deserves entry and solidarity by the national community. "Belonging" as measured by natural cultural attributes and habitus becomes, in this context, more important for asserting membership in a community of citizens. Governments frequently use and operationalize these culturally specific criteria to assess the qualifications of immigrants (language acquisition, knowledge of a country's culture and norms, etc.; Berezin, 2009; Joppke, 2007; Schinkel & van Houdt, 2010). Culturalizing citizenship has made "national belonging" (as measured by culture and habitus) into central criteria for assessing the claims of immigrants, irrespective of basic rights. This restricts the terms of deservingness within a community of citizens to those who share national norms, tastes, mannerisms, and values.

While many countries in the global North have introduced more restrictions, these restrictions oftentimes conflict with preexisting legal norms and the professional ethics, political interests, and moralities of certain publics. National constitutions, legal treaties, and supernational governing bodies (e.g., the United Nations, the European Union) provide protections and impose limits on the reach of government restrictions, which can supersede the disgruntled will of nationals and their democratically elected officials (Castles, 1995; Joppke, 1999; Money, 1999). Subgroups of immigrants and their advocates target these legal openings as the basis for making claims for protection and legal status (Nicholls, 2013; van der Leun, 2003). On the other hand, Fassin argues (2005) that raising the barriers to legal entry can pose a moral dilemma to the national public when restrictions are applied to certain groups of sympathetic immigrants. For instance, restrictions in France during the 1990s threatened very sick people with deportation (Fassin, 2005, 2012; Ticktin, 2011). This triggered moral concerns and outrage over the government's inflexible immigration policies and calls for exemptions to be granted on "humanitarian" grounds. While moral dilemmas arise in response to humanitarian concerns, similar dilemmas appear to manifest on cultural grounds as well (Nicholls, 2013). The "culturalization of citizenship" uses the *lack* of appropriate culture as a basis to exclude, but it also suggests that those people with

"good" culture (e.g., national tastes, mannerisms, ways of speech, etc.) may be considered as exceptions in a general pool of problematic immigrants. This makes them more deserving of an exemption to normal exclusionary rules. If "foreign" culture can be used as grounds for exclusion, "normal" national cultural attributes can be the basis of inclusion, creating a small but important opening for those with the correct cultural resources.

We suggest that more restrictions have become entangled with legal norms and moral ambiguities, generating a variety of *niche-openings* for some well-placed immigrants. Niche-openings are conceived as cracks in the legal, normative, and moral rules governing the boundaries of citizenship (Nicholls, 2013). They are not conceived as big political or discursive opportunities but as almost imperceptible cracks in bordering walls. Activists and advocates hope to use these cracks as avenues to press for claims in contexts when other routes are closing. Campaigns often begin when activists and advocates perceive a small legal, cultural, and/or moral niche for a subgroup. Many small campaigns fail to take off because a perceived niche fails to pan out. However, other times small campaigns (like those discussed here) can gain traction and effectively transform what was once a small crack into large political and discursive opportunities, which provide greater possibilities to advance the struggle of immigrant subgroups.

We suggest that this context (narrowing avenues for inclusion coupled with small, niche openings) shaped the mobilization strategies of precarious immigrants in Europe and the United States during the period under question. Niche openings made it possible to continue the struggle for residency status when other avenues narrowed (Nicholls, 2013; van der Leun, 2003). Drawing on the work of Chauvin and Garcés-Mascareñas (2012), we argue that this context and the strategic responses by activists and advocates reinforced a politics of deservingness in both countries. While advocates faced fewer opportunities to claim legal status and basic rights, they honed discourses of deservingness that stressed the exceptional attributes that made a subgroup of immigrants deserving an exemption from restrictive rules.

Contexts of Exclusion in the Netherlands and the United States

Culturalizing Exclusion and New Restrictions in the Netherlands

Over the past two decades, the Netherlands' reputation has shifted from a country open to migrants and cultural diversity to an exemplary case of the "backlash" against multiculturalism and immigrant rights (Uitermark, 2012; Vertovec & Wessendorf, 2010). The trend has been marked by the growing prominence of a "culturalist" discourse in the public debate. This discourse maintains that immigrants from "non-Western countries" possess cultural attributes that impede their cultural, social, and economic integration into the country, and with the resulting "foreign communities" (especially Muslims) threatening the cohesion of the Dutch nation (Schinkel & van Houdt, 2010). It follows that the threat to national cohesion requires restrictions to be placed on

immigrants deemed "too different" in terms of their culture and religion. "Culturalist" discourse emerged in the 1980s, but became prominent in the 2000s with the growing popularity of neoliberal and hard right politicians like Pim Fortuyn, Ayaan Hirsi Ali, Rita Verdonk ("iron Rita"), and Geert Wilders (Uitermark, 2012). While these politicians used similar discourses to frame problems and solutions, their central arguments were relayed through the interventions of sympathetic intellectuals and media personalities (Uitermark, 2012).

A second discourse emerged during this time that called into question the authenticity and veracity of claims made on the basis of family and asylum rights (Versteegt & Maussen, 2012). National politicians and opinion makers argued for a sharp distinction between "genuine" and "fake" asylum seekers, and "fake" and "real" cross-national marriages. This discourse contributed to creating a context in which immigrants' rights claims made on the basis of marriage and asylum became suspicious, thereby tainting and devaluing rights claims in the eyes of the Dutch government and public. Immigrants and their advocates now operated in a discursive arena in which rights claims were viewed as likely "fakes."

As immigrants became framed as cultural threats and likely cheats, Dutch governments introduced policies to restrict immigration, scrutinize the veracity of rights claims, and compel cultural assimilation among "non-Western" immigrants. Although the trend over the past two decades has been toward more restriction, the timing, modalities, and motives for policy changes have differed. As early as the mid-1970s, attempts were made to regulate and minimize labor migration. However, family reunification and family formation gained prominence as entries for immigration, both for postcolonial immigration from Indonesia and Surinam, and when many Turkish and Moroccan "guest workers" brought their spouses and children (Bonjour, 2009). Family reunification and formation continues to be a major part of the total number of immigrants per year today (see Ministry of Security and Justice, 2014). Still the overall orientation of policies with regard to family migration has been increasingly restrictive, including measures to detect "fake marriages," raising the minimum age for foreign spouses, income requirements for partners in the Netherlands, and introduction of language requirements prior to granting spousal residency visas. These measures have allowed the Netherlands to reduce the number of people eligible for the "right" to family reunification while allowing the country to fulfill legal and international obligations.

Facing a rise in the number of asylum requests in the early 1990s, national institutions were set up to coordinate asylum reception centrally. In 1996, the Central Agency for the Reception of Asylum Seekers and the Immigration and Naturalization Service were both founded. The New Aliens Act (*Vreemdelingenwet*) of 2000 shortened procedures, ended governmental support and shelter for many refused asylum seekers, and introduced preventive detention. Stricter procedural criteria were also introduced to detect "fake" cases. New rules, procedures, and institutions and a rhetoric of "toughness" did not solve all issues: asylum procedures tended to drag on for many years, a greater number of failed asylum seekers continued to live in the Netherlands with limited status, forced deportations proved difficult to execute, and situations in detention sometimes became inhumane.

These new restrictions presented problems and spurred efforts to clear existing "files" through a Pardon in 2007. The Pardon concerned people who had applied for asylum before 2001 and who had lived in the Netherlands continuously (resulting in residence permits for about 28,000 people). The Pardon was coupled with the creation of new expulsion centers and a special Return and Departure Service (in 2007), and with a shortening of the procedure (first to 48 hours, but after protests from rights organizations to 8 days, as of July 2010). In addition, an agreement was made with the Association of Netherlands Municipalities (VNG) that municipalities would no longer provide support and accommodation to "failed asylum seekers" (Kos, Maussen, & Doomernik, 2015). The Pardon was not a way to loosen restrictions but rather part of a general strategy to produce a more efficient and effective system of exclusion.

Since 2007, the government consistently presented its immigration and asylum policy as "restrictive, yet just." With regard to immigration related to asylum and demands for refugee status, this slogan simultaneously emphasized that the Netherlands was living up to the requirements imposed by international and European legal standards, but that "fair procedures" inevitably meant that some applications for asylum would be rejected and that those applicants would have to leave the country. As policy makers explained clearly: "Those who cannot stay will have to leave" (DT&V, 2013, p. 13). Nongovernmental organizations and others consistently pointed to the humanitarian consequences of these stricter and exclusionary policies, which included detention, the creation of deportation centers (*uitzetcentra*), and forced expulsions. Their protests occasionally intensified, notably around major incidents, including the death of an asylum seeker because of suffocation due to excess violence by the accompanying officers on a flight, and in October 2005 when a fire at the Return Centre of Schiphol airport in Amsterdam killed 11 undocumented migrants awaiting expulsion and injured many more (Versteegt & Maussen, 2012). Additionally, those carrying political responsibility for the asylum procedure, notably Gerd Leers (Minister of Immigration and Asylum between 2010 and 2012, Christian Democrat Party, CDA) and Fred Teeven (Secretary of State of Justice between 2012 and 2015, Liberal Party, VVD) increasingly were confronted with public protests by advocacy organizations, municipal authorities, and groups of citizens who were saying that the social reality on the ground was at odds with official policy declarations circulated by the Ministries. Governments in the major Dutch cities increasingly signaled that many of the "failed asylum seekers" who had allegedly had been "expulsed" were in fact living in their cities in precarious conditions. Between 2008 and 2013, no less than 50% of the rejected asylum seekers had merely been "administratively removed" (the official bureaucratic term), meaning that they had left a reception center "with unknown destination," thereby entering life as undocumented migrants (Kos et al., 2015). Attempts by the government to force municipal authorities to support national policies of exclusion by ending existing emergency care facilities that provided "bed, bath, and bread" to homeless migrants were unsuccessful. Eventually, these national policies were condemned as a violation of European regulations by the Committee of Ministers of the Council of Europe.[3] But also, as we show later in this article, with regard to some heavily mediatized examples of young "failed asylum seekers," the human

consequences of restrictive asylum policies were forcefully exposed and sparked intense emotions, compelling the responsible politicians to come up with justifications for their restrictive policies.

Culturalizing Exclusion and New Restrictions in the United States

In the late 1980s and early 1990s, anti-immigrant associations, media personalities, and prominent intellectuals developed overlapping arguments, which congealed into a coherent discursive frame (Chavez, 2008; Massey & Pren, 2012). While some asserted that immigrants presented a material threat to the country, most presented immigrants as a major *cultural* threat to the country's national identity and interests. In a now famous article in *Foreign Affairs*, Harvard professor Samuel Huntington made the following argument:

> The extent and nature of this immigration differ fundamentally from those of previous immigration, and the assimilation successes of the past are unlikely to be duplicated with the contemporary flood of immigrants from Latin America. This reality poses a fundamental question: Will the United States remain a country with a single national language and a core Anglo-Protestant culture? By ignoring this question, Americans acquiesce to their eventual transformation into two peoples with two cultures (Anglo and Hispanic) and two languages (English and Spanish). (Huntington, 2009, p. 1)

For Huntington and others, the inability to assimilate into the "core Anglo-Protestant culture" undermined a unified identity and contributed to fracturing the country.

John Tanton, the architect and sponsor of the country's modern anti-immigrant movement, expressed a slightly different concern than Huntington. He believed that immigrants would Hispanicize the country, which would in turn weaken institutions. He argued,

> If through mass migration, the *culture of the homeland* is transplanted from Latin America to California, then my guess is we will see the same degree of success with governmental and social institutions that we have seen in Latin America. (Italics added).[4]

Thus, anti-immigrant intellectuals and advocates stressed that the problematic *culture* of immigrants made them a threat to a conception of citizenship and national belonging firmly tied to "Anglo-Protestant culture."

The cultural threat frame was coupled with the argument that unauthorized transgressions of the border presented a fundamental threat to national security and sovereignty (De Genova, 2007; Inda, 2006; Inda & Downey, 2013). This bordering frame became very prominent during the 2000s when the "war on terror" encouraged immigration foes to connect immigration with criminality and terror (De Genova, 2007; Inda 2006; Inda & Downey, 2013; Massey & Pren, 2012). Dan Stein, an associate of John Tanton and spokesperson of the leading anti-immigration advocacy organization, Federation for American Immigration Reform, was an early influence in producing this discourse. According to him, "Islamic terrorists have penetrated every aspect of

our immigration system" (Stein, *New York Times*, March 15, 2002). By the middle of the decade, this argument had become a normal part of public discourse, with leading senators casually remarking that "migration is viewed largely as a security issue in the United States" (Senator John Cornyn, *New York Times*, March 23, 2005). This discourse cast suspicion over immigrants and the immigration process as a whole.

The immigrant threat frame strongly affected public perceptions. "The relentless propagandizing that accompanied the shift had a pervasive effect on public opinion, turning it decidedly more conservative on issues of immigration" (Massey & Pren, 2012, p. 8). In response to negative perceptions of immigrants, in 1996 the Clinton Administration signed a wide-ranging law that transformed the country's immigration landscape: the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA; Durand & Massey, 2003; Fix & Zimmerman, 2001; Massey & Pren, 2012; Nevins, 2002; Varsanyi, 2008). IIRIRA added several crimes to the "aggravated felony" list and lowered the threshold for such crimes. It restricted judicial review and discretion during deportation procedures, and criteria for what meets the "hardship" standard. This limited the abilities of judges to consider hardship on families and others special considerations to offset relatively minor crimes during deportation proceedings. "IIRIRA reduced immigrants' likelihood of success on appeal, thereby reducing their chances of relief, even if they had family ties in the United States" (Hagan, Castro, & Rodriguez, 2010, pp. 1804-1805). It also streamlined deportation procedures while raising the bar for legal reentry for those who had been living in the country without legal status (10 years for those who had been in the country for 1 year or more). The law barred the possibility to readjust immigration status for those who had been living in the country without authorization. Before 1996, regularizing status on the basis of family unification was a common method to gain legal status. This particular avenue was now closed. Last, IIRIRA introduced a minimum income requirement of 125% above the poverty line on family sponsors, with the income threshold rising with respect to the size of the family. It also required more documentation to meet minimum income standards. IIRIRA did not eliminate family unification. It did, however, facilitate the abilities of authorities to strip people of their legal status and deport people irrespective of their family ties. The law also made it extremely difficult for unauthorized immigrants with citizen spouses and children to regularize their status, and increased the qualifications needed to sponsor family members seeking permanent legal status. For the purposes of this article, the law significantly weakened the legitimacy of the "family" as a basis to make claims to legal status in the country. Whereas many people considered family unification a sacrosanct and unrestricted right prior to 1996 (Fix & Zimmerman, 2001; Hagan et al., 2010), this "right" was effectively made a privilege that could be invalidated for a wide variety of created reasons (e.g., minor crimes, low income levels, high fees, timing and location of application, etc.).

We find similar trends facing refugees and asylum seekers. Scholars have long shown that recognition of status has been driven more by the geopolitical and ideological concerns of the government than the legitimacy of actual claimants (Coutin, 2003; Menjívar, 1997). IIRIRA and antiterrorist measures (USA PATRIOT Act of 2001, REAL ID Act of 2005, etc.) passed during the 2000s contributed to greater

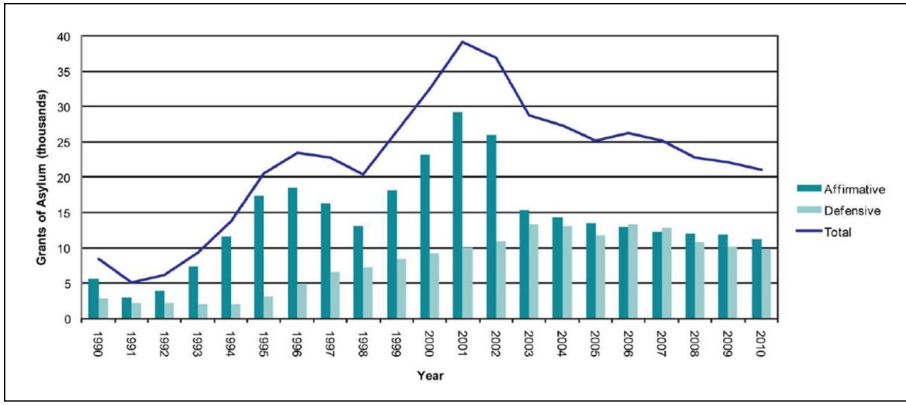

Figure 1. Number of persons granted asylum.
Source. Kerwin (2011, p. 15).

restrictions on this category of migrants. "The one-year filing deadline, a heightened burden of proof, new corroboration requirements, and more exclusive definition of social group membership have prevented large members of *bona fide* asylum seekers from prevailing in and even making their claims" (Kerwin, 2011, p. 1). These restrictions reduced the number of petitioners and grantees (see Figure 1).

Restrictive measures and laws multiplied during the 2000s. Congress passed 5 laws, and the Department of Homeland Security introduced 12 different measures to strengthen borders and facilitate the detection and deportation of undocumented immigrants (Massey & Pren, 2012, pp. 10-11). These initiatives combined with IIRIRA to accelerate deportation rates. Deportations increased from 40,000 per year during the early 1990s, to 200,000 immigrants per year in the mid-2000s, and to 400,000 by the end of the decade (Hagan et al., 2010; Massey & Pren, 2012). These laws also contributed to increasing the number of detention facilities. According to a report by the American Civil Liberties Union, the number of beds in deportation facilities grew fivefold between1996 to 2010, housing approximately 363,000 detainees (Rabinovitz, 2011).

Niches and Mobilizing for Deservingness

Emerging Niches and Deserving Youths in the Netherlands

In the Netherlands, restrictions rested on discourses that justify exclusion on cultural (irreducibly foreign) and moral (fake) grounds. Subsequent restrictions have sharpened the symbolic and institutional boundary between Dutch nationals and the immigrant population. In this context, mobilization frames that exclusively stressed the rights of immigrants would not have generated much resonance because of the devaluation of rights based claims (suspicion of "fakers"). While the context stresses that immigrants are ineligible because of their cultural or moral "failings," moral dilemmas

and ambiguities arose when restrictive measures exclude immigrant subgroups that displayed "good" cultural attributes. Such dilemmas provide niche-openings that enabled subgroups to assert their deservingness.

When we look in more detail at the kind of arguments that were invoked by people who stood up to defend the right to stay of a specific (young) person, it becomes clear that particular attributes and cultural resources are invoked to argue why they are particularly deserving. First, the fact that children or teenagers are "studying" and are doing something that is highly valued and that will bring added value to them as well as to the society they will be living in as adults, is consistently invoked. In the Sahar case (see below) the fact that a teenage girl of Afghan origin apparently had decided not to wear the headscarf was presented as an illustration of her level of cultural adaptation (and of her being "Westernized" and "emancipated" and a "young girl benefiting from the opportunities to develop herself in a free society"). In that light it would seem outlandish for the Dutch state to "send her to a country she does not know, and hand her over to the Taliban." In other cases involving children or teenagers the fact they were participating in soccer teams or school activities, or the fact they had taken up a regional accent or dialect, were taken as illustrations of "rootedness," "blending in," and "cultural integration," which were also represented as something that came naturally to children who had grown up in a particular country.

Among the various immigrant mobilizations over the past decade, those in favor of children and youth have become the most prominent. In the period between 2010 and 2013, a widespread mobilization for a so-called "Children's Pardon" emerged in reaction to a small number of individual cases of underage "failed asylum seekers" that risked being expelled, sometimes together with their families. The campaign for a "Children's Pardon" was not necessarily directed by a clear coalition. It brought together three major groups of actors, which pursued overlapping goals, but which sometimes diverted and even clashed in terms of methods and framing strategies: (1) rights-based organizations like Defense for Children and Amnesty International; (2) spontaneous mobilizations by (local) officials, public figures, and citizens around particular cases; and (3) national politicians, notably of the Left (including MPs of the Labor Party, the Green Left Party, and the Christian Union).

Many of the mobilizations for children and youth began through "bottom up" struggles. Friends, classmates, local churches, and local officials stood up to defend a particular individual targeted for deportation (see Versteegt & Maussen, 2012, pp. 53-54). A prominent case involved Sophie Yangala from Congo. In 2001, fearing expulsion, a local group of protesters in her daughter's school created a committee called "Stop Expulsion Yangala." Initially the protesters focused on the good grounds for the asylum application. Referring to the torture she and her husband endured in Congo, and the death of her husband. But gradually the attachment of Yangala's two daughters to the Netherlands was emphasized, as well as the degree of cultural integration of Yangala and her daughters. Other cases involved the teenager Taida Pašić, from Kosovo, who was arrested and put in alien detention during her exams in 2006.

As these and similar mobilizations erupted, national organizations and political officials realized that this issue provided an opening through which to pursue

permanent residency status for some immigrant youths. This led them to inaugurate the Children's Pardon campaign in 2010. A lead advocate with the Green Left Party stressed that the cultural attributes of assimilated immigrant youth made them exceptionally deserving of a pardon.

> A child speaks to people. I think that was a massive success factor. . . . No matter how anti-immigration you are, if it's a child and they speak Dutch well, and they're integrated then they think "*that's one of us.*" (Former parliamentarian, Green Left Party, personal interview)

It was precisely the cultural qualities of children that made Dutch nationals perceive them as "one of us." Advocates cultivated and intensified a moral dilemma concerning the deportation of people who spoke, looked, and felt like a "normal" Dutch person. Drawing on this, but also stressing the humanitarian implications of deporting assimilated children, another leading advocate remarked, "They are just Dutch children, with a Dutch education and Dutch culture. And now they'd have to leave. *Research has shown that this is really damaging for children*" (Policy advisor, Christian Union Party, personal interview). This advocate stressed that their cultural assimilation posed a humanitarian problem because it could be "really damaging" for the children.

Leading advocates of the Children's Pardon began to build on local struggles by constructing a common discursive framework, creating a website, developing a petition, and initiating a lobbying effort. One leading advocate describes the strategy:

> We released the Kinderpardon.nu [Children's Pardon] website with all the Dutch celebrities and interviews in the newspapers. Before this, maybe at most a month before that I thought up the phrase Children's Pardon. It just came to me. And then I sat there with my assistant, and we wrote really short, really simple things like, "more Fries than the Elfstedentocht." *we started thinking about all these super Dutch things*. . . . And then we got permission from the parliament group to put it online and then boom, it was done! (Former parliamentarian, Green Left Party, personal interview)

A total of 130,000 people, including mayors from 120 municipalities, ultimately signed the petition. National advocates and local mobilizations remained relatively disconnected from one another, but the efforts of national advocates helped provide local struggles with a frame to structure their particular interventions in the public sphere.

Advocates were conscious about using major media outlets to diffuse frames throughout the country.

> Did you see "*Uitgezwaaid*"? It was a TV show that we worked on with Defense for Children and UNICEF. That also made a big impact on people. We wanted people to become aware of this and the producers [of the show] were brilliant. They did so well and I think people started to see that these were just Dutch children. (Policy advisor, *Vluchtelingenwerk*, personal interview).

As efforts to stress the Dutchness of immigrant youths gained traction, sympathetic journalists used these frames to depict the cases of other children and youths in the country, further extending the legitimacy of culturally centered frames.

In 2011, a local newspaper mobilized support for the case of a Sudanese boy, Yossef, from the small city of Alkmaar. Yossef was being presented as very "Dutch" and eating "peanut butter and pink cake" (a common treat in the Netherlands). A local politician of the Labor Party lobbied for Yossef in the *Alkmaarse Courant* in the following words:

> Yossef is a boy with a Sudanese nationality who has become a Dutch child, an Alkmaar boy who has his friends in this city, who is a member of the soccer club and is attending school here. Let him live with his mother in Alkmaar as long as there is no clarity about possible expulsion to his country of origin. This child should not be more damaged by this procedure, which has been dragging on for years; children have rights too. (*Alkmaarse Courant*, 2011, translation by Inge Versteegt)

The politician employs cultural frames to structure his argument and turns to the rights of children at the end, almost as a residual afterthought.

Two other cases received even more media exposure. The so-called Sahar case came up in 2010 and concerned a 14-year-old Afghan girl whose family unsuccessfully applied for asylum three times since 2000, and was requested to return to Afghanistan. The case of Mauro involved an 18-year old boy from Angola. He arrived alone in the Netherlands at the age of 8, put on a plane by his mother, and requested asylum. However, he only obtained a temporary status as an "Unaccompanied Minor" (AMA) and lived in an AMA center and later in a Dutch foster family. Unaccompanied minors cannot be expelled, but, upon reaching the age of 18, Mauro was scheduled to be sent back to Angola because all of his asylum applications had been turned down.

Various frames have been used to argue that these youths (and their families) deserved to stay in the Netherlands. Most important, advocates highlighted the youths' mannerisms, speech, and sociocultural activities as ways to stress their Dutch cultural habitus. While highlighting the dispositions of the youths, advocates also stressed their "rootedness" and that the Netherlands has become their natural home. In December 2010, for example, the national newspaper *De Pers* published a long and sympathetic article about Sahar that introduced her as a typical Dutch schoolgirl: intelligent, hard-working (resulting in excellent school performance), and loved by her classmates. Her "rootedness" in the local community was illustrated by a remark about her grade for Frisian (the regional language), which contrasted with her lack of proficiency in Afghan:

> Sahar is sitting at a table in the City Gymnasium in Leeuwarden. Behind her is a flag on which is written "Sahar must stay" made by her classmates. She wears a leather coat and keeps her long hair out of her face with a small braid. At her feet rests her schoolbag. She never had a bad grade during her first year and a half at the gymnasium. Or just once, but after a re-trial she got an A+. For Frisian language, she holds an A. "I can understand it

> but cannot speak it. I have better command of it than of Afghan language anyway." (*Trouw*, 2012, translation by Inge Versteegt)

In the interview and the picture that accompanied it, her "long hair" presented a subtext. Namely, that there was a risk that this "Westernized girl" would be obliged to wear a Burqa upon her return to Afghanistan.

A similar emphasis on the level of acculturation was put forward in the Mauro case. A leading Dutch newspaper, *NRC Handelsblad*, presented him as a young boy who was integrated in the Netherlands through family and education:

> Angolan Mauro Manuel (18) has been living with his foster parents for eight years [. . .] At nine years old he was put on a plane to the Netherlands by his mother. Mauro never had a residence permit. The judge prevented attempts by his foster parents to adopt him. Friends, family and classmates have requested attention for his case. Mauro wrote a letter to Leers [the Minister of Immigration] requesting permission to stay. Leers refused. Mauro speaks Dutch (*with Limburg accent*), went to primary school in Venray and to the VMBO (secondary school). He currently attends a vocational education. (*NRC-Handelsblad*, 2011, translation by Inge Versteegt)

National advocates of the "Children's Pardon" employed Mauro as a "poster child" for their campaign. "It all started with Mauro because you know, he had that Limburg accent and the idea that a child like that would be put on a plane is really nuts" (Policy advisor, *Vluchtelingenwerk*, personal interview).

The Dutch culture of Mauro and Sahar were illustrated repeatedly by drawing attention to their physical attributes ("Limburg accent," "long hair"), which indicated that these youths not only subscribed to Dutch culture but also that Dutch culture had become a part of their habitus. They were fully Dutch, advocates argued, in every way except their passport. They were *deserving* of special treatment not because their inalienable rights were being violated but because advocates had transformed them "normal" *Dutch* kids. This, and not that their inalienable rights were being violated, made their imminent deportation morally reprehensible.

The advanced cultural assimilation presented a dilemma because the "Western" values of these youths made them targets of repression if sent back to their native countries. This frame resonated with broader culturalist discourses that "non-Western culture" was a threat to "Western culture."

> If we don't do anything, their future lies in Iraq, Afghanistan, Eritrea, Angola. Countries of which they don't know the language, where they know nobody, *where they are aliens*. We will not let this happen. These children belong here. We want to get them out of insecurity and welcome them into their country. (Children's Pardon petition)

The anticipated humanitarian disaster associated with their deportation would be the result of successful cultural assimilation. This argument draws on and validates a core of logic of the "culturalization of citizenship": people in foreign countries are indeed opposed to Western culture and values (often violently), Westernization makes youth

vulnerable to persecution when deported, and this should make assimilated and rooted immigrants into a protected category eligible for asylum status. Rather than critiquing the logic of culturalization, advocates mobilize it to secure the inclusion of some immigrants even if this comes at the expense of sharpening exclusionary boundaries.

Culturalist frames were coupled in effective ways but advocates also drew on secondary frames to further bolster their arguments. The various cases stressed that the youths were not "profiteers" but were making contributions to the country by attending school. In the case of Sahar this frame was most pronounced because she had excellent grades and was planning to pursue a university education. In the Mauro case, however, it was not so obvious because he was a mediocre student. Instead, advocates stressed his "innocence," tapping into the broader assumption that children cannot be held morally or legally accountable for their precarious legal status.

> This combination of being a child and being in the Netherlands for too long and just being so powerless. Because look, parents choose—I don't know what kind of choice you have when you are a refugee but okay—but the children? No choice at all. And they're victims of the system. (Policy advisor, *Vluchtelingenwerk*, personal interview)

The Children's Pardon campaign and associated mobilizations resulted in a new regulation issued by the government in February 2013. This measure provided permanent residency permits to children of refused asylum seekers who had lived in the Netherlands for a minimum of 5 years before reaching the age of 18. Direct family members of these children (e.g., their parents) can obtain a "derived" (*afgeleide*) residency status. The government's decision builds on two parliamentary motions: one issued in 2010 (the so-called "rootedness motion"; *wortelingsmotie*) and the other in 2011 (the so-called "Children's pardon motion"; *motie kinder-pardon*). A special measure was introduced with respect to the Sahar case. A court in Den Bosch ruled in January 2011 that Sahar and her family could stay, mainly because she had become too Westernized. Not much later, a study by the Minister of Immigration into "Westernized girls in Afghanistan" concluded that there were genuine dangers upon return. The Ministry estimated that about 400 more girls "like Sahar" lived in the Netherlands and should also qualify for a residence status. What was remarkable about this case is that the degree of cultural assimilation became a new criterion to evaluate asylum claims.

Importantly, whereas "spontaneous" supporters (friends, school teachers, sports instructors, class mates) of particular immigrants would be inclined to invoke these types of arguments to explain why this particular individual "deserved to stay," people we interviewed from advocacy organizations often said they struggled with the ethics of these lines of argumentation. They were inclined to support the idea that asylum requests should be dealt with on the basis of existing (legal) criteria, not on the basis of subjective and/or affective reasoning. In the case of Mauro, who lived with his foster parents and became represented as a well-intended young boy, one interviewee who works for a Christian nongovernmental organization, worried that the demands for granting asylum on the basis of emotive arguments centered on "how well he speaks Dutch" and "his innocent eyes." This, according to her, would imply a grave

injustice toward people who, despite the fact they were older, less good looking, not able to speak Dutch, and so on, had more grounds to see their demand for asylum recognized (Official, Church in Action, personal interview).

Emerging Niches and Deserving Youths in the United States

Prominent rights organizations (National Immigration Law Center, Center for Community Change, among others) launched a campaign to pass the Development, Relief and Education for Alien Minors (DREAM) Act in 2001. The DREAM Act promised to place undocumented university students and youths performing community service on a path to citizenship.

In 1996, IIRIRA placed enormous pressure on the country's enforcement agencies because the law contributed to a sharp upturn in the number of people being processed by the system. This spurred officials with the Immigration and Naturalization Service (INS) to use prosecutorial discretion to prioritize cases and better allocate resources. In a precedent-setting memorandum to regional directors, INS Commissioner Doris Meissner provided guidelines for when to exercise discretion. A key factor to consider was what she called, "Humanitarian Concerns." These concerns were defined as follows:

> Relevant humanitarian concerns include, but are not limited to, family ties in the United States; medical conditions affecting the alien or the alien's family; the fact that an alien entered the United States at a very young age; ties to one's home country (e.g., whether the alien speaks the language or has relatives in the home country); extreme youth or advanced age; and home country conditions.[5]

The INS memorandum also included a list of "triggers" to help INS officers "identify cases at an early stage that may be suitable for the exercise of prosecutorial discretion" (p. 11). Among these "triggers," the memorandum included: "Juveniles; Aliens with lengthy presence in United States (i.e., 10 years or more); or Aliens present in the United States since childhood" among others.

While the INS was developing methods to address the special conditions of certain immigrants, DREAM Act advocates believed that the public seemed ready to appreciate the exceptional case of undocumented youths. The 1982 Supreme Court case *Plyler v. Doe* recognized that undocumented immigrant children had equal substantive rights to an education (Gonzales, 2011; Hagan et al., 2010; Motomura, 2014). This ruling made primary and secondary schools a sanctuary for undocumented immigrant children. School subsequently became an important space of social and cultural integration, with children developing various ties with citizens, internalizing national cultural norms and values, and creating a strong sense of belonging within their new country (Gonzales, 2011). Just as important, since most undocumented youth migrated as children, advocates believed that they could not be held morally or legally accountable for their status. Discourses that stressed the inadmissibility of immigrants on the basis of their "foreign" culture *and* "illegality" closed down the roads for many immigrants but they also introduced a niche for established youths because this subgroup

possessed the attributes (i.e., American culture and innocence) that made them admissible in the national community. Thus, the actual discourses and measures that spurred the exclusion of many presented slight openings for youths with the right set of attributes.

As the DREAM Act campaign unfolded in the late 2000s, advocacy organizations, a handful of Congressional allies, and a growing network of undocumented students formed a loose coalition to broaden public and political support for the cause. The advocacy organizations took a leading role in crafting a compelling representation that rested primarily on the frame of cultural assimilation. Identifying with the national culture became a particularly prominent way to frame deservingness. Drawing on this frame, the leader of United We Dream (the most prominent undocumented youth organization in the country) argued, "Maybe our parents feel like immigrants, but we feel like Americans because we have been raised here on American values" (Saavedra, *New York Times*, December 10, 2009). Advocates and activists made explicit references to core American symbols during many of their actions and campaigns. The "cap and gown," a national symbol of success and opportunity, has become *the* central identifying symbol of the youth. The youth also displayed flags and other prominent national symbols at their demonstrations.

In addition to embracing national symbols, youth have also sought to create resonance with national values.

> In the last campaign, the key values that we stressed were fairness, hard work, and self-determination. Those are our key values that we always try to come back to. Like, "The DREAM Act is a policy that supports fairness and rewards hard work." These are key American values. (Organizer, Dream Team Los Angeles, personal interview).

Demonstrating Americanness tapped into the moral ambiguities of the public. It was one thing to deport irreducibly "foreign illegal aliens" but it was a different thing to deport people who looked and sounded like full members of the national community. Lawrence Downes from the *New York Times* justified his support for undocumented youth on the basis of cultural assimilation, "Ms. Veliz is here illegally, but not by choice. *By all detectable measures*, she is an American, *a Texan*" (*New York Times*, March 28, 2009, italics added). Her "illegality" could and should be pardoned because of her deep Americanness ("Texan," the U.S. equivalent of Limburg) and innocence ("not by choice").

While a strong culturalist frame dominated the strategy, advocates and youth also stressed the utilitarian value of this population. By putting the stories of the best students out into the media, youths and advocates countered the dominant frame that undocumented immigrants were drains on the national economy and welfare system. They were highly capable and motivated members of the national community. This frame resonated widely with the national public and key allies in Congress. Senate Majority Leader Harry Reid drew on this utilitarian argument to justify his support of the DREAM Act, "The students who earn legal status through the DREAM Act will make *our country more competitive economically, spurring job creation, contributing*

to our tax base, and strengthening communities" (Harry Reid, *New York Times*, November 17, 2010, italics added). While the Dutch advocates employed a similar frame, they did not do so with the same level of regularity. This reflects the peculiarities of cultural and discursive traditions of the two countries, and the long history of justifying immigrants in the United States on the basis of their *economic* value.

Advocates in the United States also stressed the "innocence" of youths ("not by choice"). Supporters and advocates stressed that parents made choices on behalf of their children, and consequently, these youth bore no guilt for their undocumented status. One prominent supporter of the DREAM Act argued in 2007, "It's unfair to make these young people pay for the sins of their parents" (Senator Durbin, *New York Times*, August 3, 2007). While Senator Durbin absolved the youths of the original "sin" of "illegality" because of their lack of "choice," he directly attributed moral failing and legal responsibility to the parents. The phrase "no fault of their own" became a standard talking point when discussing undocumented youth and their cause.

The efforts of youth activists and their allies did not result in the passage of the DREAM Act but they were able to pressure President Obama to use his executive authority to defer the deportation of undocumented immigrants who had come to the country as children. This measure, Deferred Action for Childhood Arrivals, granted temporary status and work authorization to eligible immigrants. Youths needed to meet the following eligibility criteria: be less than 31 years old, arrival before 16 years old, continuous residence in the United States since 2007, proof of education, no serious misdemeanors (or multiple misdemeanors) or felonies. An estimated 600,000 youth have benefited from this measure, and it laid the legal and political groundwork for a broader relief measure in 2014.

There have been important similarities in the discursive strategies of Dutch and American youth campaigns. Both have stressed that the deservingness of immigrant youth stems from assimilation into the national culture. According to many, deporting people who are "like us" is different, morally speaking, than deporting people who are perceived as fundamentally "other." By stressing common cultural qualities, advocates and activists successfully rendered "illegal aliens" into "normal" people just like anybody else. This, coupled with the contributions and innocence frames, made them exceptional subjects deserving an exemption from deportation. While we stress the commonalities, there have also been differences in framing strategies. In the Netherlands, the humanitarian frame was used more explicitly than in the United States, and it was often coupled with culturalist frames. This difference speaks to the specific national context of the Netherlands where immigration issues have often been viewed and discussed through the window of asylum seekers and vulnerable minors. In such a context, humanitarian frames have become a more common part of the discursive repertoire.

Discussion and Conclusion: Stratifying Immigrants by Deservingness

We find a number of similarities in the mobilizations of precarious immigrants during the 2000s. First and most important, we notice that certain groups of immigrants have

been successful in expressing their claims. In particular, children and young adults have been much more successful than other groups in mobilizing and creating strong levels of public and political support. Second, advocates and activists in both cases have employed similar frames to demonstrate deservingness in these countries. Thus, in spite of the important differences between the countries and *no* communication between advocacy organizations, we find important similarities that cannot be dismissed as simple coincidence.

To explain these similarities, we point to the convergences in the citizenship regimes of these countries. Increased restrictions and the "culturalization of citizenship" have given rise to niche-openings in seemingly impenetrable walls. These openings provided advocates with small opportunities to critique government policies and demand exceptions for certain groups. We also suggest that within this political landscape, youth and children have had particular advantages over other precarious immigrants because of their *cultural* dispositions. They are more readily viewed as "good and deserving immigrants" because they are culturally assimilated and they are deemed "innocent" of moral failings. Last, in both cases, these groups have not only gained broad national support for their cause, but governments have introduced specific measures granting these groups some form of legal status. In this way, discourses of deservingness resulted in actual legal-administrative categories that provided some immigrants (but not all) protections from imminent deportation.

This strategy has provided an important opening for some but these wins have also introduced dilemmas in the immigrant rights milieu of both countries. While this strategy has become more prominent, not all subgroups face the same openings, not all are endowed with the same attributes, and not all have the same resources needed to construct effective representations of their deservingness. This not only aggravates differences between precarious immigrants, but it also contributes to the stratification of precarious immigrants by their varying degrees of deservingness.

Whereas advocacy organizations may have in the past prioritized the hardest cases in order to maximize the benefits for all, these cases are increasingly difficult to pursue in contexts of increased restrictions. Instead, they prioritize cases facing more favorable niche openings and shun the more difficult cases. The potential degree of deservingness therefore becomes a criterion for shaping how large advocacy organizations allocate their scarce resources. When advocacy organizations perceive that certain subgroups face greater openings, they are more likely to support their struggles for deservingness. One Dutch advocate remarked, "You have many lone men in asylum seeker centers and well. . . . Am I glad that I'm not an interest group that has to stick up for them because that would be so much tougher!" She goes on to say, "At least with children everyone has a feeling in their bones that ok . . . this is not right" (Advocacy and children's rights officer, UNICEF, personal interview). More marginalized groups—especially unassimilated adult males, recent arrivals, refused asylum seekers—possess fewer cultural and moral attributes and face less favorable conditions to pursue their own claims. This positioning makes it less likely for them to draw support from large and well-resourced advocacy organizations. For those groups lacking strategic cultural and moral attributes, their inabilities to draw in well-resourced

supporters makes it more difficult to present themselves as deserving in the public sphere. Once these "undeserving" groups are channeled to the margins of the discursive sphere, they have few methods to protect themselves against restrictive and punitive immigration regimes. Thus, while the discursive strategy of deservingness is one of the only ways in which immigrants can pursue their claims for authorized residency in countries like the United States and the Netherlands (among others), the same strategy contributes to the stratification of precarious immigrants on the basis of their cultural and moral attributes. Those with strategic attributes are more likely to rise to the top and win legal status, while those without such attributes continue to experience extreme marginalization and persecution.

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Notes

1. We use the term *precarious immigrants* to indicate the legal status of immigrants without legal status or facing the threat of having their temporary legal status revoked.
2. All interviews in the Netherlands were conducted in Dutch and translated into English by the authors.
3. See "Uitspraak Centrale Raad van Beroep verplicht centrumgemeenten tot bieden BBB" [Verdict of Central Appeals Tribunal obliges central municipalities to offer BBB]. Retrieved from http://www.logogemeenten.nl/nieuws/item/161/uitspraak-centrale-raadvan-beroep-verplicht-centrumgemeenten-tot-bieden-bbb (accessed December 20, 2014).
4. Letter from John Tanton (U.S. Inc.) to Roy Beck (Numbers USA) in 1996. Retrieved from http://www.splcenter.org/get-informed/intelligence-files/ideology/anti-immigrant/the-anti-immigrant-movement
5. Doris Meissner, Memorandum to Regional Directors, November 17, 2000, p. 7. Retrieved from http://www.legalactioncenter.org/sites/default/files/docs/lac/Meissner-2000-memo.pdf.

References

Berezin, M. (2009). *Illiberal politics in neoliberal times: Culture, security and populism in the new Europe*. Cambridge, England: Cambridge University Press.

Bertossi, C., & Duyvendak, J. W. (2012). National models of immigrant integration. The costs for comparative research. *Comparative European Politics*, *10*, 237-247.

Bonjour, S. (2009). *Grens en gezin. Beleidsvorming inzake gezinsmigratie in Nederland, 1955-2005* [Border and family. Policy on family migration in the Netherlands].., Netherlands: Aksant.

Castles, S. (1995). How nation states respond to immigration and ethnic diversity. *New Community*, *21*, 293-308.

Castles, S., & Miller, M. (2003). *The age of migration, international population movements in the modern world*. New York, NY: Guilford Press.

Chauvin, S., & Garcés-Mascareñas, B. (2012). Beyond informal citizenship: The new moral economy of migrant illegality. *International Political Sociology*, *6*, 241-259.

Chavez, L. (2008). *The Latino threat: Constructing immigrants, citizens, and the nation*. Palo Alto, CA: Stanford University Press.

Coutin, S. (2003). *Legalizing moves: Salvadoran immigrants' struggle for U.S. residency*. Ann Arbor: University of Michigan Press.

De Genova, N. (2007). The production of culprits: From deportability to detainability in the aftermath of "Homeland Security". *Citizenship Studies*, *11*, 421-448.

DT&V (Dienst Terugkeer en Vertrek) [Repatriation and Departure Service]. (2013). *Leiddraad terugkeer en vertrek* [Position paper on repatriation and departure]. The Hague, Netherlands: Author.

Durand, J., & Massey, D. (2003). The cost of contradiction: US border policy, 1996-2000. *Latino Studies*, *1*, 233-252.

Fassin, D. (2005). Compassion and repression: The moral economy of immigration policies in France. *Cultural Anthropology*, *20*, 362-387.

Fassin, D. (2012). *Humanitarian reason: A moral history of the present*. Berkeley: University of California Press.

Fix, M., & Zimmerman, W. (2001). All under one roof: Mixed-status families in an era of reform. *International Migration Review*, *35*, 397-419.

Gonzales, R. G. (2011). Learning to be illegal undocumented youth and shifting legal contexts in the transition to adulthood. *American Sociological Review*, *76*(4), 602-619.

Hagan, J., Castro, B., & Rodriguez, N. (2010). The effects of U.S. deportation policies on immigrant families and communities: Cross-border perspective. *North Carolina Law Review*, *88*, 1799-1823.

Huntington, S. (2009, October 28). The Hispanic challenge. *Foreign Policy*. Retrieved from http://foreignpolicy.com/2009/10/28/the-hispanic-challenge/

Inda, J. (2006). *Targeting immigrants: Government, technology, and ethics*. Malden, MA: Wiley-Blackwell.

Inda, J., & Dowling, J. (2013). Governing migrant illegality. In J. Dowling & J. Inda (Eds.), *Governing immigration through crime: A reader* (pp. 1–36). Stanford, CA: Stanford University Press.

Kerwin, D. (2011). *The faltering U.S. refugee protection system: Legal and policy responses to refugees, asylum seekers, and others in need of protection*. Washington, DC: Migration Policy Institute.

Koopmans, R., Statham, R., Giugni, M., & Passy, F. (2005). *Contested citizenship. Immigration and cultural diversity in Europe*. Minneapolis, MN: University of Minneapolis Press.

Kos, S., Maussen, M., & Doomernik, J. (2015). Policies of exclusion and practices of inclusion: How municipal governments negotiate asylum policies in the Netherlands. *Territory, Politics, Governance*. Advance online publication. doi:10.1080/21622671.2015.1024719

Lamont, M., & Duoux, N. (2014). How neo-liberalism has transformed France's symbolic boundaries? *French Politics, Culture and Society*, *32*(2), 57-75.

Joppke, C. (1999). *Immigration and the nation state: The United States, Germany, and Great Britain*. New York, NY: Oxford University Press.

Joppke, C. (2007). Beyond national models: Civic integration policies for immigrants in Western Europe. *West European Politics*, *30*(1), 1-22.

Massey, D., & Pren, K. (2012). Unintended consequences of US immigration policy: Explaining the post-1965 surge from Latin America. *Population and Development Review*, *38*(1), 1-29.

Menjívar, M. (1997). Immigrant kinship networks and the impact of the receiving context: Salvadorans in San Francisco in the early 1990s. *Social Problems*, *44*, 104-123.

Ministry of Security and Justice. (2014). *Rapportage Vreemdelingenketen. Periode Januari-December 2014* [Report on the Immigration Process. Period January-December 2014]. Retrieved from http://www.rijksoverheid.nl/documenten-en-publicaties/kamerstukken/2015/04/03/tk-rapportage-vreemdelingenketen-januari-december-2014.html.

Money, J. (1999). *Fences and neighbors. The political geography of immigration control*. Ithaca, NY: Cornell University Press.

Motomura, H. (2014). *Immigration outside the law*. Oxford University Press.

Neumayer, E. (2005). Asylum recognition rates in Western Europe: Their determinants, variation, and lack of convergence. *Journal of Conflict Resolution*, *49*, 43-66.

Nevins, J. (2002). *Fences and neighbors. The political geography of immigration control* (2nd ed.). Ithaca, NY: Cornell University Press.

Ngai, M. (2004). *Impossible subjects: Illegal aliens and the making of modern America*. Princeton, NJ: Princeton University Press.

Nicholls, W. (2013). *The DREAMers: How the undocumented youth movement changed the immigrant rights debate*. Palo Alto, CA: Stanford University Press.

Rabinovitz, J. (2011, October 20). *Ending the laws that fuel mass detention and deportation*. Retrieved from https://www.aclu.org/blog/ending-laws-fuel-mass-detention-and-deportation

Schain, M. (2009). The state strikes back: Immigration policy in the European Union. *European Journal of International Law*, *20*(1), 93-109.

Schinkel, W., & van Houdt, F. (2010). The double helix of cultural assimilationism and neo-liberalism: Citizenship in contemporary governmentality. *British Journal of Sociology*, *61*, 696-715.

Ticktin, M. (2011). *Casualties of care: Immigration and the politics of humanitarianism in France*. Berkeley: University of California Press.

Uitermark, U. (2012). *Dynamics of power in Dutch integration politics*. Amsterdam, Netherlands: University of Amsterdam Press.

van den Breemer, R., & Maussen, M. (2012), On the viability of state-church models: Muslim burial and mosque building in France and the Netherlands. *Journal of Immigrant & Refugee Studies*, *10*, 279-298.

Van der Leun, J. (2003). *Looking for loopholes: Processes of incorporation of illegal immigrants in the Netherlands*. Amsterdam, Netherlands: University of Amsterdam Press.

Varsanyi, M. (2008). Rescaling the "alien," rescaling personhood: Neoliberalism, immigration, and the state. *Annals of the Association of American Geographers*, *98*, 877-889.

Versteegt, I., & Maussen, M. (2012). *Contested policies of exclusion. Resistance and protest against asylum policy in the Netherlands*. Retrieved from http://imes.uva.nl/binaries/content/assets/subsites/institute-for-migration–ethnic-studies/publications/report_contested_policies_of_exclusion.pdf

Vertovec, S., & Wessendorf, S. (Eds.). (2010). *The multiculturalism backlash. European discourses, policies and practices*. London, England: Routledge.

News Resources

Alkmaarse Courant. *Laat Yossef in Alkmaar opgroeien* [Let Yossef grow up in Alkmaar]. October *23*, 2011.

New York Times. Napolitano backs immigration bill. December 2, 2010. Retrieved from http://thecaucus.blogs.nytimes.com/2010/12/02/napolitano-backs-immigration-bill/

New York Times. Illegal immigrant students publicly take up a cause. December 10, 2009. Retrieved from http://www.nytimes.com/2009/12/11/us/11student.html

New York Times. In increments, Senate revisits immigration bill. August 3, 2007. Retrieved from http://www.nytimes.com/2007/08/03/washington/03immig.html

New York Times. Don't deport Benita Veliz. March 28, 2009. Retrieved from http://www.nytimes.com/2009/03/28/opinion/28sat4.html

New York Times. At Mexican border, tunnels, vile river, rusty fence. March 23, 2005. Retrieved from http://www.nytimes.com/2005/03/23/world/americas/at-mexican-border-tunnels-vile-river-rusty-fence.html

New York Times. A nation challenged: illegal Immigrants; long resistant, police start embracing immigration duties. March 15, 2002. Retrieved from http://www.nytimes.com/2002/03/15/us/nation-challenged-illegal-immigrants-long-resistant-police-start-embracing.html?register=facebook

NRC-Handelsblad. (2011, October 26). *Volledig geïntegreerde Mauro moet terugkeren naar Angola* [Fully integrated Mauro must return to Angola].

Trouw. (2012, May 31). *Nederland schendt kinderrechten met terugkeerhuis in Afghanistan* [The Netherlands violate children's rights with return house in Afghanistan]. Retrieved from http://www.nu.nl/politiek/2823687/nederland-schendt-regels-met-terugkeerhuis-asielzoekers.html

Personal Interviews

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