

U.S. Nationalism and Immigrants from Majority-Muslim Countries

Heather Morris Tuip

Antioch University Seattle

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Dr. Jude Bergkamp

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Introduction to Nationalism

It is not surprising that nationalism has such a strong presence in the United States. When European colonists were arriving and beginning to colonize the land, the era of nationalism was going strong in Europe. Kohn (2017) posits that while history may hold periods of nationalism, it didn't take hold until the sixteenth century. He noted that nationalism consisted of a constellation of naturally occurring elements that bring people together organically such as shared language, culture, and territory. However, the elements that combine to create nationalism are not in and of themselves nationalistic. Yet, when backed by nation-states born of political organization, the physical nationality becomes the nationalist state of mind, and nationalism is born. The nation-state when made strong by shared language, politics, culture, ideologies, and physical borders create an us vs. them way of thinking. If the others are not like us, they cannot be a part of us. This nationalist mindset has hallmarks of racism, but it goes further to include xenophobic ideologies. It protects the sovereignty of its nation-state by controlling its members' race and ethnicity and restricting others who cannot or will not assimilate.

It's important to make a distinction between patriotism and nationalism. This last presidential election cycle bore witness to a fair bit of nationalism that had been masked as patriotism. Both concepts involve a strong identity with one's nationality. The difference between the two is that patriotism is concerned with uniting people within a heterogeneous society, and nationalism is concerned with uniting a homogenous group of people against all others (Blank & Schmidt, 2003).

Rydgren and Bar-On (2018) differentiate patriots from nationalists in how the two groups practice nationalism. They conclude that patriots practice civic nationalism and nationalists, in particular the "radical right," practice ethnic nationalism. Where civic and ethnic nationalism are dichotomous (Kohn, 2017). The radical right's purview is that "for the nation to be free, sovereign, and whole, the state must be cleansed of non-nativist influences and cultures" (Rydgren & Bar-On, 2018, p. 11). Non-nativist influences are anything that isn't blindly obedient to the ideologies of the radical right. These ideologies are often referred to as nativism and its definition does not differ from ethnic nationalism. Non-nativists, especially those who practice a religion different from the in-group, and especially one such as Islam that is growing faster than any other religion, are seen as dangers to the nation-state (Mudde, 2010; Pew Research Group, 2015; Rydgren & Bar-On, 2018).

Historical Genesis of Nationalism in the United States

In 1783, George Washington said, "America is open to receive not only the opulent and respectable stranger, but the oppressed and persecuted of all nations and religions; whom we shall welcome to a participation of all our rights and privileges" (National Archives, n.d., para. 5). When Washington gave this speech, the United States was actively forcing Native Americans from their land and importing enslaved people from Africa. In fact, during the time this speech was made, he was a slave owner. He was disingenuous when he said all oppressed and persecuted would participate in all the rights and privileges. All the rights and privileges were reserved for the wealthy, male, white Christians. Those that did not fit were threats and were excluded.

Colonists, not part of the nationalist in-group in Europe, relocated to North America to escape the forced assimilation of religious beliefs. Shared religion is one of those fundamental elements contributing to nationalism (Kohn, 2017; Rydgren & Bar-On, 2018). It's plausible that the first colonists fled their sovereign nation-states only to plant the seeds of nationalism in their new country.

The United States has a history of excluding those that do not fit into their nationalist Anglo construction. During colonization in the seventeenth and eighteenth centuries, they pushed those that did not fit the Anglo-American profile west, creating laws that prevented them from being a part of the nationalist majority and then continued to push them even further as the nation grew. As time went on, laws were made to reduce immigrant arrivals that threatened the homogeneity of the Anglo nation.

A year after the act that stopped any Chinese immigrants from entering the United States (Chinese Exclusion Act, 1882), Emma Lazarus (1883) wrote "The New Colossus":

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

Lazarus' poem was engraved on the Statue of Liberty a few years after Ellis Island, a neighboring island roughly one mile away, became an official port of entry for new immigrants. New immigrants would see the statue as they were processed. If they were fortunate enough to visit the statue, they could read Lazarus' poem and presume that this was a country that

welcomed immigrants. However, the lived experience for many wouldn't be so welcoming. Through the commission of Lazarus' poem, the United States told the world that it's tired, it's poor, it's huddled masses yearning to breathe free were welcome, but its legislation said that it didn't apply to the Chinese.

Shortly after The Chinese Exclusion Act, there were widespread massacres of Chinese immigrants. The Anglo-American majority worried that the Chinese immigrants weren't assimilating and viewed them as a threat to their nationalist ideologies. This act was the first of its kind, but it would not be the last targeting an ethnic population. It laid the groundwork for Congress to take greater control over immigration policy.

With the threat of Chinese colonization managed through legislation, the United States welcomed a steady stream of European immigrants. When World War I ended, this stream became a flood. While the United States was receiving immigrants aligned with their ethnic, nationalistic ideologies, they were getting too many of them. The Anglo-American culture was in danger of being watered down by the imported European cultures now entering the United States in record numbers. Congress responded with the Immigration Act of 1924. This act kept many of the restrictions in place for the Chinese but also put quotas on the number of immigrants that would be allowed from any one country.

In 1965, Congress updated its immigration policies once again. The previous policies were not in line with the civil rights politics of the time. Congress responded with the Immigration and Nationality Act of 1965 (INA). This act was touted as being less discriminatory. It was widely understood that the immigrant quotas per country and discriminatory language and exclusions, such as the exclusion of Asians, were taken out. To be clear, there are still caps on

how many immigrants the United States will allow per country per year. The discriminatory language of the old immigration act was removed, but to this day, even with every addition and revision of the INA since 1965, there are legal means either through omission or commission to discriminate against immigrants.

Chin (1998) noted that with the adoption of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, the "State Department could now use race (as well as religion, sex, and other factors) in establishing visa application procedures and location." He explains further that a secretary of state could theoretically, through this exception, make it only permissible for would-be immigrants of one country to apply for U.S. immigration in another country. This exception in the 1996 Act allows for legal discrimination of immigration based on any number of factors. Chin (1998) doesn't argue that this exception is being abused. He argues that it allows for discrimination and that it can be used without any legal recourse due to Congress's control over immigration legislation.

Cultural Norms and Values That Sustain Nationalism

How is the United States allowed to openly discriminate against immigrants based on race, ethnicity, religion, and country of origin? We have laws preventing discrimination against American citizens, but immigration law is managed by Congress. When non-citizens attempt to challenge discrimination within the immigration system, the court has historically taken a stance to hold no jurisdiction over Congress on immigration matters. This means that Congress is responsible for immigration legislation, and they don't answer to anyone. This congressional power is called the plenary power doctrine (Chin, 1998; Lim, 2020; Rosenbaum, 2020).

There's a case to be made that plenary power was used against Native Americans before the Supreme Court ruled in 1889 that Congress had authority in all immigration matters. Lim (2020) argues that during colonization, "the power to regulate who would be politically segregated and removed from within the country - laid the groundwork for ... the power to regulate who could be admitted into the country at its borders" (p. 223). Rosenbaum (2020) argues that plenary power is a relic of "settler colonial design" (p. 800). Chin (1998) questions the relevancy of a doctrine that originates from an "antique period of American law" (p. 5). If scholars agree that Congress's plenary power is an antiquated relic from a xenophobic and racist era, why do we still have it?

Plenary power is still in existence because those that control Congress benefit. Congress is the gatekeeper to the United States. They control the demographic makeup of our nation. They also control foreign labor visas that affect industry and global trade and student visas that influence diplomatic relations with other nations. They do not act independently. Once elected, they are controlled by advisors and lobbyists who often represent corporations with a vested interest in domestic and foreign affairs. Often, the money donated by wealthy individuals and corporations to political super PACs helps secure the election of Congress members. When the Congress member is elected, those wealthy individuals and corporations may offer advice on legislation. Political advisors are legal. Lobbyists are legal. Political super PACs are legal, provided they independently support candidates and do not directly contribute financially to the candidate. There is a lot of power in being the gatekeeper, and it has not gone unnoticed by those with a lot of wealth.

Congress has grown more diverse in its representation and legislation, but it will take time to undo the last few hundred years of nationalism. It was only fourteen years ago when the first congressman was sworn into office with their hand on the Qur'an instead of the Bible. This created controversy, even though there is no requirement that the oaths be taken with the Bible. In response to the oath being taken with a Qur'an, another congressman publicly stated that "if Americans don't wake up ... there will likely be many more Muslims elected to office" (Rosenberg, 2019, para. 10). Another congressman compared Muslim immigrants who didn't assimilate to colonists and warned it would lead to terrorist acts (Poor, 2015).

Nationalists perceive Muslim immigrants as a threat to the United States' sovereignty. This is evidenced through executive orders explicitly targeting majority-Muslim countries (Exec. Order No. 13,769, 2017; Exec. Order No. 13,780, 2017), the disparity in the numbers of refugees from majority-Muslim countries the United States accepts in comparison to other countries (Conner, 2018; Department of Homeland Security, 2020; Radford & Connor, 2019; UNHCR, 2020), the disparity between immigrants from majority-Muslim countries and majority-Christian countries (Department of Homeland Security, 2020), and lack of majority-Muslim representation in the Visa Waiver Program for non-immigrant visas (U.S. Department of State, n.d.).

Xenophobic beliefs towards people from majority-Muslim countries didn't happen overnight. While the terrorist attacks of September 11, 2001, perpetrated by extremists from majority-Muslim countries, caused a wave of xenophobia to flood over the United States seemingly overnight, the seeds had already been planted. Akram and Johnson (2003) trace the racializing of Muslims back to just after the civil rights era. They posit that the racialization of Muslims through popular media and foreign policies have culminated in the nationalistic

legislation we see today. The congressmen and women who make immigration policies are not immune to the effects of being socialized in a culture that supports xenophobic ideologies. Their interest lies in creating legislation that protects the citizens of the United States. When citizens who hold xenophobic beliefs become citizens who hold power and are charged with keeping their nation safe from foreign threats, nationalist immigration legislation is born.

In January of 2017, President Trump enacted executive order 13769. It revoked thousands of visas and left hundreds of immigrants detained at airports and other ports of entry. Many were stranded as they found themselves mid-travel when the executive order went through. The only immigrants affected were those from majority-Muslim countries (Office of Inspector General, 2018). The official title of the order was "Protecting the Nation from Foreign Terrorist Entry into the United States," but would go on to be colloquially referred to as the "Muslim Ban" (Exec. Order No. 13,769, 2017). The order's purpose was to stop people with terrorist ties from entering the United States, citing the attacks on September 11, 2001. The act states that to protect Americans, no one should be allowed to enter the United States if they do not support its ideologies, if they hold racist or sexist views, if they engage in acts of hate, and most hypocritically, if they persecute "those who practice religions different from their own" (Exec. Order No. 13,769, 2017, p. 8977).

I contend that this order was intentionally vague on the point of which countries were affected. The only country specifically named was Syria, claiming that Syrian refugees will no longer be accepted as they would be "detrimental to the interests of the United States" (Exec. Order No. 13,769, 2017, p. 8979). Instead of listing affected countries, the order references section 217(a)(12) in the INA for guidance. In that section, it states anyone who is a citizen of

Iraq or Syria or has visited Iraq or Syria since 2011 may not enter the country. Additionally, this section states that citizens of countries that support acts of international terrorism or that the Secretary of Homeland Security have deemed a country of concern may not enter. The order allowed for case-by-case exclusions but did not specify whether it applied to immigrants who were already lawful permanent residents. This created confusion for the U.S. Customs and Border Protection agents as they were left to interpret and enforce the order.

Executive Order 13769 was replaced with order 13780 in March of 2017. This new order was created to address the vagueness and pending litigation created by order 13769. It did not ease the restrictions or lift the ban. It clarified which countries and which types of visas were affected. The final agreed-upon exclusion list included Syria, Iraq, Iran, Libya, Somalia, Sudan, and Yemen, all majority-Muslim countries (Office of Inspector General, 2018). Congress had the authority to revoke this executive order, yet it remained active until President Biden revoked it with order 10141 in January of 2021.

The amount of people displaced from their countries of origin has steadily increased in the last ten years, reaching an all-time high of 19.9 million in 2017 (Conner & Krogstad, 2018; UNHCR, 2020). The U.N. Refugee Agency calculated that 67% of all refugees worldwide originate from five countries: Syria, Venezuela, Afghanistan, South Sudan, and Myanmar. The estimated refugee total for those five countries is 16.3 million. Roughly 70% of that total represents refugees from majority-Muslim countries (UNHCR, 2020). Yet, amid this refugee crisis, the Trump administration admitted fewer refugees each year he was in office. In 2017, the Trump administration's first year, the cap for refugees was set at 110,000, but by 2019 it had been lowered to 30,000. From those refugees admitted into the United States during the Trump

administration, they were predominantly from majority-Christian countries of origin (Baugh, 2020; Department of Homeland Security, 2020; Krogstad, 2019; UNHCR, 2020) despite the majority of the world's refugees coming from majority-Muslim countries (Radford & Connor, 2019).

Disparities in immigrants admitted to the United States are not unique to refugee populations. The practice extends towards those pursuing volitional immigrant visas as well as non-immigrant visas. Volitional immigration is defined as people opting to move to the United States for education, employment, or family. Non-immigrant visas are visas reserved for people who opt to travel to the United States for a limited and specified length of time, not in pursuit of education, employment, or immigration. In short, non-immigrant visas are primarily used by tourists. The total number of immigrants, both volitional and forced, has hovered around one million each year since 2010. Of that one million, approximately 14% are from majority-Muslim countries, 62% from majority-Christian countries, and the remaining 24% are comprised of immigrants from countries where the majority religion is Buddhism, Hinduism, Judaism, Folk, unaffiliated, and other (Department of Homeland Security, 2020).

Travelers from majority-Muslim countries to the United States seeking non-immigrant visas may find the process more complicated than those from majority-Christian countries. The United States has a Visa Waiver Program that allows citizens from select countries to enter the country for non-immigration purposes and for no more than ninety days without obtaining a visa. The program is reciprocal. For example, American citizens may enter Australia for non-immigrant purposes without a visa, just as non-immigrant travelers from Australia may participate in the Visa Waiver Program when entering the United States. Notably, of the

thirty-nine countries that participate in the program, only one is a majority-Muslim country (U.S. Department of State, n.d.).

Characteristics of the Muslim Immigrant Experience

Muslim immigrants have been marginalized as racial, religious, cultural others. They often do not fit the Anglo-American nationalist profile of being White, Christian, and from European ancestry. Not belonging to the dominant elements that make up the nationalist in-group leaves Muslim immigrants vulnerable to being seen as a threat to the nation's sovereignty, especially when those that create immigration legislation hold nationalist views.

The reasons that Muslim immigrants are seen as a threat are multifold. Akram and Johnson (2003) point out that Muslims have been demonized since the 1970s. They highlight televisions and film's role portraying Muslims and Arabs as antagonists and how foreign policy unduly targeted people from majority-Muslim countries. Johnson (2004) analyzed the government's response to the September 11 attacks and asserted that the government based its security measures on race and religion rather than more objective measures of nationality. When Timothy McVeigh blew up the Oklahoma City Building in 1995, there was no dragnet of young, White, male Catholics. People who fit his description were not prevented from flying in airplanes or required to submit their fingerprints. In the attempt to protect the nation's sovereignty from foreign threats, they were blind to threats from within.

Mukherjee et al. (2013) conducted a study that examined whether country of origin and citizenship status affected the treatment of people detained by police in a scenario where the only offenses were suspicious behavior and failure to provide documentation. In the study, the detained man was either Canadian or Mexican. The study showed that people thought more

severe punishment was justifiable when the subject was Mexican, regardless of immigration status. Additionally, participants who responded in favor of more severe treatment toward Mexican immigrants were more inclined to believe Anglocentric values were synonymous with American identity. Both detainees were immigrants, yet the detainee who fit the Anglo-American profile was treated less harshly. The immigrant populations in this study are not Muslim. Still, I believe its findings may be generalizable towards all immigrant populations that do not fit the Anglo-American profile supported by nationalistic ideologies.

While this study's subjects were fictional, it's important to understand immigrants' lived experiences. The Mukherjee et al. (2013) study was designed to simulate what Mexican immigrants might encounter in Arizona under its SB 1070 law. This law allows police to question someone's citizenship status during a lawful detainment. However, the law prohibits officers from racial profiling. While SB 1070 has been accused of targeting Mexican immigrants, it is not unreasonable to expect that it could apply to Muslim immigrants who wear a hijab, or a thawb, or speak Arabic in public. One has to wonder how many Anglo-American appearing detainees are asked about their citizenship status. This scenario affects real people every day. When you are part of the Anglo-American majority, it's easy to marginalize racialized groups. Being Anglo in the United States is a place of privilege. One might disagree with nationalism, but that doesn't mean that one doesn't benefit from it.

While researching executive order 13769, I literally found how immigrants from majority-Muslim countries were being marginalized in the margins of a report issued from the Office of Inspector General (2018). This report was a summary of the events immediately following the enactment of executive order 13769. It highlighted statistics of new immigrants

turned away at ports of entry and of lawful permanent residents interrogated while returning home from travels. One of the statistics the government measured was how long each immigrant was detained for interrogation before being cleared and allowed to enter the United States, turned away, or detained. The longest average processing time was 11.5 hours. In the margins was a case example used to show how average processing times were calculated. The example was a woman traveling with her two children. The mother's processing time was 16.8 hours, one of her children spent 6 hours in processing, and the other child spent no time in processing. The average processing time for this family was calculated at 7.6 hours. The reality of the situation was that each family member spent 16.8 hours detained for secondary interviewing because the children were minors and dependent on their mother.

New immigrants who had scheduled January 27, 2017 as their day to enter the United States were told they could either be detained or withdraw their application for immigration and immediately return to their country of origin. Even after the executive order was replaced by one that was more specific, people from majority-Muslim countries not affected by the executive order were being turned away. A personal friend, a medical doctor, born in Pakistan and raised in Canada, attempted to drive over the border to begin a residency in California. All the necessary visa paperwork had been completed. He was turned away and subsequently lost his residency position. He has requested that his experience be kept anonymous for fear of retribution (Anonymous, personal communication, January 26, 2021).

Even after immigrants have been granted access to enter the country, their status is still in jeopardy. Arnold (2014) wrote about the precariousness of lawful permanent resident status. When immigrants are granted this status, they have been vetted, and all the necessary documents

should be in order. Theoretically, as long as they do not commit any crimes, they should be able to live without fear of being deported. However, Arnold (2014) has found that this isn't necessarily the case. Suppose the U.S. government makes an error in vetting an immigrant, which would have prevented the immigrant from receiving lawful permanent resident status. In that case, that status can be revoked at any time.

Once an immigrant becomes a naturalized citizen, citizenship can only be revoked in very limited and specific situations. However, the path to citizenship is paved with nationalism. The United States does not have an official language, yet to become a naturalized citizen, you must demonstrate that you can read, write, and speak English (U.S. Citizenship and Immigration Services, 2020). One may argue that the English tests are very easy to pass, but one can also argue that it is a tool of forced assimilation.

Discussion

While this paper highlights the dirt under our sovereign rug, there are glimmers of hope. Leitner (2012) studied the effects of immigration in a predominantly White Midwest American town. She found that there was an expectation for immigrants to assimilate and that this process was frustrating for the citizens when they perceived that it wasn't happening. However, those who had higher education levels and socioeconomic status were less frustrated with the immigrants and had more understanding of their experiences. Budiman (2020) found that 66% of American citizens thought immigrants strengthened the country through their hard work and talent. And while nearly half of Muslims said that they had been religiously discriminated against, half also reported that they had received acts of support (Pew Research Center, 2017).

As clinical psychologists, we need to understand the context of our client's lives. Immigrants report more psychological distress than citizens (Gee et al., 2016). If our client is a Muslim immigrant, they may be dealing with the effects of being marginalized as racial, religious, cultural threats. They may worry about the possibility of their visa status being revoked due to a clerical error (Arnold, 2014). They may be feeling pressure to assimilate. The experience of being an immigrant in a nationalistic nation will bleed into every aspect of their daily lives. Their needs are also underrepresented and misinformed in all places that create policies that affect them. In matters of human rights and social justice, it is our duty as clinicians of mental health to be political on issues that affect people's wellbeing. If we do not take a seat at the proverbial table when policy is decided, someone else will, and they may not have our client's best interest in mind.

I have faith in our current administration. The nation is rallying around righting social justice wrongs. We are electing congressmen and women who have not been socialized on nationalism. Many scholars agree that plenary power is a tool of colonial settlement and should be thrown out (Chin, 1998; Lim, 2020; Rosenbaum, 2020). I argue that with a shift towards a more just government, Congress can decolonize immigration with the very tool that allowed nationalism to flourish in immigration policy.

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