Reframing Immigration as an Issue of Freedom Within the U.S. Classroom

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Abstract:

Immigration is currently one of the most contentious issues in both the United States and in much of the world. In order to confront powerful xenophobic narratives, there have been theoretical arguments for a more open and inclusive immigration system. Most of the arguments for this more inclusive system are based in the ideas of compassion and justice. Though these ideas can be helpful in certain contexts, the contention of this article is that the idea of freedom is the most transformative framework for a more inclusive immigration system, particularly in the United States with its historical focus on individualism and liberty. This idea of immigration as a form of freedom is especially pertinent to introduce into the social studies classroom in the midst of the contentious debate on immigration. This articles both looks at the theoretical basis for reframing immigration as an issue of freedom and suggestions for how teachers can introduce this perspective to their students.

Key words: immigration, natural rights, liberty, xenophobia

Introduction

Some people in the United States may feel compassion for certain immigrant groups, particularly DREAMers (Quinnipiac, 2017) and refugees (Connor, 2018), but there is still a restrictive mindset in terms of actual migrant entrance into the country (Connor & Krogstad, 2018). The framing around more inclusive immigration has often been based around ideals of compassion and, to a lesser extent, justice. These ideals can be very powerful and convincing to certain segments of the population, but the main ideal at the heart of U.S. society is that of freedom, which may resonate deeper than the ideals of justice or compassion. It is essential to understand this dynamic at the center of U.S. society (and, to a lesser extent, other Western nations) and re-

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frame the discussion about migration as one not solely about justice, human rights, or even compassion. Those areas are vitally important, but there needs to be a restructuring of the discussion so that immigration also becomes about the freedom of individuals to cross borders in order to pursue their basic rights as human beings. Conversely, restricting individuals to the man-made borders that they were assigned at birth needs to be seen as a form of bondage and oppression. This reframing is especially pertinent to introduce into the larger discussion in the social studies classroom as students begin to form their own ideas about immigration and perhaps start to question xenophobic narratives from the larger culture.

Compassion

Many of the modern arguments for more inclusive immigration policies have been grounded in two different ideological positions. One of these positions, perhaps the most common, is compassion: People in the developed world should feel a sense of care and mercy for those who are escaping horrific situations and allow the most desperate to come into their countries. There is not necessarily an innate right to come to the developed world, but these nations should act compassionately and take a more inclusive approach when possible. This framing is preferable to the approach that simply maligns any sort of compassion or human empathy. When arguing for more inclusive immigration policies, this is the approach that many humanitarian organizations, religious groups, and more liberal politicians take.

The framework of looking at immigration through the lens of compassion can be seen in the field of education. Arnot, Pinson, and Candappa (2009) argue that values of compassion can lead teachers to take a more caring stance towards groups such as asylum seekers. In some aspects, the argument for inclusive immigration based in compassion may be best illustrated in Emma Lazarus' (1883) poem on the Statute of Liberty: "Give me your tired, your poor, Your huddled masses yearning to breathe free, The wretched refuse of your teeming shore. Send these, the homeless, tempest-tost to me, I lift my lamp beside the golden door!"

There is still an idea that the United States is the merciful refuge for those who need help. It could be argued that this idea is part of the American psyche, even if in many ways this is no longer the case in American society, as the U.S. is highly restrictive to immigrants from more impoverished backgrounds and has recently dramatically reduced the number of refugees allowed (Ingraham, 2017).

American political leadership, particularly in the Democratic Party, has largely used this stance of compassion to advocate for more inclusive immigration positions. For example, Democratic

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Speaker of the House Nancy Pelosi (2017) called for "championing comprehensive and compassionate immigration reform our nation needs." Former Secretary of State Hillary Clinton perhaps best summed up the limitations of the compassion framework, simultaneously stating that she appreciated the more "generous and compassionate approaches" of Germany's immigration policies while stating, "but I think it is fair to say Europe has done its part and must send a very clear message—we are not going to be able to continue [to] provide refuge and support" (Elder, 2018).

This compassionate viewpoint has been critiqued by some, particularly on the left, as insufficient (Lee, 2014; Ticktin, 2011). If compassion is the argument for more inclusive immigration policies, then it is in many ways optional. It also places too much emphasis on the compassion of the developed nation (Lee, 2014) without understanding the economic and global injustices that have led to the need for migration to the developed world (Borger, 2018). This view has also been critiqued by those who see this compassion model as taking agency away from marginalized immigrant groups (Sostaita, 2017). Immigrants have become recipients of mercy and compassion rather than sovereign actors who are able to create their own paths. It can inadvertently create a type of paternalistic paradigm that glorifies developed nations that may actually be largely responsible for immigration crises.

This perspective also has the tendency to convert immigration into an issue of those who "deserve" compassion versus those who do not. This issue has been problematic when it comes to DACA recipients or DREAMers. One of the unfortunate narratives that has developed is that the young people deserve compassion because they were brought into the country against their will, but their parents do not deserve that compassion since they decided to break the law (Sostaita, 2017). Compassion becomes an arbitrary tool for those who have the power and privilege to grant that compassion. Unfortunately, at times this can even cause tension between immigrant parents and children: "Pro-youth, anti-family narratives are so ingrained in our culture that even immigrant children often buy into them. Convinced that we are trapped in this impossible situation because *mami y papi* brought us here, we internalize these discourses and start to believe them" (Sostaita, 2017).

Another argument about the danger of using compassion as the primary framework for immigration is made by Ticktin (2011) in the context of French society. She argues that when the framework of compassion is used, only those individuals who are seen to have suffered severely are eligible to immigrate, and thus it naturally excludes other immigrants, including those who are laborers in certain specific fields. She highlights the problem of this approach in determining

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who has suffered most, and that poverty itself is usually not enough to include one in this group of the most vulnerable who deserve protection. It can serve to undermine the plight of economic migrants.

While there are certainly problems with the compassionate argument for inclusive immigration policies, compassion can be a helpful paradigm to help individuals at least begin embracing more inclusive immigration policies. It may be one of the few ways to break through to individuals who would otherwise have more restrictive points of view. For example, when the Trump administration began its policy of separating children from their parents at the U.S. border in the summer of 2018, it was largely the pictures and stories of children crying for their parents that stirred the compassion of Americans and caused public outrage (Carson, 2018). Compassion has also been the catalyst for change for other marginalized groups like refugees and DREAMers. Especially when trying to reach more conservative audiences, the best strategy might be to appeal to this sense of compassion, even if at times it may arguably be disempowering. Many individuals may not understand the idea of immigration as an issue of justice or freedom without first viewing it through the lens of care or compassion.

Sirriyeh (2018) gives examples of how DREAMers used this framework of compassion in order to appeal to the general population, highlighting how "this was problematic for undocumented young people who had to repress or alter aspects of their identity and experiences," especially as it pertained to giving credence to the flawed framework of the "desirable" versus "undesirable" immigrant. DACA was largely enacted due to the constant appeals to compassion of these young people, and even after Trump sought to end the program, there was still widespread support for DREAMers, with 82 percent of Americans supporting a pathway to citizenship (Quinnipiac, 2017). Though the compassion framework can certainly have its advantages, the need to appeal to the mercy of the powerful can have its innate costs as well.

Justice

Understanding immigration through the lens of justice is a more prominent approach among activists and critical scholars. The core idea behind this position is that it unfair or unjust to keep

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¹ More information on DACA and Dreamers can be found through the American Immigration Council at https://www.americanimmigrationcouncil.org/research/dream-act-daca-and-other-policies-designed-protect-dreamers

individuals in inhumane situations due to their inability to migrate. Much of this perspective also examines the culpability of developed nations as one of the core reasons for increased immigration; for example, the legacy of European colonialism in Africa left many nations on an unsteady foundation and in turn caused greater African immigration to Europe. Bhamba (2015) argues that Europe must account for the common history it shares with African nations due to the history of colonialism, stating that Europe would not be the prosperous and attractive area it currently is without the gains from colonialism: "We need to acknowledge the imperial past as the very condition of possibility of Europe and European countries today—with all the rights, duties, and obligations to reparatory justice that that entails."

In the United States, this framing could center around the U.S. drug war in Central America, which has led to an increase in violence and poverty and thus an increase in immigration to the United States. Others may focus on the U.S. interventions in Latin America throughout its history, which has prevented these nations from obtaining greater prosperity and stability. As Borger (2018) states, many Central American migrants are "fleeing a hell the U.S. helped create." Borger highlights that this U.S. intervention does not just pertain to the U.S.-led coups during the Cold War; it is also about the recent U.S. push for militarization of Central American governments.

This view also acknowledges that modern immigration restrictions are largely based on economic status. Schulze-Wessel (2015) describes how affluent populations are often allowed to freely cross national borders while poor populations are the victims of strict controls. Fortier (2006) describes how this ability for wealthy individuals to cross borders freely is seen as a sign of their status. However, for the poor, immigration is often the opposite; it is a sign of their desperation and poverty when they are forced to flee to a more prosperous nation. Villalon (2015) highlights the way that restrictive immigration is especially related to the oppression women face; women with marginalized immigration statuses may be less likely to seek assistance if they are facing abuse or other threats due to the vulnerable position they are in.

Bregman (2016) lays out an intriguing argument based on the theme of justice, stating that national origin is actually the greatest form of inequality. There is no other form of discrimination—sexism, racism, homophobia, classism, etc.—that has more of an effect on life prospects than nation of origin. Therefore, forcing individuals to stay in their land of birth is inherently unjust. Basik (2012) asks: "Why, unlike race, sexual orientation, physical handicaps, and IQ, is national origin still deemed a permissible basis for political discrimination?" (p. 411). Bregman (2016) ties more open migration to justice, as migrants are often able to send money

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back to their families in the developing world. He argues that this would deal with world poverty more effectively than the current international aid programs to third-world nations.

Bregman (2016) also lays out the argument that those in the developed world are morally liable for the suffering of those in the undeveloped world if they refuse to allow a more open immigration system. He gives this poignant example in order to highlight his point:

Say John from Texas is dying of hunger. He asks me for food, but I refuse. If John dies, is it my fault? Arguably, I merely allowed him to die, which while not exactly benevolent, isn't exactly murder either. Now imagine that John doesn't ask for food, but goes off to the market, where he'll find plenty of people willing to exchange their goods for work that he can do in return. This time though, I hire a couple of heavily armed baddies to block his way. John dies of starvation. Can I still claim innocence? (Loc. 2381)

This perspective of immigrant rights as a form of social justice has also been propagated by many activists. This is the approach taken by groups such as *United We Dream*, which has sought to reframe immigration less in terms of compassion than of justice. Many politicians are less willing to take this position, as its logical end is an immigration system that is more open. As Rennix (2019) highlights in regard to the U.S. political context, many Democrats are willing to offer more embracive positions for those who are already in the country with an undocumented status, but they are not necessarily willing to embrace more open immigration policies overall.

The integration of arguments based in the themes of justice have some significant advantages over a framework solely based in compassion. For instance, having a more open immigration system is no longer optional. A more inclusive system is not an additional act of goodwill but an absolute, moral necessity. It also more fully empowers immigrant communities instead of making them mere benefactors of the compassion of more privileged populations. As Lee (2014) states,

Immigration reform and open borders are *not* about making life better for a special, deserving class of people. They are about abolishing systems of injustice which unjustly oppress ordinary people. The woman who loses her deported husband does not need our compassion; she does not need a special exemption from our irrational laws. What she needs, what millions of others like her need, is justice.

While justice can be a helpful perspective to deconstruct popular notions of immigration, this position is not without its pitfalls. Many in the developed world may simply not accept the premise that more open immigration is an issue of justice. Injustice is so built into the fabric of

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the society that place of birth, even within the same first-world country, has large implications for the life prospects of an individual (Owens-Young, 2018). There is also a natural acceptance that life is unjust; we cannot resolve all of the world's wrongs. This is more the case in the United States than in other nations, as there is a tendency in the United States to be somewhat accepting of an increasingly economically unjust society (Manza & Brooks, 2016). Manza and Brooks argue that part of this acceptance of economic inequality is due to the belief in economic mobility in American society. A prime example of this inequality is in our public education system. The U.S., Turkey, and Israel are alone among developed nations in giving more public education funding to wealthier children than to poorer children (Porter, 2013). Justice is also an easy frame to deflect to the nations that immigrants are coming from. The ultimate injustice could be seen as the way that leaders and a corrupt elite in these third-world nations are treating their people, and therefore, the injustice in these nations is where the full focus should be instead of worrying about the responses of the developed world to immigration (Rahn, 2018). The idea of justice could also be undermined by arguing that more open immigration is unjust to workers in the developed world. Though many of these economic arguments are faulty, they have been successfully used in the United States and Western Europe to argue for less immigration.

Freedom

Though compassion and justice can be used in the discussion of immigration, there should be another framework for more open and inclusive immigration policies: freedom. Essentially, immigration within a nation or between nations should be the natural right of all individuals. To deny the individual the right to move his or her family to a place with more security, economic opportunities, and personal safety is to deny the very essence of liberty.

Some philosophers of the Enlightenment hinted at this idea. The most famous, perhaps, was Rousseau (1754), who critiqued the idea of personal ownership of land in general:

The first man who, having fenced in a piece of land, said "This is mine," and found people naïve enough to believe him, that man was the true founder of civil society. From how many crimes, wars, and murders, from how many horrors and misfortunes might not any one have saved mankind, by pulling up the stakes, or filling up the ditch, and crying to his fellows: Beware of listening to this impostor; you are undone if you once forget that the fruits of the earth belong to us all, and the earth itself to nobody. (p. 5)

Rousseau made the radical argument that the earth belongs to the whole of humanity. If this is true, there is no ethical or moral argument for more restrictive immigration. Others who were

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influenced by the Enlightenment, such as Thomas Jefferson, also appealed to this ideal of freedom. Jefferson (1774) believed that there was "a right, which nature has given to all men, of departing from the country in which chance, not choice has placed them, of going in quest of new habitations." Jefferson was of course referencing the future independence of the Colonies from Great Britain; however, this idea can certainly be applied to the issue of immigration more broadly. Nature has given humanity a right to depart from its place of birth and start anew. One could argue that essential to the Enlighternment ideas of life, liberty, and the pursuit of happiness that Jefferson espoused in the Declaration of Independence is the right to migrate (McCorkle, 2018a). If a family is living in a place of insecurity, war, famine, or poverty, their very lives could be at stake if they are not able to move to a new location. If they are in a nation where their political, social, economic, or religious freedoms are being attacked, then they do not have liberty. Finally, the last aspect of the pursuit of happiness more generally gives an even broader ethical rationale for the rights to migration. If the pursuit of happiness is a natural right, immigration is not just a right for those facing extreme and possibly life-threatening situations but for those who feel that their lives would be improved by moving to a new country. If we take Jefferson's words from the Declaration seriously, then the reasons for immigration do not have to be dire; the right to migrate is itself at the core of the idea of freedom.

Kukathas (2013) argues that restrictive immigration is not just problematic for the liberty of those seeking to enter the country but also the residents and citizens of the receiving country, as the liberty of citizens and the freedom of migration are intrinsically linked. This dynamic is especially seen in the way it can limit the extent of relationships, business partnerships, and organizational pursuits, as restrictive immigration limits the movement of those coming in. As he states,

What the advocates of immigration control are after, in the end, is control not over immigration but over society. If one values a free society, I have tried to argue in this lecture, immigration controls should be resisted because we should resist those whose efforts end up exercising ever greater control over society as a whole, and over our own lives in particular. (Kukathas, 2013)

Napolitano (2013) makes a similar argument: "If the government can restrain the freedom to travel on the basis of an immutable characteristic of birth, there is no limit to the restraints it can impose." He posits that immigration is a natural right for which Jefferson and other past philosophers advocated. Napolitano argues for the freedom of movement from a more libertarian perspective, which is quite intriguing: More open immigration is often considered to be a policy of the political left, but it is also aligned with more conservative, libertarian ideas.

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Carens (1987) offers the analogy of restrictive immigration being similar to the feudal system in Medieval Europe. Just like the serfs in the feudal system, many individuals in the modern world are told that they must stay on the land on which they were born, no matter the circumstances. Most nations do not necessarily say that individuals cannot leave the country, but if there are no countries that will receive them, they are in essence forced to stay on that land. Carens asks why, if we see the feudal system as unjust, do we not see restrictive immigration systems in the same way.²

Rennix (2019), arguing that the American left should not simply create a slightly more humane restrictive system but instead completely change the restrictive system, gives the example of how we view migration within our borders:

If such things were happening to U.S. citizens who migrated within the country—if people who tried to move from poor towns to prosperous cities were rounded up in the night and forced back to the countryside—the entire nation would be outraged. The ugly racist and nationalist dimensions of our present immigration system are not detachable features: They are fundamental to the premise of punishing people for their birthplace. (p. 27)

A similar argument could be made for those within a country needing to evacuate due to a natural disaster such as a hurricane. The large influx of people into inland cities and nearby states is temporarily burdensome, but there is no doubt in the national consciousness that neighboring cities and states should allow individuals to seek shelter. What right do these jurisdictions have to restrict the free movement of individuals from the coast? An argument against this movement could not be made on a national scale and would seem inhumane, but it is made in regard to international immigration often without any real critique.

Although the perspective of justice may be seen as the most aligned with critical theory, freedom may actually be the most radical and far-reaching of the frameworks in regard to immigration. Even with the justice perspective, there is often an idea that more inclusive immigration policies are about granting justice to those who are economically oppressed or are migrating because of the actions of the developed nations. The framework of freedom extends beyond this as it not

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² The work of a portion of these theorists as well as others related to deconstructing nationalist ideals of immigration can be found in the upcoming (2020) article from the author on "Critical Border and Migration Studies."

only applies to certain populations that need to migrate but would apply to all of humanity. It would be as expansive as the ideas of freedom of speech, religion, or assembly.

There are some important caveats that should be considered when arguing from the framework of freedom, however. Free borders are not borders without security. This is not an argument that those who have committed crimes should be able to escape to another country. There should still be appropriate border controls, restricting immigration in only the most extreme circumstances. Just like there are certain limits to freedom of speech and freedom of religion, there would have to be some basic exceptions to the freedom of movement. For example, if there were a health crisis with a type of contagion, there would need to be health checks at borders to keep it from rapidly spreading. There would also be a need for basic background checks to screen out individuals who may seek to cause harm. There would certainly need to be restrictions, but those restrictions would be the exception, not the rule. The default position would be that of more open immigration, as that is the only ethical position to take in the context of immigration as freedom.

Effectiveness in the U.S. Setting

There are some definitive advantages to using this framework for liberty, particularly within the United States. Although the Pledge of Allegiance calls for both liberty and justice for all, the idea of freedom or liberty is in some aspects more at the heart of the American self-consciousness. Even the mythology surrounding the founding of the nation is more about breaking free of the rule of Great Britain than about justice for all. Inequality is very much part of the American psyche, so appeals to the ideal of justice may not be sufficient.

Fears (2007) argues that the United States was unique from most other nations in the fact that its original founding was based upon ideals rather than primarily ethnicity. He argues that this ideal centered around freedom. He also argues that the United States is unique from most nations in history and even the modern world with its strong focus on national, individual, and political freedom. There has been critique that in some ways, the U.S. ideal of freedom can actually at times be detrimental (Liptak, 2003). A strong belief in freedom of speech may increase the chances of hate groups arising in the United States more than in other nations with more restrictive policies on hate speech. This issue has also caused the Supreme Court, in its infamous decision in Citizens United v. FEC (2010), to rule that corporations can spend essentially limitless amounts of money on political campaigns in the name of freedom of speech. Likewise, despite continual mass shootings in the United States, there have been almost no changes made to gun

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laws, largely because some people (and wealthy donors to pro-gun causes) claim that this is part of the freedom declared in the Second Amendment of the Bill of Rights.

This strong focus on freedom is also linked to American individualism, which is a strong component of the U.S. psyche. Wike (2016) found that when given the choice between the government ensuring that everyone's needs were met versus having the freedom to pursue goals without state interference, 58 percent of Americans chose the latter. This was in fairly strong contrast to other Western nations such as Germany, where 36 percent answered that the freedom to purse one's goals were most important, or Spain, where the number was 30 percent. Though it could be argued that individualism has always been a more central tenant of Western societies compared to more communal Asian societies, the U.S. focus on individualism is unique even compared to other Western nations.

Likewise, with strong feelings of nationalism, many may be unaware or unwilling to accept the idea that their nation is partially responsible for the injustices in other nations. This nationalism is especially strong in the United States. A 2016 poll showed that among 19 of the leading economic nations, people in the United States were the most likely to say that their country is the greatest, with 41 percent of respondents holding this view compared to 5 percent of German and French respondents (Colson, 2016). At times, it is also difficult to directly make the link between the responsibility of the developed world and increasing immigration, and in certain cases it simply cannot be applied. This cause and effect is fairly clear with Iraqi refugees coming to the United States or Indian migrants going to Great Britain, but it is less clear with Congolese refugees coming to the United States. An appeal for immigration as justice in this situation does not work. In these types of situations, freedom is the most powerful framework.

Relationship to the Classroom

As social studies teachers, it is necessary to understand the ways that we can introduce the discussion of immigration within the larger theme of freedom. There are three primary ways this can be achieved. The first is truly considering immigration within the context of natural rights. The second is examining if this idea of freedom was something that was once considered natural in American history. Finally, students can engage in hypothetical activities where they fully consider the implications of freedom and immigration from the perspective of a marginalized group.

As Napolitano (2013) highlights, the idea of natural rights that Jefferson and Madison advocated cannot be separated from the rights of migration. In the U.S. History section on the American

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Revolution or the World History section on the Enlightenment, teachers might consider ways to integrate the discussion of immigration with the idea of natural freedoms or rights in the context of historical events. They could also find ways to relate these broader ideas to the modern immigration debate. Students could consider a current issue like the asylum seekers at the southern U.S. border and discuss how their situation relates to Jefferson's ideals of life, liberty, and the pursuit of happiness.³

Teachers should also help students understand how the freedom to migrate has become increasingly restrictive over time, both in the United States and worldwide. McCorkle (2018a) lays out how this can be done within the history classroom in more depth. As he highlights, although immigrants may have not been treated well throughout U.S. history, until the 20th century they largely had the right to freely migrate to the country. Ngai (2013) shows that at times at Ellis Island, over 99 percent of those seeking to enter the country were granted access. Ettinger (2009) discusses how the southern border was largely open to those from Latin America until the 20th century. Students could discuss why the United States did not restrict immigration heavily in the United States in the 18th and 19th centuries, even in the midst of racist and xenophobic attitudes. Part of this lack of restrictions may have been the difficulty of implementing an overly restrictive border, but it may have also been the ideals from the Revolution that individuals should be allowed to choose under which government they lived (McCorkle, 2018b).

Finally, it could be helpful for social studies teachers to help students consider situations from literature where they would have to seek refuge in another country and how this could affect the way they view immigration and freedom. One of the best examples of this role reversal in relation to immigration is *The Handmaid's Tale* (Atwood, 1985): In the story, the U.S. has become an authoritarian theocracy, and many individuals who resist this theocracy seek shelter in Canada. Teachers could have students watch a small clip from the TV adaptation or read a section of the book and then imagine the ideas they would have about freedom and immigration if they were in that precarious position. Having students imagine themselves as the ones needing refuge may open up new perspectives. Using popular literature such as *The Handmaid's Tale* can make the

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³ Significant attention can and should be spent on the irony of Jefferson espousing these ideals while owning slaves. However, while maintaining this critical perspective, it is important not to overlook how these seminal beliefs in American history helped set the groundwork for what we understand as our basic freedoms and rights and how they apply to an issue such as immigration.

themes of freedom and immigration tangible. Similarly, students might read portions of the *Diary of Anne Frank*, discuss how Anne Frank's family had been unable to obtain refugee status in the United States, and consider whether Anne and her family should have had the freedom to seek refuge. Oftentimes, immigration is explored from a bird's-eye view, where restrictive views can often be more justified, but when it is explored on the individual level as an issue of freedom, that restrictive view may lose some of its power.

Conclusion

Reframing immigration as an issue of freedom in the classroom, the academy, and the larger culture may be met with resistance. Immigration has become seen as an issue where there should be some basic level of compassion towards immigrants while simultaneously having strict immigration policies (Rennix, 2019). Placing the issue of immigration within the context of freedom changes it from a controversial and debated topic (Dabach, Merchant, & Fones, 2018) to one of basic human rights. In an age of xenophobia, particularly under President Trump, that type of position may be seen as radical. However, if we are going to move beyond the strong xenophobia both in the United States and globally, it will not be achieved by simply upholding a slightly more compassionate version of restrictive immigration. True change will only come by questioning and reconstructing the whole paradigm. Understanding immigration as an issue of compassion and justice can certainly be helpful, but for a true transformation in the public thinking, particularly in the United States, immigration must be understood as an issue of freedom.

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