

College of the Holy Cross
Economics & Accounting Honors Thesis

Asylum Seeking Determinants and Deterrents: A Trump Presidential Study

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ABSTRACT

In an age of global deterrence, President Donald Trump has enacted his own set of policies aiming to restrict the migration of refugees into the US. This paper outlines the effect of Trump's deterrence policies and negative rhetoric on US asylum rejection rates. This study finds that Trump's presidency increased total asylum rejection rates and had a significantly higher impact on Chinese applicants. Causes can be traced back to the Covid-19 pandemic, a US-China trade war, and other economic factors.

I. INTRODUCTION

Since the end of World War II, the Westphalian system that governed the world has evolved into what is currently known as the liberal international order. This current international order is rule-based and holds additional focus on human rights rather than state rights. International institutions such as the United Nations (UN) play a large role in providing universal laws for human rights. As wars rampaged through the 20th century, millions of people were displaced from their homes. In response to the refugee crisis of World War II, the UN organized the 1951 Refugee Convention which dictated that countries must treat these refugees in accordance with internationally recognized legal and humanitarian standards. These standards include the principle of non-refoulement, which is the prohibition of sending refugees to a place where they risk persecution or to another country that may send them to such a place. Countries must also comply by providing refugees with legal status and rights such as access to employment, education, and security. These rights were then extended for refugees displaced after World War II in the 1967 UN Protocol.¹

Despite the United States ratifying the 1967 UN Protocol, the issue of admitting refugees and asylum seekers has been salient in US policy. Political and economic arguments against admittance include increased government debt, burden on the welfare system, doubt of cultural assimilation, increased crime, and the theft of jobs. Regardless of validity, these arguments have been used in American politics to prevent or reduce the number of refugees and asylum seekers accepted into the United States. In the last four decades, these sentiments have led to an age of deterrence within popular destination countries such as the U.S. and the European Union (EU).

¹ <https://www.unhcr.org/en-us/1951->

Deterrence policies are mainly pushed by presidents and their administrations, and can be used for or against refugee and asylee admittance. Historically, immigration policy has matched the situational contexts presidents have been put into. For example, Ronald Reagan aimed to be conservative with refugee admittance policy nearing the end of the Cold War, but faced civil protest, human rights groups, and UN pressures to be more liberal with policy. Under President Bill Clinton, the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) was passed during a time of rising illegal border crossings from Mexico which allowed the due process of removal cases and deportation to be shorter and easier to occur.² During the presidency of George W. Bush, the post 9/11 Patriot Act and Real ID Act made it easier for asylum officers and immigration judges to deny applications by making the definition for deniable individuals more broad and open to interpretation.³

Leading up to the 2016 presidential election, President Trump's campaign featured anti-immigration policy. Trump infamously said "They're sending people that have lots of problems, and they're bringing those problems with us. They're bringing drugs. They're bringing crime. They're rapists. And some, I assume, are good people" in reference to illegal immigrants from Mexico. Trump also expressed opposition to allowing Syrian refugees into the U.S.— saying they could be the "ultimate Trojan horse" — implying some could be terrorists.⁴ Throughout his campaign, Trump continued to use anti-immigration rhetoric which manifested into protectionist policy during his presidency.

These actions included stricter access at the border for asylum seekers, increased troops at the southern border, aggressive detention policy, and increased Immigration and Customs Enforcement (ICE) raids. Trump's administration also initiated the removal process of Deferred

² <https://www.vox.com/2016/4/28/11515132/iirira-clinton-immigration>

³ https://www.law.cornell.edu/wex/patriot_act#:~:text=The%20Patriot%20Act%20is%20a.Bush.

⁴ [Immigration policy of Donald Trump - Wikipedia.](#)

Action for Childhood Arrivals (DACA) and the beginning of family separation for illegal immigrants and asylum seekers crossing the US-Mexico border. Trump also signed an executive order in 2017 that suspended entry for the citizens of S -7 (o2) 4 (n) -10 (c) 4 (u(nt) -2 (r) -7 (i) -2 S - (s) 9 () -

Africa and Asia. This is important because Trump's negative rhetoric has been global and has the

Politicians have to deal with the humanitarian aspect of the issue while also satisfying their political agendas. Rosenblum and Salehyan (2004) ask the question of whether political interests or international humanitarian norms dominate asylum enforcement in the United States. Their study concludes that political interest factors play a larger role in US asylum enforcement than humanitarian norms. Additionally, this study proves that asylum enforcement is based on non-humanitarian factors in addition to the expected humanitarian ones.

Presidents have used asylum enforcement as a political tool in various ways. During the Cold War, asylum applicants from countries with negative diplomatic ties with the United States were accepted at a higher rate than countries with good diplomatic ties (Hamilton 2

But do these deterrence policies work? How do they affect the number of applications and acceptance rates? The IIRIRA, Patriot Act, and Real ID Act were among the policies enacted by presidents before Trump. It would be assumed that since the rejection and deportation of asylum applicants have become easier, this would then lead to a lower number of applicants and lower acceptance rates (Holmes et al. 2005). However, it was found that these acts actually increase grant percentage by asylum officers and immigration judges. The demographic group that benefited the most were those most at risk of persecution. Holmes et al. (2005) theorize that asylum officers began to view asylum applications as more valid due to the extra restrictions and thus more willing to grant applicants asylum in the US.

Rottman et al. (2009) investigate post 9/11 deterrence policies by analyzing the decision making of asylum officers and immigration judges. Consistent with previous literature, the authors find that decisions contained non-humanitarian based factors. Officers and judges valued the threat to physical integrity of asylum seekers at one half the value compared to before 9/11. In addition, decisions by officers and judges were based less on humanitarian merit than they were prior to 9/11.

A second important finding by Rottman et al. (2009) is that after 9/11 applicants that spoke Arabic were denied at higher rates. Results also showed that applicants that spoke English and Spanish were not affected. It can potentially be interpreted that there are political biases involved in the decision making process of asylum officers and judges. While asylum grant percentage was found to be up in the post 9/11 era by the Holmes et al. (2005) study, Rottman et al. (2009) shows how certain groups can be affected differently by global events and political sentiment. In this case, it was 9/11 and the following negative sentiment towards Middle Eastern immigration that played a role in this demographic split.

Year	United States	European Union
2016		

Country of Origin	Total Applications to the US	Decisions Made	Number Rejected
Total	1,924,197	687,455	396,836

Figure 1 compares the total rejection rates of asylum applicants in the US and EU. The US line shows an increasing trend in rejection rates from 2015 to 2020, a time that aligns with Trump's presidency and campaign. The EU line faced a sharp decline between 2014 and 2016,

rejection rates by geographic region (Asia, Africa, Latin America, and the Middle East). The central model is as follows.

$$r_t = \beta_0 + \beta_1 D_{1,t} + \beta_2 D_{2,t} + \beta_3 D_{3,t} + \beta_4 D_{4,t} + \beta_5 D_{5,t} + \epsilon_t$$

This model contains five dummy variables. The first, $D_{1,t}$, equals one for every month Trump is president of the United States which ranges from 2017 to 2021. The coefficient β_1 is the marginal effect of Trump's presidency on asylum rejection rates. The second dummy variable, $D_{2,t}$, equals one during the Covid-19 pandemic. In this paper, the Covid-19 era begins in

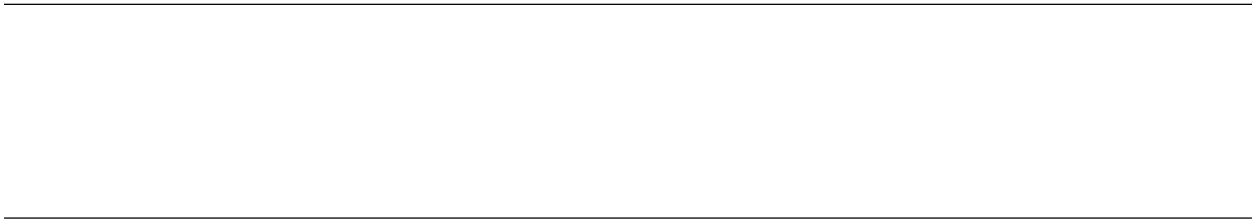


Table 3 shows the multiple regression estimation for total US asylum rejection rates.

Table 3 provides the estimated coefficient and p-value for each of the estimates mentioned in the previous “Methodology” section.

	Coefficient	P-Value
Trump Presidency	13.8938*	< 0.001
Covid-19	16.0416*	< 0.001
Republican Majority of House	-0.9844	0.193
Republican Majority of Senate	3.5984*	< 0.001
November (election month)	-0.3673	0.722
Unemployment Rates	-2.0099*	< 0.001
S&P Price	-0.0059*	< 0.001
-squared	0.6827	

: p-value is given in the parenthesis

Matching the results from Table 4, all geographic regions show that rejection rates spiked during the Trump presidency. However, only Asia and Latin America have statistically significant estimates for this coefficient. Additionally, Covid-19 significantly pushed rejection rates up for Africa, Asia, and the Middle East, while having the adverse effect on Latin America. Latin America also deviates from other geographic regions in the effects of the economic variables. The results show that when the S&P index and unemployment rate increase, rejection rates amongst Latin American applicants also go up. For other geographic regions, the rise in these two factors leads to a decrease in rejection rates matching the results from Table 3.

	China	El Salvador	Mexico	Guatemala	Honduras
Trump's Presidency	0.1511 (p < 0.001)	0.0085 (p = 0.563)	0.0423 (p = 0.022)	0.0973 (p < 0.001)	0.0682 (p < 0.001)

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estimations in Tables 4 and 5 further dissect this notion by showing the results for geographic region and individual countries. Across the board, rejection rates went up, matching the results of total estimation from Table 3. However, the region and country from the study that was most affected by Trump was Asia and China. Despite Trump's focus on Latin American and Middle Eastern immigration, Trump's presidency most affected their Asian counterparts. One possible explanation connects two factors: the US-China trade war and the Covid-19 pandemic.

Trump displayed anti-Chinese sentiment with the initiation of a US-China trade war. The negative effects of this trade war extended past economic ones, and entered into asylum decisions. Trump villainized Chinese applicants with this trade war, and led to a sharp increase in Chinese applicant rejection rates. This is an aberration from the US's generous behavior towards Chinese applicants 15 years prior to Trump's presidency. In the past 20 years, China has had a fairly low rejection rate relative to other countries in Latin America, Africa, and the Middle East (Table 2). It is notable to observe China having such a large spike in rejection rates with the introduction of Trump's presidency and his trade war.

The second factor that could have led to this significant distinction with China is the Covid-19 pandemic. The estimation for China shows that rejection rates during the Covid-19 pandemic increased by approximately 51 percentage points. The other Latin American countries in this study do not come close to this effect. Specifically, none of these countries even reached an increase in 10 percentage points because of the pandemic. Even the total effect shows at most a 16 percentage point increase in rejection rates because of Covid-19.

It is difficult to determine whether rejection rates increased during the pandemic strictly because of health concerns, or if Trump influenced their decisions with fear mongering and scapegoating of the Chinese as the origin of the virus. However, I theorize that these two things

implies political control through a binary variable may not be precise enough as a predictor. This explanation only provides a small sense of understanding of the overall effect of these variables.

Other key takeaways from the study are based on the results of the economic controls. I expected that the unemployment rates and S&P price would work in opposite directions. If unemployment increases, I expect that an increase in unemployment rates would make the country as whole more unwilling to accept asylum applications as there would be a fear that

large enough sample size to statistically meaningful results. This issue is the byproduct of the United States only making a decision on a little more than one-third of total applications since 2001. Additionally, due to the nature of asylum applications, there are times when countries send large numbers of applications and times when there are not many. Regardless of the complications, this study shows the power of presidential platforms on asylum seekers.

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