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Statistical evidence and processes

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CDUVT CEVô 'The following paper describes a social phenomenon that is connoted as a significantly growing social problem: the deportation of individuals from the United States of America to Azores because they were not naturalized as citizens and committed a crime that, by law, can lead to a penalty, their deportation to their birthplace. This paper, based on a documental and bibliographic research about emigration and deportation, its procedures and consequences, aims to understand the reality and to support an empirical research where objective and subjective data have to be collected and analysed.

Mg{y qtf u''emigration, deportation, immigration policy."

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Migrations define and redefine territories and populations. They influence the size of the populations at origin and destination; may occur for economic reasons where there is economic imbalances within the same population; have an influence, also, in politics, since they define criteria to be applied to those aiming to cross borders and to the host countries; they involve social psychology, i. e., the individual who migrates undergoes a process of decision making before and after his or her departure, which will play an important role in how he or she integrates into the host society; and are a sociological phenomenon, since they affect not only the social and cultural system of the country of origin and of the host country, but also, the migrants themselves [1]. Migrations can be seen in two distinct forms: *emigration* and *immigration*, depending on the perspective of the one who migrates and of those hosting them.

Both combine to produce global patterns of migration linking together the countries of origin and the countries of destination, resulting in increased ethnic and cultural diversity of many societies and on the development of demographic, economic and social dynamics [2].

30% Vj g'go li tcvlqp'r j gpqo gpqp"

Like any migration, the causes that lead to emigration intersect with economic motives, political, religious, emotional, climatic and/or reasons associated with wars. The goal for the majority of emigrants is to build a new life seeking for better conditions and a higher quality of life. Therefore, emigrants are the actors of a mobility process, moving from one social context to another [3]. They carry habits, beliefs, values, costumes, traditions, a whole array of different features based on their cultural identity that is capable of transforming the host territory. On the other hand, emigrants are able to assimilate different characteristics inherent to the new place they migrate to, i. e., the host country.

Migration policies are responsibility of the states, in the exercise of their power. To Baganha [4], migration policies are drawn in a restrictive way since they establish and control who can enter and who can stay in the territory. It's the country's sovereignty governed by its constitutional principles, by its laws and established boundaries, that defines immigration enacting and implementing legislation to regulate the following aspects in the relation between foreign citizen and national state: entry, residence, access to nationality and expulsion from the national territory. It is worth noting also that any migration policy follows two different directions: on the one hand, it establishes the quantitative issue, i. e., the number of immigrants the country is able to receive and, on the other hand, it establishes the qualitative issue, i. e., the profile of those immigrants. Referring Borjas (1996), Baganha[5] argues that the policy to be implemented depends on the solving of both mentioned issues. In other words, it depends on the welfare to be promoted: the welfare of the national citizens, the welfare of the immigrants, the welfare of the rest of the world, or one of the possible combinations of these three.

However, the economy is a weighing factor in the definition of migatrion policies. The governments of most countries that attract a significant part of global emigration (the industrialized countries), are keen to emphasize the importance the economic sphere has on the making of these policies, notably through the economic interests of their own institutions and companies. In the formulation of their needs, they end up influencing and restricting the structure of the labor market and, hence, the policies and procedures that determine migration flows [6]. As Baganha mentions [7], referring Zolberg (1989) "(...) free entry [of immigrants] would induce unlimited flows, leading to a dip in terms of

global equalization and to a violent fall on the employment and consumption levels of the most developed countries. Given these consequences, it is not surprising that the overwhelming majority of political forces does not defend an open door policy." Economic criteria is, therefore, the fundamental factor on the definition of migration policy and, as a result, the issues associated to the humanitarian access and equal rights to all individuals do not prevail on this matter. What does prevail is controlling who enters and who does not: individuals that meet the criteria desired are allowed, those who do not are not allowed access. It's a matter of controlling and preventing the entry of unwanted flows [8].

1.2 - From Statistical Evidences to Sociological Explanations

The Azores archipelago, due to its geographical localization and nature, has been, ever since its discovery, connoted with migration processes over the centuries, becoming an exit point for thousands of azoreans departing to different continents like Brazil, the United States of America and Canada (the latter two most recently).

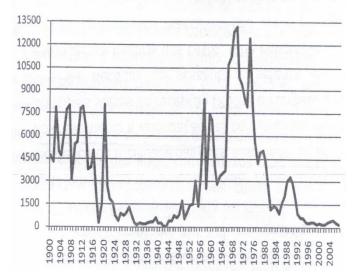
Being an archipelago, the mental construction of isolation [9] created by islands and insular people it is normal. All islands, especially the smaller and more distant ones, are naturally subject to conditions that, on the one hand, deprive them from what happens in countries surrounded by neighbouring countries but, on the other hand, make them particularly singular in the way to be and in the way to live. The result of being deprived from the rest of the world is, most of the times, the exclusion from the innovations being created elsewhere, thus, isolation which, etymologically, associates to the word 'island' - *insula* in latin, originating afterwards the word *isola* in the neolatin languages [10].

Having this idea in mind, of the islands isolation due to the sea that sorrounds them and distances and separates them from everything, it's normal they present a tendency to generate emigration patterns. As Royle says "The explanation for such has mainly been found in the scarcity of resources, which is believed to be more pronounced in islands, which are limited spaces, and where there are not only greater difficulties due to demographic pressures but also a more evident perception of how means end. Emigration would work then as an escape, inevitable for the islands or, in other words, as an essential mechanism for economic adjustment." [11].

There are several historical periods dating azorean migratory movements (Graphic 1). According to different references, the first movements relate to the sixteenth century, shortly after the beginning of the colonization of the archipelago, and were intensified in the eighteenth and nineteenth centuries to Brazil, Hawaii and the United States of America [12]. However, it's only in the early nineteenth century, when economic conditions worsen (especially for rural workers who cultivated land they did not own), that the migration flow increases. The first generations of emigrants depart alone, taking only their physical strength, which would be used in the fields or factories of the host countries. Those emigrants accepted work as a gift, working hard and hoping to improve their future and their familys' [13].

During the 1970s, the mobilization of workers to the United States of America and Canada, becomes fundamental to the Azores [14]. With the rapid technological developments occurring in other parts of the world, the small size of the islands and their isolation become a heavier burden.

The economic, political and social structure of the islands, accompanied by scarce job opportunities and non-existent job qualifications, cause a negative impact on people's daily lives. These factors work as boosters for emigration. It is mainly from the mid-seventies, at a time of political and economic instability, that we witness a gradual increase of emigration to the countries mentioned above. Looking for better life conditions, people chose to leave behind their homes, escaping job insecurity and poverty.



Graphic 1: Evolution of the number of emigrants from the Azores (1900 – 2007)

Source: Statistical National Institute, *Demographic Statistics*; Azorean Regional Statistical Service, Direcção Regional das Comunidades [15]

It is at this time also that there is a change in the emigration pattern. It becomes familiar. The man is no longer the only one migrating. His wife and children (if there were any) and, in many occasions, one of the grandparents accompany him. Even if it were impossible for all of them to leave at once, the ones left behind ended up joining the rest of the family in the host country shortly after [16]. It is important to mention this fact because most of the individuals that were deported emigrated to the United States at this time when they were young children.

Once installed in the new country, emigrants formed azorean communities mainly on the northern east coast of the United States - Massachusetts, Rhode Island, Connecticut and New Jersey - where they incorporated the mass of workers in the textile industries. Some also settled on the west coast, mainly in California, where they worked in the milk, fruit or vegetable industries, at first as workers and later as producers [17]. Wherever they settled, the azorean emigrants implement old costums and traditions from different islands of the archipelago as, for example, the religious feasts, gastronomy and handicraft.

To understand deportation (its process, causes and consequences), it is essential to understand what led to it. That's why this paper, in the first place, focuses emigration. So, it is important to refer to the situation faced by emigrants in the host country: "(...) the shock between traditional models of culture and models prevailing in the host country had, to the emigrant, an ambivalent meaning because he/she finds himself/herself between two countries and two cultures. This feeling can lead to a struggle for conciliation, acculturing or losing themselves in an existence of non-integration, not belonging to the places of origin nor of destination" [18]. Disappointment and demotivation may arise from this feeling and that can originate behaviors and lead to alternative paths as of deviation, delinquency, violence and others that make their way to marginalization and exclusion and culminate in deportation.

Facing the ideal-typical american male "(...) the kind of man that has nothing to be ashamed of (...)," - the young man, the family man, married, white, urban, nordic, heterosexual, protestant, with a college education, well employed, good looking, good weight, average height and a sports man [19]— and not meeting the required criteria could be considered a form of deviation from the established norm and, hence, a form of devaluation of it and of the individuals not included in it. Being excluded from the norm as well as being labelled as immigrants that were born somewhere else, who practice unknown habits and speak a different language, these individuals are seen, in the perspective of the american society, as alienated.

Although the big majority settles in their own communities of costumes, tradictions and mother language, the migrant people face differences between identities, in social and cultural levels. This gap, already mentioned, can raise problems of adaptation or non-adaptation in the land, that arouse for them so many dreams, forcing them to rethink and reformulate the idea they have of themselves. Nevertheless, prejudice and stereotypes are manifested by the american society towards them due to their strange way of life.

According to Xiberras[20], societies establish categories or social frameworks that allow any individual, when facing the unknown, to classify objects or people into known categories, thus, making it possible to predict to which category he or she belongs to and, at the same time, classify someone or something else into a different category. And this is how we define social identity. However, if an unknown individual possesses a different and unrecognizable attribute, he/she might fit in the category of the «addicts, amputees, deficits, discredited or disabled», and reclassified immediately to the category of the stigmatized. Therefore, the minority group represented by the emigrants with their strange behaviours may very quickly be labelled in a negative way and this will surely make their adaptation and integration in the american society even more difficult.

It's hard to know when and why the lives of the emigrants' children follow dubious paths. The majority went to live in the United States with the parents at a very young age, most of them at pre-school age. Their process of socialization occurred, in many cases, not only in the family and school, but also, in the streets and with peer groups. This would happen because most parents possessed low academic qualifications which would result in low paying jobs. As a consequence, many parents had to work 12 to 16 hours per day, which would create a gap in the family and in the children education. The parental absence along other factors such as the low academic qualifications and the cultural shock may be pointed as the main causes for the construction of identities associated with alternative behaviours [21].

Not sharing the same characteristics and not being part of the american culture, the emigrant is seen and sees himself/herself as a marginal. As Xiberrras tells us [22]. when host societies are not able to renounce the definitions of their own norms, they reject all layers, statuses, classes and/or isolated individuals turning them into marginals. "Therefore, it is possible to define a marginal as someone put out of the system due to some sort of inadaptation: he/she is at the end, out of the boundaries, beyond the visible horizon, and that makes it difficult for normal people to understand him/her" [23]. Labelled and identified as a deviant, he/she has in common with peers a deviance, thus, sharing the feeling of having a similar destiny. Confronted with the same obstacles, they create ideologies, ideas and activities making the grounds for a common culture. Putting an end to individual isolation, the new group creates and organizes historical, juridical and psychological bases that permit them to define an identity, that although deviant, it is still an identity [24]. Publicly designated, the deviant acquires an identity that others recognize and assimilates the identity himself/herself.

2. THE AMERICAN DREAM AND OTHER PATHS: FROM EMIGRATION TO DEPORTATION

The United States history is also the history of thousands of people from different parts of the world that saw in that gigantic piece of land an open door to a new life. The country and society were made with the hard work of the poor masses from other countries, who were given the opportunity to change their lives in a new home [25]. For different reasons, there existed, exist and will continue to exist thousands of others that see this country as the land of opportunities, "the american dream." Therefore, the United States history is a history of emigration, on the one hand, and a history of immigration, on the other, depending on the perspective of who lives it. Seen as nation of immigrants, immigration has been encouraged and citizenship promised to immigrants (although there are restrictions and a quota system that limits annual flows) [26].

2.1 - Immigration and Deportation Legal Framework in the USA

In general, all countries have immigration policies whose goal is to prevent massive and uncontrolled migration flows that could put at risk their progress. These policies contain the conditions for a non-citizen to enter the country temporarily or permanently. The USA have a long history concerning the reasons for entry and permanency in relation to non-american citizens [27]. According to Kanstroom [28], the ideals inherent to immigration and its policies have been through different phases depending, mostly, on the immigrants' country of origin. "Amongst the factors that affect immigration policies there is the vast field of cheap labour of the country's economy, with many types of work fulfilled by immigrants' [28]. Areas of work such as the food and clothing industry, taxi driving, construction work, agriculture and household work, that are normally less attractive to the Americans [29]. Hence, immigration policies have changed according to values of different historical periods.

Immigration policies define citizenship, loss of citizenship, admission or removal of foreigners (or "aliens" as identified in the country). Legal immigration involves people that are trying to establish themselves permanently in the country by owning a permanent residents card or "green card" – these people are the immigrants. Non-immigrants are people trying to stay in the country temporarily by obtaining a visa card (students, refugees, workers with temporary visas). Immigration policy also includes exile, naturalization, denaturalization, deportation and crimes associated to immigration (ilegal immigration and illegal work).

It is important to mention that the american laws concerning immigration and immigrants are far from being coherent and consistent. These have welcomed immigrants massively and have, also, abandoned and reacted against them. "American immigration policies have revealed an openness that can't be compared with the rest of the world but, at the same time, they have also adopted nativist, racist and discriminatory ways of exclusion. This contradiction persists because immigration policies should always correspond to different demands that are, frequently, not compatible" [30].

American immigration policies have changed in the last few decades in ways that have deeply affected many immigrants lives. From the end of the 1970s, the emergence of an economic crisis, gave way to new policies that complicated immigration flows and immigrants were seen as the scapegoat in the political discourse. This led to many reforms in the immigration policies that had different impacts on the deportation procedures. One of the reforms resulted in the Immigrant Reform and Control Act (IRCA), in 1986, that outlined the legalization of undocumented residents in the USA and dissuasion of further immigration. This reform included amnesty to undocumented immigrants and the start of frontier militarization. It also introduced penalties to employers that hired undocumented immigrants. However, the non-intentional consequences of the IRCA were the transformation of circular migration to permanent migration, a decrease on the wage level of undocumented immigrants and of the lower layers of the american labour market [31].

During the 1990s, other acts were imposed against immigrants. "(...) The first one was Proposal 187 that tried to exclude undocumented immigrants from social services" [32]. In 1996, Congress declared the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), that made frontier control rougher, making it more difficult to undocumented immigrants to regulate their situation, made it harder to obtain exile and expanded causes to deport long-term permanent residents. In that same year, Congress promoted a reform on social welfare laws, the Personal Responsibility and Work Opportunity Act (PRWOA), that made citizenship a required condition for public subsidies as, for example, social security. By these means, Proposal 187 was turned into national policy and ended up affecting not only undocumented immigrants but also legal residents [33]. The events of September 11th, 2001, made the scenario worst. The USAPATRIOT Act, promoted after the attack, gave the Justice Department greater powers of detention and deportation of non-citizens. These attacks contributed, once again, to discriminatory acts, putting immigrants civil rights at risk [34].

Having substantially aggravated many immigrants convicted for a felony or crime, the Illegal Immigration Reform and Immigrant Responsibility Act modified considerably previous laws relating to immigrants responsibilities. In other words, this new act defined new criteria that made deportation a much easier measure to apply. As for example, before the IIRIRA, a crime was considered an aggravated crime if the individual was convicted to at least five years jail time. After the IIRIRA, a crime was considered an aggravated crime if the individual was convicted to one year jail time.

In a global era, profoundly marked by security and safety paranoia, entry control, permanency and expulsion of foreigners has been gaining weight in the states discussions [35]. In countries that host immigrants from all over the world, as the United States, the demand on safety and security has been adopting very restrictive and punitive legal frames that often violate human rights to stand for a "new national security ideology." Hence, an emigrant, being considered a non-citizen, is quickly associated to a criminal and stigmatizing logic.

Deportation, then, becomes the outcome for certain individuals for the practice of acts considered crimes by the american law: people who possess visas that can be legal permanent immigrants or not, immigrants whose visa has expired; illegal immigrants and other non-citizens such as foreign students, refugees and workers with temporary visas.

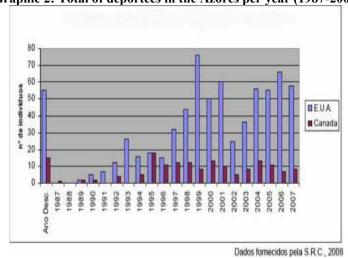
The deportation process is very complex. It can be applied to any citizen entering a country legally or illegally. The government established two ways of entry control: one is the *extended border control*, the other is *post-entry social control*. The first ones' goal is to remove non-citizens that have entered the country without fulfilling the legal entry conditions or that have broken the laws related to temporary residence. The second control outlines the type of behaviour certain individuals (students, workers, permanent residents), that committed some sort of activity not permitted by law or considered dangerous, shall have while living in the country [36]

The deportation process gets started through a notification – NTA or Notice to Appear – sent by the Department of Homeland Security (DHS) to the person that will eventually get deported. This notification orders a court appearance before an Immigration Judge working for the U.S. Department of Justice. The notification informs the reason for the court appearance, explaining how the person broke the law and declaring his/her right to get a defence attorney (whom he/she shall pay for) and informs of the consequences if not going to court.

It's the Department of Homeland Security that, through its agencies – Immigration and Costumes Enforcement (ICE) and the U.S. Costumes and Border Protection (CBP) – controls immigrants' entries and permanencies. ICE controls immigrant permanency in the country and CBP controls their entries at frontiers and ports [37].

3. THE AZORES CASE: VISIBILITIES OF DEPORTATION

In the Azores, deported individuals started to arrive at he end of the 1980s, beginning of the 1990s. As demonstrated in Graphic 2, this firstly occurred in 1987, gradually growing in the following years, having the biggest increase in 1999 and 2000 and maintaining the same level in the mid-2000s. Deportation is seen "(...) as a way of fighting illegal immigrant criminality, especially in the urban centres, where the majority have their roots and references. According to this law (...) the number of years an immigrant has lived in the country doesn't matter which results, frequently, in the breaking of familiar and social bonds and ties the immigrant built and of everything else he/she created in the host country [38].



Graphic 2: Total of deportees in the Azores per year (1987-2007)

Source: RODRIGUES [39]

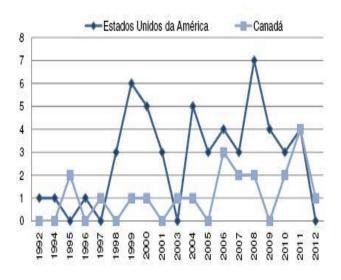
The majority of individuals that were deported to the Azores went to live in the United States as a young child accompanying his/her parents. Most of them never got the chance to choose if they wanted to live in a different country from where they were born. They lived most of their lives in the USA, were raised there, were educated in that country, worked there, had families, built lives. In other words, they didn't possess american nationality officially but, nevertheless, are a product of that country having been raised there.

Deportation is a consequence of the practice of a crime and, often, due to a non-existent resident permit. As soon as deportees got to the Azores, their integration in a totally different environment becomes difficult. They are far from everything they are accustomed too, far from their families and far from all the references they know. The islands'

isolation "(...) easily labels these individuals, who have no ties in the Azores, as criminals because they were expelled from a country due to illegal behaviour" [40].

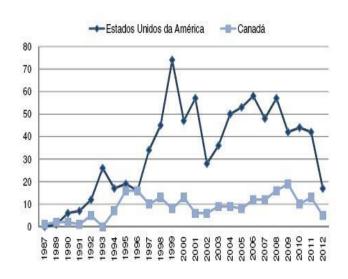
As far as the deportation phenomenon is known, there exists a total of 1138 deported individuals in the Azores (to the moment this paper was written). In that total, 64 individuals are women.

Graphic 3: Deported women in the Azores per year and country of origin (1992-2012)



Source: ROCHA e BORRALHO [41]

Graphic 4: Deported men in the Azores per year and country of origin (1987-2012)



Source: ROCHA e BORRALHO [42]

As verified in Graphic 3 and 4, the number of deported women is inferior to the men. With such a difference, it becomes difficult to understand the reality lived by these women because there is scarce information about them. Not much is known about their integration in the Azorean society, where they live, how they live and what they do. They are practically invisible.

Deportation has had a significant growth in the Azores and the number of individuals being deported is always increasing. As a result, "(...) there was the need, from the state and society, to elaborate social projects that could help and support those people, regarding their integration in a place unknown for most of them" [43].

Therefore, the Azores have been trying to answer their needs through the work of social organizations such as ARRISCA and Novo Dia. Both of them work for the integration of deportees in the social, cultural and professional spheres.

CONCLUSION

The outlines of both emigration and deportation phenomena pose challenges and demands to scientific knowledge, particularly in what refers to individual and subjective dimensions. Approaching the deportation issue and its consequences from the perspective of the individuals that have gone through it and have been living it, cannot be generalized nor associated to the general facts known about this phenomenon. First, all the scarce information about it limits reality to statistical evidence and generalized facts as the legal procedures of deportation and as the dimension of deportation flows. Second, a better knowledge implies a deeper understanding and a closer proximity of the phenomenon that shall open doors to realities that have been kept in the dark as, for example, histories of lives and the definition of environmental, dynamic and complex factors implied in the construction and/or deconstruction of social inclusion opportunities. Hence, the importance in investigating that kind of specific information. The experiences contained in the lives of each of the individuals that have gone through a process like deportation are all different and diverse. Giving visibility to these experiences may build an opportunity for the formulating of public policies where the rights of these individuals are not limited only to public assistance but give chance for a true social integration in a society that claims the right to dream but, simultaneously, takes away that same right every time it excludes and discriminates people.

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