

Story Updated.



Obama Administration Opens Asylum for Battered Women

by [proseandpromise](#)



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In the midst of major legislation on energy and health care, an issue that hasn't been discussed much here lately is immigration reform. While this certainly hasn't been a top priority of the Obama administration or liberals as a whole, it is a necessary piece of restoring a just structure to our society.

This week the Obama administration took an important, if small, step toward a sensible immigration policy - specifically they are working to overturn the Bush Administration's policy about asylum for battered women.

The Obama administration has opened the way for foreign women who are victims of severe domestic beatings and sexual abuse to receive asylum in the United States. The action reverses a Bush administration stance in a protracted and passionate legal battle over the possibilities for battered women to become refugees.

[From the New York Times Yesterday...](#)

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More specifically, the Obama administration's decision revolves around the landmark case of Rovi Alvarado. Ms. Alvarado is a refugee in America from Mexico where she was systematically raped, abused, and almost murdered by her husband. In 1996, Ms. Alvarado was given temporary asylum in the United States under the ruling of a *empathetic* judge who saw Mexico's inability or unwillingness to protect Ms. Alvarado as a form of persecution.

However, because US asylum law was not clear about the case of battered women, Ms. Alvarado was not granted full asylum, meaning she cannot be granted citizenship. As a result, she has not been able to bring her children to this country. She has lived apart from them as a house worker in California for the last 13 years.

In 2004 Ms. Alvarado's case came before Attorney General John Ashcroft. At the time Ashcroft was on the way out, so while he issued a statement supportive of full asylum for Ms. Alvarado, he stopped short of recommending that course of action. Instead he handed the case to his successor, Alberto Gonzales, who also stalled and passed off the case. Ms. Alvarado's case then stalled for another 5 years until this week.

Whether it was just more beaurocratic incompetence on the part of the Bush Administration, or a deliberate effort to restrain immigration is difficult to tell. The heart of the legal debate surrounds the question of whether or not battered women can be considered part of a persectued group.

Again, from the Times...

Any applicant for asylum or refugee status in the United States must demonstrate a "well-founded fear of persecution" because of race, religion, nationality, political opinion or "membership in a particular social group." The extended legal argument has been whether abused women could be part of any social group that would be eligible under those terms. Last year, 22,930 people won asylum in this country fleeing all types of persecution; the number has been decreasing in recent years.

Each year the President issues a "quota" guiding how many refugees should be permitted in to the counrty. As the Times stated, the number of refugees in to the country declined sharply during the Bush years. As a test case, the case of Ms. Alvarado seems to indicate the the new administration has a much more open, and more humanitarian, view of refugee policy.

I can only hope that this marks the administration's larger agenda concerning immigration.

With a growing immigrant population in America, it is vital that the administration find means to enfranchise those who are currently non-citizens in our country. Beyond the simple human-side of the story of immigration, there are added societal consequences.

When a large portion of America's poorest and working class folks are non-citizens (Ms. Alvarado, a house cleaner, fits this category), it skews the voting population when compared to the general population. A disenfranchised working people means that political decisions will disproportionately be made by the wealthy and the powerful. This movement of power away

from workers and toward managers has had terrible consequences for us in the last 30 years.

I sincerely hope that this news from the Obama administration signals a change in direction toward enfranchisement and empowerment for immigrant and working class Americans.

So on multiple fronts - humanitarian, political, and economic - this decision from the Obama administration holds promise for a more sensible immigration policy. Certainly it brings long-awaited justice for Rovi Alvarado. And, ultimately, it gets us one step closer to meaning sincerely what we have engraved on the statue of liberty...

The New Colossus

Not like the brazen giant of Greek fame,
With conquering limbs astride from land to land;
Here at our sea-washed, sunset gates shall stand
A mighty woman with a torch, whose flame
Is the imprisoned lightning, and her name
Mother of Exiles. From her beacon-hand
Glow world-wide welcome; her mild eyes command
The air-bridged harbor that twin cities frame.
"Keep, ancient lands, your storied pomp!" cries she
With silent lips. **"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!"

—Emma Lazarus, 1883

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