

If there is one thing I learned over the course of my CLACS research field trip to *Ambos Nogales* during the summer of 2024, it is to listen, adapt, remain flexible, and be open to the surprising and unexpected. In early July, I traveled to Nogales, Mexico, to gather knowledge about the asylum system, and understand the asylum seekers' goals, strategies, and perceptions of the asylum process as they embarked on it. However, I got to the border at a very interesting yet unforeseen moment. President Biden had recently passed the now famous Executive Order, and the situation at the border was not like I had been told in my previous interviews. So, I decided to embrace that unexpectedness and try to understand the uniqueness of the situation I was suddenly in. What I did not know is that, by doing that, I would get closer to the heart of the system I was interested in exploring.

On June 4, 2024, President Biden passed an Executive Order that barred migrants who cross the US-Mexico border without a CBP One appointment from seeking asylum. After the order was passed, Kino Border Initiative, the organization I worked with for the duration of my field studies, started almost exclusively receiving deported families of asylum seekers. Daily, we would see parents with their children coming through our doors. They came in without their shoelaces and a little transparent plastic bag in hand containing their stuffed documents and IDs—that is how we knew they had been deported. Almost all of them had tried to seek asylum but were nonetheless sent back to the country they were seeking protection from.

At first, I was in shock. That contradicted International and US law and violated the nonrefoulement principle. I knew asylum was a difficult and arduous process for those seeking it, but the executive order seemed to go too far. It looked like the end of asylum. And in a way, it was—at least partially. However, with a secured CBP one appointment, those asylum seekers who had waited, some for over six months, were still presenting themselves at the port of entry. And after inspection and answering questions, some of them were let in with a notice to appear in front of a US Immigration Judge to fight for their asylum case. So, some people were being given the chance to start their asylum process.

This duality shed light on asylum as a process and system. On the one hand, the asylum regime has remained stable for over half a century. Even if numerous advocates and scholars have problematized that stability, since 1951, the definition of “refugee” has not changed. Asylum seekers still need to prove past persecution or a well-founded fear of persecution based on the same five protected grounds: race, religion, nationality, political opinion and/or membership in a

particular social group. In short, even if the reasons why someone might need succor have changed, the contours of the humanitarian system of protection have not. However, in the US, various laws, executive orders, and policies have been passed since then, making asylum-seeking an almost ever-changing process for those navigating it. These state orders continue to alter not only *who* might qualify for asylum but also *how* one can seek asylum.

I soon realized that if I do want to understand how asylum seekers interpret, get knowledge of, negotiate, challenge, or embrace the rules of asylum, I need to contextualize this agentic process within a system that changes and fluctuates, within a set of rules that are not static. It also means that asylum seekers themselves must keep up with these changes, which, as I saw in Nogales, can have the most tragic and life-threatening consequences.