## POLITICAL PRESSURES AND THE WINDOWS OF OPPORTUNITY: ANALYZING THE US TRAVEL BAN POLICY CHANGE FROM TRUMP TO BIDEN

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#### **ABSTRACT**

The Travel Ban policy issued by President Donald Trump in 2017 changed United States immigration regulations by prohibiting immigrants and visitors from seven Muslim-majority countries, namely Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen, from entering the United States. This policy faced widespread opposition, protests, and legal challenges, as it was considered a violation of human rights and detrimental to the economy. This study analysess the domestic factors that influenced the change in the United States Travel Ban policy from the Trump to the Biden administration. By identifying the various domestic factors affecting the change in the Travel Ban policy and utilizing the concept of Windows of Opportunity, this research explains how domestic factors exert pressure on the government, thereby creating opportunities for decision makers to change the policy. This study finds that bureaucracy, public opinion, media, interest groups, and political parties played significant roles in pressuring the government to amend the policy. Ultimately, President Joe Biden seized the window of opportunity created by domestic pressure to repeal the Travel Ban and restore the United States' image as a nation that upholds non-discrimination and human rights.

Keywords: Travel Ban, United States, Domestic Factors, Foreign Policy Change

#### **ABSTRAK**

Kebijakan Travel Ban yang dikeluarkan oleh Presiden Donald Trump pada tahun 2017 mengubah aturan imigrasi Amerika Serikat dengan melarang masuknya imigran dan pengunjung dari tujuh negara mayoritas Muslim, yaitu Iran, Irak, Libya, Somalia, Sudan, Suriah, dan Yaman ke Amerika Serikat. Kebijakan ini mendapat banyak penolakan, protes, dan gugatan hukum karena dianggap melanggar hak asasi manusia serta merugikan perekonomian. Penelitian ini menganalisis faktor domestik yang memengaruhi perubahan kebijakan Travel Ban di Amerika Serikat dari masa pemerintahan Donald Trump ke Joe Biden. Dengan

mengidentifikasi berbagai faktor domestik yang memengaruhi perubahan kebijakan Travel Ban serta memanfaatkan konsep Windows of Opportunity, penelitian ini menjelaskan bagaimana faktor domestik dapat memberikan tekanan terhadap pemerintah sehingga menciptakan jendela peluang bagi pengambil keputusan untuk mengubah kebijakan Travel Ban. Penelitian ini menemukan bahwa birokrasi, opini publik, media, kelompok kepentingan, dan partai politik sangat berpengaruh dalam menekan pemerintah untuk mengubah kebijakan tersebut. Pada akhirnya, Presiden Joe Biden memanfaatkan jendela peluang yang muncul akibat tekanan dari faktor domestik untuk mencabut kebijakan Travel Ban, sebagai upaya mengembalikan citra Amerika Serikat sebagai negara yang menjunjung tinggi prinsip non-diskriminasi dan hak asasi manusia.

Kata Kunci: Travel Ban, Amerika Serikat, Faktor Domestik, Perubahan Kebijakan Luar Negeri

### **INTRODUCTION**

Donald Trump, the 45th President of the United States, enacted a new immigration policy at the onset of his term by issuing Executive Order 13769, known as "Protecting the Nation From Foreign Terrorist Entry Into the United States," on January 27, 2017. This policy was a direct fulfillment of Trump's campaign promise from December 2015, in response to national security concerns following the terrorist attack in San Bernardino, California (Pilkington, 2015). National security had been a primary focus for Trump from the campaign period through the start of his presidency, prompting the implementation of this immigration policy as a demonstration of his administration's commitment to protecting U.S. citizens and responding to the threat of terrorism (White, 2016). Executive Order 13769 subsequently became widely known as the Travel Ban or Muslim Ban, as it targeted countries whose populations are predominantly Muslim. The policy was issued with the aim of safeguarding the American public from potential terrorist attacks, particularly those involving foreign nationals, by tightening the screening and vetting procedures for visa issuance and the implementation of the United States Refugee Admissions Program (USRAP) (Trump, 2017). In practice, the regulation blocked individuals from Iraq, Iran, Somalia, Syria, Sudan, Libya, and Yemen from entering the United States for a period of 90 days. It also temporarily halted the refugee admissions program for 120 days and placed an indefinite restriction on the entry of Syrian refugees into the United States. In the Executive Order 13769 document, Donald Trump also explained that these restrictions were imposed on countries considered to pose a high risk of terrorism, which was deemed to potentially endanger national security if their citizens entered U.S. territory (Trump, 2017).

The Travel Ban marked a drastic shift in U.S. immigration policy, which had previously been more open to immigrants and refugees. This change was viewed as potentially damaging the United States' global reputation as a welcoming country for immigrants, even though it was justified on the grounds of enhancing domestic security. Based on statistics from the U.S. Department of Commerce, there were 697,791 fewer international visitors to the United States between January and March 2017 compared to the same timeframe in the prior year (Carey, 2017). The decline in the number of foreign visitors was estimated to result in national revenue losses of

around USD 2.7 billion (Carey, 2017). This economic impact underscores that the Travel Ban policy had significant consequences for the tourism sector and national foreign exchange. Moreover, the Travel Ban policy was also widely regarded as clear discrimination against Muslims and as contrary to human rights principles, thereby sparking widespread controversy both domestically and internationally (The Guardian, 2017). In response, strong reactions arose from various elements of society, marked by waves of protest at several strategic locations across the United States, such as major airports, the residence of President Donald Trump, the White House, and downtown areas in New York and Washington, D.C. (BBC, 2017). Thousands of people protested the policy, including immigrants who were detained at airports. Various human rights organisations, such as the American Civil Liberties Union (ACLU) and International Refugee Assistance Project (IRAP), also actively opposed the Travel Ban by filing lawsuits in federal courts (International Refugee Assistance Project v. Trump, 2017). Reports from the Department of State (DOS) indicate that approximately 60,000 visas held by nationals from the seven countries targeted by the policy were cancelled (Fox News, 2017). In addition, the United States Customs and Border Protection (CBP) stated that, within the first 72 hours after Executive Order 13769 took effect on January 27, 2017, entry was denied to 721 immigrants, and 1,060 lawful permanent residents (green card holders) were required to go through waiver procedures in response to the policy (Rhodan, 2017). The mass visa cancellations, detentions, and denial of entry for hundreds of immigrants further fueled public anger.

The widespread rejection from the public indicated that this policy not only impacted immigrants but also fostered a sense of solidarity among Americans to fight for human rights (Bolter S. P., 2020). Moreover, the chaos caused by the Travel Ban triggered over 40 legal challenges in U.S. federal courts, of which eight resulted in temporary rulings suspending the Travel Ban, thus preventing the denial of entry for legitimate visa holders (Bolter M. C., 2019). This lengthy legal process also reflected the tension between the executive and judicial branches in upholding constitutional principles. After facing various legal challenges, on March 6, 2017, President Donald J. Trump issued Executive Order 13780 (Trump, 2018). Through this order, the United States continued to prohibit entry for citizens of Iran, Libya, Somalia, Sudan, Syria, and Yemen, while removing Iraq from the list, but still suspending refugee admissions for 120 days (Trump, 2018). Shortly thereafter, on September 24, 2017, President Donald J. Trump issued Proclamation 9645, introducing entry restrictions for nationals of North Korea, Libya, Chad, Iran, Syria, Somalia, Venezuela, and Yemen, while Sudan was excluded from the list (Trump, 2017). This policy was part of the U.S. government's ongoing efforts to tighten immigration screening systems to detect and prevent individuals who could pose security threats, particularly those related to terrorism (Trump, 2017). Subsequently, in April 2018, through Proclamation 9723, restrictions on Chad were lifted because the country had improved its security system and was no longer considered a threat to national security (Trump, 2018). The scope of the policy was later broadened by Proclamation 9983, which restricted entry into the United States for citizens of six additional countries, Eritrea, Myanmar, Nigeria, Kyrgyzstan, Tanzania, and Sudan, until each of these nations addressed the specific deficiencies identified. (Trump, 2020). However, for Sudan, the restriction only applied to applicants for the Diversity Visa program, not to all immigrant or non-immigrant visa

categories. Over time, this policy continued to face public opposition, triggering chaos, anger, and waves of protest. In response, on January 20, 2021, the newly inaugurated President of the United States, Joseph R. Biden Jr., signed Proclamation 10141, titled "Ending Discriminatory Bans on Entry to the United States," which officially revoked Executive Order 13780 as well as Proclamations 9645, 9723, and 9983 (Joseph R. Biden, 2021). This step symbolized the new administration's commitment under President Joe Biden to restore the United States' image as a country that upholds the principles of non-discrimination and human rights.

Understanding the Travel Ban policy in the United States requires analysis from multiple perspectives, including ideological, security, and policy change dynamics. Existing literature demonstrates that this policy is not merely an administrative decision, but also reflects deeper social and political issues.

This body of research highlights that the Travel Ban policy resulted from processes of Othering and Orientalism, which frame Muslim communities as "the other" and as a threat to American national identity (Yousef, 2022). Yousef (2022) explains that this policy is a continuation of a long history of discrimination in U.S. immigration policy. Utilizing the concepts of Clash of Civilizations and the War on Terror, Yousef shows how perceptions of Muslim communities are constructed within a narrative of threat, which then serves as the foundation for legitimizing exclusionary policies against certain nationalities. In addition, this study discusses the social and psychological impacts experienced by Muslim communities, as well as the resistance from human rights groups to the policy.

Furthermore, there are studies that view the Travel Ban policy as part of a state securitization strategy. Through this approach, the Travel Ban policy is understood as a means by which the United States government protects the country from terrorism threats, which are constructed by the state as existential threats (Nurhadi, 2021). Nurhadi (2021) examines the national security interests underlying this policy during its early implementation, specifically in the years 2017–2018. Nurhadi employs the concepts of Securitization and National Security to explain how the Trump administration developed a threat narrative as a basis for justifying entry restrictions on immigrants from certain Muslim-majority countries. This study affirms that the Travel Ban policy was positioned as a tool to protect the nation from external threats perceived as endangering the security of American society.

The change in the Travel Ban policy from the Trump administration to the Biden administration demonstrates that domestic factors played a significant role in redirecting the course of U.S. foreign policy. In line with this, literature on foreign policy change emphasizes the importance of considering how domestic actors, political structures, and institutional opportunities interact to drive policy change (Putri, 2024). Putri (2024), in her research on changes in immigration policy at the Mexico border, notes that policy change does not occur solely due to a change in president, but is also influenced by domestic factors such as bureaucracy, public opinion, media, interest groups, and political parties. Although her study does not specifically discuss the Travel Ban policy, the approach remains relevant for understanding the dynamics of policy change related to the Travel Ban. Based on a review of previous studies, a research gap remains for deeper analysis regarding the democratic factors driving changes in the U.S. Travel Ban policy from the Trump to the Biden administration. This study utilizes

the theory of Foreign Policy Change and Windows of Opportunity proposed by Joakim Eidenfalk. Based on this background, the research question is formulated "What domestic factors drove the change in the U.S. Travel Ban policy from the Trump administration to the Biden administration?".

#### **CONCEPTUAL FRAMEWORK**

### **Foreign Policy Change**

In this study, the author employs theory as an analytical tool to help answer the research question. This theory serves as a framework for identifying and explaining the domestic factors that influence changes in the Travel Ban policy. The theory applied is Foreign Policy Change as introduced by Joakim Eidenfalk. In his theory, Eidenfalk systematically explains how the process of foreign policy change can occur within a country (Eidenfalk J., 2006). Unlike several earlier theoretical models, Eidenfalk's Foreign Policy Change theory provides a detailed account of the various factors that influence government decisions in altering foreign policy. According to Eidenfalk, foreign policy is one of a nation's most important instruments; thus, every change needs to be thoroughly analysed. Moreover, foreign policy change can affect a country's relationships with specific actors and the broader international community (Eidenfalk F. D., 2013). Eidenfalk also explains the concept of the Source of Change, which refers to the origin of foreign policy change in a country. In this concept, one of the sources of change is domestic factors, which play a vital role in encouraging the government to alter the direction of its foreign policy (Eidenfalk J., 2006). Domestic factors are identified as five main elements: bureaucracy, public opinion, media, interest groups, and political parties.

Each of these factors has a unique influence in driving foreign policy change. Bureaucracy plays a significant role in policy implementation, and if there are inconsistencies in execution, the bureaucracy can influence or encourage policy adjustments, and may even oppose, delay, or modify the policy to make it more effective and aligned with national interests. This is reinforced by Eidenfalk's findings in one of Kalevi J. Holsti's studies, where one out of eight analysed case studies demonstrated that bureaucracy played an important role in driving foreign policy change, which justifies including bureaucracy as a source of change (Eidenfalk J., 2006). Besides bureaucracy, public opinion also shapes government policy direction, especially when there are differing views within society that can lead to demonstrations and exert direct pressure on policymakers. The media functions as an information provider for both the government and the public, and therefore plays a significant role in encouraging policy change. Interest groups typically highlight specific issues that attract public attention, thereby prompting policymakers to respond seriously. Finally, political parties are influential because public pressure can influence members of parliament, prompting them to press the government on certain policy issues. For these reasons, Eidenfalk includes these factors as sources of change in his theory. These elements interact and complement one another, resulting in collective pressure that drives the government to change its foreign policy.

## **Windows of Opportunity**

The author also applies the Windows of Opportunity theory proposed by Joakim Eidenfalk to complement the analysis. This theory states that the process of foreign

policy change is influenced not only by structural factors or sources of change, but also by the role of key actors or decision-makers who are able to seize emerging opportunities (Eidenfalk F. D., 2013). According to this concept, a leader can initiate foreign policy changes by recognizing moments when structural shifts occur, thereby creating opportunities to drive change. In this context, the pressure or influence resulting from structural change can be seen as a policy window for decision-makers to implement change. Therefore, in the process of foreign policy change, a policy will not change solely because of the source of change, but also depends on the role of the principal actor who holds decision-making authority (Eidenfalk F. D., 2013).

### RESEARCH METHODS

This study is a qualitative explanatory research project employing a document analysis approach. This method aims to explain the relationships among the variables examined (Purba, 2011). Through this method, the author focuses on analyzing the domestic factors that influenced changes in the United States Travel Ban policy from the Trump administration to the Biden administration. The scope of this study covers the period from 2017, when the Travel Ban was enacted by President Donald Trump, to 2021, when the policy was revoked by President Joe Biden. This time frame was chosen to allow for a comprehensive analysis of the changes in the Travel Ban policy, the reasons behind these policy decisions, and the influencing factors.

The type and source of data used in this research are secondary data. Secondary data refer to information that has already been collected and compiled by other parties or institutions (Purba, 2011). These data are used to support the analysis and discussion in this study. Secondary data were obtained through library research by collecting and analyzing various relevant and credible sources, including academic literature, research journals, scientific articles, official government documents, reliable organisational websites, and books discussing the United States Travel Ban policy. To ensure that the data are comprehensive and credible, the author used only reputable and trustworthy secondary sources, such as books, journals, scientific articles, reports from official United States government websites, and news portals such as The New York Times, The Guardian, and other sources relevant to the discussion of the Travel Ban policy in the United States.

All secondary data collected were then analyzed using qualitative data analysis techniques. At this stage, the author reviewed, organized, and analyzed the data using the Foreign Policy Change and Windows of Opportunity theories proposed by Joakim Eidenfalk. This process enabled the identification and explanation of the factors influencing changes in the Travel Ban policy, as well as the formulation of conclusions that address the research question.

### RESULTS AND DISCUSSION

According to the Foreign Policy Change theory by Joakim Eidenfalk, domestic factors play a significant role in influencing and pressuring a country's government to make changes in its foreign policy. In this context, the United States government needed to consider various domestic factors in the process of formulating its foreign policy. Eidenfalk's theory identifies domestic factors as several key elements: bureaucracy, public opinion, media, interest groups, and political parties.

# Bureaucratic Factors Behind the Policy Change of the Travel Ban in the United States

In the United States governmental system, the President plays a central role in determining the direction and substance of foreign policy (U.S. Department of State, n.d.). As a result, the President issues foreign policy decisions in the form of Executive Orders, which are legally binding but may be challenged in court or revoked by a subsequent president (Bleiker, 2025). In practice, the implementation of foreign policy, such as the Travel Ban, depends heavily on the bureaucracy as the administrative executor. Here, "bureaucracy" refers to government agencies such as the Department of Homeland Security (DHS) and the Department of State (DOS). The Department of Homeland Security (DHS) serves as the primary agency responsible for implementing immigration policy, including overseeing customs, immigration, border security, counterterrorism, and cybersecurity (U.S. Department of Homeland Security, 2023).

This also includes its sub-agencies, such as U.S. Citizenship and Immigration Services (USCIS), which handles legal immigration services; Customs and Border Protection (CBP), which oversees borders; and Immigration and Customs Enforcement (ICE), which enforces immigration laws and ensures national security (U.S. Department of Homeland Security, 2025). Another major agency is the Department of State (DOS), which is responsible for screening and issuing immigrant and non-immigrant visas abroad (U.S. Department of State, n.d.). The involvement of the bureaucracy in implementing the Travel Ban demonstrates that, although the policy is determined by the central government, its execution in the field greatly depends on the support and coordination among administrative agencies. The implementation of the Travel Ban required procedural adjustments within the relevant bureaucratic agencies, ranging from visa issuance to the handling of immigrants at airports. Without bureaucratic support, the policy would not function effectively and could potentially trigger public protest.

However, after the Travel Ban policy was enacted, it faced considerable resistance from within the country, including from within the bureaucracy and government agencies themselves. This resistance was exemplified when hundreds of civil servants from the Department of State (DOS) signed the "Internal Dissent Memo" (Morello, 2017). This document was an official protest against the policy and was submitted through a channel known as the "Dissent Channel" (BBC, 2017). The Travel Ban also received strong criticism from several senior legal officials at the state level. Attorneys general from sixteen U.S. states signed and filed an amicus brief highlighting that the executive order caused real and irreparable harm to residents, institutions, and businesses in the affected districts and states (Office of the Attorney General of California, 2017). Furthermore, Washington and Minnesota officially brought legal action against the federal government, seeking to halt and invalidate the Travel Ban's enforcement on the grounds that the Executive Order breached both the First and Fifth Amendments of the U.S. Constitution, along with the Immigration and Nationality Act (Washington v. Trump, 2017).

Resistance from within the bureaucracy demonstrates that there are differing perspectives within U.S. government institutions regarding the Travel Ban, particularly between civil servants and policymakers. Although, structurally, the bureaucracy is responsible for implementing policies as instructed, in practice there remains room for

civil servants to express opposition through mechanisms such as the dissent channel, without fear of immediate dismissal. Bureaucratic resistance contributed to judicial review of the Travel Ban and delayed its implementation through several temporary restraining orders (TROs) (McKirdy, 2017). Thus, the bureaucracy not only carries out policies in a technical sense but also plays a role in overseeing policy implementation to ensure alignment with the constitutional values and democratic principles of the U.S. government.

# The Role of Public Opinion in the Change of the Travel Ban Policy

The United States is a country that upholds a democratic system, in which public opinion plays a critical role in putting pressure on the government whenever a policy is perceived as contrary to humanitarian values. In the case of the Travel Ban policy, the public demonstrated significant opposition. This was evident through mass protests at international airports and other strategic locations, both within the United States and abroad. Large-scale demonstrations took place at airports including John F. Kennedy International in New York, Los Angeles International (LAX), and Chicago O'Hare, as well as in major metropolitan areas such as New York City, Los Angeles, Chicago, Boston, and San Francisco (The Guardian, 2017). Protests also took place in cities such as London, Toronto, Paris, and Sydney (Voa News, 2017). Additionally, opposition spread across digital platforms, as reflected in waves of protest on various social media networks such as Facebook, Twitter, and Instagram, using hashtags like #TravelBan, #MuslimBan, and #NoBanNoWall (Harvard, 2017). Thousands of people also managed to collect more than 150,000 signatures through online petitions, which were later submitted directly to Congress as a demand to immediately revoke the policy (Dardari, 2018). Alongside direct demonstrations and social media campaigns, the influence of public opinion was further strengthened by prominent figures, including politicians, celebrities, and human rights activists. Politicians such as Hillary Clinton and Bernie Sanders, as well as Hollywood actors like Mark Ruffalo, voiced their opposition to the Travel Ban through social media and interviews, amplifying public pressure on the Trump administration (Quigley, 2017). Furthermore, a survey conducted by the Pew Research Center in February 2017 regarding Executive Order 13769 also indicated widespread public rejection of the Travel Ban policy.

Table 1. Results of Pew Research Center Survey on Public Opinion Toward the Travel Ban Policy in 2017

Category of Respondents	Approve (%)	Disapprove (%)
<b>Total Respondents</b>	38	59
Male	43	53
Female	33	64
Ages 18-29	28	66
Ages 30-49	38	59
Ages 50-64	44	52
Ages 65 and above	46	47

Source: (Pew Research Center, 2017)

Based on the Pew Research Center survey, the majority of the American public expressed their disapproval of the Executive Order (Pew Research Center, 2017). ). A total of 59% of Americans disapproved of the Travel Ban, while 38% approved. In

addition, another survey conducted by CNN in February 2017 indicated that 53% of respondents opposed the Travel Ban, while 47% supported the policy that restricted entry from the seven Muslim-majority countries and suspended the refugee program in the United States (CNN, 2017).

This considerable opposition demonstrates that public opinion in the United States played a crucial role in challenging a policy regarded as discriminatory. Public opinion not only signaled disapproval but also prompted legal action to overturn the policy. Pressure from mass demonstrations, social media protests, and widespread rejection led to lawsuits in federal courts, which prompted further judicial review of the Travel Ban (Lind, 2017). This illustrates that public opinion was one of the domestic factors that significantly contributed to the change in the Travel Ban policy.

## Media Behind the Policy Change of the Travel Ban in the United States

Opposition to the Travel Ban policy intensified with the involvement of major media outlets such as The New York Times, CNN, The Guardian, and BBC, which consistently reported on issues related to the Travel Ban. Their coverage highlighted the various impacts of the policy, including the denial of entry to immigrants, the separation of families, and waves of protest in different locations. Additionally, social media platforms such as Twitter, Instagram, and Facebook were widely used to disseminate information about the Travel Ban and to provide a space for the public to voice criticism and opposition. News organisations like The New York Times actively reported on the direct impacts of the Travel Ban on affected individuals and communities. Through an editorial titled "Donald Trump's Muslim Ban Is Cowardly and Dangerous," published on January 28, 2017, The New York Times openly criticized the Travel Ban (The Editorial Board, 2017). The editorial characterized the policy as cowardly, harsh, and perilous, stating that it intensified the hardships faced by families escaping conflict and oppression in their countries of origin (The Editorial Board, 2017). The editorial further stated that the Travel Ban not only worsened the plight of refugees, but was also contrary to religious freedom, a core value in American society (The Editorial Board, 2017). Such strong criticism placed moral pressure on policymakers and reopened public debate about the fundamental values that should be upheld in U.S. immigration policy.

A study by the University of California, Riverside also found a shift in American public attitudes toward the Travel Ban (Eyrich, 2018). A team of researchers analyse data from two separate surveys involving 311 participants, one administered prior to the policy's announcement and the other two weeks afterward. They found that information framing the Travel Ban as contrary to America's egalitarian identity and religious freedom triggered a change in public attitudes toward the policy. The study also showed an increase in support for immigrant rights among younger generations following widespread media coverage of the Travel Ban (Eyrich, 2018). These findings reinforce the notion that the media have a significant influence on shaping public opinion, especially when the policy in question involves religion and human rights (Eyrich, 2018).

In addition to traditional news coverage, content generated by social media users also contributed to shaping public opinion regarding the policy. Numerous photos and videos depicting families separated as a result of the Travel Ban spread widely on social media, attracting public sympathy and encouraging fundraising campaigns on platforms such as Facebook. One of the most well-known fundraising campaigns was "Reunite an Immigrant Parent with Their Child", which raised over \$25 million within weeks (Criss, 2018). The rapid dissemination of information regarding the Travel Ban policy demonstrates that, in today's digital era, the public has greater opportunities to voice opposition to policies perceived as discriminatory. Therefore, information distributed by the media has played a significant role in shaping and shifting public perceptions of the Travel Ban. The significant influence of the media in this case lies in its ability to rapidly shape public opinion and mobilize large-scale responses across society. Continuous and widespread media exposure not only heightened awareness but also translated public criticism into substantial political pressure that policymakers could not ignore. Ultimately, media influence became one of the key domestic factors contributing to the change in Travel Ban policy during the subsequent administration.

# Interest Groups Behind the Policy Change of the Travel Ban in the United States

Interest groups have been important non-governmental actors in advocating for changes to the Travel Ban policy. One of the most prominent is the Council on American-Islamic Relations (CAIR), a civil rights advocacy organisation for Muslims in the United States, established in 1994 (Council on American-Islamic Relations, n.d.). CAIR has continually denounced the Travel Ban, labeling it both discriminatory and unconstitutional, since it was perceived as specifically targeting individuals from countries with predominantly Muslim populations (Council on American-Islamic Relations, 2017). CAIR played a crucial role in opposing the Travel Ban, becoming the first organisation to file a direct legal challenge to Executive Order 13769 (Sarsour v. Trump, 2017). The legal action, initiated on January 30, 2017, in the United States District Court for the Eastern District of Virginia, argued that the policy was unconstitutional, specifically infringing upon the Free Exercise Clause and the Equal Protection Clause of the U.S. Constitution (Sarsour v. Trump, 2017). In addition, CAIR submitted written testimony to the United States Congress regarding the impact of the Travel Ban, arguing that the policy represented legalized Islamophobia and urging Congress to repeal the policy and ensure civil rights protections for all citizens (PR Newswire, 2019). Beyond legal avenues and congressional testimony, CAIR actively organized public education campaigns to increase awareness of the risks of discrimination following the Travel Ban. The organisation distributed more than 1,000 educational guides to the public, such as "Challenging Islamophobia" and "Know Your Rights and Responsibilities," and held community workshops to help raise awareness of the potential discrimination resulting from the policy (Council on American-Islamic Relations, 2018).

In addition to CAIR, the American Civil Liberties Union (ACLU) also actively opposed the Travel Ban. The ACLU is a human rights organisation in the United States, founded in 1920, dedicated to defending individual rights and civil liberties under the U.S. Constitution (ACLU, n.d.). The ACLU led the legal opposition to the Travel Ban from the time it was enacted by President Donald Trump in January 2017. Working alongside other legal organisations, the ACLU filed lawsuits on behalf of individuals affected by the policy (ACLU, 2017). These legal challenges arose because the main plaintiffs were held in custody by the U.S. government and threatened with

deportation, despite having valid visas permitting their entry into the United States. In addition to legal efforts, the ACLU utilized digital media such as Twitter to share real-time updates on legal proceedings, highlight the experiences of those affected, and raise funds for legal defence. Through this strategy, the ACLU raised \$24 million in public donations (BBC, 2017). The ACLU's efforts were not limited to legal action in court, but also included providing online legal guides such as "Know Your Rights," which helped the public understand immigration procedures and their rights (American Civil Liberties Union, n.d.). The ACLU regularly published reports on developments related to the Travel Ban and encouraged the public to pressure members of Congress to support the repeal of the discriminatory policy (American Civil Liberties Union, 2017). The organisation also collaborated with pro bono legal communities, including law firms and individual volunteers, and formed the Border Humanity Project coalition to support volunteer attorneys handling Travel Ban cases. These efforts expanded access to free legal assistance for refugees and immigrants affected by the policy. The collaboration between CAIR and the ACLU demonstrates how interest groups can mobilize public opinion, influence policymakers, and help protect civil rights in the face of controversial policies.

In addition to Muslim advocacy organisations such as CAIR and broader civil rights organisations like the ACLU, various Jewish and Christian communities, as well as international human rights organisations, also played a significant role in opposing the Travel Ban since the policy was enacted in January 2017. For example, the American Jewish Committee (AJC) publicly condemned the Travel Ban, stating that it was contrary to the values upheld by the United States (American Jewish Committee, 2017). There were also Christian communities, such as the United Methodist Church, that issued statements rejecting the policy because it was considered inconsistent with the church's principles of hospitality and compassion toward migrants and refugees (The Methodist Church, 2017). In addition, international human rights organisations such as Human Rights Watch (HRW) argued that the executive order compounded preexisting negative impacts, prolonged the suffering of refugees and separated families, and was considered discriminatory against certain groups (Human Rights Watch, 2017). This broad coalition of religious and human rights groups demonstrates that opposition to the Travel Ban did not come solely from Muslim Organisations, but was a collective effort to defend human rights and religious freedom across communities.

# Political Parties Behind the Policy Change of the Travel Ban in the United States

Political parties in the United States have a significant influence on both domestic and foreign policy, including immigration policy (CFR, 2024). The two major parties, the Republican Party under President Donald Trump and the Democratic Party under President Joe Biden, have different perspectives and approaches to immigration, which directly affect policies such as the Travel Ban. In general, the Republican Party supports strict law enforcement, stronger border control, and restrictions on legal immigration pathways in response to immigration issues (Republican Party Platforms, 2016). This perspective was reflected in the 2017 Travel Ban policy, which was presented as a measure to protect national security from potential terrorism. Conversely, the Democratic Party views immigration policy as a means of strengthening

social diversity, protecting human rights, and supporting comprehensive immigration reform, including creating a pathway to citizenship for undocumented immigrants (Democratic National Committee, 2024). The Democratic Party also emphasizes its commitment to maintaining diversity and humanitarian values in the United States by building a modern and humane immigration system that benefits all people and protects the rights of minorities and refugees.

These differences became even more apparent during Joe Biden's 2020 presidential campaign, when he asserted that, if elected, he would repeal the Travel Ban on his first day in office, arguing that the policy was inconsistent with American values as a nation of immigrants (Hesson, 2020). This promise was fulfilled on Biden's first day as the 46th President of the United States through Proclamation No. 10141, symbolizing a shift toward a more inclusive policy based on human rights principles. In addition to repealing the Travel Ban, President Joe Biden also introduced the U.S. Citizenship Act to Congress on his first day in office. This bill aimed to create a pathway to citizenship for approximately 11 million undocumented immigrants, including Dreamers, holders of Temporary Protected Status (TPS), and agricultural workers (Office of the Press Secretary, 2021). At the same time, Democratic Party members in Congress promoted legislative reform through the U.S. Citizenship Act of 2021 to facilitate naturalization and strengthen legal protections for immigrant groups in need of protection, as part of efforts to create a fairer and more humane immigration system (Narea, 2021).

On the other hand, the Republican Party has consistently criticized the immigration approach proposed by the Democratic Party and the Biden administration as being too permissive and weak on border enforcement. In various Congressional forums, Republican members argued that President Biden's immigration policies, which relaxed migration restrictions at the border, led to a significant increase in the number of undocumented immigrants arriving at the border, thus creating national security threats and a humanitarian crisis. They stressed that strengthening border security should be prioritized before broader immigration reform is approved (Office of the Press Secretary, 2021). The contrasting positions of the Republican and Democratic Parties indicate that immigration policy in the United States is influenced not only by security and humanitarian considerations but also by the political interests of each party. The sharp ideological differences between political parties in the United States allow the party in power to implement highly extreme policies, such as the Travel Ban. When the Republican Party with its conservative ideology dominates, its primary focus on national security and the protection of American identity can lead to the adoption of highly strict and exclusive policies in response to perceived threats. Conversely, when the Democratic Party which espouses a progressive ideology holds power, immigration policy tends to emphasize openness, diversity, and the protection of human rights, particularly for minorities and immigrants. Therefore, party ideology has a significant influence on determining the direction and extremity of the policies adopted, especially during periods of heightened political tension or societal conflict, which can result in policies as stringent as the Travel Ban.

# Windows of Opportunity Behind the Policy Change of the Travel Ban in the United States

According to Joakim Eidenfalk, the concept of Windows of Opportunity emphasizes the importance of key actors in seizing opportunities to enact foreign policy change (Eidenfalk J., 2006). In the context of the policy change surrounding the Travel Ban from the Trump administration to the Biden administration, new opportunities arose due to significant pressures within the country. Bureaucratic opposition within the government, mass public protests, media pressure, legal resistance from interest groups such as CAIR and the ACLU, as well as divergent views among political parties, created a window of opportunity for President Joe Biden to redirect U.S. foreign policy.

This momentum was seized by Joe Biden during his campaign, when he pledged to repeal the Travel Ban as both a symbolic and concrete step to restore the United States image in the eyes of the world. After taking office, President Joe Biden promptly revoked the Travel Ban. This action marked the beginning of a transition toward a more open, humane, and human rights—oriented U.S. immigration policy. The decisive and responsive measures taken by President Biden in recognizing and acting upon this window of opportunity demonstrate how a leader can leverage a critical moment to drive substantial and lasting changes in foreign policy.

#### **CONCLUSION**

The transition in Travel Ban policy between the Trump and Biden administrations highlights the significant influence of domestic factors in shaping foreign policy shifts in the United States. Based on Joakim Eidenfalk's theories of Foreign Policy Change and Windows of Opportunity, it can be concluded that a combination of domestic factors, including bureaucracy, public opinion, mass media, interest groups, and political parties, generated significant pressure on the U.S. government. Joe Biden was then able to use this momentum to immediately revoke the Travel Ban.

From a bureaucratic perspective, resistance emerged within government institutions such as the Department of State, where civil servants openly expressed opposition through the dissent channel by signing the Internal Dissent Memo, stating that the policy contradicted constitutional values and human rights. In addition, lawsuits filed by state-level legal officials indicated that the implementation of the policy was not fully supported by all elements of the bureaucracy.

From the perspective of public opinion, mass protests at various locations signaled widespread opposition to the Travel Ban, while several surveys indicated that the majority of Americans disagreed with the policy. Regarding mass media, consistent coverage of the negative impacts of the Travel Ban, together with strong criticism from major news outlets, further amplified public opposition to the policy. In terms of interest groups, organisations such as CAIR and the ACLU actively challenged the Travel Ban through legal action and public education, thereby increasing the pressure for its repeal. In addition, international human rights organisations, as well as Christian and Jewish communities, also played significant roles by publicly condemning the policy and supporting collective efforts to defend human rights and religious freedom. Politically, the differing stances of the Republican and Democratic

parties on immigration further fueled domestic political dynamics and contributed to the policy shift.

All these domestic factors interacted and collectively generated the pressure that opened a window of opportunity for change. This momentum was seized by President Joe Biden, who had pledged since his campaign to repeal the Travel Ban as part of an effort to restore the United States' image as a country that upholds the principles of non-discrimination and human rights.

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