TESIS DOCTORAL

Political Re-ethnification:

The Immigration Discourse and the Creation of a Latino Ethnic Political Identity in the United States

Autor:

Allert Brown-Gort

Director/es:

Mercedes Pardo Buendía

Oscar Celador Angón

DEPARTAMENTO DE ANALISIS SOCIAL

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CHAPTER I: INTRODUCTION

A. BACKGROUND

The United States is currently undergoing one of the most significant demographic transformations in its history. The (non-Hispanic) White population, which has long constituted the overwhelming majority, will decline from its current 61 per cent of the total population to 47 per cent by 2050. The Black population is projected to remain fairly stable, representing 12.4 per cent of the population in 2015 and 12.8 per cent in 2050, but the proportion of the Asian population will increase substantially, from 5.3 per cent to 8.4 per cent. Meanwhile, the Latino[1] population—which represented only 3.5 per cent of the US population in 1960—is expected to climb from the current 17.7 per cent in 2015 to a projected 26.5 per cent by 2050.[2]

The United States' 55.4 million Hispanics[3] are considered the country's second largest racial or ethnic group.[4] People of Mexican origin account for almost two-thirds (34 million—of whom approximately 11.8 million were born in Mexico) of Latinos in the

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[1] The terms Hispanic and Latino are used interchangeably in this dissertation.

[2] U.S. Census Bureau, 'Table 11. Percent Distribution of the Projected Population by Hispanic Origin and Race for the United States: 2015 to 2060'. *2014 National Population Projections: Summary Tables* (Washington, DC:
[2] U.S. Census Bureau, 'Table 11. Percent Distribution of the Projected Population by Hispanic Origin and Race for the United States: 2015 to 2060'. *2014 National Population Projections: Summary Tables* (Washington, DC: U.S. Department of Commerce, Economics and Statistics Administration, U.S. Census Bureau June 2014) Available at: http://www.census.gov/population/projections/data/national/2014/summarytables.html.

[3] U.S. Census Bureau, 'July 1, 2014', Annual Estimates of the Resident Population by Sex, Race, and Hispanic Origin for the United States, States, and Counties: April 1, 2010 to July 1, 2014 (Washington, DC: U.S. Department of Commerce, Economics and Statistics Administration, U.S. Census Bureau July 2015).

[4] In the United States, the Census Bureau separates ethnicity and race. Starting in 1997, the U.S. Government's Office of Management and Budget (OMB) required all federal agencies to use five race categories: White, Black or African American, American Indian or Alaska Native, Asian, and Native Hawaiian or Other Pacific Islander. For those respondents unable to identify with any of these race categories, the Census Bureau included a sixth category—Some Other Race—on the Census 2000 and 2010 Census questionnaires. In addition to the race categories, OMB also mandated the use of two 'ethnicities' independent of race: Hispanic or Latino and Not Hispanic or Latino. See Karen R. Humes, Nicholas A. Jones, and Roberto R. Ramirez, *Overview of Race and Hispanic Origin: 2010*, 2010 Census Briefs: C2010BR-02 (Washington, DC: U.S. Department of Commerce, Economics and Statistics Administration, U.S. Census Bureau March 2011), 2. Available online at: http://www.census.gov/prod/cen2010/briefs/c2010br-02.pdf.

country. They are followed by those of Puerto Rican origin, with 4.9 million mainland inhabitants (and 3.5 million more residents of the island of Puerto Rico). In addition, there are five other Hispanic groups represented by more than 1 million people each: Cubans, Salvadorans, Dominicans, Guatemalans, and Colombians.[5]

How did this momentous demographic shift come about, and what consequences might be expected from it? The answers to both of these questions are to be found in the phenomenon of immigration, albeit in different aspects: the demographic change begins with the *process* of immigration, while some of the most significant consequences are the result of the political and social *debate* surrounding immigration.

In large part, the seeds of demographic change can be found in the passage of the *Immigration and Nationality Act of 1965*, commonly referred to as the Hart-Celler Act.[6] This law was passed in the same spirit as the Civil Rights Act of 1964 and Voting Rights Act of 1965, but also (in the context of the Cold War) with an eye to the United States' image abroad regarding racial equality.[7] The Hart-Celler Act ended the era of restrictive quotas begun with the passage of the Quota Act in 1924,[8] and it thus opened the way to the largest influx of immigrants since the beginning of the twentieth century and radically changed the mix of immigrants arriving in the United States. Although immigrants from the 'Western Hemisphere' (for most of this period read Mexico; Canada, especially Quebec; and, to a limited extent, Cuba and the West Indies) had not been subject to the quotas imposed on the rest of the world, in practice the absence of quotas was balanced with administrative barriers designed to allow non-permanent immigrant labour to enter the country.[9] Thus,

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[5] Renee Stepler and Anna Brown, 'Table 4: Detailed Hispanic Origin: 2013', *Statistical Portrait of Hispanics in the United States, 1980 – 2013*. Hispanic Trends Project (Washington, DC: Pew Research Center, May 12, 2014). Available online at: http://www.pewhispanic.org/2015/05/12/statistical-portrait-of-hispanics-in-the-united-states-1980-2013/.

[6] The *Immigration and Nationality Act of 1965* (79 Stat. 911) abolished the national-origins quota system and replaced it with a system whereby immigrants are admitted based on their relationship to a US citizen or lawful permanent resident family member or US employer. This Act is discussed in greater length in Chapter III.

[7] See, e.g. David S. FitzGerald and David Cook-Martín. *Culling the Masses: The Democratic Origins of Racist Immigration Policy in the Americas* (Cambridge, MA: Harvard University Press, 2014).

[8] Formally the *Johnson-Reed Immigration Act of 1924* (Act of May 26, 1924, 43 Stat 153). The Quota Act set annual limits on the number of aliens admitted from any specific country to 3 per cent of that country's representation in the population of the United States as of 1910.

[9] See, e.g. Lawrence H. Fuchs, *The American Kaleidoscope: Race, Ethnicity, and the Civic Culture* (Middletown, CT: Wesleyan University Press, 1995), and especially Mae Ngai. 'The Strange Career of the Illegal Alien:

when quotas were lifted, many more Latin American immigrants began to make the formal move. This—and Europe's declining demographic growth—was why, as opposed to the previous migratory waves, immigrants no longer overwhelmingly originated from Europe and instead preponderantly came from Latin America and Asia.

Renewed immigration was not the only reason for dramatic demographic change. As in all developed nations, the birth rate of the native-born began to drop around the same time,[10] and the population as a whole began to age—to the extent that the White population is projected not only to decrease as a proportion of the total, but also to begin to decrease in actual numbers beginning in 2030.[11] In this context, the higher birth rate exhibited by the foreign-born has acquired even more importance, making the second-generation offspring the main motor of population growth. According to the Census Bureau, between 1993 and 2013, the number of US-born Latinos under 18 in the United States more than doubled (increasing by 107 per cent), compared with an increase of only 11 per cent of children under 18 in the general population.[12] This growth in the second generation is occurring even in an era of reduced migration, such that, while the *number* of Latino immigrants present in the country increased slightly in the five years between 2007 and 2012 (from 18 million to 18.8 million), their *proportion* as part of the Latino population declined, falling from 40 per cent to 36 per cent.

Given their large numbers and long history in the United States, the interesting question arises of why Latino immigrants—or more importantly their offspring—are not generally considered White. After all, Mexicans at least have been legally considered 'White' since the 1848 Treaty of Guadalupe-Hidalgo, which marked the end of the US-Mexico war, and an estimated 88 per cent of the Latino population self-identify as White on census forms. Many other immigrant groups, for instance, the Irish and the Italians, have travelled the path

Immigration Restriction and Deportation Policy in the United States, 1921-1965'. *Law and History Review*, Vol. 21, No. 1, (Spring 2003): 69-107.

[10] The 'Baby Boom' generation in the United States is considered to consist of those born between 1945 and 1964.

[11] U.S. Census Bureau, 'Table 12. Projected Change in Population Size by Hispanic Origin and Race for the United States: 2015 to 2060'. *2014 National Population Projections: Summary Tables*. Found at:

http://www.census.gov/population/projections/data/national/2014/summarytables.html.

[12] Jens Manuel Krogstad. *11 facts for National Hispanic Heritage Month*, Fact Tank (Washington, DC: Pew Research Center, September 16, 2014). Available online at: http://www.pewresearch.org/fact-tank/2014/09/16/11-facts-for-national-hispanic-heritage-month/. Accessed: February 19, 2015

from being considered a different race at the time of their arrival to now being unquestionably 'White', so why not Latinos? The answer has to do with the historical effects of the political and social *debate* on immigration, together with its contemporary iteration, which seems dominated—to a significant extent—by fears of the effects of demographic change. If the Latino population retains a separate 'foreign' ethnic identity ascribed by a significant number of non-Latinos, this will have important political implications: today, every year more than 800,000 young Latinos, citizens by birth, turn 18. That is, the Latino electorate currently grows by roughly 3.2 million between each presidential race, and their concentration in a single political party will have long-lasting effects.

B. RESEARCH QUESTION

Thus, I propose to explore whether the hostility evident in the current immigration debate in the United States is responsible for the strengthening of an ethnic political identity for Latinos.

Today's discourse on immigration has elements that clearly have been a part of the broader American political discourse from the beginning. These elements include not only conceptions of citizenship, the nature of society, and ideas of tolerance and inclusion but also nativist tendencies, as well as judgements about 'deserving' and 'undeserving' immigrants (often phrased as opinions about immigrants' ability to 'assimilate'). As with its current manifestation, the immigration discourse has often been especially contentious in times of economic upheaval. Ironically, this increased contentiousness tends to coincide closely with times of increased immigration, because it is precisely the large-scale restructuring of the national economy that provides the openings (i.e. the demand) for large number of new workers. The discourse on immigration has often also become more contentious when the share of foreign-born in the country as a whole exceeds 10 per cent. Some localities (e.g. New York, Chicago, and Los Angeles) have much higher levels of non-native residents, having continuously served as immigrant 'gateways' over multiple decades, and since immigrants never stopped arriving, the population is comfortable with a higher share of immigrants. In the majority of the United States, however, immigration has been episodic, with short periods of rapid concentration and long periods of relative dearth

of new immigrants. In much of the country, then, the presence of 5 per cent of foreign-born might seem intolerable.

Although the general economic climate certainly has an effect, traditional cultural attitudes, and unease about the reordering of the country's ethno-racial hierarchy could prove to be more formidable barriers to integration; the current discourse on immigration seems to have become much more combative in reaction to the fears surrounding 'the browning of America'. As the White population ages, non-Hispanic Whites are destined to transition from being a majority to being a plurality within the next 20 years, while the African American population maintains its size, and Latinos and Asians increase their representation in the US population.

Over the past two decades, predicting the growth of Latino political power in the United States has become a recurrent theme in political reporting, although, to date, predictions about the size and influence of this ethnic bloc have not been fulfilled.[13] There are many reasons for this, among them the high number of adults who are not US citizens, as well as the fact that those who are citizens tend to be younger, less educated, and have lower incomes than the population as a whole—all conditions that tend to limit voting.

Nonetheless, Latinos seem to be increasing their levels of civic and political participation. Indeed, it is possible that Latino political influence has been growing not so much as a function of immigration and its demographic consequences but, rather, as a function of a mutually reinforcing cycle of a negative immigration discourse, causing increasing political ethnic identification and mobilization, which in turn results in heightened fears of the consequences of demographic change, thus begetting an even more heated immigration discourse. It is possible, then, that ironically it is the fear of demographic and cultural change that is creating the very conditions for change.

Exploration of the role of immigration, particularly immigration into the United States, in shaping civic and political action has a long history in the social science literature, and has

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[13] However, the size of the Latino vote for Obama in the 2012 election surpassed the margin of the popular vote, making Latino voters decisive in that election.

arguably been a part of political thought and theory since the beginning of the Republic.[14] However, for the most part the descriptions of and thoughts about immigration's impact on society and politics have centred on the *process* of immigration and not on its effects *as a debate*, that is, as a theme shaping political discourse in its own right. While it is true that the demographic, economic, social, and thus many practical political effects of immigration are direct results of populations moving across political boundaries (i.e. the physical *process* of human migration itself), I argue that the discourse on the theme (i.e. immigration as a debate) can be described as its own potent political determinant, one that affects participation through the dynamics of social inclusion or exclusion and consequently of ethnic identity formation and group cohesion.

Without a doubt, as a *process* the impact of immigration on civic and political structures and institutions has certainly been determinant. Immigration's impact includes the number and types of immigrants (and their children) who are added to a given community, and the effects on the polity of concentrations of particular immigrants at different levels—from neighbourhoods to states. So, for example, it is difficult to imagine the rise of the political machines, such as Tammany Hall in New York, that were so important in the nineteenth and early twentieth century, without the presence—and organization—of large numbers of Irish immigrants. Even to this day, in Chicago, the concentration of Mexican-origin communities continues to have an effect on Democratic Party politics.

As a debate, the discourse surrounding immigration has also had the ability to influence the polity—in large part by determining which groups made desirable migrants, and even who could migrate and under what conditions. But it has also exerted influence directly by mediating the conditions of reception of immigrants by society, which in turn have had a profound effect on rates of naturalization and manifestations of civic and political incorporation—including voting rates and party identification.

C. METHODOLOGY

This dissertation utilizes a variety of research strategies. It primarily relies on literature

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[14] See, e.g. Daniel J. Tichenor, *Dividing Lines: The Politics of Immigration Control in America* (Princeton: Princeton University Press, 2002); Aristide R. Zolberg, A Nation by Design: Immigration Policy in the Fashioning of America (Cambridge: Harvard University Press, 2006).

from the field of political science, although much use is made of sources from other disciplines, including anthropology, history, psychology and sociology. Quantitative data are gathered from a variety of sources, including public survey results, U.S. Census Bureau tables, reports on summaries of media surveys, and immigration-related laws.

Qualitative data are used in compiling and analysing results from a series of focus groups held with Mexican American and Mexican immigrant leaders from 2001 to 2012. A partial list of focus groups held under this project is included in Table 1.1, below. A research memorandum explaining some of the findings of the project is included as Appendix B; with transcripts of two focus groups, one with Mexican American respondents and another with Mexican immigrant respondents, attached as Appendix C. Although the original plan for this dissertation called for making much fuller use of this material, in the way of projects of this kind the end result has taken a variety of unanticipated turns, information for which this source was unfortunately not designed to provide.

The dependent variable is the level of hostility present in the immigration debate over the past 15 years or so, roughly beginning in 2000. This is measured principally through the analysis of public survey data, media content, and various types of legislation regarding immigration during this period, although a considerable amount of historical content is provided.

Table 1.1 *Partial List of Enfoque México Focus Groups*

Código	Perfil	Fecha	Sede
Dallas 03	MM	25/10/03	Dallas, TX
IME 03	MA	6/11/03	México, DF
Grupo A1 03	MA	6/11/03	México, DF
Grupo A2 03	MM	6/11/03	México, DF
Grupo A3 03	MM	6/11/03	México, DF
Grupo A4 03	MA	6/11/03	México, DF
Grupo B1/B2 03	MA	6/11/03	México, DF
Grupo B.3 03	MA	6/11/03	México, DF
Grupo B4 03	MM	6/11/03	México, DF
Grupo C1 03	MM	6/11/03	México, DF
Grupo C2 03	MM	6/11/03	México, DF
Grupo C4 03	MA	6/11/03	México, DF

Los Angeles 24A 03	MA	24/09/03	Los Angeles, CA
Los Angeles 24B 03	MA	24/09/03	Los Angeles, CA
Chicago 1 04	MM	1/10/04	Chicago IL
Chicago 2A 04	MM	2/10/04	Chicago IL
Chicago 2B 04	MA	2/10/04	Chicago IL
DC 23A 04	MA	23/03/04	Washington, DC
DC 23B 04	MA	23/03/04	Washington, DC
DC 24A 04	MA	24/03/04	Washington, DC
DC 24B 04	MA	24/03/04	Washington, DC
El Paso 29A 04	MA	29/09/04	El Paso, TX
El Paso 30A 04	MA	30/09/04	El Paso, TX
LA 14A 04	MA	14/11/04	Los Angeles, CA
LA 14B 04	MA	14/11/04	Los Angeles, CA
Dallas 27 05	MA	27/01/05	Dallas, TX
Dallas 28A 05	MA	28/01/05	Dallas, TX
Dallas 28B 05	MA	28/01/05	Dallas, TX
Dallas 29 05	MM	29/01/05	Dallas, TX
IME 2006, Gpo. 2	MA	3/10/06	México, DF
IME 2006, Gpo. 3	MM	3/10/06	México, DF
DC 8 08	MA	3/10/08	Washington, DC
IME 21A 09	MA	21/04/09	México, DF
IME 21B 09	MM	21/04/09	México, DF
IME 21C 09	MA	21/04/09	México, DF
IME 22A 09	MM	21/04/09	México, DF
IME 22B 09	MM	21/04/09	México, DF
IME 22C 09	MM	21/04/09	México, DF
IME 22E 09	MA	21/04/09	México, DF

MA=Mexicano Americano; MM=Mexicano Migrante

The independent variable is the creation and maintenance of an effective ethnic political identity. This is measured primarily through an examination of the social and political elements involved, including levels of self-identification with a particular identity, the mutual recognition of a shared identity among different sub-groups, as well as the rates of purposive civic or political participation under the banner of that identity.

One important note on the methodology utilized in this paper: rather than attempting to cover all Latino groups, wherever possible this paper concentrates on the Mexican-origin population for a variety of reasons, not least because Mexicans are the largest country-of-origin group within the Latino pan-ethnic population in the United States. The length, size of flow, conditions of reception, and levels of undocumented status in their migration process clearly make them the modal population not only in the formation and

maintenance of ethnic identification—that is, in what it means to be Latino—but also in the public discussion of the effects of immigration—that is, in the fact that most Latinos are assumed by most White Americans to be Mexican—and immigrant and undocumented to boot.

Latinos are a pan-ethnic group, that is, they are a community that encompasses a variety of national-origin groups. The definition used by the U.S. Census Bureau is that '"Hispanic or Latino" refers to a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.'[15] Within this Latino pan-ethnic community, the Mexican origin group is by far the largest, accounting for some 65 per cent of the total. Other groups, such as those of Puerto Rican or Cuban origin, have large representations, but none even remotely approaches that of the Mexican-origin population. Migrants from Mexico are part of the longest migration flow to the United States and are at once the oldest and newest immigrant groups. Therefore, and although they are often lumped together indiscriminately, this Mexican-origin population can be generally divided into 'Mexican American' and 'Mexican-Immigrant'. 'Mexican American' is a term that generally encompasses all US-born, although for some purposes distinction is made between those whose family have resided in the United States for multiple generations (3rd+ Generation), as well as those born of immigrant parents (2nd Generation). 'Mexican Immigrant' (1st Generation) are those who arrived as immigrants, although for some purposes a distinction is made between those who arrived as adolescents or older, and those who arrived as children (1.5 Generation), since the latter exhibit cultural and linguistic skills similar to those of the 2nd Generation but often have the legal issues associated with being born abroad.

D. ORGANISATION

This dissertation consists of six chapters: (1) an introduction; (2) an overview of the theoretical concepts utilized in the construction of social and political identity; (3) a demonstration of how these concepts have had an effect both on the immigration laws of

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[15] See, e.g. Humes Et. Al. *Overview of Race*. The definition, which is the one currently used by the U.S. Government's Office of Management and Budget (OMB), unwittingly demonstrates the fluidity of this socio-political construct, since this definition elides the participation of the Brazilian-, Haitian-, or even Philippine-origin communities, which are considered to be 'Latino' in some, though not all, areas of the United States.

the United States and on the context of reception for Mexican (and to some extent Latino) immigration to the country; (4) an account of the construction and effects of the immigration debate over the past 20 years; (5) a discussion of the results of the analysis of the nature of the immigration debate and the resulting creation and maintenance of a Latino political identity; and (6) a chapter summarizing the conclusions.

Chapter II, 'Theory', consists of an examination of the principal elements of identity—especially political identity—in the United States. These elements include the concepts of the race, and racialization, of different populations throughout the history of the nation; the related concept of ethnicity and the extended concept of pan-ethnicity; and ideas about assimilation.

Any study of the social and political organization of the United States must deal with the reality of race and race relations. Accordingly, we look at historical and contemporary beliefs about race, including how the government has determined and operationalized these concepts through the census counts. Also explored are the commonly held assumptions that create racialised perceptions of certain populations and the social and political effects of these assumptions.

Due to the close historical and conceptual relationship between race/racialization and ethnicity, this chapter goes on to explore the theoretical underpinnings of the creation and maintenance of ethnic identities. One factor that is explored in particular is the rise of pan-ethnic identities in the American context. Given the nature of the barriers to the creation of these broader ethnic groupings, it is surprising that such identities should arise, but the benefits, particularly in the political arena, provide powerful incentives.

Since immigration provides the principal underlying context for this paper, it is necessary to look at the concept of assimilation, what it has meant in the American context, and how these meanings have evolved.

The chapter concludes with an examination of the amount of 'assimilation' evinced by Latinos in the United States, as well as the political effects of either assimilating or developing a separate ethnic political identity.

Chapter III, 'Background', provides historical context. It examines immigration to the

United States through the lens of the different ideological and social conceptions that shaped the evolution of the laws governing immigration, as well as the context of reception for the different immigrant flows.

It continues with a history of Mexican migration and settlement within this historical and ideological context. It explores how experiences of invasion, ideas of race, and the necessities of labour conditioned the size and constitution of the immigrant flows. The chapter also studies how the social and political realities of these ideas created special conditions of reception and led to the perceptions on the part of the majority population of the inferiority—but principally of the illegality— of these immigrants that have continuously affected the development of the Mexican American community.

Chapter IV, 'The Contemporary Immigration Debate', details the chronology of the development of the social and political components of the current immigration debate, beginning with the passage of Proposition 187 in California in 1994 and following through to President Barack Obama's Executive Decisions on immigration in November of 2014.

In addition to the legislative history, this chapter also recounts the evolution of different initiatives—such as Comprehensive Immigration Reform (CIR), or the DREAM Act; of responses to the debate—such as the immigrant marches of 2006 and the increasing attempts by state and local governments to legislate on the issue; and of the increasing partisanship inherent in the debate—especially on the part of the Tea Party wing of the Republican Party.

Chapter V, 'Analysis', is designed to demonstrate a link between a hostile immigration debate and the creation and maintenance of an ethnic political identity through the analysis of the different variables. The level of hostility present in the immigration debate over the past decade is measured principally through three means: an examination of historical data on attitudes to immigration from public opinion polls from a variety of sources, concentrating on differences of opinion by different racial/ethnic groups, and by partisanship; an analysis of the tone of media coverage over the period; and the number and type of laws proposed and passed, defeated, or vetoed at the federal, state, and local levels.

The creation of an effective ethnic political identity is measured primarily through an examination of the social and political elements involved in creating and maintaining it. The determination of the effectiveness of the social elements is performed by studying the creation and growth of a Latino pan-ethnic identity through the use of survey questions measuring the principal identity evinced by the Latino population; and the analysis of answers to questions about immigration given by Mexican American and Mexican immigrant leaders in a series of focus groups held over the past decade. The determination of the effectiveness of the political elements is achieved through an analysis of the size of the Latino vote, including the proportion of Latinos who are eligible to vote, those who are actually registered to vote, and those who actually participate in voting behaviour; as well as the trends in partisanship among the Latino population.

Chapter VI, 'Conclusions', presents a summary of the principal findings of the study.

CHAPTER II: *THEORY*

This paper proposes to explore whether immigration as an issue, that is the ideas and public discourse surrounding the immigration process, can not only explain the maintenance of an ethnic identity and the historically low levels of Latino civic and political participation, but also if it is one that—under the present circumstances—could also provide the conditions to trigger a greater level of Latino purposive participation. However, in order to understand how the issue of immigration has affected, and might affect, Latinos' civic and political participation, we must first explore how both, the debate and the process, on immigration to the United States have been shaped by which factors and to what extent.

Thus this Chapter is devoted to an examination of the principal social and political forces involved in the creation of political identity and action in the United States: the social identity of individuals that determines their status and level of power in society, including the role it plays in the social and political organization of the country; the role of assimilation, both as a social force and as a component of the views of the host society; and finally, how these elements coalesce to create the political atmosphere in which the immigration debate occurs, and in turn mediates political participation. Chapter III will examine how the process of immigration, and the composition of the Mexican-origin community, in the United States were shaped by these social and political forces.

Any study of the social and political organization of the United States must deal with the fundamental reality of race and race relations. Accordingly, I explore the psychological, historical and contemporary elements involved in the creation of social identity, and its role in the creation and maintenance of systems of social organization and control. These include the concepts of race and of racialization, as they have affected different populations throughout the history of the nation; the related concept of ethnicity, including the extended concept of pan-ethnicity; and the continuous role of the government in determining, operationalizing, and changing these concepts through a variety of actions.

Since immigration provides the principal underlying context for this paper, it is necessary to also look at the various concepts of assimilation. Thus, we examine the evolution of the concept in the American context; how and why variants developed, and present evidence

about the amount of 'assimilation' evinced by Latinos in the United States.

The chapter concludes with a study of the political effects of these ideas of social identity for the United States. For the 'host' or 'mainstream' society, these views affect the content and tenor of the immigration discussion, and have effects on the political views and organization of their members. For the 'immigrant' or 'minority group' these ideas also have an effect as to whether members will decide to what extent they will integrate or whether to develop a separate ethnic political identity.

A. SOCIAL IDENTITY

The central question—that is, much of what has been, both overtly and covertly, driving the immigration discourse in the United States over the past two decades—is: are Latinos assimilable?

The short answer is that, by whatever measure we choose to investigate the proposition, it is fairly clear that Latinos are assimilating, although the 'pathway to assimilation' is somewhat different from that of previous immigrant groups. Nevertheless, the determination as to whether they are or not; if so, how quickly and to what extent; and what it means to the nation; continues to be hotly debated.

But why this is a question in the first place, what is being questioned, and why large parts of society seem to not be able to agree gives hints to fundamentally important social structures. These structures determine much of the position of a group in society, and therefore its members' access—or lack thereof—to many of society's resources.

Fundamentally, and fittingly enough for an examination centred on a highly-immigrant population, it is a question of borders—except these are not international political borders that bear examination, but rather social borders.

Natural selection has made humans one of the most gregarious and social animals, making us instinctively able to form close familial and societal cooperative bonds to form a group, i.e. 'us'.

Conversely, throughout a long history of human migration and intergroup contact, individuals—usually as members of groups—have also competed with other groups for resources and domination in territorial spaces.[16] This has created an innate tendency among humans to very quickly recognise 'other' people, and categorise them into groups of those who are 'not one of us'.[17]

But complexity demands cooperation, and cooperation demands trust, and so as societies became more complex new mechanisms were needed to extend trust beyond the immediate group. Since, outside of a restricted number of people, one can never have enough time to acquire the individual particularities that would allow one to 'know' another person as a unique individual, humans needed to develop cognitive shortcuts—strategies that categorise people, or stereotypes. Placing people into categories, especially those associated with expected behaviour and treatment, allows humans to routinely deal with acquaintances and strangers outside of the immediate group in a predictable manner. These categorisations are generally based on observable characteristics, such as age, gender, class, accent, and phenotype, although they may also be based on less immediately observable traits, such as religious affiliation, name, or profession.

These categories, however, invariably tend to be linked to some social status,[18] and therefore become ranked, with the result that a person is most often treated by society based 'not on what he is' but on the 'manner in which he is defined.'[19] This human practice of classifying people into ranked categories, which, in turn, creates a level of social distance, is at the heart of social stratification. What is meant by social distance is not the physical distance between groups, but rather the subjective state of nearness felt by an individual to certain individuals or groups.[20]

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[16] Richard D. Alba, and Victor Nee. *Remaking the American Mainstream: Assimilation and Contemporary Immigration*. (Cambridge, MA; Harvard University Press: 2003) 32

[17] Kyle G. Ratner and David M. Amodio. 'Seeing 'Us vs. Them': Minimal Group Effects on the Neural Encoding of Faces' *Journal of Experimental Social Psychology*. Vol. 49, No. 2, (March 2013): 298–301

[18] Milton Gordon defined social status as 'a psychological system of attitudes in which superiority and inferiority are reciprocally ascribed.' See, Milton M. Gordon. *Assimilation in American Life: The Role of Race, Religion and National Origins*. (Cary, NC; Oxford University Press: 1964). 40

[19] Tamotsa Shibutani and Kian M. Kwan. *Ethnic Stratification: A Comparative Approach*. (New York, NY : Macmillan: 1965), 39

[20] Shibutani and Kwan, *Ethnic Stratification*, 263

But the increasing complexity of society also meant that the world figuratively shrank: Not only did the size of groups swell, intergroup contacts became increasingly common, and in many cases, permanent. These 'outside' groups were categorised as a different 'ethnos', a different people. Since stereotypes are mental shortcuts, a product of humans' cognitive abilities is the inclination to believe that people who sound, look, or seem alike must have properties in common. Depending on past histories of contact, and the social status derived from the perceived value of their putative inherent characteristics, when members of these 'ethnicities' became part of a new society, they were assigned a rank in the social stratification of the greater social order.

But when these differences are then thought to explain the deep tendencies of these people's moral lives and abilities, i.e. when they are perceived to be different not because their culture, religion, and/or physical appearance—either objectively or subjectively—differs, but because their *essence* is different, it invariably leads to the formation of a semi-permanent order of ethnic stratification.

This essentialism usually leads ethnic stratification orders that are based on some moral system in which the dominant group becomes convinced that its advantages derive from natural differences, while at the same time minorities often come to believe in their inferiority and accept their lot. This moral basis is one factor that tends to make ethnic stratification orders long-lasting once they have been established. But perhaps the factor that is most important in determining their stability is their tendency to become institutionalized. That is, the system of ethnic stratification eventually becomes embedded not just in informal arrangements—social norms, customs, and conventions operating at the social level—but also eventually in an institutional order. It is through institutions, i.e. through control of formal institutions, such as the state and coercive forces, that dominant groups effectively uphold—and maintain— their position and privileges.[21]

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[21] Alba and Nee, *Remaking the American Mainstream*, 32

1. Components of Identity

Thus, the crucial but seldom considered aspect of social identity is that it is, of necessity, the result of both agency and structure— the result of a series of dialectics played out by individuals (and by extension the racial/ethnic groups they belong to) and the larger society. Furthermore, these dialectics operate at a variety of levels, whether one is discussing individuals, communities, or populations.

The social identity of a person—where she or he fits into a society—is far from an individual matter. Social identity is, by its very nature, determined by a mixture of both objective elements (e.g. age, sex, occupation, nationality, language, race), and ascribed characteristics (e.g. what does it mean in a specific society to be a young/ old person, a woman/ man, carpenter/ architect, native-born/ immigrant, southern-/ northern-/ foreign-accented, White/ Black), none of which are either all-encompassing, or even necessarily permanent. Thus, identities are always socially constrained: what any of these elements means to the course of an individual's life, including which of these is most important, and whether they are permanent or not, is to a large extent dependent on what value 'society' places on them, either individually or in conjunction. Thus the social meanings of the elements of the component of identity being considered (e.g. age, sex, or phenotype for an individual; economic or cultural practices, or national origins for a community; or age and sex distribution, or rates of education or poverty for a population) are always mediated and defined by a larger unit of society. And how and to what extent which of these elements are evaluated, depends on the idiosyncratic and complex mix of forces—history, culture, religion, economics, ideology, and political practices, to name a few—that have helped forge the social unit in question.

That is not to say that an individual, a community, or a population is totally powerless in defining their social identity, but rather that the meaning of the elements of identity in question are subject to constant negotiation, and at a variety of levels. And, depending on the results of these negotiations (some terms are non-negotiable, or close to it—as in the case of phenotype, some come with too high a price, the results sometimes depend on current circumstances) the primary social identity is established.

Migration, involving as it does the addition of new members to existing host societies (even within nations), is a good example of some of these dialectic processes. These processes are sometimes conceived as being carried out at the levels of both society (structure) and individual (agency).

The first is the dialectic between the group that is becoming assimilated, and the group that it is assimilating into. A definition of assimilation used by Alba and Nee is that it is 'the attenuation of distinctions based on ethnic origin', and of the corollary cultural and social differences.[22] However, they are quick to point out that this attenuation is not an inevitable outcome of adaptation by ethnic and racial minorities. If the dominant group does not grant permission for the immigrant group to become fully a part of mainstream society,[23] then one can expect that there will always be unresolved tensions.

The second is the dialectic not only between members of the immigrant community and the host society, but also between them *and* their group of origin. Should the immigrants quickly lose their original language? What customs need to be given up in order to become 'assimilated', and what is the reaction of their community (and at what level) to these moves? And, even after having undertaken changing their cultural and linguistic behaviour, will the immigrants (or their children) be fully accepted into the host society?

Given these constraints, can a migrant decide to fit in totally (assimilate) within the host society? Even should she wish to do so, would the host society permit it? If so, to what extent, and under what conditions? If the host society permits access to the migrant, but only at the cost of giving up important cultural, linguistic, or religious practices, what then is the relationship with her community of origin, or perhaps more importantly with the community of her fellow migrants? Is the negotiation carried out at the individual level, or family, or at the community level? Does, for example, the community evolve new cultural norms to allow its members to better integrate to the host society? More importantly, what

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[22] Alba and Nee, *Remaking the American Mainstream*,, 38, 11

[23] Alba and Nee define the 'mainstream' as 'that part of the society within which ethnic and racial origins have at most minor impacts on life chances or opportunities.' They are careful to note, however, that being part of the mainstream does not guarantee full equality of opportunity, because 'life chances are still strongly differentiated by social class and other non-ethnic factors.' Alba and Nee. *Remaking the American Mainstream.* 12

is the predominant social and political identity of the migrant: that of the host society, that of her fellow migrants, or that of her community of origin?

So, although in the United States it is often envisioned that it is the individual who has the power to decide to become 'American', the reality is that mainstream society and the community of origin—and their interests—also have a large part to play in the end result.

The principal point is that society clearly determines much of the value of individuals' objective and ascribed characteristics (as well as which of these are more important) by the social status it ascribes to the groups to which individuals are thought to belong to— that is, by essentialising common factors shared—or thought to be shared—by an individual's group based on putative genetic ('race'), or cultural ('ethnic') similarities. The most common of these essentialising strategies have centred on the concept of race, although much of what is in actuality being described is ethnicity. Often these two are conflated.

The idea that 'race' and 'ethnicity' overlap is not new, and in fact probably meant much the same thing at one time.[24] However, the modern usage is a holdover from the patterns established by eugenicists trying to identify and biologically group the various national and ethnic groups who were living in or entering the United States in the early twentieth century. From that time on the notion of 'ethnic' has been used as a technique for establishing 'white' as normal and ethnic, in contrast as the 'other'. Ethnicity is a way of classifying people based on common histories, cultural patterns, social ties, language use, symbolic shared identities, and the like. It lays no claim to biology and is used both by those attempting to classify others and by those within the different ethnic groups as a symbol of social unity. But, like race, ethnicity is not a natural set of divisions and humanity; it is fluid, changing over time and space. [25]

Although the concepts developed intellectually in different directions, there remains enough overlap such that 'ethno-racial' is a concept that is often used by social scientists. In this view, race is essentially seen as a subcategory of ethnicity. For example, Gordon refers

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[24] Ladelle McWhorter. *Racism and Sexual Oppression in Anglo-America: A Genealogy*. (Bloomington, IN; Indiana University Press: 2009). 64

[25] Fuentes, *Op. Cit.*, P. 111

to an ethnic group as 'a type of group contained within the national boundaries of America . . . defined or set off by race, religion, or national origin, or some combination of these categories'.[26] Alba and Nee essentially posit the same view, preferring 'to cast "ethnicity" as the general concept and to see "race" as a form of ethnicity.'[27]

Fundamentally, ethnic and racial groups should be viewed not merely as static entities, but also as products of labeling and identification processes that change and evolve over time.[28] That is, ethnic origin, like race, should be understood as both, a status and a process. That these are processes can be seen in the manner by which the interchangeability between the two terms has been further reinforced by recent demographic changes in the United States (i.e. the increasing numbers of Latinos, Asians, and mixed-race individuals), together with the combination of greater 'ethnic' self-identification, as well as the use of 'ethnic' as a proxy for 'race' in the period following the Civil Rights era. In particular, through the process of racialization, the experience of Latinos in the United States seems to have most clearly encapsulated the interrelatedness of 'race' and ethnicity in American society.[29]

Nevertheless, there remain very good theoretical reasons to treat these two phenomena (and the concept that comes closest to bridging them—racialization) as distinct theoretical constructs. Therefore, depending on the purposes for their use, in this dissertation they will be treated mostly as discrete concepts, although through the use of the term ethno-racial, they will also at times be conflated.

a. Race: Biology or Social Construct?

It is difficult to overstate the overwhelming role that 'race' has had—and continues to have—on American society. At the same time, it is important to understand how, through the combined phenomena of slavery, territorial expansion, and immigration, the United

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[26] Gordon, *Assimilation in American Life*, 24

[27] Alba and Nee. *Remaking the American Mainstream*, 11

[28] Lieberson, 'Unhyphenated Whites', 160

[29] Clara E. Rodríguez. *Changing Race: Latinos, the Census, and the History of Ethnicity in the United States*. (New York, NY and London: New York University Press, 2000), 43

States was central in the creation and understanding of race as a social construct in the modern world.

But what is race, really? The answer is that, biologically speaking, no such thing seems to exist in human populations. It is, instead, as noted above, a social construct. But identifying race as ('merely' as some would have it) a social construct, however, does not mean that it is illusory, a figment of our imagination that will go away if we stop believing in it. As a social construct, its effects remain very, very, powerful, since race has become 'an unstable and "decentred" complex of social meanings constantly being transformed by political struggle.'[30] In short, what we can say is that, while biological race is a myth, the social construction of race is still determinative across a number of areas.

i. The Biology of Race

To be able to speak biologically of a race one must have an identified subspecies, that is, a unit within the species that is taking an evolutionary path different from the overall trajectory of all other populations within the species, and so is becoming increasingly differentiated from them at the genetic level. Thus, to define a race in humans, scientists would need to be able to positively identify a population possessing a set of unique genetic markers making it possible to differentiate it from all other related populations, and to mark it as being affected by slightly different evolutionary forces, to the extent that it expresses altered genetic patterns relative to the rest of the species.[31]

Scientists assess genetic variation between populations by comparing every variation, and the frequency of those variants, along a scale ranging anywhere from 0—meaning that every genetic variation and frequency of variants is identical, to 1—meaning that every genetic variation and frequency of variants is different. In humans, great number of researchers have compared thousands of human genes and multiple other stretches of DNA from widely dispersed populations, and have found most scores ranging from 0.03 to 0.24 (and averaging about .16 or .17). And, although in some specific spots of the DNA values as

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[30] Michael Omi and Howard Winant, *Racial Formation in the United States: From the 1960s to the 1990s.* (New York, NY: Routledge, Second Edition, 1994)

[31] Agustín Fuentes. *Race, Monogamy, and Other Lies They Told You: Busting Myths About Human Nature.* (Berkeley and Los Angeles, CA; University of California Press: 2012) 75

high as 0.4 or more have been found, these are extremely rare. When compared to variations found within other mammals, these are amazingly low inter-population variations, especially large-bodied mammals that can move over great distances and have such a wide dispersion. More to the point, none of the variations examined thus far have mapped onto traditional race categories. There have been no genetic patterns found that could identify only whites, or blacks, or Asians. Needless to say, the presence of these patterns were extensively sought for, and never found.[32]

It is for this reason that the American Association of Physical Anthropologists (AAPA) unambiguously states that any racial groups we currently recognize are not based on substantive biological or genetic differences, but rather are social constructs, created and reinforced across hundreds of years. [33] This is also why the noted sociologist Rubén Rumbaut writes that:

> 'Race' is a social status, not a zoological one; a product of history, not of nature; a contextual variable, not a given. It is a historically contingent, relational, intersubjective phenomenon—yet it is typically misbegotten as a natural, fixed marker of phenotypic difference inherent in human bodies, independent of human will or intention. [34]

ii. Race as a Social Construct

But if race is a mere 'social construct' why can we not just dispense with it? In Alba and Nee's formulation, a social construction is 'the classification of human beings into ethnic and racial groups *stemming from cognitive mechanisms* embedded in social interactions, and not biological difference'. [35] This means that 'race' is real, in that, while it does not exist in any meaningful way (i.e. observable physical differences do exist, but they do not point to any significant 'essence' in their possessors' moral or social characteristics or behaviour),

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[32] Fuentes, *Race, Monogamy*, 81

[33] 'AAPA Statement on Biological Aspects of Race'. *American Journal of Physical Anthropology*, Vol. 101(1996): 569-570.

[34] Rubén G. Rumbaut. 'Pigments of Our Imagination: On the Racialization and Racial Identities of "Hispanics" and "Latinos"'. In José A. Cobas, Jorge Duany and Joe R. Feagin. (Eds.) *How the U.S. Racializes Latinos: White Hegemony and Its Consequences*. (Boulder, CO; Paradigm Publishers: 2009): 15-36

[35] Alba and Nee. *Remaking the American Mainstream.* 31 (emphasis mine)

the fact that members of society deeply internalize these beliefs means that these physical characteristics will have an impact on their possessors' life chances:

> Race, then, is an ideological construct that links individuals to their rank and fate in the social and economic order based on supposedly innate traits. Racial categories (and the supposedly inflexible statuses and differences that they connote) are imposed and infused with stereotypical moral meaning, all the more when they become master statuses affecting all aspects of social life. [36]

And so race still matters as a social fact of the United States. The concept of race and how it plays out in the society remain core factors in structuring the individual world-view and the maintenance of cultural constructs of, and societal expectations for, human behaviour.

The ways in which race still matters in the life chances of individuals can be seen in the persistence of racial and ethnic disparities in every area of life, from income, to household wealth, to differential health outcomes, to incarceration rates. The results from Implicit-Association Tests (IATs), which are designed to measure the snap judgments a brain makes at speeds faster than conscious thought, demonstrate that racialised views are still common amongst the population at large. A great deal of psychological research has demonstrated that these judgments are powerful—that much of what one consciously thinks is an after-the-fact rationalization for the instant judgment one makes before having had time to think. IATs are meant to expose those judgments.

The test was in fact originally grounded in studies of racism: researchers would ask subjects to pair positive words with black and white faces, and see which they had more trouble doing. The underlying insight is that the task is easier to complete when it aligns with people's automatic, unconscious reaction than when it isn't; i.e. one should be faster when pairing with instinct than when having to suppress it. A multiplicity of studies have shown that IATs are at least somewhat predictive of real-world racial bias. They have since been extended to measure bias in gender, age, weight, and more.[37]

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[36] Rumbaut, 'Pigments of Our Imagination'. 15

[37] Anthony G. Greenwald, Debbie E. McGhee, and Jordan L. K. Schwartz. 'Measuring individual differences in implicit cognition: The Implicit Association Test'. *Journal of Personality and Social Psychology*, Vol. 74, No. 6 (Jun. 1998): 1464-1480

b. Ethnicity: Phenotype or Culture?

As noted above, in the American milieu, race and ethnicity are formally held to be two separate phenomena, which in practice often overlap to the point of interchangeability. Racial groups are supposedly those based on phenotype, i.e. visible common physical characteristics, that are held to be inherent (e.g., White, Asian, and Black). Ethnic groups, in contrast, are those having common descent, a shared historical past, and a cultural focus on one or more symbolic elements (e.g., Irish or Cuban). However, these are also generally groups with an identity that is, if not created, at least maintained because these are also identities that are typically assigned to them by others.[38]

But how is it maintained? The presence of an ethnic ranking system means that members of some groups enjoy prestige and various advantages whereas others face handicaps or even punishments. Left to their own devices, then, this suggests there should be a net change by individuals in whatever direction would generate positive rewards and prestige, and away from those categorizations and classifications that generate disadvantages and lower status. Insofar as groups differ in their prestige and in the real advantages and disadvantages that perceived membership offers, one might expect subtle and less than subtle shifts towards 'more desirable' or less disadvantaged origins at the price of others. This could occur for those without any claims to such ancestries, and certainly for those of mixed ancestry. Thus under these circumstances, ethnic origins should be lost, and identifications changed, in order to avoid social disadvantages. [39]

But as we have seen, these are processes that are not under the volition of the individual. In general, numerically smaller groups are less likely to be singled out as distinctive by the dominant group. But whether or not the members of a group will be considered 'distinctive' hinges in part on the salience of the group (through their cultural, linguistic, physical, religious, and spatial isolation characteristics, to name a few), the number of other groups present, and the importance to the dominant group (or of powerful interests within that group) of making specific distinctions. But, importantly, there will also be a propensity of the dominant group to simplify the description of subordinate groups—and thus where

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[38] Charlie V. Morgan. *Intermarriage Across Race and Ethnicity Among Immigrants: E Pluribus Unions*. (El Paso, TX: LFB Scholarly Publishing LLC, 2008), 6

[39] Lieberson, 'Unhyphenated Whites', 166

they are situated in the ethno-racial order. The errors and distortions made by the dominant group, in so far as they are of consequence for the life chances of the members of groups subjected to these actions, will in the long run affect the identifications of the groups themselves and will tend to draw them into new bonds.[40]

i. Ethnic Identity Formation

At first glance, ethnicity is constructed out of the differences in a group from a reference population: language, religion, culture, appearance, ancestry, or geographic region. This juxtaposition, and the placement of a group within a larger social order, means that there are two basic building blocks of ethnicity: identity (through the construction of social boundaries) and culture (the production of meaning).[41]

But the resulting identity is not static, or necessarily permanent. The location and meaning of particular ethnic boundaries are continuously negotiated, revised, and revitalized[42]— both by ethnic group members themselves as well as by members of the greater society in which it is embedded.[43]

Thus, ethnicity can best be understood as a dynamic, and constantly evolving, process of both individual identity and group organization. The construction of an ethnic identity and its accompanying culture is—much like an individual's social identity—the result of both structure and agency. That is, it is also a dialectic, this one played out between ethnic groups and the larger society. 'Ethnicity' in this formulation can be seen as the product of actions undertaken by ethnic groups as they shape and reshape their self-definition and culture; but keeping in mind that at the same time, ethnicity is also constructed to a significant degree under the influence of external social, economic, and political processes

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[40] Lieberson, 'Unhyphenated Whites', 169

[41] Joane Nagel. 'Constructing Ethnicity: Creating and Recreating Ethnic Identity and Culture', *Social Problems*, Vol.41, No.1, (February 1994): 152-176. 153

[42] Nagel, 'Constructing Ethnicity, 153

[43] And, in the case of ethnic groups created through the process of immigration, even at times by members of the societies or governments in the countries of origin.

and factors. In this way, 'society' defines an ethnicity as *it* shapes and reshapes ethnic categories and definitions depending on the needs and pressures of the moment.[44]

This makes ethnic identity both optional and mandatory, to the extent that individual choices are circumscribed by the ethnic categories available at a particular time and place. That is, while an individual can choose from among a set of ethnic identities, that set is generally limited to socially and politically defined ethnic categories, each with varying degrees of stigma or advantage attached to them. In some cases, the array of available ethnicities can be quite restricted and constraining.[45]

The level of ascription to a particular identity also depends on the saliency of the ethnic group. Thus, while ethnicity may be an exercise of personal choice for White, non-Hispanic, Americans, it is not so for 'non-White' groups in the United States. Irish-Americans, for example, have the benefit of 'symbolic ethnicity', that is, the option of emphasizing or not their ethnic background, without it having much effect on their life chances. For those who belong to 'visible' groups, however, ethnicity is not always voluntary, but can be coercively imposed.[46]

To be sure, societal forces are more than simply imposed on a population. But at the same time, self-identification is a complicated variable in the sense that it is strongly bound and affected by those same forces. Individuals can either acquiesce to the status quo, or try to either move into a social identification that is more advantageous ('passing' in the American lexicon), or combat the disadvantages through protests, group organization, forcing legislative changes, and similar actions. Given the limited possibilities of 'passing' for most members of an ethnic group (due to accent, phenotype, or limited social networks), the latter course of action is the one usually chosen by members of a group. While undergoing external pressures (such as inter-ethnic or racial conflicts), groups often generate elaborate rituals and pressures to maintain members' identification. Self-identification with the group becomes a central part of the socialization process and becomes defined in the context of respect for family, friends, community and co-ethnics.

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[44] Nagel, 'Constructing Ethnicity', 152

[45] Nagel, 'Constructing Ethnicity', 156

[46] Yen Le Espiritu. *Asian American Panethnicity: Bridging Institutions and Identities.* (Philadelphia, PA; Temple University Press: 1993). 6

These movements towards group identification are really no different than those exerted by other groups in conflict (e.g., labour unions, or sports teams), or even the loyalties that the larger society or nation attempt to promote to maintain allegiance to itself. [47]

Aside from the powerful pull of primary group ties, there is also the creation of 'culture', that is the fashioning of collective meaning. Building culture is essential in consolidating ethnic boundaries because it promotes group consciousness, reminding members constantly 'of the disproportionate importance of what they shared, in comparison to what they did not'.[48] This is achieved in part through the construction of a vision of 'community' through mythology and a glorification of the group through such mechanisms as maintaining knowledge of a noble history, of belief in its special and unique qualities, and of tales of heroes who sacrificed much for it. In turn, these elements create the symbolic bases necessary for ethnic mobilization.[49]

Changes in the identification of groups, by either others or themselves, will in the long run affect the organizational structure of racial and ethnic populations. Concurrently, changes in the organizational structure of racial and ethnic populations will necessarily generate new identifications (again by themselves or imposed by others) that reflect their structural position within the society.[50]

ii. Pan-Ethnic Formation

Whatever the basis of affinity, pan-ethnic movements involve shifts in levels of group identification from smaller boundaries to larger level affiliations. A pan-ethnic group usually refers to a 'politico-cultural collectivity made up of peoples of several, hitherto distinct, tribal or national origins'.[51]

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[47] Lieberson, 'Unhyphenated Whites', 170

[48] Yen Le Espiritu. *Asian American Panethnicity: Bridging Institutions and Identities.* (Philadelphia, PA; Temple University Press: 1993). 12

[49] Nagel, 'Constructing Ethnicity, 152

[50] Lieberson, 'Unhyphenated Whites', 166

[51] Espiritu, *Asian American Panethnicity*, 2

But this pan-ethnicity—i.e. the generalization of solidarity among ethnic subgroups—tends in very basic ways to be a product of categorization.[52] Generally known in psychology as 'out-group homogeneity bias', it is a propensity of the dominant group to see and treat subordinate groups as homogeneous. Because of this propensity, an imposed category generally ignores subgroup boundaries, lumping together the diverse peoples in a single, expanded 'ethnic' framework. This effect is even more powerful when one considers the incentives that society—and in particular formal organizations—can exert upon ethnic boundaries. When the state utilises a unitary pan-ethnic label—rather than numerous ethnic, national-origin, or tribal designations—to allocate political and economic resources, it encourages individuals to broaden their identity to conform to the more inclusive ethnic designation.[53]

Indeed, pan-ethnic formations are strongest when political systems structure political access along ethnic lines and adopt policies that emphasize ethnic differences. When the state uses the pan-ethnic label as a unit and economic allocations and political representations, ethnic groups find it both convenient and necessary to act collectively. In other words, the organization of political participation on the basis of pan-ethnicity provides a rationale for, and indeed demands, the mobilization of political participation along pan-ethnic lines. Thus, instead of declining, ethnicity is politicized and legitimized in modern states.[54]

This is particularly true in the United States where, as a result of the 1960s civil rights movement, and strengthened by the institutional and political arrangements of the country, ethnicity was institutionalized.[55] As a result, pan-ethnic groups in the US are more products of political and social processes, rather than of any pre-existing cultural bonds. For these groups, culture has followed pan ethnic boundaries rather than defined them.[56]

Further intensifying the move towards pan-ethnic identities is that, when faced with external threats, group members can either intensify their ethnic solidarity or they can

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[52] Espiritu, *Asian American Panethnicity*, 6

[53] Nagel, 'Constructing Ethnicity, 158; Espiritu, *Asian American Panethnicity*, 10-11

[54] Espiritu, *Asian American Panethnicity*, 10

[55] Espiritu, *Asian American Panethnicity*, 12

[56] Espiritu, *Asian American Panethnicity*, 13

distance themselves from the stigmatized group.[57] Extensive research on ethnicity has indicated that external threats, such as racial discrimination, tended to intensify group cohesion and pan-ethnic identity formation as members band together in defensive solidarities.[58] These threats create a common interest were none may have existed before.[59] In a similar manner, reactive identity formation processes (such as 'segmented assimilation') can provide a viable basis for collective solidarity and political mobilization in defence of ethnic group interests. This is what happened among Mexican Americans during the 1960s and 70s when the term Chicano was widely adopted and a number of militant organizations emerged, such as the Brown Berets and La Raza Unida Party. This was also essentially the same process that was observed in the 1990s in response to California's proposition 187.[60]

The success of pan-ethnic identity formation is a testament of the impressive power of both, institutional incentives and social threats, especially given the very real barriers to these processes.[61] Since they are the result of categorization by a 'mainstream' society and its agents, pan-ethnic groups (Latinos and Asian Americans primarily, to some extent Native American Nations—and increasingly under the influence of growing immigration from Africa, African Americans themselves) are homogeneous in very different—and sometimes very limited—ways. Countries of origin may be related geographically, but often have bitter historical differences. Some groups are related by language, others such as Asian Americans have almost no linguistic unity, while Muslim Americans (which includes Arab Americans, Indonesian-Americans, and Somali-Americans) are now defined primarily by religion, rather than geography.

Another constraint to pan-ethnic solidarity is that of social class and the presence of socio-economic divisions. In general, similar class position enhances the construction of pan-ethnic consciousness, whereas intense class stratification works against it. The

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[57] Espiritu, *Asian American Panethnicity*, 20

[58] Ronald Schmidt, Edwina Barvosa-Carter and Rodolfo D. Torres. 'Latina/o Identities: Social Diversity and U. S. Politics'. *PS: Political Science and Politics*, Vol. 33, No. 3 (Sep., 2000): 563-567. 566

[59] Espiritu, *Asian American Panethnicity*, 134

[60] See, e.g. Alejandro Portes, and Rubén G. Rumbaut. *Legacies: The Story of the Immigrant Second Generation*. (Los Angeles, CA: University of California Press, 2001)

[61] See, e.g. Natalie Masuoka. 'Together They Become One: Examining the Predictors of Panethnic Group Consciousness Among Asian Americans and Latinos'. *Social Science Quarterly.* Vol. 87, No. 5 (December 2006): 993 -1011

overwhelming dominance of the professional class in pan-ethnic organizations is rooted in the very way the state has responded to minority demands. Because the political and funding systems require and reward professionalism, the ability to deal effectively with elected officials and public agencies has become a desirable qualification for leadership—a development that favours more politically sophisticated, articulate, and well educated persons. This can be a significant problem, however, when the majority of the members of the group—putatively their clients—lack the cultural capital, the social networks, or the access to the educational opportunities, to reach the required level of professionalism.[62] This tends not only to create divisions within the group, but perhaps also makes leaders much more likely to adopt the pan-ethnic identity, at least in the beginning.

Also, and particularly affecting the Latino and the Asian American communities, intergroup conflicts have been further aggravated by the presence of continuing immigration.[63] This influx creates problems even within the national-origin sub groups, but these are exacerbated when speaking of the pan-ethnic group as a whole. Continuing immigration creates new constituencies that often feel inadequately represented by established pan-ethnic groups and the institutions that represent them; it also rejuvenates ethnic cultures, reinforces national allegiances, and reminds national-origin ethnic members of how little they have in common with members of other ethnic groups within the pan-ethnic collectivity.[64]

Thus, for Latinos, the almost universal use of Spanish in the countries of origin, and fairly circumscribed geographic antecedents, somewhat help in the creation of a common 'culture'. Even then, however, Latino identity is related more to the symbolism of Spanish as a separate language, rather than to its actual use by all members of the group. Furthermore, the nineteen Latin American national-origin groups that conform the core of the Latino pan-ethnic identity have distinct cultural characteristics and racial histories. There is also the question as to whether or not, and to what extent, nationalities that partially share some of the geographic, cultural or linguistic attributes, such as Brazilians, Filipinos, and Spaniards, belong to the pan-ethnic identity.

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[62] Espiritu, *Asian American Panethnicity*, 11

[63] See, e.g. Tomás R. Jimenez. 'Weighing the Costs and Benefits of Mexican Immigration: The Mexican-American Perspective'. *Social Science Quarterly*, Vol. 88, No. 3, (Sep. 2007): 599-618

[64] Espiritu, *Asian American Panethnicity*, 14

The point is that, since these groups are usually formed under the force of necessity, pan-ethnicity essentially demands that ethnic subgroups put aside historical rivalries, class differences, immigration status and linguistic differences in the construction of a common 'culture'. The widespread adoption of the pan-ethnic identity takes time, and commitment.

Given the fact that pan-ethnic identities are to a large degree the result of out-group homogeneity bias, and the resulting institutional incentives, can they be said to be real? One answer, perhaps, is that—as social constructs—they are as real as society permits them to be. Numerous surveys, however, find that, while there is no single, homogeneous Latino opinion overall, the Hispanic population of the United States tends to hold an array of attitudes, values and beliefs that are distinct from those of non-Hispanic Whites and African Americans. Even Latinos who trace their ancestry in the United States back for several generations express views that distinguish them from their non-Hispanic native-born compatriots.[65]

c. Racialization

The term racialization is the extension of racial meaning to a previously racially unclassified relationship, social practice or group. As such, each act of racialization is a historically specific ideological process, since racial ideology is constructed from pre-existing conceptual elements and emerges from the struggles of competing political projects and ideas.[66] In practical terms, then, racialization is a structured process that is put in place for the systematic advantage of the members of a dominant group, and entails the subordination of another group defined as 'racially' different through the creation, maintenance, and/or justification of a hierarchical relationship between the groups. Although as we have seen, the specific boundaries of races have varied across time and place—and are continuously contested, the underlying dynamic of racialization has remained fairly consistent, and, as a means of social control, is often applied to 'ethnicities' as well as 'races'. To occur, the process requires an essentialist vision of social differences, together with the exercise of sufficient power to create and maintain stratified

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[65] See, e.g. Kaiser Family Foundation and Pew Hispanic Center. "2002 National Survey of Latinos." (December 2002). Available at: http://www.pewhispanic.org/files/reports/15.pdf

[66] Omi and Winant, *Racial Formation*

relationships between the groups.[67] This means that a subpopulation lacking power and held in low esteem by the larger society would tend to be racialized—i.e., considered nonwhite.

To understand how racialization is imposed, negotiated, and withdrawn, we have a good example in the nineteenth century, when the category of 'White' was subject to challenges brought about by the influx of diverse groups who were not of the same Anglo–Saxon stock as the founding immigrants. During the course of the century and into the next, political and ideological struggles continuously emerged over the classification of the Irish, the Jews, and various Southern and Eastern Europeans, among other 'non-White' categories. Nativism was only effectively curbed by the institutionalization of a racial order that eventually drew the colour line around, rather than within, Europe.[68]

The uses of racialization as a form of social control are not always straight forward: according to Omi and Winnant, given the shock to the country's system of social control caused by the end of slavery in 1865, and with the end of Reconstruction in 1877, an effective programme for limiting an emergent class struggle during the later part of the nineteenth century was forged: the definition of the working class in racial terms as 'White'. This was accomplished, not through any legislative decree or capitalist manoeuvring to divide the working class (which is not to say these strategies did not exist), but rather by the workers themselves. Many were recent immigrants, who organized on racial lines as much as on traditionally defined class lines. For example, the Irish in California engaged in vicious anti-Chinese race-baiting and committed many assaults on Chinese in the course of consolidating the trade union movement in California[69]

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[67] Rodney E. Hero, 'Immigration and Social Policy in the United States', *Annual Review of Political Science*, Vol. 13 (2010): 445–468. 454

[68] Omi and Winant, *Racial Formation*

[69] Omi and Winant, *Racial Formation*

Although not everyone agrees that Latinos are a racialized minority, [70] it seems fairly clear that for them it has been highly significant that the largest group first became part of the country as part of the spoils of war. That is, Mexican Americans first appear in 1848 following the Mexican-American war, and the acquisition by the US of nearly half of Mexico's territory. As we shall see, that fact, and the incorporation processes that followed, played a very significant role in the subsequent racialization of the ethnic group, and the racialized patterns established as a result arguably continue to influence their socialization as ethnic group members even today.[71]

2. The Ethno-Racial Order in the United States

The previous discussion has served as a basis to understand that, whether an individual is formally part of a different 'race', or merely of a different 'ethnicity', society's need to impose and maintain control will ascribe them a place in the ethno-racial order that depends on the current state of negotiations between that individual's group (however defined) and society's social, economic, or political needs.

Where the social boundaries exist, how and by whom they have been contested, and how 'society' has defined groups as it has attempted to shape ethnic and racial categories and

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[70] See, e.g. Mario Barrera. 'Are Latinos a Racialized Minority'. *Sociological Perspectives*, Vol. 51, No. 2 (2008): 305-324

[71] Schmidt, Et.Al., 'Latina/o Identities', 564

definitions depending on the needs and pressures of the moment, are the subject of the following section.

a. The Context of US History

The United States has been a critical player in both, the articulation of social systems of dominance based on an ethno-racial system, and in their dismantlement. This is due in part to the historical accident of the system of economic organisation into which the United States was created as a nation, as well as the realities of becoming the dominant world power during the course of the Twentieth Century. As such, the history of the development of the ethno-racial system provides a critical context in which to understand these issues.

i. Origins

Most scholars agree that the modern conception—and its articulation in theories—of 'race', and related issues such as race consciousness, is largely a modern phenomenon.[72] They are, to a great degree, the result of European expansion beginning in the fifteenth century.

However, according to the philosopher Ladelle McWhorter, it is not surprising that race, and the presence of a racial order, would become central to American society, since it was the economic and social organization of the British colonies that were to become the United States that is to a large degree responsible for the development of the concept.[73] Noam Chomsky, the linguist and political philosopher, agrees, citing the 'Anglosphere's' settler-colonial version of imperialism as an economic system that naturally led to the 'utter extirpation' of the indigenous population — and to 'intentional ignorance' on the part of beneficiaries of the crimes.[74]

European settlers to what was to become the U.S. began using enslaved Africans as a source of labour almost from the time they established the first permanent outpost in Jamestown, in the colony of Virginia, in 1607. The earliest records of slavery in what would become the United States are from Jamestown in 1619 (a year before the famous *Mayflower* set sail),

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[72] See, e.g. Omi and Winant, *Racial Formation.*

[73] McWhorter, Racism and Sexual Oppression, 65

[74] George Yancy and Noam Chomsky. 'Noam Chomsky on the Roots of American Racism', *The New York Times*, *The Stone* (Blog), March 18, 2015. Available online at: http://opinionator.blogs.nytimes.com/2015/03/18/noam-chomsky-on-the-roots-of-american-racism/

describing a group of 20 Africans who were forced into indentured servitude to aid in the production of such lucrative crops as tobacco.[75] The use of slaves increased rapidly towards the end of the seventeenth century, so that by 1680—when the first major slave codes went into effect in the American Colonies,[76] it is estimated that there were some 7,000 African slaves in the American colonies.[77] Nevertheless, at first the principal marker between the Black slaves and the other colonists or indentured servants was religion, and not the colour of skin.[78]

This rapid increase in the use of slaves was not for reasons of 'race', i.e. not *because* the slaves were African, and the Europeans held racist views that allowed them to think it proper to enslave black-skinned people since they were naturally inferior to whites— although that was certainly to come later. They used African slaves, rather, for socioeconomic reasons, primarily for labour in the tobacco plantations that produced the bulk of the capital for the incipient colonies. Planters simply needed a cheap—and reliable—labour source. Native Americans were found to be 'unreliable'. Being familiar with the terrain, they could easily escape back to their communities if they did not like the working conditions. Meanwhile, bonded white labourers were relatively few, especially after the abolition by some colonies of the importation of convicted felons in 1670 after they had fomented several rebellions.[79] For these reasons Africans slaves became the most practical workers, not because they were viewed at all as biologically inferior to whites (since they were needed to work hard), but because as chattel slaves they had no rights. They also could not easily escape since they did not know the land, and in any case had no communities within which to disappear.

But enslaving blacks eventually had the additional advantage of allowing planters to easily divide the labour force. As we shall see in the next chapter, this would not be the last time that practical considerations intersected with the sense of 'who belongs', creating in this

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[75] Joseph Chamie. 'International Migration Trends and Perspectives for the United States of America'. In *International Migration, U.S. Immigration Law and Civil Society: From the Pre-Colonial Era to the 113th Congress*. (New York, NY: Scalabrini International Migration Inc., 2014). 18

[76] John Tehranian. 'Performing Whiteness: Naturalization Litigation and the Construction of Racial Identity in America'. The Yale Law Journal, Vol. 109, No. 4 (Jan. 2000): 817-847, 832

[77] Chamie. 'International Migration Trends'. 18

[78] Tehranian. 'Performing Whiteness', 832

[79] Teheranian,

case a situation that made the US not only quicker to make race a part of public policy, even compared to the 'old' European countries,[80] but made it a leader in doing so.

During the beginning period of the Colonies, at the beginning of the seventeenth century, 'race' was still a new word in the English language, having been used to distinguish human groups only since about 1600, and then in ways that are more similar to the way that we now use 'ethnicity'.[81] It was not yet then a hierarchically ranked concept, and as a result, there was a considerable amount of social contact between individuals of different races.[82]

But due to increasing experiences of rebellion, where European bond-labourers, Black freedmen, and slaves collaborated, this amount of contact 'presented a formidable managerial challenge' to the ruling class.[83] To meet that challenge, the large landowners and governments of the tobacco colonies deliberately and systematically began to drive a legal and psychological wedge between labourers of African and European descent throughout the late seventeenth and early eighteenth centuries. What the planters exploited to reinforce the institution of African slavery was not pre-existing racism; it was the differences among labourers in physical appearance, and eventually, status. They played on those differences to create antagonisms that eventually became anti-black racism, which they incited by first destroying solidarity between labourers of European descent and the free workers of African descent, and then by enhancing the legal and social status of European workers to thus accept, and eventually help enforce, Blacks' enslavement.

After a certain time, however, since most Blacks were slaves, and only they were enslaved, slavery came to seem like the natural state for black people, and to be associated with skin colour.[84] That is, the state of enslavement came to seem natural to, and even derivative of, the characteristics of the bodies of Blacks—which then stood in comparison to Whites. This gave rise to "morphological racism", where race ceased to refer merely to different

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[80] McWhorter, *Racism and Sexual Oppression*, 62

[81] McWhorter, *Racism and Sexual Oppression*, 64

[82] Amongst other examples McWhorter describes how '[h]alf of the African American planters in Virginia's Eastern Shore had European descent wives in the mid-seventeenth century.' McWhorter, *Racism and Sexual Oppression*, 70-72

[83] McWhorter, *Racism and Sexual Oppression*, 72

[84] McWhorter, *Racism and Sexual Oppression*, 72

(and not necessarily hierarchically-ranked) lineages, but to skin colour, hair texture, and other physical characteristics. These phenotypical characteristics were then essentialised, i.e. taken to be indicative of internal physiologies—and so in turn of the degree of characteristics such as mental acuity and sexuality. Thus these morphological characteristics came to be seen as determinative of greater or lesser worth as human beings.[85]

To McWhorter, this is how the 'White' and 'Black' races were created—they were the first races in human history ever to be defined purely morphologically. The White race was established as a legal and economic category in Colonial law and policy as a way of co-opting the European portion of the labour force. And it was the concept of race that needed to be used, since at that point in the early eighteenth century the population already included a considerable number of non-Britons, and so categorization based on nationality would have been ineffective for the purpose at hand.[86]

This economic imperative intersected with the development of the biological sciences during the Enlightenment, which gave rise to the conception of groups of human beings as being fundamentally different due to the climate of the lands in which they originated. Somewhat ironically, as we shall se in the next chapter, it was precisely this conception that gave Americans such confidence in the ability to integrate large numbers of immigrants.

Many of these debates about classification were in part debates about which body parts should or could count as markers of racial distinction, an issue that obviously persisted long after the American Revolution as a nagging problem both in the creation of law and the crafting of policy.[87] However, as McWhorter points out, it is important to remember that, as far as the 'morphological' conception of race was concerned, the scientific theory did not precipitate it, rather, theory followed and attempted to explain, justify, and even refine the practice.[88] That is, the shift from seeing race as custom or lineage to seeing race as hierarchically-ranked morphological types 'happened first of all as a matter of economic and political expedience and then as a matter of psychological and social consolidation of

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[85] McWhorter, *Racism and Sexual Oppression*, 110

[86] McWhorter, *Racism and Sexual Oppression*, 72-73

[87] See, e.g. Tehranian, 'Performing Whiteness'.

[88] McWhorter, *Racism and Sexual Oppression*, 73

power and status, not as a result of innovations in scientific theory'.[89]

One of these innovators was Carolus Linnaeus, the father of modern taxonomy. In the 10th edition of his major taxonomy of everything he could find, *Systema Naturae*, published in 1758, Linnaeus made one of the first serious attempts to classify the population into races. While seeing all humans as belonging to one species, *Homo sapiens*, he posited that there were a number of subspecies representing the different races, rooted in their continental origins (Africa, Americas, Asia, Europe). Linnaeus thus proposed four subspecies (races) of *Homo sapiens*: *Homo sapiens africanus*, *Homo sapiens americanus*, *Homo sapiens asiaticus*, and *Homo sapiens europeaneus*.[90] And, although the majority of the descriptions were of physical characteristics, Linnaeus did ascribe essential moral characteristics to each one: *Homo sapiens africanus* was 'ruled by caprice', *Homo sapiens americanus* was 'ruled by custom', *Homo sapiens asiaticus* was 'ruled by opinion', and, not surprisingly, *Homo sapiens europeaneus* was 'ruled by laws'. [91]

To landowners this had the added benefit of allowing the enslavement of the African-American portion of the total labour force to proceed unhampered since it now involved "inferior" beings.[92]

After the Enlightenment, concepts of race also began to evolve to adapt to the growing organisation of the nation-state. In the early nineteenth century this proposition added the idea that 'race' was also political to the evolving view that races were biological entities and so could be identified through the scientific study of a group's shared physical properties.

There were those who believed deeply in the biological reality of race, and so thought that the natural affinity among the members of each group would make races the appropriate units for social and political organisation. Thus, if nationalism was the view that natural social groups should come together to form states, then in its ideal form a nation would bring together people of a single race. [93]

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[89] McWhorter, *Racism and Sexual Oppression*, 77

[90] Fuentes, *Race, Monogamy, and Other Lies*, 74.

[91] Fuentes, *Race, Monogamy, and Other Lies*, 74

[92] McWhorter, *Racism and Sexual Oppression*, 72-73

[93] Kwame Anthony Appiah, 'The Problem of the Color Line'. *Foreign Affairs*, Vol. 94, No. 2 (March/April 2015): 1-8, 4

ii. Slavery and the Creation of a New Republic

As noted above, it is difficult to overstate the overwhelming role that 'race' has had in the formation and organization of American society—and independence from the British Empire meant that, far from attenuating these social distinctions, the need to maintain a nascent republic together meant the kind of political compromises that would aggravate the situation. For example, the question of race was included in the Constitution of the United States. Article I, Section 2, Paragraph 3, states that:

> Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, *three fifths of all other Persons*.[94]

In this instance, 'all other persons' meant enslaved Africans, who, for reasons of political apportionment, should be counted as three fifths of a human being. Having 60 per cent of a person who cannot vote counted for purposes of apportioning political power was obviously a great advantage to states where slavery was permitted, particularly in the early years of the Republic.

But, this was not the only place in the Constitution where slavery—and by extension race, played a role. According to historian David Waldstreicher, '[o]n balance, the Constitution was deliberately ambiguous—but operationally proslavery.' Out of the 11 clauses in the Constitution that dealt with slavery, or that had policy implications for slavery, ten clauses effectively protected slave property and the powers of their owners.[95] Only the international slave-trade clause pointed toward a possible future power whereby, after a period of 20 years, slavery could conceivably be ended—which as we now know is not what happened.[96] Although the Congress passed the Act Prohibiting Importation of Slaves

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[94] Emphasis added. The XIV Amendment (passed by Congress June 13, 1866, and ratified July 9, 1868), Section 2, changed this to read: 'Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed.'

[95] David Waldstreicher. 'How the Constitution Was Indeed Pro-Slavery'. *Politics* (blog) *The Atlantic*, September 19, 2015. Available at: http://www.theatlantic.com/politics/archive/2015/09/how-the-constitution-was-indeed-pro-slavery/406288/

[96] Constitution of the United States: Article 1, Section 9: The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the

of 1807,[97] stating that no new slaves were permitted to be imported into the United States, it had almost no impact, since by that time the value of breeding new slaves had made it more profitable than importing them.

The fundamental, shaping, policies of the early republic were proslavery because the federal government for much of this period was controlled by Southerners like Thomas Jefferson and Andrew Jackson, who were not only expansionists, but who also saw African Americans as a captive nation, a potential fifth column just waiting to be liberated by the British—as they had been during the Revolutionary War, and as they were again in the War of 1812.[98] According to Waldstreicher:

> Americans and their leading historians still find it hard to account for how their Revolution, considered as a quarter-century of resistance, war, and state-making, both strengthened slavery and provided enough countercurrents to keep the struggle against it going. Tougher still is understanding how the work of 1787 constitutionalized slavery—hardwired it into the branches, the very workings, of the federal government. Given the subsequent history of disfranchisement and policing in this country, it's not a stretch to say that it is hard-wired there still.

iii. Conquest and Immigration

The process of expansion that the United States began to undertake immediately after its independence, and that was to continue throughout the nineteenth century, together with the spectacular levels of migration responding to the demand for labour in a rapidly expanding economy, meant that the period was marked by the need to incorporate new peoples into the American ethno-racial order. As we shall see in the next chapter, the first citizenship law did not make much issue of who could become a citizen (i.e. who is welcome to be one of us). It was not long, however, until this benefit was reserved to 'free White men', beginning a struggle of reclamation that would not be formally completed until after the end of World War II, and some might argue is still being completed today.

Year one thousand eight hundred and eight, but a tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

[97] 2 Stat. 426, enacted March 2, 1807

[98] Waldstreicher. 'How the Constitution'.

But race was important in the American expansionist project in other ways. For example, the Texas Revolution in 1836, which would eventually lead to the annexation of Texas a decade later, and thus to the U.S.-Mexican War, was begun in part by American settlers who were upset that Mexico had prohibited slavery. At the time, the Whig party contended that the War was designed to expand slavery to new territories, and so protect the institution of slavery in the United States. Thus, 'an effort to maintain slavery and the subjugation of African Americans, was part of a chain of events culminating in a treaty that many claim resulted in the subordination of Mexican Americans in the Southwest.'[99]

Further expansion later in the century, with the annexation of Hawaii in 1898, and with the takeover of the Philippines, Cuba and Puerto Rico as a result of the Spanish American War that same year, introduced new peoples into the American ethno-racial order. With racial prejudice flourishing as never before in their own country, Americans picked an unfortunate time to extend an imperialist net over blacks, Indians, mulattos, and mestizos in foreign lands. [100]

What Americans thought of these new populations can be seen in the political cartoons of the day. When the object was to demonstrate to Europe that the United States was now an important colonizing power, the populations must look like those of the European empires:

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[99] Kevin R. Johnson. 'Race, the Immigration Laws, and Domestic Race Relations: A "Magic Mirror'' into the Heart of Darkness'. *Indiana Law Journal*, Vol. 73, No. 4, (Fall 1998): 1111-1159, 1118, Note 38.

[100] Fredrick B. Pike. *The United States and Latin America: Myths and Stereotypes of Civilization and Nature.* (Austin TX: The University of Texas Press, 1992. Second Paperback Print, 1993). 187

Cartoon 3. JOHN BULL: *Really most extraordinary what training will do. Why, only the other day I thought that man to support himself.* (Fred Morgan, *Philadelphia Inquirer*, 1848.)

What is perhaps more interesting, is how the racial makeup is ascribed depending on the political currents of the day. Thus, in 1903, when the United States was seriously interested in annexing Cuba, we have one vision:

'Miss Cuba Receives an Invitation. MISS COLUMBIA (to her fair neighbor) "Won't you join the stars and be my forty-sixth?"'[101]

However, by 1905, when Cuba was proving to be considerably harder to digest, there is another racial vision—one that contrasts considerably with that of 'Porto Rico':

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[101] Chicago Record-Herald, 1903

'UNCLE SAM to PORTO RICO: And to think that bad boy came near to being your brother'[102]

iv. Civil War and the Creation of Jim Crow Laws

The Civil War, fought between 1861 and 1865, finally brought the issue of slavery in the United States to a head. In the immediate aftermath of the War, the United States passed the XIII Amendment (ending slavery), the XIV Amendment (providing citizenship), and the XV Amendment (assuring voting rights to all citizens) to the Constitution. However, although in the immediate aftermath of the War great strides were made in the provision of equality of economic and political opportunity to the recently liberated slaves, social and political forces soon created significant structural barriers. These 'Jim Crow' laws—essentially state-sanctioned discrimination—would be in place for almost a century, until the mid 1960s.

Just as the planter elites in the late seventeenth century had driven a wedge between the slaves and the indentured servants, as a common American saying would have it, 'if it aint broke, why fix it?' The white elites of the South found that they could use the same concept to cling to power. As W.E.B. DuBois described it, as late as the middle of the twentieth

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[102] *Chicago Inter Ocean*, 1905

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century the Southern white bourgeoisie was paying 'wages of whitness' in order to divide the white and black workers despite 'their practically identical interests':[103]

> The political success of the doctrine of racial separation, which overthrew Reconstruction by uniting the planter and the poor white, was far exceeded by its astonishing economic results. The theory of laboring class unity rests upon the assumption that laborers, despite internal jealousies, will unite because of their opposition to exploitation by the capitalists. According to this, even after a part of the poor white laboring class became identified with the planters, and eventually displaced them, their interests would be diametrically opposed to those of the mass of white labor, and of course to those of the black laborers. This would throw white and black labor into one class, and precipitate a united fight for higher wage and better working conditions.
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> Most persons do not realize how far this failed to work in the South, and it failed to work because the theory of race was supplemented by a carefully planned and slowly evolved method, which drove such a wedge between the white and black workers that there probably are not today in the world two groups of workers with practically identical interests who hate and fear each other so deeply and persistently and who are kept so far apart that neither sees anything of common interest.
>
> It must be remembered that the white group of laborers, while they received a low wage, were compensated in part by a sort of public and psychological wage. They were given public deference and tides of courtesy because they were white. They were admitted freely with all classes of white people to public functions, public parks, and the best schools. The police were drawn from their ranks, and the courts, dependent upon their votes, treated them with such leniency as to encourage lawlessness.

This was the period in the United States that produced the notion of hypodescent, the belief that racial identity was denoted by physical inheritance and by 'blood' from a racial group. But this worked only in a particular way: the lower ranking group was what defined the descent. So throughout much of US history (and perhaps even up to today) 'looking' black made you Black—as did the possession of any black parentage. According not only to popular opinion, but depending on the time and place also according to law, having even one drop of 'black blood' in one's genealogy made one Black, but having many drops of White blood did not make one White.[104] This meant that a person with one Black grandparent or, in some states, even one Black great-grandparent (i.e. one-sixteenth Black

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[103] W. E. Burghardt Du Bois. *Black Reconstruction in America*. (New York, NY: Harcourt, Brace and Company, 1935). 700:

[104] Fuentes, *Race, Monogamy, and Other Lies*, 95

and fifteen-sixteenths White) was also Black, and so that the person would be socially Black, even though they possessed white skin, blue eyes, and straight hair.[105]

v. The Progressive Era and Scientific Racism

The attempts to classify race in scientific terms, and to use these 'findings' of relative inferiority of the various races to justify their continued dominance, continued well after the Enlightenment. In fact, these differences were so widely accepted by the second half of the Nineteenth Century, that the entry for 'Negro' in the ninth edition of the *Encyclopaedia Britannica* could state authoritatively that the African race occupied 'the lowest position of the evolutionary scale, thus affording the best material for the comparative study of the highest anthropoids and the human species.' [106]

But it would be the eugenics movement, rooted in the biological determinist ideas of Sir Francis Galton, which would introduce to the world to full-blown 'scientific racism'. Working in Britain in the 1880s, Galton based his theories on his cousin Charles Darwin's concept of 'the survival of the fittest', first applying his theories on the British upper classes. Somewhat unsurprisingly, he arrived at the conclusion that their social position was evidently due to a superior genetic makeup. [107] These findings reinforced many scientists' deep belief in the biological reality of race, and that the natural affinity among the members of each group made 'race' the appropriate unit for social and political organisation.

It must be pointed out that Darwin himself, however, held a much more modern view, believing that his evolutionary theory demonstrated that human beings were of a single stock, with local varieties produced by different environments, but through a process that was bound to result in groups with blurred edges.[108] Despite these differences in scientific

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[105] Appiah, 'The Problem of the Color Line', 5

[106] Encyclopaedia Britannica, Ninth Edition, 1884, p. 316. Quoted in S. Plous, and Tyrone Williams. 'Racial Stereotypes From the Days of American Slavery: A Continuing Legacy'. *Journal of Applied Social Psychology*, Vol. 25, No. 9 (May, 1995): 795-817.

[107] See, e.g. Galton, Francis. 'Hereditary Talent and Character' *Macmillan's Magazine,* Vol. 12 (1865): 157–166; 318–327 Available at: http://www.mugu.com/galton/essays/1860-1869/galton-1865-hereditary-talent.pdf

[108] Appiah, 'The Problem of the Color Line'. 4

opinion, Galton soon refined his ideas, and expanded his theory to propose that, through selective breeding, the human species should direct its own evolution.[109]

But this was no ordinary extension of the ideas of livestock breeding, similar to the arguments that Southern intellectuals in the United States put forth in response to the arguments of abolitionists. Eugenicists were—from Galton onward—concerned that these theories be based on the latest scientific developments.[110] In many ways, the modern fields of demographics and statistics, as well as to a lesser extent psychology and sociology, had their genesis in the attempts by eugenicists to measure the different dimensions of human progress and regress.[111] Francis Galton, like many men of his time, was convinced that technology could assure mastery over nature, and so—as so many men of his time— 'innocent of the future', he 'confidently equated science with progress'.[112]

The active 'scientific' and 'progressive' components of the concept of eugenics were particularly attractive in the American context, and so it quickly travelled to the United States. This was not surprising since eugenics fit in particularly well not only with the peculiar American 'separate but equal' Jim Crow laws that emerged in the aftermath of Reconstruction (the period immediately following the Civil War), but also with the robust 'can-do' spirit of an emerging American power. Perhaps most importantly, these ideas came to the fore in the Progressive Era, during the end of the 19th and beginning of the 20th Centuries, when a hallmark of good reform government was the use of scientific experts to help shape public policy.[113]

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[109] "I propose to show in this book that a man's natural abilities are derived by inheritance, under exactly the same limitations as are the form and physical features of the whole organic world. Consequently, as it is easy, notwithstanding those limitations, to obtain by careful selection a permanent breed of dogs or horses gifted with peculiar powers of running, or of doing anything else, so it would be quite practicable to produce a highly-gifted race of men by judicious marriages during several consecutive generations." Galton, Francis. *Hereditary Genius.* First published in London: Macmillan, 1869. Second Edition, with an additional preface, London and New York: Macmillan, 1892. Third corrected proof of the first electronic edition, 2000. Available at: http://www.mugu.com/galton/books/hereditary-genius/text/pdf/galton-1869-genius-v3.pdf. P. 1

[110] See, e.g. Galton's discussion of the use of statistics, especially "frequency of error" in *Hereditary Genius*, Pp. x-xiii, or his discussion of regression to the mean, which he called "regression to mediocrity" on P. xvii; or the extensive use of biological and anthropological theory throughout.

[111] See, e.g. Edmund Ramsden. 'Social Demography and Eugenics in the Interwar United States'. *Population And Development Review*, Vol. 29, No.4 (December 2003): 547-593

[112] Daniel J. Kevles. *In the Name of Eugenics: Genetics and the Uses of Human Heredity.* (Berkley and Los Angeles, CA; University of California Press: 1985) 1

[113] Tichenor points e.g. to the use by Congressional committees of experts from the Immigration Restriction League (IRL, see below) to help pass the Literacy Requirement. Tichenor, *Dividing Lines,* 49

And yet, despite the claims for the betterment of humanity, as McWhorter points out:

> Many of the articles and speeches that have come down to us from that time, if read in isolation, appear to be referring to the progress or improvement of the human race, not the white race or the Anglo-Saxon or Nordic race alone. But to most educated, self-identified white Americans at the turn of the twentieth century, the future—new and improved—human race was the white race.[114]

The adherents of eugenics[115] tended to be largely middle to upper middle class, White, Anglo-Saxon, Protestant, and educated.[116] Much like their patron saint, Sir Francis, eugenicists primarily identified human worth with exactly those same qualities that they presumed themselves to possess—the type of qualities that facilitated entrance to universities and professional training. They tended to equate marriage with intelligence, and were predisposed to think that intelligence was inherited.[117] It is easy to see how these adherents, who found their racial or class prejudice views reflected and confirmed, found the biological theories of eugenics persuasive, especially when they were advanced in the seemingly neutral language of science.[118] Not surprisingly, eugenic ideas and policies tended to reflect the social, rather than the economic, anxieties of the white Protestants who were its chief supporters.[119] Essential to the creation of the eugenics movement were the social changes that began to be felt with increasing tempo after the turn-of-the-century: industrialization, the growth of big business, the sprawl of cities and slums, the massive

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[114] McWhorter, *Racism and Sexual Oppression*, 202

[115] Galton coined the word 'eugenics', writing in 1883: "I do not propose to enter further into the anthropometric differences of race, for the subject is a very large one, and this book does not profess to go into detail. Its intention is to touch on various topics more or less connected with that of the cultivation of race, or, as we might call it, with 'eugenic'[1] questions, and to present the results of several of my own separate investigations." The note reads: "That is, with questions bearing on what is termed in Greek, *eugenes* namely, good in stock, hereditarily endowed with noble qualities. This, and the allied words, *eugeneia,* etc., are equally applicable to men, brutes, and plants. We greatly want a brief word to express the science of improving stock, which is by no means confined to questions of judicious mating, but which, especially in the case of man, takes cognisance of all influences that tend in however remote a degree to give to the more suitable races or strains of blood a better chance of prevailing speedily over the less suitable than they otherwise would have had. The word *eugenics* would sufficiently express the idea; it is at least a neater word and a more generalised one than *viriculture* which I once ventured to use." Galton, Francis. *Inquiries Into Human Faculty and its Development*. Originally published in 1883 by Macmillan. Second Edition, 1907 by J. M. Dent & Co. (Everyman). First electronic edition, 2001. Based on the text in the Everyman Second Edition (with all cuts from the first edition restored) Available at: http://www.mugu.com/galton/books/human-faculty/text/galton-1883-human-faculty-v4.pdf

[116] Kevles, In the Name of Eugenics. 64

[117] Kevles, In the Name of Eugenics. 76-77

[118] Kevles, In the Name of Eugenics. 84

[119] Kevles, In the Name of Eugenics. 73

migrations from the countryside and from abroad. Americans may always have known about social problems such as crime, alcoholism, prostitution, and disease, but society had never before possessed the mountains of statistical information that detailed—with seemingly mathematical exactitude—the magnitude of its problems, and that moreover expanded yearly by volumes. Most alarmingly, these statistics revealed that afflictions such as "mental defectiveness" and criminality were worsening every year.[120]

Assumptions of genetic differences between white Protestants of northern European stock, and the country's substantial numbers of Blacks, and Jewish and Catholic immigrants figured significantly in the eugenics movement.[121] Racism—in an era where racial differences were identified with ethnic identity as much as with variations in skin colour—was a central feature of eugenics.[122] Central to the eugenics movement was the idea that heredity determined not simply physical characteristics but that these were intimately related to temperament and behaviour. In the late 19th Century social Darwinists had popularized the notion that "paupers spawned paupers and criminals bred criminals."[123] This led to a situation where, as McWhorter describes it:

> Imbeciles, criminals, prostitutes, consumptives, Africans, Asians, Mexicans, Jews, Irishmen, masturbators, deaf-mutes, epileptics, psychopaths, and shiftless Appalachian paupers might look different from one another at a glance, but in effect they were all alike. They were all children out of control, throwbacks, savages, and degenerates. And they all posed a serious threat to the continued purity of highly evolved Nordic germ plasm. This is scientific racism.[124]

Here we should note that, although often treated as interchangeable, eugenics is in many ways only slightly related to what would come to be known as social Darwinism. That is, both claimed that biology was destiny, at least for the least fit, and that a broad spectrum of socially deleterious traits, ranging from 'pauperism' to 'feeble-mindedness', resulted from heredity.[125] But eugenics was much more assertive in that it was determined to thrust forth a logic that new policies were needed to actively change the status quo—and thus the

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[120] Kevles, In the Name of Eugenics. 72

[121] Kevles, In the Name of Eugenics. P. 75

[122] Kevles, In the Name of Eugenics. P. 74

[123] Kevles, In the Name of Eugenics. 71

[124] McWhorter, Racism and Sexual Oppression,

[125] Kevles, In the Name of Eugenics. 20

future—towards a more perfect state of humanity.[126] The social Darwinists, meanwhile, argued that society itself could naturally end the problem of inferior humans if only no welfare policies were in place to assist in their survival.[127] Note, however, that the idea that it was a matter of course for the poor to be inferior beings (since only inferior beings are poor) was fully shared by both camps.[128]

Soon, a wide variety of eugenics experts were to be found in the biology, psychology, sociology, and even economics[129] departments of universities or colleges, and among superintendents of state mental institutions. By the 1920s courses dealing with eugenics were offered at some 350 colleges and universities.[130] The large majority of American institutions of higher education—including Berkeley, Columbia, Cornell, Harvard, Northwestern, and Wisconsin universities—offered well-attended courses in eugenics, or genetics courses that incorporated the eugenic material.[131]

But the real fount of expertise was Charles B. Davenport, a well-known biologist of his time. He was the founder of the Cold Spring Harbor Laboratory, which was established in 1904 with funds from the Carnegie institution of Washington.[132] Davenport, and his Eugenics

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[126] 'I wish again to emphasise the fact that the improvement of the natural gifts of future generations of the human race is largely, though indirectly, under our control. We may not be able to originate, but we can guide. The processes of evolution are in constant and spontaneous activity, some pushing towards the bad, some towards the good. Our part is to watch for opportunities to intervene by checking the former and giving free play to the latter. We must distinguish clearly between our power in this fundamental respect and that which we also possess of ameliorating education and hygiene. It is earnestly to be hoped that inquiries will be increasingly directed into historical facts, with the view of estimating the possible effects of reasonable political action in the future, in gradually raising the present miserably low standard of the human race to one in which the Utopias in the dreamland of philanthropists may become practical possibilities.' Galton, Francis. *Hereditary Genius*. P. xxvii

[127] Kevles, In the Name of Eugenics. 21

[128] As Kevles points out, "For all the scientific theorizing, there was a good deal of circularity to the analysis. Kevles, *In the Name of Eugenics.* 107

[129] Irving Fisher, a Yale University professor and one of the most celebrated economists and statisticians of the first decades of the 20th Century, had a passion for eugenics, particularly with regards to immigration policy, serving on the Board of the Eugenics Records Office: "The generally higher intelligence of recent immigrants from Northern and Western Europe is definitely established, as is the fact that the immigrants who have been coming during the past few decades, mostly Southern and Eastern Europeans, have been steadily deteriorating in intelligence. … It is high time for the American people to put a stop to such degradation of American citizenship, and such a wrecking of the future American race." Quoted in Victor R. Fuchs, 'Health, Government, and Irving Fisher'. *American Journal of Economics and Sociology*, Vol. 64, No. 1, Special Invited Issue: *Celebrating Irving Fisher: The Legacy of a Great Economist* (Jan., 2005): 407-426. P. 417

[130] Kevles, In the Name of Eugenics. 89

[131] Kevles, In the Name of Eugenics. 69

[132] Kevles, In the Name of Eugenics. 45

Records Office (ERO), with its numerous publications and fieldworkers, were to prove to have a significant effect on public policy over the next two decades. .[133]

The eugenics movement soon divided into two, at times overlapping, approaches: 'positive eugenics', which hoped to foster more prolific breeding among those deemed to be socially meritorious, and 'negative eugenics', which intended to encourage the socially disadvantaged to breed less—or, better yet, not at all.[134] Positive eugenicists were alarmed by the possibility of extending higher education to women. The reason was that education would only be achievable precisely by women of higher stock, and would divert the biological energy of those women who should be having many children from the task of reproduction to the burdens of intellectual or worldly activities.[135] Negative eugenicists demonstrated a strong consensus in favour of sterilisation (with support ranging from well-known social activists such as Margaret Sanger to politicians of the stature of Theodore Roosevelt) that they promoted.[136] Eugenic arguments also figured prominently in the anti-miscegenation statutes of the day.[137]

Unsurprisingly, eugenics soon found expression in a wide range of racial politics. Since eugenicists generally believed in the genetic superiority of the Anglo-Saxon, Germanic, or as they were increasingly termed at the time 'Nordic' peoples—of course, the very ones from which most of these scholars descended—they could then support Jim Crow and anti-miscegenation laws, as well as the forcible sterilization of the poor, disabled and 'immoral'. But, clearly, this also meant support for strict immigration legislation in the context of the immigration wave that had begun in 1880, and that had been increasingly attracted 'troublesome' immigrants from Southern and Eastern Europe. By 1910, there was a large and dynamic network of scientists, reformers and professionals engaged in national eugenics projects and actively promoting eugenic legislation.

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[133] Kevles, In the Name of Eugenics. 101
[134] Kevles, In the Name of Eugenics. 85
[135] Kevles, In the Name of Eugenics. 89
[136] Kevles, In the Name of Eugenics. 94
[137] Kevles, In the Name of Eugenics. 100

<u>vi. The Post-War World and the Civil Rights Era</u>

Beginning in 1941, with the entrance of the United States into World War II, American society's levels of ascriptive inequality—that is unequal treatment of individuals due to 'essential' qualities ascribed to them by the broader society due to their physiognomy or ethnicity—began to be radically transformed by several interrelated events in a process that in many ways is still on going today. The need to create sharp ideological separation from its enemies, first Germany and then the Soviet Union; the return of war veterans demanding equal treatment after having sacrificed for their country; the prolonged period of economic expansion in the post-war decades; and a number of significant court decisions and changes in legislation: all came together to create an intellectual movement that valued multiculturalism, and gave rise to the Civil Rights era. This was a period that saw laws enacted that both, sought redress for past injustices, and attempted to level the field for future generations through affirmative action. It was the most profound transformation in world racial history. Never before had there been a racial upsurge so wide: so comprehensively driven by extensive global conflicts—such as World War II and the Cold War—and so propelled by mass action, by vast demographic transformations, massive migration, urbanization, and above all by popular mobilization. In short, according to Omi and Winnant, 'never has any racial upheaval cut so deep'.[138]

During World War II, many Americans began to believe that racism was incompatible with the principles of American democracy. Due to a combination of factors, among them a reaction to the ideology it was fighting in Europe, the pioneering social work of the First Lady, Eleanor Roosevelt, and the work of Swedish sociologist Gunnar Myrdal, racism began to be considered inconsistent with all that the United States stood for. In particular, Myrdal's 1944 *An American Dilemma*, by presenting American racism as a dilemma not only in absolute moral terms, but also as something fundamentally at odds with the 'American creed' and the basic tenets of American democracy, seemed to touch the conscience of the nation.

In the post-War period, the new role of the United States as 'leader of the free world' also mattered. In the years following World War II, racial discrimination in the United States

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[138] Michael Omi and Howard Winant, 'Racial Formation Rules: Continuity, Stability and Change' in Daniel Martinez HoSang, Oneka LaBennett, and Laura Pulido (Eds.) *Racial Formation in the Twenty-First Century*. (Berkeley and Los Angeles, CA: University of California Press, 2012), 308

began receiving increasing attention from other countries. There were newspaper stories printed throughout the world about discrimination against non-white visiting foreign dignitaries, as well as against American Blacks. At a time when the US hoped to 'contain' communism, promote democracy, and in general reshape the post-War world in its own image, the international attention given to racial segregation was more than merely troublesome and embarrassing.[139] The international focus on US racial problems meant that the image of American democracy abroad was tarnished—a weakness that was often exploited by the USSR. Furthermore, the apparent contradictions between American political ideology and practice led to specific foreign policy difficulties, particularly with the rapidly decolonising countries in Asia and Africa—important spheres of competition with the USSR.

But it was not only, or even primarily, the dominant society or the nation's elites, who promoted these changes. Upon returning home, veterans who were members of minority groups were sharply reminded of the racial hierarchy and their place in it, despite their service to the country. Minority soldiers became acutely aware that they were asked to fight—and die—for freedoms that they were not allowed to enjoy at home. This discontinuity vastly accelerated minorities' demands for civil rights.[140] In the Mexican American case, the immediate post-war era saw the formation of numerous organizations (e.g. the GI Forum and the CSO—Community Service Organization) that, for the first time, had as one of their primary purposes the questioning of discriminatory government policies. These organizations also began to be engaged in overt political activities such as promoting voting and campaigning to a much greater extent than previous organizations had done.[141]

The period of sustained economic growth of the post-war decades also decreased the desperate competition for jobs that had been seen during the Depression, and thus created a space for the creation of both the legal and substantive changes needed to reduce racial and ethnic inequality in the United States. Both the formal 'Jim Crow' (or 'separate but

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[139] See, e.g., Dudziak, Mary L. 'Desegregation as a Cold War Imperative'. *Stanford Law Review*, Vol. 41 (November 1988): 61-120.

[140] Vasquez. 'The Bumpy Road of Assimilation' 741

[141] Rodney E. Hero. *Latinos and the U.S. Political System: Two-Tiered Pluralism*. (Philadelphia, PA: Temple University Press; 1992). 36

equal') and informal 'Juan Crow' (applied to Mexican Americans) laws in the South and Southwest were dismantled, first by court decisions and later by legislative action. Thus, the institutional—and arguably the social—mechanisms for monitoring and enforcing rules began increasing the cost of discrimination 'in non-trivial ways.'[142] Despite claims that 'morality cannot be legislated', racism as an ideology began to lose its public legitimacy, and soon could no longer be advocated for in public without sanction. Eventually, although unevenly, differences between minorities and whites on education and income began to narrow. These changes, together with rising general levels of prosperity, created for the first time a substantial number of minority middle class members.[143] Nevertheless, although—or perhaps more precisely, because—successful, those ideologies and policies were bound to create a significant backlash.

To begin with, economic transformations in the US altered interpretations of racial identities and meanings. The automation of southern agriculture and the augmented labour demand of the post-war boom transformed African Americans and Mexican Americans from a largely rural, impoverished labour force to a largely urban, working-class group by 1970. But the housing provided these new workers, particularly that created as part of the 1960s 'War on Poverty' programmes, tended to move them into segregated neighbourhoods.

The faltering of the economy in the 1970s due to energy shocks, reduced industrial output, and 'stagflation' (stagnation with inflation), coupled with the fall-out of the defeat in Vietnam that created a low-point in the perception of American power abroad and civil order at home, began the process of convincing Americans that the concept of multiculturalism and many of the changes of the Civil Rights movement had gone too far. Thus, when boom became bust and the liberal welfare state moved rightwards, the majority of Blacks came to be seen, increasingly, as part of the 'underclass', as state 'dependents'. Thus the particularly deleterious effects on African Americans of global and national economic shifts (e.g. generally rising unemployment rates, changes in the employment structure away from reliance on labour intensive work, and increasing

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[142] Alba and Nee, *Remaking the American Mainstream*, 54

[143] Waters, Mary C., and Karl Eschbach. 'Immigration and Ethnic and Racial Inequality in the United States'. *Annual Review of Sociology*, Vol. 21 (1995): 419-446. 420

inflation) were explained once again in the late 1970s and 1980s (as they had also been in the 1940s and mid-1960s) as the result of defective Black cultural norms, or of familial disorganization. In this way new racial attributions were affixed to 'Blacks'.[144]

More broadly, and more to the point of this dissertation, there also arose a more generalized feeling that the Civil Rights legislation encouraged people, especially immigrants, to maintain particular identifications in order to enjoy special considerations.[145] Thus, according to critics, 'the ancestry of most immigrants in the 1990s entitled them to status as presumptive victims of historic discrimination in the United States', which led not only for 'undeserving immigrants' to claim special rights, it led them, '[a]s members of protected classes', to enjoy *priority over most native-born Americans* under affirmative action regulations.'[146]

Moreover, it was these 'generous' social benefits, and not the changing economic and demographic conditions in Europe, that subverted the very meaning of the Hart-Celler Act. Thus, '[p]arallel liberal reforms in immigration policy, passed to end national origin preferences but not appreciably to change the character or volume of immigration to America, led instead to massive immigration from Latin America and Asia.'[147] The end result, is that, due to advances in civil rights, Latino rights organizations found it in their interest to 'effectively racialize the immigration issue.'[148]

b. The Context of Contemporary Society

Racism was openly brought to the forefront of the understanding of racial/ethnic societal relations by the civil rights movement of the 1950s and 1960s, which removed both of the most egregious means of producing racial inequality: state sanctioned segregation and explicit discrimination. As a result, the American public at large has now generally embraced the principle of racial equality, although it must be kept in mind that over the

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[144] Omi & Winnant

[145] Stanley Lieberson. 'Unhyphenated Whites in the United States'. *Ethnic and Racial Studies*, Vol. 8, No. 1 (Jan. 1985): 159-180, 169.

[146] Hugh Davis Graham. *Collision Course: The Strange Convergence of Affirmative Action and Immigration Policy in America*. (Cary, NC: Oxford University Press, 2002), 8. Emphasis mine.

[147] Graham. *Collision Course*, 7

[148] Graham. *Collision Course*, 184

past three decades it has also demonstrated deeply ambivalent feelings about related positive policies, such as affirmative action, that have been designed to bring about equality as a matter of fact.[149] Moreover, not only are these policies and programmes contested, this is occurring even while it is patently obvious that 'across a wide range of measures—including income, employment, education, health, housing, and criminal justice—African Americans and other minorities of color have continued to lag behind whites, with severe consequences not only for those disadvantaged groups but also for American society as a whole.'[150] And, despite the continuation of disparate outcomes, there is a persistent opinion, found mostly on the political right, to believe that the United States has become a genuinely colour-blind society, i.e. that in the aftermath of the civil rights movement the US has become a level playing field that rewards discipline and hard work. In this view, what racial disparities exist reflect only the deficiencies of merit on the part of less successful individuals and groups, rather than the possibility that any differential treatment, or flawed institutions, may perpetuate unequal outcomes. This is a view that has gained considerable currency: increasingly, White Americans attribute racial inequality to the incapacity of the parties themselves, a phenomenon sometimes known as 'laissez-faire racism'.[151]

We can see, then, that this ideological shift has not necessarily ended racial prejudice or racist practices, rather, it has mitigated them. In some cases this shift is merely a change of character.[152] That is, while racism as a belief has lost its public legitimacy and can no longer

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[149] Alba and Nee, *Remaking the American Mainstream*, 57

[150] Frederick C. Harris and Robert C Lieberman. 'Racial Inequality After Racism'. *Foreign Affairs*, Vol. 94, No. 2 (March/April 2015): 9-20, 9. For evidence supporting this position, see, e.g. Carmen DeNavas-Walt and Bernadette D. Proctor. *Income and Poverty in the United States: 2014*. Current Population Reports, P60-252 (Washington, DC: U.S. Census Bureau, September 2015) Available at: https://www.census.gov/content/dam/Census/library/publications/2015/demo/p60-252.pdf; Richard V. Reeves and Isabel V. Sawhill. *Equality of Opportunity: Definitions, Trends, and Interventions*. (Boston, MA: Federal Reserve Bank of Boston, October 2014). Available online at: http://www.bostonfed.org/inequality2014/papers/reeves-sawhill.pdf; and Thomas Shapiro, Tatjana Meschede, and Sam Osoro. *The Roots of the Widening Racial Wealth Gap: Explaining the Black-White Economic Divide*. (Waltham, MA: Brandeis University, The Heller School for Social Policy and Management, Institute on Assets and Social Policy, Research And Policy Brief February 2013). Available at: http://iasp.brandeis.edu/pdfs/Author/shapiro-thomas-m/racialwealthgapbrief.pdf

[151] Harris and Lieberman, 'Racial Inequality After Racism', 12

[152] See, e.g. Eduardo Bonilla-Silva. *Racism without Racists. Color-Blind Racism and the Persistence of Racial Inequality in the United States*. (Lanham, MD: Rowman & Littlefield Publishers, Inc., Second Edition, 2006)

be advocated in public without sanction, there remains a significant reservoir of racial prejudice, but it is now mostly more covert and subterranean.[153]

That many of the assumptions related to a natural, hierarchical, ethno-racial array still survive, and are expressed in contemporary American society, is demonstrated through the theories that have emerged to explain the low status of minority groups. One is a set of theories, most often expressed by conservatives, which centre on deficiencies, arguing that the problem lies within the groups themselves. Yet another theory, this one most often associated with liberals, focuses on the bias that these minority groups are subject to from the part of 'the mainstream' population. A third theory, predominantly the province of social scientists, centres on the structural source of discrimination, and focuses on the perpetuation of inequality through the rules and norms of society and its institutions.

Deficiency Theories attribute the possession by minority group members of certain biologically inherent, cultural, or social structural deficiencies that are thought to impede, or even prohibit, their ability to function and succeed in US society. Depending on the specific deficiency that is being theorized about, these variously affect the integration of the group into the social, economic, and/or political systems. Although these deficiencies can take several forms, these different forms are often presented as being interrelated.[154] Nevertheless, it is important to emphasise that, as a result, the failure of minorities to prosper stems essentially from personal failings, such as a lack of initiative or work ethic, or an inability to overcome certain cultural constraints.[155]

Biological deficiency theories can best be described as the modern heirs of the eugenics movement, attributing inequality to inherent (read race) causes, that is, that the inferiority of certain groups is genetic and so is essentially hereditary. Lower-status groups are said to have naturally lower levels of intelligence, which lead to less social and economic success.[156] Although one would think that these theories disappeared with the waning of the eugenicist movement in the aftermath of the defeat of Nazism in the 1940s, there are

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[153] See, e.g. Alba and Nee, *Remaking the American Mainstream*, 57, or more generally, Harris and Lieberman, 'Racial Inequality After Racism'.

[154] Rodney E. Hero. *Latinos and the U.S. Political System: Two-Tiered Pluralism*. (Philadelphia, PA: Temple University Press. 1992), 23

[155] Harris and Lieberman, 'Racial Inequality After Racism', 11

[156] Hero, *Latinos and the U.S. Political System*, 23

signs that this intellectual tradition is still alive—and not only in fringe groups such as the Ku-Klux-Klan. Indeed, a minor scandal erupted in May of 2013, when it was revealed that Jason Richwine, the co-author of a widely criticized report on immigration released by the premier conservative think tank, the Heritage Foundation, had written his dissertation—at Harvard University—on the undesirability of continued Mexican immigration due to the Mexican people's lower IQ.[157]

Cultural deficiency theories attribute inequality to the group's ostensible attitudes and values. According to this perspective, the minority groups in question simply do not possess the cultural capacity to succeed socioeconomically or even politically, in American society. That is, they lack the 'right' attitudes and values for life in the United States.[158] Sometimes, different minority groups are held up as examples of who has, and has not, the requisite cultural tools. Thus, Asian Americans and Latinos are often contrasted in that, according to this theory, Asian American success in elevating educational attendance is due to a cultural emphasis on Confucianism, while Latinos 'do not care' about education. This culturally-driven lack of interest is widely held to be true even though educational issues are perennially listed among the top three priorities in all surveys of Latinos.[159]

Social structural deficiency theories attribute inequality to shortcomings in the way relationships within a group, and by extension their institutions, are structured. The deficiencies that explain the status of minority groups include their family structure (both immediate or extended) and social organizational (churches, social, and political) as insufficient at best, or inadequate or dysfunctional at worst.[160] The most popular of this type of theory is related to African Americans' deficiencies due to their family structure, measured by the proportion of unmarried births or the lack of presence of fathers. But, at the same time, Latinos' very strong ties to family is also thought to hobble their development, since it leads to an overwhelming focus on family interaction, presumably to

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[157] Jason Richwine. *IQ and Immigration Policy*. (Cambridge, MA: Doctoral Dissertation, Harvard University, 2009). Available at: http://www.scribd.com/doc/140239668/IQ-and-Immigration-Policy-Jason-Richwine

[158] Hero, *Latinos and the U.S. Political System*, 23, but also see, more generally, e.g. Graham. *Collision Course*, Thomas Sowell. *Migrations and Cultures: A World View*. (New York, NY: Basic Books, 1996); and Jacob L. Vigdor. *Measuring Immigrant Assimilation in the United States.* Civic Report. (New York, NY: Center for Civic Innovation at The Manhattan Institute for Policy Research, May 2008).

[159] Hero, Latinos and the U.S. Political System, 23

[160] Hero, Latinos and the U.S. Political System, 23

the exclusion of other concerns. This theory holds that a heavy focus on family might at times lead to lowering social and economic mobility through a variety of mechanisms, from the need to abandon education early in order to find work and help provide for the family, to a maintenance of a patriarchal structure which limits intermarriage. Politically, this extreme family focus would be harmful by resulting in lower social and economic statuses, which would then have important repercussions in developing an interest, and thus participation, in politics. And, since political involvement demands a personal investment, strong family ties may consume time and attention that could otherwise be spent on political activities.[161]

Bias Theory attributes inequality to the discrimination resulting from negative or unfavourable attitudes that mainstream society (read Whites) exhibit toward minorities. These biases and discrimination lead to a number of self-reinforcing inequalities—in education, employment, and social power—that act in concert to lower minorities' social, economic, and political mobility, and that in turn trap minorities within a number of inter-related pathologies (often termed the 'culture of poverty').[162] Thus, discrimination can lead to housing segregation, poor quality of education and lower educational attainment, higher levels of unemployment or underemployment, and political powerlessness; in turn, these inequalities may lead to social pathologies, such as increased participation in gangs, higher rates of criminal behaviour, drug use, violence, and mental problems. This theory focuses on 'prejudice and discrimination as the sources of minority inequality, and thus tend to put the responsibility on the Anglo majority rather than on the minorities' themselves.[163]

Structural discrimination theory attributes inequality to the social structure of the society as a whole. Here the source of minority disadvantage is thought to be the role of society, and by extension its institutions, in promoting, or at best not mitigating enough, the inequalities that hinder minorities' socio-economic mobility. This situation can help trap individual members of minority groups in a web of pathologies.[164] Structural theory differs

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[161] See, e.g. Sidney Verba, Kay Lehman Schlozman, and Henry Brady. *Voice and Equality: Civic Voluntarism in American Politics*. (Cambridge, MA; Harvard University Press: 1995)

[162] See, e.g. Nathan Glazer and Daniel P. Moynihan. *Beyond the Melting Pot: The Negroes, Puerto Ricans, Jews, Italians, and Irish of New York City*. (Cambridge, MA: MIT Press, Second Edition, 1970).

[163] Hero, *Latinos and the U.S. Political System*, 24

[164] Hero, *Latinos and the U.S. Political System* 25

from both the deficiency and bias theories in its emphasis that discrimination does need not be overt, or even visible, in order to have a pernicious effect. Moreover, it most often occurs institutionally, that is, it is often perpetrated with little personal responsibility, in what is taken to be the 'natural' order of things.[165]

In the end, there is considerable debate in the United States as to whether or not discrimination still exists, if it does, to what degree, and who (or what) is to blame for disparities.

For conservatives, it is clear that, since the laws and society are now colour-blind, the fault must lie in the individuals themselves, or if not on their broken families, irresponsible communities, retrograde cultures, and drug use. To the extent that government or society have any blame, it is due to the fact that government-funded social assistance, especially the welfare programmes begun during President Lyndon Johnson's 'War on Poverty' in the 1960s, has only fostered self-destructive behaviour by encouraging dependency, ad sapping the will to work.

Such arguments reflect a belief shared by many white Americans that racism itself has now become close to irrelevant. This is a perception shared by many White Americans, who generally assume that the end of segregation and the legal prohibition of discrimination removed all structural barriers to African-American, and minority, advancement. In a 2013 Gallup poll, for instance, 83% of white Americans said that factors other than discrimination were to blame for African-Americans' lower levels of employment, lower incomes, and lower quality housing.[166]

Moreover, several legal and social controversies regarding 'reverse racism'[167] give hints to Whites' increasing concern about anti-White bias. Research has demonstrated that this emerging belief reflects Whites' view of racism as a zero-sum game, so that decreases in bias against Blacks and other minorities in employment, education and housing since the 1950s are associated with lock-step increases in bias against Whites. These changes in

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[165] Hero, *Latinos and the U.S. Political System*, 25

[166] Harris and Lieberman, *Op. Cit.*, P. 11

[167] E.g. the current Supreme Court case of Fisher vs. The University of Texas, where, for the second time, the Justices are deciding whether or not a student, who was not admitted under the 'holistic' criteria for the 25 per cent who are not in the top ten per cent of a Texas high school class, was denied entry because one of the criterion utilized was race.

Whites' conceptions of racism are extreme enough that they have now come to view anti-White bias as a bigger social problem than 'traditional' discrimination.[168]

In a recent PRRI poll, 43 per cent of Americans said that discrimination against Whites had become as large a problem as discrimination against blacks and other minorities, while 55% disagreed with the proposition. However, fully 50 per cent of Whites—including 60 per cent of White working-class Americans—believe that discrimination against whites has become as big a problem today as discrimination against blacks and other minorities. Among Latinos and African Americans, this figure drops to 29 per cent and 25 per cent respectively.[169] Opinions about 'reverse discrimination' have remained fairly constant over the past few years, although they seem to have become more sharply partisan. Thus, if looked at by partisanship, 68 per cent of Tea Party adherents and 64 per cent of Republicans agreed, while only 45 per cent of Independents and 28 per cent of Democrats said likewise.[170] At the end of the spectrum, only 16 per cent of Democrats, as opposed to 36 per cent of Republicans and 45 per cent of Tea Party, reported that Whites face 'a lot of discrimination'.[171]

i. The Obama 'Post-Racial Era'

Amongst many (especially conservative) commentators, a central argument (although one often implied) is that the United States has entered into a post-racial society as a result of the Civil Rights era—definitively proven, in fact, by the election of the first African American president, Barak Obama. This has produced a trend among many scholars and politicians in the period after the civil rights movement to demonstrate 'race-blindness' in a manner that too often has meant remaining curiously blind to the full effects of the historical consequences, or the persistent presence, of racism in American society. In the

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[168] Michael I. Norton and Samuel R. Sommers. 'Whites See Racism as a Zero-Sum Game That They Are Now Losing'. *Perspectives on Psychological Science*, Vol. 6, No. 3 (2011): 215–218

[169] Robert P. Jones, Daniel Cox, Betsy Cooper, and Rachel Lienesch. *Anxiety, Nostalgia and Mistrust. Findings From the 2015 American Values Survey*. (Washington, DC: Public Religion Research Institute & Brookings Institution, November 17, 2015), 5. Available at: http://publicreligion.org/site/wp-content/uploads/2015/11/PRRI-AVS-2015.pdf,

[170] Jones Et Al, *Anxiety, Nostalgia and Mistrust*, 38

[171] Jones Et Al, Anxiety, Nostalgia and Mistrust, 37

same way, they have also questioned whether the existence of a robust racial or pan-ethnic identification, and the organizations which these have spawned to fight for equality, are now themselves a significant problem for the nation. The worry, according to this narrative, is that there is now too much *pluribus* to maintain an *unum*.

But is there any evidence to support the claim that racism is no longer a preoccupation in the Obama era? The evidence is that, far from the creation of a 'post-racial' era, the very election of the country's first African American president has not only not meant the end of racism, in some ways it has exacerbated some of these problems. For example, a group of social psychologists examined whether Americans thought that, because of Barack Obama's election, affirmative action and other policies that address racial injustice were no longer necessary. The results demonstrated that, following the election, participants increased their perception that racism was less of a problem in the US today than in the past. However, and not altogether surprisingly, they simultaneously expressed less support for policies designed to address racial inequality. As the authors noted (probably expressing the frustration of many social scientists at the stubborn primacy of opinion and perception over facts), '[g]iven the continued prevalence of racial disparities in virtually all aspects of American society, these results raise important implications for the status of policies aimed at eliminating racial injustice.'[172]

And these disparities, despite this evident progress, exist and persist. Across a wide range of social and economic measures—including income, employment, education, health, housing, and criminal justice—African Americans and other minorities of colour have continued to lag behind Whites. [173]

These disparities seem to reinforce one another, and have had demonstrably severe consequences not only for those groups who remain disadvantaged, but as the multiplicity of protests in 2014 and 2015 against police brutality (including veritable riots in Baltimore and Ferguson), and the concomitant political rise of the Black Lives Matter movement help demonstrate, also for American society as a whole. African Americans, for example, are

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[172] Cheryl R. Kaisera, Benjamin J. Drurya, Kerry E. Spaldinga, Sapna Cheryana, and Laurie T. O'Brien. 'The Ironic Consequences of Obama's Election: Decreased Support for Social Justice'. *Journal of Experimental Social Psychology*. Vol.45, No. 3, (May 2009): 556–559

[173] Frederick C Harris and Robert C Lieberman, 'Racial Inequality After Racism', *Foreign Affairs*, Vol. 94, No. 2 (March/April 2015) PP 9-20. 10

nearly three times as likely as non-Hispanic Whites to be poor,[174] almost six times as likely to be incarcerated, and only half as likely to graduate from college. They are also much less likely to be upwardly mobile.[175] The average wealth of White households in the United States is 13 times as high as that of Black households.

The fact that a full half a century after the peak of the Civil Rights Movement its gains continue to be undercut by multiple sources of inequality deeply undermine the idea that the United States is a post-racial society. Rather, it might be more accurate to call it a 'post-racist country'—a society where the role of race is much less obvert, and more subtle and hidden from view than before, although no less potent in many critical ways.

ii. Institutional Racism

One of the principal consequences of the Civil Rights Movement was that White Americans' attitudes towards race were, to a great degree, revolutionized. In response to the movement, governments across the nation not only removed laws that promoted

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[174] In 2014, the official poverty rate in the US was 14.8 per cent. There were 46.7 million people in poverty. Neither the poverty rate nor the number of people in poverty experienced a statistically significant change between 2013 and 2014.

Non-Hispanic Whites accounted for 61.8 per cent of the total population and 42.1 per cent of the people in poverty. They exhibited a poverty rate of 10.1 per cent, lower than the poverty rates for any other racial or ethnic group, but this represented 19.6 million people in poverty, a larger population than that of any other racial or ethnic group.

Meanwhile, for African Americans, the 2014 poverty rate was more than double that of non-Hispanic whites, at 26.2 per cent, with 10.8 million people in poverty. Among Latinos, the poverty rate was 23.6 per cent, representing 13.1 million people. For Asians, the 2014 poverty rate was 12.0 per cent, which represented 2.1 million people in poverty. DeNavas-Walt and Proctor. 'Table 3. People in Poverty by Selected Characteristics: 2013 and 2014'. *Income and Poverty in the United States*, 13

[175] See, e.g. Richard V. Reeves and Isabel V. Sawhill. *Equality of Opportunity: Definitions, Trends, and Interventions*. (Boston, MA: Federal Reserve Bank of Boston, October 2014). Available online at: http://www.bostonfed.org/inequality2014/papers/reeves-sawhill.pdf. According to the authors:

Among the most striking descriptive findings in the RIIM [Relative Intergenerational Income Mobility] literature are the stark divisions by race, especially for black Americans... Whereas white children have, for all intents and purposes, the same experience as that of the full population— stickiness in the tails and a relatively evenly distributed middle class, black children face pervasive downward pressure towards the bottom of the income distribution, regardless of parent income.

Half the black children born into the bottom quintile remain there in adulthood, compared to just one in four whites. Only 3 per cent join the top income quintile, implying that a real-life "rags to riches" story is unlikely for black children.

Moreover, unlike white children and the population as a whole, black children with middle-class roots are more likely to fall than to rise. Of black children born to parents in the middle income quintile, only 14 per cent move upward in the distribution, 37 per cent remain middle class, and 69 per cent move downward. The equivalent breakdown in the white distribution is 44 per cent, 23 per cent, and 34 per cent, respectively.

segregation, they put in place laws that actively banned explicit discrimination. And society kept in step with these changes, heaping social opprobrium on almost all explicitly racist expressions and practices.

Perhaps this is one of the sources of the common perception that racism has now become almost irrelevant. This is a belief shared by many White Americans, who generally assume that the end of segregation and the legal prohibition of discrimination removed all structural barriers to minority advancement. Despite the advances in civil rights, we still find that a third of African Americans, and a quarter of Latinos, say they have been victims of racial discrimination, denying them opportunities in housing or employment, at some point in their lives. In the same survey, fully 53 per cent of Blacks and 36 per cent of Latinos reporting unfair treatment due to their race in the month previous to being surveyed.[176]

The inability of a large number of White Americans to recognise this state of affairs can be explained, in part, from a very American societal focus on individuals rather than institutions, which helps mask the tremendously powerful role that history played in shaping today's inequalities. The historical era in which the vast majority of civic, social, and economic institutions were created has left them with organisational, cultural and special interest legacies that are the key reason these institutions continue to affect marginalized communities in deeply unequal ways—even while they appear to be a race neutral on the surface.[177]

But just because a policy race-neutral, does not mean it is not discriminatory—colour-blind laws, rules and practices have often masked deeply unequal arrangements. The Jim Crow-era that lasted from the 1870s to the 1960s, for example, prominently featured laws that severely restricted voting by minorities, such as poll taxes and literacy tests. Because they were designed to undercut the Black vote, but still needed to comply with the XV Amendment,[178] they were studiously race-neutral in language—but ruthlessly efficient (as

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[176] Bianca DiJulio, Mira Norton, Symone Jackson, and Mollyann Brodie. *Survey of Americans on Race*. (Menlo Park, CA: The Henry J. Kaiser Family Foundation, November 2015). Available at: http://files.kff.org/attachment/report-survey-of-americans-on-race, 1

[177] Harris and Lieberman, 'Racial Inequality', 10

[178] Constitution of the United States of America. Section 1 of the XV Amendment (passed by Congress February 26, 1869, and ratified February 3, 1870), reads: 'The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.'

well as viciously racist) in effect. In modern times, distinctions and mandatory sentencing laws made in the 1990s between crimes involving crack cocaine (overwhelmingly used by inner-city Blacks), and those related to powder cocaine (overwhelmingly used by suburban Whites), made no mention of race, but had staggeringly different racial outcomes in terms of who was imprisoned and for how long. Thus, even today, seemingly race-neutral policies often reinforce racial inequalities, although what is different now is that the officials behind them probably harbour no overt racist intentions.[179]

iii. Intermarriage

Marriage across racial and ethnic lines continues to be on the rise in the United States. Intermarriage is important because when 'mixed' unions are formed, a social boundary is necessarily crossed, assisting to the blurring of that boundary. Both Gordon, but especially Alba and Nee, theorized that boundary blurring leads to greater assimilation, and is itself an indicator of assimilation towards the 'mainstream'.[180]

According to the Pew Research Center, the share of new marriages between spouses of a different race or ethnicity from each other more than doubled to 15.1 per cent in 2010 from the less than 7 per cent that they represented in 1980. Now, the share of all current marriages that are either interracial or interethnic has reached an all-time high of 8.4 per cent, while thirty years previously they had stood at approximately 3 per cent.[181]

In 2010, Latinos, followed by Asian Americans, had the highest level of intermarriage rates among the four major racial and ethnic groups in the US. More than a quarter of newlyweds in each of these two groups married someone of a different race or ethnicity. The intermarriage rate among African Americans was somewhat lower; with about 17 per cent

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[179] Harris and Lieberman, 'Racial Inequality', 12

[180] Morgan, *Intermarriage Across Race and Ethnicity*, 11

[181] Wendy Wang, Et. Al. *The Rise of Intermarriage: Rates, Characteristics Vary by Race and Gender*. Social & Demographic Trends Project. (Washington, DC: Pew Research Center, February 16, 2012). 5. Available online at: http://www.pewsocialtrends.org/files/2012/02/SDT-Intermarriage-II.pdf

marrying non-Blacks. The lowest intermarriage rates among all groups was exhibited by Whites, with only 9 per cent marrying someone of another racial or ethnic group.

However, since Whites are by far the largest racial group, even though their intermarriage rate was relatively low among, marriages between Whites and other minority groups were still the most common form of intermarriage, with a full 70 per cent of intermarriages involving a White spouse. White/Hispanic couples accounted for 43 per cent, White/Asian couples were 14 per cent, and White/Black couples made up 12 per cent of the approximately 275,500 new intermarriages in 2010.[182]

Intermarriage is also important as a gauge of what sectors of the population is willing to engage personally across racial or ethnic groups, and in that sense results track closely with other measures of racial attitudes. For example, more than four-in-ten Americans (43 per cent) say that more people of different races marrying each other has been a change for the better in our society, while 11 per cent say it has been a change for the worse and 44 per cent say it has made no difference. Minorities, younger adults, the college-educated, those who describe themselves as liberal and those who live in the Northeast or the West are more disposed than others to see intermarriage in a positive light. [183]

Currently, 35 per cent of Americans say that a member of their immediate family or a close relative is currently married to someone of a different race. Also, nearly two-thirds of Americans (63 per cent) say it 'would be fine' with them if a member of their own family were to marry someone outside their own racial or ethnic group. In 1986, by contrast, the public was much more divided about this. At the time, almost 30 per cent of Americans said people of different races marrying each other was not acceptable for anyone, and an additional 37 per cent said this may be acceptable for others, but not for themselves. Only 33 per cent viewed intermarriage as acceptable for everyone.[184]

The overall differences in attitudes toward intermarriage are primarily driven by differences among older Americans, with racially conservative views about interracial marriage are strongly correlated with age. Regardless of race, younger Americans (18- to

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[182] Wang, Et. Al. *The Rise of Intermarriage*, 8
[183] Wang, Et. Al. *The Rise of Intermarriage*, 2
[184] Wang, Et. Al. *The Rise of Intermarriage*, 3

29-year-olds) overwhelmingly say they would be fine with a family member's marriage to someone in another ethnic or racial group, with no significant racial differences among this age group. And, although 30- to 49-year-olds are somewhat less likely to be accepting of interracial marriage than are younger people, the opinions of whites ages 30-49 are comparable to those of blacks in that age group. Americans ages 50 and older, and particularly those 65 and older, are considerably less accepting of interracial marriage than are those in younger age groups. While this is true of blacks, it is more strongly pronounced among whites. Just over half of whites ages 50-64 (52 per cent) and only 36 per cent of whites 65 and older say they would be fine with a relative marrying someone from any other racial groups (compared to 67 per cent and 59 per cent of blacks in their age groups, respectively).

For Whites, Backs and Latinos, older respondents express greater discomfort with the possibility of a family member marrying someone of a difference race or ethnic group. Resistance to a family member specifically marrying an African American is especially strong among older whites; just 55 per cent of those ages 50-64 and 41 per cent of those 65 and older say they 'would be fine' with this. By contrast, more than 76 per cent of African Americans 50-64 and 71 per cent of those 65 and older say they would be fine with a family member marrying a White American; among Blacks ages 18-29, 89 per cent would be fine with it. And among older Whites, acceptance of a relative's marriage to an African American lags behind acceptance of a family member's marriage to an Hispanic or Asian spouse. Among 18- to 29-year-olds there are no differences by race of respondent in the acceptance of marriage to those in other racial and ethnic groups.[185]

Among Latinos and Blacks, newlyweds who married whites tend to have higher educational attainment than do those who married within their own racial or ethnic group.[186]

Finally, and perhaps indicating higher levels of acculturation, and educational attainment, marrying out is much more common among the native-born population than among

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[185] Wang, Et. Al. *The Rise of Intermarriage*.9
[186] Wang, Et. Al. *The Rise of Intermarriage*, 2

immigrants. Native-born Hispanics were nearly three times as likely as their foreign-born counterparts to marry a non-Hispanic in 2010.[187]

iv. Rethinking Race

The possible effect of the current record on the future of an ethno-racial order in the United States is a mixed one. On the one hand, despite the abrogation of the most egregious laws and practices imposing racial order, the continued actions of so many institutions—and the combination of 'laissez-faire racism' with the feeling of so many whites that racial progress is a zero-sum game, demonstrates that there is a long way to go before race or ethnicity stops having a significant impact on an individual's life chances. On the other hand, however, the increasing rates of intermarriage, the resulting bi- and multi-racial children, as well as other forms of familiarity with members of 'minority communities' does point to a rapid blurring of borders between many of these groups. The question is, how far is it likely to go, and will members of all groups feel the effects equally?

To a great extent, and across numerous variables, in the past few years we have seen Asian Americans doing best (in terms of educational attainment, income and household wealth), followed closely by Whites, with Latinos lagging considerably, and African Americans below them. In terms of negative indicators, such as incarceration rates, African Americans lead considerably, followed by Latinos, and then by Whites and Asians. On the one hand, this reflects in part the long-standing barriers to African Americans in American life. On the other, it reflects the relatively high-value added nature of much of Asian immigration over the past 30 years. Latinos' standing, meanwhile, is probably due to a combination of low cultural capital immigration, with some remnants of a racialized vision as a US minority group.

Public opinion on race, in general is shifting. In July 2014, the Pew Research Center reported that 46 percent of Americans agreed with the statement 'Our country needs to continue making changes to give blacks equal rights with whites'. By July 2015, after the

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[187] Wang, Et. Al. *The Rise of Intermarriage*,9

riots in Baltimore and the rise of Black Lives Matter, that figure had risen to 59 per cent.[188] From the summer of 2013 to the summer of 2015, according to Gallup, the percentage of Americans who declared themselves 'satisfied with the way blacks are treated in U.S. society' dropped from 62 percent to 49 percent.[189]

But this shift is much more marked amongst young people (and those identified as Democrats and Independents). In 2014, Pew found that Americans under 30 were twice as likely as Americans 65 and older to say the police do a 'poor' job of 'treating racial, ethnic groups equally' and more than twice as likely to say the grand jury in Ferguson was wrong not to charge Darren Wilson in Michael Brown's death.

And young people and minorities are becoming more politically important. When George W. Bush won the presidency in 2000, very few Millennials could vote. In 2016, by contrast, they will constitute approximately 30 per cent of those who turn out. In 2000, African Americans, Hispanics, and Asians constituted 20 per cent of voters. In 2016, they will constitute more than 30 per cent. Whit Ayres, a Republican political consultant, calculated that even if the 2016 Republican candidate wins 60 per cent of the white vote (more than any GOP candidate in the last forty years, with the exception of Ronald Reagan in 1984, has won), he or she will still need almost 30 per cent of the minority vote.[190] In the 2012 election, Mitt Romney received 17 per cent of the minority vote. More to the point, he lost even while accruing 59 per cent of the White vote. In 2000, this would have given him an Electoral College landslide, and even in 2004, this would have been enough to elect him president. In 2012, it gave him second place.[191]

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[188] Carroll Doherty, Jocelyn Kiley, and Bridget Jameson. *Across Racial Lines, More Say Nation Needs to Make Changes to Achieve Racial Equality*. People and the Press Project. (Washington, DC: Pew Research Center, August, 2015). Available online at: http://www.people-press.org/files/2015/08/08-05-2015-Race-release.pdf

[189] http://www.gallup.com/poll/184484/americans-views-black-white-relations-deteriorate.aspx?g_source=RACE_RELATIONS&g_medium=topic&g_campaign=tiles

[190] Dana Milbank .'Republican Candidates are on a Collision Course With the American Electorate'. The Washington Post (Opinion Blog), March 31, 2015. Available at:
http://www.washingtonpost.com/opinions/republicans-self-defeating-stand/2015/03/31/8ffe064c-d7cf-11e4-8103-fa84725dbf9d_story.html

[191] E.J. Dionne, Jr. 'Can the GOP Learn From California?' The Washington Post, (Opinion Blog), April 19, 2015 at 8:11 PM. Available at: http://www.washingtonpost.com/opinions/can-the-gop-learn-from-california/2015/04/19/40b2538a-e6c6-11e4-9a6a-c1ab95a0600b_story.html?tid=pm_opinions_pop_b

c. Immigration and the Ethno-Racial Order

Although today most White (or any for that matter) Americans would be anxious to demonstrate that they are not racist if they were questioned, interestingly—and with serious implications for the public discourse—immigration seems to be the only area remaining that still permits people to express frankly racist thought 'in polite company'. In part this is because nativism, like racism, also has a very long-standing history in America, being the prominent societal response to mass immigration during different periods of immigration. And although these two traditions are more than casually related, nativist discourse, since it is overtly wrapped in the flag of nationalist sentiment, is not always recognized as being discriminatory.

In the meantime, the American imaginary still largely reserves 'American' identity for Whites. That is, if a person is not White or African American, then they are often considered 'foreign', although at the same time an individual need be White to fit the default identity of an American. A series of studies designed to investigate the extent to which American ethnic groups (in this case, African American, Asian American, and White) are associated with the category 'American', found that both African and Asian Americans—as groups— are less associated with the national category 'American' than are White Americans. And, although African American participants felt equally American (even though not necessarily perceived as such by other participants), Asian Americans seemed to agree on the American-White identity.[192] In a later study, this same internalised effect was observed on Latino participants. Moreover, White participants were more likely to exclude Latinos from the national identity when information of persistent ethnic disparities was stressed—an effect that disappeared when participants were primed with increasing equalities.[193]

The dramatic immigration growth of the last two decades of the 20th century, and the accompanying anti-immigrant sentiment have provided an occasion for the re-emergence of nativism as a major force in American politics—one increasingly appearing as anti-

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[192] Thierry Devos and Mahzarin R. Banaji. 'American = White?'. *Journal of Personality and Social Psychology*, Vol. 88, No. 3, (Mar. 2005): 447–466

[193] Thierry Devos, Kelly Gavin, and Francisco J. Quintana. 'Say "Adios" to the American Dream? The Interplay Between Ethnic and National Identity Among Latino and Caucasian Americans'. In *Cultural Diversity and Ethnic Minority Psychology*, Volume 16, Issue 1, (January 2010): 37–49

immigrant animus and resulting in restrictionist policies.[194] It must be kept in mind, however, that while modern immigration has involved nationalities from around the world, most of the discourse has concentrated on Latinos, or specifically on Mexicans as a proxy for Latino immigration.

i. Multiculturalism, Minorities and Immigration

So how do we get to the *pluribus* part in the first place, to the idea of a 'multicultural' nation? More importantly, how do we get to the vision of 'multiculturalism' as relating specifically to minorities, that it is dangerous, and that immigrants are part of the problem? In large part the answer to these questions lies in the ideological elements that combine to make the American national identity, As we have seen, the question of American identity and citizenship were always intertwined, so it is no surprise that the question of how one obtains citizenship can provide us with particular insight as to how American society seeks to define itself socially and politically.[195]

The feeling that the Civil Rights movement had 'gone too far' in some ways reflects the normal fears of a society undergoing significant economic and social changes—more so when many Americans had to confront the social consequences of formal, legal, changes to the long-established ethnoracial order. In some ways, this is a pattern that has repeated itself numerous times in American history. The cultural debate has always heated up during periods when the structure of American society is in flux. These periods of flux can be defined as times of significant changes in the structures of everyday life—which by their very nature are often interrelated— such as broad economic restructuring (like the present); large-scale immigration (like the present); or shifting social relations, particularly when they involve changing racial or gender relations (once again, like the present). These conflicts set off primordial anxieties, and, not surprisingly, the political arena then begins to reverberate with the clash of cultural assertions.[196]

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[194] Galindo and Vigil, *Op. Cit.*, P. 364

[195] Rodolfo Espino and Rafael A. Jimeno. Rhetoric and Realities: American Immigration Policy after September 11, 2001. In Leal, David. L, and José E. Limón. *Immigration and the Border: Politics and Policy in the New Latino Century*. (Notre Dame, IN; University of Notre Dame Press: 2013). 304

[196] James A. Morone. 'The Struggle for American Culture'. *PS: Political Science and Politics*, Vol. 29, No. 3 (Sep. 1996): 424-430

It was through precisely these fears of a society undergoing significant formal and legal changes to the long-established ethnoracial order that gave rise to a series of critical voices—primarily but not exclusively from the more conservative factions of society—that asserted that the United States is under threat from those who place their racial and ethnic group identity before their American national identity. These people (or groups, or communities) place the country in danger because they are, almost by definition, in opposition to a more unifying understanding of national identity.[197]

Arthur Schlesinger, Jr., one of the best known public intellectuals of his generation (a former advisor to John Kennedy and other presidents, as well as a Pulitzer Prize winner), and not normally considered a conservative, wrote in 1991 about a worrying new (to him) development. He argued that, although racial and ethnic awareness had previously made possible many positive developments that could help unite a nation with a history of prejudice, the "cult of ethnicity" had been pushed too far, endangering the unity of society:

> A cult of ethnicity has arisen both among non-Anglo whites and among non-white minorities to denounce the idea of a melting pot, to challenge the concept of 'one people,' and to protect, promote, and perpetuate separate ethnic and racial communities.[198]

But as one can see by the use of the metaphor of the melting pot in the statement above, these critiques, while nominally about the behaviour of US minorities, implicitly involve immigration as part of the problem. In part including immigrants into this argument can be seen as a case of deflection, where, for instance, complaining about African Americans might be construed as racist, but complaining about Latinos might be allowable on the grounds that—since they are all immigrants anyway, and in the country illegally to boot—they are not really deserving of all that they are demanding. These arguments are also part of a deeply complicated, and often volatile, history in the US between racism that is directed toward citizens and that aimed at immigrants.[199] *Alien Nation*, Peter Brimelow's anti-immigrant book,[200] is a prime example of this relationship. While the book purports to

[197] Luis R. Fraga and Gary M. Segura. 'Culture Clash? Contesting Notions of American Identity and the Effects of Latin American Immigration'. *Perspectives on Politics*, Vol. 4, No. 2 (Jun., 2006): 279-287

[198] Arthur M. Schlesinger. *The Disuniting of America: Reflections on a Multicultural Society*. (New York, NY; W.W. Norton and Co.: 1991). 15

[199] Johnson. 'Race, the Immigration Laws', 1112

[200] Peter Brimelow. Alien Nation: Common Sense About America's Immigration Disaster. (New York, NY: Random House, 1995)

criticise the state of immigration in the country, it attacks not only Mexicans (which is to be expected in this sort of book), but also Latinos (who are by definition rooted in the US), affirmative action, multiculturalism, bilingual education, and any number of programmes designed to remedy discrimination in the United States.

It is very important, however, to underline that this is also fundamentally a discussion about American identity, and in that discussion, immigrants have figured prominently since the very beginning of the Republic.

According to Rogers Smith, the evolution of national identity in American political life has long depended on a combination of both inclusion and exclusion. Politicians routinely call for the inclusion of a group that should be added to the aggregation of interests that make up the national interest, or for the exclusion of a group from the rights and privileges of full citizenship because of its perceived threat to national interests. Thus, one can characterize the 'American civic identity' as being comprised of three coexistent civic ideologies or myths: individual liberalism, democratic republicanism, and ascriptive inegalitarianism. These three traditions compete with one another as society negotiates which groups (including immigrant groups) and interests are to be included as legitimate parts of the American nation. The need of elected leaders to gain the support of the majority of the electorate provides them incentives to manipulate the popular conception of whose interests are (or are not) legitimate in American society. To Smith, then, it is this constant tension between the need to include—and the simultaneous benefits of exclusion—that has directly contributed to the evolution of American national identity.[201]

Individual liberalism is the ideology that acknowledges individual rights and limited government. It is embodied in the traditional view that the United States—through its radical republican ideals—established a pure, universal, society, one that was oriented to the success of the individual. In such a society, one could be able to determine whether assimilation had truly occurred when individuals could credit—and be credited with— their own successes or failures in accordance with what the individual had been able or

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[201] Rogers M. Smith. *Civic Ideals: Conflicting Visions of Citizenship in U.S. History*. (New Haven, CT; Yale University Press: 1997). 4-7

unable to *do* rather than *be*.[202] This was the assurance of 'equalitarian ethno-racial assimilation', which even today finds its ideal metaphor in the 'melting pot', i.e. it emphasizes the benefits that accrue from assimilation, acculturation, and amalgamation.[203]

Democratic republicanism is the ideological component that gives importance to collective fate, and, although less prominent than individual liberalism, one can see it explored, for example, in the writings of abolitionists in the early 19th century, but later given an intellectual base by writers such as Horace Kallen (1882-1974) and Randolph Bourne (1886-1918). This created, according to sociologist Stanford Lyman, the vision of a 'pluralistic social order rooted in cultural preservation.' This was a view that began by encouraging first multi-racial, and then increasingly as a response to accelerating immigration, to multi-cultural accommodation. As a concept multiculturalism looked more toward collective emancipation, and was thus interested as much, or more, in the well being of society as that of the individual. In this vision, one would be able to determine whether assimilation had occurred when each and every one of the citizens of the United States was constituted as part of a heritage group which had an equal right to seek after all the material and moral benefits that the society had promised to each individual. This was the promise of 'egalitarian ethno-cultural pluralism', a view that now expresses itself through the metaphor the 'salad bowl', or perhaps more elegantly, the 'mosaic'.[204]

Ascriptive inegalitarianism, the third motor of the American civic identity, uses law, either overtly or covertly, to define who is to be included in the body politic—and therefore, logically—who is to be excluded. As we shall see, one of the principal problems of the historical concept of assimilation to our modern world-view was the open belief in the existence of a more-or-less fixed hierarchy along which the different races and ethnic groups were to be permanently arrayed, an ethnoracial order that determined their value, and so their members' rights, status, privileges, and opportunities. This hierarchic sense of group position clashed—from the beginning and continuously, and even to this day—with the egalitarian impulses of what is often termed 'the American Creed'. Although historically

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[202] Or, in Alba and Nee's definition, had made it into 'mainstream' society. Alba and Nee. *Remaking the American Mainstream.* 12

[203] Stanford M. Lyman 'The Assimilation-Pluralism Debate: Toward a Postmodern Resolution of the American Ethnoracial Dilemma.' *International Journal of Politics, Culture, and Society*, Vol. 6, No. 2 (Winter, 1992): 181-210. 181

[204] Lyman, 'Assimilation-Pluralism Debate'. 181

it was often (and still is) applied to ethnic groups, this hierarchy has *always* been applied to the concept of race. But given the massive changes wrought by the Civil Rights movement, such a hierarchical understanding on race could no longer be expressed openly without serious social or professional repercussions. However, just because it is no longer overtly stated, it does not mean it has disappeared. The racial variant is now to be found mostly as an unspoken assumption—one that, because its presence is so vociferously denied, perhaps really is, now, an unconscious one. Nevertheless, whether conscious or unconscious, it still has significant impact on the lives of many people.

Commentators link the topic of immigration, which has characterized the country's development across its history, with the notion of multiculturalism, which in the current era became prominent in the public discourse as a result of the 1960s civil rights movement.[205] In part, the problem is that an increasing number of post-1965 immigrant groups—Latin Americans, Asians, and to some extent Africans—already had representatives in American society that had been the victims of racial practices, and so were considered 'minorities'. Multiculturalism was linked to issues surrounding 'diversity', which in turn caught the attention of nationalists by the idea that multiculturalism is an 'anti-western' ideology that undermines national unity, is anti-nationalistic, and actively works against the idea of a national identity. Multiculturalism is thus seen to undermine national unity.[206]

Enough memory of the epic fight against racism that was waged during the Civil Rights era remain in the American consciousness that almost any direct attack against the larger goal of social equity for minority groups would be sure to be met with opprobrium. Also, and since direct, racially-based, attacks on minorities on account of their race is now taboo, frustration with domestic minorities can either be displaced to foreign minorities, or one can characterise a minority as essentially 'foreign'. A jeremiad on noncitizens, focusing on their immigration status and not their race, whether used consciously or unconsciously as cover, serves to vent social frustration and fear. Animus towards domestic minorities can

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[205] René Galindo and Jami Vigil. 'Are Anti-Immigrant Statements Racist or Nativist?: What Difference Does it Make?' In David L. Leal and José E. Limón. *Immigration and the Border: Politics and Policy in the New Latino Century*. (Notre Dame, IN: University of Notre Dame Press, 2013). 389

[206] Galindo and Vigil, 'Are Anti-Immigrant Statements', 390

be displaced to an available, more publicly palatable, target for antipathy.[207] Therefore, politicians and commentators that wish to challenge pro-diversity views need to be careful, and using images like the melting pot, or concepts such as multiculturalism are ways of indirectly attacking these goals.[208]

Besides, by using the metaphor of the melting pot to symbolize national unity through cultural-linguistic uniformity, many commentators use the popular image to ground an implicit critique of multiculturalism.[209] While society frowns on discrimination based on race, discrimination that is based on nationalism and fuelled by nativism is not always recognized as discrimination. All of these psychological devices help society reconcile the view that 'U.S. society is not racist' with any harsh treatment of minority immigrants. Noncitizens, according to these narratives, deserve different treatment because of their (illegal) immigration status, not race.[210] The symbolic function of a language to represent a national or ethnic group is not always recognized, and that makes discrimination on linguistic grounds publicly acceptable whereas discrimination on purely ethnic or racial grounds would not be.[211]

Perhaps as a result of historical amnesia, multiculturalism is most often viewed as a product of liberal 1960s policies. But multiculturalism not only has a long history, it is also one rooted in the immigration experience. During the Americanization period it was known as "cultural pluralism". As today, many opponents of nativism during that time felt that the best strategy to fight these pernicious ideas would be to create educational tools to disarm them, and so developed the area known as intercultural education. In a fashion similar to current day multicultural teachers, the interculturalists believed that diversity enriched society.[212] Still, the powerful social and political forces channelled by the Civil Rights movement were necessary to bring these ideas to the fore. Multiculturalism's predecessors were usually far from a robust defence of cultural or ethnic pluralism, and wherever they were found, they presented little real resistance to the ideology of 'Anglo conformity' type

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[207] Johnson. 'Race, the Immigration Laws', 1112

[208] Galindo and Vigil, 'Are Anti-Immigrant Statements', 391

[209] Galindo and Vigil, 'Are Anti-Immigrant Statements', 390

[210] Johnson. 'Race, the Immigration Laws', 1116

[211] Galindo and Vigil, 'Are Anti-Immigrant Statements', 392

[212] Galindo and Vigil, 'Are Anti-Immigrant Statements', 391

of assimilation. They were in their times used for promoting tolerance, not for militating for the maintenance of ethnic identity or cultural differences.[213]

ii. The Return of the Nativist

As we shall see in Chapter III, there has long existed a perennial state of tension at the heart of immigration policy battles in the United States, where its universalist founding ideals are pitted against robust traditions of ethnic and racial hierarchy. The arrival of large numbers of immigrants that have a different religious, ethno-racial, or linguistic identity from that of the majority of Americans has always elicited hostility and bred nativist or restrictionist movements in large sectors of the population.[214] Not surprisingly, nativism—with its central focus on national survival—becomes especially rampant during time of national stress and fear, as in times of war, economic recession, or demographic shifts stemming from unwanted immigration. Nativistic attitudes respond to stress and fear by triggering 'restrictive laws aimed at persons whose ethnicity differs from that of the core culture'.[215] The current racialized nativism directed against immigrants is driven by fears centred on three issues: language, multiculturalism, and the drain on public resources.[216]

Current manifestations of racial nativism are marked by antipathy toward non-English languages driven by a fear that linguistic diversity will undermine national unity. This fear has resulted in restrictionistic policies such as the English-only and anti-bilingual education initiatives. A second fear is that multicultural policies, such as affirmative action, favour communities of colour and are considered 'un-American' because they run counter to the ideology of meritocracy. A fear also exists that these policies encourage the maintenance of distinct racial and ethnic identities. A third fear embodied in California's Proposition 187 and Arizona's Proposition 200 is that immigrants are a drain on public resources such as education and health care.[217]

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[213] Glazer, 'Is Assimilation Dead, 132

[214] Tichenor, *Dividing Lines,* 290

[215] Galindo and Vigil, 'Are Anti-Immigrant Statements', 368

[216] Sánchez 'Face the Nation', 1020-1021

[217] Galindo and Vigil, 'Are Anti-Immigrant Statements', 369

According to James Morone, conflicts in the U.S. over immigrants and their culture have tended to follow a well-established pathway:

> Immigrants arrive with their differences. Politically marginal groups claim new rights or seek to shift power relations between races, classes, groups or genders. Older, well-established Americans resist. In the conflict, criticisms of the threatening "other" recur with particular intensity. First, the newcomers undermine American values they do not understand or appreciate. Second, the upstarts are morally corrupt—and their corruption portends national declension. ... [A]pprehension over 'our language', anxiety about cultural inundation, the uneasy sense of racial difference, allegations of laziness and social division articulated as middle-class flight: Can we be a single people? With *them*?[218]

And this feeling, of course, has never just been limited to immigrant groups.

> Beyond the immigrants lay all the other American others. Differences arose—arise—from race, class, gender, region, urban life and even diseases (of which AIDS is only the latest). Each has been read as a culture threatening menace.[219]

It is no surprise, then, that '[e]very group…has provoked sustained, often deeply illiberal, moral tumult.'[220]

This impulse is, in many ways, understandable. To many Americans with limited exposure to actual immigrants it is an article of faith that these new outsiders (as opposed to 'my' forebears who came from the Old Country speaking English and with all their papers in order) cannot appreciate 'our' culture. They resist assimilation, and they cling to their strange cultures— alien rituals, illogical social practices, and smelly foods. What is more, they not only insist in speaking in their incomprehensible foreign tongue, they demand that their children be educated in it. In part, the alarm comes from poor historical memory, and a resulting feeling that 'these immigrants are different'. As Morone points out, since the founding of the United States, 'new Americans have always spoken their dissonant languages, concentrated among their co-ethnics, and clung to alien habits and cuisines.[221]

Also, it is always the case that relatively open, highly immigrant, societies (such as those in

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[218] Morone. 'The Struggle for American', 428

[219] Morone. 'The Struggle for American', 428

[220] Morone. 'The Struggle for American', 429

[221] Morone. 'The Struggle for American', 429

Australia, Canada, or New Zealand) cast a sceptical eye on any potential new members. In the American case, however, the stakes have always felt to be higher. In the fragile first decades of the Republic, the reason for these high stakes was the unusually extensive level of political participation to which citizens were entitled. But power and success have since engendered the myth of American exceptionalism, which to a degree "rests on the exemplary nature of the domestic order—such stakes ratchet up anxiety about the borders of the community and the allocation of social privileges within it."[222]

iii. The Empire Strikes Back

For the critics of multiculturalism, the U.S. already constitutes the greatest and most successful experiment in multiculturalism ever conducted—only ironically one that apparently was achieved precisely by ignoring multiculturalism. This is because it has been made possible, to a great degree, by a shared set of ideals, often given the shorthand appellation of 'the American Creed', which is essentially conceived of as the combination of individual liberty and opportunity, or as the Declaration of Independence states: 'life, liberty and the pursuit of happiness'. Traditionally, these common ideals are supposed to be—and in truth generally are—embraced by all American citizens, are oriented more toward the individual than the group, and look to the future and not the past. In theory, at least, the American Creed is supposedly colour-, ethnology-, and gender-blind, and so the thrust toward ethnocentrism and political correctness that is now being 'foisted' on the American public (and in Schlesinger's argument, especially in the schools) threatens to weaken the very force that binds the country together, since,

> [T]he cult of ethnicity has reversed the movement of American history, producing a nation of minorities—or at least of minority spokesmen—less interested in joining with the majority in common endeavour than in declaring their alienation from an white, racist, sexist, classist oppressive, patriarchal, society.[223]

The basic argument in the majority of these critiques of multiculturalism (i.e. most of them) that involve immigrants is that, by abandoning assimilation and celebrating difference—that is, precisely by replacing the classic image of the melting pot, in which differences are

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[222] Morone. 'The Struggle for American', 428-429

[223] Schlesinger, *Op. Cit.*, P. 112

submerged in a democracy, for that of a salad bowl, in which differences are valued in-and-of-themselves, changes were being made to the very nature of American society, and more importantly to the American Creed. As we will explore in Chapter IV, these fears, and the arguments that are arrayed to justify them, are the basis of the negative immigration discourse, and have found political expression in the passage of anti-immigrant and English-only laws and initiatives in a variety of states, as well as the public advocacy of groups like U.S. English, Numbers USA, and the Federation for American Immigration Reform.

The argument is probably best encapsulated by Samuel Huntington's book *Who Are We? The Challenges to America's National Identity*, which ignited a furore with its publication in 2004. In his book, Huntington, a prominent Harvard scholar, claimed that Latinos, well, really Mexicans—due to their high numbers, low human capital, and inexplicably stubborn refusal to give up their language—had proven themselves unable or lacking desire to assimilate, to the extent that they were on their way to forming a separate nation within the U.S. This non-assimilation threatened the country because, according to Huntington, 'America' was founded by British settlers who brought with them a distinct culture, one that was marked not only by the use of the English language, but also by Protestant values, individualism, religious commitment, and respect for law. Later waves of immigrants coming to the United States gradually accepted these values and assimilated into the country's Anglo-Protestant culture. However, in the contemporary period, the American national identity had been eroded by the problems of assimilating massive numbers of immigrants—again, primarily Latino, again, especially Mexican—who were challenging the historical culture undergirding American identity by insisting on multiculturalism, raising issues such as a 'divisive' bilingualism, and thereby causing the devaluation of the values of citizenship.[224]

But as should be clear by this point, Huntington's analysis of the 'Hispanic challenge' rested on a series of surprisingly unoriginal assumptions and misconceptions (which is perhaps precisely why they were widely shared), and so, while they were articulated as modern

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[224] Huntington, Samuel P. *Who Are We? The Challenges to America's National Identity*. (New York, NY; Simon & Schuster: 2004)

social science by an eminent Harvard professor, the core arguments were actually quite familiar ones.

At the centre of his concerns was a traditional vision about racial and ethnic groups that has become, once again, increasingly problematic in the modern era of mass immigration. As we shall see in Chapter III, elements of these intellectual contentions can be found in a lineage of ideas that have been engendered by the conjoined issues of immigration and assimilation since before the independence of the United States.[225] They can be (and all too often are) [226] traced at least as far back as Benjamin Franklin and Thomas Jefferson, and were popular with nativists, social Darwinists, and eugenicists throughout the 19th and 20th centuries.

Because of these (essentially unquestioned) traditional visions on racial and ethnic groups, Huntington's thesis hewed very closely to many of the problems identified with the 'historical' model of assimilation, that is, it militated to a significant extent for the need for Anglo conformity, which can be seen particularly through his prescription for a shift in culture that, apparently, should only ever move in one direction. It is in this light that Huntington admiringly discussed, and at some length, the Americanization campaigns of the early 20th century that have generally been harshly criticized by contemporary scholars.[227] More problematically, perhaps, is that he anticipated only the possibility of a single, predominant set of outcomes for members of minority groups, either one of complete assimilation or one of racialised exclusion.[228] That is, it conceived of assimilation as a process, but as a prescriptive one: i.e., one 'to make' immigrants into something resembling the current reference population, which was unquestionably (and to him, unquestionably desirably) the Anglo-Protestant majority.

But in reality, most of Huntington's viewpoints and assumptions are not only based on a questionable understanding of American history and its society and institutions, they are

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[225] Gary M. Segura. 'Symposium Introduction: Immigration and National Identity'. *Perspectives on Politics*, Vol. 4, No. 2 (June, 2006): 277-278

[226] See, e.g. Zolberg, Op. Cit., Pp. 53-54. Nevertheless, what is almost never pointed out after the provenance of these types of opinions are pinned on the founding fathers, is that both, Franklin and Jefferson, albeit for different reasons, changed their views considerably, e.g. see Zolberg, p. 97

[227] Huntington, *Who Are We?* 131-135

[228] Alba, Richard D. *"Mexican Americans and the American Dream"*. *Perspectives on Politics*, Vol. 4, No. 2 (Jun., 2006): 289-296.

essentially shared by other widely-quoted authors such as Peter Brimelow (*Alien Nation: Common Sense About America's Immigration Disaster*, 1995); Patrick J. Buchanan (*The Death of the West*, 2002; and *Suicide of a Superpower: Will America Survive to 2025?*, 2011); Ann Coulter (*¡Adios, America! The Left's Plan to Turn Our Country Into a Third World Hellhole*, 2015) and Thomas Sowell (*Migrations and Cultures: A World View*, 1996) among many others. Even authors who have demonstrated more nuanced views in other works, such as Arthur Schlesinger (*The Disuniting of Americ*a, 1991); or Peter Skerry (*Mexican Americans: An Ambivalent Minority*, 1993) base their work on these issues on those same, shared, assumptions. So, although there are indisputably important differences that distinguish each of these works from each other, they nevertheless all reflect (to a greater or lesser extent) 'modern' aspects of the national angst that has historically been part and parcel of discussion about immigration to the U.S. Their principal departure from the past, and reflecting the current immigration era, that these books all share are aspects of what Leo Chavez has identified as the 'Latino Threat Narrative', which posits that Latinos are like no other immigrants due to their (at worst) incapacity, or (at best) unwillingness to integrate into the United States, and which has generated fears of a Mexican invasion or *reconquista* by invoking illegal immigration, reproductive capacity, and the primacy of the Spanish language.[229]

The common point is to posit these immigrants as a threat to 'American culture', the principal components of which are generally identified as individualism, work ethic (and in case the point might be missed, often identified in Weberian terms as 'the Protestant work ethic'), religious commitment, the English language, and belief in English legal traditions. A first problem is that what is most often ignored in these arguments (except perhaps, as we shall see below, when presented as examples of hurdles that the previously listed attributes have helped to defeat), are those aspects of American national character that are the natural flip-side of that same coin. That is, it is not difficult to see how beliefs in concepts such as individualism, Protestant work ethic, and religious commitment lead— and have led—to the well-documented propensity for xenophobia, Puritanism, moralistic intolerance, traditionalism, and even authoritarianism in American social and political life. It follows that what is also not mentioned is that these not-so-positive cultural attributes

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[229] Leo R. Chavez. *The Latino Threat: Constructing Immigrants, Citizens, and the Nation.* (Stanford, CA: Stanford University Press, 2008)

have had one thing in common—they almost always had negative implications for socially subordinate groups.[230]

Related to this point, is that there is a tendency among many of these authors to analyse American political history in a way that makes it look as if it is the inevitable product of inexorable forces of progress as liberal democracy has marched through time. In this narrative it is accepted that American society has been known to exhibit racism, xenophobia, and nativism, but in the course of the triumphal arc of national history these have all been opposed and overcome by the very same democratic principles that constitute the DNA of the American Creed. Thus, Americans first secured basic political rights in the Constitution; after which 'the common man', then slaves, and then women, saw their political rights expanded throughout the nineteenth and twentieth centuries—all of which occurred while different groups of immigrants were being assimilated and marginal groups empowered. [231]

The major problem with that view is not that it is untrue, but rather the reverse. That is, the precepts and practices of the American Creed *have had* the demonstrated capacity of to accommodate change, and this is logically in direct contradiction to its characterizations as unchanging and/or fragile. Since a staple in these formulations is an American Creed that is described in ways that make it out to be surprisingly static and permanently rooted in only one set of cultural traditions,[232] how could it, at the same time, be the compelling universalist set of rights and ideas that has successfully guided the United States for so long? This omission is particularly puzzling when one considers that it is precisely the capacity for change and self-critique that is considered to be fundamental to the uniqueness of the American experiment. In fact, one can easily argue that it has been this capacity for change, together with the process of self-critique, that have been more responsible for the longevity of the United States than the mere maintenance of Anglo-Protestant cultural domination.[233]

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[230] Fraga and Segura 'Culture Clash', 281-282
[231] Morone. 'The Struggle for American', 426
[232] Fraga and Segura 'Culture Clash', 282
[233] Fraga and Segura 'Culture Clash', 282

Thus, the basic understanding of the origins and dimensions of American national identity and the American Creed presented in many of these works omits a crucial point: the fact that the American conception of who is eligible to be considered as a worthy citizen, 'one of us'—i.e. the American identity, has undergone continuous and significant changes throughout the almost 250 years it has existed.

It is contradictory, then—and also inaccurate—to insist that all the changes that have occurred were, no matter how sweeping, both modest in their overall effect, and still all rooted in the first principles. After all, there have undoubtedly been major shifts in the conception as to who could legitimately participate and hold power, i.e. who was to be included as full citizens in American society.[234] These changes were social, but also legal and political—they depended on a significant and often contentious change on the social imaginary of whom 'we' were to be made possible. There have been changes in laws that determined who could vote: via elimination of the property requirement; and via the passage of constitutional amendments that gave the vote to freed slaves (XIV Amendment);[235] and women (XIX Amendment).[236] Laws were changed to abolish slavery, and eventually to formally extend (after previously curtailing)[237] civil rights to African Americans and other minorities. We also see the creation of laws and social norms that enforced the decline of historical forces of anti-Catholicism and anti-Semitism. All of these shifts clearly demonstrate the capacity for American society to change the conception of American national identity without the destruction (but only after having been vehemently prophesied at each of these steps) of the American Creed.

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[234] Fraga and Segura 'Culture Clash', 282

[235] Constitution of the United States of America Amendment XIV (Passed by Congress June 13, 1866. Ratified July 9, 1868): Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age,* and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State. (* Modified to age eighteen by Section 1 of the XXVI Amendment.)

[236] Constitution of the United States of America. Amendment XIX (Passed by Congress June 4, 1919. Ratified August 18, 1920.) The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

[237] 'The Progressive era can be read as a step in the march of democracy only by blinking away racial repression.' Morone. 'The Struggle for American', 427

There are other problems. A major complaint is that, if people chose to immigrate, they need to accept 'American' culture as it is, and adjust themselves accordingly. But this conception is problematic in that many of the groups demanding equality or redress, are not necessarily 'immigrant' as we understand it. After all, for every Puritan who came to the new world seeking freedom of worship, some 200 Africans were brought in chains.[238] That is, the complaint fails to account for coercion (the millions of Africans that were brought to the country against their will, or the Native Americans, Puerto Ricans,[239] and many Mexicans that 'were migrated' due to conquest), or compulsion (more Mexicans, Filipinos,[240] and others brought in under a system of 'sojourner pluralism')[241] in the history of these groups' incorporation into American society. To a greater or lesser extent, the original population subjected to these systems neither sought to join 'Anglo-America' nor desired to be assimilated. But also, and importantly, neither did the dominant population wish to see (and indeed probably could not even conceive of) them being an equal part of society and the polity.

Another issue is that the relative success of other multicultural states is usually overlooked, or at best tends to be dismissed.[242] These countries are examples of populations who are sufficiently committed to overarching constitutional principles that they demonstrate the possibility that civic attachments can transcend ethnocultural and linguistic differences to a degree sufficient to maintain a successful state (e.g. Canada, Switzerland, Singapore). Not only are they rarely cited, instead, as in the case of Canada and the 'indigestibility of

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[238] Morone. 'The Struggle for American', 426

[239] In the aftermath of the Spanish-American war, with the ratification of the Treaty of Paris of 1898, Puerto Rico came under the military control of the United States. The name of the island was changed to Porto Rico (and changed back to Puerto Rico in 1932). In 1917, Puerto Rico became a US territory (meaning it was 'organized but unincorporated') under the Jones Act, which was signed into law by President Woodrow Wilson The law gave Puerto Ricans a restricted US citizenship. In July 1950, President Harry S. Truman signed Public Act 600, creating the 'Commonwealth of Puerto Rico' (*Estado Libre y Asociado de Puerto Rico*) which allowed Puerto Ricans to draft their own constitution establishing their own internal government structures.

[240] Also as part of the Treaty of Paris of 1898, the Philippines came under the military control of the United States. The US almost immediately had to put down an insurrection, which became known as the Philippine–American War between 1899-1902. Until 1934, the Philippines was ruled a dependent territory, when the 'Commonwealth of the Philippines' was created under the Tydings–McDuffie Act, which also provided for the establishment of a ten-year period of transition to full independence. This was postponed until 1946 due to the Japanese invasion of the Islands during World War II.

[241] Defined by Fuchs as the "…systematic labor exploitation enforced with the cooperation of national and state governments, the local police, and the system of justice." Fuchs, *The American Kaleidoscope*, 110

[242] Fraga and Segura 'Culture Clash', 281

Quebec', when they are, they are often the principal examples of the dangers posed to society by the presence of a robust multiculturalism.

One might also think that the question of which (and whose) values and beliefs are to be seriously considered in American society's cultural debate would seem to be central to any reasoned argument about ethnic and racial differences. Nevertheless, these strictly assimilationist appeals seem to deny most of the diverse ideas that have, or could potentially have, contributed to a constructive discussion. Thus, these critics never really come to grips with either how one might distinguish between valuable differences and destructive ones, or how these might best be negotiated. In their demand for complete Anglo-conformity assimilation, would they suggest that the very values that they sometimes use as examples to demonstrate that 'not all immigrants are bad' be discarded? That is, should the traditional Jewish and Asian valuing of education be rejected in favour of the robust American tradition of anti-intellectualism? How does society determine which 'foreign' values and attitudes are beneficial to the country?

In some ways, it is hard to fathom these authors' crisis mentality, given the relative powerlessness of the groups that they seem to fear. These works most often portray Americans (read white, Anglo-Protestants) as being merely powerless witnesses to, or in some cases perhaps even witless facilitators of, the unravelling of the national identity.[243] For a group that claims to believe so strongly in American exceptionalism (since in their view it is, after all, derived from the unique combination of Anglo-Protestantism and the American Creed) they seem to have serious doubts about the strength of the national identity.

Looked at through a cynic's lens, it has to be, of course, a marketing ploy designed to either sell books, or collect votes (and in the case of Patrick Buchanan, both).[244] But there is another possible reason for these writers to take this illogical stance. If they can demonstrate that White, Anglo-Protestants had little agency in how the current circumstances came to pass, then logically readers can only be left with the idea that it is the behaviour of the minorities themselves that is at issue.

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[243] See, e.g. Huntington, *Who Are We?* 141-146

[244] Buchanan was a candidate in the Republican presidential primaries of 1992 and 1996, and the presidential candidate of the Reform Party (founded by Ross Perot) in 2000.

This is probably why, unlike the previous popular vision of the Mexican-origin population that characterized them as largely subservient and fatalistic, [245] many of these contemporary authors now present them as having an overwhelming sense of their own agency. That is, the current argument largely unquestioningly assumes Latinos to be in full control of their destiny. Thus, the narrative in the contemporary version of these types of works is that Latinos are wilfully not assimilating, that Mexican and other Latino immigrants are deciding to naturalize at extremely low rates, that these immigrants (and also native-born Latinos, and again, especially Mexican Americans) maintain their use of Spanish into perpetuity, that they mostly concentrate themselves in particular regions, rural *colonias* and urban *barrios*, and depending on the source, perhaps are even planning a *reconquista* of sections of the US by building upon historical claims to the Southwest. Most importantly, however, is that—as a result of all these bad personal choices—they have failed to take advantage of the substantial opportunities provided by American society. It is because of this cultural (or still sometimes biological) lack that Latinos (and, yet again, especially Mexican Americans) continue to demonstrate educational underachievement, experience economic deprivation, and persistently live under social isolation.[246]

Of course, one can only reach such an understanding by completely discounting the many barriers Latinos have historically faced in attaining upward mobility in the US.[247] For one thing, it is difficult to see how the economic and social outcomes of marginalized groups can be useful indicators of the group's adherence to values and norms. To make such a claim is to assume that minority groups possess an amount of power to negotiate their place within American society that is simply negated by either historical experience, or social science research, or even most people's common understanding. As we will see in subsequent chapters, a cursory look at history tells us that the choices available to Latinos have generally been constrained by the decisions of those holding the reins of power, both

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[245] See, e.g. Edward A. Ross. 'The Causes of Race Superiority' Annals of the American Academy of Political and Social Science, Vol. 18, <u>America's Race Problems. Addresses at the Fifth Annual Meeting of the American Academy of Political and Social Science, April 12-13, 1901</u> (Jul., 1901): 67-89, 75:

From the Rio Grande to the Rio de la Plata, the laboring masses, largely of Indian breed, are without a compelling vision of the future. The Mexicans, our consuls write us, are "occupied in obtaining food and amusement for the passing hour without either hope or desire for a better future." They are always in debt, and the workman hired for a job asks something in advance to buy materials or to get something to eat. "Slaves of local attachments" *they will not migrate in order to get higher wages*. (Emphasis mine)

[246] Fraga and Segura 'Culture Clash', 284

[247] Fraga and Segura 'Culture Clash', 284

in the public and private spheres, and that society, for a host of reasons, for a long time has chosen not to include Latinos as an integral part of American society.[248]

Perhaps it is because of this Zeitgeist that even as thoughtful a writer as Nathan Glazer felt comfortable in writing that:

> For Hispanics and Asian Americans, marked in varying degree by race, it is in large measure a matter of choice, *their choice*, just how they will define their place in American society. We see elements in these groups who, in their support of bilingual education and other foreign-language rights, want to establish or preserve an institutional base for a separate identity that may maintain some resistance to the forces of assimilation.[249]

The arguments of some of these pundits are that Mexican American immigrants have now become much like their turn-of-the-century European counterparts. These analyses essentially take issue with the civil rights protections that Mexican Americans (along with other minorities, particularly African Americans) gained in the 1960s, claiming (sometimes simultaneously) at best that the American political system has 'seduced' Mexican Americans into the divisive, counterproductive stance of a racial minority group, or at worst that Mexican American leaders have sought victim status simply to be included in a affirmative action policies.[250] Whether they determine that it is the fault of the system or of the leaders, these analyses hold that affirmative action has proven detrimental to Mexican Americans, since they would eventually have become upwardly mobile anyway, and now can only become so by bearing the stigma that their mobility was only attributable to affirmative action.[251]

iv. Latinos in the Ethno-Racial Order

Although 'Latinos' have been an integral part of much of what eventually became the United States since the sixteenth century, and in fact were legally considered to be 'White', and so eligible for citizenship (a condition, by the way, denied to almost all other people of 'colour' for many years), from the moment a significant number first became a part of the

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[248] Fraga and Segura 'Culture Clash', 285

[249] (Emphasis mine). Glazer, 'Is Assimilation Dead, 135

[250] See, e.g. Peter Skerry. *Mexican Americans: The Ambivalent Minority*. (New York, NY; The Free Press: 1993)

[251] Telles and Ortiz, *Op. Cit.*, P. 3

nation in 1848, the reality that even today Latinos are seen as 'immigrants', and moreover as fundamentally 'illegals', speaks to the position that they have held in the ethno-racial order for over 150 years. This has made them the focus point of much of the discussion of the role of immigrants in the promotion of civil rights, and in the creation—and the threat—of a 'multicultural' country.

3. Role of Government

Central to much of the discussion of social identity and its role in the creation and maintenance of systems of social organization and control is the role of the government in determining, operationalizing, and changing these concepts through a variety of actions, from the format of the census, to the effects of a number of laws through legislation and court decisions regulating all manner of aspects of life, such as social behaviour, immigration, economics, and political access.

As late as 1964, Gordon could still state that '[g]overnmental relationships to the larger society are, by definition, non-ethnically oriented'.[252] However, the civil rights movement fundamentally changed that relationship. The decision of the federal government to assist members of designated ethnic groups in making up for the injustices of the past through affirmative action and other programmes gave a considerable stimulus to ethnic identity. State and local governments, but especially the federal government, stimulated ethnic consciousness and mobilization through a large panoply of programmes.[253] As we have seen in the discussion on pan-ethnicity, the nature of government programs could even determine shifts in ethnic boundaries.[254]

So, for example, in 1976, after a number of years of lobbying by Mexican-American and Latino organizations, the United States Congress passed a remarkable bill. Called the 'Joint resolution relating to the publication of economic and social statistics for Americans of

[252] Gordon, *Assimilation in American Life*, 35
[253] Fuchs, *The American Kaleidoscope*, 337
[254] Fuchs, *The American Kaleidoscope*, 338

Spanish origin or descent',[255] and sponsored by Rep. Edward Roybal of California, the law mandated the collection of information about US residents of Mexican, Cuban, Puerto Rican, Central American, South American and other Spanish-speaking country origins. [256] Subsequent directives from the Office of Management and Budget (OMB) in 1977 outlined the details of data collection for the federal government. A second OMB directive in 1997 added the term 'Latino' to 'Hispanic'.[257]

Similarly, in 1975, Congress amended the Voting Rights Act of 1965 to include protection for language minorities.[258] It provided for the printing and distribution of ballots and other electoral materials in numerous languages.

This was the same impetus which led to the creation of 'bilingual education' programmes, which have been the basis of so many legal challenges over the past twenty years. Neither in its inception or in its development, was bilingual education understood (by Congress, by its interest-group supporters, or even by the educators implementing it) as a programme primarily for immigrants. Rather, it was a programme designed to seek greater educational success, and so greater social equality, for a disadvantaged ethno-racial minority group.[259]

By the end of the 1980s, bilingual education was clearly in decline. And, although the language-minority provisions of the Voting Rights Act were not eliminated in the law's most recent renewal by Congress in 2006, the question of bilingualism in American public life has been firmly transformed in most people's minds from an issue of equality for long-standing US minority communities to an issue of how best to 'settle' immigrant foreigners in the United States.[260]

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[255] Pub. L. No. 94-311, 1976

[256] Rubén G. Rumbaut. 'Pigments of Our Imagination: On the Racialization and Racial Identities of "Hispanics" and "Latinos"'. (Originally published in Cobas, José A., Jorge Duany and Joe R. Feagin. (Eds.) *How the U.S. Racializes Latinos: White Hegemony and Its Consequences*. New York, NY: Paradigm Publishers, 2009: 15-36). Available at: http://ssrn.com/abstract=1878732, 8

[257] Taylor, Paul, Et. Al., *Op. Cit.* , P.

[258] Hero, 'Immigration and Social Policy', 464

[259] Hero, 'Immigration and Social Policy', 464

[260] Hero, 'Immigration and Social Policy', 464

a. The Census

In the United States there are broadly accepted social definitions of race that are mirrored in governmentally crafted definitions of race and ethnicity.[261] Every decade, the U.S. Census Bureau spends billions of dollars, deploying hundreds of thousands of workers, to get as accurate a portrait as possible, of the American population. Among the questions on the last (2010) census form is one about race, that includes 15 choices, including 'some other race'.

From the beginning, the census was not just about counting. Rather, it was tied to important political questions, such as how many Congressional representatives each state would have, or how much tax they would owe the Federal government. In this system, race played a key role, since slaves, even if they could not vote, counted as three-fifths of a person for Congressional apportionments.

The census has always reflected social divisions—and to an extent has helped shape them. Until 1850, only heads of households were counted, with slaves listed as numbers (not names). Indians (untaxed, i.e. belonging to a recognized sovereign tribe) were not counted at all until the late nineteenth century.

The Census has also been utilized to count people who were considered 'undesirable'. Beginning in 1870 the Chinese were counted separately, followed by other Asian groups in the early 1900s. Mixed race categories for blacks were also begun to be recorded during this time. In the 1930 Census—in the midst of the nation's first mass deportation wave—there was a one-time inclusion of a 'Mexican' race category.[262] Until 1970 forms were filled out by census-takers who went door to door, and there was no ability for respondents to declare whatever ancestry they wished. Instructions to the enumerators indicated very specific rules about accepting certain responses from persons, especially those of mixed, and/or non-White origins. Similarly, there were various state laws that defined blacks in very specific terms of descent.[263]

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[261] Fuentes, *Race, Monogamy, and Other Lies*, 94

[262] D'Vera Cohn. *Census History: Counting Hispanics*. Social & Demographic Trends Blog. (Washington, DC: Pew Research Center, March 3, 2010). Available online at:
http://www.pewsocialtrends.org/2010/03/03/census-history-counting-hispanics-2/

[263] Lieberson, 'Unhyphenated Whites', 163

As a result of the civil rights movement, the Census has significantly changed its emphasis, enumerating to measure who is being excluded in order to help target resources, as opposed to enumerating in order to help exclude. So, for example, Directive 15, which was issued in 1977 and outlines the federal government's definitions of race and ethnicity, was created specifically to help determine whether Hispanic students were being denied educational opportunities.

Despite the long history of Latinos in the United States, there had been no systematic effort to count this group separately in the Census until 1970. There had been a one-time inclusion of a 'Mexican' race category in the 1930 Census, when forms were filled out by census-takers who went door to door. By the 1970 Census, forms were completed by residents themselves. The question appeared on one of the two long-form questionnaires sent to a sample of the population, and not the short form that everybody answered. The question asked: 'Is this person's origin or descent—' and the possible responses were: 'Mexican, Puerto Rican, Cuban, Central or South American, Other Spanish', or 'No, none of these'.[264]

The results from this question were inconsistent, and the question has been modified every decennial census since then. For the 2010 Census, the questions on race and Hispanic origin once again were based upon self-identification. The U.S. Census Bureau collects race and Hispanic origin information following the guidance of the U.S. Office of Management and Budget's (OMB) 1997 *Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity*, which mandates that 'race' and 'Hispanic origin' (ethnicity) are separate and distinct concepts, and that when collecting these data via self-identification, two different questions must be used. [265]

Census Questions Related with Race 2010

8. Is Person 1 of Hispanic, Latino, or Spanish origin?

□ **No**, not of Hispanic, Latino, or Spanish origin

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[264] Cohn. *Census History*

[265] http://www.census.gov/prod/cen2010/briefs/c2010br-02.pdf

□ Yes, Mexican, Mexican Am., Chicano

□ Yes, Puerto Rican

□ Yes, Cuban

□ Yes, another Hispanic, Latino, or Spanish origin – *Print origin, for example, Argentinean, Colombian, Dominican, Nicaraguan, Salvadoran, Spaniard, and so on.*

9. What is Person 1's race? Mark ☒ one or more boxes.

□ White

□ Black, African Am., or Negro

□ American Indian or Alaska Native – *Print name of enrolled or principal tribe.*

□ Asian Indian

□ Chinese

□ Filipino

□ Other Asian – *Print race, for example, Hmong, Laotian, Thai, Pakistani, Cambodian, and so on.*

□ Japanese

□ Korean

□ Vietnamese

□ Native Hawaiian

□ Guamanian or Chamorro

□ Samoan

□ Other Pacific Islander – *Print race, for example, Fijian, Tongan, and so on.*

□ Some other race – *Print race.*

For Person 2, 3, 4,…Question Nº8 is Nº5 and Question Nº9 is Nº6

Explanations Questions 2010

8. "Asked since 1970. The data collected in this question are needed by federal agencies to monitor compliance with antidiscrimination provisions, such as under the Voting Rights Act and the Civil Rights Act. State and local governments may use the data to help plan and administer bilingual programs for people of Hispanic origin."

9. "Asked since 1790. Race is key to implementing many federal laws and is needed to monitor compliance with the Voting Rights Act and the Civil Rights Act. State governments use the data to determine congressional, state and local voting districts. Race data are also used to assess fairness of employment practices, to monitor racial disparities in characteristics such as health and education and to plan and obtain funds for public services." [266]

b. Legislation and the Courts

Social notions of race and ethnicity—and the proper way to regulate them—have naturally been the subjects of legislative, and legal activity. While it would be impossible to recount all activity in this area, there is value in examining a select number that have had the most impact, and to see to what extent they have led, or followed, the arc of progress.

In the first consequential case on race, *Dred Scott v. Sanford* in 1857, the US Supreme Court not only denied citizenship to all slaves, ex-slaves and descendants of slaves, it also effectively denied Congress the right to prohibit slavery in the territories. Writing for the majority opinion, Chief Justice Roger B. Taney declared that Negroes had always been perceived throughout American history as 'only property'. As such, 'the Negro has no rights that a white man is bound to respect', a declaration that reverberated through the decades, eventually becoming the rallying cry of white supremacists in the 1960s struggle over desegregation.

In the 1896 *Plessy v. Ferguson* decision, the Supreme Court confirmed the legality of segregated, or 'separate but equal', public facilities. The case involved a Louisiana law requiring that Whites and Blacks ride in separate railroad cars. In its decision, the Supreme Court found that the law did not violate the equal protection clause of the 14th Amendment, and thus that public facilities could be segregated based on race—a ruling that extended to all manner of public goods—schools, hospitals, libraries, and even drinking fountains.

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[266] http://www.census.gov/2010census/about/interactive-form.php

Writing for the majority, Justice Brown wrote that the law did not, in fact, 'stamp the colored race with a badge of inferiority' and that any such suggestion is 'solely because the colored race chooses to place that construction on it'. Writing for the dissent, Justice John Harlan argued that '[o]ur Constitution is color blind, and neither knows nor tolerates classes among its citizens'.

As we shall explore further, the Chinese Exclusion Act of 1882 marked a turning point in US history because it was the first law that banned a group of immigrants based solely on their race or nationality, opening the door to allow for race to become a viable basis for excluding persons. Chinese American leaders were quite resourceful in the use of the courts to fight state and federal discriminatory laws, bringing a great number of lawsuits, 20 of which made it all the way up the legal system to the Supreme Court in the period between 1880 and 1900.[267] But as a consequence, when it decided to uphold the 1888 retroactive application of the Chinese Exclusion Act in the *Chae Chan Ping v. United States* case, the Supreme Court established what has been termed the 'plenary power' doctrine.[268]

From very early in the Republic, with the Naturalization Act of 1790, US law decreed—on racial grounds—which aliens would be excluded from national citizenship, limiting it only to 'white persons'. It was a crucial legal restriction, since persons 'ineligible for citizenship' were subsequently denied access to other basic rights. For example, California's 'Alien Land Law' of 1913, passed under due to the influence of the Asiatic Exclusion League, used that pretext to prevent Asian immigrant farmers from owning land in the state. In the decades after the Civil War and the Reconstruction era, mass immigration reached record highs and countless people argued their racial identity in order to naturalize, but who was 'white' turned out to be a complicated question since the meaning of 'white' was itself changing over time. This meaning was constantly (even as late as 1983) adjudicated in state and federal courts.[269]

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[267] Tichenor, *Dividing Lines*, 108-109

[268] The Plenary Power Doctrine states that the Federal Government not only has the power to regulate immigration, but that Congress and the Executive could exercise this power without being subject to judicial scrutiny. Tichenor, *Dividing Lines*, 109

[269] Omi and Winant, *Racial Formation in the United States*, 1

But Mexicans were the exception. In 1848 the Treaty of Guadalupe Hidalgo had granted US citizenship to those who chose to remain in the newly acquired territories, though relatively few were in fact accorded the privileges reserved for whites. This was confirmed in 1897 in the *Re: Rodriguez* case, the first Federal court case addressing the racial status of Mexicans. Ricardo Rodríguez, a Mexican immigrant from Guanajuato who had settled in San Antonio, applied to become a naturalized citizen. Political groups, seeking a test case that could deprive Mexicans as a class of their right to naturalize and thus to vote, filed legal briefs in opposition, arguing that Rodríguez was not a 'white person' under the provisions of US naturalization law, but rather 'a pure-blooded Mexican [with] dark eyes, chocolate brown skin, and high cheek bones' who could not pass as 'Spanish'. Since 'Indians, Mongolians, or Aztecs' were ineligible for citizenship, so should be Mr Rodríguez. But the judge ruled that while Rodríguez himself 'would probably not be classed as white... from the standpoint of the ethnologist', as a result of the Treaty of Guadalupe Hidalgo of 1848, he was nonetheless legally eligible to naturalize.[270]

The Naturalization Act of 1790 had been superseded by the Naturalization Act of 1906, which provided now provided that only White persons and persons of African descent or African nativity were eligible. The law was challenged in 1922 by a Japanese businessman named Takao Ozawa, not on the basis of the constitutionality of the racial restrictions, but rather because, due to their levels of education and civilization, people of Japanese descent should be classified as white. In *Ozawa v. United States*, Associate Justice George Sutherland however, ruled that 'scientifically' only Caucasians were white, and therefore the Japanese could not be considered white but rather were of an 'unassimilable race', one not covered by any Naturalization Act.[271]

Less than a year later in the case of *United States v. Bhagat Singh Thind*, the Court, in denying citizenship, ruled that perhaps it was not all that 'scientific', and that not all Caucasians were white. Associate Justice Sutherland wrote that, even though Indians were indeed anthropologically Caucasian, '[i]t may be that the blond Scandinavian and the dark Hindu have a common ancestor in the dim reaches of history, but the average man knows perfectly well that there are unmistakable and profound differences'. The Court chose not

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[270] Rumbaut, 'Pigments of Our Imagination', 7
[271] Tehranian. 'Performing Whiteness' 821-822

to create a new classification, but instead found Indians to be Asian, which made them subject to pre-existing anti-Asian laws passed nationally and in California.[272]

In 1941, at the beginning of World War II, President Franklin Roosevelt signed Executive Order 9066, stripping Japanese-Americans of their rights. This order removed Japanese-Americans from their homes, schools, and workplaces and confined them to internment camps for the duration of the war. By contrast, German Americans and Italian Americans were never stripped of their rights, despite the fact that America was also at war with Germany and Italy.

The federal government first began to address centuries of racial discrimination through the courts, in cases such as *Brown v. Board of Education*. On May 17, 1954, the Supreme Court handed down a 9-0 decision stating that 'separate educational facilities are inherently unequal'. The decision reversed the precedent set by the Supreme Court's 1899 decision in *Cumming v. Richmond County Board of Education* (based on *Plessy v. Ferguson*), which had validated the segregation of public schools. The *Brown* decision did not, however, result in the immediate desegregation of America's public schools, nor did it mandate desegregation of other public accommodations, such as restaurants or bathrooms that were private property. That would not be accomplished until a decade later, when Congress, motivated by the Civil Rights movement of the 1950s and 60s and the national and international media attention it garnered—from the Montgomery bus boycott, to the Birmingham bombings, to the March on Washington—began to address the reality of institutional racism throughout the US with the passage of the Civil Rights Act of 1964. The Act barred discrimination in public facilities and employment, and was followed by the Voting Rights Act of 1965, barring practices aimed at disenfranchising black voters. Also in 1965, the Court completed its ruling in the second *Brown* decision, ordering states' compliance with the decision 'with all deliberate speed'. Even so, compliance with the provisions of the two cases was certainly not expedient, and most public schools were not desegregated until the late 1960s and early 70s. Recent studies have found that public schools, especially those in urban areas, are still segregated.[273]

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[272] Tehranian. 'Performing Whiteness' 822

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The Supreme Court's ruling in *Loving v. Virginia* in 1967 had the effect of declaring unconstitutional the anti-miscegenation laws banning interracial marriage in the 16 states where they were still on the books.[274]

B. ASSIMILATION

1. Background on Assimilation

Assimilation is an essential concept, since it is one that is deeply ingrained in the public discourse and the imagination of the population at large. However, it must also be recognized that 'assimilation' is at the same time an exceedingly problematic concept—to the extent that it is often difficult to know if it is desirable or not. So, while it is impossible to talk about immigration to the United States without at some point acknowledging the integration brought about by assimilation, simultaneously it has also been widely associated with facilitating xenophobia, racism, and intolerance. Which is it? The answer seems to be that it is both; depending on the use—and the purpose—it is put to.

On the one hand, given current immigration figures, it is not surprising that assimilation is a matter for discussion. The United States is now by far the world's leading destination for immigrants. In 2013, there were approximately 41.3 million foreign-born individuals living in the United States. Although this was a record number of immigrants, as Figure XX demonstrates, they represented 13 per cent of the 316.1 million residents of the United States; in 1890, at the height of the second wave of immigration, this proportion had peaked at nearly 15 per cent.[275] Between 2000 and 2013, the number of immigrants residing in the United States grew by 10.2 million, which increased their share of the population by two percentage points. Adding the US-born children of immigrants means that approximately 80 million people—or one out of four residents of the United States—is

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[274] Wang, Et. Al. *The Rise of Intermarriage*, 35

[275] Jie Zong and Jeanne Batalova, 'Frequently Requested Statistics on Immigrants and Immigration in the United States,' MPI Spotlight, February 26, 2015,   http://www.migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states.

now either of the first or second generation.[276] These immigrants and their children have accounted for 55 per cent of the nation's population growth in the 50 years since the passage of the Hart-Celler Act, and if current trends continue, the foreign-born and their children will make up over a third of the population by 2065.[277]

[276] Zong and Batalova, 'Frequently Requested Statistics'

[277] Mark Hugo Lopez, Et. Al. *Modern Immigration Wave Brings 59 Million to U.S., Driving Population Growth and Change Through 2065.* (Washington, DC: Pew Research Center, September 28, 2015). Available online at: http://www.pewhispanic.org/files/2015/09/2015-09-28_modern-immigration-wave_REPORT.pdf

Figure 2.1: *Immigrants in the United States, by Number and Proportion of Population, 1850-2010*
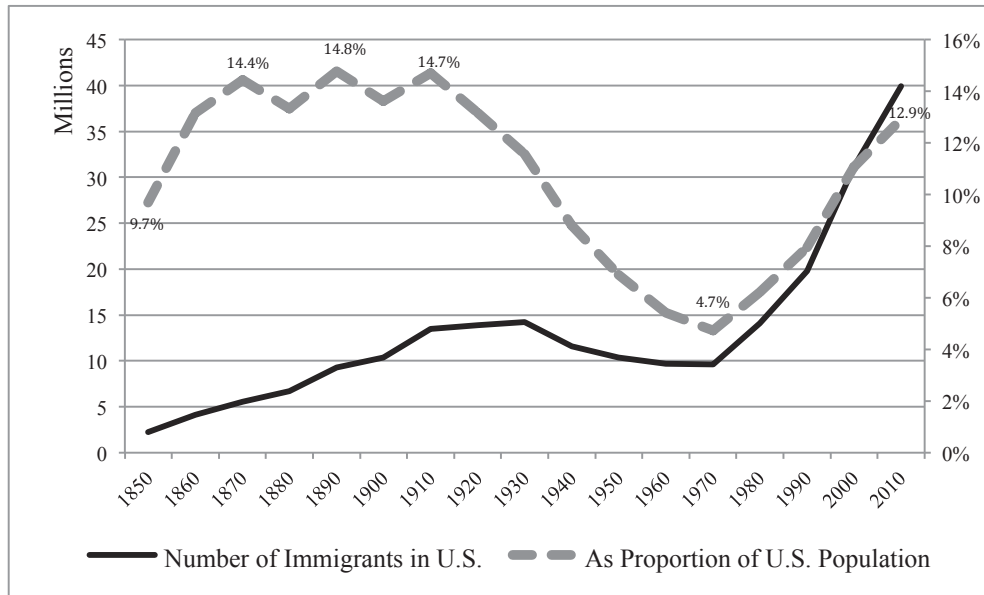
Source: Author's tabulation from U.S. Census data.[278]

On the other hand, assimilation is also a concept that fell into disrepute to such an extent, that in 1993, Nathan Glazer, a noted sociologist, was asking whether assimilation was dead, and if so why.[279] Although seeing assimilation in a mostly negative light is long-standing, it began in earnest during the 1960s, when during the era of the Civil Rights movement it began to be broadly perceived as being needlessly ethnocentric and as patronizing to minority peoples struggling to retain their cultural and ethnic rights.[280] The reordering of racial and ethnic social relations that Civil Rights produced planted the seeds for a strong

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[278] U.S. Census data sources include: 1850-1990: Campbell J. Gibson and Emily Lennon, "Table 1. Nativity of the Population and Place of Birth of the Native Population: 1850 to 1990," in "Historical Census Statistics on the Foreign-born Population of the United States: 1850-1990," (Population Division Working Paper No. 29., U.S. Bureau of the Census, Washington, DC, February 1999), http://www.census.gov/population/www/documentation/twps0029/twps0029.html; 2000: Nolan Malone et al., "Table 1. Foreign-Born Population by Citizenship Status for the United States, Regions, States, and for Puerto Rico: 1990 and 2000," in "The Foreign-Born Population: 2000," (Census 2000 Brief Series, U.S. Census Bureau, Washington, DC, December 2003), 3, http://www.census.gov/prod/2003pubs/c2kbr-34.pdf; and 2010: Elizabeth M. Grieco et al., "Table 1. Population by Nativity Status and Citizenship: 2010," in "The Foreign-Born Population in the United States: 2010," (American Community Survey Reports-19, U.S. Census Bureau, Washington, DC, May 2012), 2, http://www.census.gov/prod/2012pubs/acs-19.pdf.

[279] Glazer, 'Is Assimilation Dead',

[280] Alba and Nee, *Remaking the American Mainstream*, 1

reaction—one intimately implicated with the formation of the modern immigration discourse.

Assimilation, then, is an idea that can be simultaneously seen as useful for conceptualizing the process of immigrant integration, but deeply problematic in the rebirth of its traditional 'assimilationist' stance. This traditional concept of assimilation—which is also at the heart of the current immigration discourse—is, for a variety of reasons, deeply misunderstood, generally misused, often loaded with unexamined ethnocentric convictions, and even at loggerheads with other deeply held American beliefs.

So, if it is both positive and negative, what is assimilation? According to the Oxford English Dictionary, the first definition of assimilation refers to '[t]he action of making or becoming like; the state of being like; similarity, resemblance, likeness.' This seems straightforward enough, but as the old adage has it, 'the devil is in the details'—and herein lie the roots of complexity. Assimilation can be understood both, as a process ('the *action* of making or becoming'), or as a point ('the *state* of being like'). And even as a process, whether one is '*making*', or '*becoming*', makes a large difference in agency when one is referring to human beings. All of these distinctions come into play when we discuss what is meant by assimilation, because in so many ways these distinctions translate into assumptions that are in turn embodied in its use.

We can see some of these assumptions in the ways the term 'assimilation' is now popularly used.[281] It is used in part descriptively, as a way of explaining the remarkable capacity of the United States to take in immigrants from all over the world and create—within one or two generations—an American.[282] It is also used in part prescriptively, communicating expectations of the roles in the incorporation of immigrants that both the immigrant communities and the host society will play. In that sense, the term assimilation 'connotes a more or less fixed, given, and recognizable target state to which the foreign element is to

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[281] Or, as Rumbaut notes, "which is to say, unthinkingly". See Rubén G. Rumbaut. 'Assimilation and Its Discontents: Ironies and Paradoxes' in Charles Hirschman, Philip Kasinitz, and Josh DeWind (Eds.) *The Handbook of International Migration: The American Experience.* New York: Russell Sage Foundation, 1999, pp. 172-195, 172

[282] "…to absorb, like a giant global sponge, tens of millions of newcomers of all classes, cultures and countries from all over the world." Rumbaut. 'Assimilation and Its Discontents', 172

"Americanize," dissolving into "it," becoming, in that elusive and expansive word, "American."'[283]

So how do we decide which of these modes of utilisation is being applied to the concept of assimilation? Perhaps the easiest way to distinguish the two might be to distinguish assimilation as it is now used in the social sciences, and as it is used in the 'popular' (i.e. political and social) discourse. In some ways, we can conceive of these different visions of assimilation as roughly analogous to the differences marked in the Introduction between the *process* of immigration, and the *discourse* on immigration.

But this division between the academic and popular uses of assimilation is not without its own problems, since it must be recognized that the genesis of the concept of assimilation was in the social sciences, and that therefore, many of the conceptual problems embodied by the term also sprang from the academy. Also, no matter how social scientists conceive of assimilation, the concept of assimilation in the minds of most citizens is the one that has the power to shape popular perception, and thus society—and by extension—the political system. And, as we shall see, even some social scientists are, to this day, not immune from mixing the popular conception of assimilation with their work.

Returning to our original definition above, we can see that simply dividing between 'description=process' and 'prescription=state' does not really offer a full description. We must recall that the issue is not only one of *describing a process*, or *prescribing a state*: the arrow of intention between '*making*' and '*becoming*' marks important differences in power. To 'make' may be to 'describe', but it is also in important ways to 'prescribe'; allowing to 'become', meanwhile, is purely to describe a process.

If we explore the historical use of assimilation, we find that it was primarily concerned with *prescribing a state* of being (immigrants must become like, and will only be considered 'assimilated', when they are indistinguishable from the original Anglo-Americans). If we look at the modern 'popular' use of assimilation, we find that it is an intermediate conception, one *prescribing a process* (immigrants are succeeding/failing to assimilate to the desired Anglo-American model). Finally, modern social science's use of the concept of assimilation is in full contrast to the historical concept, being primarily concerned with

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283 Rumbaut. 'Assimilation and Its Discontents', 172

describing a process (immigrants and their descendants are/are not assimilating at what rate, with regards to which variables, in comparison to whom). There does not seem to be a sustained use of the concept of assimilation dedicated to *describing a state* of being.

If we conceive of a matrix, we can begin to understand the assumptions embedded in the different uses of the concept of assimilation:

Assimilation is:	Prescriptive (Normative)	Descriptive
A State	'Being Like': 'Historical' Concept	NA
A Process	'Making Like': 'Popular' Concept	'Becoming Like' 'Social Science' Concept

'Historical' Concept of Assimilation	'Popular' Concept of Assimilation	'Social Science' Concept of Assimilation
Prescriptive State	Prescriptive Process	Descriptive Process
'Being Like'	'Making Like'	"Becoming Like"

In order to understand what is meant by assimilation, we must explore these three modes, the historical, the popular, and the social science concepts.

2. Conceptions of Assimilation

a. Historical Concept of Assimilation

Assimilation is an idea that has now permeated not only the literature of immigration, but also that of political science, sociology, anthropology, and psychology. More than that, it is also a concept that seeped into popular conceptions of immigration. As Rumbaut notes,

'[f]ew concepts in the history of American sociology have been as all-encompassing and consequential as "assimilation," or as fraught with irony and paradox. Few have so tapped and touched the pulse of the American experience.'[284]

To understand why assimilation is 'fraught with irony and paradox', despite being an 'all-encompassing and consequential' concept, it is important to remember the context of the times when the concept of assimilation first came into its own. It was the era that simultaneously marked the beginning of the rise of the United States into the ranks of world powers, as well as the beginning of the social sciences as we know them.[285] It was also an era of mass migration that lasted from 1880 to 1924, and saw the foreign-born component of American society rise to some 15 per cent of the population. The intersection of large-scale migration and social sciences also led directly to discussions about the dangers that immigrants posed to the country due to their inferior racial characteristics, which eventually led to the severe restriction of immigration. To protect society, the assumption arose that the structural and cultural assimilation of those immigrants already in the US into 'mainstream' American life was both inevitable, and desirable, for the nation as well as for the immigrants themselves. Thus, the early thinkers and social scientists who originally forged these ideas wrote in a context in which the concept of 'Americanization' was not only a process to be studied, it was also a political project that needed to be pursued.[286]

i. The Era of Classic Assimilation

Thus, the historical assimilation paradigm began an arc of development that was to prove problematic in the modern age. This occurred not only because social scientific description was closely allied with political prescription, it was that the underlying assumptions that these prescriptions contained evolved in worrisome ways. For one thing, the concept of assimilation was inevitably mixed up with the essentialising racial theories of their day, in many ways represented by the eugenics movement.[287] This problem was compounded by

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[284] Rumbaut, 'Assimilation and Its Discontents', 172

[285] Zolberg, *A Nation by Design*, 199

[286] Josh DeWind and Philip Kasinitz. 'Everything Old is New Again? Processes and Theories of Immigrant Incorporation' *International Migration Review*, Vol. 31, No. 4, Special Issue: *Immigrant Adaptation and Native-Born Responses in the Making of Americans* (Winter, 1997): 1096-1111, 1097

[287] See, e.g. Edward A. Ross, 'The Causes of Race Superiority', 85: The superiority of a race cannot be preserved without pride of blood and an uncompromising attitude toward the lower races. In Spanish

the fact that the last great migratory wave that ended in the 1920s concluded amongst a particularly harsh conception of the ideals of 'Americanization'. Finally, given the economic trajectory of the US, many of the theorists (even into well past the middle of the twentieth century), also tended to assume that assimilation and upward mobility were much the same thing. These factors combined to create the assumption that, by logical extension, the 'default mode' or superior culture to be attained was the existing Anglo-American culture,[288] a confusion that has continued to plague even scholarly writing on the topic to this day.[289] Amongst other things, this has meant that the conception that remained of assimilation in the popular domain was dominated by the ideal, although usually unspoken, of the unquestioned primacy and the normative status of Anglo Protestant, 'White', culture.[290]

At the beginning of the twentieth century, Israel Zangwill picked up Emerson's metaphor of the 'smelting pot', and entered the annals of assimilation history by transferring its properties to the United States in his famous play about America's 'Melting Pot'. In his view, interethnic intimacies facilitated by the nation's ideology created a 'bubbling cauldron' that would fuse the bloodlines and combine the cultural heritages of 'Celt and Latin, Slav and Teuton, Greek and Syrian, —black and yellow—Jew and Gentile'.[291]

America the easygoing and unfastidious Spaniard peopled the continent with half-breeds and met the natives half way in respect to religious and political institutions. … In North America, on the other hand, the white men have rarely mingled their blood with that of the Indian or toned down their civilization to meet his capacities. The Spaniard absorbed the Indians, the English exterminated them by fair means or foul. Whatever may be thought of the latter policy, *the net result is that North America from the Behring Sea to the Rio Grande is dedicated to the highest type of civilization; while for centuries the rest of our hemisphere will drag the ball and chain of hybridism.* (Emphasis mine.)

[288] Alba, Richard D., and Victor Nee. *Remaking the American Mainstream: Assimilation and Contemporary Immigration*. Cambridge, MA: Harvard University Press, 2003. P. 2

[289] See, e.g. Samuel P Huntington. *Who Are We?: The Challenges to America's National Identity*. New York: Simon & Schuster, 2004

[290] Alba and Nee, *Remaking the American Mainstream*, 3-4

[291] Israel Zangwill, *The Melting-Pot: Drama in Four Acts*, new and revised edition, New York: Macmillan, 1922 [1909]. P. 184. Quoted in Lyman, *Op. Cit.*, P. 185

But the migratory wave that began in the decade of the 1880s, and which saw increasing shifts from sending countries from Northern and Western Europe to Southern and Eastern Europe, was large enough to demand social action. Immigrants, responding to the demand for workers created by the rapid rise in industrialization, were concentrated in the large cities, primarily in the Northeast, but also in the Midwest, where many lived in segregated neighbourhoods under appalling conditions. There was wide spread concern at the turn of the twentieth century that the new immigrants might not become good Americans, due to their lack of English fluency, citizenship, and knowledge of American customs. These concerns gave rise to the original Americanization movement, one born of the Progressive (at the time better known as the Goo-Goo, or Good Government) movement,[292] and its goals were relatively benign. The movement aimed to make the new immigrants citizens, and thus encourage them to participate as individuals in politics in order to fight their domination by urban political bosses;[293] to teach them English, in large part to make them better and safer workers, especially due to the huge toll of industrial accidents; to break up immigrant enclaves; and to teach sanitation and hygiene, as well as other 'modern'

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[292] See, e.g. Zolberg, *A Nation by Design*, 200-201; Tichenor, *Dividing Lines,* 139-140, although Tichenor ties in many of the Progressive Era's policies and use of scientific experts to the rise of restrictionist policies.

[293] Tichenor, *Dividing Lines,* 77

American ideas.[294] All of these efforts were designed primarily to make the immigrants better Americans.[295]

Despite these origins, the Americanization movement was destined to lose any of its early aspects of welcome and inclusion in its programs given first, the concerns of the eugenicists, but then more crucially the passions aroused by World War I and the post-War fears of Bolshevism and radicalism. With the impending entrance of the United States into World War I, the motivation of Americanization shifted quickly from one of creating 'better Americans' to one fighting any lack of patriotism or disloyalty.

Given this conception, Americanization became harsh and oppressive, the issue being less the opportunity to learn English than the insistence that nothing but English be learned;[296] it became less the generous offer of citizenship, but rather the widespread fear of subversion from aliens.[297] It was in this newer iteration of the Americanization movement that Anglo-conformity flowered to its fullest expression. Thus 'Americanization' essentially became a consciously articulated movement to strip immigrants of their native culture and attachments, making them over into Americans along explicitly Anglo-Saxon lines, and to accomplish this process with great rapidity. Gordon described this process as 'pressure-cooking assimilation.'[298] Alba and Nee, for their part, were anxious to distance themselves

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[294] Tichenor, *Dividing Lines,* 139

[295] Glazer, 'Is Assimilation Dead', 126

[296] In 1916, Iowa adopted legislation making it illegal to speak a foreign language in public. Tichenor, *Dividing Lines,* 140

[297] Glazer, 'Is Assimilation Dead', 129

[298] Gordon, *Assimilation in American Life*, 98-99

when they wrote that '[w]e do not equate assimilation with Americanization, a term that is linked to an unsavory history of coercion.'[299]

It was in this context of Americanization and eugenics that immigration began to be seen by liberals as essentially undesirable—a position that would be held late into the decade of the 1970s. For them, to the extent that they still maintained concern for the living and working conditions of immigrants, the concern began to be encompassed within the larger movement for improving the conditions of all workers. The result was a movement that easily linked liberal commitment to the cause of working people with opposition to further immigration.[300] For example, in the 1920s, the American Federation of Labor (AFL) helped play a critical role in passing immigration restriction by raising the spectre of newcomers' threat to the economic security of the American worker.[301] Samuel Gompers, the legendary president of the AFL, who was an immigrant from England himself, and had supported relatively unencumbered immigration as late as 1892, by the 1920s had become a virulent restrictionist.[302]

It was in this period of severely restricted immigration that scholars began to consistently talk about assimilation when referring to the expected experience and fate of the stream of immigrants from Europe who had been a permanent part of American life and consciousness from the time of the first settlements to the 1920s. Scholars assumed, incorrectly as it turned out, that the United States was now finished with mass immigration.[303] Although Glazer's assertion that American thinking about race and ethnicity in the period during the arguments over assimilation engendered by the mass immigration between 1880 and 1924 and the pressures of World War I 'simply did not take blacks, let alone Mexican Americans or Asians, into account'[304] may be a bit of a stretch, it is not far off the mark. Robert Park and his colleagues at the Chicago School of Sociology in the 1930s and 40s, and even Milton Gordon into the 1960s, had profound influence on the

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[299] Alba and Nee, *Remaking the American Mainstream*, 281

[300] Glazer, 'Is Assimilation Dead', 129

[301] Tichenor, *Dividing Lines,* 118

[302] George J Sánchez. 'Face the Nation: Race, Immigration, and the Rise of Nativism in Late Twentieth Century America'. *International Migration Review*, Vol. 31, No. 4, Special Issue: *Immigrant Adaptation and Native-Born Responses in the Making of Americans* (Winter, 1997): 1009-1030, 1021

[303] Glazer, 'Is Assimilation Dead', 124

[304] Glazer, 'Is Assimilation Dead', 131

thinking of assimilation, institutionalizing it as a rule for immigrants to the United States and their descendants. But Mexican and Asian immigrants, or even Native Americans for that matter, received scant attention. As Telles and Ortiz point out, the reasons were partly geographical. Mexicans were concentrated in the Southwest, well off the beaten path of most social scientists in the East: 'At best they were viewed as some inexplicable frontier anomaly.'[305]

ii. WWII and the Cold War

The involvement of the United States in World War II was to ignite a series of momentous transformations. Because the US was fighting Germany and the Nazi ideology of explicit racial superiority, American society in the early 1940s was forced to begin to take into account the treatment of its own groups of racially defined second-class citizens, all suffering not only under the weight of informal prejudice, but more perniciously still, under systems of legal discrimination and segregation. Intellectually, the horrifying evidence of the uses to which Nazism had put eugenic theories served to significantly discredit them. Socially, large numbers of returning soldiers from marginalised groups began questioning treatment by a society which had putatively made them fight abroad for 'freedom' and 'democracy'. This process was accelerated in the immediate post-war years when the United States engaged in a cold war against the Soviet Union that was marked by an intense competition for influence in a bipolar world.

Thus, either due to fighting the ideology of race, or due to the need to respond to demands for equality from its citizens, or due to the need to project an egalitarian society in the global ideological competition with the USSR, the United States became increasingly concerned with how it treated its racial minorities. In this atmosphere Blacks, Native Americans, Latinos, and Asians began to be the intellectual focus of attention, which increasingly began to shift, from European immigrants to minorities of colour.[306] In part this was the result of the severe restrictions on immigration after 1924, which had significantly cut down the rates of replenishment, so that during the decades of the 40s and

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[305] Edward E. Telles, and Vilma Ortiz. *Generations of Exclusion: Mexican Americans, Assimilation, and Race.* (New York, NY: Russell Sage Foundation, 2008). 27

[306] Glazer, 'Is Assimilation Dead', 132

50s European immigrant groups were felt to be already well on the way to assimilation. Meanwhile, first the Nazis under Hitler, and then the Communists under Stalin, had antagonized so many immigrant communities that disloyalty did not seem nearly the great problem during either World War II (with the notable exception of the Japanese) or the ensuing Cold War, as it had seemed at the time of World War I.

Simultaneously, many in the social sciences were re-evaluating their intellectual contributions to what eventually became the horrors of Nazism, and not surprisingly were trying to distance their fields, if not themselves, from this stain. Practitioners began working hard to shift the concept of race to be more in line to that of ethnic group. Eugenics had strongly influenced the development of many social sciences,[307] and the effect was to last for a decades. A good example is the field of demographics.[308] Advanced degrees in demographics had come into being just in time for the Great Depression and the government's sudden urgent need for information with which to manage the crisis. Thus a recently reworked social scientific concept of population moved into government, where it had a direct and continued impact on policy. It is important to remember the role that the eugenics movement played in the development of the social sciences, because this 'scientific' racism was not the racism of 'ignorant "rednecks"', but rather of the elite, the educated, the scholarly, the scientists.[309] More to the point, however, is that because scientific racism *was* the product of the elites is why now-discredited scientific theories still linger on as 'folk knowledge'[310] in the minds of many people. What was once scientific theory remains embedded in many of the assumptions that motivate the current discourse on immigration, and we shall hear echoes of many of these concepts as we explore the issue.

Thus, any discussion of assimilation (particularly, though not exclusively in the 'popular' domain) must take into account that much of the vocabulary that is still used to talk about assimilation—'incorporation', 'acculturation', 'pluralism', and even the ever-popular 'melting pot'—are products of earlier debates, and so are 'loaded with the historical

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[307] Victor Fuchs, in defending Irving Fisher, writes that the economist was not the only one: 'Indeed, leading scholars in many fields reached similar conclusions and advocated similar policies. With the benefit of hindsight, however, we can see *that the reasoning borders on the irrational, the scientific underpinnings were deeply flawed, and the policy recommendations misguided.*' Fuchs, 'Health, Government', 417 (Emphasis mine)

[308] Ramsden. 'Social Demography and Eugenics', 552

[309] McWhorter, *Racism and Sexual Oppression*, 140

[310] McWhorter, *Racism and Sexual Oppression*, 142

baggage of questionable assumptions and values.'[311] It is because of this history that, although society, culture, technology, and the political system have all changed significantly since the time of those original debates in the late 19th and early 20th centuries, in many ways, the term 'assimilation' seems frozen in time.

Perhaps it was the need of many scholars to distance their fields from an unsavoury past combined with the very practical difficulties that racism presented the United States in its competition with the Soviet Union that caused the decades of the 1950s and 1960s to see an increasing momentum of the trend leading to the rise to primacy of intellectual ideas associated with the growing Civil Rights movement. In this atmosphere, criticism of the historical formulation of assimilation began to reflect a new consensus on the necessity for the inclusion of all groups into civil society, and the need for the creation of a new 'multicultural' society—one that would be able to provide parity in life chances for all citizens. Many of these ideas emphasized the rights of 'minority' groups and justified remedial action as necessary to overcoming their history of exclusion and discrimination, and so to secure equality of rights.[312] It was in this context that, eventually, the conceptions of culture encased in the 'assimilationist' viewpoint were bound to come into conflict with the modern understanding of civil rights, and the demand by a variety of groups not only for an end to, but also for redress, of injustice.[313]

These new ideas also meant that the classic view of assimilation was seen to have failed in critical ways. As we have noted above, assimilation was increasingly seen as inimical to the modern conception of a multicultural society, and so one of the central problems of the original assimilation paradigm was the virtually universal failure of social scientists to predict the broad impact of the civil rights movement and the identity politics it spawned.[314] Seen another way, however, it can be argued that the rise of the civil rights movement was to a large degree brought about by the failure of assimilation to produce the desired results for all Americans. According to Glazer:

> The failure of assimilation to work its effects on blacks as [it had] on immigrants,
> owing to the strength of American discriminatory and prejudiced attitudes and

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[311] DeWind and Kasinitz. 'Everything Old is New Again?', 1097

[312] Alba and Nee, *Remaking the American Mainstream*, 6

[313] Alba and Nee, *Remaking the American Mainstream*, 6

[314] Alba and Nee, *Remaking the American Mainstream*, 2

behavior toward blacks, has been responsible for throwing the entire assimilatory ideal and program into disrepute.[315]

The end result was that, by the 1960s, it was becoming increasingly clear to social scientists that the concept of assimilation was exceedingly problematic. The assimilation process was supposed to produce cultural and ethnic homogeneity.[316] Instead, scholars found the maintenance of strong ethnic identities.[317]

But although part the problems with assimilation had to do with the inability of assimilation to deliver what was promised, it also began to seem as though much of what was thought about assimilation revolved not around assimilation per se, but about shifting and conflicting notions of 'American' identity. The one-sidedness of this conception was now seen to have overlooked the value and sustainability of minority cultures, in large part due to 'the barely hidden ethnocentric assumptions about the superiority of Anglo-American culture'.[318] This 'Anglo conformity', which has been defined as 'the complete renunciation of the immigrant's ancestral culture in favor of the behaviors and values of the Anglo-Saxon core group'[319] had created the expectation that immigrant groups should 'swallow intact the existing Anglo-American culture while simultaneously disgorging their own'.[320]

And yet, in the context of the post 1965 immigration wave that rapidly increased its tempo beginning in the decade of the 1980s, Nathan Glazer noted during the nadir of the reputation of the concept of assimilation:

> Is assimilation then dead? The word may be dead, the concept may be disreputable, but the reality continues to flourish. As so many observers in the past have noted, assimilation in the United States is not dependent on public

[315] Glazer, 'Is Assimilation Dead',

[316] Alba and Nee, *Remaking the American Mainstream*, 4

[317] See Nathan Glazer and Daniel P. Moynihan. *Beyond the Melting Pot: The Negroes, Puerto Ricans, Jews, Italians, and Irish of New York City*. (Second Edition. Cambridge, MA: MIT Press, 1970)

[318] Alba and Nee, Alba and Nee, *Remaking the American Mainstream*, 2

[319] Gordon, *Assimilation in American Life*, 85

[320] Alba and Nee, *Remaking the American Mainstream*, 17

ideology, on school curricula, on public approbation; factors in social and economic and cultural life foster it, and it proceeds apace.[321]

So, even though assimilation theory had fallen into disrepute, it was clear that something was happening, and that some way of describing these social processes was necessary. But how the concept was transformed, and how different conceptions of the meaning of 'assimilation' eventually diverged, depended on who used it, and to describe what.

b. Popular Concept of Assimilation

i. The Assimilation Experience in the Public Mind

As late as 1964, the economist Charles Silberman was famously able to say that the 'crucial thing about the melting pot was that it did not happen.' Even though immigrant groups had undergone vast sociocultural changes during their generations in the United States, Silberman could still insist that 'the ethnic groups are not just a political anachronism . . .[t]he WASPs . . . the Irish Americans, the Italian Americans, the Jewish Americans differ from each other in essential ways.'[322] Indeed, just three years earlier, Glazer and Moynihan found a New York City composed of easily identifiable ethnic groups. According to them, '[t]he ethnic group in American society became not a survival from the age of mass immigration, but a new social form.'[323] This means that they conceived of these groups as essentially semi-permanent interest groups, and that marked society and politics as much by ethnicity or race as by religion.[324]

But as discussed above, the United States was poised to undergo a series of profound changes, most notably as a result of the Civil Rights movement, to the point that, by the time the second edition of their book was published in 1970, Glazer and Moynihan

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[321] Glazer, 'Is Assimilation Dead',134

[322] Charles E. Silberman. *Crisis in Black and White*, (New York, NY: Random House, 1964), p. 165. Quoted in Lyman, *Op. Cit.*, P. 201

[323] Glazer and Moynihan, *Beyond the Melting Pot,* 16

[324] Glazer and Moynihan, *Beyond the Melting Pot,* 12-17

commented that one of the greatest differences in the intervening years since 1961 was that race had 'exploded to swallow up all other distinctions'.[325]

Other, massive, changes were occurring, such as the beginning of deindustrialization, the demographic shift from the Northeast to the southwest of the country, and the rapid rise of intermarriage—at least between European ethnic and religious groups. The result of these wholesale economic and social changes was not only the precipitous decline in religion as a focus of ethnic identification,[326] it seemed to be the decline of White ethnic identity itself. By 1985, Lieberson was describing an increasing 'recognition of being white, but lack of any clear-cut identification with, and/or knowledge of, a specific European origin.'[327]

These momentous shifts meant that the idea of assimilation the majority of Americans was left with was that of a linear process, the 'straight-line' assimilation.[328] This was a conception first popularized by Herbert Gans and Emile Sandberg (although Gans later changed the 'straight line' to a 'bumpy' one). Essentially, it envisions an assimilation process that unfolds in a sequence of generational steps. In this case, then, each new generation by-and-large represents a new stage of adjustment to the host society, and so each generation is a further step away from the ethnic genesis.

Due to its temporal concurrence with the strong period of economic growth and social mobility of the post-War years, the assumption that socioeconomic success and sociocultural similarity march in lock step is closely associated with this conception of linear progress, to the degree that the level of success defines the extent of assimilation itself. That is, by the third or fourth generation, the descendants of immigrants were expected to have improved their educational outcomes and socio-economic conditions to complete 'the move from peddler to plumber to professional.'[329]

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[325] Glazer and Moynihan, *Beyond the Melting Pot,* viii

[326] Glazer and Moynihan, *Beyond the Melting Pot,* xxxvii

[327] Lieberson, 'Unhyphenated Whites', 159

[328] See, e.g., Alba and Nee, *Remaking the American Mainstream*, 27; Rumbaut, 'Assimilation and Its Discontents', 188

[329] Joel Perlmann and Roger Waldinger. 'Second Generation Decline? Children of Immigrants, Past and Present-A Reconsideration'. *International Migration Review*, Vol. 31, No. 4, Special Issue: *Immigrant Adaptation and Native-Born Responses in the Making of Americans* (Winter, 1997): 893-922. 894

Adding to the complexity is a general lack of knowledge about the variety of pathways the different ethnic groups took to become a part of mainstream society. This lack of knowledge is not merely popular ignorance, how and why different immigrant communities evolved in the manner that they did can be the cause of endless debate among experts. It can be enormously difficult, for example, to evaluate what role historical contingency played in the type and sequence of mechanisms that shaped the path of adaptation for any group.[330] To a large extent, we can describe, but often not fully understand the particulars. For example, the Germans, who began their migration very early, settled in, and gained success through farming and craftsmanship. The Irish, who migrated early in the era of large-city party politics seemed to have been able to take unusual advantage of political patronage and government employment, which together with their Catholicism is often given as the reason why the development of the Irish community is sometimes ascribed as being the result of the ability of many to become one of 'the three Ps'—they were politicians, policemen, and priests. This path was again different for Eastern European Jews, who arrived mostly in the era of full industrialization and achieved assimilation through small business ownership and educational attainment. And, of course, the mechanism for the Chinese or Japanese, constrained as it was by non-acceptance to citizenship due to their status as 'non-whites', and the target of exclusionary laws for Asians, was much different from that of any European group.

By the time the concept of assimilation was ready to be reintroduced as a popular concept in the 1990s, the idea that assimilation had 'worked', why, and what it should look like, was set. Assimilation meant that ethnic differences would disappear apace with social mobility, and this process would last no longer than three generations. Religion should prove no barrier, and, since the United States had entered into a post-racial society as a result of the Civil Rights era, neither should race.

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[330] Alba and Nee, *Remaking the American Mainstream*, 103

ii. Fitting New Immigration to an Old Assimilation Paradigm

By the decade of the 1990s it was beginning to become clear that the United States was entering into its the third large migration wave in its history,[331] which began with the passage of the Immigration and Nationality Act of 1965.[332] This law was passed in the same spirit as the Civil Rights Act of 1964 and Voting Rights Act of 1965, but also (in the context of the Cold War) with an eye to the United States' image abroad regarding racial equality.[333] The Hart-Celler Act ended the era of restrictive quotas begun with the passage of the Quota Act in 1924, and it thus unleashed the largest influx of immigrants since the beginning of the twentieth century and radically changed the mix of immigrants arriving in the United States. Although immigrants from the 'Western Hemisphere' (for most of this period read Mexico; Canada, especially Quebec; and to a limited extent, Cuba and the West Indies) had not been subject to the quotas imposed on the rest of the world, in practice the absence of quotas was balanced with administrative barriers designed to allow non-permanent immigrant labour to enter the country.[334] Thus, when quotas were lifted, many more Latin American immigrants began to make the formal move. This—and Europe's declining demographic growth—was why, as opposed to the previous migratory waves, immigrants no longer overwhelmingly originated from Europe and instead preponderantly came from Latin America and Asia. (See Figure 2.2).

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[331] The first two waves are generally agreed to have occurred in the 1830s to1850s (the Irish Potato Famine; Europe's revolutions of 1848-1849), and between 1880 and 1914 (the rapid expansion of industrialization).

[332] The Immigration and Nationality Act of 1965 (79 Stat. 911), also known as the as the Hart-Celler Act, abolished the national-origins quota system and replaced it with a system whereby immigrants are admitted based on their relationship to a U.S. citizen or lawful permanent resident family member or U.S. employer.

[333] See, for example David S. FitzGerald and David Cook-Martín, *Culling the Masses: The Democratic Origins of Racist Immigration Policy in the Americas* (Cambridge, MA: Harvard University Press, 2014).

[334] See Fuchs, *The American Kaleidoscope.*

Figure 2.2 Immigration Flows to the United States, by Origin, 1820-2010
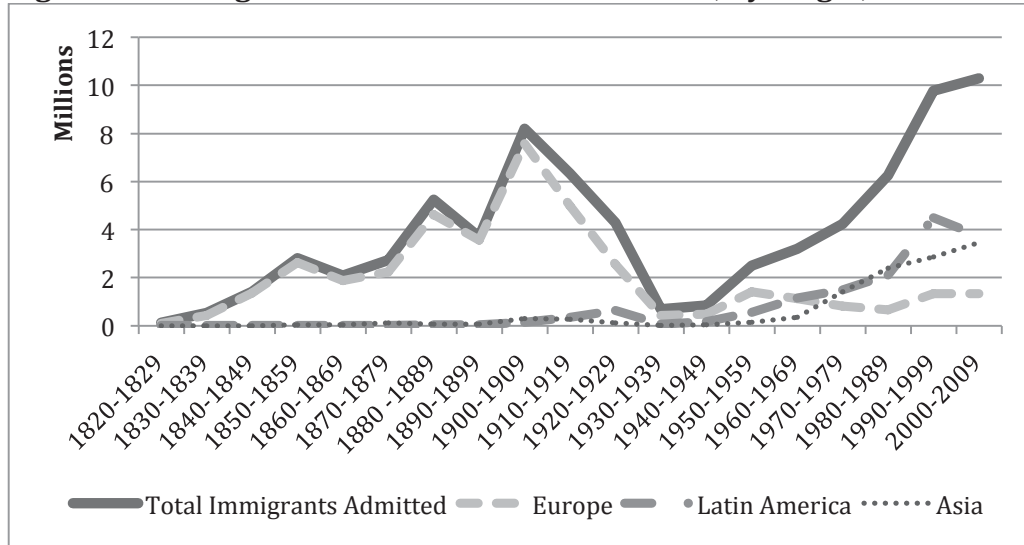
Source: Author's tabulation based on data from U.S. Department of Homeland Security, Office of Immigration Statistics, 'Table 2. Persons Obtaining Lawful Permanent Resident Status by Region and Selected Country of Last Residence: Fiscal Years 1820 to 2013,' in *Yearbook of Immigration Statistics: 2013* (Washington, DC: U.S. Department of Homeland Security, Office of Immigration Statistics, 2014), 6-11.

Although Americans living at the time of the second wave toward the end of the nineteenth century would have vigorously denied that the new immigrants were in any way similar to the previous immigrants from which they themselves descended,[335] to current residents of the country, there is now not much difference among descendants from England or Germany as opposed to Italy or Russia.[336] The new, post-1965 immigrants, however, tend to come from parts of the world from which migration was previously barred (Asia), manipulated to restrict permanent opportunities for settlement (Latin America), or channelled into labour migration (Asia and Latin America).[337] These previous migration experiences had left significant remnants, which had by then become part of the 'minority' population of the United States (i.e., racial or racialized populations that held inferior positions in the U.S. social and political hierarchy).[338]

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[335] See David R. Roediger. Working Towards Whiteness: How America's Immigrants Became White. (New York: Basic Books, 2005).

[336] See, e.g. Lieberson, 'Unhyphenated Whites'

[337] See Fuchs, *American Kaleidoscope*; or Roger Daniels. *Guarding the Golden Door: American Immigration Policy and Immigrants since 1882*. (New York: Hill and Wang, 2004).

[338] See Rodney E. Hero. 'Immigration and Social Policy in the United States'. *Annual Review of Political Science* 13 (2010): 445–68.

c. Social Science Concept of Assimilation

One of the earliest definitions of assimilation in the modern era of social science was created by the sociologist Robert Park in 1930, for the *Encyclopedia of Social Sciences.* In his formulation, social assimilation was defined as 'the process or processes by which peoples of diverse racial origins and different cultural heritages, occupying a common territory, achieve a cultural solidarity sufficient at least to sustain a national existence'.[339]

But given the vast social changes wrought by the post-War experience and the Civil Rights movement, and the need of many social scientists to distance their fields from an unsavoury past, it is not surprising that the term 'assimilation' became unpopular during the 1960s and 70s. But, much as social commentators and politicians found, it was soon evident to social scientists that the idea of 'assimilation' had not totally lost its utility in the study of contemporary immigration. However, it was also recognized that, to be usable in the context of a modern society, the concept would need to be radically transformed. In part, making the concept of assimilation relevant to the current era of migration involved moving from an overwhelming focus on the persistence of differences (and so also on the mechanisms that maintain such cultural differences) to a focus that could more broadly assess emerging commonalities.   Logically this also required a shift from seeing assimilation through the lens of the automatic valorisation of cultural differences (at first negatively, as something to be eliminated, as during the period of 'Americanization'; but during the last half of the twentieth century increasingly positively, as something to be celebrated) back to the concept's original concern with civic integration. More importantly, at base it needed to move from a prescriptive concept to a descriptive one, while at the same time moving from an understanding of assimilation that focused on an end-state of complete absorption, to an understanding of assimilation that focused on the process of becoming similar to some reference population, generally speaking to the 'host society'.[340]

These changes in conception necessarily involved treating assimilation as an emergent tendency of social processes. Understood as a process, 'assimilation' became not something

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[340] Rogers Brubaker. 'The Return of Assimilation? Changing Perspectives on Immigration and Its Sequels in France, Germany, and the United States'. *Ethnic and Racial Studies*, Vol. 24, No. 4, (2001): 531-548

done to persons, but rather something accomplished by them. These social processes, in turn, could best be understood at an aggregate level, rather than something that necessarily happened—either consciously or unconsciously—at the level of individuals. At the aggregate level, assimilation then becomes understood as mostly unintended and often invisible. Viewed this way, assimilation, is not a process that occurs intentionally, but rather is the result of the unintended consequence of the multiple individual actions and choices made in particular social, cultural, economic and political contexts.

It also became clear that understanding the process of assimilation demanded shifting the unit of temporal analysis within which assimilation occurs from an immigrant population to a multi-generational population. It recognized that key changes often occur inter-generationally, and that these changes can best be studied not within individuals but within abstractly constructed multi-generational populations as elements that make them more similar to members of the reference population.

In addition, the considerably increased openness in society to the presence of cultural diversity, as well as a much more complete understanding of the processes of acculturation—both of which have also somewhat alleviated anxieties in society about the cultural dimensions of assimilation—assisted in a significant shift in the focus underlying research on assimilation, from cultural issues to socio-economic matters. This process was undoubtedly reinforced by the growing recognition of the bifurcated nature of contemporary immigrants into high-skill and low-skill segments (i.e. human-capital immigrants and labour immigrants) at a time when macro-economic changes have caused increasing economic inequality, stagnated wages for workers, decreased mobility, and created other changes associated with an 'hourglass economy' also generated concerns about long-term structural marginalization.

All of these changes conception and focus have led to a conception of assimilation amongst social scientists that is removed from the classical 'assimilationist' understanding of the process, i.e. an empirical global expectation and normative endorsement of assimilation. It is now, rather an agnostic stance, i.e. one able to vary by domain and reference population, and also one that concerns both, the likelihood and the desirability, of assimilation. At the same time it has moved from an approach that conceptualized assimilation as necessarily

being towards a 'core culture' or 'national society' as a whole, to a disaggregated conception that rejects not only the idea of assimilation as being a single process, but instead considers the presence of multiple reference populations, and envisions distinct processes occurring in different domains. This has necessarily produced a shift from the traditional mono-dimensional question of 'how much assimilation?' to a new series of multi-dimensional questions, of 'assimilation in what respect, over what period of time, and to what reference population?'[341]

As Brubaker explains,

> '[r]eformulated in this manner, and divested of its 'assimilationist' connotations, the concept of assimilation—if not the term itself—seems not only useful but indispensable. It enables us to ask questions about the domains and degrees of emergent similarities, and persisting differences, between multi-generational populations of immigrant origin and particular reference populations. There are good reasons for us to want to ask such questions, regardless of whether we applaud or lament such emerging similarities. Naturally, to pose such questions is only a beginning. Assimilation is not a theory; it is simply a concept. But it is a concept we can ill do without.'[342]

The pioneer in this process was Milton Gordon, whose 1964 book *Assimilation in American Life: The Role of Race, Religion and National Origins*, has had a profound influence on the thinking of assimilation. According to Gordon, assimilation consists of seven stages:

1. Acculturation: where the immigrant group adopts both the external (language, dress, and daily customs) and internal (values and norms) trappings of the host society.
2. Structural assimilation: the large-scale entrance of immigrants (and minorities) into the institutions, clubs, and, cliques in the host society.
3. Marital assimilation: where intermarriage becomes widespread.

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[341] Brubaker. 'The Return of Assimilation?'
[342] Brubaker. 'The Return of Assimilation?'

4. Identification assimilation: where the minority feels bonded to the dominant culture.

5. Attitude reception assimilation: where there is an absence of prejudice on the part of the mainstream society.

6. Behaviour reception assimilation: where there is an absence of discrimination on the part of the mainstream society.

7. Civic assimilation: when there is an absence of differential in values and power

Based on Gordon's theories, and also incorporating ideas from Fredrik Barth, Milton Yinger defined assimilation as 'a process of boundary reduction that can occur when members of two or more societies or of smaller cultural groups meet.' As a completed process, it is the 'blending into one of formerly distinguishable socio-cultural groups'.[343]

In some ways Yinger offered a similar, yet slightly more compact theory than Gordon, in that the extent of assimilation was determined by a process that depended on the strength of four sub-processes: acculturation (or cultural), identification (or psychological), amalgamation (biological or intermarriage), and integration (structural). Depending on the specific situation, these could occur in any combination and sequence, not necessarily in a fixed order. However, they were seen to be interdependent processes, in that the extent of each sub-process was affected by the strength of each of the others.

In addition, however, Yinger made a point of treating assimilation as a variable, noting that 'assimilation' can mean anything 'from the smallest beginnings of interaction and cultural exchange to the thorough fusion of the groups.' Moreover, he suggested four principles allowing assimilation to become an analytic tool:

(1) Assimilation is a descriptive, not an evaluative, concept;

(2) Assimilation refers to a variable, not an attribute;

(3) Assimilation is a multidimensional process; and

(4) Each process is reversible.[344]

More contemporary definitions have included Alba and Nee: 'In the most general terms, assimilation can be defined as the decline, and at its endpoint the disappearance, of an

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[343] J. Milton Yinger. *Ethnicity: Source of Strength? Source of Conflict?* (Albany, NY: State University of New York Press, 1994), 39

[344] Yinger. *Ethnicity*, 40-41

ethnic/racial distinction and the cultural and social differences that express it';[345] or Rumbaut's: The study of assimilation of persons and groups is, fundamentally, 'to examine the modes of incorporation of periphery to core'.[346]

Perhaps the single issue that seems central to any contemporary discussion of the incorporation of immigrants into American society is the relationship of the native- and foreign-born to race and ethnicity. Will immigrants' cultural and racial diversity complement or change all Americans' notions of social identity? Will it change the hierarchical relations within and between groups? If it does so, how, and by how much? Will different immigrant groups incorporate into mainstream, segmented or national-origin communities, and will their paths of incorporation been shaped by race and ethnicity? How will the patterns of incorporation for different groups evolve between generations?

3. Latinos and Assimilation

Although these elements will be examined more fully in succeeding chapters, in terms of the question of assimilation, it should be noted that the case of Latino, and especially Mexican, immigration is very different than the experience of European immigration on which assimilation theories were principally modelled originally, i.e. one in which mass immigration was followed by a prolonged, and even permanent, hiatus. Mexican immigration to the United States has been distinguished, amongst other things, by the length of the migratory flow, and by the high volume of immigrants. Thus, for the Mexican-origin population of the United States, the constant and increasing stream of immigration throughout the long twentieth century led to the presence of repeated 'first' generations, each of which then produced later generations.

Mexican immigration to the United States has also been fundamentally shaped by the special demand factors that promoted, facilitated, and protected a certain profile of immigrant—the low-wage agricultural and service worker. Both as a cause for the demand, and as an effect of its existence, this feature of Mexican immigration has been accompanied

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[345] Alba and Nee, *Remaking the American Mainstream*, 11
[346] Rumbaut, 'Assimilation and Its Discontents', 191

with significant racialisation, discrimination, and marginalisation. In turn, this has created largely working-class communities with relatively low cultural or educational capital.

Consequently, at the beginning of the twenty-first century, Mexican Americans of second, third, or even fourth or more generations since immigration often share more than a common ethnic identity: they often live close together, they increasingly interact, and they intermarry. Despite their differences, these two conceptions of generation have mostly been treated as equivalent in the past. Have they led to different results?

The asymmetrical relationship between the United States and Mexico can perhaps help explain the imbalance that has caused approximately 11 per cent of Mexico's population to now reside in the North. This asymmetry might perhaps explain why many Mexicans have needed to emigrate to the United States in order to survive and maintain their families, but it certainly explains why and how the U. S. was able to put in place mechanisms to absorb their labour regardless of their immigration status. This helps explain how this process has been characterized by an immigrant population that suffers from low levels of social capital at the time of migration, and often by migration into racialised environments. It can also help to explain the vision that many Americans have traditionally held about their southern neighbours—and the characteristics they ascribe to them.

Because of their relative poverty, their numbers, and eventual visibility, Mexican immigrants have been the focus of repeated waves of nativist hostility throughout the twentieth century. These attacks have resulted in organized government campaigns aimed at deportation or at forcefully preventing their settlement. Mexican immigrants have thus experienced a negative mode of incorporation for over 100 years. Although demand for Mexican migrant labour has been equally consistent, the conditions under which it has been employed have both, created, and resulted in, a negative context, one which has increased Mexican immigrants' social inferiority and political vulnerability.

That long history is implicated, for instance, in what many (such as Huntington) perceive as a stagnation in Mexican-American socioeconomic attainment after the second generation. In the Mexican-origin case, the cross-sectional comparison of generations is misleading, partly because different generations originate from different periods of Mexican immigration and settlement and partly because the institutional discrimination of the pre-

civil rights era in the Southwest thwarted mobility and interfered with past intergenerational advance. Together, these elements have ensured that Mexican immigrants'—and more importantly their children's—incorporation into U.S. society has been repeatedly constrained by intergenerational barriers that are greater than those experienced by most other migrants to the United States.

But this is not necessarily a new issue. From early on there were questions as to whether the process of assimilation would work smoothly with Mexican immigrants. Beginning with the first studies conducted in the 1920s by scholars such as Redfield and Gamio, and even continuing until recently, many expressed concern about the slowness with which Mexicans in the United States, and their descendants, were becoming assimilated into the mainstream. Although some thought that these obstacles were seen as a natural consequence of proximity to Mexico to the United States, many more theorized about certain 'Mexican' cultural traits, such as their supposed fatalism, clannishness, or inability to plan for the future, that slowed the assimilation process at the same time that they explained many of the social problems that this population exhibited.

C. IDENTITY AND POLITICAL PARTICIPATION

Identities rooted in the reality (however constructed) of shared ancestry remain central in politics, not only within, but also between nations. Moreover, once groups have been politically mobilized along ethnic and racial lines, inequalities between them, no matter what their causes, provide bases for further mobilization.[347]

1. Immigration and US Politics

Immigration had long divided each of the two parties internally, with their respective economic and cultural constituencies pulling in opposing directions. Among Republicans, economic interests (i.e., corporations) pushed the GOP (for Grand Old Party—the standard

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[347] Appiah, 'The Problem of the Color Line'. 7

acronym for Republicans) to support immigration, while among Democrats (organized labour) such interests provided resistance to immigration. Meanwhile, the principal cultural constituents for each political party either opposed immigration (i.e. social conservative Republicans) or supported it (minority Democrats).

However, at the dawn of the twenty-first century these traditional positions on immigration began increasingly to shift under the onslaught of significant economic, social, and demographic changes, and with them the cost-benefit calculus within each party. Among Democrats, long-embattled unions recognized that immigrants represented their principal source of new members, and in February 2000 the AFL-CIO Executive Council passed a resolution supporting legalization for all unauthorized workers.[348] Among Republicans, the events of 9/11, and the increasingly fraught economic position of the middle classes, rapidly mobilized their culturally conservative base, significantly constraining the GOP's business interests. Demographic changes, especially among the electorate, played their part as well: the number of minorities continued to rise quickly, while the White population began to age, leading to its proportional decrease among the general population and a projected decrease in absolute numbers within the next decade.[349] Thus, the increasing proportion of minorities strengthened Democrats' support for immigration, while fears of economic displacement and impending cultural and ethnic change among an aging White population strengthened Republicans' tendency toward opposition.[350]

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[348] AFL-CIO, 'Immigration,' adopted policy statement, New Orleans, LA, February 16, 2000, accessed April 14, 2015, http://www.aflcio.org/About/Exec-Council/EC-Statements/Immigration2.

[349] U.S. Census Bureau/2014 National Population Projections: Summary Tables, 'Table 11. Percent Distribution of the Projected Population by Hispanic Origin and Race for the United States: 2015 to 2060,' accessed May 15, 2015,

http://www.census.gov/population/projections/data/national/2014/summarytables.html.

[350] See Michael Kimmel, Angry White Men: American Masculinity at the End of an Era (New York: Nation Books, 2013).

2. Immigration and the Republican Party

For Republicans, opposition to immigration has been beneficial for mobilizing and energizing their base. Republicans in the US, as conservatives elsewhere, have consistently demonstrated a particular concern with immigration that can be due to a number of factors: Cultural, linguistic and racial (or racialized) differences; the perception of immigrants as taking an undue share of public benefits; the concern for rule of law and order that undocumented immigrants have demonstrably broken; feelings of threat, including a concern for crime, or economic competition; and a marked preference for in-group, among many others.

But energizing the base comes at the potential cost of losing the most rapidly growing groups of voters, Latinos and Asian Americans. This is not so much because most of these voters consider immigration their primary issue; there is a long history in the United States of ethnic resistance to further migration, even from co-ethnics.[351] Rather, it is the way that immigration is talked about that leaves the very clear impression that what is being discussed is not the fact of immigration *per se*, but rather their ethnicities' 'fitness' for being part of American society. The fracas with Donald Trump's comments regarding Mexicans in the run-up to the Republican primaries for the 2016 election is a case in point; it seems that his rise was in part due to merely making explicit the unsaid feelings of a considerable portion of the Republican base.[352]

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[351] See Roberto Suro, *Attitudes Toward Immigrants and Immigration Policies: Surveys among Latinos in the U.S. and Mexico* (Washington, DC: Pew Hispanic Center, August 16, 2005), 6, accessed July 31, 2015, http://www.pewhispanic.org/files/reports/52.pdf. In numbers consistent with other polls, it found that 28 per cent of the US-born (and 5 per cent of foreign-born) Latinos surveyed thought that immigrants in general tended to be 'a burden on our country,' and 34 per cent (15 per cent) complained that the unauthorized immigrants hurt the economy by driving down wages.

[352] During his presidential announcement speech on June 16, 2015, Donald Trump said that:

When Mexico sends its people, they're not sending their best. They're not sending you. They're not sending you. 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.

Jonathan Capehart, 'Donald Trump's "Mexican rapists" rhetoric will keep the Republican Party out of the White House,' *PostPartisan* (blog), *Washington Post*, June 17, 2015, http://www.washingtonpost.com/blogs/post-partisan/wp/2015/06/17/trumps-mexican-rapists-will-keep-the-republican-party-out-of-the-white-house/.

a. Conservatives and Immigration

Exploring why and how conservatives tend to look at immigration is central to this story, due to the almost universal impulse of conservatives everywhere to reject immigration—and most importantly immigrants—as a common good. On the surface this is puzzling, because immigrants themselves seem to embody so many of the characteristics that conservatives insist they value: personal responsibility, entrepreneurship, work ethic, and family values. Indeed, the rejection of immigration is not universal among conservatives, particularly amongst those with a Libertarian bent, but even in that milieu they are somewhat rare. Also, not all who reject immigration are themselves conservative. However, conservatives are particularly important because not only do they represent the hard nub of resistance to change in the dialectic process that might help incorporate immigrants more quickly into society, they insist on creating the conditions of rejection to all of the immigrants' co-ethnics—whether citizen or not; whether legal permanent resident or undocumented immigrant—that promotes the formation of ethnic political identities.
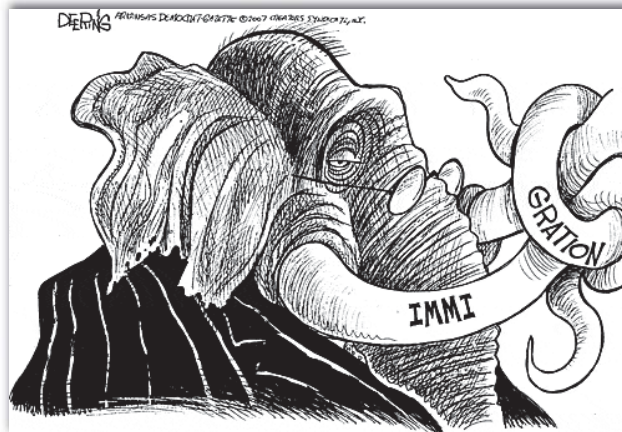
i. Psychological Bases of Resistance

Advances in political psychology over the past two decades have led to increasingly coherent insights as to why people hold either traditional 'liberal' or 'conservative' views. As we have seen, in the immediate aftermath of World War II, a wide range of social scientists struggled to make sense of the profound evil of Nazi Germany and the Holocaust. It was in this context that Theodore Adorno, and his colleagues Else Frenkel-Brunswik, Daniel Levinson and Nevitt Sanford, launched a whole new field of political psychology

with their book *The Authoritarian Personality*.[353] The conclusion, to a large degree of this and other studies at the time, was that strict parenting and a variety of personal insecurities work together to turn people against liberalism, diversity, and/or progress.

Although it was initially a small, albeit important, niche within the broader field of social psychology, and one that developed only fitfully over the years, through the use of advances in the psychology and physiology of cognitive processing it has become an increasingly robust subject area since the 1990s. Political psychology has now begun fleshing out a number of distinct areas of in which liberals and conservatives differ from one another. Now that it is possible to map the brains and genes, and to better evaluate the unconscious attitudes of subjects, psychologists have come to conclusions that seem to demonstrate that conservatism is a partially heritable personality trait that predisposes some people to be cognitively inflexible, fond of hierarchy, and inordinately afraid of uncertainty, change, and death. Although this work finds support for the traditional 'rigidity-of-the-right' hypothesis, it also finds that liberals could be characterized as relatively disorganized, indecisive and perhaps overly drawn to ambiguity.

Beginning in that decade, after noticing the proclivity of conservatives to justify the existing social order, however defined, John Jost began to formulate 'system justification theory.' Jost's research demonstrated clear and consistent correlations between psychological motives to reduce and manage uncertainty and threat—as measured with standard psychometric scales used to gauge personal needs for order, structure, and closure, intolerance of ambiguity, cognitive simplicity vs. complexity, death anxiety, perceptions of a dangerous world.—and identification with and endorsement of politically conservative (vs. liberal) opinions, leaders, parties, and policies.

This research has several implications. To begin with, traditionalism (or resistance to change) and acceptance of inequality are highly correlated with one another, being generally associated with system justification, conservatism, and right-wing orientation.

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[353] Theodore W. Adorno, Else Frenkel-Brunswik, Daniel J. Levinson and R. Nevitt Sanford. *The Authoritarian Personality, Studies in Prejudice Series, Volume 1.* (New York, NY; Harper & Brothers, Copyright American Jewish Committee: 1950).

Also, people who score high on system justification tend to be patriotic and defenders of the status quo. Those who score low tend to be the rebels.[354]

Studies of the genetic influences on political attitudes have also found that people differ in their underlying fear dispositions, and these differences hold important implications for political preferences, particularly toward out-groups. Using large samples of related individuals, researchers found that individuals with a higher degree of social fear have more negative out-group opinions, which tend manifest as anti-immigration and pro-segregation attitudes. Furthermore, the fear disposition and attitudes are related is through a shared genetic foundation.[355]

In 1866, John Stuart Mill famously said: 'I did not mean that Conservatives are generally stupid; I meant, that stupid persons are generally Conservative. I believe that to be so obvious and undeniable a fact that I hardly think any Hon. Gentleman will question it.'[356] This observation has also found support

While the prevailing approach to the study of ethnocentrism, in-group bias, and prejudice presumes that in-group love and out-group hate are reciprocally related, findings from both cross-cultural research and laboratory experiments support the alternative view that in-group identification is independent of negative attitudes toward out-groups and that much in-group bias and intergroup discrimination is motivated by preferential treatment of in-group members rather than direct hostility toward out-group members.[357] The exception seems to be group memberships rooted in moral convictions. This is because they appear to be a special classification of inherently threatening social groups in which out-group 'hate' naturally occurs with in-group 'love.' Three studies explored emotional reactions to in-groups and out-groups by individuals whose group memberships were

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[354] Jojanneke van der Toorn, Paul R. Nail, Ido Liviatan, and John T. Jost. 'My Country, Right or Wrong: Does Activating System Justification Motivation Eliminate the Liberal-Conservative Gap in Patriotism?' *Journal of Experimental Social Psychology* Vol. 54 (2014): 50–60

[355] Hatemi, P. K., McDermott, R., Eaves, L. J., Kendler, K. S. and Neale, M. C. "Fear as a Disposition and an Emotional State: A Genetic and Environmental Approach to Out-Group Political Preferences". *American Journal of Political Science*. (2013): 1-15

[356] Responding in a Parliamentary debate with the Conservative MP, John Pakington (May 31, 1866). Hansard, Vol 183, Col 1592. Pakington had commented on Footnote 3 in Chapter 7 of Mill's 'Considerations on Representative Government'

[357] Marilynn B. Brewer. 'The Psychology of Prejudice: Ingroup Love and Outgroup Hate?'. *Journal of Social Issues*. Vol. 55, No. 3, (Fall 1999): 429–444

either morality-based or non-morality-based. Results of each study indicated that individuals in morality-based groups reported less positive in-group emotions while exhibiting more negative out-group emotions and threat than did those in non-morality-based groups. Given the extensive religious base of the Republican party, it is not surprising that anyone seen as an 'other' would present an extraordinary threat. .[358] This is confirmed by further research, which suggests that, in general, an overall reluctance to display out-group hate by actively harming out-group members, except when the out-group was morality-based.[359]

ii. Social Bases of Resistance

No matter what the psychological predispositions, it is clear that conservatism is also firmly rooted in the social and economic conditions of the nation, and that periods of instability are bound to exacerbate—and create openings for unscrupulous politicians to benefit from—a sense of fear. It is not surprising, then, that this period, marked as it has been by the whole-scale restructuring of the economy that includes increasing de-industrialisation, globalisation, and economic inequality, would be one ripe for the rise of conservatism.

iii. Ideological Bases of Resistance

According to the Encyclopaedia Britannica, Conservatism is 'a political doctrine that emphasizes the value of traditional institutions and practices.'[360] Similarly, the Merriam-

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[358] Michael Parker and Ronnie Janoff-Bulman. 'Lessons from Morality-Based Social Identity: The Power of Outgroup "Hate," Not Just Ingroup "Love"'. *Social Justice Research*. Vol. 26, No. 1, (Mar. 2013): 81-96

[359] Ori Weisel and Robert Böhm. '"Ingroup Love" and "Outgroup Hate" in Intergroup Conflict Between Natural Groups'. *Journal of Experimental Social Psychology*, Vol. 60 (2015): 110–120

[360] Encyclopaedia Britannica. http://www.britannica.com/topic/conservatism

Webster Dictionary's definition is that it is a) a 'disposition in politics to preserve what is established'; and b) 'a political philosophy based on tradition and social stability, stressing established institutions, and preferring gradual development to abrupt change...'.[361] Both these definitions and much of what psychology tells us about people with conservative tendencies is reflected in Michael Oakeshott's famous definition:

> To be conservative, then, is to prefer the familiar to the unknown, to prefer
> the tried to the untried, fact to mystery, the actual to the possible, the limited
> to the unbounded, the near to the distant, the sufficient to the superabundant,
> the convenient to the perfect, present laughter to utopian bliss.[362]

But it is precisely these qualities that, according to Corey Robin, mean that in practice Conservatism can best be described as 'a reactionary movement, a defence of power and privilege against democratic challenges from below, particularly in the private spheres of the family and the workplace.'[363]

Statistical measurements of voting in Congress like DW-Nominate find that Republicans are, on average, more conservative than at any point in the modern era.[364] Democrats in Congress have also become more liberal, especially in the past few years, but the polarization is asymmetric (i.e. Republicans have moved to the right demonstrably more than Democrats have moved to the left).[365]

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[361] Merriam-Webster Dictionary, http://www.merriam-webster.com/dictionary/conservatism

[362] Michael Oakeshott, 'On Being Conservative'

[363] Corey Robin. *The Reactionary Mind: Conservatism from Edmund Burke to Sarah Palin*. (Oxford and New York: Oxford University Press, 2011)

[364] http://voteview.com/dwnomin.htm. See, also, Shanto Iyengar and Sean J. Westwood. 'Fear and Loathing Across Party Lines: New Evidence on Group Polarization'. *American Journal of Political Science*, Vol. 59, No. 3, (July 2015): 690–707; and Michael Dimock, Jocelyn Kiley, Scott Keeter, and Carroll Doherty. *Political Polarization in the American Public*. People and the Press Project. (Washington, DC: Pew Research Center, June, 2014). Available online at: http://www.people-press.org/files/2014/06/6-12-2014-Political-Polarization-Release.pdf

[365] Norm Ornstein. 'Yes, Polarization Is Asymmetric—and Conservatives Are Worse'. *The Atlantic*, (Politics Blog), June 19, 2014. Available at: http://www.theatlantic.com/politics/archive/2014/06/yes-polarization-is-asymmetric-and-conservatives-are-worse/373044/

<u>b. The Response of the Republican Party Establishment</u>

After the 2012 election, Republican leaders widely agreed that they urgently needed to resolve its image problem with Latino and Asian-American voters. Since immigration was both, the font of the unflattering and insulting discourse, and the proximate cause that Democrats could use to these voters for failure to progress, the best strategy to accomplish this would be to eliminate the principal irritant by passing immigration reform as quickly as possible. But while the benefit of this course of action was clear to the leadership, many of the governors, and not a few of the senators (who, like governors were elected on a state-wide vote), the value was not at all shared by the Representatives, most of which were elected from very conservative districts. Thus the Republican Party is caught in a dynamic that rewards short-term opposition to immigration, even as such opposition represents long-term risks.

<u>i. Demographic Constraints</u>

The Republican National Committee is keenly aware of the demographic trap, warning in a 2013 report by its Growth and Opportunity Project that 'the nation's demographic changes add to the urgency of recognizing how precarious our position has become.[366] … Unless the RNC gets serious about tackling this problem, we will lose future elections; the data demonstrates this.'[367] It asked Republicans to 'embrace and champion comprehensive

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[366] Republican National Committee (RNC), *Growth and Opportunity Project*, (Washington, DC: Republican National Committee, 2013), 7, accessed January 27, 2014, https://goproject.gop.com/RNC_Growth_Opportunity_Book_2013.pdf.

[367] RNC, Growth and Opportunity, 12.

immigration reform,' adding '[i]f we do not, our Party's appeal will continue to shrink to its core constituencies only.'[368]

ii. Social Constraints

The Republican base's strains of adapting to the nation's rapidly transforming demographic and cultural panorama are growing increasingly visible. For all of the economic anxieties many Americans still have, among Republicans increasingly the most polarizing conflicts seem to be driven along lines of race, ethnicity, and culture. The issue has been highlighted most viscerally by Donald Trump's rise in the Republican presidential race. To the visible discomfort of the GOP establishment, Trump's ascent has illuminated how much of the Party's base is deeply riled by immigration, and more generally, by the country's on-going demographic change.

c. The Rise of the Tea Party

But moving the GOP in the direction of greater openness to immigration has been massively complicated by the rise of the Tea Party faction within the Republican Party since 2010. The immigration issue has been used as a proxy for what to do about the rapid cultural and demographic changes in the United States that seem to be fuelling the cultural war inside the party. Despite the concerns of the leadership, the Republican base identified with the Tea Party wing has increasingly demanded a tougher stance on immigration.

i. What is the Tea Party?

By most accounts, the Tea Party movement was sparked in February, 2009, when CNBC commentator Rick Santelli stood on the floor of the Chicago Mercantile Exchange and

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[368] RNC, Growth and Opportunity, 8.

began what has ranting about government bailouts. But the movement really began to establish itself as a political force later that August, when conservative activists started confronting Democratic lawmakers across the country at town hall meetings, in order to denounce health care reform. Although originally a 'grass-roots' movement—and denying it was a part of any party—it soon became attractive to a number of leaders and funders in the Republican party due to their energy.

ii. Tea Party Views on Immigration

On basic issues of immigration policy, polls generally find a significant attitude gap between establishment Republicans and Tea Party Republicans, who constitute about one-quarter of the GOP as a whole. For example, polls have found that overall 55 per cent of Republicans (and 65 per cent of Tea Party supporters) viewed the growing number of deportations of undocumented immigrants in recent years as a good thing, as opposed to 46 per cent of Independents and 37 per cent of Democrats.[369] In 2014, poll respondents who identified with the Tea Party were twice as likely as Democrats (24 vs. 12 per cent) to say that immigration was the most important issue for their vote in the mid-term elections,[370] and almost 60 per cent of them reported being anxious or fearful about undocumented migrants.[371] And, in a May 2015 Pew survey, only 27 per cent of Republicans (vs. 62 per cent of Democrats and 57 per cent of Independents) agreed with the proposition that 'immigrants strengthen the country.'[372] In contrast, for Democrats this has been a relatively clear value proposition. They are rapidly consolidating the lion's share

[369] Pew Research Center, *Public Divided over Increased Deportation of Unauthorized Immigrants* (Washington, DC: Pew Research Center, February 2014), accessed July 3, 2015, http://www.people-press.org/files/legacy-pdf/02-27-14%20Immigration%20Release.pdf.

[370] Robert P. Jones, Daniel Cox, and Juhem Navarro-Rivera, *Economic Insecurity, Rising Inequality, and Doubts About the Future: Findings from the 2014 American Values Survey* (Washington, DC: Public Religion Research Institute, 2014), 17, http://publicreligion.org/site/wp-content/uploads/2014/09/AVS-web.pdf.

[371] Robert P. Jones et al., *What Americans Want From Immigration Reform in 2014* (Washington, DC: Public Religion Research Institute & Brookings Institution, 2014), 13, http://www.brookings.edu/~/media/research/files/reports/2014/06/10-immigration-reform-survey/finalimmigrationsurvey-(2).pdf.

[372] Pew Research Center, *Broad Public Support for Legal Status for Undocumented Immigrants* (Washington, DC: Pew Research Center, June 4, 2015), 9, accessed July 3, 2015, http://www.people-press.org/files/2015/06/6-4-15-Immigration-release.pdf.

of the expanding minority vote. Internally, it has created few divisions. The majority of their core economic constituency relies on, and increasingly consists of, immigrants. At the same time, their core cultural constituency, women and minorities, might have concerns, but little fear, of the ethnic or cultural impact of immigrants.

3. Determinants of Latino Political Identity

Latino political mobilization is difficult because of the ambiguous status facing the large proportion of Latinos living in the country who are not, for whatever reason, US citizens. Moreover, the Latino population is culturally diverse, and disproportionately poor, and new migration from Latin America reshapes community politics at a rapid pace. At the same time, while one possible consequence of the rapid growth of the Latino population in the United States is increased political participation and empowerment, the consequence from that growth, coupled with the backlash from the immigration debate might also be that Latino communities, voters, and interests face increasing marginalization and discrimination. Having to accommodate to these challenges, it would be understandable if the Latino political community remained, for the near future at least, an underachieving, 'sleeping giant.' But will this be the case?[373]

a. Group Consciousness and Political participation

Group consciousness is the process through which dissatisfactions are aggregated across individuals belonging to a group, and then politicized. Underlying the discontent might be new expectations and/or a re-evaluation of a group's relative position in the larger social system. Group consciousness fundamentally incorporates the notion of 'linked fate', that is, recognition of shared interests and that the individual's welfare is inseparable from that of the group. *Politicized* group consciousness is further reinforced through the realization that the group members' inability of to gain valued resources in a society is not a consequence

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[373] Hero, Rodney, F. Chris Garcia, John Garcia, and Harry Pachon 'Latino Participation, Partisanship, and Office Holding'. *PS: Political Science and Politics*, Vol. 33, No. 3 (Sep., 2000): 529-534

of multiple individuals' personal failings but rather results from broader inequities in society's processes of decision-making and reward distribution. Believing that a change in the system rather than a shift in personal expectation is necessary to correct social and political inequities therefore leads people who are identified with particular groups to commit themselves and their resources to collective action. In this way group attitude acts to stimulate political participation among an important segment of the population. Without the mobilizing influence of group consciousness these strata would clearly participate at significantly lower rates.[374]

Group consciousness is what explains why ethnicity or race matters in political participation, although its effects may be complex. For example, research among Asian and Mexican Americans in California found that the two groups, despite a huge socioeconomic gap, demonstrate similar ethnicity and participation structures. For both groups, acculturation increases participation, while attachment to homeland culture does not necessarily discourage participation.[375]

b. Influences in Rates of Political Participation

i. Immigration

As the public debate over immigration intensified beginning in the 1990s, Latinos increasingly came together to express opposition to anti-immigrant attitudes and measures through action at the ballot box, grassroots protest, and the pursuit of citizenship through naturalization.[376]

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[374] Arthur H. Miller, Patricia Gurin, Gerald Gurin and Oksana Malanchuk. 'Group Consciousness and Political Participation'. *American Journal of Political Science*, Vol. 25, No. 3, (Aug. 1981): 494-511, 508-509

[375] Lien, Pei-te. 'Ethnicity and Political Participation: A Comparison between Asian and Mexican Americans'. *Political Behavior*, Vol. 16, No. 2 (Jun., 1994): 237-264

[376] Sierra, Christine Marie, Teresa Carrillo, Louis DeSipio, and Michael Jones-Correa. 'Latino Immigration and Citizenship'. *PS: Political Science and Politics*, Vol. 33, No. 3 (Sep., 2000): 535-540

ii. Race and Ethnicity

Racialised contexts have proven to provide a series of distinct incentives and disincentives to political participation, primarily by the manner in which they influencing the perception of the benefits and costs at the group level. Empirically, studies have found that the size of the group can exert a significant effect on turnout decisions by Latino and Asian American voters. The findings, particularly for Latinos, suggest that racialised contexts is dependent both with the economic status of the group, as well as the overall racial heterogeneity of the area of residence.

iii. Role of Religion

In their 2005 book, *Voice and Equality: Civic Voluntarism in American Politics*, Sidney Verba, Kay Schlozman, and Henry Brady theorized that, while certainly related to their socioeconomic differences, variation in the political participation of ethnic groups is primarily derived from the acquisition of civic skills through their memberships in associations, particularly from their experiences in church.[377] Since Catholic and Protestant churches were hypothesized to develop very different levels of such skills, they suggested that the relatively low level of Latino political participation was explained to a great degree by their predominantly Catholic affiliation.

To an extent, this was confirmed by Lee and Pachon, who, in an examination of the impact of religion on the Latino vote, hypothesised that religious identity is politically salient only among Latino evangelicals. Their study demonstrated that religious identity has an independent effect on the vote among Latino evangelicals, suggesting that the Latino electorate may become much less cohesive as a voting bloc as religious affiliation becomes more pluralistic in the Latino community.[378]

However, posterior research has provided a more nuanced view. For instance, not only is there is more religious diversity among Latinos than is usually acknowledged in studies of

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[377] Sidney Verba, Kay Lehman Schlozman, and Henry Brady. *Voice and Equality: Civic Voluntarism in American Politics*. (Cambridge, MA; Harvard University Press: 1995)

[378] Jongho Lee and Harry P. Pachon 'Leading the Way: An Analysis of the Effect of Religion on the Latino Vote'. *American Politics Research*. Vol. 35, No. 2 (Mar. 2007): 252-272

Latinos, but because variation beyond a Catholic/non-Catholic dichotomy is generally ignored, as a result, the political importance of religion among Latinos is generally not adequately assessed. [379]

Also, the impact of religious traditionalism does not seem to have nearly have as strong a determinative impact on Latinos' political attitudes and behaviour as among Anglos. To the extent that traditionalism does influence political attitudes, it generally tends to produce greater ideological conservatism—but crucially, amongst Latinos this does not translate into support for the Republican Party. Ideological conservatism is thus quite different in its impact in the Anglo population.[380]

<u>c. Party Identification</u>

Although Latinos have tended to regularly vote Democratic, it is widely assumed among Republicans that, because of their continuing upward mobility and long-standing social conservatism, Latinos are—in former President Ronald Reagan's formulation— really Republicans but 'just don't know it yet'.[381]

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[379] Nathan J. Kelly and Jana Morgan Kelly 'Religion and Latino Partisanship in the United States'. *Political Research Quarterly*, Vol. 58, No. 1 (Mar. 2005): pp. 87-95

[380] Nathan J. Kelly and Jana Morgan. 'Religious Traditionalism and Latino Politics in the United States'. *American Politics Research*, Vol. 36, No. 2 (Mar. 2008): 236-263, 262

[381]

d. Other Forms of Political Participation

Are Latinos systemically less likely to participate in political activities? Examining several forms of nonvoting political activities—such as attending rallies, volunteering for a party or candidate, contributing money, signing petitions, contacting officials, and attending public meetings— suggests that, on the whole, Latinos' participation patterns regarding a number of these alternate forms are not much different from those of non-Latinos. In fact, for some types of political participation, especially attending rallies, they are more likely to participate than members of other groups. [382]

e. Rates of Political Participation

The 54.1 million US Hispanics are considered the country's second largest racial or ethnic group. Latinos, the fastest growing minority, are significantly increasing their clout in presidential contests thanks to their concentration in 'swing' states such as Colorado, Florida, Nevada, and New Mexico; yet, in the short run they still lack the necessary electoral

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[382] Hero, Rodney E., and Anne G. Campbell. 'Understanding Latino Political Participation: Exploring the Evidence from the Latino National Political Survey'. *Hispanic Journal of Behavioral Sciences*, Vol. 18, No. 2 (May 1996): 129-141

strength to push for immigration reform. Their ability to affect elections is limited by their distribution and their demographic characteristics.

Latinos are currently 17 per cent of the total population but only 11 per cent of the nation's electorate; many adults are non-citizens and thus unable to vote, and those who are U.S.-born are still overwhelmingly young, have relatively low formal educational attainment, and earn relatively less than the norm. These three characteristics are known to suppress the likelihood of voting—especially in non-presidential midterm elections, and they are exactly the opposite characteristics of the most conservative voters. Exit polls showed that Latinos constituted only some 8 per cent of voters in the 2014 midterm elections. Despite Latinos' growing proportion among eligible voters (U.S. citizens aged 18 years or older), this figure is unchanged from its estimated share in the 2006 and 2010 elections, which had risen from 8.6 per cent in 2006 to 11 per cent in 2014.[383]

This underperformance is exacerbated due to the Latino population's residential distribution, which affects Latino political efficacy because at the state level they tend to be concentrated in the Southwest, Florida, and New York; and at the local level there still exists a significant amount of segregation by neighbourhood. For example, in the eight states with close Senate races in 2014, on average only 4.7 per cent of eligible voters were Latino. More locally, gerrymandering affects their distribution in many congressional races; in more than 60 per cent of the House districts held by Republican incumbents in the 2014 midterm elections, Latinos represented less than 10 per cent of the electorate.[384]

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[383] Jens Manuel Krogstad and Mark Hugo Lopez, *Hispanic Voters in the 2014 Election* (Washington, DC: Pew Research Center Hispanic Trends Project, November 2014), Available at: http://www.pewhispanic.org/2014/11/07/hispanic-voters-in-the-2014-election/.

[384] Mark Hugo Lopez et al., *Latino Voters and the 2014 Midterm Elections* (Washington, DC: Pew Research Center Hispanic Trends Project, October 2014), accessed January 28, 2015, http://www.pewhispanic.org/2014/10/16/latino-voters-and-the-2014-midterm-elections/.

General election turnout by income

Data from the Census Bureau.

2004 2008 2012
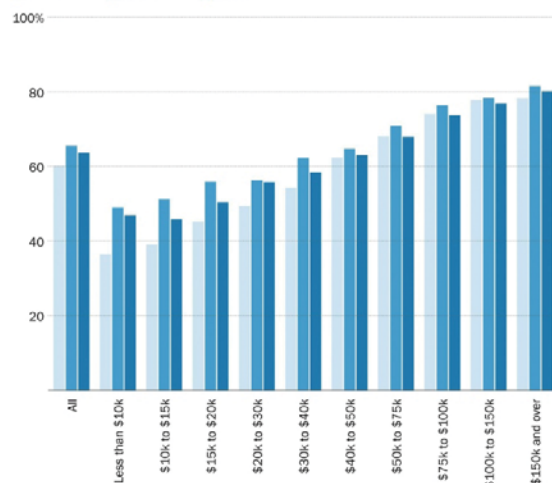
Source, U.S. Census Bureau via *The Washington Post*[385]

Data from the Census Bureau shows that less-educated voters also turn out less frequently

Voter turnout by education level

Data from the Census Bureau.
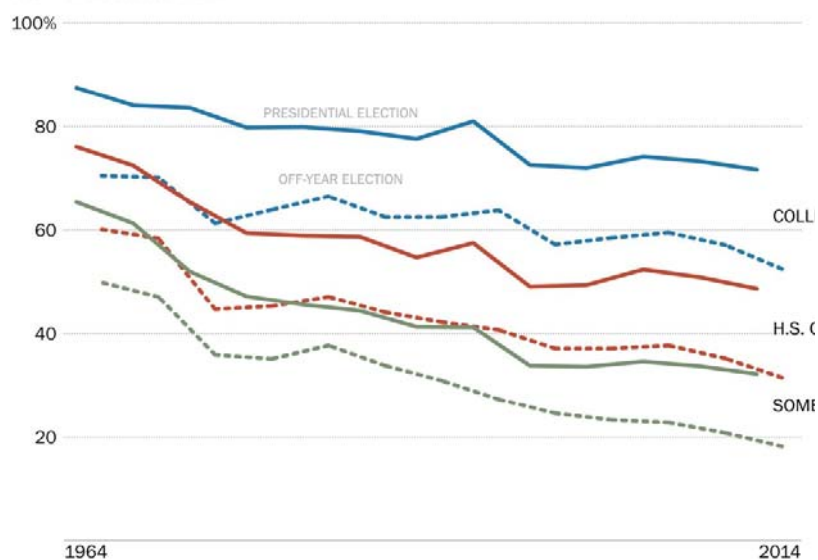
Source, U.S. Census Bureau via *The Washington Post*.[386]

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[385] Philip Bump. 'If Donald Trump Can Win the Republican Nomination, He Could Probably Win the Presidency', *The Washington Post*, The Fix (Blog), January 5 at 8:00 AM. Available at: https://www.washingtonpost.com/news/the-fix/wp/2016/01/05/if-donald-trump-can-win-the-republican-nomination-he-could-probably-win-the-presidency/?tid=pm_politics_pop_b

[386] Bump. 'If Donald Trump'

Levels of education are critical. In fact, the positive relationship between levels of educational attainment and political participation is one of the most reliable results in empirical social science. Better educated citizens are more likely to be engaged by the political process, and they are more likely to become involved in various political activities.[387]

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[387] See, e.g. Ronald La Due Lake and Robert Huckfeldt. 'Social Capital, Social Networks, and Political Participation'. *Political Psychology*, Vol. 19, No. 3, <u>Special Issue: Psychological Approaches to Social Capital</u> (Sep., 1998): 567-584. 582

CHAPTER III: *HISTORICAL BACKGROUND*

A. IMMIGRATION TO THE UNITED STATES

The immigration process is primarily affected, of course, by a series of rules codified in laws, most of which are designed to delineate the number of immigrants to be permitted entry, and the criteria to be used in determining their selection. At first glance, the overriding concerns of immigration legislation have usually been overtly linked to the state of the economy. Thus, for example in the case of the United States, it is easy to understand why it would look for ways to streamline the process of importing workers during periods of financial boom, or why it has sought ways to restrict their entry, or even facilitate their deportation, during a financial bust. Politics also plays a part, particularly in the relations that the country has vis-à-vis the rest of the world, which helps explain why the U.S. has allowed for the easy entry of those fleeing political persecution from some countries but not from others.

However, economic factors or issues of State politics alone cannot determine the regulation of the immigration process.[388] After all, it would be difficult to develop an economic or diplomatic analysis that might credibly explain why the US passed immigration laws that for decades excluded first Chinese nationals and then all other Asians, or imposed quotas that virtually barred Southern and Eastern Europeans from immigrating, or placed significant barriers on some classes of immigrants while simultaneously fomenting their illegal entry. To fully understand the swinging pendulum of its efforts to restrict and liberalize admission policies, we must examine social factors, that is, the nation's history, its diverse values, and political movements, but perhaps most importantly, the continual evolution of competing visions of nationality and membership—in a word, of identity.

So, as we shall see, how and when and by whom these rules are made depends on ideas and feelings both about who 'we' are as a society, as well as how these apply to those that are wishing to become a part of society. Thus, while economic factors have always certainly

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[388] Charles Wheeler. 'The Evolution of the United States Immigration Laws'. in *International Migration, U.S. Immigration Law and Civil Society: From the Pre-Colonial Era to the 113th Congress*. (New York, NY: Scalabrini International Migration Inc., 2014). 69

played an important part in the population's view of the desirability of immigration, we can also see that there are other factors that influence society's ability to integrate the immigrant population. And neither is it the only country that relies on factors other than economics to determine immigration policy. Research in Europe on the bases of opposition to immigration has found that, among the general population, considerations of national identity routinely win over economic concerns.[389]

As always, past is prologue, and the assumptions underlying the different conceptions of assimilation grew out of earlier debates on the desirability of immigration. These early debates demonstrate that the issues with which the United States still wrestles had their genesis as an integral part of the creation of the new country and its subsequent development.

In particular, we will see how the idea of immigration was intimately entwined—for both ideological and practical reasons—with the notion of citizenship, resulting in conceptions of *who* could be conceived of as a citizen, and *why* that resonate to this day. Definitions of citizenship are always in flux, depending on contemporary political issues and the identities of those challenging citizenship boundaries to gain inclusion. Citizenship, in the United States, has alternately been defined by republican ideology, by property ownership or contribution to the economy, by the ability to vote, by racial and cultural 'fitness', or even by patriotism and military service. While early in the nation's history it was largely a contractarian affair, class soon arose to define citizenship, only to be definitively replaced by sex and race after property qualifications for white men were dropped beginning in the Jacksonian era. The vote remained the badge of full and meaningful citizenship, as all citizens did not securely possess it even after the Fourteenth Amendment—really until the Voting Rights Act of 1965.[390]

To understand this relationship between immigration, citizenship, and national identity, we need to explore the ideas that emerged from the very beginning of the American Republic.

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[389] See, e.g., Paul M. Sniderman, Louk Hagendoorn, and Markus Prior 'Predisposing Factors and Situational Triggers: Exclusionary Reactions to Immigrant Minorities'. *American Political Science Review*, Vol. 98, No. 1 (Feb 2004): 35-49.

[390] Clare Sheridan. 'Contested Citizenship: National Identity and the Mexican Immigration Debates of the 1920s'. *Journal of American Ethnic History*. Vol. 21, No. 3 (Spring 2002): 3-36, 3

1. Immigration in the Early Republic

The founders of the new American republic had immigration very much in mind from the very beginning,[391] and it was certainly hotly debated, especially because the confluence of their ideological viewpoints and their very real practical necessities meant that it soon became closely interlocked with conceptions of citizenship, and thus what it meant to be American.

Ideologically, the early immigration debate, although certainly complex, could be boiled down to a dialogue between the ideas of Montesquieu and John Locke: to be more precise, between Montesquieu's concept of the practical size limitations of republics (given that he believed that a system of limited monarchy was better suited to a large nation)[392] and the Lockean concept of the social contract, in which government derives its 'just powers from the consent of the governed'.[393]

Arguing against increased immigration was Montesquieu's (and to some extent also Jean-Jacques Rousseau's) view that—in order to foster and maintain the common interest, 'the love of equality'—republics required an especially high degree of social homogeneity.[394] In

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[391] The seventh complaint against King George III in the Declaration of Independence was that 'He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.'

[392] In his Spirit of Laws (*De l'esprit des lois*), Montesquieu identifies the principle (in the mechanistic view of the Enlightenment, the spring that motivates the behaviour of citizens in ways that will tend to support the regime and make it function smoothly) in republics as the love of virtue—defined as the willingness to put the interests of the community ahead of private interests. 'For the better understanding of the first four books of this work, it is to be observed that what I distinguish by the name of virtue, in a republic, is the love of one's country, that is, the love of equality. It is not a moral, nor a Christian, but a political virtue; and it is the spring which sets the republican government in motion, as honour is the spring which gives motion to monarchy.' Available at: https://archive.org/stream/spiritoflaws01montuoft/spiritoflaws01montuoft_djvu.txt.

[393] In his *The Second Treatise of Civil Government*, Chapter VII, section 88, of the *Two Treatises of Government*, which was published in 1690, Locke wrote, 'Those who are united into one body, and have a common established law and judicature to appeal to, with authority to decide controversies between them, and punish offenders, are in civil society one with another...' This sentiment can be found in paragraph two, sentence two of the Declaration of Independence, which states: 'That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.'

[394] Alexander Hamilton, himself an immigrant, wrote that: '[t]he safety of a republic depends essentially on the energy of a common national sentiment; on a uniformity of principles and habits; on the exemption of the citizens from foreign bias, and prejudice; and on that love of country which will almost invariably be found to be closely connected with birth, education, and family.' Alexander Hamilton (writing pseudonymously as '*Lucius Crassus*'), 'Examination of Jefferson's message to Congress, No. 8, January 12, 1802' found in

the American context homogeneity was deemed to be especially crucial, because citizens were entitled to extensive political participation.[395] This would seem to militate against immigration for two reasons: first, since heterogeneity generally increases with size, in order to survive, republics should limit themselves to a small population; and second, for practical reasons, maintaining homogeneity demanded not only reducing economic inequality but also avoiding differences of ethnicity, religion, and language.[396]

The question of what constituted homogeneity was vigorously discussed by the first generation of American leaders. With regard to ethnicity, the various groups from Britain (e.g. English, Cornish, Scottish, Welsh) were all similarly considered 'Britons' or 'Anglo-Saxons'. Close to them were 'Saxons', a construction that was generally conceived as being composed of German and Dutch Protestants.[397] Seen as sharply distinct from these were the 'Celts' (e.g. Irish, and sometimes French) followed by the other 'continental' races.[398] However, within this European grouping, the real generators of worrisome heterogeneity, more so than ethnicity, were language and religion.

Language as a preoccupation had moved to the fore as a result of the Enlightenment vision of its capacity as a carrier of distinctive values that could form character. The concern was not so much that speaking German or French would hinder communication but that these

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'Alexander Hamilton on the Naturalization of Foreigners', *Population and Development Review*, Vol. 36, No. 1 (March 2010): 177-182, 181

[395] Hamilton again treated this issue directly when he wrote that: '...foreigners will generally be apt to bring with them attachments to the persons they have left behind; to the country of their nativity, and to its particular customs and manners. They will also entertain opinions on government congenial with those under which they have lived; or, if they should be led hither from a preference to ours, how extremely unlikely is it that they will bring with them that *temperate love of liberty*, so essential to real republicanism? There may, as to particular individuals, and at particular times, be occasional exceptions to these remarks, yet such is the general rule. The influx of foreigners must, therefore, **tend to produce a heterogeneous compound; to change and corrupt the national spirit; to complicate and confound public opinion; to introduce foreign propensities**. In the composition of society, the harmony of the ingredients is all-important, and whatever tends to a discord ant intermixture must have an injurious tendency. Bold emphasis mine. Hamilton, 'Alexander Hamilton', 181

[396] Zolberg, A Nation by Design, 82.

[397] Clearly not all Germans were included. For example, Benjamin Franklin, in describing the people of the world, wrote that '... in *Europe*, the *Spaniards*, *Italians*, *French*, *Russians*, and *Swedes*, are generally of what we call a swarthy Complexion; as are the *Germans* also, the *Saxons* only excepted, who, with the *English*, make the principal Body of White People on the Face of the Earth.' Benjamin Franklin 'Observations Concerning the Increase of Mankind, Peopling of Countries, Etc.' (1751), in Frank Luther Mott, and Chester E. Jorgenson, *Benjamin Franklin: Representative Selections, with Introduction, Bibliography, and Notes* (New York, Cincinnati, Chicago and Atlanta: American Book Company; 1936) 223

[398] Zolberg, A Nation by Design, 82.

languages were imbued with the values of their respective societies of origin and so programmed their speakers accordingly.

As Jefferson wrote, 'These principles, with their language, they will transmit to their children.'[399] The central issue, then, was whether or not the native speakers of these languages could develop the requisite republican ideals. The efforts of the French revolutionaries during the decade of the 1790s to eliminate provincial languages that were associated with the Ancien Régime in favour of French, the language of revolution, proves that these views were not restricted to the new American republic.[400] But, as we shall see, the preoccupation with language was to remain a constant far into the future, so that even today it remains a focus of the complaints—and one could even say, fantasies—of those preoccupied with the dangers that immigrants represent.

Religion, meanwhile—particularly with regards to Roman Catholics—was another pressing matter. Both Protestantism and the United States were spawned by revolts against centralised authority, and so conceptions about faith and citizenship tended to reinforce one another. Thus, the variety of the Protestant sects established in the United States was not perceived as being a danger to homogeneity. Roman Catholicism, in contrast, as a bulwark of the Ancien Régime, and as a visible supporter of European monarchies, was seen as problematic.[401] Not only that, but Catholics themselves were ruled by a foreign Pope and deferred to their clergy.[402] So, for both institutional and personal reasons, Catholics were considered incapable of independent thought, which then put in question their capacity to develop proper republican sentiments.[403]

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[399] Quoted in Zolberg, *A Nation by Design*, 82. However, it is interesting to note that Jefferson was apparently quite convinced about the need to speak Spanish, writing to a nephew: 'Apply to that [learning Spanish] with all the assiduity you can. That language and the English, covering nearly the whole face of America, they should be well known to every inhabitant who means to look beyond the limits of his farm.' Found in 'From Thomas Jefferson to Peter Carr, 6 August 1788', Founders Online, National Archives (http://founders.archives.gov/documents/Jefferson/01-13-02-0349 [last update: 2015-09-29]). Source: Julian P. Boyd (Ed.) *The Papers of Thomas Jefferson*, vol. 13, *March–7 October 1788*, (Princeton, NJ: Princeton University Press, 1956), 470–471.

[400] Zolberg, A Nation by Design, 82.

[401] Zolberg, A Nation by Design, 82.

[402] Higham, John. *Strangers in the Land: Patterns of American Nativism, 1860–1925*. (Originally Published by Rutgers University Press, 1955) (New Brunswick, NJ: Rutgers University Press; 2002). P. 6.

[403] Morone. 'The Struggle for American', P.428.

Opposed to this imperative for homogeneity was the contractarian and voluntaristic ideology of American republicanism based on Lockean principles, which held that anyone could be a part of the polity merely by agreeing to be bound by its conditions. This was why admission to this political milieu required an oath of allegiance to the US Constitution, which served to highlight the superiority and permanence of a shared set of ideals over the transitory nature of a mere government.[404] And underlying the American approach to citizenship was also an important voluntaristic element, expressed for example in the preamble John Adams wrote for the Massachusetts Constitution: 'the body politic is formed by a voluntary association of individuals. It is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that shall be governed by certain laws for the common good.'[405]

Although the voluntaristic element of citizenship also figured prominently in the doctrine of the French Revolution, in the American context it quickly acquired a more radical character than in settled European societies due to its association with mass immigration. American voluntarism directly challenged the established common law doctrine of 'perpetual allegiance', by which a subject was indissolubly linked to his or her sovereign and which was one of the principal foundations of the still-evolving European state system.[406]

There is a potential paradox in that, even while explicitly rejecting the doctrine of perpetual allegiance, Americans chose to retain the common-law tradition of *jus soli* as a principal determinant of nationality.[407] Arising from the principle that the land belongs to the sovereign and thus those born on it owed him perpetual allegiance,[408] *jus soli* might seem

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[404] Zolberg, A Nation by Design, 86.

[405] Quoted in Zolberg, *A Nation by Design*, 80

[406] Zolberg, A Nation by Design, 81

[407] The United States also has a tradition of *jus sanguinus,* as it grants citizenship to children born abroad to US citizens (as long as these citizens have had a minimum of two years of prior residence in the United States), but this practice is considered a statutory corollary to the constitutional principle that assigns citizenship at birth by territory. See, e.g. Mae M. Ngai, 'Birthright Citizenship and the Alien Citizen', *Fordham Law Review*. Vol. 10, No. 5 (2007): 2521-2530, 2525. Available online at: http://ir.lawnet.fordham.edu/flr/vol75/iss5/10

[408] A concept best articulated in the 1608 *Calvin's Case*, brought when English opponents of territorial birthright, in reaction to the succession of James VI of Scotland (eventually James I of England) to the crown vacated upon the death of Elizabeth I in 1603, raised the spectre of hordes of Scots acquiring property in England. In this case, the principal judge, Sir Edward Coke, articulated a distinctly feudal-feeling *jus soli* principle that formed the basis of common law in the future: 'Every one born within the dominions of the

incongruent with a contractarian, republican vision of voluntary citizenship. Indeed, the relationship between *jus soli* and perpetual allegiance to the sovereign was a notion that was so closely associated with the Ancien Régime that it was explicitly rejected by the leaders of the French Revolution on behalf of *jus sanguini*, where the determinant of nationality is derived from the blood (i.e. nationhood) of the citizen's ancestors.[409] However, the Americans interpreted the doctrine in the light of Enlightenment views, where 'soil' stood for a social—as much as a physical—entity, and thus 'American soil' provided assurance of civic virtue.[410] This was also in keeping with the general belief that, as opposed to European visions of New World degeneracy,[411] the American population's very rapid rate of natural expansion[412] demonstrated that the environment was imbued with potent regenerative powers. In this vision, inclusion in society in-and-of itself clearly had the power to endow newcomers with a 'Republican soul'.[413]

King of England, whether here or in his colonies or dependencies, being under the protection of—therefore, according to our common law, owes allegiance to—the King and is subject to all the duties and entitled to enjoy all the rights and liberties of an Englishman.' It naturally followed that, '[s]eeing then that faith, obedience, and ligeance are due by the law of nature, it followeth that the same cannot be changed or taken away.' See, e.g., Polly J. Price, 'Natural Law and Birthright Citizenship in Calvin's Case (1608)', *Yale Journal of Law & the Humanities*, Vol. 9, No. 1, (1997): Article 2

[409] Indeed, as Peter Schuck and Rogers Smith put it in their critique of U.S. immigration policy, '[a]t a conceptual level, the use of *jus soli* was fundamentally opposed to the consensual assumptions that guided the political handiwork of 1776 and 1787.' Furthermore, in the American, Lockean, consent-of-the-governed context, the intellectual genealogy of the use of jus soli should be troubling since, '[i]n a polity whose chief organizing principle was and is the liberal, individualistic idea of consent, mere birth within a nation's border seems to be an anomalous, inadequate measure of expression of an individual's consent to its rule and a decidedly crude indicator of the nation's consent to the individual's admission to political membership.' Peter Schuck and Rogers Smith, *Citizenship Without Consent: Illegal Aliens in the American Policy*, (Yale Fastback, No 29; New Haven, CT: Yale University Press, 1985), 25

[410] Zolberg, A Nation by Design, 81.

[411] See, e.g. Georges-Louis Leclerc, the Comte de Buffon, a French naturalist, as well as, in the fashion of the Enlightenment, a mathematician and a cosmologist. In the second half of the 18th century he was considered 'the father of natural history'. His works influenced generations of naturalists, including Jean-Baptiste Lamarck and Georges Cuvier. He was a believer in the degenerative, or generative, effects of environmental factors, such as temperature and diet, on the development of races. Although he eventually recanted (perhaps after Thomas Jefferson reportedly had a moose sent to him after reading of his theories), he argued that the American continent was lacking in large and powerful creatures and that even the people were less virile than their European counterparts, due to the hot, humid climate, as well as the marsh odours and dense forests that were to be found there.

[412] The colonial population throughout the second half of the eighteenth century exhibited very high birth rates (averaging a little more than eight births per woman), and comparatively low death rates. Joseph Chamie 'International Migration Trends and Perspectives for the United States of America'. In *International Migration, U.S. Immigration Law and Civil Society: From the Pre-Colonial Era to the 113th Congress*. (New York, NY: Scalabrini International Migration Inc., 2014), 20

[413] Zolberg, A Nation by Design, 84.

There was pushback from the old, mercantilist, countries in Europe,[414] but to some degree this only made Americans react by digging in their heels. To established European countries, not only were Americans violating international law by appropriating manpower,[415] they were destabilising the societies of the sending countries.[416] After all, should a substantial part of a European country's population gain access to cheaper land overseas, demand would drop and make landholding cheaper in the country of origin. Under this scenario, both those who emigrated and those who stayed behind would achieve a degree of economic autonomy that could dangerously undermine the established order.[417]

But, while republican ideals were important considerations, a confluence of practical needs eventually combined with these political ideals to form a consensus for a vision that created, in Zolberg's phrase, the 'hegemony of acquisitive immigration'.[418] The nature of these practical considerations meant that, from almost its very beginning, the United States both encouraged immigration and erected barriers against it. That is, it actively sought to attract valuable human capital, while at the same time attempting to deter those thought of as undesirable.

After acquiring the Northwest Territory (roughly the modern-day states of Ohio, Michigan, Indiana, Illinois, and Wisconsin) as a result of the Treaty of Paris that ratified the end of the war with Britain in 1783, the United States found itself with a surplus of land. At the same time, although the American population was growing, capital was still in very short supply. To make matters worse, Americans had begun streaming into the new territories, leaving the original 13 States in danger of becoming depopulated. The answer, then, was obvious: turn to Europe for new buyers for the land. This would bring in much needed capital and expand the population rapidly, perhaps even preventing the depopulation of the old states.

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[414] Tichenor, *Dividing Lines*, 53.

[415] Since, as per Sir Edward Coke, a sovereign's subject owed him or her perpetual allegiance, and derived their nationality from the sovereign, in the eyes of the European monarchies, 'naturalising' one of their subjects was akin to the theft of that citizen.

[416] Zolberg, A Nation by Design, 59.

[417] Zolberg, A Nation by Design, 59.

[418] Zolberg, A Nation by Design, 58.

However, the dual aims of increasing capital and population simultaneously could only be achieved if the European buyers were themselves settlers. By envisioning immigration primarily as a stimulus to the demand for land, and the fact that this land tended to be in the newer 'Northwestern' territory, American legislators felt they did not need to worry about its impact on the Republic's integrity because it would affect the main population centres of the country only marginally.[419] Furthermore, the republican ideology demanded that ownership should be tied to occupancy in fruitful use, especially since absentee landlords were associated with the corrupt practices of a Crown government from which they had recently seceded. But if immigrants were to be landowners, attention then needed to be given not only to the property rights of aliens but also to their inclusion into society and the polity, and thus to the procedures for naturalisation. [420]

For these reasons Americans began to favour a pragmatic and simple naturalisation procedure—one that could attract valuable settlers by quickly extending to them the economic and political privileges attached to nationality. Freed of the constraints imposed by the British government, most of the new states immediately threw off their existing procedures. At the extreme end of the spectrum was Pennsylvania, which lowered its waiting period for naturalisation to only one month.[421]

This substantial reduction of the residence requirement during the first decade of the Republic demonstrates both the pragmatic and the ideological imperatives that motivated the Founders. This combination meant that their conception of naturalisation differed diametrically from what is now taken to be the case. Rather than the modern view of naturalisation as the legal end of a process of integration, it was then seen as an active instrument for *achieving* integration. From a political perspective, the transformation of the colonies into an independent republic imbued nationality—and thus naturalisation—with unprecedented significance, since 'it provided admission to political fellowship into the body of republican citizens'.[422] The revolutionary nature of 'naturalisation' can be deduced from the fact that it was an Americanism that first entered the English language during that period.

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[419] Zolberg, A Nation by Design, 65
[420] Zolberg, A Nation by Design, 66
[421] Zolberg, A Nation by Design, 79
[422] Zolberg, A Nation by Design, 79

Approaching the problem of how new citizens could best be rendered useful members without endangering the 'happiness and safety' of their new community, Tench Coxe, a member of the Continental Congress was of the opinion that 'the sooner the new citizens are fully incorporated with the society to which they exceeded, the sooner they become useful members. ... By virtue of this inclusion, they better grow attached to their new country: they consider themselves as a part of it: they adopt the opinions and affections of the new brethren, and soon forget that they have adopted them, and imagine they are natural.'[423] Thus, as Zolberg notes, rather than bestowing the status upon newcomers after they demonstrate their qualifications for membership, as happens now, originally it was 'a secular ritual akin to baptism, a sacrament that conferred on them qualities they hitherto lacked and rendered them capable of becoming Americans'.[424]

The republican ideals underpinning naturalisation were displayed in 1787 when, after the acquisition of the Northwest Territory earlier in the decade, the Congress of the Confederation created a US citizenship that was independent of state citizenship. It was designed to solve the new problem of citizenship in a territory that was not under the jurisdiction of any one state, and, most interestingly, it made no issue of ethnicity or even race, incorporating all long-term alien inhabitants, including not only French Catholics but also free Blacks and individual American Indians.[425]

But this relatively open conception of citizenship was not to last. As always, there were limits. True, both the pragmatic and ideological elements combined in the founders' creation of a system that clearly offered 'encouragement' to immigration, but it was intended to encourage immigration of a well-qualified, 'better' sort.[426] Soon the process of naturalisation itself began to emerge as a line of defence against those 'undesirable' immigrants who might have slipped in. Less than a year after the establishment of a stronger central government when the Articles of Confederation were replaced by the Constitution, in 1790 the US Congress enacted a citizenship law providing that 'free white

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[423] Tench Coxe, 'An Enquiry into the Best means of Encouraging Immigration from Abroad, Consistent with the Happiness and Safety of the Original Citizens. Read before the Society for Political Enquiries, at the House of Dr Benjamin Franklin, April 20th, 1787'. Quoted in Zolberg, *A Nation by Design*, 83

[424] Zolberg A Nation by Design, 83

[425] Zolberg, A Nation by Design, 79

[426] Zolberg, A Nation by Design, 66

persons of satisfactory character' would be eligible for naturalisation after two years residence in the United States, including one year within the state. As Zolberg points out, 'with the historical gaze riveted on "white", little notice has been taken that the qualifier "free" also excluded white emigrants bound to temporary servitude until their term expired.' Requiring a 'satisfactory character' was designed to exclude not only criminals or convicts, but also 'paupers', since the poor—and particularly debtors—were considered malefactors in need of discipline. Furthermore, naturalisation now required court fees that almost certainly excluded those who were very poor.[427]

2. Race, Immigration, and Citizenship

How did race or ethnicity come to fit into the discussion of citizenship and thence assimilation? To begin with, it tied into these issues through an evolution of the conception of 'American' identity.

As we have seen from the 1787 Citizenship Law, in the beginning 'race', however conceived, had little to do formally with the national identity. Despite the fact that at the time of the American Revolution the country was overwhelmingly composed of people who traced their origins to Britain (and even then, primarily to England),[428] the leaders who signed the Declaration of Independence and who eventually framed the Constitution did not formally define American identity as being dependent on an ethnic origin. Instead, they emphasised that it was based on adherence to American ideals and to universal principles. The definition of an American, at the beginning, was conceived purely as an ideological formulation.[429]

So why was the requirement of being 'white' introduced in 1790— constituting as it did a retreat from the more inclusive notion of national citizenship that had been enshrined in the Northwestern Ordinance enacted only three years earlier—adopted so readily that it

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[427] Zolberg, A Nation by Design, 86

[428] According to Zolberg 'Of the 3.9 million persons enumerated in the first national census of 1790—which excluded Indians—81 percent were white.... [A]n overwhelming 85.6 percent of them were native British subjects, born either in the British Isles or in North America... Germans amounted to 8.9 percent of the white population.' Zolberg, *A Nation by Design*, 52

[429] Glazer, 'Is Assimilation Dead', 125; Zolberg, *A Nation by Design*, 17

apparently caused absolutely no debate? Surely part of the answer can be found in one of the unanticipated consequences of binding a country more closely through the adoption of a stronger central government: what to do with the question of slavery. After all, by the beginning of the nineteenth century the 'African' population had grown to one million, with 90 per cent of them being slaves.[430] How to square the presence of slavery with the ideals of a Republic was to prove the new country's greatest challenge, one that almost destroyed it nearly a century later and that has implications to this day. And the fact that slavery was tied to blacks only, meant that the very conception of 'race' had changed.

As it attempted to become one country from a collection of hitherto loosely allied colonies by replacing the Articles of Confederation with a Constitution in 1789, the presence of racially defined underclass left the new United States with a quandary about how to reconcile Republican ideals of equality and the contractarian and voluntaristic visions of society with the existence of the institution of slavery. Many solutions were attempted, mostly centred on reducing the number of people who constituted this worrisome heterogeneity. They ranged from prohibiting the continued importation of slaves, to deporting free Blacks who were suspected of Loyalist sympathies (the British, after all had given many of them their freedom in return for their service against the rebels), to encouraging the emigration to Canada or Africa of other Freemen. All of these attempts, and the denial of entry into the political community of any free Black immigrants by requiring that candidates for naturalisation be 'free and white', were designed to reverse history in order to transform 'a bundle of plantation colonies structured as plural societies into a section of a white Republic'.[431]

Needless to say, given this history, the problem of race was thereafter always present (albeit often more conspicuous for its apparent absence) in the formulation of the American identity.

For example, Hector St. John de Crevecoeur, a French nobleman who naturalised as an American, despite being concerned about slavery, made no mention of either Blacks or Indians in his famous formulation of an American, leaving aside the concept of race to

[430] Chamie, 'International Migration Trends', 18
[431] Zolberg, A Nation by Design, 76

describe what we would now call 'ethnicity':

> What then is the American, this new man? He is either an European, or the descendant of an European, hence that strange mixture of blood, which you will find in no other country. I could point out to you a family whose grandfather was an Englishman, whose wife was Dutch, whose son married a French woman, and whose present four sons have now four wives of different nations. He is an American, who leaving behind him all his ancient prejudices and manners, receives new ones from the new mode of life he has embraced, the new government he obeys, and the new rank he holds....[432]

> [T]hey are mixture of English, Scotch, Irish, French, Dutch, Germans, and Swedes. From this promiscuous breed, that race now called Americans have arisen.[433]

Still, race was sometimes mentioned explicitly. Indeed, there was a sense that the ideological basis for the 'American identity' could trump identity based on 'being white'. In 1845, Emerson wrote that:

> In this continent—asylum of all nations —the energy of Irish, Germans, Swedes, Poles, and Cossacks, and all the European tribes, of the Africans, and of the Polynesians, will construct a new race, a new religion, a new state, a new literature, which will be as vigorous as the new Europe which came out of the smelting-pot of the Dark Ages.[434]

The requirement of 'whiteness' was regularly included in subsequent legislation up to the end of the Civil War, when the XIV Amendment[435] to the Constitution extended citizenship to all those born in the national territory. Soon thereafter, the Naturalization Act of 1870 finally amended naturalization requirements to extend eligibility to individuals of African nativity.

The requirement of 'whiteness' eventually excluded not only those of African descent but also Native Americans, who could become citizens only by treaty.[436] What 'white' meant at

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[432] J. Hector St. John de Crevecoeur, *Letters from an American farmer*, reprinted from the original ed., with a prefatory note by W. P. Trent and an introduction by Ludwig Lewisohn. New York: Fox, Duffield, 1904. Letter III, 54 Available at: http://xroads.virginia.edu/~HYPER/CREV/letter03.html.

[433] de Crevecoeur, *Letters* , 51.

[434] Glazer, 'Is Assimilation Dead',125.

[435] Constitution of the United States of America. Amendment XIV (Passed by Congress June 13, 1866. Ratified July 9, 1868): Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

[436] Zolberg, *A Nation by Design*, 86-87

the time was mostly exclusively European, but as the extension of citizenship to the Mexican-origin population (many of them mestizos) as a part of the Treaty of Guadalupe Hidalgo in 1848 demonstrates, this was open to considerable interpretation. However, when Asians began to appear in the country in the 1840s, the courts quickly determined that, as a matter of course, they were ineligible for citizenship.

The 1790 citizenship law meant that, although at the time the formulation of an 'American' was supposed to be at its base ideological, given that the conception included only free, white, property-owning men, until 1868 it elided not only Blacks, but also Indians and Asians—and women. Even so, we must remember how truly radical it was for its time. After all, the creation of a group identity is about defining who 'we' are, but by extension it also means that any person who is not 'we' is an 'other'. Previously, the logic of formation of nation-states increasingly demanded that the conception of 'we' was of necessity expanded to include marginal groups within the defined territory. Generally this was accomplished by the creation of stories about shared heritage (most often religion, sometimes culture, wherever possible language), that could help create a vision for people of the existence of a common bond. Invariably, however, it was the culture of the dominant group that exclusively 'defined' belonging. But the exceptions necessitated by revolution (both in the United States and France) created conceptions that were, well, revolutionary. This is why it is difficult today to understand the outrage that accompanied the American claim of a sovereign right to naturalise immigrants, i.e. to transform the subjects of European monarchs into Republican citizens, since it freed them of their allegiance and obligations to their previous rulers. But given the conventions that underlay the international state system at the time and the mercantilist assumptions that undergirded it, at the time this assertion was seen as an outrageous violation of the law of nations: it was in effect a proclamation by the nascent United States of the right to appropriate manpower, which constituted the most valuable asset of any sovereign.[437]

Although the 1790 law and those that succeeded it served to confirm the republic's racial limits, Americans did somewhat honour their ideals by extending full citizenship rights to Catholics (nearly 50 years before Great Britain) and to Jews (even before Revolutionary

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[437] Zolberg, A Nation by Design, 59

France). And, given the grave concerns over language, it is also noteworthy that applicants for naturalisation were not required to know English.[438]

Thus, the inclusiveness of naturalisation and citizenship may have been limited to 'free' 'white' Europeans, but since it was extended regardless of their nationality, religion, or language, or even gender, we can see that from its inception American identity constituted a radical assertion of republican universalism. That it was undoubtedly driven by interests as much a pure principle made it no less revolutionary. From an international perspective, by combining the marketing of land to the provision of routine access to citizenship, the American practice constituted a provocative encouragement to immigration.[439]

3. The Nineteenth Century and the Rise of the Nativist Tradition

Race was not to be the only impediment to immigrants from belonging to the American polity. Despite the United States' radical contractarian ethos and its universalist traditions of tolerance, nativism long had an important role to play in the public conception of immigrants.

In his seminal 1955 book about American nativism, *Strangers in the Land: Patterns of American Nativism, 1860–1925*, John Higham wrote about the specific contours of the anti-foreign spirit in American political life and how it has mirrored the anxieties of society, and marked its limits to tolerance. At base, nativists believe that 'some influence generating abroad' is threatening 'the very life of the nation from within.' Nativism is at heart an inflamed mixture of ethnocentrism and nationalism. It can generally be defined, therefore, as an 'intense opposition to an internal minority on the grounds of its foreign (i.e. "un-American") connections.'[440]

There is one further nexus that must be considered. Although both nativism and racism are based on fear and are in fact quite often expressed in combination, the two are not necessarily synonymous. On one hand, racism is more concerned with putative physical or

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[438] Zolberg, A Nation by Design, 83
[439] Zolberg, A Nation by Design, 87.
[440] Higham, Strangers in the Land, 4

mental differences that mark innate distinctions between who can be 'civilised' and who is irremediably 'barbarian' than with boundaries between nation-states, and certainly with maintaining a lower societal status for those groups considered to be inferior. Nativism, on the other hand, demands assimilation through the elimination of undesirable cultural, linguistic, religious, or political traits.[441]

According to Higham, mere ethnocentrism (or for that matter, racism) is not the same as nativism, and so 'unfavourable reactions to the personal and cultural traits' of others are not necessarily nativist. 'They become so only when integrated with a hostile and fearful nationalism.'[442]

Likewise, nationalism does not simply cause nativism, unless it is a type of nationalism that is fearful of the changes in society wrought by immigrants, and so is 'defensive in spirit'. However, it should be noted that nationalism, which is continually expressed in the never-ending process of nation building, by definition creates an *imagined* sense of national community. And since it is continuously making a distinction between those who belong inside from those who should remain outside the nation, it is easy to see how nationalism can be considered the driving force behind nativism.[443]

Because it springs from a combination of nationalism and ethnocentrism, nativism rises and falls in relation to other intense kinds of national feelings. The connection with nationalism means that nativists' complaints are usually against the lack of loyalty of some foreign (or even foreign-seeming) group, but these plaints are always 'colored and focused' by the current conception of what is 'un-American'.[444] Thus, by drawing on much broader cultural antipathies and ethnocentric judgments, nativism translates nationalism into an impulse to destroy the enemies of a distinctively American way of life.[445]

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[441] Galindo and Vigil, *Op. Cit.*, P. 370.

[442] Higham, Strangers in the Land, 24.

[443] Galindo and Vigil, *Op. Cit.*, P. 367.

[444] Higham, Strangers in the Land, 4–5.

[445] Higham, Strangers in the Land, 4.
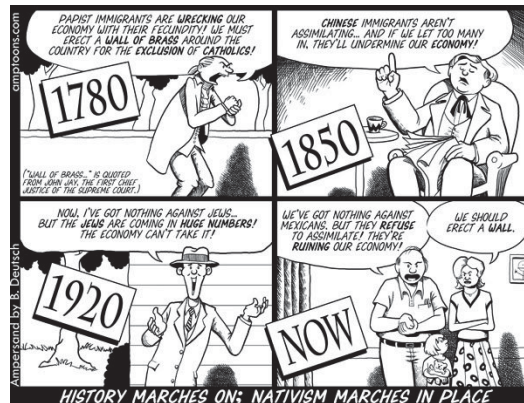
There have been three major, somewhat independent, anti-foreign traditions that eventually shaped the particular contours of American nativism: anti-Catholicism (later extended to anti-Semitism), anti-radicalism, and racial nativism. Acting sometimes together and sometimes apart, these traditions created the channels through which American xenophobia flowed throughout the late nineteenth and twentieth centuries and, as we have seen, even today.[446]

The first, anti-Catholicism, sprang from ideas that, as we have seen above, dated to the beginning of the Republic—but that were thereafter often nurtured by Protestant evangelical activism well into the twentieth century. The Catholic Church was deemed to be the guarantor of European monarchism and individual Catholics to be beholden to their clergy.[447] These ideas, in turn, provided the vision of Catholics as lacking the capacity for independent thought believed to be critical to American citizenship.[448] Closely related, in style if not in substance, and eventually surpassing anti-Catholicism in virulence, was anti-Semitism, which emerged towards the last quarter of the nineteenth century as Jewish immigration from Eastern Europe began in earnest.[449]

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[446] Higham, Strangers in the Land, 11

[447] Zolberg, A Nation by Design, 82

[448] Higham, Strangers in the Land, 5–6

[449] Interestingly, Jews, who were at first barely differentiated from Germans (many of whom, in any case, were then perhaps even more problematic because of their Catholicism), were the only group that seemed to receive more opprobrium the more they were assimilated. Higham, *Strangers in the Land*, 26–27

THE AMERICAN RIVER GANGES.
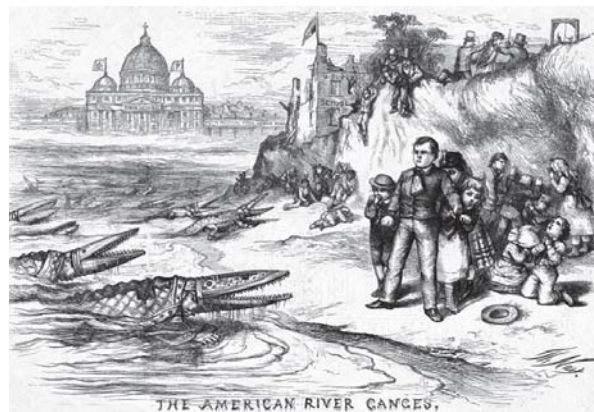
A second major tradition was anti-radicalism, which depicted foreigners as prone to political revolution and the overthrow of stable institutions. At first Americans were uncomfortable with the idea of radicalism or revolution as an enemy—since they had, after all, sprung from it.[450] But soon the suspicion that 'foreign' radicals wanted to create a whole new society, rather than perfect the existing social and political institutions as the Americans believed themselves to have done, began to arouse feelings of alarm amongst a part of the society.[451] Whether deserved or not (and in fairness it often has proven to be), there is a tradition in the United States of a generally positive outlook of economic and social mobility, which seems to have forestalled the more militant style of class-based politics seen in much of Europe. The flexibility of American institutions has generally allowed them to absorb, co-opt, or otherwise discourage extreme dissent, so that in fact throughout its history many of the country's most uncompromising radicals (at least those with economic concerns) have come from abroad. This has long helped foster the belief that violent and sweeping opposition to the status quo is characteristically foreign and profoundly un-American. Thus, American anti-radicalism, like the anti-Catholic movements, has had a propensity to assume a virulent nationalistic form.[452]

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[450] Higham, Strangers in the Land, 19

[451] Higham, Strangers in the Land, 7–9

[452] Higham, Strangers in the Land, 8–9

"COME UNTO ME, YE OPPREST!"

The third tradition was racial nativism, which was borne out of a confident belief in the Anglo-Saxon origins of the American nation and the supreme virtue of these origins—a gift for political freedom. As such, it was different from either anti-Catholicism or anti-radicalism in that it proposed what the country should be, rather than what it should not become.[453] Beginning without the definiteness that it would later achieve with the emergence of the eugenics movement and the new 'scientific' racism, the original form was a romantic nationalism that stressed that the Anglo-Saxons (and perhaps also the Saxons, or as later conceived, the Teutons) had been implanted with a unique capacity for self-government and with it the special mission to spread its blessings. As Higham points out, this idea found an initial outlet in popular thought not among nativists but rather among expansionists, many of whom, during the annexation of Mexican territory in 1848, saw themselves as 'executing a racial mandate to enlarge the area of freedom'.[454] This 'racial' nationalism arose out of political mythmaking, not out of scientific theorising, so here the word, 'race' referred to a vague concept, usually suggesting some sort of innate impulse, and often meaning something like national character. Thus, despite the presence of morphological racism, and the growing biological interests of the nineteenth century, this use of the term 'race' seemingly was understood more as an innate spirit than any physiological fact. In this era, nativists touched on the idea of race 'only very rarely and very lightly'; although in the 1850s, in the midst of a large-scale Irish immigration, there were occasional suggestions that a 'Celtic flood' might dilute the nation's distinctive Anglo-Saxon traits.[455] At best a minor strain in American thought before the Civil War, 'Anglo-

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[453] Higham, Strangers in the Land, 9–11

[454] Higham, Strangers in the Land, 10–11.

[455] Higham, Strangers in the Land, 10–11.

Saxon nationalism' at the time lacked either the intellectual or emotional acridity necessary to sustain a serious, negativistic appeal.[456] But the almost simultaneous importation of eugenic ideas of scientific racism and the advent of immigration, first from China, and later from Southern and Eastern Europe, were to fundamentally change this state of affairs. By the early twentieth century racial nativism would find itself transformed 'into a generalised, ideological structure'. What eventually emerged was 'the extension to European nationalities of that sense of absolute difference which already divided white Americans from people of other colors'.[457] In other words, according to Higham, the racialization that was to accompany immigration in the last half of the nineteenth century was directly tied to a nativist world-view.

The first great wave of American nativism began in 1798, arising primarily from the tensions caused by internal political disagreements, exacerbated by the possibility of a war with France. The motivating factor at the time was a perceived threat from the foreign influences of the Jacobins in the radical phase of the French Revolution,[458] especially since a large portion of the immigrant population at the time appeared to be pro-French.[459] As a result, the United States passed the infamous Alien and Sedition Acts of 1798[460] designed to

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[456] Higham, Strangers in the Land, 11.

[457] Higham, Strangers in the Land, 132–133.

[458] Higham, Strangers in the Land, 19

[459] An estimated 25,000 immigrants, about half of whom lived in Philadelphia, then the Capital of the United States. These included many who had fled France, others from Quebec, and many more fleeing from the slave uprising in Saint-Domingue. It also included a group of defeated partisans of the French-supported United Irishmen rebellion, most of whom were Presbyterians, but about a fifth of whom were Catholics. Zolberg, *A Nation by Design*, 89

[460] Alien Acts of June 25, 1798, 1 Stat. 163. There were three acts, the Naturalization Act of 1798, which extended the residency requirement to 14 years (from the five years that President Washington authorized in

deter nefarious foreign influences and maintain political order by subjecting aliens (and their American associates) to surveillance and to the criminalisation of certain forms of political protest.[461] The Acts extended the naturalisation period to 14 years,[462] and granted the President almost unlimited power to remove—without a hearing—'all such aliens as he shall judge dangerous to the peace and safety of the United States'.[463] Although the Alien Friends Act expired after two years, was never invoked to effect the deportation of anyone (though not for lack of trying),[464] and was not renewed due to its unpopularity, by awarding the power to the federal government to detain and deport non-citizens whenever deemed necessary they created a significant precedent. James Madison lambasted the laws as 'a monster that must forever disgrace its parents'. The Supreme Court criticized the law for banishing non-citizens from a country 'where he may have formed the most tender connections'.[465]

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the Naturalization Act of 1795 and to which it was returned after 1802 until today—Washington having amazing powers of precedence in the US context); the Alien Friends Act of 1798, which authorized the president to imprison or deport any alien who was deemed dangerous to the US during the present emergency, and which would expire in two years (but which was the first to authorize deportation for immigrants); and the Alien Enemies Act of 1798, which authorized the imprisonment or deportation of male citizens of a hostile nation aged 14 or older during times of war (this law was first used during the War of 1812, and even utilised during World War II; a modified version still permits the president to detain, relocate or deport alien enemies during war). Three weeks later, Congress passed the Sedition Act, which made it a crime to say or write in public 'any false scandalous and malicious' thing against the government or the Congress. Zolberg, *A Nation by Design*, 94-95;

[461] Zolberg, A Nation by Design, 87

[462] The Federalists, worried about the propensity of the foreigners to vote for the Jeffersonians, wanted to limit their ability to vote. Alexander Hamilton wrote that:

'The impolicy of admitting foreigners to an immediate and unreserved participation in the right of suffrage, or in the sovereignty of a republic, is as much a received axiom as any thing in the science of politics, and is verified y the experience of all ages. Among other instances, it is known that hardly any thing contributed more to the downfall of Rome than her precipitate communication of the privileges of citizenship to the inhabitants of Italy at large. And how terribly was Syracuse scourged by perpetual seditions, when, after the overthrow of the tyrants, a great number of foreigners were suddenly admitted to the rights of citizenship? Not only does ancient, but modern, and even domestic, story furnish evidence of what may be expected from the dispositions of foreigners when they get too early a footing in a country. Who wields the sceptre of France, and has erected a despotism on the ruins of her former government? *A foreigner*.'

Hamilton, Examination of Jefferson's message to Congress, No. 7, January 7, 1802, in 'Alexander Hamilton', 180-181

[463] Quoted in Wheeler, 'The Evolution', 76

[464] Zolberg notes that the Adams Administration tried to use it to deport 'United Irishmen in New York and Philadelphia, prominent Frenchmen, and even American dissidents of questionable nativity'. Zolberg, *A Nation by Design*, 95

[465] Wheeler, 'The Evolution', 76

As the nineteenth century progressed, rates of immigration to the United States did likewise. As usual, surges of xenophobia rose to accompany robust immigration. In particular, the US Catholic population grew sharply in the decades before the Civil War, primarily due to Irish and German inflows, and not surprisingly these Catholic immigrants became the most frequent targets of nativist hostility. For example, Samuel Morse, today much more famous as the inventor of the telegraph, wrote a popular book in 1841 named *Foreign Conspiracy*, in which he alleged that the Vatican was flooding the United States with Catholic immigrants in order to supplant Republican government with a Catholic theocracy.[466] The result of anti-Catholic virulence, repeatedly presented in a variety of newspaper articles and books such as Morse's, was resistance to Catholic settlement that at times went as far as exploding into mob violence.[467]

Throughout the nineteenth century a variety of nativist groups arose, ones in which xenophobia and anti-Catholicism mixed easily, favouring not only restrictions on immigrant admissions but also limits on Catholic political rights. Morse and other anti-Catholic nativists saw their cause as fundamentally 'a national question, not only separate from, but *superior* to all others'.[468] One result of such animus was the urge to organise politically, and by the 1820s and 1830s the Anti-Masonic Party[469] was a notable political

[466] Tichenor, *Dividing Lines,* 56.

[467] E.g. a mob burned down an Ursuline convent outside of Boston in 1834, and mobs destroyed several Catholic Churches in Philadelphia in the 1840s. Daniels, *Guarding*, 10. See also Tichenor, *Dividing Lines*, 56.

[468] Emphasis in original. Morse, Samuel F.B. *Imminent Dangers to the Free Institutions of the United States*. New York: E.B. Clayton, 1853. Pp. 70-71. Quoted in Tichenor, *Dividing Lines*, 58.

[469] The anti-Masonic movement of the late 1820s and the 1830s was concerned with the danger represented by the Masons—as a secret society, to republican government. It was held to be particularly liable to treason, and was accused of constituting a separate system of loyalty—a separate imperium within the framework of federal and state governments—which was fundamentally inconsistent with loyalty to them. The Masons

force; one supplanted in the 1840s by the American Party, which was later rechristened as the Native American Party.[470] But even these successes were not to prove to be sustainable. In American politics it has generally proven far easier for an interest group to attempt to capture the ideological platform of one of the existing parties than to create its own party and compete within what has essentially always been a bipartisan system. Thus, and in a pattern that has since constantly been repeated, nativist forces attempted to graft their issues onto those of a larger party, in this case the Whigs—the successors to the Federalists, and the precursors to the Republican Party.

At first, it seemed as if nativists and Whigs were made for one another. Since the Democratic Party had long found electoral success through the capture of the immigrant (and in this era, this was often the Catholic) vote, Whig Party leaders became more inclined towards xenophobia and anti-Catholicism for strategic as much as ideological reasons. Accordingly, it was natural that many Whig candidates began to appeal to nativist voters, openly embracing anti-immigrant and anti-Catholic positions. During the presidential campaign of 1844 the Whigs actively solicited endorsements from nativist groups for the candidacy of Henry Clay. But the Whigs lost the presidential contest to the Democrat James K Polk, and Whig leaders came to the conclusion that it was the lopsided support that the Democratic Party enjoyed among immigrant and Catholic voters—especially in crucial

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were believed to have set up a jurisdiction of their own, with their own obligations and punishments. Moreover, since Masons were pledged to come to each other's aid under circumstances of distress, and to extend fraternal indulgence at all times, it was held that the order nullified the enforcement of regular law. Therefore, Masonic constables, sheriffs, juries, and judges must all be in league with Masonic criminals and fugitives. And clearly, the news of Masonic malfeasance could be suppressed because the press had been muzzled by the Masonic editors and proprietors who ran it.

The movement had its roots in an anti-immigrant conspiracy theory on the part of a group of ultraconservative New Englanders during the period of the Alien and Sedition Acts (1798), regarding the Bavarian Illuminati. However, it was a much more widespread phenomenon, linked into the zeitgeist of the Jacksonian period with its animus against the closure of opportunity for the common man, and against aristocratic institutions. At a moment when almost every alleged citadel of privilege in America was under democratic assault, Masonry was attacked as a fraternity of the privileged, closing business opportunities and nearly monopolizing political offices. As such, it also easily fit into the anti-Jesuit conspiracy theories that began to circulate in the 1830s.

Ironically, since President Jackson himself was a Mason (as were most of the Founding Fathers, including George Washington), anti-Masonry also happened to be anti-Jacksonian—and thus a natural ally of the Whigs. For a fuller examination of the links of the anti Illuminati/Masonic/Jesuit/Radical movements to nativism, please see Richard Hofstadter, 'The Paranoid Style in American Politics', *Harper's Magazine*, November 1964: 77-86

[470] Tichenor, *Dividing Lines*, 57.

states such as New York and Pennsylvania—that cost them the White House. As a result, the Whigs quickly severed ties with nativist groups such as the American Party in 1845.[471]

This was also the first period of true mass immigration into the United States. Over three million people arrived between 1845 and 1854, constituting about 15 per cent of the total US population, by far the highest proportion of foreign-born to date in the young nation's history.[472] It also, notably, included many refugees from the European revolutions of 1848—raising fears along a second nativist axis: radicalism.[473] To nativist groups the situation was becoming intolerable, so that by 1850, given the failure of their association with the Whig Party, their leaders again began thinking of independent vehicles for their policy goals. This impetus spawned secretive fraternal societies such as the Order of United Americans (OUA) and the Order of the Star Spangled Banner (OSSB)—destined to become the most infamous nativist group in US history as the 'Know-Nothings'.[474] Meanwhile, in this decade leading to the Civil War, the crises caused by the extension of slavery into new territories (such as 'Bleeding Kansas') eventually led to the implosion of the Whig party—which would be replaced by the Republican Party.

In this political vacuum, the Know-Nothings and the American Party won significant victories in the 1854 and 1855 elections. Seven Know-Nothing governors were elected; several more won state-wide office in several states—both in the North and in the South; and 48 new representatives of the American Republican Party (and 59 new representatives closely aligned with the party platform) entered in the 34th Congress.[475] These victories were the result of the power of a nativist agenda that promised to unify a native-born citizenry that was polarised by factional discord, driven by the great issue of the day, slavery. The slavery crisis assisted the nativist agenda by bringing to a head discontents

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[471] Tichenor, *Dividing Lines*, 57–58.

[472] Tichenor, *Dividing Lines*, 56.

[473] Higham, Strangers in the Land, 8–9.

[474] Different (though not necessarily exclusive) versions of the origin of the sobriquet 'Know-Nothings' exist. One is that members of the OSSB, who had to be native-born Protestants and take an oath to resist 'the insidious policy of the Church of Rome, and all other foreign influences against the institutions of our country, by placing in all offices in the gift of the people, whether by election or by appointment, none but native-born Protestant citizens', were told to say that they 'knew nothing' if ever questioned about their activities by outsiders. (Daniels, *Guarding*, 10). Another is that, mocking the Order as being silly for its secrecy, Horace Greeley, the noted editor of the *New York Tribune,* wrote that its members should be called 'know-nothings'—a label the movement itself then happily embraced (Tichenor, *Dividing Lines*, 60).

[475] In session for the years 1855–1856.

and dissatisfactions with the status quo in ways that tremendously weakened traditional political parties. But it also helped nativists create new outlets to explain frustration: reformers blocked from achieving their purposes could point to Catholics and their foreign princes as the 'real' obstacles to progress; frightened conservatives could see in imported radical influence the 'true' explanation for social discord.[476] This allowed the elevated feelings of hostility between fellow citizens, caused by the issue of slavery, to be often redirected by nativists against Catholics, immigrants, and any other groups whose 'foreign connections' were corrupting the nation.[477] Under the threat of civil war, it is not surprising that many Americans preferred to ascribe the causes of national political turmoil to external foes, rather than their own countrymen.[478]

But, despite their impressive victories, by the 2nd Session of the 34th Congress in 1857, immigration had virtually disappeared from the agenda. Ironically, the frustrations of the representatives from the American Party owed much to the other parties' lawmakers preoccupation with the slavery issue. Although the Congress eventually did turn its attention to the issue of immigration, pro-immigration majorities soundly rejected nativist proposals.[479]

In 1861 the Civil War erupted, and the very division between North and South that nativists had endeavoured to suppress through their agenda instead ended up suppressing nativism.[480] Although the Republicans—as heirs and successors to the Whigs—might have been expected to remain true to their xenophobic roots, the labour needs created by the Civil War, as well as Lincoln's strong support among immigrants, particularly the Germans, once again changed the views within the Party. To address labour shortages in the midst of the Civil War, the Immigration Act of 1864[481] made contracts signed abroad for immigrant labour enforceable by U.S. courts. It also created the first Commissioner of Immigration, to be appointed by the President, and serving under the Secretary of State.

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[476] Higham, Strangers in the Land, 18.

[477] Higham, Strangers in the Land, 7.

[478] Tichenor, *Dividing Lines*, 61.

[479] Tichenor, *Dividing Lines*, 63.

[480] Higham, Strangers in the Land, 7.

[481] Also titled 'An Act To Encourage Immigration'

By the end of the war in 1865, the United States had developed a new view of immigration, and this pro-immigrant attitude was reflected in the political parties. The War and its aftermath marked the beginning of an era of immense agricultural, industrial, and geographical expansion, during which the hundreds of thousands of immigrants who arrived annually seemed a divine gift to the nation. In the period after the Civil War Republicans seemed more interested in the economic possibilities inherent in mass immigration in the era of rapid industrialisation and westward expansion, even while they governed the country almost as a single-party state.[482] During the late 1860s and the 1870s, at least 25 out of the 38 states undertook some sort of official action in order to promote immigration: the Northern states to attract labour so they could take advantage of the growing industrialisation; the Southern states in order to rebuild infrastructure and recover labour capacity after the emancipation of the former slaves; and the Western states in order to populate more rapidly. Typical was South Carolina, which, in a desperate bid to compete, provided an inducement of a five-year tax exemption on all real estate bought by immigrants.[483]

The rapid expansion of the railroads and of industry in the period after the Civil War eventually led to periods of economic adjustment and labour strife. These economic factors—combined with outright racism at both the state and federal levels—began to drive immigration laws and policies in the latter part of the nineteenth century. The first sign of things to come was the Immigration Act of 1875,[484] the nation's first restrictive immigration law,[485]and the first national measure to control immigration directly since the abolition of the importation of slaves in 1808.[486] It was the first to introduce the concept of inadmissibility by prohibiting the immigration of criminals and the admission of women 'imported for the purposes of prostitution'. More importantly, it also made transporting to the US or contracting 'Oriental persons' entering without their 'free and voluntary consent'

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[482] Tichenor, *Dividing Lines*, 72.

[483] Higham, Strangers in the Land, 18.

[484] Immigration Act of March 3, 1875, 18 Stat. 477, also known as the Page Law or Asian Exclusion Act.

[485] The Immigration Act of 1875 is also often regarded as the marking the beginning of direct federal regulation on immigration. Throughout the first half of the nineteenth century the courts had upheld the power of the states to regulate immigration as long as those laws did not conflict with the federal government's power to regulate commerce or foreign affairs.

[486] Zolberg, A Nation by Design, 188

a felony.[487] That this provision was designed to cut off 'coolie labor' was clear, since it defined forced Asian labourers as those Chinese citizens imported under contracts requiring them to work for a designated employee at a specific wage and for a period necessary to pay off the cost of their transport, i.e. not that different from the indentured labourers that had fuelled immigration in the early years. This law also marked the beginning of a 50-year period, in which the US Congress became increasingly active in reordering the contours of citizenship and belonging by constructing various exclusion and deportation statutes.

Apart from rising anti-Asian sentiment, for almost two decades after the War's end, the opportunities for new business and enrichment seemed to quell any serious nativist challenge. Political nativism had to wait until the final decades of the nineteenth century before it could once again resurface as a serious force. [488]

Although now primarily organised into a new group, the American Protective Association (APA), in the post–Civil war era as before the primary goal of nativists was the same: to capture the machinery of an existing political party. At first the APA found it difficult to recruit allies from within the existing parties, but eventually conditions became much more conducive to political action.[489] Beginning around 1870, Catholics throughout many states in the North and Midwest began campaigns to secure a share of the funds that states were providing for education for their parochial schools, as well as of public subsidies for their charitable institutions comparable to those that until then had only awarded to Protestant charities. They also wanted to eliminate Bible-reading in the schools, which they felt gave public education a 'Protestant tinge'. At first, the pressure worked, especially in New York where the Democratic administration proved most compliant. These successes were bound to cause controversy, and the issue began to spill over into national politics by mid-decade, precisely at a time when the Republicans found that they desperately needed new causes to replace their now discredited Reconstruction policies and to distract the public from scandals of the Grant administration. For example, in 1875, soon-to-be president (1877–1881) Rutherford B Hayes, although never known to be anti-Catholic in his private life,

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[487] Wheeler, 'The Evolution', 78
[488] Higham, Strangers in the Land, 14.
[489] Zolberg, A Nation by Design, 199

worked strenuously while running for governor of Ohio to smear the Democrats as being subservient to Catholics.[490] The stance of the GOP (Grand Old Party, the standard shorthand for the Republican Party) thus began to change, especially given the fierce devotion that the mostly urban based Irish immigrants continued to demonstrate toward the Democratic Party, and to the strength of the countervailing Protestant vote in the more rural areas of the country.[491]

In the period after 1875, the increasing political competition between the two parties for the nascent labour vote led to the passage of the infamous 1882 Chinese Exclusion Act[492], which placed a 10-year ban on the immigration of Chinese labourers. Those who had arrived earlier could remain, but they were barred from naturalizing, and required special certificates for re-entry if they left the United States. It also represented the first time Congress had passed a deportation statute, which targeted 'any Chinese person found unlawfully within the United States', defined as any Chinese immigrant who arrived in the U.S. after Nov. 17, 1880.[493]

The ban on their admission and naturalization was written to expire after 10 years. In 1892, the Geary Act extended this law for an additional 10 years and also turned attention from Chinese immigrants to those living in the United States, requiring that Chinese nationals obtain identification papers,[494] and stated that they were to be presumed to be in the country illegally unless they could prove otherwise.[495] The 10-year ban was renewed in 1902, and in 1904,[496] was extended indefinitely,[497] and expanded to all US territories, especially the recently acquired Hawaii.[498] Chinese exclusion would remain official US policy until 1943.

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[490] Higham, Strangers in the Land, 28.

[491] Higham, Strangers in the Land, 29.

[492] Officially 'Act to Execute Certain Treaty Stipulations Relating to Chinese' of May 6, 1882, 22 Stat 58

[493] Tichenor, *Dividing Lines*, 107

[494] Tichenor, *Dividing Lines*, 108

[495] Daniels, *Guarding*, 21

[496] Act of April 27, 1904, 33 Stat 428

[497] Wheeler, *Op. Cit.*, Pp. 79-80

[498] Zolberg, A Nation by Design, 191

The Chinese Exclusion Act of 1882 marked a turning point in US history because it was the first law that banned a group of immigrants based solely on their race or nationality. It opened the door to allow for race to become a viable basis for excluding persons, which would have long-lasting consequences.[499] More to the point, politicians learned to meld race to the natural cultural fears caused by immigration to stereotype, stir up ethnic hatred, and appeal to working-class voters. Unfortunately, it proved to be an effective political strategy, forcing many moderates and liberals to either join the growing restrictionist tide or at least remain silent.[500] This tactic of using immigration, unauthorized immigrants, or a particular nationality group, to appeal to an influential bloc of voters would play out repeatedly and succeeding political campaigns.[501]

Chinese American leaders were quite resourceful in the use of the courts to fight state and federal discriminatory laws, raising 20 cases all the way to the Supreme Court in the period between 1880 and 1900.[502] These cases were to have considerable consequences for the future of American civil rights law. But another consequence was that, in deciding to uphold the 1888 retroactive application of the Chinese Exclusion Act that had the effect of barring even returning Chinese residents from re-entry, the Supreme Court[503] established what has been termed the 'plenary power' doctrine.[504] By upholding the US Congress' and the federal government's claim of almost unlimited powers over immigration matters, and thus rejecting the due process arguments of the excluded Chinese citizens, the court made it very difficult in the future for any noncitizen residing outside the United States to make any constitutional arguments challenging laws or procedures that find them excludable. This principle, however, similarly hampers noncitizens residing in the United States from being able to challenge their deportation on constitutional grounds. The result was

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[499] Tichenor, *Dividing Lines*, 113

[500] In 1868, Congress ratified the Burlingame Treaty with China, establishing closer commercial ties, and assuring that the Chinese immigrants would enjoy the same rights as American citizens. But only two years later, in 1870, Republican Senator Charles Sumner had offered an amendment to the naturalisation law to replace references to 'free white men' to simply 'free men', which was defeated due to the growing controversy about the Chinese. Tichenor *Dividing Lines*, 93, 95

[501] Wheeler, 'The Evolution', 80

[502] Tichenor, *Dividing Lines*, 108-109

[503] Chae Chan Ping v. United States (usually referred to as the *Chinese Exclusion Case*), 130 U.S. 581 (1889). Tichenor, *Dividing Lines*, 109

[504] The Plenary Power Doctrine states that the Federal Government not only has the power to regulate immigration, but that Congress and the Executive could exercise this power without being subject to judicial scrutiny. Tichenor, *Dividing Lines*, 109

summed up by the court when it stated in 1976 that, regarding immigration, 'Congress regularly makes rules that would be unacceptable if applied to citizens.'[505]

Congress continued this 'get tough' sentiment later in 1882, with a law that excluded 'any person unable to take care of himself or herself without becoming a public charge'. This period culminated with the Immigration Act of 1891[506], which expanded the list of exclusions for immigration listed in prior laws to include polygamists[507] and those suffering from a contagious disease. More consequentially, it permitted the deportation of any unauthorized immigrants who had entered or were found to be the country illegally, an enforcement concept that up till then had not existed. At the same time, it made the act of bringing unauthorized immigrants into the country, or aiding someone entering the United States unlawfully, a federal misdemeanour. This law also moved the Commissioner of Immigration, and established a Federal Bureau of Immigration, within the Treasury Department. The Federal Government thus assumed the task of inspecting, admitting, rejecting, and processing all immigrants seeking admission to the United States a move that symbolized the growing importance of addressing immigration issues in a uniform manner from the federal level.[508] Marking this new era, on January 2, 1892 the new Federal immigration station on Ellis Island in New York Harbour was inaugurated.

After the spasm of anti-Chinese sentiment, the simultaneous rise of labour agitation and a new immigration wave in the late 1880s allowed anti-radical nativist sentiment to gain new currency, although nativist forces still remained diffuse and politically disorganised. But the robust immigration flow from Southern and Eastern Europe could not help but be cast as 'mother and nurse' to all of the great changes wrought by expanding industrialisation and growing urbanism, especially since approximately one out of every three employees in manufacturing and mechanical industries was an immigrant—a proportion that remained constant from 1870 until the 1920s.[509] Moreover, the Italians and Eastern Europeans who had begun to arrive in considerable numbers during the 1880s

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[505] Matthews vs. Diaz, 426 U.S. 67 (1976). Quoted in Wheeler, *Op. Cit.*, Pp. 80-81
[506] Act of March 3, 1891, 26 Stat 1084
[507] This was apparently aimed against European converts to Mormonism, not Muslims. Daniels, *Guarding*, 29
[508] Wheeler, 'The Evolution', 81
[509] Higham, Strangers in the Land, 16.

were from stock that was essentially unknown to the population at large.[510] They lived in the American imagination only in the form of a few vague, ethnic stereotypes clustered in the cities of the Eastern coast. Although they had previously occupied no distinctive place in the traditions of American nationalism, as city dwellers and industrial workers the 'new' immigrants played a role in American life that easily lent itself to nativist interpretation. They made their homes in crowded places where they lived as a class apart, clearly the least assimilated and poorest of the immigrants, vividly symbolising the social and economic ills with which nativists generally identified the immigrants.[511]

Thus, anxieties about foreign radicalism, socialism, labour unrest, 'continental ideas' about religion and liquor, party machines, and 'rabble-ruled cities' came together to reawaken traditional anti-radical and anti-Catholic nativism. The population of the rural Midwest, in particular, where anxieties about urbanisation ran deep, channelled their opposition to all the urban and industrial forces they found so distressing into a revival of Protestant fervour.[512] This was in part driven by Protestant ministers, who, mindful that they had lost the cultural power they had held in the years before the Civil War, tried to regain control through the revival of a cultural crusade against Rome.[513] The result was that Prohibition and Sabbatarian movements soon began to directly associate the corruption and immorality evident in urban America with the vast number of immigrants, and especially the Catholic immigrants, who populated the rapidly expanding cities.

THE HIGH TIDE OF IMMIGRATION—A NATIONAL MENACE.

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[510] Higham, Strangers in the Land, 87.

[511] Higham, Strangers in the Land, 88.

[512] Tichenor, *Dividing Lines*, 71.

[513] Higham, Strangers in the Land, 28.

However, and demonstrating another constant of the American political system, the changing demographics caused by immigration caused a re-thinking of the political calculus. Despite a renewed animus towards Catholic immigrants, the GOP began to suffer a series of severe defeats in the national elections, due in large part to the enduring hold that Democrats had been able to gain on the urban party machines that efficiently channelled the immigrant vote. Much as their Whig forebears had done some 50 years earlier, Republican leaders looked to electoral defeats in 1890 and 1892 and concluded that the nativist, morally crusading, ideologues in its ranks had become a serious liability. In these elections, the GOP had begun to lose ground not only among the traditional targets of nativism—Irish and German Catholics (who largely leaned Democratic, in any case)—but also among German Lutherans and even the newer Scandinavian immigrant groups. With the view towards forging a successful—and hopefully enduring—national majority coalition, many party leaders began to look for candidates and issues that might be capable of liberating the GOP from the divisive cultural agenda of 'pietistic nativists'.[514] As we shall see in Chapter IV, this situation is a good example of Mark Twain's quip that 'history may not repeat itself, but it certainly seems to rhyme.'

The Republican Party's quest for electoral victory in 1896 led its leaders to purge nativists from its ranks and to promote the selection as a candidate of a man known for his moderate views on immigration—William McKinley. In his stump speeches during his previous candidacy for governor of Ohio, he had regularly expressed unifying themes of cultural harmony. For McKinley, true patriotism 'believes in America for Americans, native and naturalized'.[515] During his presidential campaign his staff actively sought to publicise the hostility of nativists to his candidacy in order to attract Catholic and foreign-born voters.[516] Toward this end, McKinley's campaign manager also organised the distribution of 120,000 campaign pamphlets printed in foreign languages, making direct appeals to the immigrant voters.[517]

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[514] Tichenor, *Dividing Lines*, 73.

[515] Tichenor, *Dividing Lines*, 73.

[516] Tichenor, *Dividing Lines*, 74.

[517] Tichenor, *Dividing Lines*, 75.

But this was not to be enough to end the nativist impulse in American political life. The Immigration Act of 1903[518] was a lengthy bill, containing 39 sections that doubled the head tax to two dollars, allowed for the deportation of any alien who became a public charge within two years of admission, and added yet more grounds for inadmissibility.[519] These included bans on those seeking to procure prostitutes, epileptics, the insane, 'professional beggars', and any person suffering from a mental or physical disorder that might prevent their gainful employment.[520] But, by banning anarchists, it also became by the first US law to restrict immigration based on an immigrants' political beliefs.

Soon a campaign got underway railing even more against the new immigration as an unprecedented phenomenon, finding precisely in the new immigrants' differences from previous immigrant groups the very essence of peril for the nation. But now these differences were not only about religion or culture—they had become, rather, essential 'racial' differences. As Higham points out, these new immigrants 'had the very bad luck to arrive in America en masse at a time when nativism was already running full tilt, and when neither anarchists nor Jesuit afforded a wholly satisfactory victim for it'.[521]

4. The 'Progressive' Era: Race, Science, and Immigration

Towards the end of the nineteenth century, the changing composition of the immigration flow combined with the eugenicist theories of what was to become 'scientific racism' to give full life to the third great strand of American nativism, racial nativism.

Francis Walker, the president of the Massachusetts Institute of Technology, was among the first prominent intellectuals to apply Galtonian theories of racial hierarchy to new European immigration. In the 1890s, Walker was pleased at the extent to which intellectual opinion concerning European immigration had changed since the 1870s, from a time when almost none of the members of the American Social Science Association had any doubts as

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[518] Act of March 3, 1903, 32 Stat. 1213, otherwise known as the Anarchist Exclusion Act

[519] Wheeler, 'The Evolution', 82

[520] Tichenor, *Dividing Lines*, 122

[521] Higham, Strangers in the Land, 87.

to the desirability of promoting immigration to the United States to a time when most social scientists saw the value of excluding Southern and Eastern Europeans.[522]

Meanwhile, Darwin himself, as well as Herbert Spencer, offered confirmation of the value of immigration to the American experience, pointing out that immigration functioned as a process of natural selection, by bringing the most energetic men to the new world.[523]

But, anxious that 'the nation's protoplasm was threatened from without', eugenicists early on favoured a selective immigration policy.[524] Restricting immigration was of particular importance to them since many worried that the marriage-restriction laws and sterilisation programs they were lobbying for would be useless if the threat from abroad to the nation's biological strengths were allowed to continue. 'Once in our country, the alien far out-breeds the native stock.'[525]

Thus, it is not surprising that the Immigration Restriction League (IRL) was the first American organisation officially associated with eugenics. Founded in 1894 by recent Harvard University graduates, the League was also notable as a precursor of the modern 'right-wing think-tanks', especially in that it was perhaps the first organisation that sought to influence elites and 'educate' the masses in order to achieve a specific legislative agenda.[526] The membership of the IRL included illustrious personages of the time, including the presidents of Harvard, A. Lawrence Lowell; Bowdoin College, William DeWitt Hyde; and Stanford University, David Starr Jordan.[527] The League, which began with the distaste of upper-class 'Brahmins' for the Irish (and more to the point, their politicians) whom they feared were taking over Boston, sought to bar what it considered inferior races from entering America and diluting what it saw as the superior American racial stock of Anglo-Saxon heritage. They felt that social contact—and the resulting inevitable sexual involvement—with these less-evolved and less-civilised races would pose a threat much more profound than cultural contamination: they were an actual biological threat to the

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[522] Tichenor, *Dividing Lines*, 79.

[523] Higham, Strangers in the Land, 22.

[524] Quoting Davenport. Kevles, *Op. Cit.*. P. 47.

[525] Kevles, *Op. Cit.*. P. 94.

[526] Daniels, *Guarding*, 31

[527] McWhorter, Racism and Sexual Oppression, 205.

American population. One of the Boston 'Brahmins' associated with the League was Senator Henry Cabot Lodge, who went on to lead the fight for literacy tests in Congress.[528]

The League soon allied with the American Breeder's Association, the first organisation 'purely' devoted to eugenics in the United States, which was established in 1906 under the direction of Charles Davenport. The Breeder's Association was formed specifically to 'investigate and report on heredity in the human race, and emphasise the value of superior blood and the menace to society of inferior blood'.[529] The IRL joined with the Breeder's Association in 1909 to establish a Committee on Eugenics in order to expand their influence and further their mutual goals. This was followed in 1911 by the formation of an Immigration Legislation Committee by the Breeder's Association, which was headed by the League's founder Prescott F. Hall. Together, they also founded the Eugenics Record Office (ERO), which was established because:

> Society must protect itself; as it claims the right to deprive the murderer of his life so it may also annihilate the hideous serpent of hopelessly vicious protoplasm. Here is where appropriate legislation will aid in eugenics and creating a healthier, saner society in the future.[530]

By 1921, this view was widespread, a fact that would have implications for the Mexican-origin communities in the United States:

> The racial displacements induced by a changed economic or social environment are, indeed, almost incalculable. Contrary to the popular belief, nothing is more unstable than the ethnic make-up of a people. Above all, there is no more absurd fallacy than the shibboleth of the 'melting-pot'. As a matter of fact, *the melting-pot may mix but does not melt*. Each race-type, formed ages ago, and 'set' by millenniums of isolation and inbreeding, is a stubbornly persistent entity. Each type possesses a special set of characters: not merely the physical characters visible to the naked eye, but moral, intellectual, and spiritual characters as well. All these characters are transmitted substantially unchanged from generation to generation. To be sure, where members of the same race-stock intermarry (as English and Swedish Nordics, or French and British Mediterraneans), there seems to be genuine amalgamation. In most other cases, however, the result is not a blend but a mechanical mixture. *Where the parent stocks are very diverse, as in matings between whites, negroes, and Amerindians, the offspring is a mongrel—a walking chaos, so consumed by his jarring heredities that he is*

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[528] Tichenor, *Dividing Lines*,118, 122-24,131

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[530] McWhorter, Racism and Sexual Oppression, 205.

> *quite worthless. We have already viewed the mongrel and his works in Latin America.*[531]

Although they were for drastic reduction of immigration, for tactical reasons, the League began to lobby extensively for a literacy test for immigrants, in part since the low literacy rates among the immigrants could be used as evidence of their status as 'inferior races'.[532] Laws requiring literacy tests for immigrants were passed by Congress and vetoed by a succession of presidents, in 1897 (Grover Cleveland),[533] 1913 (William Howard Taft),[534] and 1915 (Woodrow Wilson).[535] Eventually, in the heightened sentiments aroused by the United States' imminent entrance into World War I, Congress overturned President Wilson's second veto in 1917, although in the end the literacy requirement did not have the desired effect.[536]

After 25 years of failed attempts and four presidential vetoes, the literacy test intended to hinder the immigration of non-English speaking persons was finally passed in the Immigration Act of 1917.[537] The literacy test required all immigrants over the age of 16 to demonstrate basic reading ability in any language. While it should have resulted in a sharp decline in immigration, by that time the 'spread of elementary education in backward countries' had severely limited the literacy test's potential as a restrictive measure.[538] Perhaps more importantly, the imminent entry of the United States into WWI also meant that it was applied unevenly at best, especially in regard to immigrants from Mexico.

The bill added further restrictive measures: it doubled the head tax again to eight dollars, and excluded vagrants, stowaways, people advocating for the destruction of property or those engaging in 'subversive activities' (i.e., anarchists), and those possessing a

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[531] Lothrop Stoddard, *The Rising Tide of Color Against White World-Supremacy*. New York: Charles Scribner's Sons , 1921, P. 166 [Emphasis mine].

[532] Tichenor, *Dividing Lines*, 82

[533] President Cleveland vetoed the bill two days before leaving office, characterising it as 'illiberal, narrow, and un-American'. Quoted in Daniels, *Guarding*, 32.

[534] President Taft likewise vetoed the bill a few days before leaving office, arguing that American industry would be crippled without a supply of workers. [534] Tichenor, *Dividing Lines*, 137

[535] Although ambivalent about the legislation (some of his earlier writings disparaged immigrants from Italy, Hungary and Poland), President Wilson vetoed the 1915 bill because of his specific campaign promise to immigrant voters during the 1912 elections. Tichenor, *Dividing Lines*, 138

[536] Gordon, Assimilation in American Life, 101.

[537] Act of February 5, 1917, 39 Stat. 874, it is also referred to as the 'Asiatic Barred Zone Act'.

[538] Tichenor, *Dividing Lines*, 142

'constitutional psychopathic inferiority'.[539] More importantly, the 1917 Act also created the 'Asiatic Barred Zone' that permanently banned immigration from most Asian countries—a large swath stretching from Arabia, to Indochina, to the Pacific Islands.[540] The two exceptions were the Philippines, which was then a US colony; and Japan, whose government had voluntarily eliminated the immigration of Japanese labourers as part of the 'Gentlemen's Agreement' of 1907.[541]

5. The Era of Restricted Immigration

When eugenicists entered the national political arena to lobby for restrictive laws they were not alone. Since the late nineteenth century a variety of interest groups had been pushing for immigration laws that would stanch the flow of the arrivals. The immigration of Asians had already been severely restricted, notably by the Chinese Exclusion Acts of 1882

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[539] The term 'constitutional psychopathic inferiority' was designed by eugenicists, and was defined as 'a congenital defect in the emotional or volitional fields of mental activity which results in inability to make proper adjustment to the environment'. Quoted in Tichenor, *Dividing Lines*, 141. Also see Wheeler, 'The Evolution', 84

[540] Wheeler, 'The Evolution', 82

[541] At first, Japanese workers had been exempted from the bars affecting the Chinese ostensibly because they were valued for their contribution to the growth of the agricultural industry in California, and later in Hawaii. But increasing anti-Japanese feeling in California, and the segregation of Japanese schoolchildren in San Francisco in 1905 drew protests from the Japanese government. Theodore Roosevelt, seeing the results of the Russo-Japanese War, was mindful even then of growing Japanese power in the Pacific, and its potential threat to the Philippines and Hawaii. He quietly let it be known that the Japanese issue had to be addressed in an 'entirely different manner from the method used in regard to the Chinese'. The result was the 'Gentlemen's Agreement', whereby Japanese were exempt from Asian segregation in California schools, and the government of Japan agreed to discourage labour immigration. In any case, this semi-formal agreement with the Japanese government soon expired and then they too were excluded. Tichenor, *Dividing Lines*, 127

and 1902, the Geary Act of 1904, and by the 'Gentlemen's Agreement' between Japan and the United States in 1907. Also, although the extraordinary conditions created by World War I had served to reduce immigration considerably, the end of the war ignited fears that it would resume with a vengeance. Thus, a variety of groups, convinced that foreign influences were adulterating American culture, joined the ranks of the eugenicists and nativists to increasingly oppose continuing immigration. These now included businessmen,[542] who feared immigrants as carriers of infectious radicalism; organised labour, worried that the influx was adversely affecting wages;[543] and social workers, eager to reduce the flow so as to deal better with the disadvantaged already in the country. Also included were women, who in the run-up to the ratification of the XIX Amendment to the Constitution in 1920, used the language of the eugenics movement and the threat of immigration from racially questionable groups to make claims for their own inclusion.[544]

But it must be noted that many of the groups involved in this new wave of restrictionist sentiment were acting not entirely on the dislike of immigrants *per se*, it was *which* immigrants that mattered to them. This impulse towards restrictionism was, in other words, based in considerable part on the assumption of the inherent inferiority and lack of assimilability of the immigrants from Southern and Eastern Europe. The goal, then, was as much to set up laws favouring the immigrants from Northern and Western Europe, while simultaneously reducing the number of the 'inferior' groups, as it was to force a decrease in the total number of immigrants to the United States. As Gordon points out, '"Americanisation" had at least implied that the assimilation of these groups was feasible.'[545]

By one year after the end of World War I, in 1919, immigration had returned to pre-war levels, surging to 800,000. The IRL and the Immigration Legislation Committee tried to ensure that eugenic 'principles' of race figured in the arguments against unrestricted immigration. Accordingly, its allies in the House Immigration Committee circulated a State Department report that warned that many of these immigrants were 'filthy' and

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[542] These were mostly small, middle-class, businessmen, since the large business interests were quite vocal in their desire to keep the flow of low-skilled workers.

[543] Tichenor, *Dividing Lines*, 118–119.

[544] Sheridan. 'Contested Citizenship', 3

[545] Gordon, Assimilation in American Life, 101.

'unassimilable' Jews who had been displaced by persecution in Eastern Europe.[546] In both the House and the usually more restrained Senate, biological and racial arguments now figured prominently in the floor debates on immigration. Indeed, Harry Laughlin, Davenport's right-hand man at the Eugenics Records Office, was appointed as an expert witness for the House Committee on Immigration and Naturalization in 1920. Congressman Robert Allen, Democrat of West Virginia, declared: 'the primary reason for the restriction of the alien stream…is the necessity for purifying and keeping pure the blood of America.'[547]

However, economic factors, and the associated fear of radicalism, also played an important part of the debate in the aftermath of the War. Following the success of the Bolshevik revolution in Russia, a 'Red Scare' heightened public concern that the nation's already large immigrant population made it vulnerable to anarchy, socialism, and other forms of economic or political radicalism. In response to these concerns, Attorney General Mitchell Palmer launched a campaign to combat these radicals. Hundreds of alleged 'foreign radicals' were rounded up in the Palmer Raids in 1920, and summarily expelled in a 'deportations delirium'.[548]

CLOSE THE GATE.
—Orr in the Chicago *Tribune.*

By 1920, the combination of the failure of the literacy test to limit immigration from the 'undesirable' nations of southern and eastern Europe, together with the popular fear of

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[546] Tichenor, *Dividing Lines*, 142

[547] Quoted in Kevles, *Op. Cit.* P. 97.

[548] Tichenor, *Dividing Lines*, 142

radicalism[549] allowed Congress to pass an Emergency Restriction Act. Although originally designed to totally bar immigration for one year, the need to compromise with business groups led to a proposal that would cap immigration for one year to 3 per cent of the foreign-born of that nationality listed in the 1910 Census. While the proposal was vetoed by the outgoing President Wilson, the next year Congress passed the Quota Act of 1921,[550] which kept the 3 per cent limit on any specific nationality listed in the 1910 census for one year, but which further placed a total annual cap on immigration to 350,000. Under this law, the ban on immigration from Asian countries was reaffirmed. As was to be the case in later 'quota' laws, nationality quotas did not apply to countries in the Western Hemisphere,[551] to government officials, or to temporary visitors.

The more vocal restrictionists (many of them eugenicists) felt that this limitation did not discriminate enough against the most recent wave of immigrants from Eastern and Southern Europe—precisely those that were thought to be most in need of restriction— and so campaigned for a significantly stricter and permanent immigration law. However, they were unable to advance new legislation beyond a two-year renewal of the emergency law after its expiration in 1922.[552] In 1923 the House Committee on Immigration and Naturalization began holding hearings on a permanent bill, and eugenicists again worked hard to make racial differences a predominant feature of the immigration debate, arguing that 'biology' demanded the exclusion of most members of the Eastern and Southern European 'races'.

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[549] The Red Scare for the first time caused some large businesses to temporarily oppose immigration, particularly from Eastern Europe. This caused a 'brief, yet crucial' defection of key business groups from the pro-immigration lobby. Tichenor, *Dividing Lines*, 142

[550] Tichenor, *Dividing Lines*, 143

[551] A concession secured by Southern Democrats and Western lawmakers who relied on cheap Mexican labour. Tichenor, *Dividing Lines*, 146

[552] Kevles, *Op. Cit.* P. 96–97.

EUROPE

THE ONLY WAY TO HANDLE IT.
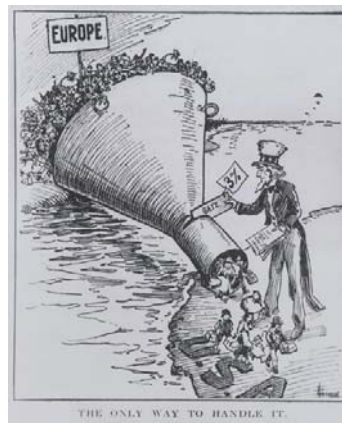
The Immigration Act of 1924[553] was passed that April by overwhelming majorities in the House and Senate and quickly signed into law by President Calvin Coolidge (who, as vice president, had publicly declared that 'America must be kept American. Biological laws show…that Nordics deteriorate when mixed with other races'). The Quota Act dropped the annual cap on immigrants from 350,000 to 165,000, and set annual limits on the number of aliens admitted from any specific country to the United States through 1927 to two per cent of the foreign-born of the same national origin recorded in the Census of 1890.[554] The objective of shifting to a reference point some three decades earlier than that used in the 1921 Quota Act was to use a baseline from a time when fewer Southern and Eastern European immigrants were in the country, an attempt to 'correct' the stock of the foreign-born.[555] It also finally, and formally, phased out Japanese immigration in 1925.

A permanent provision of the law, the National Origins Formula,[556] took effect in July 1929. Although it allotted quotas to the various countries on the basis of an estimate of their respective contributions to the national origins of the white American population of 1920, it had the same consequences, because the quotas were now to be apportioned in accordance with the distribution of national ancestries (as opposed to a proportion of the foreign-born) in the total population. The law further restricted immigration from Europe

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[553] Pub. L. 68-139, 43 Stat 153 (1924). Otherwise known as the Johnson-Reed Act, or more generally, the Quota Act.

[554] The 1924 Act was, according to a contemporary legal scholar, 'a scientific plan for keeping America American'. Quoted in Kevin R. Johnson, *The 'Huddled Masses' Myth: Immigration and Civil Rights*. (Philadelphia, PA: Temple University Press, 2004). 23.

[555] It was estimated that this new formulation would increase the proportion of slots available to western and northern Europeans from 55 per cent under the 1921 formula, to 84 per cent, vs. 45 and 16 per cent respectively for eastern and southern Europeans. Tichenor, *Dividing Lines*, 145

[556] National Origins Formula Act of March 4, 1929, 45 Stat. 1551

and Africa to a total of slightly over 150,000 per year and most 'Asiatics' remained banned entirely.[557] It was widely acclaimed by eugenicists for what they considered its 'biological wisdom'.[558]

The effect of the quota system was to substantially slow immigration in the decades following its enactment. In addition, the rules of restricting the flow of immigrants, as well as the expansion in the grounds of deportable offenses, came into full play during the Great Depression. For example, the anti labour-organizing restrictions, such as the one excluding people who engaged in 'subversive activities' in the 1917 Act, together with economic factors, resulted in massive deportations of Mexicans from the Southwest in the 1930s.[559] During the decade of the 1930s these factors produced years when more persons emigrated from, than immigrated to, the United States.[560] As a result of the comparatively low levels of immigration from the late 1920s to the 1950s the foreign-born population in the United States declined from 13.2 per cent in 1930 to a historic low of 4.7 per cent of the total population in 1970.[561]

The outbreak of World War II would bring about two further changes in immigration law. The first was passed as immigration became 'securitised', and the Immigration and Naturalization Service was moved from the Department of Labor, where it had been housed since 1913, to the Justice Department. The Alien Registration Act of 1940[562] mandated the fingerprinting of all aliens (i.e. non-US citizens) aged 14 or over, whether present in the country or seeking admission, and required all aliens within the United States to register with the Government to receive an Alien Registration Receipt Card (the predecessor of the famous 'green card'). The act also made any alien deportable for past membership in a subversive organization.[563] The second, passed in light of the brave Chinese allies in the fight against Japan, was the Magnuson Act of 1943.[564] While it repealed the Chinese Exclusion Act, it only established a quota of 105 Chinese immigrants

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[557] Gordon, *Assimilation in American Life*, P. 102; Wheeler, 'The Evolution', 83

[558] Kevles, *Op. Cit.* P. 97.

[559] Wheeler, 'The Evolution', 85

[560] Wheeler, 'The Evolution', 83

[561] Chamie, 'International Migration Trends', 34

[562] Act of June 28, 1940, 54 Stat. 670

[563] Wheeler, 'The Evolution', 85

[564] Also known as the Chinese Exclusion Repeal Act

per year.[565] Also, in contrast to the other national quotas, which were based on the country of citizenship, the quota for Chinese was based on ancestry, so that, for example, a Mexican or Cuban of Chinese extraction would count against the Chinese quota. However, it did make Chinese residents eligible for naturalisation.

6. Immigration 1945–1965

In the aftermath of World War II, the United States emerged as a world power amid a world in ruins. Given the numbers of displaced peoples—many of them allies during the war, it soon began reforming its draconian immigration laws. This process was continued in light of its competition against the USSR, but accelerated by the increasingly insistent demands that it dismantle its system of racial segregation. The culmination of these forces finally led, in 1965, to the adoption of the Hart-Celler Act, which was to eventually produce the United States' third migration wave.

Following World War II, the number of immigrants to the United States began to increase again, but slowly and usually no more than a few hundred thousand a year until the late 1960s, when the annual number was approaching one half-million. During the 1950s, the top immigrant sending country was Germany, which accounted for approximately a quarter of the 2.5 million immigrants who arrived in that decade. Germany was followed by Canada (14 per cent) and Mexico (11 per cent).[566]

What motivated the adoption of many of the laws and policy decisions on immigration in this period were the efforts to counter Russia's growing influence, and to demonstrate a more attractive alternative during the Cold War. Thus, on the one hand, there was increased securitisation of the processes of immigrant admission and exclusion. On the other hand, the United States well understood that it needed to be an example to the world of freedom, liberty, and sanctuary for the oppressed. The Americans wanted to send a clear message: choose democracy and capitalism and you will be liberated rather than suffering

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[565] A similar bill was enacted on behalf of India in July of 1946. Taken together, and although still modest, they constituted a breach in the racial foundations of, and marked the emergence of foreign policy considerations in, US immigration policy, confirming the transformation of the United States as a world power. Zolberg, *A Nation by Design*, 290

[566] Chamie, 'International Migration Trends', 34

under the chains of communism in a totalitarian state.[567] These tendencies produced both: the Internal Security Act of 1950, which besides replacing the Alien Registration Receipt Card with the 'green card' (Form I-151) added those who were 'politically dangerous' to the list of excludable persons; and the Refugee Relief Act of 1953, which authorized special non-quota visas for more than 200,000 refugees, and allowed them to become permanent residents.

Responding to both of these imperatives simultaneously, in 1952, the United States entered what is considered the modern era of immigration law, by repealing all prior legislation on the matter, and codifying all the nation's immigration laws into one document. The resulting Immigration and Nationality Act of 1952[568] changed the administration of the national quota system to make it appear fairer and more nationality-neutral, by formally removing race as a cause for exclusion for immigration and naturalization. Thus it granted Asian countries a minimum quota of 100 visas per year (although, as in the Magnuson Act of 1942, these visa slots were still based on ancestry, and not nationality). The Act also updated the National Origins quota to one-sixth of 1 per cent of each nationality's population in the 1920 census. Not surprisingly, therefore, most spots remained available for immigrants from the United Kingdom, Ireland and Germany—although the emerging demographic and economic realities of these countries eventually limited the number of their citizens wanting to emigrate. However, it was the first to create quota preferences for skilled immigrants, and allowed for the non-quota immigration of spouses and children of U.S. citizens, as well as creating 'preference' categories for other relatives of U.S. citizens and lawful permanent residents (LPRs)—all hallmarks of the current immigration system.[569]

But, following the need for security, it also created more grounds for deportation by broadening the classes of aliens that could be defined as subversive.[570] Under this law,

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[567] Wheeler, 'The Evolution', 84, 87

[568] The McCarran-Walter Act of June 27, 1952, 66 Stat 163

[569] Zolberg, *A Nation by Design*, 316-317

[570] Wheeler, 'The Evolution', 87

political activities, ideology, narcotics use, and mental health, among other criteria, served as a basis for exclusion and deportation.[571]

The McCarran-Walter Act was passed by congress over President Truman's veto, who wanted a law that would do away with national origins quotas altogether. After the veto, he established a Special Commission on Immigration and Naturalization, whose report, *Whom We Shall Welcome*, foreshadowed the landmark 1965 Immigration And Nationality Act's abandonment of differential racial quotas, and in its acceptance of those seeking asylum, the Refugee Act Of 1980. Despite support from a Republican President, Dwight Eisenhower, an immigration bill featuring these ideas was never taken up in Congress, perhaps because, as Senator McCarran wrote, they followed the 'Communist line'.[572]

7. Immigration 1965 and Beyond

The most significant turning point in modern US immigration law occurred in 1965, when, as a result of pressures from both the Civil Rights Movement and the Cold War, Congress overhauled the quota system to officially remove national origin as a basis for excluding persons, notably those from Asia. Accordingly, the Hart-Celler Act allotted an overall quota of 170,000 visas per year to Eastern Hemisphere countries, with individual countries subject to a per country limit of 20,000 visas. However, Congress also imposed an overall quota of 120,000 visas per year on Western Hemisphere countries (for a worldwide total of 190,000 immigrant visas per year), which until then had been free to immigrate outside of any annual limitations. Nevertheless, until 1976, individual countries from the Western Hemisphere were not subject to any restrictions. [573]

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[571] The McCarran-Walter Act was designed to supply the Immigration Service 'with adequate weapons to deal with Communist penetration and its plan of "conquest by immigration."' Zolberg, *A Nation by Design*, 317

[572] He argued that the 'Reds' had found colleagues in 'the "pinks", the well-meaning but misguided "liberals" and the demagogues who would auction the rights of America for alleged minority-block votes.' Quoted in Daniels, *Guarding*, 122

[573] The Immigration And Nationality Act of 1965 was first amended in 1976 in order to include the countries of the Western Hemisphere in the preference system and to apply the 20,000 per year cap on visas. This move principally affected Mexico, since at the time it was the only country in the region that substantially exceeded than number annually. The result was not only the creation of long backlogs in the family-based visa categories, but also an increase in unauthorized immigration. The Hart-Celler Act was further amended in 1978, establishing an annual worldwide limit of 290,000 visas, and simultaneously removing the previous differential in Eastern and Western Hemisphere caps. See, e.g. Wheeler, 'The Evolution', 90

The Hart-Celler Act was spurred by the same impulse that drove the successful passage of the Civil Rights Act of 1964 and Voting Rights Act of 1965. At heart this was an urgent quest to rid the United States of any appearance of unequal political standing based on race—an inequality embodied by the idea of national quotas. Vice President Hubert Humphrey explicitly linked the two, declaring that 'we must in 1965 remove all elements in our immigration law which suggest that there are second-class people. . . We want to bring our immigration law into line with the spirit of the Civil Rights Act of 1964.'[574] During the signing ceremony for the Act, President Johnson declared that it would 'repair a deep and painful flaw in the fabric of American justice. It corrects a cruel and enduring wrong in the conduct of the American nation.'[575]

Replacing the national origins quota system was a seven-category preference system, ostensibly mirroring the one developed in the 1952 McCarran-Walter Act, that had included preferences for skilled immigrants, allowed for the non-quota immigration of spouses and children of U.S. citizens, and created preferences for other relatives of U.S. citizens and LPRs. However, the Hart-Celler Act changed the order of these preferences in ways that would create deep changes to the demographic composition of the country. Rather than providing the first 50 per cent of visas to skilled workers (and discarding the balance of visas that were not issued in this category), the new law only provided 20 per cent of the visas for this preference.[576] Instead, it expanded the categories of immediate family members of U.S. citizens that could be admitted each year without visa caps, and expanded the other family-based preferences from 50 per cent to 74 per cent of the available visas, with refugees receiving the remaining 6 per cent.

Here we should pause to reflect on why these changes were made, and why this law proved to be so consequential to the future demographic mix in the US. After all, in the bill-signing ceremony, President Johnson remarked that '[t]his bill we sign today is not a revolutionary bill. It does not affect the lives of millions. It will not reshape the structure of our daily lives,

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[574] Tichenor, *Dividing Lines*, 215

[575] Public Papers of the Presidents of the United States 1965, 1038, Quoted in Zoltan L. Hajnal, and Taeku Lee. *Why Americans Don't Join the Party: Race, Immigration, and the Failure (of Political Parties) to Engage the Electorate*, (Princeton, NJ: Princeton University Press; 2011), 8

[576] And even that was divided into two categories with 10 per cent each: 'Members of the professions and scientists and artists of exceptional ability'; and 'Skilled and unskilled workers in occupations for which labor is in short supply' Quoted in Daniels, *Guarding*, 136

or really add importantly to either our wealth or our power.'[577] Similarly, Senator Edward Kennedy, in responding to critics of the bill in in subcommittee hearings, affirmed that '[t]he bill will not flood our cities with immigrants. It will not upset the ethnic mix of our society.'[578]

It can be plausibly argued that the reason why the law ended up having the effect that it did was ironically due to a fundamental miscalculation by those opposed to the end of national origins quotas. The original version of the 1965 Act (which was co-sponsored by Sen. Philip Hart of Michigan and Rep. Emmanuel Celler of New York, both Democrats), favoured skilled immigrants, and as in the 1952 Act, had maintained it as the largest preference category. However, the conservative opposition, led by the Chair of the House Immigration subcommittee, Rep. Michael Feighan of Ohio (another Democrat), managed to change those priorities, giving instead visa preferences to those foreigners who were seeking to join their families in the United States.[579] The reason, as Feighan later argued explicitly, was that a family reunification preference in immigration law would establish 'a naturally operating national-origins system', since it would favour immigration from the northern and western European countries that at the time dominated the US population.[580] But as this chapter demonstrates throughout, immigration—the poster child of unanticipated consequences—has always thwarted the best-laid plans of mice, men, and Congressional subcommittee chairmen. Demographic and economic changes in Europe on the one hand, and Latin America and Asia on the other, assured that there would be less young Europeans willing to emigrate at the same time as there were an increasing number of Latin Americans and Asians willing to do so. And, as their numbers grew, so did the numbers involved in the chain migration.

As a result, during the 1960s the numbers of arriving immigrants became substantially greater than the previous decade, averaging around 300,000 per year.[581] More importantly,

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[577] Hajnal and Lee, *Why Americans*, 8

[578] Tichenor, *Dividing Lines*, 218

[579] Tichenor, *Dividing Lines*, 215

[580] Deane Heller and David Heller, 'Our New Immigration Law', *The American Legion Magazine*, Vol. 80, No. 2 (February 1966): 6-9; 39-41, 8. The article further characterized the process as: 'It was Feighan's bill, with few alterations, that became law, and it was a masterpiece of disarming the camp of extremists who had been exploiting the inequities in the McCarran-Walter Act as an excuse to put immigration outside of legal control.'

[581] Chamie, 'International Migration Trends', 38

in sharp contrast to the trends of the past decades, the top sending country was no longer a European nation, but was now Mexico, which continued to maintain this position until 2013.[582]

Although there had been previous actions in this area for decades,[583] the Refugee Act of 1980 was important in that it adopted the United Nations' definition of a refugee, and created a general policy for their admission. It potentially expanded the annual admission for refugees by removing them from the immigration preference system. The removal of refugees from the immigration preference system then reduced the annual visa allocation to 270,000. Subsequent executive action and legislation for refugees has included deportation relief through the formal extension of Temporary Protected Status (TPS) beginning in 1990, and admissions based on specific region or nationality. Examples include the George H.W. Bush administration's protection of Chinese citizens from deportation after Tiananmen Square protests in 1989, the Nicaraguan Adjustment and Central American Relief Act of 1997 and the Haitian Refugee Immigration Fairness Act of 1998.

Perhaps the most consequential immigration law passed after the Hart-Celler act was the Immigration Reform and Control Act of 1986.[584] It granted a pathway to permanent residency to millions of unauthorized immigrant workers, mainly from Latin America, who met certain conditions, such as having lived in the United States continuously since 1982, or who worked in certain agricultural jobs.[585] The Act further created the H-2A visa for temporary, seasonal agricultural workers.

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[582] Of the 1.2 million recent immigrants counted in 2013, China was the leading country of origin (147,000), followed by India (129,000), with Mexico sending 125,000. The U.S. Census Bureau defines 'recent immigrants' as foreign-born individuals who resided abroad a year previously, and which includes LPRs, temporary non-immigrants such as students, and undocumented migrants. Muzaffar Chishti and Faye Hipsman, *In Historic Policy Shift, New Migration Flows from Mexico Fall Below Those from China and India*. (Washington, DC: Migration Policy Institute Policy Beat, May 21, 2015), 1

[583] These included the Refugee Relief Act of 1953, the Migration and Refugee Assistance Act 1962 (for Cubans), and the Indochina Migration And Refugee Assistance Act of 1975, among others. Significantly, however, refugee admission was the beginning of the use of Presidential Executive Orders in the area of immigration. See, e.g. Daniels, *Guarding*, 126-127

[584] Also known as the Simpson-Mazzoli Act, or more generally, IRCA

[585] These were 'Seasonal Agricultural Workers', also known as SAWs. Approximately 2.7 million were granted this status.

In recognition of the effects of demand on unauthorized immigration, IRCA also imposed sanctions on employers who knowingly hired unauthorized workers and increased border enforcement. Nevertheless, a combination of concerns from Civil Rights groups that certain workers might be discriminated against, from business interests that the number of workers might be too restricted, and from the Reagan and HW Bush administrations that the increased regulation went against the deregulation zeitgeist that they were trying to impose, combined to assure that these sanctions were never really implemented in any meaningful way.[586]

The Immigration Act of 1990[587] brought sweeping changes, or at least significant technical revisions, to much of the corpus of existing immigration law. In light of the demise of the Soviet Union, it revised the grounds for exclusion and deportation, particularly those based on political and ideological grounds. IMMACT 90 also changes the number and mix of visas,[588] and established new annual limits for certain categories of immigrants, such as the 'diversity immigrant' visas.[589] It was, also, fundamentally aimed at helping US businesses attract skilled foreign workers; thus, it created H-1B visas for highly skilled temporary workers and H-2B for seasonal, non-agricultural workers, expanded the business class categories to favour persons who could make educational, professional or financial contributions, and created the Immigrant Investor Program.

Other ameliorative changes included relief for the family members—spouses and unmarried children—of those who had legalized under the 1986 general amnesty or SAW programs.[590] Most importantly, if the spouses or children were already in the United States without documents, they could apply for permission to remain in the country and receive

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[586] See, e.g. Tichenor, *Dividing Lines*, 261-263

[587] Immigration Act of 1990, 104 Stat. 4978, or IMMACT 90

[588] The 1990 Act increased the annual immigration cap to 700,000 during fiscal years 1992-1994 (which was to be followed by a reduction to 675,000 as of the 1995 fiscal year, to come from the family-based preference category), and revised the preference categories. This was now allocated 480,000 family-sponsored visas, 140,000 employment-based visas, and provided 80,000 for other visa programmes annually.

[589] This programme, designed to spur immigration from countries that had not traditionally sent many immigrants, is run as a lottery and assigned 50,000 visas annually, but with no single country to receive more than 5,000 visas in any given year.

[590] Wheeler, 'The Evolution', 92

work permits.[591] As mentioned above, this act authorized the attorney general to designate 'temporary protected status', granting eligibility for work authorization and protection from deportation to nationals of countries suffering from on-going armed conflicts, natural disasters (such as earthquakes, floods, or hurricanes), or 'other extraordinary and temporary conditions'. Currently, it is the Secretary of the U.S. Department of Homeland Security who may designate the citizens of a country eligible for TPS under these conditions.[592]

When the Immigration Act of 1990 was signed into law by President HW Bush, it was touted as being a triumph for 'cultural diversity', 'family unity', and job creation'. It was indeed all of those things, having been a rare instance of the meeting of xenophilic policies championed by ethnic, pro-civil rights, and international trade and business interests, organisations, and politicians. But the Act also reflected an insulation of policymaking from restrictive-minded publics, which would soon begin to organise themselves.

By the mid-1990s, anti-immigrant sentiment had again begun to gain considerable momentum and support, in part due to the perceived failure of IRCA to control unauthorized immigration, and the sense of the border was too porous. The 1993 bombing of the New York City World Trade Center, carried out by a group consisting mostly of non-citizens, also served to intensified public opinion. This feeling was intensified in the coming years by the combination of increasingly influential right wing talk shows complaining about multiculturalism's impact, restrictionist lobbying groups portraying unauthorized immigrants as a growing threat, and opportunistic politicians using immigration as a wedge issue.[593] As we shall see in the next chapter, subsequent laws in 1996, 2002 and 2006 were essentially responses limited to concerns about terrorism and unauthorized immigration. These measures emphasized border control, prioritized enforcement of laws on hiring immigrants and tightened admissions eligibility.

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[591] In 1987, the Reagan administration had already decided that minor children of parents who were legalized under the 1986 law should be protected from deportation. In 1990, the George H.W. Bush administration decided that all spouses and unmarried children of people who were legalized under the 1986 law could apply for permission to remain in the country and receive work permits. However, these policy changes were Presidential Executive Orders, and were only formalized by Congress in the Immigration Act of 1990.

[592] Wheeler, 'The Evolution', 93; *Dividing Lines*, 274

[593] See, e.g. Wheeler, 'The Evolution', 94

B. MEXICAN MIGRATION TO THE UNITED STATES

As discussed in the Introduction, this dissertation concentrates on the Mexican-origin population in the United States for a variety of reasons. First and foremost, Mexicans are—by far—the largest country-of-origin group within the Latino pan-ethnic population. The sheer weight of this population would be enough to make them the most influential group in the development of a common pan-ethnic identity. However, the history of how Mexicans became the largest group also has important implications for how they—and by extension all Latinos—are now seen by the broader American society. This is a story of migration, but also of colonization. It is a story that combines elements of the history of two nations and the effects on a shared population of their individual geography, economic development and demographic trends, political issues and public policy decisions.

These elements have combined to produce a migratory process that is unique in the modern world due to the length, size of flow, conditions of reception, and levels of undocumented status. But also this migration experience has clearly made the Mexican-origin population, in the mind of most Americans, the models in the public discussion of the effects of immigration. American society's ideas about the legality, permanence, belonging, and 'fitness' of Latinos to be Americans can all be traced to these experiences. For their part, Latinos' beliefs about not only their place in American life, but also that of their more recently arrived co-ethnics, are slightly more complicated. While they are also derived from the very same experiences—although often viewed from a different angle—they also stem from a reaction to the broader society's views of this immigration.

It is also a story about the establishment of one of the country's largest minorities—Mexican Americans. The complexity of the Mexican American population stems in part because it historically did not fit into the racial structure of the United States, and to this day continues to 'defy Census classification and color differentiation.'[594] Today, Mexican Americans are a demographic group that is highly urbanized and young; and—reflecting

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[594] Harry P. Pachon and Joan W. Moore. 'Mexican Americans'. Annals of the American Academy of Political and Social Science, Vol. 454, America as a Multicultural Society (Mar. 1981): 111-124

the deep roots of the demand for their ancestors' labour—remain disproportionately blue collar, and poor.

In this section we will explore all of these factors, that is, we will investigate the history of the Mexican-origin population in the United States, including the length and strength of the migratory flows, the conditions under which they migrated, and the various formal and informal migratory regimens that have operated over this long process.

1. Overview of Mexican Migration to the United States

Mexico-US migration has been described as 'the largest sustained flow of migrant workers in the contemporary world'[595] This flow is also not recent, indeed, no other group has a history of significant immigration to the United States that spans the whole period from the time of the great European migration at the end of the nineteenth century, through the inter-war and the post-1965 immigration periods, and beyond. Beginning in the 1880s, and until the first decade of the twenty-first century, with the exception of the 1930s, the number of Mexican immigrants entering the United States increased in each succeeding decade.[596] Mexicans are also the only group whose presence in the United States can be described as the product of both colonization and immigration.[597]

Despite this long history, the exceptional nature of the Mexican-origin population in the US (34 million) also stems from the current size and characteristics of its foreign-born population (11.8 million).[598] No other group constitutes a greater share of immigrants in the United States today (28.2 per cent of all foreign-born).[599] And, perhaps most importantly, the number of unauthorized Mexican immigrants in the United States, while declining over the past decade, had increased precipitously during the preceding thirty years. It is estimated that there are currently some 5.6 million unauthorized immigrants

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[595] Douglas S. Massey. *New Faces in New Places.* (New York, NY: Russell Sage Foundation, 2008), 73

[596] Jimenez, *Op. Cit.* p. 6

[597] Jimenez, *Op. Cit.* p. 6

[598] Stepler and Brown, 'Table 4: Detailed Hispanic Origin: 2013'

[599] Anna Brown and Eileen Patten, 'Table 5: Country of Birth in 2012,' in *Statistical Portrait of the Foreign-Born Population in the United States, 2012* (Washington, DC: Pew Research Center Hispanic Trends Project, April 2014)

from Mexico residing in the United States— representing slightly less than half of all foreign-born Mexicans, and 49 per cent of the total immigrants in the United States without authorization.[600] This number, however, represents a drop of approximately one million since the population began its decline in 2007, and represents a 10 per cent drop since 2012.[601]

Nevertheless it is important to keep in mind how the history of Mexican migration to the United States—much like that of (the much smaller) Asian immigration—has fundamentally differed from that of European migration. For one thing, since there has been almost no hiatus in the migratory experience, the Mexican-origin population in the US is divided into Mexican Americans and Mexican immigrants. Although the division is usually conceptually indistinguishable to other Americans, Mexican Americans have long held ambivalent attitudes about Mexican immigration. While strong historical, cultural, and kinship ties have undeniably bound—and continue to bind—Mexican Americans to native-born Mexicans, some Mexican Americans were already beginning to express concerns about these immigrants as early as the mid-nineteenth century.[602] Historically, much of this concern has been based on Mexican Americans' belief that Mexican immigrants undercut their already tenuous socioeconomic position in the United States by not only reinforcing negative stereotypes about 'Mexicans' among Anglo-Americans, but also by competing for employment, and depressing wages. In addition, class stratification, regional attachments, differences in customs both subtle and large, and primary language usage have also tended to divide US-born Mexican Americans from recent immigrants.[603]

Also, especially given the constant rhetoric about 'illegals' and 'alien invasions', it has long been a matter of common sense for most Americans to place the onus of these migration patterns on Mexican immigrants themselves. After all, they have always been (at least since

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[600] Ana Gonzalez-Barrera. 'More Mexicans Leaving Than Coming to the U.S.' (Washington, DC: Pew Research Center, Nov. 19, 2015). Available at: http://www.pewhispanic.org/files/2015/11/2015-11-19_mexican-immigration__FINAL.pdf

[601] Bryan Baker and Nancy Rytina, *Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2012* (Washington, DC: U.S. Department of Homeland Security, Office of Immigration Statistics, March, 2013), 3

[602] David G. Gutierrez. *'Sin Fronteras?*: Chicanos, Mexican Americans and the Emergence of the Contemporary Mexican Immigration Debate, 1968-1978'. In David G. Gutierrez (Ed.) *Between Two Worlds: Mexican Immigrants in the United States.* (Wilmington, DE: Scholarly Resources Inc., 1996), 177

[603] Gutierrez, '*Sin Fronteras*', 177-178

the 1848 Mexican American War), those who 'choose' to migrate. But this phenomenon cannot really be understood without taking into account how deeply symbiotic the relationship between American employers and Mexican workers has been. Central to this story is the fact that, as far back as the 1870s, increasing in the aftermath of the Chinese Exclusion Act of 1882, and continuing even into the present day, American employers have often considered Mexican workers as a vital component of the labour market. This is demonstrated by the relatively short time it took for Mexicans to be completely integrated into the lower rungs of the American economy. By the time the Great Depression began in earnest in 1930, they could be found filling a large number of jobs in the agricultural, mining, railway, and construction industries in the Southwest, in the agricultural, railway, automobile, and steel industries in the Midwest, and even as far afield as the Alaskan fisheries and canneries.[604]

Perhaps more to the point, however, besides the insatiable appetite for Mexican labour by American companies, the extraordinary length and strength of this migration pattern really cannot be explained completely without understanding how—and from the very beginning—it was facilitated to a large degree by the American government and political systems.[605] That is, large employers and their allies in government sustained for a century or more a close, long-term, partnership to ensure the continued availability of a large pool of Mexican labourers within the United States.[606]

But this partnership was not only about the labour supply, it was also about a specific type of labour, one that called for workers who could be effectively controlled. The increasingly important agribusinesses sector desired large numbers of labourers, but their continued supply at the right price could only be achieved if they were economically isolated and socially segregated. A settled resident workforce would have encouraged both labour

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[604] David G. Gutierrez. 'Introduction'. In David G. Gutierrez (Ed.) *Between Two Worlds: Mexican Immigrants in the United States*. (Wilmington, DE: Scholarly Resources Inc., 1996), xi-xii

[605] Gutierrez, 'Introduction', xi-xii

[606] Gutierrez, 'Introduction', xi-xii

organization and more stable communities, as well as all this would imply—higher wages, better education, and even political participation.[607]

The formation of the migratory agricultural workforce was perhaps the central element in the broader process of modern Mexican racial formation in the United States. The need to control this labour is largely responsible for the racialized vision of Mexican immigrants, and how it then led to an essentially unexamined view that they would never—indeed, could never—be a part of American society. It is a vision that continues to have resonance to this day. In this way, racialization led to the assumption that Mexican immigration was basically temporary, and so that no permanent legal provision needed to be made for them, which in turn facilitated even further the many ways in which the US Congress and the various government agencies acted to subvert the immigration laws. The self-reinforcing cycle eventually led to the creation of a robust system that allowed the exploitation of Mexican labour to a large extent by increasingly maintaining these workers in a condition of illegality.[608]

Therefore, to understand this migratory flow fully, it must also be seen as being, in essence, an extended history of systematic labour exploitation—one abetted and enforced with the cooperation of national and state governments, the local police, and the systems of justice at all governmental levels. [609]

As we have seen, before 1882 the United States had no immigration policy to speak of: almost anyone who got there could stay there. But Americans already living in the country have always felt ambivalent toward new arrivals; while recognizing that immigrants provide cheap and willing labour, they have continuously doubted the ability of various 'new' groups to assimilate. Historically, these fears have been expressed in terms of race, but, although at one time or another all large immigrant groups to the United States were racialized,[610] none maintained this stigma as long as Mexican immigrants. This racialized view was certainly essential to the ability of the system to work as long as it did, but has

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[607] Mae Ngai. *Impossible Subjects: Illegal Aliens and the Making of Modern America*. (Princeton, NJ: Princeton University Press, 2004), 131
[608] Ngai. Impossible Subjects, 131
[609] Fuchs, *Op. Cit.* P. 110
[610] See, e.g. Roediger

also had significant consequences not only for Mexican Americans, but for all Latinos, who soon discovered that 'for all their differences, all persons of Spanish-speaking background often were treated as "one indistinguishable mass" by the majority.'[611]

The result of this racialized integration was that for many decades—and arguably even today—a sense of 'foreignness' was attached to all Mexicans, whether born in the United States or not, and 'Mexicaness' carried the sense of illegitimacy and inferiority. Until relatively recently American citizenship, whether by birth or naturalisation, accrued few practical benefits. Throughout the Southwest, but especially in Texas, until the 1960s 'Mexicans' suffered from a system of segregation that mimicked the Jim Crow laws of the South. Those identified as 'Mexicans', whether American citizens or immigrants, lived in segregated *colonias* or *barrios*, were denied service in stores and restaurants that were patronized by Whites, were seated in separate sections in movie theatres, and were allowed to use public facilities such as swimming pools only on certain days. Poll taxes, and in some South Texas counties all-White primaries, effectively kept Mexican Americans outside the political system.[612]

For their part, and also from the beginning of the phenomenon, Mexico's government, institutions, and society were deeply ambivalent about mass migration to the United States. Although the exodus of citizens was long the source of embarrassment and concern to both government and Catholic Church officials, and to other nationalist elements in Mexican society, they were also compelled to recognize that in many ways, labour migration has served as an important safety valve for social and political unrest in the country. Although a number of efforts were made over the years to control the number of emigrants, the

[611] Fuchs, American Kaleidoscope, 336
[612] Ngai, Impossible Subjects, 132

duration of their sojourn, or even their geographic origin, the Mexican government always seemed to find itself constrained by either external or internal forces. From without, though there have been some moments of policy convergence, in general powerful institutions in the US government recurrently undermined Mexican emigration policy by permitting—or even at times stimulating—undocumented migration. From within, municipal governments, and even some national institutions such as the Army, regularly defied restrictive federal policies by using emigration as an escape valve to alleviate local political or economic crises. All throughout the first half of the twentieth century, the unintended consequences of various state-building processes, chronic bureaucratic balkanization, and the systemic corruption of officials also blocked the implementation of federal policies.[613]

Thus, Mexico's emigration policy has mostly concentrated not so much on limiting emigration, but rather on attempting to protect the rights of its citizens abroad, largely through an extensive consular network in the United States.[614] At the same time, social actors—and to a more limited extent the government—have intermittently attempted to maintain a sense of Mexican national identity among expatriates in the US by sponsoring observances of national holidays and ethnic or regional customs, and by fostering the creation of expatriate associations. During the first half of the twentieth century, the government also encouraged—at times actively—the repatriation of its citizens in the United States.[615] Perhaps then it can be said that government policies in Mexico have influenced migration patterns to a certain extent, but these effects were not so much the result of coherent federal emigration policies as they were the result of unintended consequences of state-building in areas such as asserting control over the Catholic Church, economic development, and agrarian reform.[616]

Because state actors, business interests, and societies from both countries have invariably had fundamentally competing aims, Mexican migrants have always found themselves entangled between the economic realities, labour market, and laws in both countries

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[613] See, e.g. David Fitzgerald 'Inside the Sending State: The Politics of Mexican Emigration Control'. *International Migration Review,* Vol. 40 No. 2 (2006): 259-93.

[614] This is now the largest in the world, with 45 consulates as of 2012

[615] Alanis Enciso; Gutierrez, 'Introduction', xiii

[616] Fitzgerald, David. 'Inside the Sending State', 260

designed to achieve other goals. For example, while the United States formally sought to control the importation of cheap labour, Mexico sought to prevent the loss of its population, or at least the labour exploitation of its citizens. This meant that American employers were prohibited by law from soliciting workers on the Mexican side of the border, at the same time that Mexican labourers were prohibited by law from leaving the national territory without a contract.[617] Thus, the US prohibition on entering with a contract that was in place between 1885 and 1952, combined with a Mexican prohibition of leaving without a contract (one formally enshrined in the 1917 Constitution), meant that Mexican labour migration to the United States during this period was bound to be unlawful according to the laws of at least one of the countries.[618]

2. Conquest and Colonisation: 1848-1880

The history of the Mexican-origin population in the United States can be traced back to the late sixteenth century, beginning with the Spanish settlements in St. Augustine, Florida in 1565, and Santa Fe, New Mexico in 1598. Over the next 200 years, small groups of colonists established footholds in a series of outposts extending in a wide arc, from California in the northwest to Florida in the northeast. Principal population centres were concentrated in California, the Gila River valley of Arizona, the upper Rio Grande Valley of New Mexico (which included El Paso del Norte—now El Paso) and the Gulf Coast of Texas (including San Antonio).[619] After gaining independence from Spain in 1821 these northern territories became part of the Republic of Mexico, and included all or part of the present American states of California, Arizona, Nevada, Utah, Wyoming, Colorado, New Mexico, Kansas, and Texas (Spain had already ceded Florida to the United States in early 1821 under the Adams–Onís Treaty).[620] A large geographic area with a low population density resulted in a

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[617] George J. Sánchez. Becoming Mexican American: Ethnicity, Culture, and Identity in Chicano Los Angeles, 1900-1945. (New York, NY: Oxford University Press, 1993), 53

[618] Fitzgerald (2006), *Op. Cit.* P. 267

[619] David G. Gutierrez, 'Globalization, Labor Migration, and The Demographic Revolution: Ethnic Mexicans in the Late Twentieth Century'. in David G. Gutierrez (Ed) *Columbia History of Latinos in the United States Since 1960*. (New York, NY: Columbia University Press, 2004), 44

[620] Besides ceding Florida, the Treaty established a boundary between the United States and New Spain in the aftermath of the Louisiana Purchase.

series of settlements in the Mexican North that were effectively isolated not only from the political and administrative centres of Mexico, but even from one another. [621]

In 1836 Mexico lost Texas as a result of the Texas Revolution. A dozen years later it lost what remained of the northern territories in the Mexican-American War of 1846–1848—a part of the United States' long campaign of westward expansion.[622] The war essentially began with the admission of Texas into the American Union in 1846, and resulted in the annexation of 55 per cent of Mexico's territory by the United States.[623] Inside this acquired territory was a population that has been variously estimated at 75,000–100,000. [624]

Under the terms of the Treaty of Guadalupe Hidalgo of 1848, which marked the end of the Mexican-American War, this population became the first group of Mexican Americans. The terms of the treaty granted them not only American nationality, but also United States citizenship—an important consideration since this was a status that was enjoyed at the time by neither the indigenous population, nor by black slaves. This Spanish-speaking, and incidentally largely *mestizo* population, was, in effect, legally granted "Whiteness".

Despite their official status, however, Mexican-origin population almost immediately confronted widespread discrimination from a rapidly increasing Anglo population—abetted by a government and courts that felt the need to impose control—that greatly diminished their ability to exercise their rights as American citizens.[625] It is no surprise that a negative and essentially racialised vision should have attached itself to this population, since discussions about the fitness of Mexicans to be a part of American society not only pre-dated the Mexican-American War, they were, in fact, an important element in the decision of how much territory the Americans eventually sought to annex as a result of the

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[621] David G. Gutierrez, 'Migration, Emergent Ethnicity, and the "Third Space": The Shifting Politics of Nationalism in Greater Mexico' *The Journal of American History*, <u>Rethinking History and the Nation- State: Mexico and the United States as a Case Study</u>: A Special Issue, Vol. 86, No. 2 (Sep. 1999): 481-517, 484

[622] Joseph Wheelan, Invading Mexico: America's Continental Dream and the Mexican War, 1846-1848, (New York, NY: Carroll & Graff, 2007), 6

[623] Wheelan, *Invading Mexico*, 428

[624] Gutierrez, 'Globalization', 44

[625] Gutierrez, 'Migration, Emergent Ethnicity', 486

war.[626] And, the completeness of the Mexican defeat only served to reinforce these types of views.[627]

These racialised conceptions of the Mexican-origin population in the U.S. determined not only how the government conceived of its role in regulating the migratory process, but also the role that society accorded them—and how this limited opportunities for integration. It is for this reason that Mexican Americans consider themselves the result of colonization, although this point is often overlooked by non-Latinos. Even an astute scholar of the American racial polity such as Lawrence Fuchs misses the point when he writes:

> The treaty [of Guadalupe Hidalgo] became the basis for subsequent land claims by Mexican-Americans in South Texas and for assertions that Mexican-Americans were a colonized people, as Indians were. But nearly all Indians in the US today are descendants of tribes that had made treaties with the US government, and all but a very small minority of Mexican-Americans descended from immigrants who arrived long after the treaty was signed. The vast majority of Mexicans who came to work in the US thought of themselves as Mexican sojourners in a foreign country. What was distinctive about their experience was the extent to which they were confined in systems of pluralism that tended to coerce their labor. [628]

Despite their racialised status, the first wave of migration began almost immediately, as a result of the California Gold Rush in 1849, when thousands of miners moved to California from the Mexican state of Sonora. Although probably quite limited in scope, exactly how many migrated is difficult to determine, since (and not for the last time) 'the Yankees often tended to group together all Spanish-speaking foreigners—Spaniards, Peruvians, Chileans, Mexicans—without attempting to identify them. In some cases, native Californians were included in the count.' [629] Nevertheless, the sheer number of Americans migrating westward soon relegated the Mexican-origin population to a small ethnic minority.[630]

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[626] Wheelan, Invading Mexico,

[627] David G. Gutierrez. *Walls and Mirrors: Mexican Americans, Mexican Immigrants, and the Politics of Ethnicity.* (Berkeley and Los Angeles, CA: University of California Press. 1995),14-19

[628] Fuchs, American Kaleidoscope, 110

[629] Sister Mary Colette Standart. 'The Sonoran Migration to California, 1848-1856: A study in Prejudice'. In David G. Gutierrez (Ed.) *Between Two Worlds: Mexican Immigrants in the United States.* (Wilmington, DE: Scholarly Resources Inc., 1996), 5

[630] Gutierrez, Walls and Mirrors, 19

After this first, small, migration, the situation on the border remained fairly quiescent for several decades, and the lull allowed for some normalisation of relations between the two countries. In 1882 Mexico and United States signed a treaty allowing reciprocal border crossings, and followed it up in 1888 with an International Boundary Commission that included an extradition provision. [631]

The process of identity formation that emerged in the Mexican-origin community between the Mexican cession in 1850 and the 1880s was largely driven by marginalisation.[632] Signs began emerging very soon after Mexico lost its northern territories that ethnic Mexicans in the United States had begun to evolve an identity based on a sharpened sense of difference, caused by the simultaneous abandonment of its erstwhile citizens by Mexico, and the imposition of the American racial hierarchy.

It was also an identity significantly mediated by class considerations.[633] For the members of the ethnic Mexican elite, working partnerships—including extensive intermarriage—with white American helped to distance themselves from the growing stigma associated with being considered a Mexican 'greaser' in the new social order.[634] For the vast bulk of the Mexican-origin population, however, the combination of phenotypical markers, lack of proficiency in English, and lower-class standing—all of which irresistibly led to increasing spatial segregation—militated against social integration with *los gringos*. As their number steadily dwindled over the rest of the nineteenth century in relation to the expanding numbers of American settlers and European immigrants, the mutually perceived lines of difference separating 'Mexicans' from 'Americans' continued to sharpen and harden.[635]

These differences were exacerbated by the tendency to impose spatial segregation on the Mexican-origin population into urban *barrios* and rural *colonias* (usually located in the most undesirable and marginal of plots), where they could continue communicating in Spanish, maintain family practices, religious traditions and rituals, and develop locally significant styles of cuisine, music, and forms of entertainment. This forced segregation not

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[631] Laurence Armand French. *Running the Border Gauntlet: The Mexican Migrant Controversy*. (Santa Barbara, CA: ABC-CLIO, 2010), 143

[632] Gutierrez, 'Migration, Emergent Ethnicity', 485

[633] Gutierrez, 'Migration, Emergent Ethnicity', 486

[634] Gutierrez, 'Migration, Emergent Ethnicity', 486

[635] Gutierrez, 'Migration, Emergent Ethnicity', 487

only delayed integration, it created the spaces necessary for the creation and transmission of a series of distinctive regional variants of 'Mexican' culture. These cultural variants, in turn, formed the bases for the emergence of new forms of ethnic identity.[636]

But the relatively quiet immigration situation would not last long, as developments in both the Southwestern United States and Mexico conspired to reactivate the migratory flow. Beginning in the late 1870s and gaining steam throughout the 1880s, simultaneous changes wrought by both, economic development and public policies, gave rise to many of the pull and push factors that have undergirded this migratory flow for more than a century.

In the United States, regional employers began to hire increasing numbers of Mexican migrant workers in a broad range of jobs, especially as they sought to replace the unskilled or semiskilled Asian labourers that had proven to be so important to regional economic development but who had been expelled by the Chinese Exclusion Act of 1882. At first the demand was primarily in the agricultural sector, but this soon expanded to food processing (primarily in meat packing), and eventually to the mining, railroad, and construction industries.[637]

In Mexico, the development during the administration of Porfirio Díaz (1876-1911) of large-scale farming (*latifundios*), and an incipient but incomplete industrialization, meant that newly-landless peasants began moving in large numbers, first to the major cities in Mexico, and from there, increasingly, to the North.[638] Indeed, almost 60 per cent of the Mexican immigrants surveyed at the turn of the century began their journey from home by making an interim stop in a Mexican town or city.[639] The possibility of this movement was largely facilitated by the increase in roads, but especially by the extension of the national railroad system, and its eventual linkage to American railroads[640] Under these conditions,

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[636] Gutierrez, 'Migration, Emergent Ethnicity', 488-489

[637] Gutierrez, 'Globalization', 45

[638] Durand

[639] Sánchez, Becoming Mexican American, 44

[640] Gutierrez, 'Introduction', xi

the number of migrants increased gradually throughout the 19th century, resulting in the migration of at least an additional 100,000 Mexicans across the border by 1900. [641]

Although the Mexican government demonstrated concerns about the effects of emigration to the United States from the beginning, these became more marked as the process of modernization evolved during the *Porfiriato*. In a politically centralized country with weak infrastructural links to Mexico City, controlling population movement was part of the federal government's increasing attempts to 'embrace' the population in peripheral areas of the country.[642] For the first time, the government was trying to identify all citizens through censuses and civil registries as a necessary precursor to the modernization of Mexico. However, citizens leaving the country largely escape the state's ability to extract their resources through taxes, conscription, or use of their labour. To this material phase of state-building can be added a complementary ideological phase of state-led nationalism. After nearly a century of instability, the federal government needed to legitimate its growing control over peripheral regions and to unify an ethnically stratified population. It would attempt to do so in part around the common foreign menace of the United States.[643] In this context, emigration was fundamentally threatening because it symbolized Mexico's weakness by simultaneously emphasizing the negative push factors in Mexico and positive pull factors in the United States.[644]

3. Circular & Labour Migration: 1880-1930

According to historian Manuel García y Griego, an overview of Mexican migration to the United States in the first four decades in the twentieth century reveals four fundamental characteristics:

> 1. It was overwhelmingly conceived by everyone (including the participants themselves) as a temporary, or circular migration; 2. The migration process relied on the operation of formal labor recruitment systems for its operations; 3. The United States relied on the utilization of repatriation (i.e.

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[641] Gutierrez, 'Introduction', xi

[642] Fitzgerald (2006), *Op. Cit.* P. 264

[643] Knight, Alan

[644] Fitzgerald (2006), *Op. Cit.* P. 264

deportation) mechanisms at selected points in time, especially during economic slowdowns, to control the volume of the migratory flow; 4. As the process expanded, both the U.S. and Mexican governments involved various agencies in an attempt to influence the nature and volume of the migratory flow.[645]

Unlike European immigrants, whose movement at the time into American society can be described as largely a function of chain migration, Mexican immigrants in this era were much more likely to be involved in a pattern of circular migration. However, we must be cautious with these descriptions, because, despite the current perception that European immigrants came to the US to stay, most European immigrant groups (with the notable exception of Jewish immigrants) had high rates of return migration, ranging from 25 to 60 per cent.[646] Nevertheless, only Mexicans seemed to have generally exhibited the circular pattern of back and forth movement that would continue for decades.[647]

As mentioned above, 1875 marked the beginning of a 50-year period during which the contours of citizenship in the United States were contested and reordered through immigration policy. But given that Mexican immigrants composed only an estimated 0.6 per cent of total legal immigration in the decade of the 1900s, and 3.8 per cent in the 1910s—and that at the time they were concentrated in agricultural work in the West and South West, which welcomed their labour, they simply did not rise as a national issue. Indeed, it was not until 1908 that the government even began to systematically gather statistics on immigration from Mexico. The exhaustive 1911 Dillingham Commission Report wasted little space on Mexicans, asserting that there was nothing to fear because they had not proved to be a competitive threat to American workers, and in a refrain that was to recur for decades, that due to the proximity of their native country, most returned.[648] In early attempts to restrict immigration, western growers and industrialists testified to the value of Mexican labour and received numerous temporary, wartime exemptions for them from regulations, including the 1907 head tax and the 1917 literacy

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[645] L. Manuel García y Griego. 'The Importation of Mexican Contract Laborers to the United States, 1942-1964.' In David G. Gutierrez (Ed.), *Between Two Worlds: Mexican Immigrants in the United States*. (Wilmington, DE: Scholarly Resources Inc., 1996), 46

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[647] Sánchez, Becoming Mexican American, 41

[648] Sheridan. 'Contested Citizenship', 5

test. Even the American Federation of Labor (AFL) accepted these waivers as necessary at the time.[649]

But industrial agriculture in the West and Southwest proved to be a special genre of American farming. In the West, where the lack of natural irrigation and infrastructure necessitated substantial capital investment, monopolization of land had occurred quickly in the nineteenth century, and there were few family farms. But in the decades immediately before and after the turn of the century, irrigation technology, the completion of regional railroad lines, and the invention of the refrigerated railroad car began to promote the development of large-scale production of fruits and vegetables for consumption in the nation's cities. Nevertheless, even as the mechanization of agriculture in the first decades of the twentieth century accelerated existing trends towards large-scale production and land consolidation, in the West and Southwest, while the production of wheat and other grains became mechanized, fruit and vegetable production (like cotton in the South), did not. Western agriculture became an industrial enterprise that required a new kind of farm worker: one who was cheap, plentiful, and seasonal. That is, modern large-scale commercial farming required, in the words of Mae Ngai, a 'migratory agricultural proletariat' to work in the 'factories in the field'.[650] And, while White Americans and recent European immigrants might not have been categorically opposed to such work, they could often find much higher wages in industry. Often, however, Western Whites already viewed farm labour as degraded, due to its early association with 'Asiatics'.[651]

Although Chinese, Japanese and Indian immigrants had successively supplied the mainstay of agricultural labour from the late nineteenth century to the 1910s, first the Chinese Exclusion Act in 1882, and then the creation in 1917 of the 'Asiatic Barred Zone' that permanently banned immigration from most Asian countries, left employers with little choice but to hire Filipinos or Mexicans.

Mexican migrants proved to be a better source of foreign labour. From the turn-of-the-century to World War I, labour flowed more or less freely from Mexico into the United

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[649] Sheridan. 'Contested Citizenship', 4-5
[650] Ngai. Impossible Subjects, 93, 94
[651]

States. Mexican workers provided the human power necessary for the region's agricultural revolution, and laid the infrastructure for the economy of the modern West and Southwest.[652] Irrigation projects soon opened up new areas for new crops. Midwestern sugar beet companies had begun to recruit Mexican labour in 1915, and they soon dominated the workforce, almost entirely replacing the original Eastern European workers.[653]

In part the rapid growth in the use of this source of labour reflected Mexico's proximity to the United States and growers' belief that Mexicans would return to Mexico after each harvest season. But this was only partly true; as time passed, Mexicans increasingly comprised a transnational labour force that included seasonal migrants as well as permanent immigrants and US-born Mexican Americans.

It was at this time that the agricultural labour market and immigration laws began to work in tandem to create 'a kind of imported colonialism' which constructed Mexicans working in the United States as a foreign race and furthermore justified their exclusion from the polity.[654] Exclusions had various forms: Jim Crow-type laws in Texas, which segregated and disenfranchised Mexican-American citizens; restrictive immigration laws, which produced Mexican illegal aliens; and a number of state-sponsored contract labour programmes, the last of which were to import nearly 4 million Mexican workers on temporary contracts from WWII to the early 1960s. [655]

Immigration policy, but perhaps more, immigration practices, were a powerful influence in the economic, spatial, and social reorganization of the Southwest. Restrictive policies created Mexican illegal aliens—'illegal' because they were undocumented, having crossed the border without going through formal entry or inspection. This meant that the possibility of sweeps, detainment, interrogation and deportation was ubiquitous. It spread apprehension among Mexicans, and loomed as perhaps the single greatest indication that

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[652] Ngai, Impossible Subjects, 129

[653] Sheridan. 'Contested Citizenship', 5

[654] Ngai, Impossible Subjects, 95

[655] Ngai, Impossible Subjects, 95

Mexicans did not belong. Restrictive immigration policies ultimately served the interests of agribusiness by creating a permanently vulnerable and 'alien' workforce.[656]

Not surprisingly, in the beginning immigrants were heavily concentrated in the border states of California, Arizona, New Mexico, and Texas, where there were already existing Mexican-origin communities, and perhaps more importantly, where employers were accustomed to seek this type of labourer. It did not take long, however, for the demand for Mexican labour to expand. Advances in water management opened new lands in the West and upper Midwest to new labour-intensive crops such as sugar beets, and the expansion of industrialization across the region meant that the demand for Mexican labour expanded rapidly, not only in numbers, but also in geographic and sectoral scope. Demand for workers in the agricultural, transportation, construction, and meat-packing industries, and in heavy industries like steel and auto manufacturing, soon contributed to the establishment of new pockets of settlement— in expected places like the agricultural areas of the Midwest and Great Plains, and unexpectedly in industrial cities like Chicago, Detroit, and Gary. [657]

Estimates for the flow of Mexican immigrants in this early period vary widely. This is due to inconsistent enumeration techniques, changing methods of counting who entered as an immigrant into the United States, and the circular movement of thousands of uncounted migrants in and out of U.S. territory. However, we can get a sense of the magnitude of population movements during this time by extrapolating from census sources in both countries. In 1890 the number of Mexican citizens in the U.S. was probably no more than 78,000. By 1900 the number of Mexican immigrants living in the United States rose to as much as 103,000. By 1910 it more than doubled to 222,000, and then doubled again to 478,000 in 1920. By 1930 the number of Mexican-born residents of the United States is conservatively estimated to have increased to at least 639,000. Similarly, estimates of the total migratory flow for the period vary widely in no small part due to the phenomenon of circular migration, but consensus figures are that a minimum of 1 million, and perhaps as many as 1.5 million immigrants, entered the United States from Mexico between the late

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[656] Ngai, Impossible Subjects, 131
[657] Gutierrez 'Globalization', 45

1880s and 1929.[658] Seen in another—and perhaps more significant—way, Mexican immigrants accounted for 4 per cent of all arriving immigrants during the decade of the 1910s. But, as European immigration slowed into the decade of the 1920s, the proportion of foreign-born Mexicans rose to 11per cent.[659]

In a similar manner, ever-changing racial categorizations and census techniques make it impossible to know the precise dimensions of population growth for the United States' Mexican-origin population (i.e. the combined number of mostly foreign-born immigrants and an increasingly growing population of Americans of Mexican descent) during this period, but demographers and historians believe that it grew from somewhere between 350,000 to 500,000 in 1900 to between 1 to 1.5 million in 1929.[660] This steady growth of the ethnic Mexican population provides ample evidence of the extent to which the imperatives of regional economic development, and the weaknesses of the Mexican State and society, worked together to stimulate and sustain transnational migration patterns.[661] Most significantly, it is also clear that flows of this size would have been impossible to sustain without the cooperation of the US government in the way it chose to enforce its labour and immigration policies.

As discussed above, it is fairly clear that most of the Mexican migrants in the first decades of the century came seeking economic opportunity the United States[662] and fleeing destabilized social and economic conditions in Mexico.[663] However, the outbreak of the Mexican Revolution in 1910, and its increasing intensity through various phases over the next fifteen years, provided a significant impetus for migration from Mexico. Significantly for the development of the Mexican American community, this security-based migratory push brought with it, for the first time, many middle and upper class migrants.[664] Despite

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[658] Gutierrez 'Introduction', xiii

[659] Jimenez, Jimenez. *Replenished Ethnicity,* 11

[660] Gutierrez (2004), *Op. Cit.*, P. 45

[661] Gutierrez (1996), *Op. Cit.* P. xiii

[662] Gutierrez (2004), *Op. Cit.*, P. 44

[663] See, e.g. Alanís Enciso, *Op. Cit.*, Pp. 34-35; Knight, *Op. Cit.*, Pp. 90-91

[664] Durand

this new push factor, by this time the patterns of both, large-scale internal, and international migration northward had already been well established. [665]

These migratory flows were occurring even as the general trend in American immigration law in the half century between the 1875 and the late 1920s was characterized by the gradual imposition of ever-tighter restrictions on the entry of persons, particularly those considered to be a threat to the nation's cultural and political integrity. However, during this period Mexicans were effectively consistently exempted from these laws.[666] In the first decade of the twentieth century, both Republican and Democratic Party platforms promised a continuation of the exclusion of Chinese labour, although they were less certain about European immigration. But, in 1912, the Republicans had pledged 'to enact appropriate laws to give relief from the constant growing evil of induced or undesirable immigration, which is inimical to the progress and welfare of the people of the United States.'[667]

Thus, the reason why these exemptions were put in place for Mexicans was in large part due to *whose* immigration these laws attempted to restrict: as we have seen the trend began with the Chinese Exclusion Act of 1882 (in place until 1943), and which was followed by a ban on virtually all other Asian immigration in 1917.[668] It culminated in 1924 with the National Origins Act that imposed quotas which gave preference to Northern and Western Europeans. The elements of this system, which was not to be reformed until 1965, all aimed at the racial exclusion of immigrants from the Eastern Hemisphere. But, since someone needed to do the work that these immigrants previously performed, people from the Western Hemisphere (i.e. Latin Americans, though realistically meaning Mexicans, and to some extent Cubans and Quebequois) were exempted from these legal exclusions.[669]

This is why, in this early period, the primary concern of immigration officials was explicitly the entry of Chinese who were attempting to evade the 1882 Exclusion Act by entering

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[665] Gutierrez (1996a), *Op. Cit.*, P. xi

[666] Gutierrez (1996), *Op. Cit.* Pp. xii-xiii

[667] Fuchs, The American Kaleidoscope, 59 (Citing…?)

[668] As of 1886, it is estimated that the Chinese constituted almost 90 per cent of California's agricultural workers. Mexicans (and to a lesser extent Filipinos after 1898), were recruited as a replacement for 'the vanishing Chinese'. See, e.g. Zolberg, *A Nation by Design*, 197

[669] Sánchez, Becoming Mexican American, 55

from Mexico.[670] Contemporary accounts seem to agree that there was apparently little attention paid to Mexicans immigrants themselves.[671] In fact, until 1908 the U.S. Bureau of immigration did not even bother to count incoming Mexicans except for those—a significant minority—who said they intended to remain permanently.[672]

So the laxity with which American officials patrolled border crossings in the beginning of the twentieth century was not entirely related to an absence of immigration statutes. In truth, at the time immigration laws were rarely influenced by the realities of the southern border in mind—and when they were, it was the realities of the agricultural interests which really mattered. In Washington, the political focus was primarily on restricting first Asian, and then increasingly European immigration.[673] The fact that a border patrol was not established until 1924 demonstrates the lack of sustained interest in the Southwestern border. Until then, enforcement of the immigration laws had been a shared function of the Customs and the U.S. Labor Department and was primarily focused on the official ports of entry in various border towns.[674]

But although, as mentioned above, no numerical quota restrictions were applied to Mexico until the 1976 Amendment of the Immigration And Nationality Act of 1965, there were an increasing number of other restrictions put in place.[675] Some of these formally exempted Mexicans for a time, such as, for example, the Immigration Act of 1903 that imposed a head tax of two dollars (and which was raised in 1907 to four dollars) on all immigrants, except for Mexicans.[676] Other laws, however, could have been levelled against most entrants from Mexico in this period. These included laws against border crossings by those who might be deemed morally suspect, diseased, or engaged in contract labour.[677]

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[670] Tichenor, *Dividing Lines,* 168
[671] Sánchez, Becoming Mexican American, 50
[672] Fuchs, The American Kaleidoscope, 120
[673] Tichenor, *Dividing Lines*, 168
[674] Sánchez, Becoming Mexican American, 58
[675] Sánchez, Becoming Mexican American, 51
[676] Fuchs, The American Kaleidoscope, 120
[677] Sánchez, Becoming Mexican American, 51

Rather, what emerged was what some historians have termed a 'system of ad hoc exemptions',[678] as policymakers created an intricate patchwork of mechanisms that included administrative exemptions, executive orders, and, most often, extended periods of 'informal' non-enforcement of the existing immigration and labour statutes. These exemptions were put in place to regulate the flow of Mexican migrants and immigrants into the United States, in order to ensure American employers maximum flexibility.

The circular pattern of Mexican migration, driven in large measure by employer demand with the cooperation of the government, became well entrenched by early in the century. This system was clearly designed to ensure employers of a steady supply of Mexican workers. And, from very early in the process, Mexican immigration was distinctive in the extent of the US governmental cooperation in amending and administering the immigration law for the benefit of employers without regard to the formal immigration statutes.[679] Laws forbidding entry of contract labourers, the diseased, the insane, and certain classes of criminals were enforced weakly in order to cater to Western employers need for workers. In this way the economic function of the border passage took firm root relatively unencumbered.[680] But it was soon evident that this was a double-edged sword for the immigrants themselves: as the recession of 1907 first demonstrated, when workers were no longer needed, they could easily be repatriated.[681]

In 1917, the U.S. Congress enacted the most restrictive immigration statute to date. Although it did bar immigration from Asia, as opposed to earlier laws, restrictions were not based solely on race. For the first time, substantial restrictions were placed on European immigration and—supposedly—all those who entered from Mexico.

The Immigration Act of 1917 was important in that it officially imposed the country's first legal constraints on Mexican immigration,[682] and almost immediately began affecting the legal status of many immigrants. In contrast with later laws, restrictions were not to be

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[678] See, e.g. Gutierrez (1996), *Op. Cit.* P. xii; Kirwin, Art,

[679] Fuchs, The American Kaleidoscope, 120

[680] Sánchez, Becoming Mexican American, 51

[681] Fuchs, The American Kaleidoscope, 120

[682] Tichenor, *Dividing Lines*, 168

achieved through quotas, but rather through an increase of the head tax to eight dollars,[683] the imposition of a literacy test and a medical examination, and the institution of an investigation procedure into the likelihood that the individual would become a public charge.[684] Any of these provisions would have presented obstacles to legal entry by most entrants from Mexico in this period, beginning with the head tax, since as one contemporary commentator said, '...if a Mexican had eight dollars, why would he come here?'[685]

But it was the ban on those 'likely to become a public charge' (which from its inception was generally known as the LPC provision) that would prove to be perhaps the most consequential statute in the long-term, since—by making, in practical terms, being female in-and-of-itself sufficient grounds for suspicion—it further skewed the gender balance of the migration flow. [686].

Not withstanding the increasingly stringent immigration legislation, however, the pace of labour migration was destined to accelerate, impelled by a combination of pull and push factors. Demand was significantly exacerbated by a labour shortage caused by the United States' entry into World War I, even as supply was expanded by the breakdown of security and economic collapse caused by the Mexican Revolution.[687]

At first, and despite the hardships caused by the Mexican Revolution, rumours that they would be drafted into the American armed forces spurred the mass exodus of large numbers of Mexican workers. This exodus, combined with the loss of American workers who were volunteering or being drafted, meant that, for the first time in years, employers found themselves without a ready supply of cheap migrant labour. Southwestern employers implored administration officials to remove any and all potential barriers to the swift return of Mexican farm workers. The Immigration Bureau and the Labor Department bowed to these outside pressures by waving the literacy test, head taxes, and contract

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[683] Tichenor, *Dividing Lines*, 168

[684] Sánchez, Becoming Mexican American, 55

[685] Tichenor, *Dividing Lines*, 169 (?)

[686] Sánchez, Becoming Mexican American, 58

[687] Mark Reisler. 'Always the Laborer, Never the Citizen: Anglo Perceptions of the Mexican Immigrant During the 1920s.' In David G. Gutierrez (Ed.) *Between Two Worlds: Mexican Immigrants in the United States.* (Wilmington, DE: Scholarly Resources Inc., 1996), 24

labour restrictions for Mexicans. But signs that the US might not be able to maintain its neutrality as the Great War dragged on in Europe also made the Congress quickly reassess the chances that the country could face a critical labour shortfall. As a result, the government initiated the importation of thousands of Mexican contract labourers to work in agriculture, mining, railroad maintenance, and building construction.[688]

Thus, although an eight-dollar head tax and literacy and health exams should have proven to be onerous barriers, the 1917 statute would prove to have limited effect. Almost immediately after enacting the new restrictions, Congress made a special exception for employers in the West and Southwest, authorizing the Secretary of Labor to permit persons from Mexico who were deemed otherwise inadmissible to enter the country as temporary workers. Accordingly, in May 1917 the first program for temporary workers was created, suspending the prohibition against contract labour that had just been legislated for 73,000 Mexican workers.[689] Although regulations called for the workers to return home after the work was done, the rules—not for the last time—were incompletely enforced; of the 76,862 Mexican workers that were eventually officially admitted to the program, only 34,922 were recorded as having returned home. [690]

The period of the Mexican Revolution between 1910–1920 sent anywhere from 500,000 to as many as one million people fleeing north. As early as 1911, some 24,000 immigrants passed through El Paso. Although these numbers had remained fairly constant in the interim, by 1916 it was estimated that an additional 50,000 undocumented immigrants were crossing, and around half that number in Nogales.[691] American authorities recorded 220,000 legal entries during the decade.[692]

But not only did the United States suspend its prohibition against contract labour during the unilateral wartime emergency measure that lasted from 1917 to 1921, in contravention of Mexican law, these contracts were not required to be visaed by U.S. consuls.[693] As a

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[688] Tichenor, *Dividing Lines,* 169

[689] García y Griego, 'The Importation of Mexican Contract Laborers', 47

[690] Fuchs, The American Kaleidoscope, 120

[691] Knight, Vol 2, P. 523

[692] Fitzgerald (2006), *Op. Cit.* Pp. 265-266 (Citing Cardoso (1980); and Bean and Stevens, 2003:55)

[693] García y Griego, 'The Importation of Mexican Contract Laborers', 47

result, confusion reigned in Mexico City about whether the Foreign, Interior, or Commerce and Labour Ministries were responsible for enforcing the labour contracts and preventing abuses by U.S. employers. Yet, despite increasing concerns by the Carranza administration caused by the rumours of the conscription of Mexican citizens by the U.S. military during World War I, Mexico's Federal government did not try to block the exit of contracted workers, largely because the Presidency and the Foreign Ministry did not want to antagonize the United States during a moment of extreme Mexican vulnerability. They did, however, accelerate an emigration dissuasion campaign in 1918 to convince potential migrants that strong measures were being taken to prevent the exit of uncontracted workers. Clearly, this was the bluff of a weak government without a coherent policy. [694]

In Mexico, at the state level, the governments of sparsely populated northern states like Sonora and Chihuahua attempted to prohibit the exit of scarce workers by the use of diverse tactics. For example, they instructed migration offices in Ciudad Juárez and Nogales to deny workers exit permits, and to prevent the operation of *enganchadores,* or labour recruiters, from US companies in their territories. Similarly, in 1918 the state of Tamaulipas tried to discourage emigration, which was seen to be pulling labour away from its industries, by raising its international bridge fees. [695]

Nevertheless, there was a realistic view in the Federal government that US policy could shape Mexican emigration policy, even without formal action. In 1919, following the Armistice that marked the official end of World War I, the Carranza administration feared the spectacle of massive deportations of Mexican workers no longer needed by the United States, and began selectively financing repatriations as a pre-emptive measure to avoid national humiliation. The Obregón government that succeeded it shared this fear, sponsoring the repatriation of 50,000 individuals at a cost of $1 million during the U.S. depression of 1921-22. [696]

The 1924 Johnson-Reed Act modified the entry fee. It raised it to a $10 payment that was tied to a visa that was to be secured from the nearest American consul prior to departure

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[694] Fitzgerald (2006), *Op. Cit.* Pp. 265-266
[695] Fitzgerald (2006), *Op. Cit.* P. 266
[696] Fitzgerald (2006), *Op. Cit.* P. 267

from the home country. After the 1924 law went into effect, legal immigration from Mexico dropped to 32,378. Not surprisingly, the increased financial barriers to immigration encouraged workers to enter the country illegally, and the decline in legal immigration was immediately matched by a rise in undocumented arrivals after the imposition of the new restrictions.[697] It is estimated that the number of undocumented entrants increased significantly to an estimated 90,000 during fiscal year 1924.[698].

Despite continued relatively lax enforcement for Mexican immigrants, however, an unintended result of the new immigration laws was to make temporary immigrants already living in the United States think hard about returning to Mexico. The literacy act, the head tax, and the increased visa fee made the prospect of re-entry prohibitive, and so many stayed on. Perversely, and foreshadowing the effects of a 'hardened border' in the 1990s, one of the principal effects of the new laws was to ensure that one-time entry from Mexico, rather than the circular movement that was common before 1924, would become the primary mode of immigration. As a result of the new demands and opportunities created by more settled migration, work in the fields or on the railroads increasingly proved to be temporary, and an ever-growing number of Mexican migrants began settling in the larger cities of the Southwest and Midwest[699]

Thus, after World War I, Mexican immigration became more visible as by the early 1920s Mexicans were a normal part of the workforce in the steel and meatpacking plants of Chicago, the automobile factories of Detroit, and on the track maintenance crews of most of the nations' major railroads. It was this increasing urbanization and geographic dispersal of Mexican immigrants that was in part responsible for Americans' gradually growing consciousness of the presence of an 'alien tide' from south of the border.[700]

The geographic expansion of the Mexican immigrant labour force was further fuelled by labour recruiting agencies, which, deprived of European workers after the restrictive immigration legislation of 1921 and 1924, sought new sources of workers. In 1927, for example, 16 labour contractors reported that they had placed 75,400 Mexicans in jobs in

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[697] Sánchez, Becoming Mexican American, 57

[698] Reisler. 'Always the Laborer, Never the Citizen', 24

[699] Sánchez, Becoming Mexican American, 59

[700] Reisler. 'Always the Laborer, Never the Citizen', 24

the Chicago area.[701] Indeed, because of its central position in the Midwestern railroad system Chicago became the central point for Mexican labour.[702]

Mexican immigrants, once being in Chicago and other cities, found themselves outside the system of 'sojourner pluralism' enforced on behalf of growers and ranchers in the Southwest and California.[703] In the East and Midwest, this meant the possibility of joining strong labour unions, and the situation of Mexicans in Chicago, Gary, or Detroit began to resemble more that of other sojourners in the North and Midwest.

As early as the first decade of the twentieth century, the changing policies of the US government with regard to Mexican migration seemed to be more a function of fluctuating economic conditions than of the increasingly restrictive national mood on immigration. This was made possible through the workings of what immigration historian Daniel Tichenor has called 'an iron triangle' that consisted of employers (mostly in the Southwest, and especially agricultural growers), chairs of national immigration committees in Congress (mostly from the West and South), and federal immigration bureaucrats.[704] These three institutional actors came together to support the importation of Mexican labour—whether legal or illicit. Thus, for example, the need for sugar beet workers in Colorado and Nebraska authorized migration of 1,000 Mexican contract labourers in 1909; in 1917 as the United States entered World War I, the prohibition against contract labour that had just been legislated was suspended for 73,000 Mexican workers.[705]

James L. Slayden, a former Texas congressman, complained in 1921 that these admissions by permission of the Department of Labor very much appeared to be in violation of "the spirit and letter" of the act of February, 1917:

> The Commissioner-General of Immigration in his report for the fiscal year of 1919 says that 'availing itself of the discretionary power conferred by Section 3 of the Immigration Law to admit for temporary purposes aliens otherwise inadmissible, *the department, in answer to insistent demands*, authorized the suspension of the contract labor, head tax, and illiteracy test provisions of that law in favor of aliens from Mexico coming to the United States for

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[701] Fuchs, The American Kaleidoscope, 120-121

[702] Fuchs, The American Kaleidoscope, 121

[703] Fuchs, The American Kaleidoscope, 121

[704] Tichenor, *Dividing Lines*, 13

[705] García y Griego, 'The Importation of Mexican Contract Laborers', 47

employment in agricultural pursuits, as railroad laborers, for certain work on buildings under construction by the Government, or to do common labor in mines.[706]

It was the entrance—and geographical dispersion—of this first large group of labour immigrants during WWI that eventually stimulated the first of many public debates in the United States regarding Mexican immigration.[707]

Up until then, and despite their relatively large numbers, Mexicans had been the most inconspicuous of all the non-Anglo-Saxon groups entering the United States. At first they were obscured not only by the visibility of the 'huddled masses' landing at Ellis Island and concentrating in the nation's population centres of the East Coast, but also by the location of their employment opportunities. In the Southwest they were hidden from sight not only by their geographic remoteness. But even when they were present in more populated areas of the Midwest, they remained hidden by the nature of their employment, which meant that they were most often to be found in boxcars, tents, and shacks of railroad and farm labour camps. [708]

The appearance of a large Amerindian population in the United States raised perplexing social questions. Although all immigrants had been racialised to varying extents[709], Mexicans were not recognized as simply another alien 'quasi-White' nationality group like the Poles and Italians. Throughout the country Anglos utilized the term 'Mexican' to distinguish this population—regardless of citizenship—from both whites and blacks.[710] Slayden, the former Texas congressman, noted that:

> In Texas, the word Mexican is used to indicate race, not a citizen or subject of the country. There are probably 250,000 Mexicans in Texas who were born in the state but they are 'Mexicans' just as all Blacks are Negroes though they may have 5 generations of American ancestors.[711]

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[706] Slayden, *Op.Cit.* P. 123 emphasis mine

[707] Reisler. 'Always the Laborer, Never the Citizen', 24

[708] Reisler. 'Always the Laborer, Never the Citizen', 24

[709] See, e.g. Roediger, Op. Cit.

[710] Reisler. 'Always the Laborer, Never the Citizen', 29

[711] James L. Slayden, 'Some Observations on Mexican Immigration' in Annals of the American Academy of Political and Social Science, Vol. 93, *Present-Day Immigration with Special Reference to the Japanese* (Jan. 1921): 121-126, 125

So how would Mexican Indians fit into the racial patterns of American society? Could Mexicans possibly be accepted as whites? If not, could they easily be relegated to the subordinate position of Blacks? [712]

As a result, during the decade of the 1920s a lengthy and bitter debate ranged over legislative proposals to restrict immigration from Mexico. However, it is important to point out that both sides espoused remarkably similar stereotypes of Mexicans. Both sides believed that Mexican immigration consisted of peons of Indian ancestry with essential characteristics and potentialities that were racially determined. Partisans of both groups, as well as many (supposedly objective) social scientists studying immigration, described Mexicans as fundamentally docile, indolent, and backward. The only real question was whether permitting such people to work in the United States would prove ultimately advantageous or disadvantageous to the nation. Those who opposed Mexican immigration—labour leaders, nativists, and eugenicists—viewed the characteristics of docility, indolence, and backwardness as antithetical and ultimately threatening to the values upon which the United States was founded. In contrast, those favouring Mexican immigration—principally employers—considered these very same characteristics to be exactly the preferred prerequisites for the type of labour they needed.[713]

Thus, workers, nativist, and eugenicist groups' protests against Mexican labourers converged on economic, cultural, and racial grounds. They argued that not only did this type of foreign labour erode the wages and working conditions of American workers,[714] it simultaneously threatened the integrity of the nation's cultural and political institutions, not to mention the quality of its population stock.[715] According to these groups, Mexican

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[712] Reisler. 'Always the Laborer, Never the Citizen', 28

Reisler. 'Always the Laborer, Never the Citizen', 25

[714] Gutierrez (1996), *Op. Cit.* P. xii

[715] Tichenor, *Dividing Lines*, 170

immigration represented a danger to American workers as well as farmers. Just as cheap peon labour would grind down a field-worker, so it would hurt the American factory, transportation, and construction workers. Mexicans, however, due to their racial heritage and experience with poverty, were supposedly inured to these hardships, and able to live on next to nothing.[716] And not only were Mexican immigrants 'unassimilable,' due to their racial inferiority, they could actually represent a greater problem in the future because these 'backward peons' possessed 'indefinite powers of multiplication'. [717]

In response, and utilizing many of the same racial tropes, employers began intensive public relations campaigns designed to convince the American public that Mexican workers were ideally suited—both culturally and biologically—to perform the backbreaking jobs that were 'beneath' American workers. Besides, their docility not only made them perfect workers, they were also inoffensive. For example, in 1926 W. H. Knox, of the Arizona Cotton Growers' Association, tried to belittle nativists' fears of a Mexican takeover of the United States by testifying to the House of Representatives that:

> Have you ever heard, in the history of the United States, or in the history of the human race, of the white race being overrun by a class of people of the mentality of the Mexicans? I never have. We took this country from Mexico. Mexico did not take it from us. To assume that there is any danger of any likelihood of the Mexican coming in here and colonizing this country and taking it away from us, to my mind, is absurd.[718]

Thus, while almost all employers of Mexican labour claimed to support the general principle of immigration restriction and defended the quota acts as being in the national interest, they nevertheless pleaded that an exception be made for Mexican workers. In language that seems strangely contemporary, employers explained that, unlike the European immigrants, Mexicans did not compete with native-born workers, but, rather, took only those jobs which Americans could not, or would not, perform.[719] And, more

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[716] Reisler. 'Always the Laborer, Never the Citizen', 34

[717] Reisler. 'Always the Laborer, Never the Citizen', 31 (Quoting Testimony of Henry DeC. Ward in House Committee on Immigration and Naturalization hearings on immigration from countries of the Western Hemisphere)

[718] U.S. Congress, *Hearings on Seasonal Agricultural Laborers from Mexico.* House of Representatives, Committee on Immigration and Naturalization. 69th Congress, 1st session (1926):191. Quoted in Sánchez (1997), *Op. Cit.*, P. 1014

[719] Reisler. 'Always the Laborer, Never the Citizen', 35

importantly for the long-term, they began to argue that, unlike those immigrants, these Mexicans had no intention of settling permanently in the United States.[720]

Attempting to find a way out of the middle of the debate, Congressmen—under some pressure from labour and nativist groups, but even more from the ever-expanding group of employers desperate to secure cheap Mexican labour—immediately espoused this view, and were quick to point out in response to calls for immigration reduction that Mexicans were a unique case because they could be easily expelled across the southern border and thus 'posed little danger of becoming permanent and full members of American society'.[721] These lawmakers reasoned that, unlike Asians and new European immigrants, Mexican farm workers were easily 'returnable' and thus posed no threat of becoming permanent members of the political community. Moreover, in 1924, Congressman John Nance Garner (D-TX) (destined to become Franklin Roosevelt's Vice President, and famous for describing the job as 'not worth a bucket of warm piss'), assured his colleagues in the House that Mexicans 'do not cause any trouble unless they stay here a long time and become Americanized'.[722]

Mexican immigrants, lawmakers and employers pointed out, lived just a short distance from their homeland. In the event that labour demand diminished, or where the Mexican immigrants did create serious racial or social problems, they, unlike Blacks, Puerto Ricans, and Filipinos—who were not, after all, legally aliens—could easily be deported.[723] It should be remembered that, at the time Puerto Ricans were even more racially suspect than Mexicans because of 'their Negro blood in their veins'.[724] Thus, they defended their position by relying on specious racist arguments purporting to prove that the Mexican constituted a lesser racial evil than did other non-whites, and moreover, an evil that could be erased at will via deportation. To most Anglos, the immigrant from Mexico was always the peon labourer and never the potential citizen.[725]

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[720] Gutierrez (1996), *Op. Cit.* P. xii

[721] Tichenor, *Dividing Lines*, 152

[722] Tichenor, *Dividing Lines*, 171 (quoting Divine, *American Immigration Policy*, P. 59)

[723] Reisler. 'Always the Laborer, Never the Citizen', 37. At the time, the Philippines was an American protectorate.

[724] Reisler. 'Always the Laborer, Never the Citizen', P. 36

[725] Reisler. 'Always the Laborer, Never the Citizen', 38

By the end of the decade of the 1920s, using the authorities to turn the spigot that controlled the labour supply on and off was a well-established pattern of labour control utilized by employers.[726] The formal guest worker program and lax enforcement along the United States-Mexican border ensured that Southwestern employers had a steady supply of cheap labour.[727]

4. Depression and Deportation 1930-1940

a. The Great Deportations

The onset of the Great Depression briefly reversed this upward demographic trend. Once employer demand from Mexican labour began to wane in 1928, the U.S. State Department began to reduce Mexican immigration drastically by administrative means. Accordingly, it instructed American consuls in Mexico to adhere strictly to existing immigration regulations in issuing visas.[728] Legal immigration was cut to a trickle overnight as almost all Mexican workers were denied entry either by insisting on the head tax, literacy tests, or by the application of the LPC, or of the contract labour clauses of the 1917 Immigration Act— all of which had essentially been previously ignored for Mexicans since the law's enactment.[729]

But this was not to be enough. As millions of American workers lost their jobs after 1929, government officials at all levels—from Federal to local—began a concerted set of campaigns to encourage, compel, or force Mexicans to leave the United States.[730] In the aftermath of the market crash of 1929, immigration had effectively ceased, and between 1931 and 1934, about one-third of the Mexican-origin population in the United States[731]— variously estimated from 350,000 to 500,000 Mexican citizens and their US-born

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[726] Fuchs, *The American Kaleidoscope*, 121

[727] Tichenor, *Dividing Lines*, 13

[728] Reisler, 'Always the Laborer, 37

[729] Fuchs, The *American Kaleidoscope,* 121

[730] Gutierrez 'Globalization, Labor Migration, 45

[731] Vicky L. Ruiz. 'Star Struck: Acculturation, Adolescence, and the Mexican American Woman, 1920-1950'. In David G. Gutierrez (Ed.), *Between Two Worlds: Mexican Immigrants in the United States.* (Wilmington, DE: Scholarly Resources Inc., 1996), 138

children—were returned to Mexico.[732] Mexicans were the only immigrants targeted for removal. The physical distinctiveness of mestizos, their proximity to the Mexican border, and ease of identifying the barrios in which they lived, influenced immigration and social welfare officials to focus their efforts solely on the Mexican people.[733] Racism was thus not limited to rhetoric, these actions were taken against people whom American society viewed as foreign usurpers of American jobs and as unworthy burdens on relief rolls.

b. The Mexican American Community Begins to Consolidate

The processes, which would eventually create a distinct Mexican-American identity—one different from either a 'Mexican' or 'American' one, were fundamentally forged by the Great Depression.[734] Their precarious economic situation during the years of crisis of the 1930s, and the rejection they faced from American society, forced many Mexican immigrants to reconsider whether they should remain in the United States. At the same time, their American-born children became acutely sensitive to the limits of their belonging in the country of their birth.

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[732] Alanís Enciso, *Op. Cit.*, P. 17; Gutierrez (1996), *Op. Cit.* Pp. xiii-xiv

[733] Ruiz, 'Star Struck', 138

[734] Sánchez, George J. Becoming Mexican American: Ethnicity, Culture, and Identity in Chicano Los Angeles, 1900-1945. New York: Oxford University Press, 1993. P. 12

5. Immigration Re-activated

a. The Bracero Program

In 1942, immediately on the heels of the entry of the United States into World War II, the United States enacted the Emergency Farm Labor Program (more generally known as the Bracero programme). This state-managed labour migration programme, which ran from 1942 to 1964, would create a number of crucial long-term effects, chief amongst them, the fomenting of undocumented migration.

The agreement guaranteed a minimum wage of thirty cents an hour and humane treatment (in the form of adequate shelter, food, sanitation, etc.) of Mexican farmworkers in the United States. During the first five years of the program, Texas farmers chose not to participate in the restrictive accord. In 1943 the Texas growers, through the American Farm Bureau Federation, lobbied in Washington to weaken the terms of the agreement, since they suspected that the accord would eventually apply to seasonal workers in other areas, domestic service, and other related fields of temporary employment. Texas farmers, in the meantime, opted to bypass the Bracero program and hire farmworkers directly from Mexico. These unauthorized workers, often referred to pejoratively as 'wetback', entered the United States illegally.

It has been estimated that in the 1950s the United States imported as many as 300,000 Mexican workers annually. The majority of the workers complied with the requirements of the agreement; many, however, remained illegally in the United States after their work time expired. Concurrently, the Immigration and Naturalization Service began 'Operation Wetback', a plan designed to round up unauthorized Mexican workers, particularly in Texas and California. Government data indicate that in 1954 Operation Wetback repatriated to Mexico more than 1.1 million migrant workers. By the middle of the 1950s the INS expulsions reached a high of 3.8 million.

The necessity of additional manpower in agriculture during the Korean War encouraged Mexico to squeeze as many favourable modifications into the agreement with the United States as possible. In 1951 the Mexican migration program was revised under the 'temporary' Public Law 78. The United States government included in the amended version

several clauses pertaining to expenses of transportation from Mexico to reception centres in the United States, guaranteed burial expenses, assistance in negotiation of labour contracts, and a guarantee that employers would return workers to reception centres at the expiration of the contract.

Between 1942 and 1964 more than 4.5 million *braceros* entered the United States. Public Law 78 was extended in 1954, 1956, 1958, 1961, and finally ended in 1964

It must be pointed out that, throughout the life of the Bracero Program, Mexican American groups such as the League of United Latin American citizens (LULAC) and the American G.I. Forum in Texas, and the Community Service Organization (CSO) and the Mexican American Political Association (MAPA), as well as respected Mexican American leaders such as George I. Sanchez of the University of Texas and Ernesto Galarza of the National Agricultural Workers' Union argued that sanctioned and unsanctioned Mexican labour migration undermined their efforts to achieve economic and political justice for American citizens of Mexican descent.[735] The American G.I. Forum, for instance, by and large had little or no sympathy for anyone crossing the border illegally, and the Texas State Federation of Labor supported the G.I. Forum's position. Eventually the two organizations coproduced a study entitled *What Price Wetbacks?*, which concluded that illegal immigration in United States agriculture damaged the health of the American people, that undocumented migrant workers displaced American workers, that they harmed the retailers along the border, and that the open-border policy of the American government posed a threat to the security of the United States.

b. The Hart-Celler Act

The *Immigration and Nationality Act of 1965*, commonly referred to as the Hart-Celler Act[736] was passed in the same spirit as the Civil Rights Act of 1964 and Voting Rights Act of

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[735] Gutierrez, *Sin Fronteras*. 178-179

[736] The *Immigration and Nationality Act of 1965* (79 Stat. 911) abolished the national-origins quota system and replaced it with a system whereby immigrants are admitted based on their relationship to a US citizen or lawful permanent resident family member or US employer.

1965, but also (in the context of the Cold War) with an eye to the United States' image abroad regarding racial equality. [737] But while the Hart-Celler Act ended the era of restrictive quotas begun with the passage of the Quota Act in 1924, [738] perhaps paradoxically, it did not 'open' immigration for Mexicans, because it extended the reach of numerical restriction. Under the Quota Act, immigrants from the 'Western Hemisphere' (for most of this period read Mexico; Canada, especially Quebec; and to a limited extent, Cuba and the West Indies) had not been subject to the quotas imposed on the rest of the world; the new policy would reproduce the problem of illegal immigration, especially from Mexico, for years to come.[739]

6. The Construction of Mexican American Identity: 1940-1980

Much as it did or African Americans, World War II, and its aftermath, dramatically accelerated the integration of Mexican Americans into the mainstream of American economic, political, and social life.[740] During the war itself the participation of hundreds of thousands of Mexican Americans (mostly men) in the armed forces and in defence industries (a great number of whom were women) played an incalculable role in accelerating their social integration into American society—and positive identification with what historian David Gutierrez has termed 'the American national imagined community.'[741] Afterwards, the structural changes wrought by the war continued to open up a tremendous array of new economic opportunities, including union jobs and education, for ethnic Mexicans, other minority populations, and women.

Even more crucially, after the war, general economic growth and civil rights advances opened up new opportunities in education, language and job training, and mortgage

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[737] See, e.g. David S. FitzGerald and David Cook-Martín, *Culling the Masses: The Democratic Origins of Racist Immigration Policy in the Americas* (Cambridge, MA: Harvard University Press, 2014)

[738] Formally the *Johnson-Reed Immigration Act of 1924* (Act of May 26, 1924, 43 Stat 153). The Quota Act set annual limits on the number of aliens admitted from any specific country to 3 per cent of that country's representation in the population of the United States as of 1910.

[739] Ngai. Impossible Subjects, 227

[740] Gutierrez, 'Migration, Emergent Ethnicity', 499

[741] Gutierrez, 'Migration, Emergent Ethnicity', 500

assistance (especially for veterans under the G.I. Bill). As a result, in the period from 1945 to about the early 1970s, significant numbers of Mexican Americans began to move out of dead-end, low-wage work into higher-paying and higher-status skilled blue-collar occupations. As a result, in aggregate, Mexican Americans and their children experienced steady gains in virtually all major socioeconomic indicators, including income, occupational status, English-language proficiency, years of education, and geographic mobility. Not incidentally, English-language acquisition, along with increased geographic and class mobility, also brought growing numbers of ethnic Mexicans into contact with other groups, which in turn contributed to a significant increase in interethnic marriages and eventually of children of multiple ethnic backgrounds.[742]

The general socioeconomic profile of the ethnic Mexican population, for both Mexican Americans and Mexican immigrants, remained grim, but because aspiring middle-class Mexican Americans played key roles in various kinds of political mobilizations in the postwar United States, it is also important to note that there were signs that at least a small segment of the population had begun to make some halting socioeconomic strides in this period.[743]

Socioeconomic mobility of this type tended to increase the impetus for ethnic Mexicans to follow the reformist, integrationist civil rights strategies advocated by political organizations such as LULAC. As older civil rights groups and newer community organizations such as the American G.I. Forum (a national advocacy group established by Mexican American veterans in Texas in 1947) and the Community Service Organization (CSO, established in California in 1949) pressed their civil rights agendas with new force after the war, the federal government and courts slowly began to respond to demands for the desegregation of public facilities and the end to discrimination in education, housing, and employment. The combination of upward mobility and increasing government responsiveness proved a potent mix among ethnic Mexicans and among other "minority" groups.[744]

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[742] Gutierrez, 'Migration, Emergent Ethnicity' 501

[743] Gutierrez (2004), *Op. Cit.*, P. 48

[744] Gutierrez, 'Migration, Emergent Ethnicity', 501

But it is critical to remember how uneven this process of socioeconomic inclusion was, even at the height of post-War prosperity. The aggregate socioeconomic trajectory for the ethnic Mexican population was clearly upward (particularly for those who were American citizens), but not all benefited from this trend. Indeed, throughout the period, thousands of Mexican Americans and Mexican immigrants living in the persistently blighted barrios of Los Angeles, Tucson, El Paso, and San Antonio, in the chronically depressed lower Rio Grande Valley of Texas, and in the isolated rural hamlets of Colorado and New Mexico continued to eke out livings on the ragged edges of society and thus remained largely unaffected by the larger inclusionary social and political trends stimulated by the war and post-War prosperity.[745]

a. The Role of the Civil Rights Movement

However, just like their African- and Native-American compatriots, Mexican American servicemen returned to find most of the same discriminatory practices existing as when they left, even more difficult to countenance because not only had they served their country, they had also participated in a vicious war allegedly fought to end just such prejudices and discrimination.

They faced denial of federal benefits that even extended to the denial of burial in local military cemeteries. Like the First World War, it seemed the country was restricting its military honors to only Anglo GIs. What the Mexican American GIs did get was access to the GI education bill. Afterward more Mexican American GIs were armed with college degrees, better preparing them for the civil rights battles ahead. Concerned about social and educational equality for all Mexican American Hispanics, the returning servicemen in Los Angeles formed the Council of Mexican American Affairs (CMAA) in 1954.

Clearly, the 1950s became the decade of rapid political awareness among Mexican Americans, setting the stage for the collective activism to follow in the 1960s. Despite this, during 'Operation Wetback' in 1954 the established Mexican Americans contributed to the expulsion of undocumented Mexican immigrants. The basic rationale for the strong

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[745] Gutierrez, 'Migration, Emergent Ethnicity', 502

opposition by both LULAC and the American GI Forum against Mexican laborers, both documented and undocumented, was that their presence in the workforce tended to keep Mexican American wages low. Thus, while their objections appeared to be basically economic in nature, once Operation Wetback went into effect the overwhelming negative reaction to all people of Mexican descent engulfed them as well. The term 'wetback' pertained to all illegal Mexican workers, not only those in Texas where the international border is clearly defined by the Rio Grande, but also to the dry land border separating New Mexico and Arizona and much of California as well.[746]

By the late 1950s, Mexican American activists had honed their political skills by lobbying for legislation, encouraging Mexican nationals to learn English and become naturalized citizens, organizing and registering voters, and, ultimately, by mobilizing for greater participation in electoral politics. By the early 1960s, these efforts had begun to pay important dividends. Combined with the continuing activities of older groups such as the League of United Latin American Citizens (LULAC), the civil-rights campaigns of the newly established organizations led to a series of key local victories in the national effort to desegregate public facilities like theaters, restaurants, swimming pools and other recreational facilities, and, especially, schools. Similar limited victories were won in the areas of police brutality and harassment, jury selection, and voter registration. [747]

And finally, the establishment of 'Viva Kennedy' clubs within the Democratic Party during John Kennedy's run for the presidency, and the election to national office of the first handful of Mexican American candidates, such as Senator Joseph Montoya of New Mexico, Congressmen Edward R. Roybal of California, and Henry B. González and Kika de la Garza of Texas, signified the extent to which ethnic Mexicans were beginning to make themselves heard as actors in American electoral politics. By the end of the decade, with the support of philanthropic organizations such as the Rockefeller and Ford Foundations, political activists established what today are probably the most important Mexican American civil-rights organizations, the Southwest Voter Registration and Education Project (SVREP), a critical regional political education and voter registration campaign, and the Mexican American Legal Defense and Education Fund (MALDEF), a vital litigation and advocacy

[746] French, *Running the Border Gauntlet,* 80

[747] Gutierrez, 'Globalization', P. 52

group moulded on earlier African American civil-rights organizations such as the National Association for the Advancement of Colored Peoples (NAACP).[748]

But, after years in which Mexican Americans had successfully fended off government efforts to define them as 'non-white', in 1970 MALDEF activists in Texas were able to convince a federal district court to rule in *Cisneros v. Corpus Christi Independent School District* (a ruling later upheld on appeal by the US Supreme Court) that Mexican Americans constituted an 'identifiable ethnic minority with a past pattern of discrimination', and thus were eligible for special federal protections and redress. The ruling proved useful in the fight against segregation, but it also had the paradoxical effect of officially 'racializing' ethnic Mexicans in a new, if largely unintentional, way. That is, by granting official recognition of Mexican Americans as being a 'disadvantaged minority', the court undoubtedly helped to encourage the trend among younger Mexican American activists to pursue political reform as part of an organized ethnic lobby. P186[749]

b. The Chicano Movement

Modelled to a great extent on the 'Black Power movements of the day, the late 1960s saw the rise of an aggressive new form of cultural identity for Mexican Americans: 'Chicanos'—that is, as persons of Mexican descent in the United States who consider themselves culturally and politically distinct both from both 'White' Americans and from '*mexicanos del otro lado*'[750]

Although the tactics of the Chicano movement were radically different, after recognizing that the militants had achieved some credibility in Mexican American communities many Mexican American mainstream politicians eventually acknowledged that the militants articulated frustrations of residents impatient with the pace of social change. The apparent, though limited, success of the movement in focusing government attention to the

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[748] Gutierrez, 'Globalization', 52-53

[749] Gutierrez, '*Sin Fronteras',* 186

[750] Gutierrez, 'Globalization', 57

community's problems softened the resistance of established leadership, making it realize that its own interests could best be served by working in the movement's framework. Whether or not one agreed with the ideology and tactics of the militant young Chicanos, it was clear that by challenging the long-held assumptions of assimilation ideology, the Chicano activists in effect had forced Mexican American moderates associated with older civil rights organizations to justify their traditional approaches to achieving social change.[751]

c. The Immigration Consensus

A largely unforeseen effect of the intergenerational debate between the Young Turk Chicanos' 'Mexicanismo', and the Mexican American Old Guard's assimilationist ideology debate over political ideology, ethnic identity, and the redefinition of the community was the profound influence it eventually exerted on Mexican Americans' attitudes about the Mexican immigration issue.[752] By the early 1970s, the government's recent actions on immigration policy and enforcement, as well as the tenor of media coverage on immigration, joined with Mexican Americans' growing impatience with the pace of social change to begin to lead the principal Mexican American civil rights organizations to join in a critique of American immigration policy.

In the early 1970s, a combination of INS sweeps, legislative action in Congress, and intensifying anti-Mexican rhetoric in the media, led Chicano activists and others to step up their criticisms of the government's reform efforts. Although Chicano movement activists led the growing clamor against government proposals for immigration reform, an increasing number of moderate and even conservative mainline Mexican-American organizations began to change the position on the question, expressing a growing ambivalence. This ambivalence was rooted the concern over the adverse effects that such laws might have on American citizens of Mexican descent. This represented a significant change because the leaders shifted the target of their criticism from undocumented workers to the proposed legislation, based on fears of discrimination. Although not nearly

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[751] Gutierrez, '*Sin Fronteras',* 186

[752] Gutierrez, '*Sin Fronteras',* 186-187

as trenchant on this issue as Chicano organizations, LULAC for example, begin to use rhetoric expressing a new level of sympathy with Mexican immigrants in the United States.[753]

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[753] Gutierrez, '*Sin Fronteras',* 190-191

CHAPTER IV: THE CONTEMPORARY IMMIGRATION DEBATE

On November 20, 2014, President Barrack Obama announced an 'Immigration Accountability Executive Action,' a temporary protective measure for long-term immigrants with US-born children. Obama's controversial decision to use his executive discretion to allow potentially up to 5.2 million unauthorized migrants to remain in the country without danger of deportation can be seen as the logical result of the demonstrated inability of the political system to reform the United States' immigration system. This bitter debate can be said to have begun in California in 1994 with the passage of Proposition 187, and has been underway at a national level since the beginning of George W. Bush's presidency (2001-2008).

At the national level the current debate began with a proposal in February 2001 by President Vicente Fox (2000-2006) to President Bush to negotiate an immigration agreement between Mexico and the United States. The possibility of reaching a bilateral immigration accord was scuttled by the terrorist attacks on New York and Washington on September 11, 2001 (9/11). As they responded to perceived threats, the Bush Administration's priorities quickly changed to security concerns. On immigration, responses included the passage of the Patriot Act, and the creation of the Department of Homeland Security. It was only until the start of his re-election campaign in January of 2004 that President Bush returned to the theme, proposing that Congress "fix our broken immigration system".

The proposal set off a heated debate and a hardening of positions along party lines, leading to a legislative impasse that has lasted a decade. During the intervening years, Republicans in the House have blocked major immigration reform bills passed by the Senate on two occasions. The only legislation that has been successful has been that which further increased enforcement, with negative consequences for the Mexican immigrant population in the United States. Under both presidents, Bush and Obama, new programs and harsh regulations have resulted an unprecedented number of removals, up to 4 million, the majority of whom have been Mexican. (Please see Figure X, Deportations) At the same time, under the influence of hardening positions and Congressional inability to produce immigration reform, State legislatures and municipalities have become active in the issue,

enacting a variety of laws. Many, such as Arizona's SB 1070 and its imitators, have been highly adverse to immigrants.

A BACKGROUND

As we have seen, immigration to the United States is determined, of course, by a series of rules. But as we have also seen, these rules—and their enforcement—are themselves affected by a series of interests, conceptions, and beliefs, all of which are publicly, and often forcefully, debated in public. Historically, the continuous national debates about US immigration policy have involved a blend of three issues:

(1) **How many** immigrants should the United States accept?

(2) **What criteria** should be used in selecting these immigrants? And

(3) **Where** should these immigrants come from?[754]

But in this case, we must also ask, why has this become such a bitter debate? Who is reacting to exactly which immigrants or which aspects of immigration? Or are Americans just feeling generally threatened? Is it all Americans who feel threatened? Is it some specific aspect of immigration policy (e.g. the number, or the culture, or the education or skills levels of immigrants, or border security issues) that Americans are most opposed to? Or are they most concerned about the immigrants themselves? And, if it is immigrants who are at the heart of the matter, is it all of them, or a subset of them, like undocumented and/or Mexican immigrants? Or, are the problematic immigrants in question those of a 'racial' group (e.g. Latinos) closely associated with the negative side of immigration?

The problem, as Abrajano and Hajnal point out is that, in the 'real world', all of these different categories tend to be muddled together in the minds of individual Americans. To experts, categories such as undocumented immigrant, legal immigrant, and Latino are clearly all distinct from each other. But in the practice of US politics, these concepts often

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[754]Joseph P. Murphy and Thomas J. Espenshade. 'Immigration's Prism: Historical Continuities in the Kennedy-Simpson Legal Immigration Reform Bill'. *Population and Environment*, Vol. 12, No. 2 (Dec. 1990): 139-158

blur together. Media coverage, as well as the rhetoric of the two major parties and other political elites, frequently conflate these different groups. It is therefore likely that, for most individual Americans, immigration is not a specific threat, but rather more of a general concern, one generated by the changes that immigration is bringing to the United States.

What becomes apparent is that reactions to immigration are highly racialised. Only one 'racial' group—Latinos—seems to spark distinctly negative reactions, and be at the heart of White Americans' response to immigration.[755] Asian Americans, in contrast, do not spark nearly the same political response. They are viewed quite differently from these other groups, and White reactions to proximity to large numbers of Asians seem to be radically different from white reactions to large influxes of Latinos.

There are many reasons why Whites might make this racial distinction. There are fewer Asian immigrants in the United States without legal status, and on the socioeconomic scale they tend to fall much closer to whites than to Latinos, in fact surpassing Whites on many of these indicators.[756] Perhaps most to the point, Whites tend to have different stereotypes of Asian Americans than they do of Latinos or the broader immigrant category. On the one hand, Asian Americans are often viewed as the successful 'model minority', i.e. intelligent, hardworking, and law-abiding. In fact, approval for Asian Americans is often displayed as a way of showing that the speaker is not a racist. On the other hand, however, Latinos are more regularly perceived of as being less intelligent, poor, dependent on welfare, and undocumented. Whatever the cause, it is clear that, for many Whites, Latinos are the group that represent the economic, social, and cultural threat that most strongly shapes their view on immigration.[757]

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[755] See, e.g., Abrajano and Hajnal, *White Backlash;* Ted Brader, Nicholas A. Valentino, and Elizabeth Suhay. 'What Triggers Public Opposition to Immigration? Anxiety, Group Cues, and Immigration Threat'. *American Journal of Political Science*, Vol. 52, No. 4 (October 2008): 959–978, or M. V. Hood III and Irwin L. Morris. '¿Amigo o Enemigo?: Context, Attitudes, and Anglo Public Opinion Toward Immigration'. *Social Science Quarterly*, Vol. 78, No. 2, (Jun. 1997): 309-323.

[756] See, e.g. DeNavas-Walt and Proctor. *Income and Poverty in the United States*, 'Table 1.

Income and Earnings Summary Measures by Selected Characteristics: 2013 and 2014', 6. In 2014, median household income for Asian-Americans was $74,297, while for Whites it was $60,256

[757] Abrajano and Hajnal, *White Backlash*, 18

1. The Changing Face of Immigration

As with previous migratory waves, increased immigration and the geographic diversification of where migrants settle (i.e., *who* is going *where* to do *what*) coincided closely with the large-scale restructuring of the national economy because it is precisely this economic and cultural upheaval that provides the openings (i.e., the demand) for large numbers of new workers. Thus the increasing proportion of foreign-born, and the increased dispersion of immigrants out of their traditional gateways, helps to create a sense of unease in much of the country. But the already difficult side effects of migration have been complicated further in the contemporary immigration wave by the conjoined facts that the countries of origin are now considerably different from those of their predecessors, and that the direction that immigration law has taken in the intervening century has vastly increased the number of immigrants now considered to be 'illegal.'[758]

2. The Politicisation of Immigration

Why did the US political system fail to move forward on comprehensive immigration legislation after 2000? The short answer is that immigration became victim to the country's increasingly polarized political atmosphere. But it was more than that: while far from being the only issue to have suffered the fate of becoming politicized, its very characteristics made it a proxy for many of the underlying economic and social factors that have driven what has been often characterized as an age of acrimony.[759]

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[758] Lisa Seghetti. *Border Security: Immigration Enforcement between Ports of Entry*. Report R42138 (Washington, DC: Library of Congress, Congressional Research Service, December 31, 2014). Available at: http://fas.org/sgp/crs/homesec/R42138.pdf.

[759] See, e.g., Michael Dimock, Jocelyn Kiley, Scott Keeter, and Carroll Doherty. 'Political Polarization in the American Public: How Increasing Ideological Uniformity and Party Antipathy Affect Politics, Compromise, and Everyday Life'. Pew Research Center, June, 2014. Available online at:

B. THE IMMIGRATION DISCOURSE 1994-2004

Although immigration had been a part of the political debate since the 1970s, its salience had varied widely over the years. Beginning in 1994, however, with the passage of Proposition 187 in California, and continuing to the present day, the immigration discourse has never been far from the centre of national political debate.

1. California's Proposition 187

In 1994, Proposition 187 (Save our State) was presented to the voters of California with the full support of Republican governor Pete Wilson. Calling for cutting off benefits to undocumented immigrants in the state by prohibiting access to health care, public education, and other social services, it essentially blamed them for the poor performance of the state economy. The law also required authorities (for example, in hospitals or schools) to report anyone whom they suspected of being undocumented.

Although Prop. 187 passed with the support of 55 per cent of the voters in 1994, it was immediately enjoined in the courts, which eventually declared it unconstitutional 1997. The final blow came in 1999, when the new Democratic governor, Gray Davis, refused to appeal yet a further judicial decision. Even though Prop 187 was short-lived, it proved to be the inspiration for future harsher state and local immigration laws. However, the strong reaction from the Latino community and immigration advocates propelled a drive to increase the naturalization rates of permanent residents and registered as many as one million new voters.

2. IRRIRA & Other Initiatives

In 1996, partly due to the popularity of Proposition 187, its undoubted benefit in securing the re-election of Governor Wilson, and political advocacy of the national level, the question was not whether Congress would pass punitive immigration legislation, but rather how far it would going go. In this atmosphere, growing anti-immigrant sentiment coalesced with fiscal conservative forces in seeking to make immigrants an easy target of budget cuts.

Limits on legal Permanent residents' (LPR) access to social welfare programs contained in the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) and Welfare Reform Act seemed motivated not so much by a guiding philosophy of what it meant to be a member of American society as by a desire to shrink the size of the federal government and to produce a balanced budget. Although immigrants had periodically been cited as the cause of concern for welfare costs throughout US history, even more than in the past, the consequence seemed to be to metamorphose legal immigrants from public charges to gains for the federal treasury.[760]

3. The Bush Immigration Reform Proposals

a. The 2000 Presidential Elections

Although immigration reform had not in any way been a central issue in George W. Bush's campaign for the presidency in 2000 (when his platform included little more than a temporary worker program and additional border patrol agents), as governor of Texas he understood the growing power of the Latino vote. In 1996 he had forbidden the use of immigration as a wedge issue in the GOP primary campaigns in Texas—and thereby helped sink California Governor Pete Wilson's candidacy, who had been trying to exploit his recent success with the Proposition 187 initiative. Four years later, during his own candidacy, Bush assiduously courted Latinos and won 35 per cent of their vote.

b. Immigration after 9/11

The terrorist attacks of September 11, 2001 prompted the profound securitization and a concomitant realignment of the US immigration system — from increased information sharing across international, federal, state, and local law enforcement and intelligence agencies to changes in detention policies. The post-9/11 era has given rise to an immigration system in the United States dominated by national security and enforcement considerations.

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[760]Gregory A. Huber and Thomas J. Espenshade. 'Neo-Isolationism, Balanced-Budget Conservatism, and the Fiscal Impacts of Immigrants'. *International Migration Review*, Vol. 31, No. 4, Special Issue: Immigrant Adaptation and Native-Born Responses in the Making of Americans (Winter, 1997): 1031-1054

This began in 2001 with the passage of the Patriot Act, [761] and was followed on March 1, 2003, when the Immigration and Naturalization Service (INS) ceased to exist, its responsibilities divided up and given to three new agencies within the new Department of Homeland Security (DHS): the U.S. Customs and Border Protection (CBP), responsible for border enforcement inspection functions; the U.S. Immigration and Customs Enforcement (ICE), responsible for interior enforcement, including the removal of those determined to be in the country unlawfully; and the U.S. Citizenship and Immigration Services (USCIS), which processes various immigration benefits, including citizenship. [762] The two enforcement agencies, CBP and ICE, have received the lion's share of funding, with a combined budget of $18.1 billion in 2015.[763] In the decade after 2005, CBP alone saw its budget increased by 99 per cent to $12.8 billion,[764] while the number of Border Patrol agents almost doubled, to some 18,000 in 2015.[765] The decade since the attacks also has been characterized by the birth of a new generation of interoperable databases and systems that sit at the crossroads of intelligence and law enforcement, reshaping immigration enforcement at the federal, state, and local levels through increased information collection and sharing. Other features of the intense focus on border security include significant use and expansion of immigrant detention policies; broad use of nationality-based interview, screening, and enforcement initiatives; and the impetus for growing state and local involvement in immigration enforcement and policymaking.[766]

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[761] The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act, October 26, 2001), Public Law 107-52.

[762] Homeland Security Act of 2002, Pub. L. No. 107-296, 116 Stat. 2135 (2002), https://www.congress.gov/107/plaws/publ296/PLAW-107publ296.pdf.

[763] The 2015 enacted budget was reduced slightly for the first time from $18.4 billion in FY 2014, although $19.8 billion was requested for FY 2016. 'FY 2016 Percent of Total Budget Authority by Organization,' in *Budget-in-Brief: Fiscal Year 2016* (Washington, DC: U.S. Department of Homeland Security, 2015), 10, Available at: http://www.dhs.gov/publication/fy-2016-budget-brief.

[764] Comparing 2015 figures with 2005 enacted budget. 'Total Budget Authority by Organization,' in *Budget-in-Brief: Fiscal Year 2006* (Washington, DC: U.S. Department of Homeland Security, 2005), 15, Available at:, http://www.dhs.gov/sites/default/files/publications/Budget_BIB-FY2006.pdf.

[765] Jerry Markon, 'Fewer Immigrants Are Entering the U.S. Illegally, and That's Changed the Border Security Debate'. *Washington Post*, May 27, 2015. Available at: http://www.washingtonpost.com/politics/flow-of-illegal-immigration-slows-as-us-mexico-border-dynamics-evolve/2015/05/27/c5caf02c-006b-11e5-833c-a2de05b6b2a4_story.html?tid=pm_politics_pop_b

[766] Mittelstadt, Michelle, Burke Speaker, Doris Meissner, and Muzaffar Chishti. 'Through the Prism of National Security: Major Immigration Policy and Program Changes in the Decade since 9/11'. Washington, DC: Migration Policy Institute, 2011.

c. The 2004 Presidential Elections

In January 2004, facing re-election, and in light of the failure of the legalization agreement in the aftermath of the 9/11 attacks, President Bush proposed a new initiative on immigration. He urged Congress to pass legislation that included strengthened border security, but also a temporary worker program. Although there was little action before the elections, President Bush received some 40 per cent of the Latino vote.

4. Arizona's Proposition 200

In 2004, anti-immigration activists in Arizona put Proposition 200 on the ballot. A more carefully drafted version of California's Proposition 187 a decade earlier, it denied public benefits to illegal immigrants and required public employees to report anyone suspected of being in the country illegally. Although opposed at the time by the Arizona's Republican legislature, it passed by a margin of 56 to 44 per cent. And, although also short-lived, the passage of Proposition 200 inspired legislation across the country aimed at legal and illegal immigrants.

C. THE CURRENT DEBATE: 2005-2014

But by the beginning of the twenty first century, the Congress had already begun to be deeply divided. As the decade progressed and passed to the middle of the next, the immigration debate sharpened along partisan lines, and led to a stalemate. Three serious attempts were made to pass a comprehensive law that would permit, in addition to the usual enhanced immigration enforcement, visa reforms that might help increase legal inflows, and some avenue for the legalization of a portion of the millions of undocumented immigrants living in the United States.[767] These were the *Comprehensive Immigration*

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[767] Rosenblum, Marc R. *Understanding the Stalemate over Comprehensive Immigration Reform*. Washington, D.C.: Migration Policy Institute, August 2011, P. 8. Available online at:

Reform Act of 2006 (S. 2611); the *Secure Borders, Economic Opportunity, and the Immigration Reform Act of 2007* (S. 1348); and most recently, the *Border Security, Economic Opportunity, and Immigration Modernization Act of 2013* (S.744). Both the 2006 and 2013 proposals passed the Senate, only to eventually fail in the House, while the 2007 bill never even emerged from the Senate.

1. Which Direction? Congress' Diverging Paths

By the beginning of 2005, the new Congress had begun to be deeply divided on the issue of immigration. Why did immigration become so salient then? Undoubtedly it was in part, because the number of undocumented immigrants had been rising steadily over the previous decade. Moreover, immigrants — both documented and undocumented — were now reaching a proportion of the population similar to the great wave of immigration at the turn of the last century. Also, immigration was no longer contained to the traditional immigrant states in the Southwest and in Florida and New York, but rather had begun to spread throughout the country, with important new centres arising in the Southeast and the Midwest. At the same time, a greater proportion of immigrants had been arriving from one region, Latin America. This combination of factors gave fuel to fears by social conservatives that the immigrants would not need to learn English, and so would never truly become Americans; fears that were crystalized as a backlash to the massive immigrant marches at the beginning of 2006.

a. The 109th Congress (2005-2006): CIR & the Sensenbrenner Bill

But if the Senate felt that immigration was an issue that was important to tackle because of the country's rapidly changing demographics, the calculus in the House of Representatives was completely different. Not only were their districts much more homogenous, to some extent it was also clear that some Republicans in Congress felt that it could be used to

http://www.migrationpolicy.org/research/RMSG-us-immigration-policy-cir-stalemate.   Last   accessed, January 29, 2015

mobilize a base dispirited by a number of scandals (the Iraq war, the Abramoff and Cunningham corruption cases, Hurricane Katrina, torture, and the Dubai World Ports affair among others). Immigration was an issue with which they could simultaneously distance themselves from an increasingly unpopular President and still arouse some passion in their supporters. Although in the end this stratagem proved unsuccessful, and the Democrats re-took control of the House, it firmly installed the immigration issue in the partisan agenda.

i. The Senate Acts

Seeking to thread a middle path between the competing demands of those who wanted only legalization, and those who would only countenance further enforcement, and beginning what would eventually become known as Comprehensive Immigration Reform (CIR), in 2005 Senators Kennedy (D-MA) and McCain (R-AZ) sponsored S. 2611. This compromise legislation provided for, among other things, increased border security, a temporary worker program, and a legalization program for long-term unauthorized residents that agreed to leave the country to apply.

ii. The House of Representatives Responds

It was in this context that in December the Rep. Sensenbrenner (R-WIA) introduced the 'Border Protection, Antiterrorism and Illegal Immigration Control Act' of 2005, (HR 4437, or more commonly, 'Sensenbrenner'), a bill that emphasized 'enforcement only'. Among its provisions, it called for building a 700-mile border fence and, more importantly, further criminalize those who entered or attempted to re-enter the country in an unauthorized manner by making these actions an aggravated felony. In addition, it also became known as the 'priest incarceration law', since clergy, or any other who 'assisted' unauthorized immigrants for humanitarian reasons, could also be charged with a felony crime. While the

Senate passed SB 2611, and HR 4437 passed in the House, both of these bills died in the 109th Congress.

iii. Latinos Respond: The 2006 Marches

Following the passage of the Sensenbrenner Bill by the House of Representatives, a number of immigrant communities began to hold local demonstrations. Beginning in March 2006, and through May of that year, thousands of immigrants and their supporters marched across the nation in small towns and in large cities such as Los Angeles, Washington, D.C., Chicago, Dallas, and Atlanta to name a few. In many cities these marches were not only the largest immigrant rights mobilization ever, these were the largest civil rights marches in their history. This unprecedented mobilization of undocumented immigrants and their advocates sent shockwaves across the US political landscape. Whether the demonstrations did more to advance the interests of undocumented residents and other immigrants, or to harden nativist sentiments, remains debatable.

According to the most conservative estimates, anywhere from three-and-a-half to five million people marched in streets that spring, to virtually no reports of violence or arrests.[768] Participants included citizens, legal residents, and undocumented immigrants. Indeed, US–born Latinos participated on a massive scale; surveys found that second- and third-generation Latinos were as likely to participate as the foreign-born.[769]

In their efforts to influence perceptions and public policy, following the basic civics textbook process of 'how a bill becomes law', they demonstrated an unprecedented commitment to working within the mainstream American governance process. For example, as opposed to the copious display of Mexican flags that had accompanied the Prop

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[768] For specific data on the total numbers, see Chart 8.1 in Xóchitl Bada, Jonathan Fox, and Andrew Selee, eds., *Invisible No More: Mexican Migrant Civic Participation in the United States* (Washington D.C: Woodrow Wilson International Center for Scholars, August 2006), or Gustavo Cano. *¡Orale! Politics: Mobilization of Mexican Immigrants in Chicago and Houston*. Ph.D. Dissertation, Columbia University; 2009.

[769] See, e.g. Matt Barreto, Sylvia Manzano, Ricardo Ramírez, and Kathy Rim, 'Mobilization, Participation and Solidaridad, Latino Participation in the 2006 Immigration Protest Rallies'. *Urban Affairs Review*, 44, no. 5, (2009): 753.

187 marches in California 12 years earlier, many hundreds of thousands heeded the call to send a collective message that they wanted to be 'good citizens', by waving US flags.[770]

For many observers, this mass entry of primarily Latin American immigrants into the US public sphere appeared to be largely spontaneous-a defensive response to a bill passed by the House of Representatives that promised to criminalize both immigrants and their U.S. allies (HR 4437).

At least partly in response to the immigrant rights protests, HR 4437 did not become law. Yet the ability to block a hard-line law was not the same as the capacity to promote legislative reform. Instead, the following years witnessed an unmovable legislative stalemate, as neither advocates for mass deportation nor advocates of comprehensive immigration reform were able to construct a winning coalition in Congress.[771]

Also, although it was an impressive display of American-style mobilization, researchers generally found that the demonstrators failed to win the hearts and minds of Americans. Not only were they unaware that the marches had broad-based participation, most reported that the rallies tended to produce a negative impact on their perceptions of Mexican immigrants.[772]

Nevertheless, although these marches may not have captured the hearts and minds of Americans, it did mobilize Latino citizens to participate and support a largely immigrant cause. Latino support for the protests was strong across all country of origin groups and geographic distribution, as a strong sense of solidarity unified the population around the immigration issue.[773]

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[770] Jonathan Fox. 'Understanding Latino Immigrant Civic Engagement: Context Matters'. In Xóchitl Bada, Jonathan Fox, Robert Donnelly and Andrew Selee. *Context Matters: Latino Immigrant Civic Engagement in Nine U.S. Cities*. Series on Latino Immigrant Civic Engagement. (Washington, D.C.: Woodrow Wilson International Center for Scholars, June 2010), 7

[771] Fox. 'Understanding Latino Immigrant', 8

[772] See, e.g. Mara Cohen-Marks, Stephen A. Nuño, and Gabriel R. Sanchez. 'Look Back in Anger? Voter Opinions of Mexican Immigrants in the Aftermath of the 2006 Immigration Demonstrations'. *Urban Affairs Review*, Vol. 44, No. 5 (May 2009): 695-717

[773] Barreto, Et.Al., 'Mobilization'
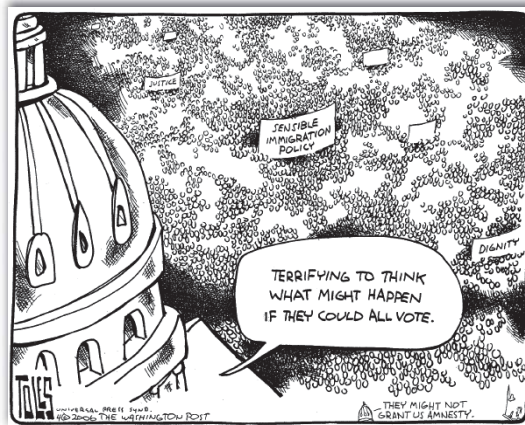
b. The 110th Congress (2007-2008)

The 2006 elections proved to be disastrous for the party in power, leading President Bush to declare that the Republicans had been given a 'shellacking'. The Democrats retook control of the House of Representatives and the Senate. A bipartisan group of senators led by Senators Kennedy (D-MA) and Kyl (R-AZ) and with the full backing of President Bush revived the comprehensive immigration reform issue the 110th Congress. The result, *The Comprehensive Immigration Reform Bill of 2007* (SB 1639), provided for increased border security, earned legalization, a temporary worker program, and a points system for visas that would in effect have largely scuttled the existing visa program that privileged family-unification in favour of employment visas for skilled workers.

The initiative immediately faced opposition from both sides of the debate, although far less effectively from immigration advocates. These became deeply divided, especially over the compromises necessary to maintain Republican votes for the bill, such as the controversial point system. Those advocating more restrictions had no such problems, and they quickly mobilized an effective and vociferous opposition. As the bill was being debated, Numbers USA, one of the principal restrictionist organizations, orchestrated more than one million calls and faxes to members of Congress, causing the telephone exchange to break down. In June 2007 the Senate failed to pass the legislation.

c. The 111th Congress (2009-2010)

The election of Barack Obama, in the midst of the worst economic downturn the United States had experienced since the Great Depression in the decade of the 1930s, ushered in new hope that the immigration issue would begin to be finally settled. After all, in 2008, Barrack Obama had received 67 per cent of the Hispanic vote, in large part due to his promise to pass immigration reform in his first year in office. But a concentration on health care reform by the Obama administration during the first half of his term meant that he fell short on his promise, and despite his support for the DREAM Act in 2010, that bill failed in the Senate at the end of the 111th Congress—even though it had been controlled by Democrats. Instead, during Mr Obama's first two years, he seemed to lean hard on enforcement, apparently seeking to build credibility with Republicans in an attempt to attract their votes for an immigration overhaul. But with the economy lagging and millions of Americans out of jobs, Republicans saw no reason to back proposals that would assist undocumented immigrants.

d. The 112th Congress (2011-2012)

The mid-term elections of 2010 brought yet another lurch in the balance of power in Congress, when the Republicans, energized by the rise of the Tea-Party base, and motivated by the passage of the Health Care act the previous year, managed to take the majority in the House of Representatives once again.

e. The 113th Congress (2013-2014)

The failure of the Republican Party to win the presidential elections in 2012, despite the impressive gains made during 2010, led to a moment of reassessment on the part of the GOP elite. Almost immediately, the size—but more importantly the proportion—of the Latino (and Asian American) vote awarded to Obama was tied to Mitt Romney's discourse on 'self-deportation' and led to the conviction that action must be taken on immigration if

the Party was to have any chance to capture a sizeable number of these votes in the future. As the Republican post-mortem of the election, the Growth and Opportunity Project, put it, '[i]n essence, Hispanic voters tell us our Party's position on immigration has become a litmus test, measuring whether we are meeting them with a welcome mat or a closed door.'[774]

The Senate finally managed to pass *The Border Security, Economic Opportunity, and Immigration Modernization Act* S.744 (2013) by a vote of 68 to 32. But as the legislation moved to the House of Representatives, and as the sting of the 2012 election results faded for Republicans, the Republican National Committee's dire warnings of a demographic tsunami lost much of their impact. But that is perhaps not all that was operating: due to redistricting, of all the power centres of the GOP—governors, presidential candidates, senators—the Republican Conference in the House of Representatives was now the least susceptible to any arguments that the Party faced any demographic dangers.

f. The 114th Congress (2015-2016)

The 2014 mid-term elections continued the pattern of significant changes seen since 2006. The Republicans not only added to their significant majority in the House of Representatives, they also managed to attain the majority in the Senate. The combination of the significant victory—which served to distance Republican members of Congress from the realities of demographic change driving a push for immigration reform on the part of the leadership, and the announcement of President Obama's executive actions regarding the undocumented parents with US-born children—which was seen as a direct challenge to congressional power, assured that any significant action on immigration reform would prove to be extremely unlikely.

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[774] RNC, Growth and Opportunity, PP.

2. The Dream Act

First introduced during 2001, The Development, Relief, and Education for Alien Minors (DREAM) Act would provide immigration relief to a select group of students and allow them to become permanent residents if they had come to the United States as children (under the age of 16), were long-term US residents (5 years or more), had good moral character (i.e. had not entered the criminal system), and attended an institution of higher learning or enlisted in the military for at least two years. In addition, the legislation would allow states to grant in-state tuition rates to alien students. The DREAM Act was designed to provide young people with an incentive to move towards permanent residency, while pursuing further education or serving the country in the armed forces.

Different versions of the DREAM Act have been introduced in both the Senate and the House of Representatives in every Congress since the 107th Congress in 2001. The text of the bill has also been unsuccessfully placed in various other immigration-related bills, including the two failed attempts for Comprehensive Immigration Reform in 2006 and 2007.

With the failure of comprehensive reform, Senator Richard Durbin of Illinois, the chief proponent of the DREAM Act in the Senate, made its passage a top priority for 2007. Accordingly, in September, he placed the DREAM Act as an amendment to the 2008 Department of Defense Authorization Bill. In an attempt to overcome strong opposition, proponents rewrote the amendment, but it never garnered enough support to even be brought up for a vote. However, Senate Majority Leader Harry Reid promised to bring the measure to a senate vote by November 16 as a stand-alone bill.

On October 18, Sen. Durbin, along with Republican cosponsors Richard Lugar of Indiana and Chuck Hagel of Nebraska, reintroduced the DREAM Act as S.2205. In order to bring forth the DREAM Act for debate, a vote was scheduled on October 24 that would require a "filibuster proof" count of 60 yes votes. Opposition emerged, primarily led by talk radio, criticizing the legislation on a variety of matters, but mostly because they considered it a form of amnesty that would only encourage further illegal immigration. Others stated that the DREAM Act, though worthy legislation, should only be enacted as part of a comprehensive immigration reform. In the end, although 52 Senators voted in favor of

considering the DREAM Act, this fell eight votes short of the number necessary to break a potential filibuster and the legislation was not considered.

Ultimately, the DREAM Act did not inspire the sort of dogfight that defined the battle over Obamacare, not because Republicans supported it (they did not) but because Democrats—many facing difficult re-election bids—were not willing to risk the necessary political capital for it. This despite the fact that an analysis of what would happen if Congress were to grant a pathway to legal status to the 2.1 million eligible youth estimated that the DREAM Act would add $329 billion to the U.S. economy and create 1.4 million new jobs by 2030.[775]
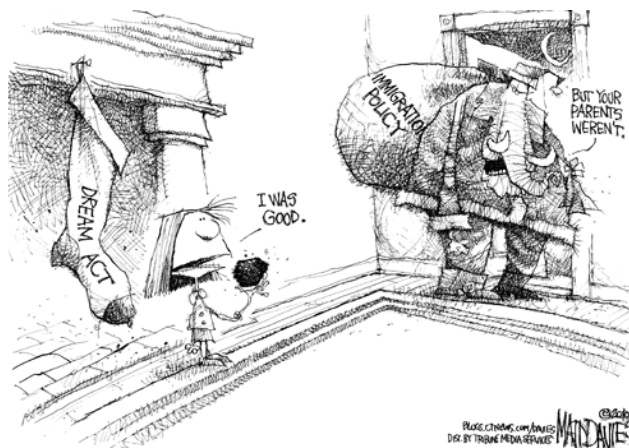
3. State and Local Responses to Immigration

The politicization of the immigration debate also produced a spate of local laws. At the beginning, states and locales vied to see who could be tougher on immigrants. As noted above, the passage of Proposition 200 spurred legislation across the country aimed at immigrants. According to the National Council of State Legislatures, 300 pieces of legislation dealing with documented and undocumented immigrants were introduced in 2005, almost doubling to 570 in 2006 and tripling to 1,562 in 2007. Between 2005 and 2010, 6,637 bills were introduced in all 50 state legislatures, of which 838 were enacted,

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[775] Guzman, Juan Carlos, and Raúl Jara. *The Economic Benefits of Passing the DREAM Act.* Center for American Progress. 2012

and 57 vetoed.[776] Geographically, legislation was introduced in almost every state, with the most conspicuous growth in the South; in the first half of 2010, all 46 assemblies then in session recorded the introduction of immigrant-related bills, and 44 legislatures passed legislation. In 2007, immigration bills became law in 46 states, including Wyoming, South Dakota, North Dakota, Montana, and West Virginia—all states that had relatively few immigrants.[777]

Fig. 4.1 State Immigration Legislation in the US, 2005-2011
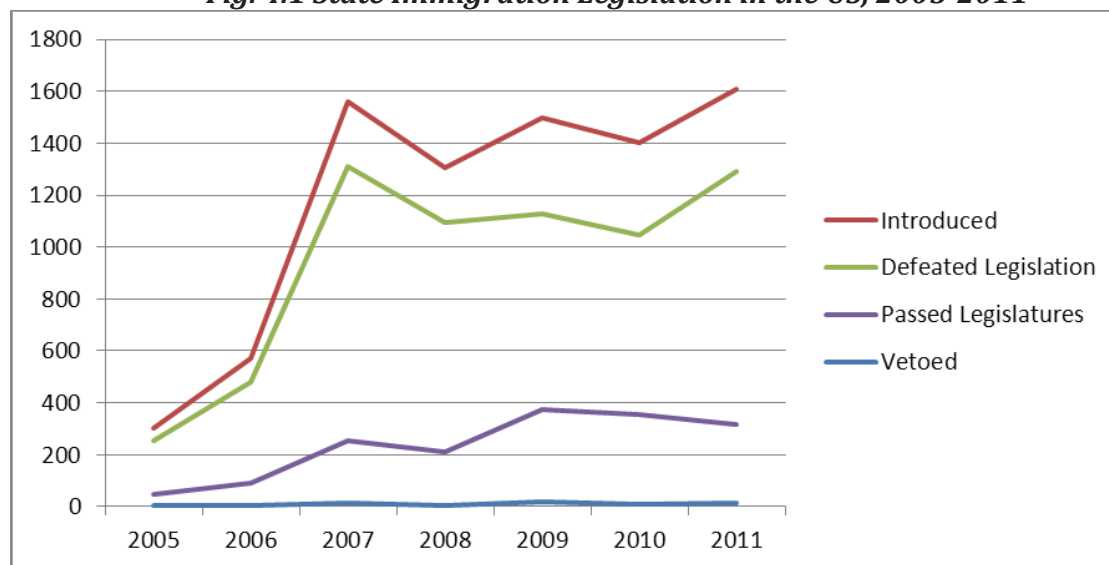
Many of these laws were aimed at denying benefits to undocumented immigrants, but others imposed onerous voter-registration requirements that affected minority (read Latino) communities, or banned languages other than English from public documents, including ballots. Playing on the old INS policy of 'attrition through deterrence', those advocating restrictions called the rationale behind their legislative efforts 'attrition through enforcement', i.e. rendering life so difficult for unauthorized immigrants that they would return home. A typical example was produced by Hazleton, Pennsylvania. It enacted laws imposing fines on landlords who rented to unauthorized immigrants, revoking the business licenses of employers who hired them, and adopting an English-only policy for city government services. According to Ramakrishnan and Gulasekaram, a great number of

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[776] National Conference of State Legislatures (NCSL), *2010 Immigration-Related Laws and Resolutions in the States (January 1 - December 31, 2010)* (Washington, DC:, NCSL Immigrant Policy Project, 2011), http://www.ncsl.org/research/immigration/2010-immigration-related-laws-and-resolutions-in-t.aspx.

[777] See Robert Donnelly, 'State-Level Immigrant-Related Legislation: What it Means for the Immigration Policy Debate,' in *Sentimientos, acciones y políticas antiinmigrantes. América del Norte y la Unión Europea,* ed. Mónica Verea (México, D.F.: Universidad Nacional Autónoma de México, 2012). 123-124

these bills were designed and pushed by 'issue entrepreneurs' who first helped block immigration reform at the national level and then simultaneously used federal inaction as an excuse to push the attrition-through-enforcement agenda at the state and local levels.[778]

a. State Immigration Laws

In April 2010, Governor Jan Brewer of Arizona signed SB 1070, a law that accorded the police broad power to detain anyone suspected of being in the country without authorization and made the failure to carry valid immigration papers a misdemeanour. Despite strong negative reaction from across the nation, passage of the law set off a scramble to get even tougher, with state legislators proposing even more extreme laws, including legislation denying citizenship to babies born in Arizona if the parents could not prove legal status, notwithstanding the Fourteenth Amendment's birth-right citizenship clause.[779] In 2011, 31 states introduced legislation imitating some part of SB 1070, with five—Alabama, Georgia, Indiana, South Carolina, and Utah — passing full-blown 'copycat' laws.

For example, in Pennsylvania, the 'Verifying Authorized Workers Bill of 2010' (HB 1502) banned contractors and subcontractors who employed undocumented workers from having state construction contracts. It also contained provisions protecting employees who reported construction sites that hired undocumented workers. To ensure that contractors hired "legal" workers, the law required employers to use the E-verify identification system. It passed the House by a vote of 188-6, and a month later was signed into law on June 8th 2010.

Florida's 2010 immigration law (HB-1C) was perhaps the most comprehensive in that it prohibited any restrictions on the enforcement of federal immigration law. It made it

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[778] Ramakrishnan, S. Karthick, and Pratheepan Gulasekaram. *Understanding Immigration Federalism in the United States.* Center for American Progress Report, March 2014

[779] Constitution of the United States of America, Amendment XIV (Passed by Congress June 13, 1866. Ratified July 9, 1868): Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

unlawful for undocumented immigrants within the state to apply for work, or even to work as an independent contractor. It forbade employers from hiring immigrants if they were aware of their undocumented status and required work applicants to go through the E-verify system in order to check their Social Security number. It was signed into law on October 1st, 2010

The US government filed suit to enjoin SB 1070, and the federal district court issued a preliminary injunction preventing four of the states provisions from taking effect. The ninth circuit court of appeals affirmed the lower court's decision of the state of Arizona appealed the case to the Supreme Court. In June 2012, the Supreme Court issued a decision upholding the lower courts decisions as to three of the laws measures, but allowing section 2(b), the provision authorizing police officers to question people about their immigration status, to go forward. The court held that enjoining the measure was premature as there was no showing that the enforcement scheme violated federal immigration law. Nevertheless, because a coalition of civil rights groups filed another lawsuit with additional legal claims not addressed by the Supreme Court, the law did not go into effect.

After the Supreme Court ruled on Arizona's 1070, the tide largely turned, and a growing number of states and localities began passing more-welcoming laws, aimed at integrating immigrant residents and mitigating some of the harsh consequences of immigration enforcement. These laws have taken a range of forms, from providing driver's licenses and in-state tuition, to limiting cooperation with federal immigration authorities. Importantly, states and localities are enacting these laws even as Congress has failed to pass immigration reform.

b. Local Immigration Laws and Statutes

Municipalities were not immune to the anti-immigrant fervour of the times. Typical of local initiatives was that of Hazleton, Pennsylvania, which enacted laws imposing fines on landlords who rented to unauthorized immigrants, revoking the business licenses of employers who hired them, and adopting an English-only policy for city government services. The ordinance's architect was Kris Kobach, a conservative law professor from Missouri, who also advised and drafted similar ordinances for numerous cities and towns—and eventually for other states.

4. The Obama Administration and Immigration Reform

a. The 2008 Presidential Elections

By the time of the 2008 presidential primaries immigration was at the fore of national issues. Although it affected candidates on both sides, it became a much tougher issue for Republicans, and the principal contenders—Sen. Brownback of Kansas, Mayor Gugliani of New York, Gov. Huckabee of Arkansas, Sen. McCain of Arizona, and Gov. Romney of Massachusetts—ran into severe criticism due to their previous 'soft' positions on immigration. Despite that, John McCain, the co-sponsor of the 2005 bill, and an advocate of CIR, won the nomination, but only at the cost of tacking to the right on the issue.

THE REPUBLICAN DEBATES

b. Failure to Launch

Despite great hopes and Barack Obama's promises to reform immigration during his first term, the election of a Democratic president in 2008 had little effect. The 'down payment', a strategy of being tough on enforcement as a way of achieving Republican concessions on comprehensive immigration reform, badly misfired on President Obama. Although both he and President Bush believed that enhanced internal enforcement would be the carrot to make eventual regularization acceptable to Congress, they were mistaken. While the budget for enforcement rose precipitously, President Obama was not able to produce the promised immigration law reform; moreover, his administration deported the largest number of people since the 1950s, with nearly 400,000 foreigners removed in each year of his first term, earning President Obama the sobriquet of 'Deporter in Chief.' During its first five years, the Obama administration deported slightly over 2 million immigrants, more than during the eight years of the George W. Bush administration. It is all the more staggering when one considers this is almost double the number of deportations during the 20 years of the preceding Reagan, GHW Bush, and Clinton administrations.[780]

c. DACA and the 2012 Presidential Election

In June 2012, as President Obama entered the main stretch of his re-election campaign, his immigration policies had produced few gains for Latinos, whose votes would be crucial for

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[780] U.S. Department of Homeland Security, *Yearbook of Immigration Statistics: 2013* (Washington, DC: U.S. Department of Homeland Security, Office of Immigration Statistics, 2014), 103. Based on calculations of 'Removals' in 'Table 39. Aliens Removed or Returned: Fiscal Years 1892 to 2013.' 'Removals' are defined as 'the compulsory and confirmed movement of an inadmissible or deportable alien out of the United States based on an order of removal.' 'Returns,' meanwhile, are 'the confirmed movement of an inadmissible or deportable alien out of the United States not based on an order of removal.' Both can roughly be considered 'deportation' (although the term itself ceased to have any official meaning after the 1996 passage of the Illegal Immigration Reform and Immigrant Responsibility Act, 110 Stat. 3009), and are often lumped together. In very broad terms, however, 'removals' are 'internal enforcement,' that is, those expelled from the United States after they had made their way into the territory; while 'returns' are 'border enforcement,' or those who are apprehended, most often along the southern border, and removed before entering the country. The recent combination of increased internal enforcement with a steep drop in entries of undocumented immigrants has meant that, in the 70 years since 1942, only in FY 2011-2013 have there been more migrants 'removed' than 'returned.'

him in November. Not only had he not produced the promised immigration reform, as we have seen, Mr Obama's record on deportations was the largest since the 1950s. Furthermore, despite the announcement the previous year of a strategic shift in immigration enforcement to focus on deporting criminals while sparing undocumented immigrants with clean records, the Department of Homeland Security reported that after an administration review of more than 288,000 deportation cases before the immigration courts, only about 4,400 (or about 2 per cent) of deportations had been halted nationwide. Knowing that his re-election hinged on the support of the Latino community, on June 15, 2012, President Obama announced the 'Deferred Action for Childhood Arrivals' (DACA) plan, designed to protect from deportation youths who had been brought into the country by their parents.

d. Obama & Executive Action

In the absence of legislation dealing with the legalization of the estimated 11.5 million unauthorized immigrants in the United States, the Obama administration has considered that the primary pathway for federal-level immigration policy change could only be possible through the use of executive action. In the past, these actions have ranged from tweaking the focus of enforcement activities (such as concentrating more on immigrants with criminal records), to extending Temporary Protected Status (TPS) to various groups (e.g. Central Americans after Hurricane Mitch; Haitians after the 2005 earthquake; more recently West Africans after the Ebola pandemic of 2014), to broader—and more contentious—presidential executive actions.

D. INTO THE FUTURE

Despite the fact that DAPA and the enhanced DACA have been enjoined by the courts, and will only be resolved at the earliest around the time of the next presidential elections in

2016, the situation has been improving. Although there has been a complete lack of general awareness that the number of undocumented immigrants entering the country has fallen dramatically, public perception of immigrants and immigration (among the non-Republican portion of the population) has been steadily improving.[781]

1. Reduced Migration Flow

Over the decade of the immigration debate, specifically since 2005, the flows of undocumented migration from Mexico underwent an important shift. Migrant flows to the US increasingly began to slow, even as return flows to Mexico increased, leading to a situation unseen since the 1930s—net zero migration. This crucial shift in flows did not have, however, any visible impact on the debate.

This is perhaps because, even as late as 2014, almost half of Americans (47 per cent) believed that the number of immigrants coming to the country illegally *had increased* over the last five or six years (with a further 34 per cent saying the rate had stayed the same, and 13 per cent saying it had decreased). Importantly, the views about the relative rate of unauthorized immigration were closely associated with political predispositions, with 63 per cent of Republicans believing illegal immigration had increased, as compared with 44 per cent of Democrats or 42 per cent of independents. These numbers were slightly higher for those who identified Fox News (a conservative news network) as their most trusted news source (64 per cent), and higher yet for members of the Tea Party (66 per cent)

2. The 'Trump Effect'

It still remains to be seen, however, whether the issues brought to the surface by the surprising success candidacy of Donald Trump will have lasting repercussions. Already there has been some evidence that his insistence on the criminal nature of undocumented immigrants has created pressure to impose draconian mandatory sentences on such immigrants convicted of crimes, even as the country as a whole seems to be retreating from laws promoting mass incarceration. In the meantime, his pronouncements, first on

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[781] Jones, Et.Al., 2014, *Op.Cit.* P. 16

refugees, and then on imposing a total ban on Muslims entering the country have horrified a great part of the population, even as it has energised his base.

And there is considerable evidence that a large part of his appeal is based specifically on his extreme views on immigration.

The PRRI American Values Survey helped clarify the identity and outlook of Trump's supporters. A majority (55 per cent) of Republicans and Republican-leaning independents who support Trump are white working-class Americans. In contrast, only 35 per cent of those supporting other Republican candidates identify as white and working-class.

Trump supporters differ most from those supporting other Republican candidates on issues of immigration. Nearly seventy per cent of Trump supporters say that immigration is a critical issue to them personally, compared with only 50 per cent of those supporting other GOP candidates. Similarly, eighty per cent of Trump supporters say that immigrants today are a burden to the US because they take American jobs, housing and healthcare; a view shared by only 56 per cent of those supporting other Republican candidates. And just under three quarters of Trump supporters agree that discrimination against White (non-Hispanic) Americans has become as big a problem today as discrimination against Blacks and other minorities. This sentiment is shared by only 57 per cent of those supporting other Republican candidates.

The PRRI Survey also finds that White, working-class anxiety about demographic change is linked to experiences of diminished economic opportunity. Two-thirds of white-working class Americans say undocumented immigrants are at least somewhat responsible for the country's current economic conditions, compared to only 44 per cent of White college-educated Americans who say the same. Concerns about the US economy span the political and demographic spectrums, but 78 per cent of White working-class Americans believe the United States is still in a recession, compared to just 62 per cent of White college-educated Americans.

These views are reflected in a great variety of other polls, particularly in the two early primary states where political polling firms are concentrated at the time of this writing, New Hampshire and Iowa. And, even though it has faded in intensity as an issue on the

national discourse since Donald Trump burst on the political scene in June of 2015 with an incendiary announcement speech, it is ever more clear that immigration is still driving a core base of voters into Trump's camp.

For example, in WBUR's early January poll of the New Hampshire primary, Trump's 'favourability' numbers jumped from 46 per cent overall amongst Republicans to 62 per cent among those who said that illegal immigration posed a 'major threat' to 'you and people you know'. And this favourability translates into votes: while 27 per cent of all respondents said they plan to vote for Trump in New Hampshire's February primary, his support rose to 35 per cent among the Republican voters most concerned about immigration.

In Iowa, where Senator Ted Cruz has caught or even surpassed Trump in many recent Republican caucus polls (28 per cent for Cruz to 27 per cent for Trump), Trump was still maintaining a double-digit lead over Cruz among 'immigration voters' in the early January Quinnipiac University survey.[782]

Trump also runs particularly well with people looking for a 'strong leader'. While Cruz dominated among Quinnipiac poll respondents in Iowa who wanted a candidate who 'shares your values', Trump got 40 per cent of those looking for a strong leader. Fox News' most recent Iowa poll showed Trump getting 39 per cent of those voters as well.

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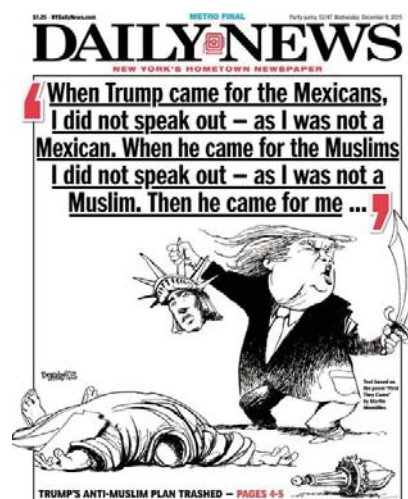
[782] Scott Bland. 'Donald Trump's Big Tent'. *Politico Magazine*, (*2016* Blog), January 8, 2016, 06:35 AM EST, Available at: http://www.politico.com/story/2016/01/trump-supporters-big-tent-217481#ixzz3wkdi0aQL

CHAPTER V: *ANALYSIS*

A. A HOSTILE IMMIGRATION DEBATE?

The level of hostility present in the immigration debate over the past decade is measured principally through two means: an examination of historical data on attitudes to immigration from public opinion polls from a variety of sources, concentrating on differences of opinion by different racial/ethnic groups, and by partisanship, and by an analysis of the tone of media coverage over the period.

1. Public Opinion Polls

The discourse on immigration has been an important part of public debate in the United States for a number of years. This section analyses the evolution of American's views on immigration over the past fifteen years, examining the differences between populations and partisan affiliations.

Although there is evidence that overall public opinion is becoming more welcoming—or at least less rejecting, there are two important distinctions that must be made, however. The first is that the views of immigration have become both, more sharply divided along political partisan lines, and simultaneously the feelings registered about immigrants are becoming even more polarised. The second distinction is that survey results support the theory that the 'Latino Threat' paradigm seems to have become widely internalised by the American public—at times even amongst co-ethnics.

The results of most polls demonstrate that, for the past fifteen years, if anything, the overall opinions on immigration are slowly but surely improving. Americans in general have demonstrated mixed attitudes, dualities in thinking, and splits on immigration issues. During this time, for example, Americans have not expressed a clear preference on whether immigration levels should be increased, decreased, or kept the same.[783]

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[783] On this very question, for example, and despite various gyrations of up to 10 per cent in the intervening years, we find that in 1999, 41 per cent wanted to maintain immigration at the current level, while in 2015 it

Figure 5.1 Immigration Preference Trends, 1999-2015
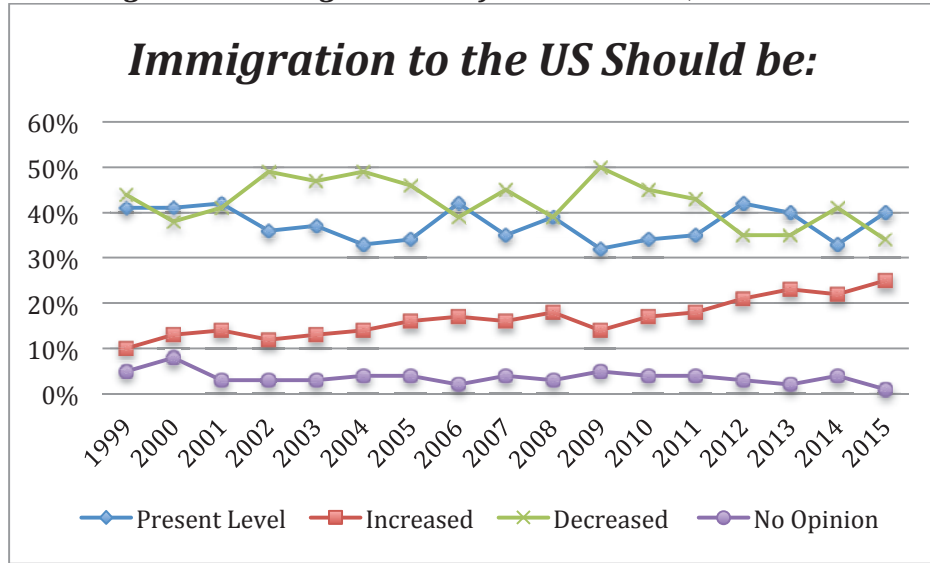
Source: Author's elaboration from Gallup Immigration, Historic Trends, Available at:
http://www.gallup.com/poll/1660/immigration.aspx

Large majorities of respondents (even reasonably big majorities of Latinos: 74 per cent) would like to see tighter security at US borders, or requiring business owners to check the immigration status of workers they hire (with slightly smaller Latino majority approval at 65 per cent).

At the same time, and by the same or slightly larger margins, they agree that immigrants already living in the US without authorization should not only be allowed to stay in the country, but also be given the opportunity to become citizens—as long as 'they meet certain requirements over a period of time, including paying taxes and a penalty, passing a criminal background check and learning English'.[784]

However, this is far from the full story. Immigration has become a very salient issue for the Republican base, in particular with those adhering to the Tea Party movement. The immigration issue has not only become more polarised in the past 15 years, it has become much sharper.

For example, according to a Pew Research Center survey conducted in the first quarter of 2015, overall, Americans have mixed views about the impact immigrants have had on

was 40 per cent. Similarly, 44 per cent wanted to see it decreased in 1999, and 34 per cent wanted a decrease in 2015 (although that number had been 41 per cent in 2014). The surprising figure has been the slow but steady rise in support for increasing immigration from its historic 10 per cent level to 25 per cent in 2015.

[784] Gallup Poll, June 13-July 5 2013

American society, with 45 per cent saying they are making society better in the long run and 37 per cent saying saying they are making it worse. However, the partisan divide on this question is more pronounced. Slightly more than half of Republicans (53 per cent) say immigrants coming to the U.S. make society worse in the long run, compared with just 24 per cent of Democrats.[785]

Echoing these findings, the PRRI reported that the number of Americans saying illegal immigration is a 'major' problem ticked up 8 percentage points over the past three years, from 28 per cent in 2012 to 36 per cent in 2015.[786] All of this gain came from a hardening of positions from respondents identifying as Republican, and in particular Tea Party sympathisers. Similarly, in the same 2015 PRRI *American Values Survey*, 43 per cent of Democrats said that the immigration issue was critically important to them personally, while 59 per cent of Republicans said the same. Meanwhile, Tea Party adherents and supporters of Donald Trump were even more negative, with more than two thirds (69 per cent for both groups, indicating a tremendous amount of overlap) saying that immigration was a critical issue.[787] When one considers that, given the wording of the question,[788] at least some portion of the 43 per cent of Democrats would take it to mean that 'immigration reform', and not 'illegal immigration' was critically important to them, the gap between the adherents of the two parties is considerably stark.

The same PRRI poll reported that over the last two years attitudes toward immigrants have become increasingly negative. In 2014, a slight majority, 57 per cent of Americans, thought that 'immigrants strengthen our culture', because of their hard work and talents. Meanwhile only 35 per cent said that 'immigrants burden our culture'. By 2015, Americans had become evenly divided as to whether immigrants strengthen the country (47 per cent) or whether they constitute a burden on the US because they take jobs, housing, and health care (46 per cent).[789]

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[785] Jens Manuel Krogstad and Jeffrey S. Passel. *5 facts about illegal immigration in the U.S.* Fact Tank Blog. (Washington, DC: Pew Research Center, November 19, 2015). Available online at: http://www.pewresearch.org/fact-tank/2015/11/19/5-facts-about-illegal-immigration-in-the-u-s/

[786] Jones, Et Al, *Anxiety, Nostalgia and Mistrust*, 2

[787] Jones, Et Al, *Anxiety, Nostalgia and Mistrust*, 14

[788] Respondents were asked to rate 'How important are the following issues to you personally', and randomly given a list of 12 issues, ranging from health care to same-sex marriage.

[789] Jones, Et Al, *Anxiety, Nostalgia and Mistrust*, 26

This split falls quite neatly across a partisan divide, with 63 per cent of Democrats believing that 'immigrants strengthen our culture' (vs. 26 per cent of Republicans). At the same time, 66 per cent of Republicans—and Tea Party supporters— felt that 'immigrants burden our culture' (while only 32 per cent of Democrats agree). [790]

There are major differences by race, ethnicity, and class (some of which can be mapped along partisan lines) in how Americans view immigrants. By race and ethnicity, a slight majority (55 per cent) of White Americans report being bothered when they come into contact with immigrants who speak little or no English, a view shared by only 40 per cent of African Americans and 28 per cent of Latinos.

When looked at by class, a considerable gap exists among Whites. Among working-class Whites, 63 per cent report being bothered when they come into contact with immigrants who do not speak English, compared to 43 per cent of Whites with a college education.[791]

And, despite a significant drop in the number of undocumented immigrants since 2007 and years of little or no growth,[792] overall, 69 per cent of Americans believe that the number of immigrants coming to the United States illegally has increased in 'the last few years', with 25 per cent believing the number has fallen. Once again, among Republicans, however, these numbers are 83 and 15 per cent, respectively.[793]

Although Latinos' opinion is reliably more pro-immigrant than that of the White population, it is neither monolithically so—there is almost always around 25 per cent that would prefer to see tougher enforcement of immigration laws.[794]

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[790] Jones, Et Al, *Anxiety, Nostalgia and Mistrust*, 26

[791] Jones, Et Al, *Anxiety, Nostalgia and Mistrust*, 27

[792] See, e.g. Jeffrey S. Passel and D'Vera Cohn, *Unauthorized Immigrant Totals Rise in 7 States, Fall in 14: Decline in Those From Mexico Fuels Most State Decreases*. Hispanic Trends Project (Washington, DC: Pew Research Center, November 2014) Available at: http://www.pewhispanic.org/files/2014/11/2014-11-18_unauthorized-immigration.pdf

[793] Question 10 in 'CNN/ORC International Poll, July 22 to 25, 2015', accessed July 30, 2015, http://i2.cdn.turner.com/cnn/2015/images/07/26/72715cnnorc.pdf.

[794] See, e.g. Stella M. Rouse, Betina Cutaia Wilkinson, and James C. Garand. 'Divided Loyalties? Understanding Variation in Latino Attitudes Toward Immigration'. *Social Science Quarterly*, Vol. 91, No. 3, (Sep. 2010): 856–882.; or Roberto Suro. *Survey of Mexican Migrants Part One. Attitudes about Immigration and Major Demographic Characteristics*. Pew Hispanic Center (Washington, DC: Pew Research Center, March 2, 2005). Available at: http://www.pewhispanic.org/files/reports/41.pdf

What is certain is that in measure after measure, we see an already wide, and widening, gap between the visions of Republicans (and to a certain extent Whites), and Latinos.

2. Media Coverage

Media—whether through stories or images, in newspapers, magazines, on radio and television, even on film—not only reflect the national mood, but also play a powerful role in producing national discourse. This is especially true regarding immigration, which is an issue that has polarizing political implications at the national and local levels. Reports by the media both shape, and are shaped by, how the public perceives immigration and how public policy regards immigrants and immigration. This section utilizes a variety of reports that examine the stories about immigration in major US media by their patterns, frequency, length, topics, and framing. It also includes a number of studies that examine how the topics on immigration have influenced the debate.

Much as with polling results, at first blush the panorama on the mainstream media seems to be improving, albeit slowly, which in all fairness is more than can be said about immigration policy itself, which in many ways fundamentally has not changed since the days of IRCA in 1987. While the total immigrant population has grown vastly larger over the years, the terms of the policy debate over immigration have hardly changed: Improving border controls; stopping the employment of unauthorized immigrants; configuring and debating legalization plans for people in the country illegally; establishing the numbers for the bewildering array of visa categories for legal immigrants. One thing that has changed radically, and quickly, is the news business. The media have undergone a radical transformation marked on the one hand by declining audiences for the traditional daily newspapers and broadcast network evening news programs that once dominated the information flow, and on the other, by increasing the delivery of information across new forms of news delivery via new technology, the Internet, cable television, and talk radio.[795] One constant throughout these massive changes, however, is the profit motive. The need to

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[795] Banu Akdenizli, E.J. Dionne, Jr., Martin Kaplan, Tom Rosenstiel, and Robert Suro. *A Report on the Media and the Immigration Debate. Democracy in the Age of New Media*. (Washington, DC: The Governance Studies Program and The Norman Lear Center, 2008) Available at: http://www.brookings.edu/~/media/events/2008/9/25%20media%20immigration/0925_immigration_dionne.pdf

attract a paying audience determines to a large extent the topics that will be covered, but just as important, how these stories will be framed.

Framing serves as an organizing theme that connects otherwise discrete pieces of information into a package. This is important, because the news media naturally seek to reduce the complexity of an issue by presenting it in an easy-to-understand, interpretive package. And, by necessity, this packaging process involves selecting certain aspects of the issue and making them more salient, while leaving out other aspects. It is in this selection process that the media can—even often unwittingly—promote a particular problem definition, leading the audience to a certain interpretation of facts or line of reasoning. In this way framing defines a problem by explaining what its effects are or who is affected, diagnoses the causes by identifying the factors producing the problem, and suggests remedies by justifying particular solutions. Thus, the media can lead the audience to make attributions of responsibility based on different interpretations or frames offered for the same factual content.[796]

Framing has produced deeply ingrained practices in American journalism that in turn have created a narrative that conditions the public to associate immigration with illegality, threat, and crisis.[797] Meanwhile, new voices of conservative advocacy in the media landscape have succeeded in mobilizing large segments of the public in opposition to policy initiatives, sometimes by exaggerating the narrative of immigration told by traditional news organizations, and at other times by emphasising themes that will resonate politically, such as controversy and government failure. The combined effect, however, is to promote stalemate on an issue that is already, by its nature, inherently difficult to resolve.[798]

Although illegal immigration has long been a concern, the events of September 2001 and the resulting atmosphere of fear were used as a justification for consolidating earlier

[796] For a fuller discussion on framing, see, e.g. Sei-Hill Kim, John P. Carvalho, Andrew G. Davis, and Amanda M. Mullins. 'The View of the Border: News Framing of the Definition, Causes, and Solutions to Illegal Immigration'. *Mass Communication and Society*, Vol. 14, No. 3 (2011): 292-314

[797] See, e.g. Leo R. Chavez. *Covering Immigration: Popular Images, and the Politics of the Nation*. (Berkley and Los Angeles, CA: University of California Press, 2001)

[798] Banu Akdenizli, E.J. Dionne, Jr., Martin Kaplan, Tom Rosenstiel, and Robert Suro. *A Report on the Media and the Immigration Debate. Democracy in the Age of New Media*. (Washington, DC: The Governance Studies Program and The Norman Lear Center, 2008) Available at: http://www.brookings.edu/~/media/events/2008/9/25%20media%20immigration/0925_immigration_dionne.pdf

efforts of immigration control reforms as risk and crime management tools. This in turn created a greater focus on the legal status of immigrants. When combined with the profit motive for most media outlets, where the stories that attract a large audience become a regular choice, it is not surprising that the media were most likely use a frame that stresses crime—with its inherent drama and 'good guys' and 'villains'—when talking about negative consequences of illegal immigration.[799] For example, one study that concentrated on analysing stories on Mexican immigration in the *Los Angeles Times* between September 11, 2000 and September 11, 2003 found that, while there was a significant decrease in articles on Mexican immigration written during that time, there was an even sharper decline in articles with a positive slant, and instead, after 9/11, focused on the 'illegality' of immigrants.[800] This was a pattern followed throughout the decade, as Congress debated immigration reform, and governors began publicly demanding that the Federal government 'do something'. However, as the number of new immigrants began to drop, and even the Republican leadership and the conservative commentators began to speak of the wisdom of reforming the immigration system after the 2012 election, the tenor and framing of the stories, and thus the stories that were being told, were becoming—if not positive, at least softer in their approach towards immigrants.[801]

However, this was also the decade that saw the consolidation of conservative, partisan media, where political talk-show hosts such as Fox News Channel's Bill O'Reilly, and syndicated radio host Rush Limbaugh have contributed significantly to the increase in negative immigration news over the recent years.[802] By the end of the first decade of the twenty-first century, conservative media had become a key component—but one out of many—in the broad political networks that had been built over the past few decades.

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[799] Sei-Hill Kim, John P. Carvalho, Andrew G. Davis, and Amanda M. Mullins. 'The View of the Border: News Framing of the Definition, Causes, and Solutions to Illegal Immigration'. *Mass Communication and Society*, Vol. 14, No. 3 (2011): 292-314, 294

[800] Gustavo Lopez. 'Humanity vs. Illegality: Post-9/11 Print Media Discourse on Mexican Immigration'. In McNair Program Summer Research Institute, (2009). Available at: http://mcnair.usc.edu/USC%20Undergrad%20Research%20Journal%20V.%20VII_Fall2010.pdf

[801] See, e.g. Eleni Delimpaltadaki Janis and Tad Kroll. *Media Analysis: The State of Media Coverage of Immigration 2012–2013*. (New York, NY: The Opportunity Agenda, April 2013). Available at: http://opportunityagenda.org/files/field_file/2013_imm_media_scan.pdf

[802] See, e.g. Jackie Calmes. '"They Don't Give a Damn about Governing" Conservative Media's Influence on the Republican Party'. Discussion Paper Series #D-96 (Cambridge, MA: Harvard University, Shorenstein Center on Media, Politics and Public Policy, July 2015). Available at: http://shorensteincenter.org/wp-content/uploads/2015/07/Conservative-Media-Influence-Jackie-Calmes-July-2015.pdf

Conservative talk radio, print publications, television networks, and internet sites[803] have been proven to have numerous connections, both direct and indirect, with the think tanks, foundations, 'grassroots' advocacy organizations, academic research centres, and that develop and promote the Right's policy agenda.[804]

A good example was the attention that conservative media—particularly 'talk radio', but also television's Lou Dobbs, gave to President Bush's 2007 compromise immigration legislation. A bipartisan group of senators led by Senators Kennedy (D-MA) and Kyl (R-AZ) had decided to revive the comprehensive immigration reform issue the 110th Congress. The Comprehensive Immigration Reform Bill of 2007 (SB 1639), provided for increased border security, earned legalization, a temporary worker program, and a points system for visas that would in effect have largely scuttled the existing visa program that privileged family-unification in favour of employment visas for skilled workers.

Among conservative talk radio hosts, the immigration debate was the premier topic in the spring of 2007, accounting for 16 per cent of the airtime. By comparison, the second-biggest topic was the 2008 presidential campaign, which garnered 13 per cent of the attention. That is eight times the amount of attention that conservative radio hosts paid to the immigration debate in the first quarter of the year, when it accounted for only 2 per cent of the 'newshole'. The bill was being promoted heavily by President Bush, a Republican, and the full backing of the Senate Republican leadership, so what were they saying?

> What listeners of the conservative talk radio media were hearing, in large part, was that the legislation itself was little more than an "amnesty bill" for illegal immigrants, a phrase loaded with political baggage. On his show, Hannity paraphrased former House Speaker Newt Gingrich by declaring that "you cannot begin your career or your life as an American by first breaking the law." Savage was blunter, conjuring up images of the nation being overrun by illegal intruders. "We're not giving away the sovereignty of America," he told listeners. "This is the Alamo right now!" The radio hosts were joined by some of their colleagues

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[803] See, e.g. Gabe Ignatow and Alexander T. Williams. 'New Media and the "Anchor Baby" Boom'. *Journal of Computer-Mediated Communication.* Vol. 17, No. 1 (Oct. 2011): 60–76, on the phenomenon of the use of the 'anchor baby' meme from obscure beginnings, through bthe anti-immigrant V-Dare web site, used mainly by a small number of right-wing anti-immigration activists, and generally considered both racist and dehumanizing, and on to main-stream usage.

[804] Richard Meaghera. 'The "Vast Right-Wing Conspiracy": Media and Conservative Networks'. *New Political Science*, Vol. 34, No. 4 Special Issue: *Right-Wing Populism and the Media* (2012): 469-484

on the cable side including the Fox News Channel's Bill O'Reilly. But no one could match the attention devoted to the issue by CNN's Dobbs, a relentless advocate of tougher immigration enforcement and a staunch opponent of the immigration bill. According to PEJ's analysis, Dobb's devoted a full 27% of the airtime on his nightly show to immigration during the second quarter of 2007, with much of that coverage highly critical of the measure. On June 29, the day after the bill went down to defeat, Dobbs celebrated by reading the congratulatory emails he got from viewers.[805]

In the aftermath of the 2012 election and Mitt Romney's 'self deportation' debacle, when exit polls showed Latinos' rejection of Romney had contributed to the Republican's loss, one of those conservative radio talk show hosts, Sean Hannity, reversed his position for a brief time. Telling his audience (now on Fox News) that he had 'evolved' and would henceforth support a 'pathway to citizenship' for illegal immigrants. Senator Marco Rubio, whose bipartisan 'Gang of Eight' Senate group was promoting just such a compromise bill, enlisted Hannity and some others in conservative media to help push for the bill. In May 2013, Hannity hosted a televised town hall on the topic with Senator Marco Rubio (then one of the Senate's 'Gang of eight, and now a Republican presidential contender) on Fox News, and appeared on his show numerous times. But the media that year gave widespread coverage to a report from the conservative Heritage Foundation claiming that immigration changes would mean big costs for taxpayers, even though the report was methodologically flawed and contradicted projections from the non-partisan Congressional Budget Office of a net gain for the economy and the federal budget. Conservative activists rallied against the bipartisan bill; by the time the Senate approved it that June, Hannity had re-joined the 'amnesty' opposition by the popular demand of his listeners, which underscores just how responsive media figures (and media companies) are to their audiences, as well as vice-versa.[806] The bill died in the Republican-controlled House.

The moment immediately after the 2012 election, as the Republican leadership was recognizing that, while allowing a toxic immigration rhetoric would mobilize their base, but permanently alienate Latino voters, was the moment in which the last available broad

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[805] Pew Research Center: Journalism & Media Staff. 'Immigration: Did Talk Hosts Kill The Bill?' *Immigration and Paris Hilton.* Journalism and Media Project (Washington, DC: Pew Research Center, August 20, 2007) Available at: http://www.journalism.org/2007/08/20/immigration-and-paris-hilton/

[806] Calmes. "They Don't Give a Damn about Governing", 19-20

analysis on the media and immigration was being released. This is why the authors were able to write that:

> The start of 2013 found a decidedly different and more positive public discourse on immigration policy reform than any time in recent memory. Though far from unified, politicians on both sides of the aisle as well as pundits across the political spectrum had begun calling for common sense reform, which frequently included a pathway to citizenship. Media coverage also began to change, in ways that could both help and hamper effective policy change.[807]

In the years since then, and perhaps as a function of the decreasing number of undocumented migrants in the country, most 'mainstream' media seem to have internalised the lesson that framing immigration stories no longer needs to focus on illegality or threat. The conservative media world, however, has returned to a full-throated stance that any immigration measure that does not deal with 'securing the border' amounts to 'amnesty'.

B. CREATION OF AN ETHNIC POLITICAL IDENTITY?

The creation of an effective ethnic political identity is measured primarily through an examination of the social and political elements involved in creating and maintaining it. The determination of the effectiveness of the social elements is performed by studying the creation and growth of a Latino panethnic identity through the use of survey questions measuring the principal identity evinced by the Latino population; and the analysis of

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[807] Janis and Kroll. *Media Analysis, 1*

answers to questions about immigration given by Mexican American and Mexican immigrant leaders in a series of focus groups held over the past decade.

1. Attachment to Pan-ethnic Identity

A variety of polls and academic studies have attempted to find whether or not—and to what extent—Latinos utilize the pan-ethnic label to describe their own identity. While the use of the pan-ethnic identity is not necessarily clear cut, given the multiplicity of possible social and political identities available, there are good theoretical grounds that allow us to believe that the increased personal use of the Latino identity is strongly correlated with its use of mediating political participation.

As mentioned earlier, one of the problems with the Latino pan-ethnic identity is the sheer multiplicity of countries of origin. The nineteen Latin American national-origin groups that conform the Latino pan-ethnic identity have distinct cultural characteristics and racial histories. However, the widespread use of the Spanish language, the Roman Catholic background, and decades of increasingly integrated entertainment and media cultures have served to knit the distinct communities more closely together.[808]

 But ultimately, the question is do Latinos see themselves as a 'group'? That is, have persons of Latin American ancestry from different national-origin groups united to constitute a politically significant pan-ethnic identity? All evidence points to slow, albeit steady progress.

For example, Gary Segura reports that in 1989, when the Latino National Political Survey was first compiled, there was little evidence to support the claim that Latinos were a group in any meaningful sense. The vast majority of respondents then understood themselves almost exclusively in terms of national-origin or 'American' identities. However, newer evidence suggests that this social reality has changed in the intervening quarter century. The Latino National Survey completed in 2006 found very high levels of identification with

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[808] Segura. 'Latino Public Opinion', 105

pan-ethnic terminology, with at least 87.6 per cent of respondents saying that they thought of themselves in these terms 'somewhat strongly' or 'very strongly'.[809] Moreover:

> [W]hen asked to choose between national-origin identifiers, the pan-ethnic term, or merely "American" (an arbitrary, forced choice that only an academic could devise), more than a third of them chose the pan-ethnic identifier (38.3 percent). My colleagues in the Latino National Survey and I have argued that this forced choice is artificial, that identities are multiple and simultaneous. Nevertheless, the change between 1989 and 2006 reflects a significant shift in how Latinos or Hispanics envision themselves in the national fabric.[810]

Also, empirical evidence has shown that Latinos do rely on group identity cues. Among Latinos, José Soltero found Mexicans and Puerto Ricans in Chicago to mobilize pan-ethnically, using their shared language and shared interests on issues such as affirmative action and housing.[811] Within mainstream politics, numerous studies found evidence linking pan-ethnic identity with political participation, and researchers have found that higher degrees of group consciousness, such as usage of pan-ethnic identifiers and perceptions of Latino inequality, resulted in greater political participation among Latinos.[812] Michael Jones-Correa and David Leal found that Latinos are willing to use pan-ethnic identifiers to label themselves as 'Latino' or 'Hispanic.' They also find that those who use pan-ethnic identifiers are more likely to engage in certain types of behaviour, such as signing a petition.[813]

Interestingly, however, one of the predictors of strengthening Latino pan-ethnic identification seems to be the act of political participation itself. Perhaps this is because, for Latinos, pan-ethnic identities appear to be more a result of psychological attachments. The positive effect of education on Latino pan-ethnic identity demonstrates that increased knowledge augments a Latino's sense of group consciousness. Moreover, it is perceptions

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[809] Segura, 'Latino Public Opinion', 111

[810] Segura, 'Latino Public Opinion', 111

[811] José Soltero. 'The Myth of Conflict and the Formation of Latino Identities: Mexicans and Puerto Ricans in Chicago'. *Diálogo*, Center for Latino Research, No. 7 (Spring 2003): 3-8

[812] Atiya Kai Stokes. 'Latino Group Consciousness and Political Participation'. *American Politics Research,* Vol. 31, No. 4 (July 2003): 361-378

[813] Michael Jones-Correa and David L. Leal. 'Becoming "Hispanic": Secondary Panethnic Identification among Latin American-Origin Populations in the United States'. *Hispanic Journal of Behavioral Sciences*, Vol. 18, No. 2 (May 1996): 214-254

of discrimination rather than the actual experience that predicts pan-ethnic consciousness among Latinos. [814]

As we have hypothesised, a critical dynamic in this process might be the tenor of the on-going debate over immigration and policies directed toward undocumented immigrants that might harm all members of the community. According to research over the past twenty years, it has become increasingly clear that perceived attacks on the community have a substantial ability to unify political views, even despite nativity and across generations.[815] A good example is provided by Gary Segura on the Latino community's reaction to the passage of SB 1070 in Arizona, a law which allow local police to identify undocumented aliens during virtually any contact with the public. According to polling data gathered by the Latino Decisions polling firm just one week after the bill was signed into law, opposition among Latino registered voters easily transcended generational boundaries. As Figure 5.1 illustrates, super-majorities of all generations opposed the law. There are two facts about the chart that are especially revealing. First, all respondents in the poll are registered voters, i.e. citizens, the most secure and incorporated Latino members of society. Second, the fourth generation represents individuals whose grandparents were US-born, and who thus have a long family history as part of American society. The breadth of opposition across generations tells us that this is a topic that arouses feelings of linked fate. [816]

Figure 5.2 Opinions on SB 1070

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[814] Natalie Masuoka. 'Defining the Group: Latino Identity and Political Participation'. *American Politics Research*. Vol. 36, No. 1 (Jan. 2008): 33-61

[815] Ronald Schmidt, Edwina Barvosa-Carter and Rodolfo D. Torres. 'Latina/o Identities: Social Diversity and U. S. Politics'. *PS: Political Science and Politics*, Vol. 33, No. 3 (Sep. 2000): 563-567.

[816] Segura. 'Latino Public Opinion', 109

**Opinions on SB 1070,
Arizona Latino Registered Voters,
by Generation, May 2010**
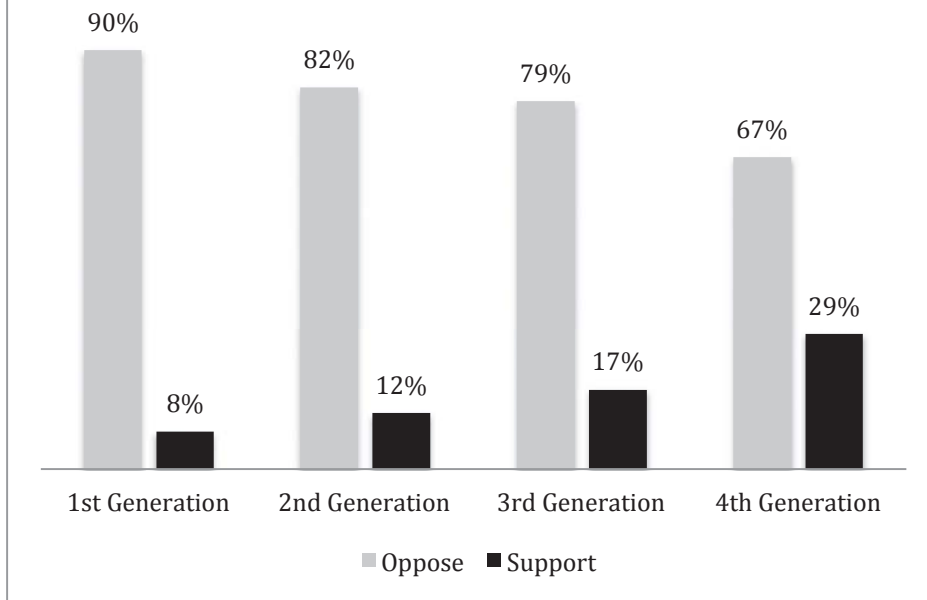
Respondents answered the following question: "Arizona has passed a law that will require state and local police to determine the immigration status of a person if there is a reasonable suspicion he or she is an illegal immigrant, and would charge anyone with trespassing who is not carrying proof of legal status when questioned by the police, and also prohibit immigrants from working as day labourers. From what you have heard, do you [rotate: support or oppose] the new immigration law in Arizona?" Source: Figure created by Gary Segura using data from National Council of La Raza/Service Employees International Union/Latino Decisions Arizona Poll, April–May 2010.[817]

Considering that these respondents are citizens looking at a law aimed at undocumented immigrants, their consensus would likely be a result of the widespread expectation that enforcement would involve racial profiling and therefore would conceivably threaten all Latinos. This belief again transcended generations. These 2010 findings from Arizona closely mirror those of the political effects of Proposition 187 in California and other anti-Latino or anti-immigrant actions, which appear to have had large-scale and significant political effects on Latinos across generations.

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[817] Segura. 'Latino Public Opinion', Figure 6, 109

Figure 5.3 Opinions on SB 1070

Likelihood Citizens Caught by SB1070
Arizona Latino Registered Voters,
by Generation, May 2010
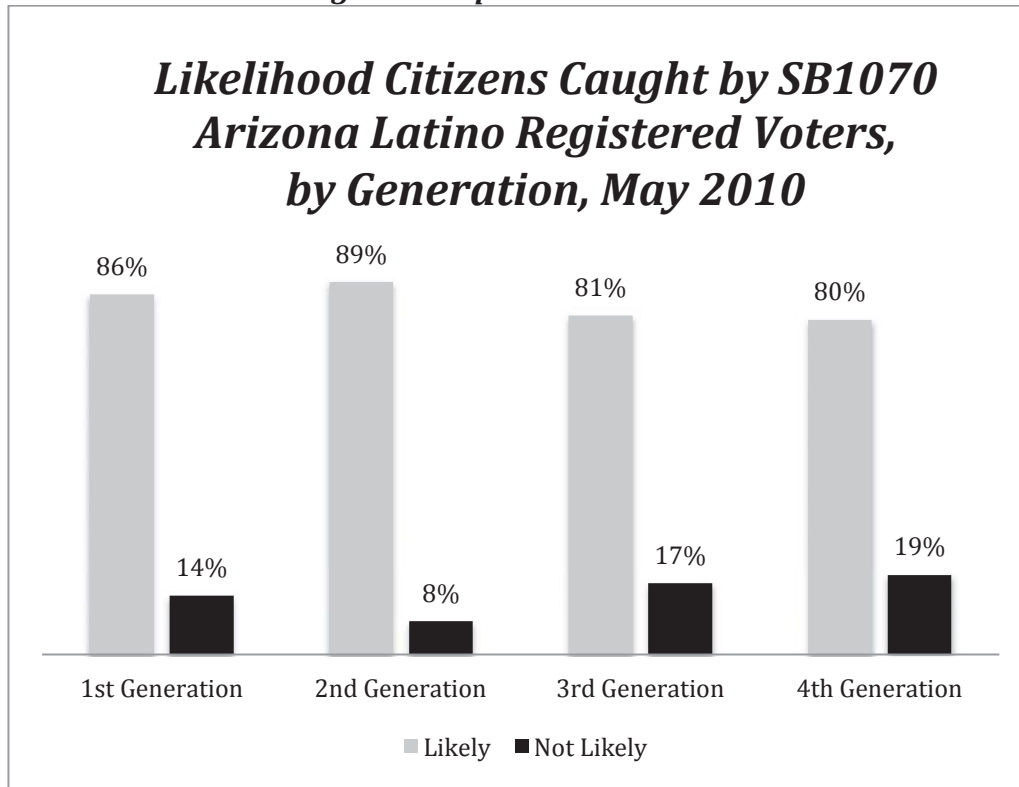
Respondents answered the following question: 'How likely do you think it is that Latinos who are legal immigrants or U.S. citizens will get stopped or questioned by the police? Is it very likely, somewhat likely, not too likely, or not likely at all?' Source: Figure created by Gary Segura using data from National Council of La Raza/Service Employees International Union/Latino Decisions Arizona Poll, April–May 2010.[818]

Indeed, issues that cut to the heart of ethnic identity are particularly likely to transcend differences in nativity, generation, or national-origin group. Another example of this effect was captured in a Pew poll in 2011 regarding support for the DREAM Act, legislation that would permit young adults who were brought to the U.S. illegally when they were children to become legal residents if they go to college or serve in the military for two years. On that occasion, fully 91 per cent of Latinos supported the initiative.[819] Although the response was not broken down either by nativity or generation, these are much higher approval numbers than usually seen amongst Latinos on immigration questions. It is clear from the data that respondents saw the DREAM Act as a way to protect a significant number of the youth of (or help assure the future for) the community.

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[818] Segura, 'Latino Public Opinion', Figure 7, 109

[819] Mark Hugo Lopez, Ana Gonzalez-Barrera and Seth Motel. *As Deportations Rise to Record Levels, Most Latinos oppose Obama's policy. President's Approval Rating Drops, but Obama Has a Big Lead over 2012 GOP Rivals.* Pew Hispanic Center (Washington, DC: Pew Research Center, December 28, 2011). Available at: http://www.pewhispanic.org/files/2011/12/Deportations-and-Latinos.pdf

Moreover, evidence shows that this pan-ethnic identification has social and political import.[820] Latinos from all groups perceive significant commonality and linked fate with other Latinos, even those expressly from national-origin groups other than their own. The 2006 Latino National Survey assessed whether respondents felt they and their national-origin group shared political, economic, and social conditions in common with other Latinos. Overwhelmingly, they did. A surprising 71.9 per cent said that, in their individual capacity, they had 'some' or 'a lot' in common with other Latinos in '[t]hinking about issues like job opportunities, educational attainment or income.' When the question was posed with respect to the respondent's national-origin group, 74.6 per cent said that their group had 'some' or 'a lot' in common with Latinos of other national-origin groups. While there was some variation, these results were largely consistent across national-origin groups.[821]

When the focus turns to political concerns, the level of perceived commonality is again high, though it is lower than on the social dimension. Here, 56.1 per cent of respondents felt that as individuals they had 'some' or 'a lot' in common with other Latinos in 'thinking about things like government services and employment, political power, and representation'; an even healthier 64.4 per cent felt the same when assessing commonality between their own national-origin groups and others.

Finally, respondents were asked whether their fate and their group's fate were linked to the fate of other Latinos—the 'linked fate' measure first described by political scientist Michael Dawson. At the individual level, 63.4 per cent said their fate was linked 'some' or 'a lot' to others'. When asked about the fate of their national-origin group relative to other Latino groups, 71.6 per cent said the two were linked 'some' or 'a lot'. Thus, huge majorities of Latinos believe that their futures and those of their co-ethnics are intrinsically linked.[822]

The belief that Latinos and their futures are linked very likely gives rise to greater efforts at group-based mobilization. Most major national organizations, political and otherwise, use pan-ethnic terminology and view the Latino constituency as being composed of the entire population—both across generations and, most important, across nationality groups. The

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[820] See, e.g. Atiya Kai Stokes-Brown. 'The Hidden Politics of Identity: Racial Self-Identification and Latino Political Engagement'. *Politics & Policy*, Vol. 37, No. 6 (December 2009): 1281–1305

[821] Segura. 'Latino Public Opinion', 111

[822] Segura. 'Latino Public Opinion', 111

National Council of La Raza (NCLR), the Hispanic Chamber of Commerce, the Congressional Hispanic Caucus, the National Association of Latino Elected and Appointed Officials, and the Univision and Telemundo television networks all define their constituency as the pan-ethnic Latino or Hispanic population.

It is not totally clear why Latinos increasingly identify with pan-ethnic descriptors, but scholars have offered a variety of explanations. Pan-ethnic identity may emerge as a consequence of population diversity and political cooperation, where pan-ethnic groups would possess political power that individual national-origin groups do not. Similarly, it may have been created by political entrepreneurs seeking to empower Latinos through coalition and, in so doing, run roughshod over important community, cultural, and social distinctions. Or it may merely reflect changes in the cultural and media establishment, mentioned above, which has increasingly addressed Latinos as a somewhat undifferentiated whole. Whatever the case, we can now say with confidence that Latinos are a group: they see themselves in this way, and they use this shared identity to act politically.

The breadth of participation in the 2006 protest marches reflected a de facto coalition between Latin American immigrant and US Latinos. A survey of Chicago May 1 protest participants revealed that a majority reported that they were US citizens, while 38 per cent of Los Angeles participants reported being English-dominant. Both marches also involved significant minorities of non-Latino participants.[823]

Clearly, a sense of urgency encourages groups to overcome differences for the sake of broader shared goals, and helps to explain the unexpected breadth of community participation in 2006. However, often when the shared threat is lifted, fault lines and limitations are exposed. Moreover, groups with different constituencies may also have very different ideas and strategies about how to pursue ostensibly shared goals. Thus it is not surprising that these differences resurfaced when the debate shifted, from opposing the Sensenbrenner legislation that was universally seen as a threat, to the question of how best

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[823] Jonathan Fox. 'Coalitions: Translating Engagement into Empowerment'. In Xóchitl Bada, Jonathan Fox, Robert Donnelly and Andrew Selee (Eds.). *Context Matters: Latino Immigrant Civic Engagement in Nine U.S. Cities*. Series on Latino Immigrant Civic Engagement. (Washington, D.C.: Woodrow Wilson International Center for Scholars, June 2010). 13

to support the fashioning of comprehensive immigration reform. In some cases, different perceptions of the tradeoffs between what was possible versus what was desirable led to the emergence of parallel coalitions.[824]

Coalition dynamics are also influenced by the inherent tension between community-based groups, whose leaders can be held accountable by their constituencies, and national policy advocacy groups, whose deep involvement in the policy process can lead them to be more inclined to accept the difficult compromises required to build a winning legislative coalition. [825]

2. Evidence from the Enfoque México Project

This section analyses a series of questions related to immigration that were asked of both Mexican American and Mexican immigrant leaders during a qualitative long-term study that was undertaken between 2003 and 2009. Although the study explored many areas other than immigration, and indeed focused considerably on questions of US domestic and foreign policy, and relationships with Mexico specifically, these questions have been selected for analysis because they offer some insights into the different views on the matter held by leaders of both communities.

a. Description of the Project

In 2003 the Instituto Tecnológico Autónomo de México (ITAM) received a grant from the Consejo Nacional de Ciencia y Tecnología (CONACYT) to study the political priorities of Mexican Americans and Mexican immigrants residing in the United States. This was the genesis of a project entitled 'Focus Mexico' in English and 'Enfoque México' in Spanish,

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[824] Fox. 'Coalitions', 15
[825] Fox. 'Coalitions', 15

which ran until 2009. This study conducted over 20 focus groups in major US cities and Mexico City and a dozen interviews with members of Congress, chiefs of staff, and senior staff members of national Latino organizations. This project was unique in two respects. First, it focused on the political priorities of these two groups with respect to both US domestic and Mexico- related issues. Past large scale surveys, such as the Latino National Political Survey, had largely ignored US foreign policy and Mexico-related political priorities—an area of potential contention between Mexican immigrants and Mexican Americans. Second, it was a large-scale empirical project that explored the attitudes of Mexican American and Mexican immigrant leaders. This project was the result of a collaboration between four universities, three in the United States and one in Mexico. Principal investigators for this project included David Ayón of Loyola Marymount University in Los Angeles, Allert Brown-Gort of the University of Notre Dame, Rafael Fernández de Castro of the ITAM in Mexico City, and Manuel García y Griego of the University of New Mexico.

b. The Questions

The questions utilized in this analysis are those utilized in the studies that related directly to immigration. These were selected not only because immigration was the process that fundamentally determined many of the differences between the two groups (since, although of Mexican-origin and living in the United States one set of leaders was Mexican American, and the other Mexican immigrant), but also because it was the simplest topic under which both groups of participants perceived a threat.

c. Results

The questions were not designed to directly measure the level of threat felt by the participants due to the immigration debate. Nevertheless, the discussion around these

issues provides a sense not only of how different histories produce different viewpoints on issues, but also how the development of the debate mitigates differences between the two.

There were areas of general agreement, especially around the need for the provision of quality education to members of their communities—although at times it was clear that although the broad emphasis was the same, both communities of leaders were understanding slightly different things. However, it was often in the interstices of divergence that greater insight could be found.

Although there was generally a high level of agreement across most questions on the importance of immigration policy reforms, these often were not as high a priority for Mexican American leaders as they were for migrante leaders. From 2003-2005, it was not uncommon to find Mexican American leaders who did not list immigration reform as one of their principal priorities. As the immigration debate heated up in early 2006, we began to see considerably more convergence on the importance of immigration reform as a community priority. Other divergences appeared when participants were asked about the desirability of having an open border between Mexico and the United States, a proposition that was routinely rejected by Mexican American leaders while embraced by most Mexican *migrante* leaders.

Another diverging result from the questions arose beginning after the 2004 immigration proposal which included a guest worker programme. In general, this was a proposal that was embraced by most *migrante* leaders, since they saw any opportunity for their community to gain a legal foothold in the US as desirable. Mexican Americans, in contrast, were distinctly cooler towards the idea, the experience of the Bracero programme, and the exploitation of some of their forebears still fresh in their minds.

General agreement on the importance of immigration as an issue sometimes seemed to mask different understandings of its meaning. There are strong indications that many Mexican American leaders saw immigration-related issues as important to community empowerment in US politics. In contrast, most migrante leaders seemed to have a less political view of the importance of immigration policy reform beyond the benefit to their immediate communities.

There were two clear areas of absolute agreement on immigration questions. The first was the question of which would be preferable: border enforcement, or interior enforcement. While both groups recoiled at having to make the choice, there was fairly common support for preferring enforcement at the border, since it would prove to be less destructive to existing communities. The second was the possibility of immigration reform in the US that would only benefit Mexicans (as in a bilateral deal between the two governments that was floated between the Bush and Fox administrations just prior to September 11, 2001). It was overwhelmingly found to be unacceptable. A clear majority of all focus group participants stood for immigration reform that would legalize all of the undocumented immigrants without regards to their nationality.

An interesting detail that was captured in the demographic screening was the increase of the use of 'Latino' or 'Hispanic' as the identity of choice. Although most Mexican American leaders demonstrated from the beginning of the project a high level of preference for the pan-ethnic terms, *migrante* leaders were found to increasingly adopt the pan-ethnic identity, especially towards the end of the project, when most had been in positions of community responsibility for some years.

3. Voting and Partisan Behaviour

The determination of the effectiveness of the political elements is achieved through an analysis of the size of the Latino vote, including the proportion of Latinos who are eligible to vote, those who are actually registered to vote, and those who actually participate in voting behaviour; as well as the trends in partisanship among the Latino population.

a. Voting Rates

In general, while the *number* of Latino voters has grown significantly over the past two decades, the *proportion* of Latino voters has not grown as much as hoped. This is a direct result of the demographics of this population: Not only are many Latino adults foreign-born non-citizens, Latino voters are still overwhelmingly young, have relatively low formal educational attainment, and earn relatively less than the norm. These three characteristics

are known to suppress the likelihood of voting—especially in non-presidential midterm elections. These characteristics, incidentally, are exactly the opposite characteristics of the most conservative voters.

The question is whether or not the presence of a hostile environment has the power to motivate many of these non-voters to register to vote, and then to vote. Evidence thus far seems to point to a limited capacity of this type of threat to directly motivate groups beyond the local, or perhaps the state, levels, although some of the analyses of the size and purposiveness of Latino participation in the 2012 elections make the point that it was an exercise in the recognition of linked fate. It remains to be seen whether or not the most recent rise in anti-immigrant sentiment will rise to levels necessary to extend these examples to the national level.

Still, the demographics are difficult. There are still too many adults who are not US citizens and thus unable to vote. In 2010, 24 per cent of adults were ineligible.

Figure 5.4 Latino Eligibility to Vote, 2010
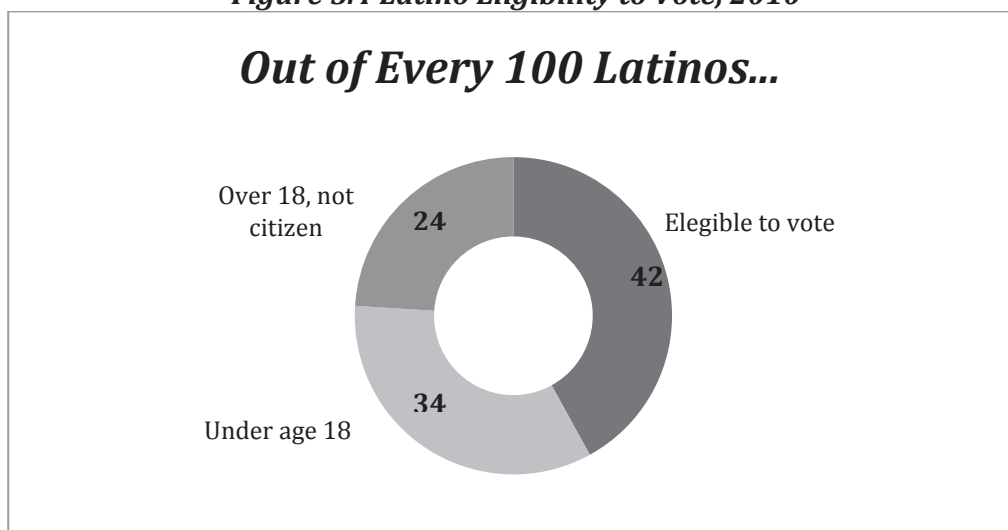
Source: Courtesy of Dr Matt Barreto of Latino Decisions.

And, out of the 42 per cent that were eligible, only 62 per cent had registered.

Figure 5.5 Latino Eligibility to Vote, 2010

Out of every 100 Latinos...

Over 18, not citizen **24**

26 Registered

34 Under age 18

16 Not registered
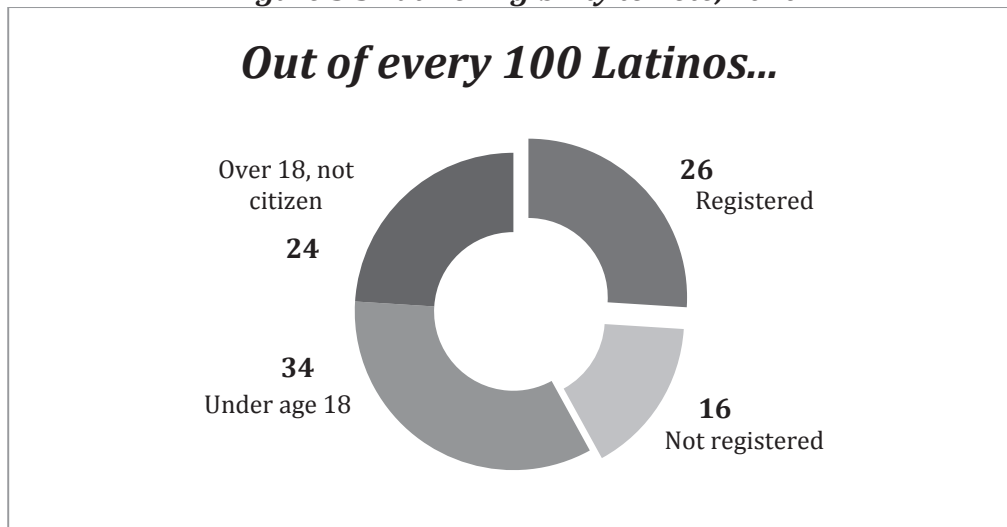
Source: Courtesy of Dr Matt Barreto of Latino Decisions.

Nevertheless,the Latino share of the electorate has grown substantially. In 2008, Latinos were an estimated 9 per cent of the national electorate, up considerably from 5.4 per cent in 2000 and dramatically from 3.7 per cent in 1992, when Bill Clinton was elected president. Disadvantages in education and income are generally associated with lower rates of voter registration and turnout, but even here, according to some scholars, Latinos have been closing the gap largely by over- performing their socioeconomic status. Controlling for income and education, reported voter participation by Latinos trails that of non- Hispanic whites by a mere 4 per cent. [826]

The remainder of the lag can be attributed to two factors, both of which will become less significant with time. First, Latinos in the United States are a very young population; among those who are citizens, only 57.7 per cent are over the age of eighteen (compared with 79.1 per cent of non-Hispanic whites) according to the 2010 American Community Survey. Second, non-citizens make up around 40 per- cent of the adult Latino population. While many of them are undocumented residents whose future in the country is uncertain at best, in time, these non-citizens will be replaced in the population with their U.S.- born offspring. (P99)[827]

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[826] Gary M. Segura. 'Latino Public Opinion & Realigning the American Electorate'. *Daedalus*, Vol. 141, No. 4 (Fall 2012):98-113, 98-99

[827] Segura. 'Latino Public Opinion', 99

Figure 5.6 Latino Voter Registration Gap, 2010

The Gap in Latino Voter Registration
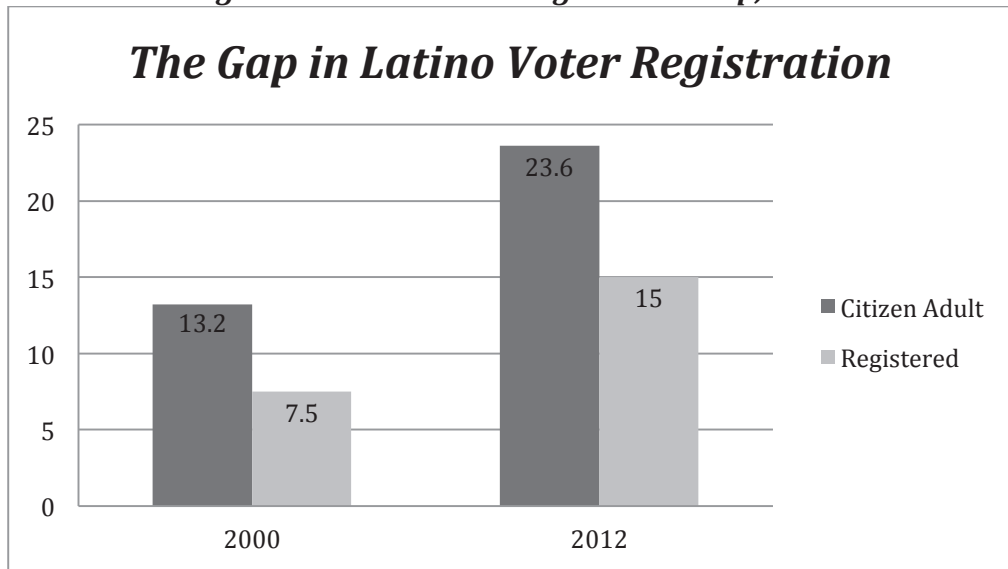
In 2000, the 7.5 million registered Latino voters accounted for 57 per cent of the 13.3 million adult citizen population. By 2012, this gap had been reduced by some 7 points, when the 15 million registered voters represented 64 per cent of the 23.6 million eligible adults.

Despite the growing number of Latinos in the United States, the number of Latino voters, including those of Mexican descent, is not growing nearly as quickly. Latinos accounted for 51.3 per cent of the population growth in the United States in the decade between 2000-2010, but represented only 47 per cent of new voter registrations. Indeed, only 42.7 per cent of adult Latinos in the United States were eligible to vote in 2010, compared to 77.7 per cent of whites and 67.2 per cent of blacks. Registration and voting rates among Latinos also lag behind those of Americans who non-Latinos. Therefore, while the total population of Latinos was approximately 48.9 million in 2010, there were only 6.6 million Latino voters in the 2010 elections.

b. Partisan Attachment

While Latinos have long expressed a real, although relatively weak, preference for the Democratic Party, this seems to be strengthening as the decade has progressed. As recently as 2005, within the Republican Party there seemed to be a question as to whether the Latino population would prove to be more like the Italians or the Jews. Both groups had been reliably Democratic voters during the first half of the twentieth century, but beginning in the late 1960s, Italians were part of the rapid shift to the Republican Party, while Jews have maintained their overwhelming attachment to the Democrats.

As is the case with whites, Hispanics are more likely to describe themselves as independents (44 per cent) than Democrats (34 per cent) or Republicans (13 per cent). More than twice as many Hispanics either affiliate with the Democratic Party or lean Democratic than identify as Republicans or lean toward the GOP (56 per cent vs. 26 per cent), based on interviews conducted in English and Spanish in 2014.[828]

There has long existed a tendency toward independence among Latinos. Nevertheless, there has been increasing movement toward the Democratic Party given the hostility evinced by many of the components of the Republican party. Clearly, the party that can best persuade Latinos of their concern for their interests is the party most likely to gain their loyalties, but that loyalty must be earned.

Latinos had been moving towards the Democratic party since 2006, when the Republican party began to move aggressively on the issue of immigration. However, the Obama administration's high levels of deportations, combined with a lack of advancement on comprehensive immigration reform clearly hurt the levels of identification with the Democratic Party.[829]

Thus, by 2014, support for the Democrats had slipped. A survey by the Pew Research Center revealed that Latino registered voters were somewhat less supportive of the

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[828] Carroll Doherty and Rachel Weisel. A Deep Dive Into Party Affiliation. People and the Press Project. (Washington, DC: Pew Research Center, April, 2015). Available online at: http://www.people-press.org/files/2015/04/4-7-2015-Party-ID-release.pdf, 6

[829] Gabriel R. Sanchez, Edward D. Vargas, Hannah L. Walker, and Vickie D. Ybarra. 'Stuck Between a Rock and a Hard Place: The Relationship Between Latino/a's Personal Connections to Immigrants and Issue Salience and Presidential Approval'. *Politics, Groups, and Identities*, Vol. 3, No. 3 (2015): 454-468

Democratic Party than in recent years. On political party identification, 63 per cent said they identified with or leaned toward the Democratic Party, down from 70 per cent who had indicated the same in 2012. And, when asked which political party had more concern for Latinos, 50 per cent said the Democrats, down from 61 per cent who said the same in 2012.[830]

According to an analysis of Reuters/Ipsos polling data of 'likely voters' from 2012 and 2015, while the American electorate had become more diverse the last three years, the Republican Party's support among both Latino and younger likely voters had shrunk significantly.[831] When polling Latinos who are likely presidential voters, the percentage affiliated with the Republican Party had slipped nearly five points, from 30.6 per cent in 2012 to 26 per cent in 2015. Meanwhile, Hispanic Democrats grew by six percentage points to 59.6 per cent

c. Other Forms of Civic Participation

Since such a significant number of the Latino population consists of foreign-born, non-citizen adults, their political participation is limited to areas outside the vote. At the same time, since many of these are also undocumented, there is a question as to whether or not the lack of ability to model behaviour for their children will have an effect.

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[830] Mark Hugo Lopez, Ana Gonzalez-Barrera, and Jens Manuel Krogstad. *Latino Support for Democrats Falls, but Democratic Advantage Remains*. Pew Hispanic Center (Washington, DC: Pew Research Center, October 29, 2014), 6 Available at: http://www.pewhispanic.org/files/2014/10/2014-10-29_NSL-latino-politics.pdf

[831] Maurice Tamman and Emily Stephenson. 'Republicans Come Up Short in Search for Diverse Voters in 2016 Election'. Reuters, December 30, 2015. Available at: http://www.reuters.com/article/us-usa-election-republicans-idUSKBN0UD0X220151230

CHAPTER VI: *CONCLUSIONS*

A. OVERVIEW

Fundamentally, this dissertation proposed to explore whether a hostile immigration debate in the United States was responsible for the strengthening of an ethnic political identity for Latinos.

The dependent variable in this study is the level of hostility present in the immigration debate over the past decade. This has been measured principally through:

1. the analysis of public survey data;
2. media content; and
3. the political actions regarding immigration over the past decade.

The independent variable in this study is the creation and maintenance of an effective ethnic political identity. This has been measured primarily through:

1. evidence of mutual recognition of a shared identity among different sub-groups, and levels of self-identification with that identity; and
2. the rates of purposive civic or political participation under the banner of that identity.

B. SUPPORT FOR THE DEPENDENT VARIABLE

Support for the dependent variable to a large extent depends on public opinion surveys, the type of stories being reported in the media around the issue of migration, and political acts, such as legislation proposed or candidates backed. At first glance, public opinion, media coverage, and political action centred on immigration seem to be improving, though perhaps somewhat unevenly and slowly. But, in this time of acrimony, polarisation,[832] increasingly segregated media markets,[833] and hardening social boundaries we should not be surprised that opinion on the meaning of immigration, its effects, and what, if any, actions should be taken, has taken a decidedly partisan cast, and opinions are beginning to diverge even further.

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[832] See, e.g. Dimock et al., *Political Polarization*; and Iyengar and Westwood, 'Fear and Loathing'.

[833] See, e.g. Bartlett, *How Fox News Changed American Media;* Calmes, *"They Don't Give a Damn about Governing"*; and Meaghera, 'The "Vast Right-Wing Conspiracy"'.

As we have seen throughout the previous chapters, the United States, perhaps itself the archetypal 'nation of immigrants', also has a long history of prejudice against the latest arrivals to its shores. Although in the nineteenth century those newcomers were overwhelmingly of the same European stock as previous immigrants, there was still a popular backlash against them, their language, and/or their religion. This nativist backlash has run the gamut, from 'No Irish Need Apply' signs, to direct political action as in the case of the 'Know-Nothing' Party of the 1850s, to violence such as the anti-Chinese riots in San Francisco in the 1870s, and the lynching of Mexicans in the Southwest and Italians in the South in the 1880s and 1890s.[834]

Since there have yet to be any widespread examples of anti-Latino rioting or lynchings in the current era, how do we know in any objective sense that there is a backlash?

To begin with, the Tea Party can certainly be considered this era's analogue to the 'Know-Nothing' Party—at least when it comes to the topic of immigration. To adherents, as we have seen, immigration, particularly the cultural threat it supposedly represents, is one of the most 'critical' issues facing the country, and is becoming more so every year.[835] And, given what we know about the effects of continued contact with organisations like the Tea Party, if adherents did not have any ethnically based concerns when they joined, they will probably develop them.[836]

The reality is that there exists now in the United States a significant population of ageing, working-class, and mostly rural Whites who have been heavily impacted by fundamental changes in the economy and society, to the extent, in fact, that they are the only group in the developed world that reports a significantly decreasing lifespan.[837] It seems to them that the government has stopped working and the country is in decline, and furthermore they feel victimized and discriminated against.[838] They now also keenly feel that they are

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[834] William D. Carrigan and Clive Webb 'When Americans Lynched Mexicans', *The New York Times*, February 20, 2015, A27

[835] See, e.g. Jones et al., *Anxiety, Nostalgia and Mistrust*, 26.

[836] Knowles et al., 'Race, Ideology, and the Tea Party'.

[837] Anne Case and Angus Deaton, 'Rising Morbidity and Mortality in Midlife among White Non-Hispanic Americans in the 21st Century'. *Proceedings of the National Academy of Sciences of the United States of America*, Vol. 112, No. 49: 15078–15083.

[838] See, e.g. Norton and Sommers, 'Whites See Racism as a Zero-Sum Game', or more specifically, Jones et al., *Anxiety, Nostalgia and Mistrust*, 38–39.

confronting the possibility of losing their majority, and with it, their place at the top of the ethno-racial hierarchy. To them, the growing presence of Latinos—all of them 'Mexicans', immigrants, and illegal to boot—is what threatens their future. This is why the immigration issue has gained such salience amongst this group and why Donald Trump is having such success.[839] It is precisely because—and not in spite—of his statements that they are supporting him. Although not all members of this group are adherents of the Tea Party, there is sufficient overlap that we can say that to the combined population the issue of the cultural threat posed by 'foreigners' (whether they be US citizens or not), Mexicans, and now Muslims, is extremely important.

To this group, Chavez's Latino Threat Narrative[840] is not a mere 'cultural construction'—it is a very real, matter-of-fact, description of how Latinos are threatening the country. Given Jost's work on motivated social cognition,[841] we know that perceived threat is associated with a greater endorsement of conservative views. And, as Craig and Richeson discovered, a perceived threat to one's in-group, such as the potential loss of majority status, is enough to prompt a conservative shift.[842] The result, as Abrajano and Hajnal[843] have demonstrated, is that under the certain conditions the issue of immigration is potentially capable of creating a political realignment, perhaps even one on the order of the one created by Nixon's Southern Strategy, where as a result of the civil rights advances in the 1960s Southern whites abandoned the Democratic Party for the Republicans.[844]

Thus, even if the overall trends in public opinion and media coverage of immigration continue to improve, the sharpness of the opinions, the increasing extremism of the charges against immigrants (e.g. that they are bringing in ebola,[845] or are agents of ISIS) proposals, and the growing incivility of the discourse mean that there is still a hostile

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[839] See, especially, Huber and Lapinsky, 'The "Race Card" Revisited'. Under their theory, the preponderance of less-educated Whites among Trump supporters would mean that they would be more susceptible to both racist predispositions, and to acceptance of implicitly racial messages.

[840] Chavez. *The Latino Threat*

[841] Jost et al., 'Political Conservatism'.

[842] Craig and Richeson, 'On the Precipice of a "Majority- Minority" America'.

[843] Abrajano and Hajnal, *White Backlash*.

[844] Kuziemko and Washington, 'Why did the Democrats Lose the South'.

[845] Maria Santana. 'Ebola Fears Spark Backlash Against Latino Immigrants', *CNN, Politics Blog*, Updated 11:47 AM ET, Sun October 12, 2014. Available at: http://www.cnn.com/2014/10/10/politics/ebola-fears-spark-backlash-latinos/

debate taking place. Worse, given the strategic position that the Tea Party holds within the modern Republican Party, and the GOP's desperate need to mobilise White voters in the face of its (unsurprisingly) unsuccessful attempts to woo new Latino and Asian American voters, the possibility of a political solution to the immigration impasse is remote in the foreseeable future.

1. Survey Data Results

According to the results of most polls, for the past 15 years, Americans in general have demonstrated mixed attitudes, dualities in thinking, and splits on immigration issues. Overall, for example, Americans have not expressed a clear preference on whether immigration levels should be increased, decreased, or kept the same. But, on the whole they mostly agree that immigrants already living in the United States without authorization should be not only allowed to stay in the country but also be given the opportunity to become citizens.

Although there is evidence that overall public opinion is becoming more welcoming—or at least less rejecting—this is far from the full story. Immigration has become a very salient issue for the Republican base, in particular with those adhering to the Tea Party movement.

Thus, there are still two important distinctions that must be made. The first is that the views of immigration have become more sharply divided along political partisan lines over the past 15 years, even as simultaneously the feelings registered about immigrants are becoming even more extreme. The second distinction is that survey results support the theory that the 'Latino Threat' paradigm seems to have become widely internalised by the American public—at times even amongst Latino co-ethnics.

For example, the PRRI reported that the number of Americans saying illegal immigration is a 'major' problem ticked up 8 points over the past three years, from 28 per cent in 2012 to 36 per cent in 2015.[846] All of this gain came from a hardening of positions from respondents identifying as Republican, and in particular Tea Party sympathisers.

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[846] Jones et al., *Anxiety, Nostalgia and Mistrust*, 2.

And, despite a significant drop in the number of undocumented immigrants since 2007 and years of little or no growth,[847] overall, 69 per cent of Americans believe that the number of immigrants coming to the United States illegally has increased in 'the last few years', with only 25 per cent believing the number has fallen. Among Republicans, moreover, these numbers are 83 and 15 per cent, respectively.[848]

What is certain is that in measure after measure, we see an already wide, and widening, gap between the visions of Republicans (and to a certain extent Whites) and those of Latinos and Asian Americans (and to a certain extent African Americans).

2. Media Content

Media—whether through stories or images, in newspapers, magazines, on radio and television, even on film—not only reflect the national mood but also play a powerful role in producing national discourse. This is especially true regarding immigration, which is an issue that has polarizing political implications at the national and local levels. Reports by the media both shape, and are shaped by, how the public perceives immigration and how public policy regards immigrants and immigration. However, the evolution of partisan media over the past 15 years, particularly conservative media, mean that those who are already predisposed to feel that immigrants pose a cultural threat have the information at hand that validates their world view.

Much as with polling results, at first blush the panorama on the mainstream media seems to be improving, albeit slowly. One thing that has changed radically, and quickly, is the news business.

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[847] See, e.g. Jeffrey S. Passel and D'Vera Cohn, *Unauthorized Immigrant Totals Rise in 7 States, Fall in 14: Decline in Those From Mexico Fuels Most State Decreases*. Hispanic Trends Project (Washington, DC: Pew Research Center, November 2014) Available at: http://www.pewhispanic.org/files/2014/11/2014-11-18_unauthorized-immigration.pdf.

[848] Question 10 in 'CNN/ORC International Poll, July 22 to 25, 2015', accessed July 30, 2015, http://i2.cdn.turner.com/cnn/2015/images/07/26/72715cnnorc.pdf.

The current situation is difficult to evaluate because the last available broad analysis of the media and how it handles immigration was undertaken immediately after the 2012 election.[849] This was precisely the moment that the Republican leadership began to recognize that, while allowing a toxic immigration rhetoric would mobilise their base, it would permanently alienate Latino voters, and so the discourse in the media was considerably toned down. Nevertheless, and despite the recurrence of an unfriendly immigration discourse among certain part of the Republican Party, my personal impression, at least, is that this marked a significant change in how the 'mainstream' media reports on immigration

But, much as in the case of survey data results, although in a general way the issue of immigration seems to be subsiding, in the media it has become more polarised—and sharper. In the years since 2012, and perhaps as a function of the decreasing number of undocumented migrants in the country, most 'mainstream' media seem to have internalised the lesson that framing immigration stories no longer needs to focus on illegality or threat. The conservative media world, from Fox News to right-wing 'talk radio', however, has returned to a full-throated stance that any immigration measure that does not deal with 'securing the border' amounts to 'amnesty'. At the same time, 'mainstream media' has become increasingly derided as 'lamestream media', and unworthy of credibility, in the eyes of many Republican partisans.

3. Political Actions

At the state and local level, political actions—in line with the opinion data and the media representation—also seem to be improving. After a period of intense activity from 2005 to 2012 that saw thousands of punitive immigration laws emerge from state legislatures and localities, the use of these initiatives declined precipitously.[850] First, the US Supreme Court struck down most provisions of Arizona's S.B. 1070 in 2012. In the wake of the ruling, federal courts also began placing significant limitations on local enforcement schemes, leaving the future legal status of much restrictive enforcement legislation in doubt.

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[849] Janis and Kroll, *Media Analysis, 1*.
[850] Donnelly, 'State-Level Immigrant-Related Legislation'.

Meanwhile, as a counterpoint to restrictive measures, many state and local jurisdictions began trying to promote the integration of immigrant residents, regardless of their legal status. These integrationist laws have taken various forms, from issuing municipal identification cards and carving out local exceptions to cooperating with federal enforcement, to providing expanded access to public higher education, some forms of public assistance, and professional licensing. Overall, restrictive laws have fared less well in the eyes of federal courts (the judiciary) than pro-immigrant integration laws. In general, while the courts have upheld some restrictive policies, they have mostly remained skeptical of state efforts to discourage the presence of undocumented people.[851]

The slow but somewhat steady progress of political actions at the state and local levels is much more than can be said about this subject at the national legislature level, which in many ways fundamentally has not changed since the days of IRCA in 1987. While the total immigrant population has grown vastly larger over the years, if looked at dispassionately, the terms of the policy debate over immigration have hardly changed: improving border controls; stopping the employment of unauthorized immigrants; configuring and debating legalization plans for people in the country illegally; establishing the yearly numbers for the bewildering array of visa categories for legal immigrants.

Instead, immigration legislation was stalemated in Congress, as the debate sharpened along partisan lines. Three serious attempts—in 2006, 2007, and 2013—were made to pass a comprehensive law that would permit, in addition to the usual enhanced immigration enforcement, visa reforms that might help increase legal inflows, and some avenue for the legalization of a portion of the millions of undocumented immigrants living in the United States. Both the 2006 and 2013 proposals passed the Senate, only to eventually fail in the House, while the 2007 bill never even emerged from the Senate. Meanwhile, the DREAM Act, designed to provide a path towards permanent residency for those individuals brought into the country as children, was defeated when it was proposed as stand-alone legislation.

In light of the failure of Congress to pass any immigration legislation not dealing with the increasing securing of the border and the failure of the 'down payment' strategy of being

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[851] Ramakrishnan and Gulasekaram, *Understanding Immigration Federalism*.

tough on enforcement as a way of achieving Republican concessions on immigration reform, the Obama administration has decided that the only possible pathway for federal-level immigration policy change could only be through the use of executive action. Accordingly, in June 2012, President Obama announced the 'Deferred Action for Childhood Arrivals' (DACA) programme, designed to protect from deportation youths who had been brought into the country by their parents. This was followed with an expansion of DACA as well as an 'Immigration Accountability Executive Action,' a temporary protective measure for long-term immigrants with US-born children. This latter plan has been enjoined by the courts, and may not be decided before the end of Mr Obama's term.

C. SUPPORT FOR THE INDEPENDENT VARIABLE

Support for the independent variable in this study is the creation and maintenance of an effective ethnic political identity. This is measured primarily through the evidence of mutual recognition of a shared identity among different sub-groups and the levels of self-identification with a particular identity, as well as rates of purposive civic or political participation under the banner of that identity.

1. Recognition of a Shared Identity

A variety of polls and academic studies have attempted to find whether or not—and to what extent—Latinos utilize the pan-ethnic label to describe their own identity. While the use of the pan-ethnic identity is not necessarily clear cut, given the multiplicity of possible social and political identities available, there are good reasons to theorize that the increased personal use of the Latino identity is strongly correlated with its use of mediating political participation. This is because constructing the shared culture necessary to create and maintain a pan-ethnic identity is hard work—and is often the result of pull factors in the first place, such as political incentives. This means that in order to adopt a pan-ethnic identity, the individual must understand the benefits (in terms of belonging, safety, relative power) that accrues from that identity.

But do Latinos see themselves as a 'group'? That is, have persons of Latin American ancestry from different national-origin groups united to constitute a politically significant pan-ethnic identity? All evidence points to slow albeit steady progress in that direction.

As we have hypothesised, a critical dynamic in this process might be the tenor of the on-going debate over immigration and policies directed toward undocumented immigrants that might harm all members of the community. According to research over the past 20 years, it has become increasingly clear that perceived attacks on the community have a substantial ability to unify political views, even despite differences of nativity and across generations.[852] A good example is provided by Gary Segura[853] on the Latino community's reaction to the passage of SB 1070 in Arizona, a law that allowed local police to identify undocumented aliens during virtually any contact with the public. According to polling data gathered by the Latino Decisions polling firm just one week after the bill was signed into law, opposition among Latino registered voters easily transcended generational boundaries.

When respondents were asked whether their fate and their group's fate were linked to the fate of other Latinos—the 'linked fate' measure first described by political scientist Michael Dawson[854]—at the individual level, 63.4 per cent said their fate was linked 'some' or 'a lot' to others'. When asked about the fate of their national-origin group relative to other Latino groups, 71.6 per cent said the two were linked 'some' or 'a lot'. Thus, huge majorities of Latinos believe that their futures and those of their co-ethnics are intrinsically linked.[855]

The belief that Latinos and their futures are linked very likely gives rise to greater efforts at group-based mobilization. Most major national organizations, political and otherwise, use pan-ethnic terminology and view the Latino constituency as being composed of the entire population—both across generations and, most important, across nationality groups. The National Council of La Raza (NCLR), the Hispanic Chamber of Commerce, the Congressional Hispanic Caucus, the National Association of Latino Elected and Appointed Officials, and the

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[852] Ronald Schmidt, Edwina Barvosa-Carter and Rodolfo D. Torres, 'Latina/o Identities: Social Diversity and U. S. Politics'. *PS: Political Science and Politics*, Vol. 33, No. 3 (Sep. 2000): 563–67.

[853] Segura. 'Latino Public Opinion', 109

[854] See, e.g. Gabriel R. Sanchez and Natalie Masuoka, 'Brown-Utility Heuristic? The Presence and Contributing Factors of Latino Linked Fate'. *Hispanic Journal of Behavioral Sciences*, Vol. 32, No. 4 (Nov. 2010): 519–3.1

[855] Segura, 'Latino Public Opinion', 111.

Univision and Telemundo television networks all define their constituency as the pan-ethnic Latino or Hispanic population.

3. Civic and Political Participation

In general, while the *number* of Latino voters has grown significantly over the past two decades, the *proportion* of Latino voters has not grown as much as hoped. This is a direct result of the demographics of this population: Latino voters are still overwhelmingly young, have relatively low formal educational attainment, and earn relatively less than the norm. These three characteristics are known to suppress the likelihood of voting—especially in non-presidential midterm elections.[856] These characteristics, incidentally, are exactly the opposite characteristics of the most conservative voters.

Nevertheless, the central question is whether or not a hostile environment has the power to motivate many of these non-voters to register to vote and then to vote. Evidence thus far seems to point to a limited capacity of this type of threat to directly motivate groups beyond the local, or perhaps the state, levels, although the 2006 migrant marches were an impressive display of the power of mobilisation. And yet, there are hints of more effective and durable political mobilisation and participation motivated by the discussion around immigration.[857]

Perhaps the 2012 elections demonstrate Latinos' capacity to vote according to group consciousness. Despite record deportations of Latino immigrants during the first Obama Administration and the high rate of unemployment Latinos suffered during the Great Recession, Latinos nevertheless turned out in high numbers for Obama. During that election Latinos' total share of the electorate rose. According to the post-election analysis,

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[856] Mark Hugo Lopez, Seth Motel and Eileen Patten. *A Record 24 Million Latinos Are Eligible to Vote, But Turnout Rate Has Lagged That of Whites, Blacks*. Pew Hispanic Center (Washington, DC: Pew Research Center, October 1, 2012). Available at:
http://www.pewhispanic.org/files/2012/10/trends_in_Latino_voter_participation_FINALREVISED.pdf

[857] See, e.g. Solop and Wonders, 'The Complexity of Immigration Attitudes', or Rouse et. al., 'Divided Loyalties?'

for the first time in history, the Latino vote was nationally decisive.[858] That is, the margin Latinos provided to Obama exceeded the overall margin of the popular vote with which he won, suggesting that if the Latino vote had not been mobilised, Obama would have lost. Additionally, while Obama's share of the vote declined in nearly every state and among most demographic groups, Latinos bucked this trend and their level of preference for the Democratic candidate actually increased.

Models of vote choice traditionally stress Party identification, economic concerns, and a slew of other minor variables. While Party identification and economic concerns operate as expected in models of Latino voting behaviour, other ethnic/ racially oriented variables also seem relevant. Collingwood, Barreto, and Garcia-Rios argue that Obama's ability to tap into Latino's sense of shared identity via his Deferred Action for Childhood Arrivals (DACA) commitments (not to mention Romney's concomitant commitment to a harsh self-deportation approach) explain not only why Latino turnout increased but also why their vote for Obama increased relative to the 2008 election.[859]

D. DISCUSSION

As we have seen the migratory debate has, despite ebbs and flows, become perhaps more positive overall, although certainly more heatedly partisan over the past 15 years. Immigration and its related issues have proven to be a good proxy for the economic and cultural debates that have accompanied the United States' trajectory into increasing political polarisation over the same period. While it could be argued that this hostile immigration debate might be caused by the generally weak economic climate that the United States has experienced since the beginning of the century, there is strong evidence that the current discourse on immigration has also become much more combative in reaction to ethnic cues, that is, the fears surrounding 'the browning of America'.

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[858] Loren Collingwood, Matt A. Barreto, and Sergio I. Garcia-Rios, 'Revisiting Latino Voting: Cross-Racial Mobilization in the 2012 Election'. *Political Research Quarterly*, Vol. 67, No. 3 (2014): 632–45, 640.

[859] Collingwood, Barreto, and Garcia-Rios, 'Revisiting Latino Voting' 642.

The question then is whether despite—or perhaps more importantly because of—this atmosphere of rejection, Latinos are increasing their levels of civic and political participation. The short answer is that Latino political influence over the past 15 years has been growing, although perhaps more due to the sheer demographic consequences of the immigration wave that came after the passage of the Hart-Celler Act in 1965 than to any nativist reaction to that wave. Nevertheless, counter-reactions to nativism have been seen to boost electoral registration and voting rates, as well as other forms of civic and political participation, although these effects have been limited either to particular locales or state (such as the reaction to Prop 187 in California),[860] or to particular time periods (such as the 2006 marches).[861] However, it is also evident that the negative immigration discourse has caused increasing pan-ethnic identification[862] and political and civic mobilization directly tied to the pan-ethnic identity. [863] There has also been an uneven but solidifying partisanship in favour of the Democratic Party.[864]

Surprisingly, the unease caused by this ethno-racial change seems to have had—until now— arguably a greater effect on White partisanship. The enduring lead that Donald Trump has demonstrated in his campaign for the nomination of presidential candidate for the Republican Party demonstrates that there is a considerable depth of feeling amongst a portion of the population—particularly lesser-educated, older, working- and lower-middle-class Whites—against immigrants, and more specifically, Latinos. What remains to be seen is if this increasing partisanship will also translate into increased political mobilisation amongst this population.

What might account for this relatively weaker reaction on the part of Latinos, especially since they are the group under attack? The answer may be that the processes needed for mobilisation take a longer time to organise than we may understand. Latinos are a much more heterogeneous group than the White population, with historical backgrounds rooted

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[860] Damore and Pantoja. 'Anti-Immigrant Politics'.

[861] See, e.g. Fox, 'Coalitions: Translating Engagement', or Barreto, Et.Al., Mobilization, Participation, and Solidaridad'.

[862] See, e.g. McConnell and Delgado-Romero, 'Latino Panethnicity', or Masuoka. 'Together They Become One'.

[863] See, e.g. Matt A. Barreto and Francisco I. Pedraza. 'The Renewal and Persistence of Group Identification in American Politics'. *Electoral Studies* (Special issue on _The American Voter Revisited_) Vol. 28, No. 4 (December 2009): 595–605

[864] See, e.g. Evans, et al, 'Ethnic Concerns and Latino Party Identification'

in a number of countries of origin and with varied immigration histories. Among the immigrant portion of the population, many are not citizens and so cannot vote. But even among those that can there is a wide range of levels of political acculturation, which has been demonstrated to have a crucial effect on political participation rates and partisanship.[865] Those born in the United States, meanwhile, are overwhelmingly young and have relatively lower levels of earnings and educational attainment. More importantly, perhaps, is the relative newness of the pan-ethnic identity, and the very real difficulties in constructing such an 'imposed' identity.[866] However, this is likely to begin to change, as the Latino population skews ever more to a US-born population, socialised in the American ethno-racial milieu and political system. And, if partisanship in the Democratic Party thus far has been uneven, certainly, Latinos have been abandoning the Republican Party. In this sense, the political utility of the pan-ethnic identity has moved the arc towards dis-assimilation, as members of the group begin to mediate their political participation not as members of a certain class or geographic locality but as a member of an ethnic group.

The result is that, if the immigration debate continues to fall along sharply partisan lines in ever more extreme positions, we are probably seeing only the beginning of a long-term division of the American electorate as the political utility of the pan-ethnic identity grows ever more obvious. That is, it would lock-in the mutually reinforcing cycle of rejection, where politically heightened fears of the consequences of demographic change cause a negative immigration debate targeted at Latinos, who respond defensively by closing ranks around a unitary pan-ethnic identity, in order to increase their influence as a group, which in turn would beget more anxiety.

Without this sense of rejection, it is quite probable that most Latinos would, in the manner of so many immigrant groups before them, and as so many Latinos seem to have been doing for years,[867] eventually become 'White', and thus dispose of the problem. That is, due to the inexorable forces of assimilation—integration, acculturation, and intermarriage— the 'Latino' pan-ethnic identification would cease to be functional, eventually evolving into

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[865] See, e.g. Rouse et al., 'Divided Loyalties?'

[866] See, e.g. Espiritu, *Asian American Panethnicity;* Yinger. *Ethnicity: Source of Strength?;* or Nagel. 'Constructing Ethnicity'.

[867] Duncan and Trejo, 'Intermarriage'.

yet one more 'symbolic ethnicity'[868] Thus, ironically, it seems likely that it is precisely the fear of demographic and cultural change that would occur when Whites cease being the absolute majority of the population that is giving the pan-ethnic label political validity and so creating the very conditions for the change to occur—and perhaps even become permanent.[869]

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[868] Mary C. Waters and Karl Eschbach. 'Immigration and Ethnic and Racial Inequality in the United States'. *Annual Review of Sociology*, Vol. 21 (1995): 419-446

[869] See, e.g. Gregory Robinson, Jonathan S. Krasno, Joshua N. Zingher & Michael A. Allen. 'Creating a Racially Polarized Electorate: The Political Fallout of Immigration Politics in Arizona and California'. *Politics, Groups, and Identities*, (June 2015): 1-19

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POLITICAL RE-ETHNIFICATION:
THE IMMIGRATION DISCOURSE AND THE CREATION OF A
LATINO ETHNIC POLITICAL IDENTITY IN THE UNITED STATES

APPENDIX B: ENFOQUE MÉXICO 2012 MEMORANDUM

MEXICAN-ORIGIN COMMUNITY LEADERSHIP IN THE U.S.: STRATEGIES & NETWORKS

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XX REUNIÓN DEL CONSEJO CONSULTIVO DEL

INSTITUTO DE LOS MEXICANOS EN EL EXTERIOR

Wednesday - 14 November 2012 – San Diego

David R. Ayón
Allert Brown-Gort
Manuel García y Griego

Summary

This memo is based on the first in-depth, binational study (titled "Focus Mexico/Enfoque México") of the structure and priorities of Mexican-origin leadership in the United States. The study is unique in its focus on the *dual* strategies and networks characteristic of primarily U.S.-born Mexican American leaders as well as Mexican immigrant community leaders and activists.

Based on over 50 focus groups conducted in six cities with leaders from across the U.S., as well as other research, interviews and case studies, this project explores how Mexican-origin leaders for generations have acted using a Hispanic or Latino strategy, on one hand, and a Mexican-binational or *migrante* strategy, on the other. The Hispanic/Latino strategy has developed more continuously and resulted in a vast national leadership network that reaches into virtually every sector of American society and government.

The Mexican *migrante* strategy been marked by relatively greater discontinuity over time, but since the late 1980s it has undergone sustained development. This strategy has resulted in its own network of leaders and organizations, engaged in collective political action, and registered a number of political achievements. With the major exception of the immigrants' rights marches of 2006, however, the migrante network has generally been more focused on influencing politics and policy in Mexico than in the United States.

On the national level and in key parts of the country (the Southwest, especially) these strategies and networks are notably segregated from each other. In other areas such as Chicago, however, we find significant overlap between them. This study also found a high level of agreement overall between Mexican American and Mexican immigrant leaders on key policy issues, in spite of a number of divergent priorities and the perception of a social gap separating them.

Generational change and the rapid growth of the Mexican-origin population outside of the Southwest raises questions about how the two strategies and networks will interact with each other in the future. This study finds that, contrary to previous historical experience, the binational Mexican migrante strategy and network may continue to develop and grow stronger in the medium term. This potential suggests a possible shift toward a more generally integrated leadership structure that utilizes both strategies of collective socio-political action, especially in new areas of settlement and possibly on a national level as well.

MEXICAN-ORIGIN COMMUNITY LEADERSHIP IN THE U.S.: STRATEGIES & NETWORKS

I. Overview

Of the over 30 million people of Mexican origin in the U.S., roughly 60% are native born and 40% are immigrants. Among the voting-age population, however, the *migrantes* constitute a majority, many of whom retain ties with their communities of origin across the border. This raises a series of questions regarding the political values and orientation of the Mexican-origin population, at a time of increasingly vigorous political competition for Latino support.

This memo introduces the first in-depth, binational study (titled "Focus Mexico/Enfoque México") of the structure and priorities of Mexican-origin leadership in the United States and summarizes its preliminary findings. The study is unique in its focus on the *dual* strategies and leadership networks characteristic of primarily U.S.-born Mexican Americans on one hand and Mexican immigrants on the other.

The presentation will examine several interrelated areas of this ongoing study: (1) the principal collective action strategies employed by Mexican-origin leaders, activists and organizations; (2) the extent to which these strategies have resulted in distinct leadership networks; (3) how these strategies and networks interact nationally and in different parts of the country; (4) convergences and divergences in the political priorities of Mexican Americans and Mexican immigrants; and (5) implications of our findings for some current political questions.

Over a period of seven years, our research team probed the (A) Hispanic/Latino and (B) Mexican *migrante* strategies of collective action in over 50 focus groups conducted in six cities with community leaders from across the country, researched the historical roots of these strategies, ethnographically observed

Latino and Mexican immigrant organizations, investigated Mexico's policies and programs directed toward migrants, and interviewed Mexican American elected officials, their chiefs of staff, heads of national Latino organizations and Mexican government authorities.

In the historical section (II) that follows, we highlight the deep roots of both the Hispanic and *migrante* strategies, and emphasize the long and continuous historical development of the domestically-focused Hispanic/Latino leadership network in the United States. Section III stresses the diverse nature of the communities that the population of Mexican origin has settled in, marked by different proportions of U.S.-born and immigrant residents, and different relations between the two major strategies of collective action mentioned above.

Section IV examines some of our findings regarding the attitudes and priorities of Mexican American and Mexican immigrant leaders. The main general finding is that, in spite of a sense of a social gap between them, the preferred policies of immigrant and Mexican American leaders are strikingly similar. Where differences emerge, these mainly concern how people of Mexican origin in the U.S. should relate politically to Mexico, and on some immigration-related issues. In our early focus groups and presentations, furthermore we found a significant degree of resentment expressed by Mexican immigrant leaders toward Mexican American/Latino leaders and organizations. This sentiment, however, appears to have declined over time.

Section V discusses a number of political implications and possible future directions for the strategies, networks and communities examined and considered by the study.

II. Historical Evolution: Two Strategies & Two Networks

A. Becoming Latino

The Mexican-origin population was originally incorporated into the United States in 1848 not as a diaspora but as a territorial minority that had a weak association with Mexico. Ties with Mexico were tenuous because the territories of New Mexico, Texas, California and Arizona had experienced independent Mexican rule for only one generation before U.S. annexation, and Mexico was not a

consolidated nation before 1848. The territorial minority in the U.S. Southwest was largely insulated from the events of the nineteenth century that helped consolidate Mexico's nationhood and was connected to Mexico mainly through language, music and other forms of culture, but not closely connected to its political institutions or national narrative.

Geography, immigration of South Americans during the Gold Rush, and the class divisions within this population enhanced this distance from Mexico. Gold rush *sonorenses*, Chileans, and Peruvians were quickly categorized as *hispanos* (or *españoles*, in the Spanish-language press) in California—the earliest instance of a Latino pan-ethnic grouping. The largest immigration from Mexico before 1910 was into South Texas, and in part because "Mexican" had become stigmatized, second generation leaders among that population quickly adopted the euphemism "Latin American." New Mexicans, the largest concentration of this territorial minority in 1848, refused to be lumped together with the landless *peones* arriving as unskilled laborers from Mexico and even more broadly adopted "hispano" or "Spanish" to refer to themselves. In the first decades of the 20th century, the most prominent ethnic organization across the Southwest called itself the Alianza Hispano-Americana.

By the WWI era, Mexican American leaders responded to the U.S. Americanization movement by promoting the use of English, sometimes expressing an exaggerated support of U.S. patriotic symbols, and avoiding issues that would connect them politically with Mexico. The League of United Latin American Citizens (LULAC), established in 1929 in Texas, was perhaps the most prominent example of this approach in that era.

In turn, WWII spawned the birth of the modern Civil Rights movement, in the case of Mexican Americans most notably with the foundation of the veterans' group known as the American GI Forum. Major Mexican American organizations that were active in the 1950s and 1960s established national offices by the 1970s and redefined their missions and diversified their boards and staff to include other Latinos, even if their leadership remained predominantly Mexican American. Other organizations, such as the Congressional Hispanic Caucus and the National Association of Latino Elected and Appointed Officials (NALEO), as well as many professional and business associations, were founded from the start on a pan-ethnic basis, albeit with Mexican Americans often playing a leading role.

The drive to become national organizations with a voice in Washington provided incentives for Mexican American leaders to broaden their coalition, seek other Hispanic allies, and emulate the organizational behavior and the civil rights movement of American ethnic groups such as European immigrants and of American blacks, respectively. This has given a largely domestic focus to the Latino political agenda and a heightened sense of the importance of domestic empowerment and acceptance as "American" in U.S. political culture. Not surprisingly, then, the Latino leadership strategy has often been indifferent to

Mexico, its politics, and to international issues in general. The formal embrace by Mexican American leaders of a Hispanic/Latino strategy, rooted in a long history of their relative distancing from Mexico, has resulted in an institutionalized pan-Latino or Hispanic leadership network and political identity.

Fig. 1: **The Hispanic/Latino Network**

Cuban American and mainland **Puerto Rican organizations**

Corporate Spanish-language media

Mexican Embassy (Washington, D.C.)

Political Actors (eg National Hispanic Leadership Agenda, CHC/CHCI, CHLI, Dem Nat Com Hisp Caucus, RNHA)

Economic Actors (eg Hispanic Chambers of Commerce, HACR, Labor Council for LA Advmnt, TELACU)

Latino "spaces" (eg Hispanic Heritage Month, Cinco de Mayo; Latino Congreso)

National Latina/o Orgs MA   Latino (eg LULAC, NCLR, MALDEF, MANA) **Latino** (eg NALEO, New America Alliance) **Mexican American** (eg American GI Forum, MAPA, SVREP)

Institutions (eg Hispanic serving institutions [HSIs], Smithsonian Hispanic Initiatives, HACU, IUPLR, NACCS)

Latino media (eg Magazines: *Hispanic Business, Latina, Hispanic, Hispanic Outlook, Poder, Latino Leaders*)

Professional associations (eg S Hisp Prof Engineers, N Assoc Hisp Pubs, N Assoc Hisp Journalists, N Soc Hisp MBAs, Hisp Bar Assoc)

The vast modern Latino network of leaders, activists and organizations is primarily based in the Mexican American, Puerto Rican and Cuban American populations, but it has come to significantly encompass the more recently established immigrant communities of Central American, Dominican, and other Latin American origin.

Here we focus on the Mexican-origin component of those network hubs and various interrelated categories. This network includes national Latino organizations and associations, perhaps hundreds of professionally staffed community organizations, thousands of elected officials, scores of thousands of organized professionals, and as many or more organized business owners and

executives engaged in collective action as Latinos. We identify some of the more well-known organizations in the figure above and note that the distinctions between political NGOs, civil rights organizations, and the like are somewhat arbitrary. We also note that these organizations maintain important connections to Cuban American and mainland Puerto Rican organizations, relatively weak connections to the Mexican Embassy in Washington, and formal organizational connections with Mexican consulates that are so weak in relative terms to not merit representation here.

B. Staying Mexican

What we refer to here as the alternative Mexican-binational or *migrante* strategy was employed recurrently by Mexican immigrant leaders from the 1860s to the 1930s, and vigorously again since the late 1980s. The French intervention in Mexico in the 1860s sparked the formation of over 100 organizations in California in support of the beleaguered Mexican republic, and some of these even sought the right to vote from abroad in the restored republic after the French withdrew. Such *Juntas Patrióticas* were founded also to celebrate Mexican independence in U.S. communities, and mutual aid societies were established using Mexican cultural symbols and often seeking the support of the local Mexican consulate.

A similar pattern of events can be found shortly before and during the Mexican Revolution. Many government critics found exile in San Antonio, El Paso and Los Angeles, where they engaged in journalism and pamphleteering against successive Mexican regimes. During the 1920s and 1930s they successfully petitioned the Mexican government for consular support; for repatriation (in 1921 and again in 1929-1932), for assistance during labor disputes or unemployment and massive layoffs by U.S. employers, and for help in some major cases of official discrimination such as segregated schooling.

The co-existence of the domestically-focused Hispanic/Latino strategy on one hand, and the *migrante* or Mexican-binational strategy, on the other, since the Treaty of Guadalupe-Hidalgo, is in part the result of successive waves of Mexican immigration. Not surprisingly, immigrants often maintain an identity with and a relatively close connection to their country of origin. But the willingness of Mexican political actors, especially the Mexican government through its consulates, to engage that community has historically been a necessary condition for the existence of a <u>sustained</u> *migrante* strategy on a large scale over long periods of time.

Starting in 1989, the Mexican government undertook to reform and expand its policies toward its trans-border migrants and their communities of origin and settlement. Although working principally through its network of over 40 consulates (now over 50) in the United States and the new Program for Mexican Communities Abroad, the new policies came to involve several departments other

than the foreign ministry, as well as state and local governments. These policies encouraged the organization of hometown associations (HTAs) by Mexican immigrants, and supported their involvement in the economic development of their communities of origin. The most prominent of these came to be known as the *Tres-por-uno* (officially, "Programa 3 x 1 para Migrantes"), a matching-funds program by which remittances by Mexican immigrants dedicated to community development projects were matched by financial contributions from the federal, state, and later municipal governments.

Fig. 2: The *Migrante* Network
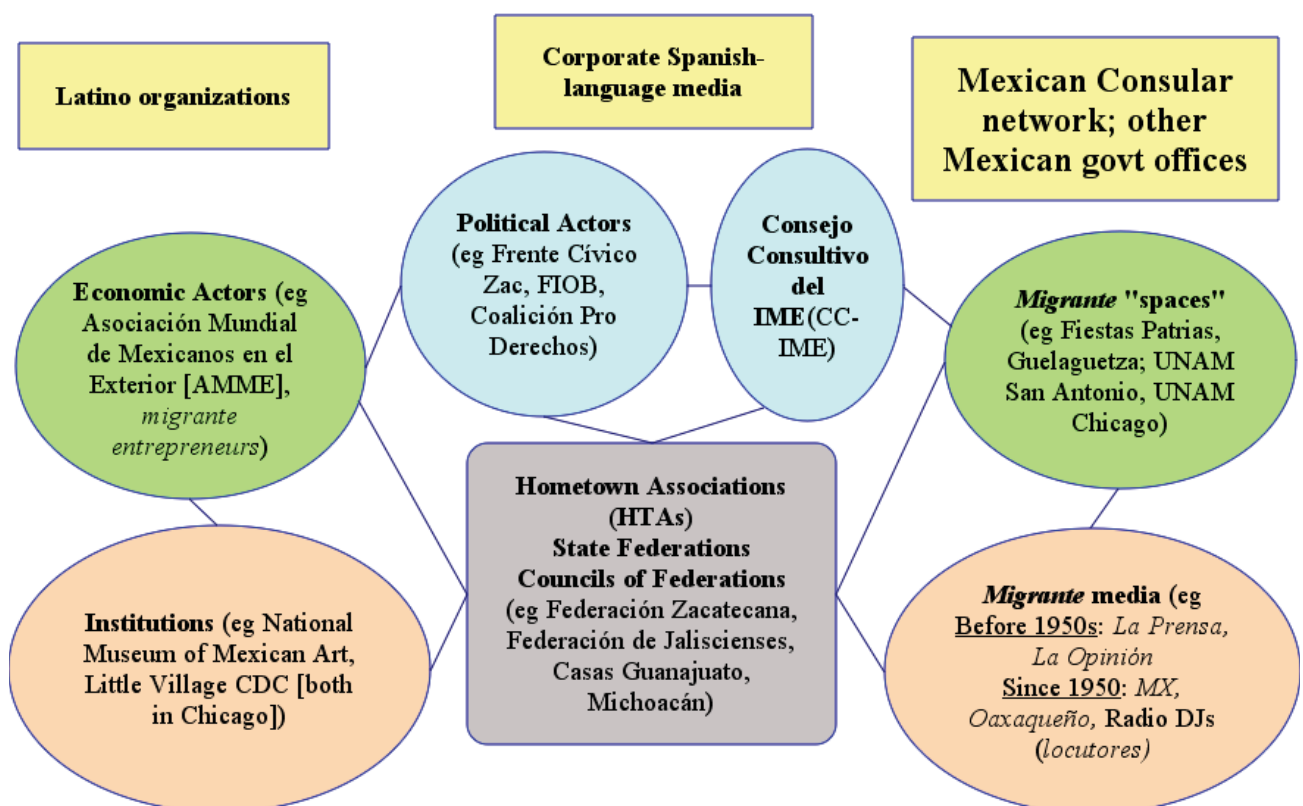
There are now over 1,000 HTAs registered with Mexican consulates in the United States, and several dozen federations of HTAs and councils of federations. The Communities Abroad Program was been succeeded by the Institute of Mexicans Abroad (IME), which in 2003 established an advisory council known as its *Consejo Consultivo* (or CCIME). This representative body of some 125 persons of Mexican origin in the U.S. and Canada meets in Mexico and the United States to promote activities and policies designed to advance the status of the binational migrant community. Thus migrante leaders and activists, supported by Mexican policy and pursuing a binational or diasporic strategy, have developed what we

may refer to as a migrante leadership network separate and distinct from the Latino network discussed earlier.

III. Models of Interaction

In communities across the country, the Mexican origin population is to be found not only at different numerical levels, but also differing significantly in composition and historical development. Several major Southwestern cities, from San Antonio to Los Angeles, have had substantial Mexican American (or "Hispano," as in Albuquerque) populations for several generations. Even after decades of renewed mass migration from Mexico, in San Antonio, Albuquerque and Tucson, in particular, the U.S.-born component substantially outnumbers the Mexican immigrant population.

In these communities, Mexican Americans have achieved a significant degree of political representation at the local, state and federal levels. Of the sixteen Mexican American members of Congress, for example, fifteen are U.S.-born and represent traditionally Mexican American districts from South Texas to Southern California.

In communities elsewhere, however, the Mexican immigrant population constitutes a majority, especially among the adult Mexican-origin population. This is particularly so in cities such as Chicago, Houston, Dallas and Las Vegas. The Mexican-binational strategy and leadership network logically tend to be more highly developed in communities with large concentrations of immigrants. (In these communities we are also more likely to find Mexican immigrant politicians elected to significant local offices.)

The chart in this section illustrates some of the counties with the largest Mexican-origin populations. The size of the spheres corresponds to the relative size of the adult population of Mexican origin. The placement of the spheres on the chart corresponds to the balance between Mexican immigrants on one hand, and U.S.-born Mexican Americans, on the other.

Fig. 3: *Migrante* and U.S.-born Mexican Americans (18+) 2006
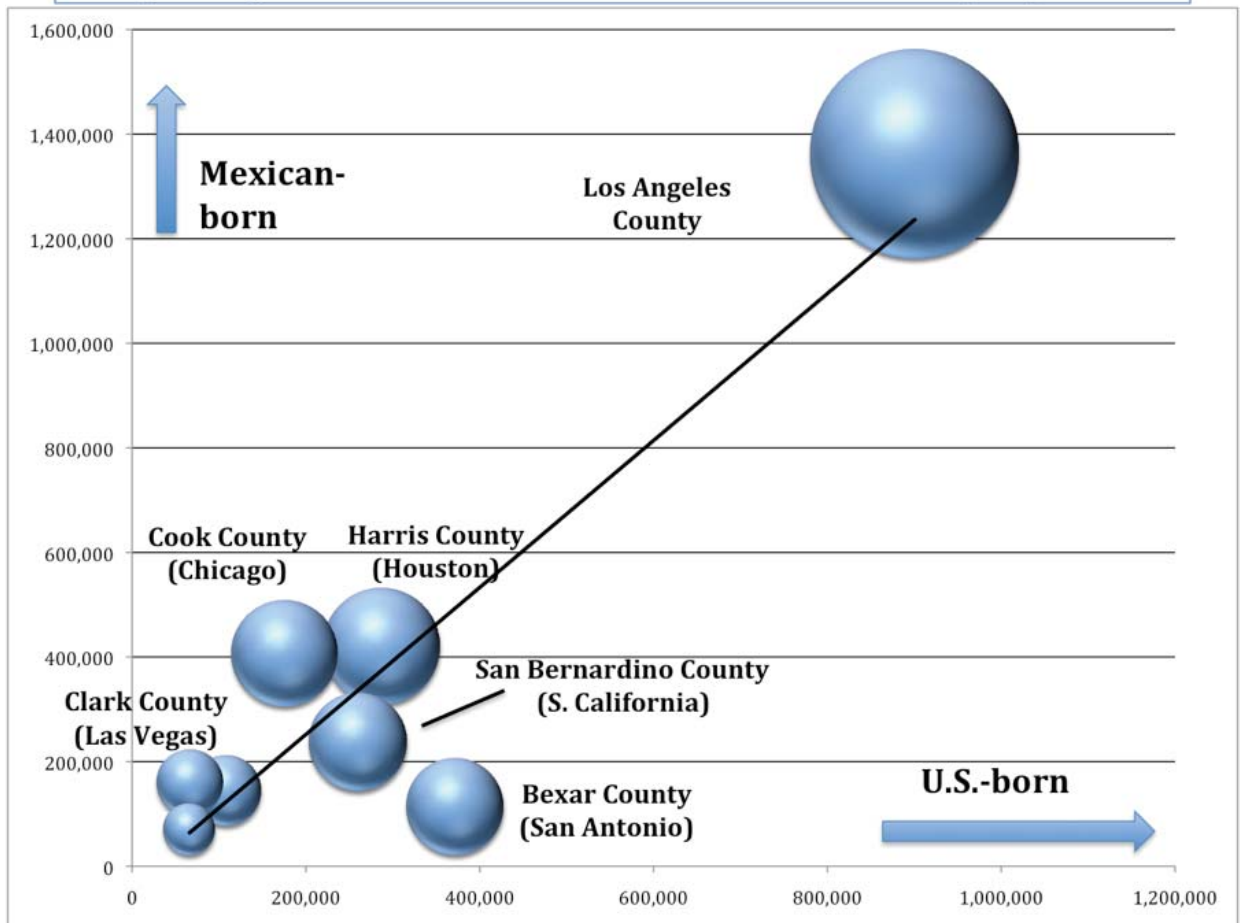
These demographic differences provide some clues concerning how the two strategies and the two leadership networks examined here relate to each other. In Los Angeles, for example, we find that the two networks have relatively little overlap between each other, in spite of — or perhaps because of — the presence in large numbers of both Mexican Americans and immigrants in the population. In LA, *migrante* leaders tend not to "cross over" and act as *Latino* leaders, run for major elected offices, or be represented in gatherings of Latino leaders. And by the same token, Latino leaders who are U.S.-born Mexican Americans in Los Angeles are generally not accepted as leaders of the *Mexican* (immigrant) community – at least not by the migrante leadership network.

Early in our study, influenced by our fieldwork in Los Angeles and Dallas, we came to hypothesize that these two leadership networks are not only distinct, but are to some degree socio-political rivals — although the rivalry was notably one-way. We found repeated examples of migrante community leaders who were

critical and even resentful of Mexican American leaders who define themselves and their organizations as Latino and who specialize in the Hispanic/Latino strategy.

Further fieldwork established, however, that segregation into distinct and rival leadership networks is not universally the case. We found that there is significant variation between communities in how the Hispanic/Latino and the Mexican-binational strategies interact. Since we found in Chicago the most important alternative dynamic to the bifurcation we found in Los Angeles, we have come to call this variation as the difference between an "LA model" and a "Chicago model."

Some of the major differences can be summarized as follows:

"LA Model"

- Bifurcated leadership networks
- Low leadership crossover
- Few migrante politicians – Latinos rule (in major offices)
- Few migrante-led institutions

"Chicago Model"

- Less bifurcation, more crossover
- Notable migrante elected officials
- Major migrante-led institutions
- Alternative strategies & higher 'Mexicanness'

Briefly put, in Chicago Mexican immigrant leaders appear more able to alternate between a Mexican-binational strategy and a Hispanic/Latino strategy, while in Los Angeles, Mexican-origin leaders tend more to specialize in one strategy or the other. In Chicago, it is also proportionately more common to find Mexican immigrants elected to the City Council and the state legislature than is the case in the Los Angeles area.

Overall, leaders in Chicago appear more likely to consider themselves all "Mexican" in a sense that includes both Mexican Americans and Mexican immigrants, while in Los Angeles and elsewhere in the Southwest Mexican

American leaders are more likely to distinguish between themselves and Mexican immigrants as a group.

IV. Attitudes and Priorities

Our study's in-depth discussions with over 500 Mexican American and Mexican immigrant leaders have provided us with a bounty of information that we continue to analyze. This study furthermore focuses on probing underlying values and belief structures rather than the sorts of opinions and perceptions of the most immediate nature that are favored in most surveys of Latino political opinion. Nonetheless, some basic patterns have emerged in our analysis so far — and even some insights into how a few selected attitudes and priorities of this leadership appear to be evolving over time.

A. Divergences

- In the first years of our study, many migrante leaders expressed their view that Mexican American/Latino leaders and their organizations neglect immigrant priorities and issues related to Mexico, and that while Latino organizations benefit from claiming to represent and serve the immigrant population, they fail to deliver needed services to immigrants. Furthermore, many migrante leaders said that they felt unwelcome in Latino organizations and their gatherings.

- Many Mexican American/Latino leaders agreed that in particular Mexico and Mexico-related issues (not including immigration) receive little attention, but they feel that this is appropriate given the declared missions of Latino organizations and the responsibilities of Latino elected officials.

- Although there is a high level of agreement across the board on the importance of immigration policy reforms, these often have not been as high a priority for Mexican American leaders as they have been for migrante leaders. From 2003-2005, it was not uncommon to find Mexican American leaders who did not offer immigration reform as one of their principal priorities.

- General agreement on the importance of immigration as an issue may mask different understandings of its meaning. There are strong

indications that many Mexican American/Latino leaders see immigration-related issues as important to community empowerment in U.S. politics. Many migrante leaders, however, seem to have a less political view of the importance of immigration policy reform.

- Many local migrante leaders seem unfamiliar with and have trouble understanding the advocacy role of prominent Latino organizations, and expect more of them in terms of direct services on a local level.

- Mexican migrante leaders are much more supportive than most Mexican Americans of (1) the idea of creating a national organization separate from other (non-Mexican origin) Latinos, (2) the desirability of achieving an "open border" between Mexico and the U.S., and (3) the desirability of direct involvement by migrantes in Mexican politics.

B. Convergences

In spite of all of the above (and more not reported here), we actually found a high level of agreement between Mexican American and migrante leaders on principal priorities — sometimes in surprising ways:

- Both types of leaders regard the immigration issue to be of relatively high importance – even if they may understand its importance in different ways.

- Education is a more strongly shared policy priority between Mexican American and migrante leaders than is immigration. Here too, however, an even higher level of agreement may contain something of a different understanding, but in an unexpected way. Only migrante leaders offered the view that both governments on both sides of the border should address the educational needs of Mexican migrantes binationally.

- Immigration reform in the U.S. that would only benefit Mexicans — as in a bilateral deal between the two governments — would not be acceptable. A clear majority of all focus group participants stood for immigration reform that would legalize the undocumented without discriminating among them by national origin.

- In spite of their differences on the desirability of having leaders focus more on Mexico, we found views among both Mexican Americans and

migrantes that serve as obstacles to doing so. First, the idea of U.S. foreign aid for Mexico is historically so unfamiliar that the question did not produce useful or codifiable discussions. Second, in nearly every focus group official corruption in Mexico is offered as an obstacle to supporting community development projects there.

Finally, we found widespread agreement on two points regarding "Mexico's attitudes toward people of Mexican-origin in the U.S." First, both Mexican American and migrante leaders have experienced discriminatory treatment and deprecating attitudes on the part of Mexican society. There is considerable agreement, however, that Mexican attitudes toward migrants and Mexican Americans improved considerably on the part of the Mexican government following the election of Vicente Fox in 2000.

C. Movement (since 2000)

Our fieldwork from 2003-2009, combined with a preceding pilot study in 2000, have allowed us to detect signs of change in some of the attitudes expressed by both Mexican American and migrante community leaders. One of these is that migrante leaders appear to have become significantly more comfortable with referring to themselves as Hispanic or Latino.

Among Mexican American leaders, we noted an increasing openness to two very different kinds of issues, (1) the idea of a pro-Mexico lobby, and (2) a guest worker program, especially as part of a larger package of immigration reforms. On the first point, we might add that our fieldwork in Washington, DC suggested that the human resources for the purpose of an ethnically based foreign policy lobby in relation to Mexico appear to be readily available. However, it must be noted that there appears to be no demand on the part of the Mexican American electorate for pro-Mexico advocacy.

A final point on the question of the desirability of forming a national organization by and for people of Mexican origin, apart from other Latinos: This was noted as a point of divergence between Mexican American and migrante leaders. However, we also noted a somewhat paradoxical willingness of Mexican Americans to participate in and support such an organization, if it were already in existence.

V. Future Directions

Currently, the Mexican American/Hispanic/Latino leadership and the migrante/Mexican-binational leadership constitute two mature and complete networks that often exist in parallel with little contact between them, especially in the Southwest. Nevertheless, it is important to stress that these two networks do not act in complete isolation. The migrante leadership network has been consolidated like never before, and has acquired the capacity to influence Latino leaders and organizations. At the same time, Latino organizations are having some effects on migrante organizations. What does the future hold?

This is not the first time that there has been a large and sustained migration from Mexico that has generated a migrante leadership network (and its associated binational strategy); it has been a recurring phenomenon for over a century. Historically the tendency has been for the migrante organizations to enter into decline, disappear altogether, or become significantly transformed as the succeeding generations become more incorporated into U.S. society. While ultimately this might yet be the fate of this epoch's networks and organizations, several factors suggest that the migrante network is not likely to be displaced or absorbed by the Latino network in the medium term, and that in fact we may be seeing a confluence of forces that will reinforce what we have termed the Chicago Model.

There exist several factors with the potential to change the traditional patterns, principal among which are geographic, demographic, and political issues:

Geographic Factors:
- Although not the first time they have settled outside of the Southwest, in the past two decades Mexican immigration has spread out across the U.S. in numbers never seen before.
- Many of these new settlements are in areas previously dominated by older communities of different countries of origin, e.g. Puerto Ricans in Chicago and New York, Dominicans in New York and Boston, Cubans in Florida, etc.

Demographic Factors:
- In the meantime, the overarching demographic phenomenon, not only for the Mexican-origin community but for all Latino groups, is the

overwhelming number of the Mexican immigrant second-generation cohort, which is poised to become the majority group of all Latinos in the United States. In addition, many in this second generation are coming of age in areas far from the traditional Mexican American/Latino powerbase.

Political Factors:

- Mirroring the unprecedented sustainability in both size and duration of recent Mexican immigration, the success they have achieved in both modifying Mexican policy (*3X1,* voting from abroad), and receiving sustained support from the Mexican government (PCME, CCIME), has meant that the binational strategy of the migrante network continues to be seen as a viable alternative to the Hispanic/Latino strategy of Mexican Americans.

- At the same time, the growing presence of a new ethnic group in a number of electoral battleground states (again, mostly outside the Southwest) that has yet to be definitively captured by Democrats or Republicans means that both parties are paying unprecedented attention to both new citizens and the U.S.-born second generation. Although the Republicans have suffered setbacks in this regard due to the Party base's stand on immigration, they are not giving up on their efforts to capture this valuable group.

Thus, what we expect is that the modality seen in the Chicago Model (less bifurcation, more crossover, with the use of both binational and Latino strategies) will become more the norm in the medium term, as a preponderant second generation leadership takes over networks and organizations begun by their parents, and Mexican-origin communities become consolidated in areas far outside the Southwestern United States.

POLITICAL RE-ETHNIFICATION:
THE IMMIGRATION DISCOURSE AND THE CREATION OF A
LATINO ETHNIC POLITICAL IDENTITY IN THE UNITED STATES

APPENDIX C: SAMPLE FOCUS GROUP TRANSCRIPTS

FOCUS GROUP CHICAGO

1 October 2004

- Allert Brown-Gort: Well first of all, thank you very much. It is my pleasure to have worked with and known most of you. Not everybody. I am Allert Brown-Gort from the Institute for Latino Studies at the University of Notre Dame. And my colleague Roberta Clariond from Instituto Tecnológico Autónomo de México. We are part of the focus group, Focus Mexico (Enfoque México). We will start very quickly with introductions.

[Note: Introductions were not filmed but were recorded on audio tape. Individuals did not introduce themselves in order of seating. Valdemar Lopez (seated in the second position) introduced himself before Jorge Sanchez (seated in the first position). Participants then followed in order.]

-Valdemar Lopez, MALDEF
-Jorge Sanchez, MALDEF
-Man (name and title inaudible)
-Estella Melgosa, Mujeres Latinas en Acción
-Marilu Gonzalez, Interfaith Leadership Project
-Luis Gutierrez, Latinos Progressando

-ABG: Thank you all very much for being here. This will take about two hours. Thank you for your time; it is very valuable, and we appreciate the input that you are going to give us. And we are hoping you will find as much fun as we do, because we have been doing this now all over the place, and every time we do it, we're amazed at the things that we find. So, to begin with, I'll overview the ethnic terms that we've been using or that we will be using. First, we have Mexican-Americans. They are U.S. citizens by birth and of Mexican ancestry. Mexican immigrants, people born in Mexico, who live in the United States. People of Mexican origin, both Mexican-American and Mexican immigrants, and please note that Mexican origin does not mean from Mexico. The Latino are of course all people in the US of Latin American origin, whether born here or in Latin America, including Mexican origin, Central American, Puerto Rican, Cuban, Dominican, South American and such. So, let's start with some general questions about Mexican American communities and Mexican immigrant communities. Some people tell us that Mexican Americans and Mexican immigrants have different policy priorities, such as in relation to the issues that we just covered. And the idea is that the two communities have some differences. Other people think they have the same basic priorities. And the question here is, what do you think? How do you fall on that?

- Man (LG): I think we have the same basic principles, but see things differently. I see things differently from how my parents saw them. And the core principles that we have I think are the same. We grew up in another environment and see different things. Obviously, not every person is in agreement, but principles in general, I think we have all core principles.

- ABG: Does anybody feel differently? Ok, now let's talk about some particular issues, ok. First, tell us why in this policy priority exercise, why legalization, guest worker or border enforcement, those policy priorities that are immigration related, tell us why they either were or were not among your top three issues.

- Woman (EM): I believe they all are just as important, but those are, I guess, the root or the base and that could lead into changes the rest of the issues.

- ABG: Were any of those in your top three?

- Woman (EM): Yes, they were.

-ABG: So the question is, if it was, why was it, and if it wasn't, why wasn't it?

-Woman (EM): They were in it because they are the root of all other issues just as important, as for instance education. Focus on education, creating higher education among Mexicans, Mexicans or Latinos, can make changes in the other issues.

-ABG: You see this as one of the root things, of all the other ones

-Man (LG): I agree with her on that. You're absolutely right. I think you cannot focus on other issues. I mean, they are important, but without legalizing somebody, how is that person going to get financial aid, or any type of student loan for school. Rarely there are equal opportunity for students. Also, I mean, now the banks are starting to open up for home ownership, but you are also talking about the issue of having work. Work issues are also a big concern for people without work permits, without legalization. Once you have legalization as the foundation then you can start everything else at.

-Woman (MG): I agree. I think legalization is one of the priorities because it has a snowball effect, generally speaking. You can talk about discrimination, you can talk about education, college access, all sorts of things, and you may make some movement, but without the legalization component, it's next to impossible to actually challenge it.

-ABG: Right, how are you going to become a citizen if you don't even get legalized and then if you are not a citizen then how are you going to vote?

-Woman (EM): Access to education, access to health care, or access to anything.

-ABG: It is hard enough for those of us who are citizens to get access to health care, you know.

-Woman (MG): Affordable health care…

-Man (JS): I thought so. I have done employment law for some time, and legalization is certainly probably one of the biggest issues facing exploited Latino workers. It is so much easier to take advantage of undocumented workers and the kinds of complaints that you hear from undocumented workers are kinds of complaints you tend not to hear from U.S.-born people. There is also a big difference between the kinds of complaints that undocumented workers, Latino workers, make. There seems to be a kind of knowledge about rights and rights to discourse. We have a case now; it is interesting that the employer had a directive to their personnel not to hire the blacks. So, some people will say this is good for Latinos because they are getting hired but my point to one of the lawyers is that the reason that they are looking for Latino workers is that they are easier to exploit. They are doing all sorts of funny things with insurance and the kinds of things that the plants won't even question, some of them literally wait years till they turn to somebody. This is because they did not realize, or felt disempowered, fear. And some of us with legal permanent residence, I think that the fact that undocumented people are targeted also make it less safe for work for native born as well as for legal permanent residents in terms of facing discrimination, and it creates this status where people start inquiring, what about your status what are you doing here, you know law enforcement might pay more attention to you, and the fact that they are distinguishing between legal permanent resident or driver's licenses and all these things that think solve problem initially the fact that there are marginal, undocumented people, you won't be able to get rid off. There is an economic reason to why you'll never deport all the undocumented workers here, it just sets up a situation for their exploitation.

-Woman (MG): It is an economic issue. I view the undocumented issue as an economic issue, more than anything else, because it adds to the infrastructure of the US. Without it, the US cannot appeal. It is unfortunate, because the majority of people coming here, now more than ever especially in the female side, is growing dramatically. And they are the ones being exploited the most.

-Man (LG): And really quickly to add to the immigrant rights, I mean they will know the right issues that comes along with legalization, there are so many times I have done presentations with groups of people with no documents, that equals don't having any rights in this country. And that is to me one of

the biggest obstacles in explaining to people that documents does not equal rights, but it is hard to comprehend that in that situation.

-ABG: Ok, so we know thinking about where immigration fits in, thinking about the Mexican American community the Mexican immigrant community, do you think it is important for Mexican Americans or Mexican immigrants in the US to raise the funds to support economic and social development projects Mexico. Whether these are organized by the government or NGOs.

-Woman (MG): Yes absolutely, it's funny, I was just meeting with someone here, she is working for an organization which is huge. We were talking about this, and I truly believe that a lot of people who are here in this country currently are here because Mexico does not provide them with work. There is no employment base, no economic base you can't just live on 20 dollars a week. There is a real need to actually develop some sort of creative way of entrepreneurship or small business or something that is developed in certain parts of the state of Mexico that are working. The best example I can give you is in the state of (?). There are some businesses that have gathered together, coalesced together, and said we are going to train people how to do agriculture. We are going to train them to do agriculture, and then they are going to export to the US. But they are going to learn how to deal with contracts, how to negotiate their numbers, how to get paid. It is working, and it is not run by the government. It's a drop in the bucket, but it's working.

-Man (VL): I have past experience with the Mexican hometown federations. Las asociaciones mexicanas aqui dentro de los Estados Unidos. And my experience has been that sometimes maybe even though their heart is in the right place in terms of developing different projects in Mexico, I think they get exploited by the different political parties within Mexico. Exploited in the way that they are manipulated for their vote instead of coming together and establishing a good project for the community. I know in (?) where they have done very good work, but I know in places like Hidalgo or in el estado de Durango where they have been exploited just to do political work. You have to be careful.

-ABG: So, there are several ways of doing this, supporting the projects, economic and social development projects.

-Woman (MG): I'm sorry, but I really need to stress the importance of keeping the government out of it.

-ABG: Correct.

-Woman (MG): It is an important piece, because unfortunately it becomes very bureaucratic and very politicized.

-Man (VL): Tres por uno.

-ABG: So do you consider this a priority?

-Woman (MG): It was number 2 on my list.

-Man (LG): It was not on my list.

-ABG: All right, let's go to number four. I want to see how this plays here, because it plays differently in different places. Should Mexican Americans leaders of organizations support deepening of NAFTA or enhanced trade and other forms of agreements with Mexico?

-Woman (MG): I have problems with NAFTA.

-ABG: The issue here is not NAFTA. It is the vehicle we have at the moment for these sorts of things. The idea is basically is should we have enhanced trade or other form of integration with Mexico.

-Woman (MG): I personally think yes.

-ABG: But you don't like NAFTA.

-Woman (MG): I don't like NAFTA. The reason I will say yes is because the reality of it is that if you look at the top ten tourist attractions of the US, we are the closest. If you look at how much is (?), the idea is that things that are being exported out of Mexico. The benefit is not for the people in the community or different states. That's why I don't like NAFTA.

Man (LG): I agree. But you should be able to trade with Mexico. But there should also be open borders for people to come into the United States support. And I think that part of it is missing. You're saying, well, businesses are free to go into Mexico and make as much money as they like but when it comes to coming back in terms of people that want to come in, then there's a problem. And on top of that to address the issue of US owned businesses that go into foreign countries such as Mexico that need to act responsible. Just because you go into Mexico doesn't mean that you get to pay someone a dollar a day or five dollars a day. And then you come over here and you want to sell your jeans for $120 dollars a pair. That is irresponsible business and that needs to be addressed.

Man (JS): I was going to pick up on that. Not only exploitation of the workers, but also a lot of the environmental degradation. You know, NAFTA, the idea of being able to facilitate the flow of goods isn't a bad idea. You also have to look at the impact of this on some of it. I know that it's had a devastating effect on the Mexican agricultural factor. There's good and bad. There are

protectionist aspects of NAFTA that protected US companies from aguacates for a long time, from jitomates, from things that Mexico produces and can't export on mass. And yet where's the protection? From what I understand you cannot buy Mexican grown corn for tortillas anymore in Mexico. It's all maseca and it's all stuff that's produced here and exported to Mexico. And that's a very troubling effect to think of globalization when a country's staples are provided by a foreign country. From what I am able to understand, this is able to occur because there is quite a lot of subsidies to agriculture in this county that you don't necessarily get in Mexico. So yes it's cheaper to produce as mass produced corn but you are also losing out on genetic diversity and all these other crops that may be more appropriate to the environment in Mexico that developed over time. And I think that you really need to look at the long-term effects of some of those policies.

Woman (MG): Definitely the policies. If you're looking at maquiladoras which is the one thing that is probably exploited in Mexico the worst and the very women that work in those places or even the men that work in those places cannot even afford to do anything.
They don't have the healthcare. They don't get the service. They don't get the productivity and they sure as heck don't get paid. And that's all coming out of the US. So there's no protection for the very people that they are quote unquote are supposed to be employing.

Woman (EM): What's going on at Juarez. They are being exploited

Man (LG): But then with the same hand you want to come back and say we don't understand why so many people are migrating to the US

Woman (MG): Exactly.

Man (LG): I mean, come on. It's ridiculous.

ABG: I'm going to ask several related questions about the amount of attention that you think Mexican-American leaders and organizations pay or should pay to Mexico and Mexico-related issues.

I like to call them the Goldilocks questions because it's too much, not enough, or just right. I am going to open up this other question and then bring up, do not take this personally Tim (inaudible). This is question five. Do existing national organizations such as _____, _____, and _____ pay enough, too little, or too much attention to issues related specifically to Mexico? Not to the Mexican origin community here. But related specifically to Mexico. The issue here is it may be very little and you don't think they should in which case it is enough or it may be very little and maybe just a little bit more and you don't think they should at all so you say its too much, so it really is your perception given the work that they have to do, given the resources that they have and

the priorities that they have, do they spend too little, enough, or too much time on issues related specifically to Mexico?

Man (JS): I would say generally too little. Not for MALDEF, but from a perspective of knowing MALDEF. I mean MALDEF does not actually have a program area that deals with international issues, so it sees itself as looking at generally speaking the conditions of Mexicans here in the US. There is a recognition obviously that a lot of conditions are caused by stuff that happens internationally whether that is international relations or the fact of the border. I have certainly been an advocate within the organization of the past of trying to push us to figure out policy stands and take more policy stands on issues when they come up that would have an effect. As far as the other organizations, I don't know much about LULAC. I think that probably the most work that gets done on stuff is when there is legislation actually pending that would affect either trade or immigration or something like that. That's where you would see stuff, them actually taking positions that have an effect. Again, it's very, very little about what's actually happening in Mexico though.

Man (LG): I think that is a really tough question because you have to look at the organization, what its mission is, what it is that they're working on. There are so many issues that they are working on in this country already. Should they start to work on issues that are related to Mexico? Should there be part of these organizations? Should they start a new division of the organization that deals with these policies? I think so, but I don't know that that is completely within their mission. And I don't know that's when they were created or what their focus has been over the last couple of years. Now, can we get them to start paying attention to those things or should we (and I think that we should). I don't think its because they don't care. I think that there just has not been a division within those organizations that deals specifically with this. It would be great if there were.

Man (VL): Well speaking for MALDEF personally. We have taken on the endeavor of working closely with the Mexican hometown federations. Here at the local level and at the national level too focusing primarily on developing a curriculum in where we could actually help them on certain issues that affect them here within the United States and that affect them in Mexico, too.

ABG: That's mostly for the community here?

Man (VL): Yeah. Primarily for the community here.

ABG: The basic question is if you think about what they do with Mexico is that too little, is it about right, or is it too much. And I think that what I'm hearing is too little, but given everything else that is going on..

Man (LG): I think that what your hearing is its too little. We'd like them to do more, but I don't know what resources they have to do more.

Woman (MG): I think it's too little. But I go along with the fact that their capacity may not be for that. Their capacity may be for more of the local/national political policy implementation.

ABG: Well now that leads us to the next question, which is, you know the national organization that we mentioned or the type of national organization that we are referring to. The types of organizations that we were mentioning really represent all Latinos in the United States. MALDEF, certainly NCLR has positioned itself as being a Latino organization. In your opinion, do Mexican immigrants or Mexican-Americans need their own national political organizations that are separate from other Latinos to represent them in Washington? In your opinion is that something that is a reasonable thing? An organization to represent people of Mexican origin in Washington.

Man (VL): People of Latino origin.

Man (JS): I think it's a tough thing. I understand that it's hard to please everyone. When it comes down to it, MALDEF certainly does have a mission to protect Latinos generally. On the other hand, are they more likely to get really nitty gritty into the details of something that is affecting, let's say Ecuador vs. Mexico? Probably not. I mean the focus is still very largely. I mean MALDEF works within the definition that the overwhelming number of Latinos in the United States still are of Mexican descent. And I think that tends to drive a lot of the policy when you look at sheer numbers. You'll end up weighing in on bills that have to do with Mexico because it is going to have an impact. I think that it is really hard to do that with every single country.

ABG: The issue here is not so much Mexico now as Mexican-Americans, Mexican immigrant communities.

Man (LG): I think that's a difficult question because what you deal with in a larger sense is the issue of division between Latinos and then Mexicanos, verdad? We already were talking about power through unity of all Latino races or Latino ethnicities. But what you're talking about and then saying is out of all the Latinos what we are going to do because Mexicanos are the majority. You're gonna take those Mexicanos out of this mix and now just represent these people. It's a very difficult question I think that you have to ask yourself what an organization like that is going to be doing. What exactly would an organization that represents Mexicanos or Mexican-Americans be doing in Washington D.C., and you have to weigh that very carefully with the larger picture of how does that affect Latinos altogether in the United States because that is a very fine line to be walking on. On the one hand, I

understand that we are the majority; there may be a lot of people pushing for this. But on the other hand you have to look at it from the big picture. It's like when Vicente Fox was coming to the United State for the first time and they were talking about a package that would include a legalization program for Mexicanos only.

Man (LG): Well how do you feel about that?

ABG: I am going to ask you about that.

Woman (MG): Talk to my chiropractor, he's here. I disagree with him, but my gut tells me yes, we do need an organization that is primarily Mexican, why? Because at a national level we are the largest population of immigrants. I mean, and the focus is on us, okay? Because as we all know, after 9/11 we all decided there's all this other heat coming down and another ethnicity group but you know something we already had felt it, way before 9/11, we were already feeling it, there's already discrimination going on, we were already being exploited, so it wasn't new to us, it wasn't new to our population. Unfortunately because it is a political situation in this climate, in this country, no different than Mexico, we have to be able to be very cautious about how it's actually developed. Do I think we get more bang for the buck? My gut tells me yes. Will we split people apart? We're already split, so let's be real about it.

Man (LG): Well, I wasn't – I mean I don't think that there's a disagreement, I don't think that there shouldn't be one. What I said was, if there's going to be one, we have to ask ourselves what is it that the organization is going to do and we have to weigh that against what is going to happen with other groups. Not that there shouldn't be one, but that it is going to be a very fine line, and we definitely have to address those issues.

Man (VL): Are you talking about boundaries with certain national organizations, is that what you're talking about?

Man (LG): Excuse me?

Man (VL): Are you talking boundary issues in terms of stepping over other organizations?

Man (LG): I'm talking about in terms of policy issues, such as the legalization that they were talking about before, when you come out and say we're going to legalize only Mexican people, people of Mexican origin and every other person from every other country who is undocumented doesn't get to reap the rewards of this because Mexicans are the largest minority. Therefore, that's how we're going to go after the Latino vote or therefore, that's how we're going to appease the Latino community. And then when you talk

about dividing people by lines like that, I think that is a big problem, I don't think, I know we're going to talk about this later, but I do not agree with them legalizing only Mexican/Mexicanos. You know, it's a difficult position for me to take, I have family members that are Mexicanos that are dealing with this issue. I deal with this issue on a daily basis, it's very difficult for me to look at someone and say, I cannot support this, but you know what? There needs to be legalization for everyone, everybody; whether you're Latino, whether you're Polish, whether you're Asian. There needs to be a blank legalization for everyone and just because we are the largest minority, doesn't mean that we should be able to take advantage of things. Discrimination is discrimination for everyone, you know. Just because we're larger, it doesn't make it any less hurtful to another group. We need to take that, I think, we need to take that into consideration.

Man (VL): We definitely risk isolating other groups by doing this, that's true.

Man (LG): I just think that, not to say that that should not be created but definitely we need to look at what the implications of that are going to be, what this organization is going to specifically be working on. Then we can talk about it.

ABG: So the question here, at least, taking it up to another level, would you personally support or participate in such a new organization? I mean for those of you who say, yes, we should; for those of who say no, then, you know, no. But for those of us who say yes, would you personally support it? Or, I mean, and here's the difference I think that we often see which is sometimes, something's a good idea, but, you know, is it worth my time, you know? I may settle. So this is the question, is it 1) if you think it's a good idea, okay it's a good idea; but then would you go the next step and support something like that?

Man (LG): I'd look to be invited to hear about it. I'd look to be invited to sit in on talks on how this would be created, what it would be doing and I'd like to lend my opinion on what should be done and what I think is a good idea or not. And then I think at that point you have to assess, is this something worth going forward with? I don't think you can make that decision yet because until we have some type of deal, or at least for me personally, until I have details on what it is that's going to happen, it's difficult to say. I'd like to be a part of it, if it starts.

Woman (MG): I'm a little bit more of a risk taker. I say yes, you know, in a heartbeat. And it may be, part of it, the reason I say in a heartbeat is because, unlike you, but maybe a little more in the trench, as an organizer, I see this stuff every day. And I see it in, not other ethnicity groups, but specifically around Mexicans who are making some substantial changes in their personal life and at the same time still don't know how to impact the larger picture but

know they have to, some way. And if this organization, political or not, is part of it that would help them really to understand it then I think it would make some sense.

Man (JS): I think I'd find it difficult, you know, to support another organization, in part because, I guess I would think there's a bit of a wait and see attitude; part of it is what do they bring to the table? If it's, you know, if just another voice and another kind of ally to work on issues with us, that's great. But I would be a little bit concerned about the possibility of that becoming a little bit divisive and also I guess the other thing about duplicating efforts, I'd be worried about that.

ABG: Okay, I'd like to assure everyone, you know, that you're not going to be receiving a flier this, no, no, and it's just a question. So, going on the next question, number 7. When you think about Mexican-American members of Congress and we're talking about Ciro Rodriguez and we're talking about Raul Luis Alba; and we're talking about… well first of all, I guess the questions is, do we include Luis?

Man (VL): Luis Gutierrez?

ABG: Yep.

Man (LG): Not if you say "Mexican-American".

Woman (MG): Not Mexican-American.

ABG: Huh?

Man (LG): He's not Mexican-American.

ABG: Well no, but he acts like it, I think, right? So this is the question, because if you look at he's not only in the Latino caucus, but this is the question for you as specifics go, is specifico, I'm sorry. This is the question for you specifically because in the rest of the country, he's certainly seen as a Mexican-American congressman, right? But he's your hometown guy so, I mean, I guess okay – lets leave that aside. When you think about…

(Laughing)

Man (VL): Go ahead.

ABG: Well no, I was just wondering whether we would include him or not? Right, because when we did this in other parts of the country, people bring him up as a Mexican-American.

Man (LG): They need to do their research.

Woman (MG): No.

Man (3): I'm sorry.

Man (LG): No I was just going to say, he's a politician that speaks on a lot of issues that affect the Mexican community and speaks loudly and proudly about them but he's not Mexican.

ABG: And he's always wearing his …   I know he's not Mexican.

Man (LG): I don't consider him a Mexican-American politician.

ABG: Okay, all right. When you think about… huh?

Man (LG): I was just going to say something, I'm sorry, I don't meant to interrupt you…

Man (3): Your question is related to the previous one, in what I consider in many ways.

ABG: Well, the question that I'm about to ask is that in general with Mexican-American members of Congress, it's another Goldilocks question, we're paid too little, too much or enough.

Man (3): Let me, if I may, take you back a little bit because I think you were previously talking about a Mexican organization in Washington and New York and we talk about Mexican identity as in the United States as if it were something that was clearly defined. That everybody adheres to, that each of us naturally will, each of us will naturally embrace and I think that doesn't exist.

ABG: No, no, I mean.

Man (3): And I think that the idea, the reason that you have people being identified in that way is because they personify, an individual who can relate to many Latin American cultures, Latinos in the United States and therefore the feasibility of an organization of Mexicans in and of itself is great, you know, would be something that I would question in the first place. Are we capable of doing that? We have great pride in our heritage, in our Mexican ancestry, what have you, yet we are perhaps one of the most interesting groups of people that we develop and incredible amount of energy to identify ourselves in sub-Mexican groups, Michoacanos, the this, the that, you know.

Right.

Man (3): Very few people around the world, very few immigrants in other parts of the United States would do that. We actively, constantly engage in differentiating, yes, we'd love to have this program from Mexico City for Michoacanos, for Potocinos, for ___ and so that the feasibility of actually doing such a thing, it strikes me, as you were saying, I think it probably, one would think that people who at the Latin American, at the Latino level would probably be a more feasible thing to, which is, than when you see people like Gutierrez and others, because it's just simpler, it's something that's easy to recognize, to associate with, you know, it's not so simple to claim that we're like people in Mexico in Chicago; well, guess what? People in Mexico in Chicago is super complex, you could have a mini-Mexico in Chicago, with many different states. And, is that, are we failing to recognize that within the Mexican identity we have all these sub-indentities which basically define who we are. Cause we are very different within Mexico and outside of it. Within Mexico a little less, but outside of Mexico certainly very, very _____ than when we are in Mexico within the geographic boundaries, I mean.

ABG: So you're saying that the difference between a Veracruzano and Michoacano are magnified when they leave?

Man (3): I believe so, my research indicates to me that one of the things that happens when you abandon the country, this association of yours with your background is not just the Mexican background but, you know, more so than what it is in Mexico within the country of Mexico, that's all.

Woman (MG): But don't you think that the reason that happens is because there is an abandonment of your own country?

Man (3): Quite likely, quite likely, yeah, sure. I'm not saying it's some… I'm not suggesting it's a bad thing. The idea of having this Mexican identity within the United States, well, is there such a thing, I question. I found that we are prone to like Luis Gutierrez and not, you know, I mean look at our own hometown. Ask a bunch of groups in Mexico, "Do you like Consulsada?" See what you get, I bet, half of them will say, he's a wonderful guy and the other half will say twenty different things. Because it's how we, so is there such, will there be such a desire? You know, is it feasible to consider that such an organization could exist? We see them here at the university all the time, people come from Mexico come to study at the university there are 20 different Mexicans, I could not, me as a Mexican teacher, I could not relate in many cases to half of them.

ABG: But now, getting back to Congressmen, getting back to what people, or Congress people, what people in the Federal House of Representatives do. This is going back once again to the view towards Mexico, specifically

towards Mexico. Do we spend too little attention, too much attention, just the right attention?

Man (3): Well, to me this is a very different question, precisely because of what I was saying. The number one question that I know many Mexicans in Chicago that are from the community, which is the group that I know most. Well where's this congressman from? Is he a _____? Is he? You know?

ABG: Most of them are Mexican-American.

(various voices)

ABG: …you know Ciro Rodriguez tells you, "Yo soy Tejano."

Man (VL): That's capital health.

ABG: Huh?

Man (VL): I used to work in capital health. He'd say "Tejano!"

ABG: Okay, este, pero nadie me ha dicho.

Woman (MG): Well, I personally think, they don't work enough. I mean issues, international issues specifically, they don't.

ABG: Okay, all right.

Woman (MG): And the reason I would say that is just given what I've seen that has happened, you know, we mentioned Louie but with anybody else, they don't talk enough about the issue, they don't, I mean even the legalization issue they don't talk about it. And, candidly speaking, it's based on power, you know.

Man (VL): That's very true, that's very true. There's a lack of Latino representation in Congress. So even if you wanted to work on a certain issue there aren't the number that they want, so…

Man (LG): But, I agree, too, with Marilu.. There is still more they can do to bring light to some of these issues of, the women in Ciudad Juarez is a perfect example. Why are we, every person in the United States, every congressman in the United States is not standing up for that and specifically the Latinos, are not making more noise about that, that is beyond me but, you know, they can always do more, I think.

ABG: Okay, now that's the Congressmen, what about the people of Mexican origin in the United States? What about Mexican-Americans, Mexican

immigrants living in the United States? Should we pay more, pay less, do we pay enough attention, as it is, to issues related specifically to Mexico, not to our community here? Once, again, this is going back to the old country.

Man (3): I think for some people it's fairly easy to do that because they are in positions to, I travel to Mexico ten times a year easily, if not more, and I constantly go and my work or my private work involves directly working with Mexican universities to bring Mexican education authors to the United States (inaudible) to lecture. I am in a position, that I can spare one week of my month per year toward travel. There are people here of Mexican origin who work seven days a week. And, the other is, young people already do a lot by sending money to Mexico. Is that not a formal involvement? Where is that recognized anywhere?

(tape ended)

ABG: But, in general, then, your perception is that we're paying off?

Man (3): Some people can't, and some people can do more and should do more; if you can and should, then likely do more, why not? If you can not do, I don't see how you can be blamed for not doing because you're probably trying to survive here and do we already do a lot? Yeah, I think we, you know –

ABG: Yeah, and I mean, this is part of what we're trying to get at. Is that, relative to that...

Man (3): ...remittances to Mexico or is that another form of actually paying attention to Mexico and in what way.

Man (VL): Adding to what he's saying, I think the main focus should be probably empowering the community here within the United States, the Mexicanos within the United States so they can focus primarily, or, not even primarily, but focus on the issues that affect them here in the United States and the issues that affect them in Mexico. Just adding to...

Woman (MG): I would actually say that it's two-fold. I look at it two ways. If you look at a normal immigrant community and I'm not talking a sub, well, Cicero for example or even Berwyn which has increased dramatically within the last year in numbers of Latinos, specifically Mexican. They don't want to do any more for their country, or they don't want to do any more for their home because they don't trust the government that exists. And that's one of the reasons why they won't do it here either. And this is not a university study, you know.

ABG: No, they won't do it here because they don't trust, what you're saying is they don't trust government in Mexico, they come here, they don't trust government

Woman (MG): Right.

ABG: ..and so this limits their civic participation and you're using Berwyn because Cicero is too easy to throw stones at.

Woman (MG): Exactly.

(Laughter)

Woman (MG): I mean, it's not an academic survey, it's not any of that, it's just going out there and just talking to people that we identify as potential leaders and they have a potential to actually move people but yet they're very cynical of actually even doing anything about it for that very same reason.   They say, "Government does not change," okay? "Nothing changes with government." There's patis (?) look at our own country.

Man (3): My suggestion is that they are already doing it because of the fact of the fact that they send thousands of dollars in that way.

Woman (MG): Yea, but the questions on that one is, there's sending thousands and thousands of dollars out there and my family's one of them; however, what is going on in Mexico that's changing anything?

Man (3): Oh, I agree. I agree. I'm not disputing that.

ABG: Estella, you almost said something and you haven't.

Woman (EM): I'm just wondering, when you're talking about representation and how much Mexican-Americans are doing here in relation to issues of Mexico. I'm just thinking about those Mexican-Americans who just become, over time, disconnected, even with the culture, you know. They become very assimilated to the mainstream American and forget about their roots and getting involved and trying to do anything for Mexicans, but definitely there needs to be a whole lot more. I know that we took up on something with Mujeres Latinas to Ciudad Juarez. I know a couple of co-workers who went to Mexico, actually to Ciudad Juarez, they were very involved with that and they are trying to do more awareness of their community. So, I mean, we're doing a little maybe not as much as we could, I mean, we should.

Man (LG): This question leads you to think that there should be an organization developed that works on policies affecting Mexico.

(Laughter)

Man (JS): I don't think we think enough, or work enough on Mexican issues. I think there's a question on how effective we can be at times. And I certainly, you know, I paid a lot of attention to Mexico during the Zapatista uprising. I paid a lot of attention to it, but there was really a limited amount of things that I could do here to express my discontent with the policy of the government, to express solidarity with the indigenous people in Mexico organizing for their rights. And I think that's one of the reasons why it is really important that we work on some because international pressure can be enough of a shaming mechanism for getting governments to treat all of their people better, and obviously the US has lost a hell of a lot of credibility over the last three or four years...

Man (LG): When was the last election?

Man (JS): ... in terms of being able to tell other countries about human rights abuses, but nevertheless, I think that as private citizens, you know, when I look at what happened in Central America during the 80s, I mean there wasn't really a very cohesive, organized Latino community that came up and said, you know, training government assassins to target intellectuals, union leaders, etc. is wrong and though some of us felt that very deeply, there wasn't, who was doing it? It was white liberals doing a lot of organizing on these issues, and I think it speaks of one of the reasons why we do need to be more involved in these issues of foreign policy overtly that we can feel good about.

ABG: I'm going to move on to the next question because if you're going to comment on that it's very similar to this. Do you think Mexican-Americans are as committed to supporting Mexico? Están comprometidos con México, compared to other ethnic groups of their ancestral homelands? And here, if you want to think about it, for example, the Irish, right? Tenth generation, oh, I'm Irish; never been to Ireland. They have a vision of Ireland and they know that they are anti-British because they're still at odds with London.

Man (LG): Look at the Mexican independence craze. How many people are out there with Mexican flags?

ABG: Okay.

Man (LG): And there's people all over Little Village, Pilsen, Cicero, weren't born in Mexico, they're flying their flags, two, three flags in the car. I think they identify with being Mexicano, they're proud of it.

Woman (MG): I agree and I just use my own, again, looking at what, organizing more than anything else and my own personal experience. I mean,

I was born in the U.S. and was educated in the U.S. My parents were brazeros; my father was undocumented, and my mother was, too, and so was my sister. My son and my daughter were born in the U.S. However, they feel such a connection to Mexico. And, my sons did not go to Mexico every year per say, you know they'd go like every five or six years, whenever we'd have enough cash for that year. But now, they're the ones that go every year. And my oldest does, ambulatory air, specifically with Mexico. So for him, it's entrenched in him. My husband is a naturalized citizen and a few years ago we both became duel citizens and so you always have a connection, irregardless of who you are if you maintain a lot of the same traditional rituals that exist, you know, whether it's el Día de los Muertos or its la Virgen de Guadalupe, and I think that churches have done a substantial job, you know, in doing that.

Man (LG): And like Mary Lou mentioned earlier, her family still sends money back to Mexico, my family still sends money back to Mexico, I'm sure that, (directed at EM) you're nodding your head, you know how many roads and schools and churches have been built in Mexico from the money that our families are sending back? I think they're definitely, I think they still identify strongly with, well the children still do, because like you, I was born here.

Man (3): Was the question of commitment in the sense of a label or what?

ABG: No, I guess in a sense, but it's really more I think it's in all senses. It is how much do we identify, how much do we…

Man (3): One way in which we don't commit in the same way to other people is in the right to vote. We should be in a position where we could vote now.

ABG: In Mexico?

Man (3): For Mexican elections even though we live outside of Mexico.

ABG: You better be talking about this.

Man (3): That's how you end up being like other countries, other immigrants in this country already do that. So in that sense, we're less committed politically because, not because we don't want to be committed but…

Man (LG): But isn't that the politicians in Mexico?

ABG: Yeah, that's…

Man (LG): … because if you talk to the people here in the United States, they all want to vote.

Man (3): That's what I'm saying, it's not that we don't want to be committed, we want to...

(Several voices)

ABG: So, I'm going to ask you to flip the side of this question. And that is, to what extent do you think either Mexican-Americans or Mexican immigrants have negative feelings or resentments towards Mexico?

Man (LG): Say that one more time?

Woman (MG): Yeah, kinda lost that.

ABG: To what extent, I mean, do you think that Mexican-Americans or Mexican immigrants resent Mexico?

Woman (EM): I think resentments towards politics over there...

ABG: Well, you know, exactly, that's a possibility, absolutely.

Woman (EM): Not necessarily the country, or...

ABG: No, no, no. I mean it's kinda difficult to resent a piece of dirt after all, but I mean, there are, in any place, there are wonderful things there, not so wonderful things.

Man (3): The extent of your experience. If you left Mexico because there was no work for you there, because at the time you couldn't, you're going to resent it a lot. If you left Mexico when things were good and you came here on your own because you wanted to experiment and you weren't escaping anything but there's a chance you're not going to resent that, to the extent that you had that experience, I think that's likely to speak about how you feel about, if...

ABG: Well, what about Mexican-Americans for example. Mexican-Americans haven't had a bad experience themselves. I mean, Luis, not at the beginning;

Man (LG): Right.

ABG: ..now maybe going back there's been something that's happened so that's absolutely true.

Man (LG): Well, I think in terms of what I see that gets me upset is the politics. You know, and I actually hope you say more about what you were going to say, when we started.

Woman (EM): In regards to?

Man (LG): Into the political, how people resent the politicians.

ABG: You were talking about politics, the parties.

Woman (EM): Yeah, the parties and of course, how, es PRI, you know, it's served for such a long period of time, I mean, I don't know about everybody else but I was like; I was watching the news, I was just following up with, you know, when they had the elections and I should be very happy, you know, that the party's changed, no longer. We'll see what happens.

Man (LG): Yeah, you know, when you go down there...

Woman (EM): When we follow, we follow that, we follow the politics and the work there and if we could get involved, I'm personally trying to get involved there, as far as voting, from our side.

Man (LG): For me too, it's like you look at the economic situation in Mexico and there are a lot of resources in Mexico to build on but again, you go into the border towns and you see the poverty there and that gets so upsetting, to see that poverty and to see companies from another country going into Mexico exploiting people down there and it almost seems like the government in Mexico does little to nothing about it.

Woman (EM): And because nothing is being done then you know the crime, that's another resentment that our experience going there, you know, as much as we love to it's always that fear, you know, what's going to happen to you, they're going to rob you because they know you're coming from the US and they think you have all this money with you and so, you know, again it goes back to the government how they're not doing what they should be doing.

Man (LG): And then you see it in your parents too, I mean, I see what my parents have gone through; I mean, having kids in this country, having kids in Mexico, you know you feel their pain, you know. It pains our families to be in these situations, I mean they're better off now, so many people love the United States for that reason, they're better off, they can feed their families, they can work and things of that nature, but it's still hard. I talked to my father about why it was that he ever came to the United States and you know, it's one of the few times I've ever seen my father cry about it, about anything and that's a very difficult thing to see your parents explain to you so it does give you some sort of resentment to what is going on in Mexico that you know people have to go through all of this to get here just so that they can feed their kids.

Woman (MG): I think the other resentment from this point, I mean, all of us, I know probably have gone to Acapulco, Cozumel, Campo, you know all the touristy places, you know? (Inaudible, laughter) but, I mean, if you talk to people in those areas, they don't even have access to the beaches.

Man (LG): Right.

ABG: To go to the beaches?

Woman (MG): Yea, they don't have access to their own beach, unless they're part of the hotel, unless they are tourist, unless… they can't even go to along the places that quote/unquote that "we" as Mexican-Americans go to.

Man (LG): Yeah, and know what? Even I've talk to, I've never been to those resorts but to build on what you're saying, I know of people who have who say that they're not treated as well as people who are Anglo that are coming from the United States. Just because they're Mexi – and you're like, you're in Mexico!

Woman (MG): This is your country!

Man (VL): Well, they're looking that the economic benefits.

Woman (MG): Well, yes, but see that goes along with that too.

Man (VL): Right.

Woman (MG): And you mentioned the fact of all the money we sent them and I was just recently stayed in Cozumel and we met with a bunch of people there and some of the people that were there were saying they were resentful with the fact of, you know how they get all these announcements of the undocumented who are dying on the border and they were saying to us, "Well, we keep asking ourselves, well it's their fault, why are they going?" And part of it is because we are sending so much money. We're sending a lot of money out there and people are utilizing it, just like my family has done it, you know, and will probably continue to do it. But the reality of it is, they don't understand, you know, because they're not part of that, they're not part of that piece of the puzzle that is involved in that process of sending money. You have an American dollar so it's a lot easier, so that's why when we go they think we have money.

Man (3): I think this is very interesting _____ and if, I've asked this questions from several groups now. If Mexico, tomorrow, were like the United States, tomorrow...

ABG: In terms of economics?

Man (3): … wake up tomorrow…

Woman (MG): Economics?

Man (3): … and the economic development in the country's just like we're used to seeing, imagine that's in a dream, you wake up and you all of the sudden don't have patches in the _____ area, all of sudden instead of having the port of Laredo experience when you enter Mexico, you have a nice; so Mexico is, think of it as a modern state. If all of the sudden that were possible tomorrow, would you go back?

Woman (MG): Hell, yeah.

(Laughter)

Man (3): Would you pack to go? And it's a complicated thing because I think the issue that you are talking about involved migration. When I asked this of my students, I said, would you go tomorrow? You're talking about the part of the puzzle that I think you may want to rephrase, that has to do with the fact that in your family someone took the decision to leave and that has had a profound social effect in your life. Ultimately, you have friends here, maybe you have a boyfriend, a husband, whatever. So it's not that easy now anymore, it doesn't anymore depend just on the money, on the economic development.

Man (LG): Well, there's two things about that. I still have talked to so many people that have been here for 20 years, 30 years who are saying, "we're just making enough money to go back to Mexico." That's one thing, now the other side of it from the people that are born here, this is very interesting. I was having this conversation with a friend of mine who was born here, he's in his late 20s and we started talking about this stuff, he says to me that the goal of youth born in here, most all his brothers and sisters were born here, he says that the goal of those born in the United States is to make enough money to go live in Mexico because you don't want to be living in this country. He said, "That's my goal, you know, I wanna be able to make enough money so that I don't have to live here. I can go and go to Mexico and start my own business on the beach, and be able to live there with my family for the rest of my life." So, it is something that is resonating, not just with people who are immigrating, but also with people who are born here who are looking at things a little bit differently.

ABG: Okay, I'm going to ask you a slightly polemic question, just to get things, I've got to see Marilu's scorn at this. What do you think about the sort of solidarity Cuban-Americans showed, for example, in the Elian Gonzalez case? Compared to the Mexican-American attitude regarding the thousands of

deaths of migrants who cut across the borders through the desert? Elian Gonzalez, big marker for the community, everybody turned out to show and yet we have hundreds of people dying in the desert every year. What do you think really? Does this say anything about us as a community? Is it not relavant?

Woman (EM): (inaudible) ...I don't know, maybe part of it to me, the immigration status not to really getting out there voicing your opinion. A lot of times there's that fear in our community to be out there, to be out there, be involved...

ABG: So the community does not want you to go out, because if they're involved, they're vulnerable?

Woman: Thank you.

Man (VL): You're just addressing the Mexican community with this? The way they felt about the Elián Gonzalez?

ABG: No, no, no, no. I'm asking you to sort of think about the Cuban-American community and what they did around Gonzalez, in the end. How they coalesced around him in the end and the fact that we haven't done that. Would we have a case, or cases, right, that are...

Man (LG): Thousands.

ABG: ...that are big?

Man (3): The two or three things that add a little flavor to that.

ABG: Of course.

Man (3): One is the fact that this was a child, you know, probably more _____and Castro who personally you don't want to support, you know if we had a Castro in Mexico I bet probably a lot of us would have said, "Well, wait a minute, that wouldn't be a nice thing to do." And, but it also, I think explains what I guess what you're trying to get at is that perhaps there are features within different Hispanic communities that may define different groups in different ways, perhaps. I don't want to suggest anything political.

ABG: You can say anything you want to because no one is going to ever attribute this to you.

Man (LG): I think economics plays a role in it too, I mean, you go into our communities and, like you said, people are working seven days a week. A lot of times people in our community are so tired from work that their priority is

to take care of their family and thank God that they weren't one of those people that was on the train and dad's working seven days a week, mom is working nights, dad's working during the day whatever the dynamic may be and there isn't a lot of energy to go out and organize and there isn't a lot of energy to go out and you know, skip a day of work. We deal with people who can't miss a day at work to go to court because they'll get fired. I don't think that that was the case in the Cuban community. I think there's a lot more money in the Cuban community and I think that there is, you know, there is not that large of a population that is dealing with these same issues. A Cuban American, a Cuban comes to the United States and as soon as they get to this country, they're automatically citizens, you know. That's not the case for many.

Woman (MG): There's a process.

ABG: Some may have…

Man (LG): There is a process, but there's an avenue to become citizens, to become legalized, there is an avenue, I'm sorry.

Man (3): The government, the U.S. government would never orchestrate a media show as it did in that case against any Mexican president, but its in their best interest to show how one poor little guy, look he goes for Castro, all of this is because of Castro and here you have CNN and everybody placing this special coverage. Well, is that because the Cuban community worked? It probably is, but it also is the fact that the government wants you to see that. And so the mainstream is going to, sure, they go along…look Castro is an ogre, so sure.

Man (JS): I also think the Cuban community geographically, I mean, in Miami not to say that there is one Cuban community, but the anti-Castro groups in Miami have made it very difficult to be anything other than anti-Castro. There is a collective point of view where you are talking about border deaths, they really occur all up and down the border. Those are fairly geographically remote places. People might live in San Diego, Mexicali, Calexico etc., some border towns, but the places where people are dying are fairly remote, not easy to get to. We don't see these images on TV day after day. If there was a lot more coverage people might pay more attention to it and might want to do more about it. It is not personalized enough.

Woman (MG): I think that along with that, in some ways it goes back to being Mexican. We don't have the political power to make that happen. I do disagree with the fact that people who are undocumented are not going to come out in the open. I have been working on the immigration issue for more than 15 years and organizing around it. The reality of it is that people will speak if they're asked to speak.

ABG: This gives us almost perfect segue into the next question. Other ethnic groups have established groups in Washington in support of their ancestral home. There is a Taiwanese lobby, a Greek lobby. Why do you think people of Mexican origin have not?

Man (3): No country has the consular representation in the United States that Mexico has.

ABG: Sure, that is the Mexican government, but we are talking about the Greeks, the Taiwanese, the Israelis. There are people of Greek origin, Taiwanese origin who have banded together to make a lobby. The point here is that other ethnic groups have done so while Mexicans have not. The question is why.

Woman (MG): For me, my initial reaction is that there is an assumption that all these other national organizations (examples) will take care of it on our behalf. I think that the other piece of it is, too, that there is a political power that we as Mexicans still think we don't have.

Man (JS): It's also a bit of proximity. In the examples of Taiwan and Greece, these other ethnic groups are a continent, an ocean away while Mexico is right across the border. Part of it may be with the impact of cultural representation.

Man (3): I've heard people of Mexican decent who go back and are very frustrated when they come back here. I can't speak from the experience of a Mexican American, but I can tell you as a Mexican immigrant that I feel that I have a stronger impact on Mexico, through my consular representation, than in any other way in the United States, and within the US, as well, because I know that the representation here is closer than anything I have as an immigrant to influencing politics in the United States.

Man (LG): In a sense, the Mexican consulate has acted as that body.

Man (3): Once again, I couldn't tell because I am not familiar with the Mexican-American experience or organizations.

Man (VL): I think the lack of creating this type of organization has been that we have not been able to unite around a common cause. I think that this is due to the different states in Mexico. Duranganos, Michoacanos, etc. all separate themselves from one another. It holds us back from wanting to work cohesively.

Woman (MG): The one agenda that unites all of them is legalization.

Man (VL): That's true, but how do you combine all of those federaciones and start working cohesively especially if they are divided by political parties in Mexico.

ABG: Should such a pro-Mexico lobby be created? And if it is should it be a priority for Mexican-Americans? Chicago is strange because there is a small formal Mexican-American community and a large Mexican immigrant community. That's true now, but can you imagine in 20 years? Remember that the Mexican immigrant of today is the parent to the Mexican American of tomorrow. Putting it in those terms, right? That's not really to advocate for one answer or another. Let's go back to the lobby question. We don't have one. We've discussed why. Should we have one or should it be a priority?

Man (LG): I think that after thinking about these issues and constantly coming back to say, there's little done, there should be more, I would say yes that it needs to be a priority.

Man (VL): I think it should also be a priority with the Mexican American community working with the Mexicanos. You know we live within the community. You live in Little Village, you have 3rd, 2nd generations living next to people who just arrived. We are affected by a lot of things that they are affected by as well. In terms of working intricately together, I think it should be a main priority.

ABG: This is about the lobby that would work with the Congress, Senators, and governor. It is a Washington-type lobby. Is this something that we should be putting our energy to?

Woman (MG): I would say yes for the very reasons you just stated: Congressmen, the lobbies, etc. but also for those organizations that are considered Latino organizations, that particular lobbying effort would force those organizations to pay more attention to the Mexican agenda versus just putting everyone in one basket.

ABG: The other question is should Mexico or the government of Mexico be in the business of encouraging people of Mexican origin in the US to form such a pro-Mexico lobby. Should Mexico encourage people in the US to form a pro-Mexico lobby?

Man (LG): I don't know if they should encourage it. It is hard to get a political party to be a part of anything like this because then how are you going to say anything against policies they are putting out.

Man (3): Not only should they encourage it, they should pay for it. The government profits and banks on the money that people who live here send. It should recognize that it is a need for the Mexican-American government of

the United States and they should pay for and fund it. This idea that it would be nice. No, they must do this. I don't think that the Mexican community in the United States is any more tolerant than before. The free ride is over. You have to begin to fund some of these things.

Man (JS): I think one of the practical problems is the idea, both in Mexico and this side of the border, of "foreign intervention and domestic election". You can still get deported form Mexico for saying the wrong thing. Here, there are prohibitions on receiving money from foreigners. The purpose of a lobby is often about giving money to those who support your issues. In that sense, I think the creation of a lobby is a very good idea. We have a lot of economic strengths, we spend a lot of money, we buy a lot of products, we pay a lot of taxes, and we don't have the impact on Washington that we could have because we don't collectivize the resources that we have into one organization that can say, if you are with us, then you might get some campaign money from us, if you are against us, we're going to go after you.

ABG: So here you are talking about a lobby for the Mexican origin community in the United States.

Man (JS): I don't just think that. I think that such an organization could still have a more integrated view that says that things that happen in Mexico affect us here, both as Mexican-Americans and/or as immigrants or it affects our families. It's still possible, a little more contentious, obviously, to figure out what policies we want to push internationally, foreign policy issues versus domestic, but some of it's the same. Immigration or migration is an issue that is international as well as domestic. That's probably one of the hardest things for Latinos. My guess is that we probably give money to politicians a lot less than other groups. We don't vote as much, etc. We are not as big participants. Unfortunately, in a democracy that runs the way ours does, money does talk, and you can accomplish things that way.

ABG: When the Mexican origin approaches US foreign policy, should its priority be on Mexico or more broadly Latin America, or of the relationship of the United States with the rest of the world?

Man 3: I think this question speaks about how you feel about your origin, how much you id yourself with the US. This is because of the geographical proximity. The nature of living here allows for dual nationality. (inaudible) For you it is very important because you are perceived as an American citizen, and I wouldn't travel with an American passport in the Middle East.

(Laughter)

Man (3): If I were an American citizen, it would be very important to use foreign policy in the world.

ABG: You are looking at the world.

Man (3): Because in my experience, as I said, I don't think that I would be comfortable with my American passport in many parts of the world, whereas with my Mexican passport, which I have a lot of trouble when I think of injustices in Mexico, but at least I have the peace of mind that I can travel throughout the world, with the exception of one or two countries, I feel fairly safe and well received. I don't need US policy to be more favorable to Mexico. I would like US policy to be more favorable to the rest of the world.

Man (3): If the last document they look at is your passport, before they go with a machete through your head, chances are you may not be beheaded. There are some good chances for you. The utility of the nationality is very high here. If I had an opportunity, I would naturalize, sure. But would I use that, no, because I think it is very complex.

Man (JS): I think you have to think about global U.S. policy when you think about consistency on issues. Many of the same kind of complaints that we might have against the U.S.'s behavior in Mexico, in Latin American is not very different from what the U.S. has done in other parts of the world. Americans themselves know about this stuff. It is easier to make the case when there are standards and norms observed all over the place. It doesn't matter if it's happening in Greece or Iraq or Iran or El Salvador or Mexico, I think that having a global perspective, at least a perspective, to have a set of principles, guidelines.

Man (3): The one thing in which the Mexican government has excelled is its position towards the rest of the world.   It is pretty much one that has been steady with fairly little change that is the position of…charge me for a reason, which is not something the US can claim.

ABG: Is it better to approach U.S. foreign policy primarily as Americans, as Latinos or as people of Mexican origin, Mexican Americans, for example?

Man (JS): I think it depends on the issue and on the neighbor. When you are talking to Anglos, it is not helpful to say, "as a Latino…" Issues of patriotism get thrown into the mix as soon as you start talking about foreign policy. (inaudible) On the other hand, if you are talking about policies that directly affect Mexico, it may be a more authoritative sounding position to take, saying, "speaking as a Latino." That is one of nice beauties of identity politics is that we can hold on to this strategically contingent identities at different points to use them. The fact is that we are not just one person. We have many different influences, and I think it makes sense to use those different positions to speak from.

Man (3): Americans are the same way. My boss has Irish background. Every opportunity she has to distinguish herself, she does so. To me it is fairly clear. My two daughters were born here. It is in my best interest to help them appreciate Mexico. I think it is in their best interest to learn (end of side)

PART 2

Woman (MG): I just have a comment. I think that the U.S., unfortunately, has done a lot of things to hurt other countries, historically. If anything, I would love for the U.S. to be a responsible country overall and with foreign policy that is based on principles, values, and morals, because I don't think they have that.

ABG: Do you think that systematically working on more Mexico-related issues could enhance the political influence of Mexican and Mexican-American organizations and leaders of the United States? Why or why not? The question is whether working on more Mexico-focused things generates political capital or spends it.

Man (JS): Unfortunately, it spends it mostly. The reason for that is that our power is still somewhat limited. Almost anything that you are trying to push is unpopular to begin with, because it deals with Mexico or Mexican people or immigrants. Then you look at the driver's license issue and it (inaudible). These are all uphill battles. The fact that you take them on means that you are expending a lot of political capital. Unfortunately, oftentimes, you're beating your head against the wall knowing that the wall isn't going to fall over. Sure, you still do the work, but unfortunately it tends to drain more resources than it brings back to these organizations.

Woman (MG): I tend to differ. I do think it is draining, because I do the work myself, too, but I also think that because they have always been battles, we forget to look at the small miracles. And there have been miracles. Whether it is Divinita's case that is now somewhat solved or if it's the undocumented children having Hatch finally look at it. To look at the Dream Act, at least it's on the judiciary committee. Amen. About time. They have been battles, but there are little victories that we tend to forget about. As we say in Spanish, "la esperanza la última que muere." And that's one of the reasons why we keep doing it.

ABG: Should Mexico encourage Mexican immigrants in the U.S. to become U.S. citizens?

Man (3): Absolutely.

Man (LG): Become a citizen and vote.

ABG: What are the reasons for this? Stability? Voting?

Woman (MG): Power.

Man (VL): Part of that too is that if they are going to be promoting citizenship here in the U.S. then they need to be promoting dual citizenship, too. I think that that creates an incentive for individuals to become citizens within this country, if they feel that they haven't betrayed their country of origin.

ABG: What do you mean about promoting it, because you can have double nationality. The law is called... But Mexico can have no position on what the United States' position is.

Man (3): The United States doesn't care if you have Mexican nationality; the question was if it should be encouraged.

All: Absolutely, sure.

Man (JS): I think the other side is that it is important not to be hypocritical and say we want to encourage them to vote, while they are denying Mexican nationals the ability to vote outside of Mexico. It is like become American, vote over there instead of enfranchising them.

Woman (MG): I think that they should become citizens but for more than just to vote. It is to become active participants in the situation in which they are currently living. There is so much knowledge here, especially among the Mexicans, from the organizer's perspective to Union workers. A lot of times we don't capitalize on that with the permanent resident, when they become a citizen. They become a citizen and swear them and that's it. They want to make sure that their abuela can come in, que la mama puede venir. That's the only reason why they're doing it. It's more a question of having them become active members of society, not only to influence here, but to influence abroad.

ABG: What types of issues do Mexican-Americans and Mexican immigrants most agree on, and what do they agree on the least? Issues, for example, education, health, immigration. Broad things. What do they agree on the most?

Man (LG): Church and religion in our community.

Woman (MG): I think that education is something that most people agree on.

ABG: When we talk about education, are we talking about the same thing? When a Mexican-American is talking about education they are talking about high school dropouts and access to higher education. For Mexican

immigrants leaders, it is probably a good primary education, mainly bilingual education, and perhaps high school dropouts. It is an overriding concern. We talked about education, and we'll get to these issues in terms of immigration. Is there a sense? Or are we essentially talking about the same thing?

Woman (MG): I think that it is an overarching issue. I think if you are talking to the newcomer immigrant individual, undocumented individual, their primary thing is learn English, primary education, and high school, if they're lucky, bilingual ed. That is as far as they can see. If you are talking about someone who has been here 10-12 years, they are starting to see high school and beyond, college, etc.

Man (LG): I think that the recently arrived immigrants, their personal education may be ESL. They may be interested in ESL citizenship. I think that they want their kids to go to college. We have a lot of undocumented families. One of the top priorities is education. If you look at some of the schools in our communities, a lot of the top students are immigrant students, undocumented students, in some cases. I think that their priority of education is to learn to speak the language. Some of them are fine on 26th St., where they don't need to speak English. It's always for the kids. Most cases that I've seen is for their kids to go beyond high school. The people that I see dropping out of high school are the kids who were born here. Those are the ones that I see.

(Man 3 leaves group)

ABG: Are there any other issues that particularly unite or divide Mexican immigrants from Mexican-Americans?

Man (LG): I'll tell you one issue that divides Mexican immigrants and students that are born here. One, growing up in the United States in a city like this, and your parents coming from a hometown where everything is totally different. Mom and dad do not understand why you want to dress that way, why you want to talk that way, why you have an earring. A big issue that we are also dealing with is the issue of women. Unfortunately, many people in our community and our culture believe that women should just stay home. I have dealt with students, brilliant young ladies, who have a future that could be great who have had to drop out of the program we are running because their parents think that they should stay home and take care of the kids. It is ok for their brothers to go out and do what they do.

ABG: So we are talking about at the University level or high school?

Man (LG): This is mostly high school that I am talking about. And I'm not going to lie, as a male I had the opportunity to do things that my sisters

would never even think about doing because they were women. That is something that people from Mexico bring it is that mentality. I see it in my friends, women and men in our homes are treated differently. It is something that divides our families.

Woman (MG): I think another issue is young people in general. There are two different classes. There is the Mexican, who has come here, been here five or six years, then there is the Mexican-American, who is born and raised here. They have been assimilated and in some cases have lost the language. They begin to view a class issue. We're better, Mexican-Americans are better. Those two issues divide us. The second issue that divides us is legalization piece.

ABG: Once again! You're the segue queen.

(Laughter)

ABG: Would you support legalization A) If it were only for undocumented Mexican immigrants? B) Would you hold out for Latino undocumented immigrants, regardless of country of origin? C) Would you hold out for legalization of all undocumented immigrants, Latino, non-Latino? D) You would not make legalization or amnesty a priority. Why or why not?

Man (JS): When you say hold out, it suggests a certain amount of political power. When you say you can only get undocumented immigrants. I would say take then. See if you can get more. At this point, in principal, I would love it if all undocumented immigrants were able to get some legalization. But, in practical matters, the line gets drawn as Mexican or Latino. I think at that point, I would say, draw that line, help who you can.

ABG: That is a political strategy. If that's the only thing I think I'm going to get, that's what I'm going to take. Your answer basically is, I'd like C, but if it looks like all I'm going to get is A, I'll take A.

Woman: I would ditto. A lot of it depends on the political climate that exists.

Man (LG): Personally, I'm for immigrant rights. I couldn't settle for anything less than C. I mean, I understand that there are political things involved, but I would rather stand with everybody, and say, either you give it to everyone or, if not, for a lack of a better term, (blank) you. If you are talking about political power, there is political power within the Mexican community, but the immigrant community is much larger. There's potential for a lot more power within that.

Man (VL): I think I would have to go with B. The reason is because I compare the Latino community, the people that are immigrating from the Latino

countries that are in impoverished conditions compared to an individual who is migrating from Southern Korea, an individual who is migrating from India who probably has a higher education and the possibility of getting an employment-based visa. That is where I would draw the line, because I think that we have to compare the different economic circumstances of these different countries.

Woman (EM): Isn't that what is going on right now? They are bringing nurses from other countries rather than nurses that we have here within the US. Ideally, I would go with C. I think that everybody should have a fair right. It is difficult.

ABG: Assuming it is unlikely that legislation would be passed to legalize undocumented immigrants that already live here, would you support a guest worker program by itself, or would you rather see a guest worker program blocked in Congress until it is accompanied by legalization of long-term undocumented immigrants?

Man (JS): I think that A creates problems. It is the US getting its needs met without Mexico getting its needs met Yes, we get the mano de obra over here, but as soon as we want to kick you back over there, that's it. You don't get Social Security, you get lower wage rates. I think that there should always be a mechanism by which people in this country could earn legalization. People who have already been in this country should earn it. I don't think that it's possible to solve a problem of undocumented migration. It is almost structural. What happened with the first legalization; I worked for the United Farm Workers for a few years. What happened is all the people who got legalized, when they got their green cards, they moved out of agriculture and into the city. They realized that they would rather be working long shifts in a restaurant, washing dishes and cleaning, than standing in a field under the hot sun. I think that the guest worker program is wrought with all sorts of problems.

Woman (MG): I would go with B. I couldn't live with A. The first thing that comes to mind is some families that we're working with. They have been in this country for 15 years with kids. They are in the process of deportation. They are fighting it, they are fighting it inside the courtroom. They are doing everything that is possible. We are passing a resolution in the town of Cicero. I couldn't live with anything less.

Man (VL): I would have to go with B, and its primarily based on the same things that Jorge touched on.

Woman (EM): B

ABG: Should leaders in organizations of Mexican origin in the US push for an open border with Mexico?

(silence)

ABG: Let me put in another way: Should achieving a completely free movement of people between Mexico and the U.S., like a free movement across the borders of the European Union, should this be part of the Mexican-American political agenda?

Man (JS): I think that, ultimately, it could solve a lot of problems. It would encourage a lot of economic development in Mexico. I don't know that you would see as much mass migration to the U.S. Practically, it is a very difficult thing to achieve. You would get slammed about people concerned about depressing wage rates, depressing labor conditions, increasing competition for scarce jobs. That is the difference between the EC and NAFTA. The European community says we want to integrate these countries and have a single currency. A construction worker in Britain can go to Germany and work. Maybe there are no jobs in Britain, and he's getting paid less than he would in Britain, but he has a job. It is a very different way of conceiving citizenship and people's place in the world. What NAFTA is doing is an integrated zone of commerce. You have to be able to deal with the imbalances between the countries that are involved. One of the only ways to do that is to open the labor markets. It would probably drive wages up in Mexico. It is hard to know. I think that it's impractical, but it should be part of the agenda.

Man (VL): The problem is that there is no common currency.

Woman (MG): I am for open borders. The only thing is that there has to be a balance between Mexico and the US, an economic balance.

ABG: What happens in the EU, is if you look at countries that are now star performers, Greece, Italy, Spain, Ireland, those 25 years ago were relatively poor countries.

Man (LG): It is in the country's best interest to make sure that the economy in Mexico could sustain itself before opening its borders. It forces this country to think about that. How do we help Mexico stabilize its economy, so that when we open our borders there aren't millions of people running across. This may help these companies going down to Mexico in unionizing, treating people more fairly, caring about the environment.

Woman (MG): Again, it goes along with foreign policy. If it's based on values, morals, responsibility, then that's the real deal.

ABG: For a number of years, immigration enforcement issues have been stronger at the border than in the United States. In general, do you think that it is preferable to have strong border enforcement, like Operation Gatekeeper, as opposed to interior enforcement, like workplace raids?

Man (JS): I suppose that if you had to choose one over the other…(laughter).

ABG: If you had to choose between the two, is one of these forms of enforcement worse than the other? If you had to have some form of border enforcement…

Man (LG): Why, though, look at Canada… Canada doesn't have border enforcement like Mexico does.

ABG: That's a different deal, because there are not that many Canadians.

Man (LG): It's hard, raid the workplace, separate families…

Man (JS): People die in the deserts and in the mountains. It is very difficult.

Man LG): Why don't we switch the focus? To look at these people who are coming in here. We have all of these terrorist cells all over the United States. Use your border enforcement money to investigate that.

(Laughter)

Man (LG): I take the fifth.

Woman (MG): If we're talking ideally, the raids in the workplace. There is a law that basically says, if an employer has an undocumented worker, than they're going to get fined. Frankly, I don't even think that any of that stuff is ever enforced. And, yet, we have workplace raids. But the companies never get hurt at all. Does that mean I'm for it? No. Does that mean I'm for them getting fined, and they should enforce what's already there? Yes, I agree with that.

ABG: So, you would say, raids in the workplace would be better, if employers were fined at the same time.

Woman (MG): (agreement…difficult to hear)

ABG: All right. These are the final questions. Mexican citizens living here currently must travel to Mexico to vote in Mexican elections. Should Mexico implement voting in Mexican elections in the US for people who live here?

Man (JS): I would say that people who are Mexican citizens should be able to vote here.

(Inaudible)

Man (continued): There's a sense that by encouraging people to vote or allowing them to vote in Mexico that they'd be less likely to participate in voting here. I think that the jury's still out on that.

Man (LG): I think that if Mexico is serious about getting Mexican born people in the United States to actively participate in the U.S. political system, then they need to open the doors to let them vote. There are a lot of mexicanos, born in Mexico, that are organizing here for the vote in Mexico. A lot of time that could be spent organizing people to vote here. You have these natural organizers. They're not spending time on issues in the United States, because, before they can move to that issue, they need to take care of what is important to them, which is the issue of being able to vote in elections in Mexico.

ABG: So what you are saying that once they vote, their issues will naturally shift.

Man (LG): I think that their issues will naturally start to shift, not 100 percent. But they're still interested anyway. You still watch on TV, you still read, you still follow. You're still going to cast your vote, that's never going to stop. But you can start to organize around policy that's created within the United States with these same organizers that are organizing people to try to get the Mexican vote. If the Mexican government is serious about that happening in the United States, they have to give a little. They're going to have to open their doors to that.

Man (VL): I think the jury is still out there. I think that we should allow individuals, Mexicanos that live within this country to vote in Mexico. The problem is retracting. When we talk about this issue, we have to ask ourselves if this is going to benefit Mexicanos that live within this country if they're able to participate in Mexican elections. From my personal experience in talking to these individuals that are focusing on the election process in Mexico, the majority of them are empowered in this country to a large extent. I don't see it from the immigrant community as a whole but from the intellectuals that are pushing for this.

Man (LG): My experience has been with grassroots people that are pushing for the same thing. The Mexican government knows how important it is to convince people in the United States about them. How long was Vicente Fox in Chicago, campaigning in the U.S. for the election in Mexico. They already know that these groups are organized and care about politics. They know

enough to come here to campaign to Mexicans in the United States. You gotta let them vote. Sometimes, you have to take that step. They're the leaders of that country. If they don't take that step, who's going to take it? That's what the people are asking for. They cared enough to come to the United States, to spend a lot of money to come to the US to talk about these issues with people living here. They should care enough to open up the vote to them.

ABG: Let's turn our attention to this side of the border. There are proposals to allow voting in some local US elections by legal immigrants who are not yet citizens, such as voting on School Board elections by parents of currently enrolled children. Should people of Mexican origin support such local non-citizen voting rights?

Man (LG): Yes.

Woman (MG): Absolutely.

ABG: Should this be one of our priorities?

All: Yes. Absolutely. Civic participation. They're taxpayers, residents in the community. Increasing our power base.

Man (VL): It will open up for another congressional district.

ABG: Well, this would not be federal.

ABG: There are proposals to allow representation in Mexico's Congress of its citizens living abroad. The first one was about voting in the United States. This one is about getting representatives. In other words they would have a new circumscription. They would do exactly what you talked about, but in the Mexican Congress. And have somebody from here be a senator for the Mexican immigrant community of the United States.

Man (VL): Would these individuals actually get to vote in the Mexican Congress?

ABG: Yes. Should Mexico set up elections for Mexicans who live in the U.S. to elect their own representatives to Mexico's Congress?

Man (JS): I think that the tough thing is if it is going to be a proportional type of representation. However many million here, you want this principle of one person, one vote to make sense. You wouldn't want one representative for the 20 million here, if that same representative in Mexico represents 100,000, 200,000. You're talking about a large voting block then. I think that practically it makes more sense to have people vote absentee from wherever they're from. It gets strange.

(Laughter)

Man (VL): There's a school of thought that if Mexican nationals get the opportunity to vote here within this country, they should actually have an individual representing their needs here within the United States to the Mexican government, hence affecting their local communities.

ABG: That is what we are talking about. I mean, there would probably not be proportional representation in the same sense. There is about 10 pecent of Mexican population in the United States and, if you had proportional representation, you would have 10 percent of the senators with the problem of extraterritoriality.

Woman (MG): I would look at that as an opportunity for this individual to actually represent the state of the US. My biggest concern would be the accountability. They would have to know the community in the U.S. and, since we are separated by region, to unify would be very difficult. However, it would be an interesting dynamic if the individual would be able influence legislation and policy in Mexico that would benefit (inaudible) because of our influence.

Man (LG): It is difficult because you have a politician here who votes over there or you have a politician over there that campaigns here...

Man (VL): Don't they currently have that with the congressman in California?

ABG: No, that is a different deal. You are talking about people living here who are running for office in Mexico, and the results there are mixed.

ABG: Last question. In general terms, what sort of attitude do you think the Mexican government and Mexican society have towards people of Mexican origin in the U.S.?

Man (unidentified): Pocho.

ABG: I mean what do you think is it good? Is it bad?

End side

Woman (MG): I want to share a story. This is of somebody from Mexico who is here on an internship right now. She said that before she came here she always had an assumption that people who are working 12 hours days and Sunday school, etc., they are doing it because they want to do it. That was her assumption. And now that she has been here for less than 6 months, she says,

now I can appreciate what they are doing, because I know what they have suffered and have gone through.

Man (VL): Going back to the economic issue. I think that there is a lot of resentment with the economic problems that Mexicans are faced in Mexico compared to the mexicanos who live over here in this country. We live in the land where we can go to Sears and JC Penny, and everything is readily available. I think that mexicanos resent that. The lack of us identifying with their experience in Mexico. I don't think that will ever get fixed until Mexico's economic system is somewhat parallel to that of the United States.

Man (LG): You go into these small towns, and you're driving a new van. They don't realize that you're making payments for the next 12 years, you know?

Man (JS): Another strange dynamic that I saw in Yalexico; there was a fairly decent number of Mexican people who were middle class. They would come across the border and do their shopping at the Vaughn supermarket right on the border. I do the opposite, even though it's illegal to get tortillas and mangos across the border. I go there, I can buy a kilo of tortillas for a buck or 50 cents. If I get them here, they're not as good, and I'm paying twice as much. I had the hardest time understanding, other than as a sense of people thinking that they are getting something better on the US side of the border. There wasn't anything, frankly, that you could get at the Vaughn's that you couldn't get at the Gigante across the border in Mexicali. And yet…status. The status thing. It was mind-boggling. On the one hand, it makes you think that we're resented for our better economic situation. On the other hand, people try to emulate that, that this is what they should be aspiring to. It's love/hate. Wanting some of it but resenting the facility.

Woman (MG): The other thing is that we send a lot of U.S. currency over there. Our own families have the mentality of "pues, ellos pueden" y "mientras ellos pueden, nosotros vamos a seguir." We are thinking we are empowing them by sending them money. It doesn't push them to become empowered.

(Others comment while MG speaks. All are in agreement with her comments.)

Man (LG): When you don't do it, because you can't, they think that you don't want to. That breeds resentment between people, families.

Woman (MG): But I think that it goes back to the economics. As long as Mexico is not parallel to the US, the one that is supporting that country, we're always going to have an issue. Because they aren't going to become independent.

Man (LG): The money going back to Mexico is the second largest income. We're supporting the country, basically.

ABG: Do you think that there is a difference in the attitude of the government towards Mexican origin people from society or is it the same?

Man (JS): I think that on the one hand they see us as potentially useful but also potentially dangerous. That we could be useful in helping them organize, helping protect Mexican citizens, helping work on Mexican issues, sending money. We're a threat to the extent that we ask for things in return for our assistance, democratization, transparency, corruption being addressed.

Man (VL): That's the problem with Mexican hometown associations. They see them as being a threat, politically.

Woman (MG): I think that we are a double-edged sword in a lot of ways.

All: Yeah.

Woman (EM): I'm thinking about Juarez and Mexican-Americans trying to get involved.

ABG: This is the end, if anybody has any comments. I want to ask something about Juarez. It comes up several times. Tell me about it. How do you see this as a relationship? What is its importance to us?

Man (LG): It should be important to everyone; women are dying. Those women are working at U.S. companies, and the U.S. companies are not doing anything about it, providing security, putting pressure on the Mexican government or the American government to respond to that.

Man (JS): Part of the reason that not much is being done is that they are largely disempowered, single, very poor, working class women who are the victims. It is such a pervasive problem. Something like this happening in a U.S. city would be, you know, you'd get the nightly news reports, suspects on TV every night. It would never be allowed to happen.

Woman (MG): It would have been solved by now, and, if it weren't solved, they would have at least put some protective measures. If the Mexican government does not take a value of their own people, then what the hell. That means that we can be extinct without a problem and you are not going to pay attention to me?

Man (LG): That brings resentment towards the political systems.

Woman (MG): You have to wonder whether or not there is some underlying tone of corruption that exists.

ABG: So here is the question. When I was talking about issues of social development programs in Mexico, questions about are there resentments on the part of the Mexican origin population to Mexico, nobody said corruption, why?

Man (LG): Because we are afraid, you are recording this. (Laughter) I don't think it was asked about directly.

Woman (EM): Just mentioning politics...

ABG: To you it seems like you are saying that the politics of Mexico already encompasses the concept of corruption. It was an inclusive package, it was inherent...

Man (LG): That goes back to the issue of the Mexican government paying for lobbying groups to work in the United States. There is not a lot of trust between the Mexican political government and the people in Mexico or the people here. And now there's a group that's paid by them to come in and advocate for you? How many people are really going to trust that?

ABG: No, I think the idea would be that the Mexican origin people would have an organization to advocate for Mexico in lieu of the Mexican government.

Man (LG): But he had talked about having the government pay for that...

ABG: Muchisimas, muchisimas gracias.

ABG: Buenos días, gracias por su presencia tuvimos un problema técnico de ultimo momento. Yo soy Allert Brown Gort de la Universidad de Notre Dame, estoy aquí con mis colegas Roberta Clariond, Rafael Fernández Castro, formamos parte de un proyecto de investigación llamado Enfoque México, que trata de ver cuales son las comunalidades y las diferencias entre la comunidad emigrante mexicana y la comunidad México-americana. Especialmente en su visión con México. Gracias por venir una vez mas y dar de su tiempo en un Sábado en la mañana tan precioso. Yo a muchos de ustedes los conozco, ha sido un placer trabajar con ustedes y vas ser un placer trabajar juntos en un futuro. Vamos a empezar por favor con introducciones para que todos sepamos quienes somos.

W1: Mi nombre es G O, estoy trabajando para el gobierno del el estado de Michoacán, apoyando a la federación de *.

W2: Mi nombre es M V y estoy trabajando para una organización comunitaria en la villita que se llama el proyecto de educación comunitaria tepochtai

M1: Mi nombre es C V y estoy trabajando nada mas de voluntario en la comunidad

M2: Mi nombre es D G coordinador del Instituto de los Mexicanos en el Exterior y estoy como observador.

M3: L P presidente del concilio hispano.

M4: R R coalición por los derechos políticos de los mexicanos en el extranjero.

M5: A L de la federación aléguense y también de la coalición.

W3: M D cargo muchos Sombreros pero creo que me pusieron aquí como CPS, Chicago Public Schools y por lo que caben las preguntas, miembro del consejo político del PRI representando el medio oeste.

M6: F M Presidente de la confederación de federaciones, presidente del federación de federaciones trabajando para la comunidad en asuntos comunitarios.

M7: A R autor de opinión del periódico.

RFC: Rafael Fernández de Castro soy profesor del ITAM y estudio la relación México estados unidos, publico en la revista que se llama Foreign Affairs en español.

W3: ¿Como se llama?

RFC: La revista? Foreign Affairs en Español. Es mitad traducción de Foreign affairs en ingles y la mitad es local y estamos viendo a ver si publicamos un articulo aquí de R R.
RC: Yo soy Roberta Clariond también trabajo en el ITAM en el departamento de estudios internacionales. Estoy como coordinadora de este proyecto de enfoque México.

ABG: Y tenemos también a dos observadoras.

AF: Yo soy Adriana Ferrer y estudio en la universidad de ciencias políticas en la universidad de Chicago.

HF: Yo soy Heather Minehan y trabajo con ABG en la Universidad de Notre Dame pero trabajo aquí en Chicago en nuestra oficina.

ABG: Gracias, bienvenidos una vez mas. Les voy a pedir estas hojas i no la pueden dejar después porque son muy importante para nuestro estudio. Vamos a empezar con unas definiciones, con unos términos étnicos o sea de los términos que vamos a estar utilizando. Para este estudio nosotros utilizamos México-americanos, aquellos ciudadanos de los estados unidos de América por nacimiento pero de ascendencia Mexicana. Inmigrantes mexicanos son personas nacidas en México que viven en los estados unidos. Gente de origen mexicano o comunidad de origen mexicana tanto México americanos como emigrantes mexicanos. Y Latinos son todas las personas en los estados unidos de origen latino americano nacidos ya sea aquí en los estados unos o en latino América. Incluyendo de origen mexicano, centro americano, puertorriqueño, cubano, dominicano, etc. La primera pregunta, algunas persona s nos dicen que los México- Americanos y los inmigrantes Mexicanos tiene diferentes prioridades en cuanto a políticas como relación a los temas que acaban de discutir en nuestras prioridades de políticas publicas.   Otros dicen que ambas comunidades tiene básicamente las mismas prioridades. ¿Ustedes que opinan?

M4: Seguro que son los Chicanos quien dicen que tenemos las mismas prioridades, no?

ABG: No se.

M4: Yo estoy de acuerdo en eso, obviamente que tenemos unos sets diferentes de prioridades. Por el lado de los Mexican-Americans creo que sus

ideales están mas asociadas con el poder político local. Por el lado de los emigrantes creo que están mas asociados con el poder político en México y por otro lado una agenda económica mas inmediata. Lo de la situación legal de los indocumentados no es prioridad de Mexican Americans. Es la prioridad numero uno de los inmigrantes. Lo del voto no solo es su agenda pero hasta se ven como adversarios de este asunto. En lo que coincidimos yo creo pero no con el mismo grado de interés es en las batallas locales por la escuela, por el empleo, por los problemas de las ciudades. Pero que en realidad afectan la comunidad en general, si te encontraras Mexican Americans y inmigrantes es lo mismo que Mexican Americans con Polacos es el mismo accidente y comparten el mismo problema. Pero obviamente que tenemos una agenda común a la que nos podemos aliar.

ABG: a donde coinciden ambas comunidades no es solamente en los lugares donde coinciden físicamente? Porque la primera vez, lo que dijiste al principio es da lo mismo si son los México americanos o si son los Polacos, si coincidimos ahí estamos juntos.

M4: Si, hay mas afinidad para buscar en común por ejemplo, toda sociedad con el poder político. Nosotros necesitamos de su apoyo y ellos nos usan.

M3: Todo lo que dijo el maestro Ros, nada mas añadiendo un par de elementos. Uno de ellos tiene que ver con la frecuencia con la que los mexicano americanos, las organizaciones mexicano-americanas, tengo que hacer una diferencia, se escudan en nuestros números para lograr lo que ellos quieren. Tenemos el ejemplo, yo voy a dar ejemplos por que no me gusta hablar a lo alegórico. MALDEF, MALDEF es una organización de asistencia legal de puro pocho. Y los pochos reciben aproximadamente siete millones de dólares anualmente en presupuesto de diferentes fundaciones y gobierno para defender las causas legales de la gente. El gobierno asumiendo que ellos representan además de sus propios interés o posiciones también a la gente, lo cual es totalmente falso. Porque si alguien, un pobre que lo golpeo la policía va con MALDEF y dice que quiere que lo ayuden ellos le dicen que no. Porque ellos nada mas trabajan en tres cosas, que son políticas publicas, voto, y educación.

ABG: Bueno vamos a hablar mas acerca de organizaciones. Ahorita si nos podemos concentrar mas a la agenda vista globalmente, y a sus percepciones de esas agendas.

M3: Son totalmente diferentes. Yo insisto que estoy parcialmente de acuerdo con Ros que compartimos campo común, sobre todo en lo local, pero las agendas nuestras, la agenda del inmigrante como ustedes lo diferencian, nacido en México y inmigrado a los estados unidos, es una agenda de necesidad. Es una agenda de urgencia, de sobré vivencia en un nuevo ambiente, en un nuevo habitat del cual no estas acostumbrado y no eres de

allí no creciste allí. Entonces tus prioridades son adaptarte a ese nuevo habita. Y cuales son tus prioridades? Bueno tener un carito para el invierno, rentar un apartamento, saber algo de ingles. Los México Americanos no tienen problema del ingles. Los México Americanos ocupan un escalafón económico totalmente diferente al nuestro. El promedio de ingresos de un México americano esta en $36,000 anualmente y el promedio de ingresos ge un emigrante mexicano esta en $19,000. Entonces no pueden ser si la desperidades económicas son las que dictan la agenda entonces las disparidades políticas son todavía mas abismales. No votamos ni aquí ni allá, ellos si votan. Entonces, van de la mano pero desgraciadamente son totalmente diferentes.

M6: Aquí hay algunos factores muy importantes. Los que acaban de mencionar los compañeros son de manera uno los tiene que tomar y es una realidad. Pero también hay que ver de la cuestión de las organizaciones a donde nuestros grupos son grupos nuevos que estamos caminando y estamos aprendiendo. Lo cual quiere decir de las organizaciones que se hablan y del trabajo que se ha estado desarrollando, debemos de buscar alguna manera de que si ellos ya tienen mucho tiempo de estar trabajando, porque no buscar un termino medio donde nosotros también podríamos integrarnos, porque no debemos trabajar en contra de corrientes que son corrientes de nuestra misma etnia. En este caso si estamos hablando que los México Americanos, Tejanos, hay que sentirlos como parte de nuestra misma gente, no ponerlos aparte como si fueran harina de otro costal. Debemos de verlos y aliarnos con esas organizaciones que ya tienen una tracendnecia de formación y experiencia. Para los grupos que estamos trabajando fuertemente y que estamos creciendo al punto que se esta notando y esta reconociendo el trabajo que se esta haciendo como comunidades en este caso. Que aquellos también que ya han avanzado y han hecho muchas cosas, hay que reconocerlo, no solamente por una parte de la comunidad sino que tratan también de hacerlo a la medida que es posible, de ampliarlo y ayudar a quien mas pueda. Es cierto que puedan haber ocasiones que no llenan toda la necesidad que hay en nuestra comunidad. Por eso también hay tantas organizaciones que han venido trabajando y que estamos avanzando con el perfil de ayudar no solo a nuestros inmigrantes sino a toda la comunidad en general. En este caso tal vez podría diferir un poco con los compañeros de la manera que de una cuestión mas human hay quien también se une con nosotros. Vamos a poner en este caso el senador Miguel del Valle, que no es Mexicano, mas sin embargo es uno de los que ha trabajado con nosotros las organizaciones que lo hemos apoyado porque el esta buscando también que el derecho a tener una licencia no solamente es un asunto de los mexicanos, y allí viene lo que ellos decían, que es un asunto no solamente de nosotros mexicanos de los que no tienen documentos, porque hay entran los Polacos, los Vietnamitas, y una cantidad de gente que también aunque son una comunidad menor en cantidad pero qué también tienen esos interés y que debemos buscar esas alianzas para trabajar a favor de la comunidad.

ABG: Perdón Javier, es que estamos tratando de ver en global las agendas rápidamente, vamos a estar hablando acerca de muchas de estas cuestiones, especialmente de sobre las organizaciones.

M7: Sobre las agendas, obviamente hay diferencias significativas y yo diría que el factor que es la raíz de todo esto es la integración. La integración a la sociedad de los estados unidos. Cuando el inmigrante es mas reciente generalmente no viene por su gusto, tiene el cuerpo en el lugar donde se encuentra pero la mente la tiene anclada en su lugar de origen y así mismo sus intereses. Sus intereses económicos por mejorar su familia, los interés por entonar la comunidad económica su comunidad en México. Siente como grandes retos la integración a esta sociedad que en realidad es un choque agresivo, es otro idioma, otras costumbre, es completamente diferente. Entonces los intereses del inmigrante van a ser anclados a su país. Por el otro lado personas que han nacido aquí tienen otro tipo de lucha que es la integración a esta sociedad. Tal vez como funciona la sociedad Americana es por grandes categorías, entonces nos ponen, no creo solamente las organizaciones México Americanas sino es la política de este país, nos ponen en una bolsa junta, "ellos son hispanos, son todos y son iguales" .Esto evidentemente no es así. Ellos tienen otro tipo de retos, ellos luchan por incrementar su fuerza política dentro de su país, que es este y evidentemente tenemos muchos conectores comunes y culturales. Algunos de ellos, la mayoría comparten la lengua, la cultura, la comida et. Y dentro de lo malo seria muy bueno que véanos lo positivo y lo que podría potenciar a esta diversidad de intereses. A que me refiero. Si los México Americanos aceptan per se que somos lo mismo para manejar números alegremente eso también podría ser un factor de negociación para las organizaciones comunitarias de inmigrantes recientes para poder defender la agenda también de los inmigrantes recientes. Por ejemplo la agenda de reforma migratoria. allí tenemos una oportunidad, si ellos van a decir que somos todos y somos un bloque, evidentemente sabemos que hay una gran diversidad de intereses pero allí es donde las agendas pueden impar a concluir y donde se pueden articular ciertos acuerdos, vamos a hacerlo mismo? No. Pero si se pueden articular ciertos acuerdos y mecanismos comunes para dar mayor fuerza.

W3: Pienso que la percepción, al menos en mi concepto va a ser tenemos que vivir bajo el dictamen que siempre ha existido aquí de divide y conquista, "divide and conquer". Se nos ha dividido en grupos, nosotros a veces tenemos eso encontró de lo que se nombro pochos en el que yo veo en el que hay que comprender y tal vez los que nos consideramos mas educados en el aspecto de saber la historia de cada agrupación, y viene a mi mente lo de LULAC que se creo en 1929 para defender el derecho del México Americano el derecho de hablar español, lo que para mi en si ha sido intrínsico en la vida diaria nuestra, es continuar con el idioma. Claro como en todas los organizaciones hemos tenido lideres, que aparte de mensos no han tenido

pantalones para salir a defender lo nuestro. Creo que cuando se hablo de MALDEF, lo que queda por agregar es cuando se habla de, porque trabajo en las escuelas publicas de Chicago, en cuestión de educación ellos dicen no defiendo a una pero si a todas nos esta afectando lo del sistema bilingüe entonces hay entra MALDEF y esta considerada a nivel nacional la organización mas poderosa nuestra. Entonces creo que debemos de poner en contexto las funciones de X organizaciones y además pienso que hemos sido todos los mexicanos, carne del cañón. Abrimos puertas, y cuando los vamos a sentar a la mesa ya no hay lugar para nosotros y para mi cuando el mexicano comprenda que el poder nuestro si vas a vivir aquí va ser en hacerte ciudadano y votar realmente. Se hablo pro ejemplo de Miguel del Valle, fui de las que ayude, luche porque estábamos en su área, sin embargo cuando se hablar de elegir a un México Americano el se ha puesto al favor de otras personas que no son mexicanos, y me viene a la memoria la candidatura de Gary Chico. El apoyo a otra persona. Hay es donde entra a veces la angustia y el coraje de decir "carajo, cuando me necesitaste te serví, y cuando no se hacen mensos". Entonces pienso que debemos de poner en contexto eso de "Divide and Conquer" por que pienso que el Mexicano debemos de aprender a hacer alianzas. Hace unos mese me senté con el reverendo Jesse Jackson y informamos del Latina Rainbow Coalition que pensamos meter organizaciones mexicanas, en este caso a trabajar con ellos, puesto que se nos divide y de allí viene el resentimiento entre comunidades.

ABG: Vamos a hablar de organizaciones en unos instantes

W3: Para terminar me gustaría decir que pienso que algo que se a sonsallado y en lo que va existir in poder tremendo políticamente tanto aquí como en México, son que los sindicatos ya abrieron los ojos y ven el numero de mexicanos en los sindicatos aumento tanto que seria tonto ignorar esa fuerza sobre todo por el poder político que es realmente donde esta el poder económico y educativo.

ABG: Les voy a decir simplemente que me preocupa un poco el tiempo, porque arrancamos un poco tarde y nos hemos tomado quince minutos en la primera pregunta y después de esta siguen veinte. Entonces no queremos quedarnos aquí toda la noche vamos a grano a lo que tenemos que decir.

M5: Creo que el hecho de categorizar un poco los conceptos de migración y inmigrante es un poco injusto . Vaya, si somos mexicanos debemos ser todos mexicanos, pero para efectos reales y para efectos de investigación esta muy bien. Yo creo que no pueden ser agendas iguales por dos cosas. La primera porque es una inmigración dinámica, es una inmigración cotidiana de todos los días y bueno cada gente que llega tiene una percepción diferente de lo que ya esta. Y numero dos existe una barrera cultural, independientemente de que seamos mexicanos y México Americanos, en nuestras cuestiones de entendimiento son diferentes. No es lo mismo la percepción de estados

unidos para el que ya lleva aquí para el que se educo aquí, al que no tiene esa percepción. Si vamos a efectos tan sencillos como el humor, pues en eso tampoco lo hay. El humor del México Americano con el Mexicano es totalmente diferente, entonces para terminar tenemos que entender esta dinámica del dinamismo de la inmigración y que realmente nos estamos intentando a un ente que tiene la sangre mexicana pero es diferente. El entendimiento entre una y otra parte no es el mismo, por lo tanto si queremos trabajar en comunidades o en proyectos de desarrollo, hay que entendernos porque no hay un entendimiento. No lo existe, la prueba es esa división y esa política en contra de sus propios paisanos. Y si nos vamos a los factores políticos podemos quedarnos aquí toda la mañana. Esos son dos factores, el dinamismo de la inmigración, y el problema cultural, se ha visto el tema de los chicanos, pero se debe ver mas para ver como conectarnos y como traer esta cultura mexicana y adaptarla a la realidad de cada quien en los EU.

ABG: Habemos de algunos temas en particular, tienen la hoja de prioridades políticas. Díganos porque la legalización del programa de trabajadores temporales o seguridad fronteriza, los asuntos relacionados a la inmigración están o no entre los tres temas de mayor importancia para usted?

RC: Perdón, yo nada mas quería decir una cosa. Hay veces que todos no puedan contestar una pregunta. Si se quedan con algo que querían decir, por eso les dimos las libretitas, si quisieran allí apuntar la idea o lo que quisieran añadir, y nada mas no lo dan al final con su nombre para complementar las notas.

W1: Obviamente si están dentro de la lista de mas importantes.

ABG: Si pero en sus prioridades que marcó. Porque?

W1: Bueno obviamente la seguridad publica, si los inmigrantes están legalmente aquí van a tener derechos, cosa que ahorita están restringidos con eso, entonces si es una prioridad.

M7: Números, mas o menos la mitad de los Latinos que viven en este país no tienen derecho para votar. Mayores de 18 años, y eso es por varia razones. Una pueden ser residentes legales. O también porque allí se comprende la población de indocumentados. Estamos hablando del grupo minoritario mas grande de los estados unidos, tal vez la mitad, como 40% o una tercia podría ser indocumentado. Entonces porque es importante, bueno primero que nada para darles los derechos, las garantías laborales tener el amparo de las leyes de este país. Salir de una serie de las penumbras de donde viven. Formar parte de una economía subterránea en la que son recurrentes blanco de abusos en todo tipo de citaciones injustas, entonces la gente, hicimos una pregunta en el periódico, "que es mas importante, derechos o la amnistía" y

toda las respuestas que tuvimos fue la amnistía. Porque la gente esta desesperada por derechos y no que no les interesen su país, pero están aquí viviendo. Pero por lo pronto eso es lo que estamos teniendo. Son millones de personas que quieren sus derechos.

M6: La cuestión de la seguridad fronteriza pues un problema lamentable que debemos de enfocarnos también del punto de vista de poder conseguir el derecho que es un respeto. En todo lo particular perdí dos familiares que ya tiene tres años que nunca supimos donde quedaron y por tal razón eso es un asunto que se de be de tomar una atención muy especial y que también debe de ser agenda de discusión dentro de los dos gobiernos. Gobierno de México y la cuestión laboral. No siempre debemos promover que la gente se venga también. Tenemos que ver que nuestro gobierno también haga su trabajo y se mejore, y se busque mecanismos para crear empleos allá y que la gente ya no se venga. Porque si empezamos a promover que allá mas oportunidades de empleo acá estamos promoviendo a invitar a que nuestra gente se venga en una situación, si debe de haber una situación de legalización, en que si van a venir que vengan bien.

ABG: Restates question

M3: Hablas en comparación a los Mexican Americans?

ABG: estoy hablando de la hoja de prioridades. El tema de inmigración fue uno de las tres prioridades? Si o no?

W3: Para mi una de las prioridades es la licencia de conductor, puesto que necesitan manejar para ir al trabajo. La segunda como grupo es el voto de los mexicanos en el extranjero. El sentir que no son ciudadanos de segunda clase aquí y allá. Y el tercero seria los que estamos aquí seria registrase y votar y realmente hacer una fuerza política la que no se le tema, pero que se le respeta. Eso es crucial para desarrollo de comunidad. En cuanto a la seguridad fronteriza pienso que el gobierno mexicano no ha sido muy servil en su manera de aceptar lo que dice estados unidos cuando en realidad allí tenían digamos la manera de decir si estoy defendiendo su frontera contra infiltraciones pienso que se me debe remunerar en diferentes términos. Legalización etc. Pienso que allí es la clave si estamos cuidando la retaguardia no tienes que tratarme como un vecino indispuesto.

M5: Es muy general, yo creo que un punto de mejorar las relaciones de México y estados unido podría sumarizar todas. Porque si existe una buena relación con estados unidos entra en la agenda todas las otras preguntas.
ABG: Pero no entra en tu lista porque hay otras excepciones?

M5: Claro que si, es que si partimos de esta premisa de mejorar las relaciones entre México y los estado unidos de entrada entra. Si revisamos los

principios o intereses nacional de la política exterior mexicana, el acuerdo migratorio es uno. Y si entra con estados unidos entrara en primer plano este punto. Van de la mano, yo creo que, bueno en mi lectura pero numero dos es legalización de indocumentados, y numero tres puse proveer desarrollo económico en México. Porque si atacamos ese punto que han olvidado, pagaremos un poco al tema migratorio.

ABG: Justamente vamos a la próxima pregunta. Es importante para los México Americanos o para los inmigrantes en los estados unidos, el reunir fondos para apoyar proyectos de desarrollo económico en México, ya sean estos organizados por el gobierno mexicano o por organizaciones no gubernamentales? Y consideran esto una prioridad?

M6: Bueno nosotros como comunidades que lo estamos trabajando de Michoacán, Zacatecas, Jalisco que somos los primeros en trabajar en este problema, claro que es muy importante para nosotros. Porque de esta manera traemos mas estabilidad a nuestra gente. Lo que estamos haciendo actualmente es una gran labor que incluso en días pasados que nos reunimos con la secretaria de desarrollo social, le planteábamos que hay que difundir esto. Porque bien sabemos que nosotros lo estamos realizando pero hay una gran comunidad que no sabe que lo estamos haciendo. Esto ya tiene muchos años que lo estamos trabajando.. y para nosotros que venimos y todavía tenemos gente allá es una gran prioridad de traer mejor bienestar a nuestra gente. Y si encontramos mejores mecanismos donde nos apoyen serian de utilidad para poder desarrollar mejores programas.

ABG: Seria ser parte del gobierno, sin el gobierno, es lo mismo?

W3: Pienso que aquí hay algo demasiado importante porque ya lo menciono hace rato. El no crear un sueño de decir vengan a estados Unidos porque al rato México va a decir el que salga al ultimo apague la luz. Pienso que debemos nosotros reconocer al gobernador de que menos inmigrantes tiene, y la razón es que pienso que en este caso mi esposo es de Michoacán. "Que bien se lo ponen a los gobernadores, se van todos y los niñitos encuerados allí, mujeres abandonadas y tenemos toneladas de gente de Michoacán. Entonces que carazos se están haciendo los gobernadores venir cada rato y esta de turistas porque tienen tanta gente, para mi es una vergüenza y un descaro como gobernador yo me sentiría insultada que se fueran de mi estado. Creo que lo que hemos hecho es auspiciar una inmigración cuando en realidad debemos fomentar eso que esta usted diciendo, empresas en México y exigir a los gobernadores que se fajen los pantalones y se pongan a trabajar. Que no estén corriendo a la gente, que no estén pintando utopías que en este caso para mi es un insulto como mexicana tener esos gobernadores aquí de visita cada quince días.

ABG: Vamos a regresar al punto. El punto es proyectos de desarrollo económico en México, con gobierno, sin gobierno, y si debería ser prioridad. Les recuerdo algo, aquí les voy a hacer unas preguntas que para ustedes van a decir, "es obvio, para que me pregunta esto" pero obviamente les estamos haciendo las mismas preguntas a los México americanos y las mismas preguntas a las comunidades aquí, en El Paso, en Los Ángeles, en Dallas y se sorprenderían un poco cuales son las diferentes matrices, así es que aunque la pregunta parezca un poco obvia esta bien.

M7: Proyectos económicos o no, por supuesto que proyectos económicos. Hay que impulsar la responsabilidad de los gobiernos expulsores. La gente no sale por gusto sino por necesidad. Estos proyectos económicos beneficiarían las zonas, y comunidades en México. allí yo creo que las federaciones nos podrían dar mucha mejor luz en el sentido de si con gobierno, o sin gobierno, lo que yo les puedo decir es por el contacto que tenemos existe una gran desconfianza del gobierno por esa etiqueta de la corrupción, y entregarle un centavo y el tres por uno. La gente desconfía mucho de la intervención del gobierno en esos proyectos. Yo no se que también salga, las federaciones tienen mas contacto para esas cosas. Y termino con esto. Probablemente muchos México Americanos ven a la migración reciente como una competencia desleal. Hace rato se hablaba de los ingresos que tienen ellos versus los que tienen los inmigrantes recientes entonces ellos no favorecen en muchas, muy alegremente, regularizaciones o que siga entrando la inmigración, porque nos ven como una amenaza. Si tu ayudas a potenciar las regiones en México, estas aliviando o tratando de aliviar un problema que se pinta en explosivo en el futuro que inmigración. Por todo esto se puede encontrar una tierra común que beneficie a las comunidades allá. Yo creo que las comunidades tendrán que ser mas activas en esto en México.

ABG: A mi me gustaría preguntarle a Maria.

W2: Para mi es muy interesante lo que estamos hablando porque yo crecí aquí en estados unidos y mi esposo el creció en México y ya vino como joven. Entonces es interesante lo que estoy escuchando, viendo mis prioridades y tomando en cuenta lo que se escucho, mi prioridad si fue legalización, pero las demás prioridades fueron mas local. No fue mas en cuestión nacional. Yo creo que si influye eso mucho, yo soy mexicana y me creo mexicana pero yo ya me establecí aquí. Cuado están hablando que es tan importante tratar de ayudar para comunidades en México, para mi también es importante pero yo digo, yo vivo aquí y aquí hay muchas cosas que tenemos, tenemos muchas necesidades aquí. Y estoy de acuerdo que tambien alla, pero…

M6: Aquí nos damos cuenta que para algunos grupos es mas importante porque nosotros seguimos arraigados porque tenemos familiares y nos interesa el bienestar de nuestra gente que esta allá. Los gobiernos deben de

formar parte porque es su responsabilidad. Nosotros no mas estamos contribuyendo a traer el mejor bien estar a nuestra gente pero si, los gobiernos es su responsabilidad y cualquier cuestión de desarrollo deben participar. Y ya lo estamos haciendo. Los gobiernos como Zac. Mich. Jal. Y los demás estamos trabajando fuertemente donde ya se han creado incluso programas de inversión no solamente de desarrollo social sino también para abrir una empresa. Seria muy extenso que nos meteríamos en detalles, pero en otra ocasión para nuestro periodista seria bueno que tuviéramos esa información. La corrupción estamos tratando de eliminarla. No es decir que ya no hay, pero los recursos ya no los manejan directamente el gobierno. Ellos lo aportan a la comunidad y la comunidad son los que manejan el dinero.

ABG: Alejandro, muy puntual.

M5: Dos cosas. La primera es si es necesario cooperación, pero hay que ver que tipo de cooperación estamos estableciendo con los gobiernos locales y con los gobiernos federales. Yo abogaría por una cooperación horizontal, pero la cooperación que se esta manejando en estos momentos es la cooperación vertical, uno allá arriba, y una aquí abajo. Hay un problema de competencia muy fuerte, Cuando so inmergen de establecer programas de desarrollo. Que lectura es la que podemos tener aquí, que no están permitiendo ellos. Que lleguen influencias de afuera con el concepto nacionalista, que lleguen y les dicten las formas o las formulas. Lo que se esta intentando aquí no es hacer eso, simplemente ayudar cooperar, pero estamos en problema de competencia política reflejada en este tipo de cooperaciones bi-laterales. Si quieran, luego puedo platicar de los casos prácticos que yo he tenido en este tipo de cooperación donde los tiempos políticos, carácter, la relaciones personales influyen muchísimo en el éxito o no éxito de estos programas.

W1: Si, de lo que comentaba de los proyectos. Creo que primeramente la inmigración no se puede frenar. Es un fenómeno que no se puede frenar. Se puede controlar, y eso ha sido también parte de una opción de los proyectos. Los grupos de aquí se están organizando para ayudar a sus comunidades y dar también una opción en estos lugares de fuente de empleo. Ahora con gobierno o sin gobierno, bueno el gobierno si a apoyado estos problemas, pero que va a pasar el día que ya no los apoye. Bueno por eso los clubes de inmigrantes se están organizando para poder resolver esto. Si no existe el apoyo del gobierno, de alguna manera ellos lo están solucionando. Organizándose aquí al igual que en sus comunidades allá.

M3: Creo que es muy importante la inversión en proyectos productivos en México, pienso que es muy importante la participación gubernamental. Porque si no los involucras en eso no hacen nada. Ya los manejos monetarios no son como antes. Ahora se sede una cooperativa y el gobierno aporta la

cooperativa, el inmigrante aporta la cooperativa y la comunidad es la que maneja. Ahora otra cosa muy importante. Lo que podemos dejar para ustedes los estudios de la materia, es el que tanto...

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ABG: Vamos a la próxima pregunta. ¿Deberían los lideres de organizaciones México Americanas apoyar una profundización del tratado de libre comercio de América del norte o mayor comercio y otras formas de integración con México?

W3: Siempre se ha apoyado. Al menos en LULAC se apoyo, pensando en el bien estar de ambos países. En este caso , el objetivo era establecer relaciones que fueran productivas a un país como al otro.

M4: Lo mejor seria que México se anexara de Estados Unidos.

W3: Entonces va ser lo que dijo Rob Royco

M3: Si decimos que Estados Unidos se anexe a México los pones a chillar.

ABG: Bueno vamos a hablar de fronteras abiertas.

M5: En términos técnicos es una pregunta difícil para nosotros de los que estamos acá. Hablar de eso es en términos técnicos.

ABG: Claro Y aquí básicamente hay muchas barreras, el mundo no es fácil. Pero mas que nada queremos su percepción.

M5: Debería de haber una revisión o una negociación, seria una turbulencia política muy grande, pero si debería de revisarse. E incluir la movilidad de personas. Si ustedes revisan todos los tratados de libre comercio que se firman en el mundo, de los países que firman tomando en cuenta el interés nacional el aspecto humano se toma en cuenta. Pero aquí no, lo cual no es asunto de esta reunión. Aunque esto es un fenómeno que esta allí que antes de que se firmara el acuerdo estaba allí, y hace cien años estaba allí. Es una omisión muy grande creo yo.

ABG: Si, y vamos a hablar acerca de las fronteras. Y integración, política. Vamos aquí a una cosa que yo creo que por lo menos Raúl va a tener algo que comentar. Haremos varias preguntas acerca de la atención entre los lideres y las organizaciones México americanos dan o deberían te dar a los temas relacionados con México. Pregunta: ¿Consideran ustedes que las organizaciones Nacionales tal como El Congreso Nacional de la Raza, LULAC, MALDEF, le prestan mucha atención , muy poca atención, o suficiente atención a asuntos relacionados con México. México, País.

M4: Yo siento que nunca le han dado, nunca, nunca, nunca, prioridad alguna. Ha sido muy baja. Y lo poco que ahora se a empezado a sostener a sido a iniciativa del gobierno Mexicano. Que tiene un interés en la política de los Estados Unidos. Pero no tanto por iniciativa propia.

M6: Yo estoy de acuerdo con Ros, estas organizaciones se han enfocado mas a la cuestión interna aquí en los estados Unidos y no le han prestado atención a cuestiones en México.

ABG: Aquí una cosa que me gustaría decirles es que Puede ser que no lo hayan hecho, y de su percepción este bien. Porque hay gente que dice, "no, no le ponen mucha atención pero sabes que, no son para eso. La poca atención que le ponen esta bien."

W3: Creo que de cierto modo ha pasado desapercibido por muchísimos años la unión con X gobierno. Sin embargo ahora dado el numero de inmigrantes y sobre todo de México, a abierto las puertas. Al menos en LULAC ya están pensando en hacerlo Latino Americano. Es decir abrir capítulos en todo sud América. Entonces pienso que podría ser muy poquito, pero ya es algo vaya. Estoy de acuerdo con el compañero que dijo que todo a dependido del gobierno de México, y el gobierno de México, por conveniencia, se a acercado a LULAC, a MALDEF y al concilio de la raza.

ABG: Vamos a la siguiente, porque creo que aquí esta el meollo de mucho de lo que estamos hablando. Las organizaciones Nacionales que mencionamos, representan a todos los Latinos. Aunque MALDEF se llame Mexican American Legal Defense, se considera así misma como una organización latina. Esas organizaciones nacionales piensan representar a los latinos. Consideran que la población de origen Mexicano en los estados unidos necesitan tener su propia organización a nivel nacional que nos represente en Washington.

M4: Si, definitivamente. Porque volvemos al inicio de la platica, las prioridades son diferentes.

ABG: Seria una organización para comunidades de origen Mexicano, entonces tanto México Americano como Mexicano inmigrante.

M4: Bueno es que haces una pregunta que no tiene respuesta simple. EN este año, en esta década, en este momento esta sucediendo algo que no a sucedió antes. Si consideramos un todo, México Americanos, Chicanos e inmigrantes Mexicanos. Creo que la mitad de ese todo es de origen inmigrante. No es Mexican American. Entonces lo que hay ahorita es un problema de agendas, y riesgos de desplazamiento de liderazgos. Ahorita quienes son malos o mas cínicos para el análisis de estos problemas, dicen

que los chicanos ahora les esta temblando de que emerge un nuevo liderazgo de todo este grupo de Mexican Americans y Mexican de origen emigrante. Les tiemblan las corvas al saber que hay organizaciones, clubes, agendas diferentes a las de ellos que no pueden adaptar como propias. El problema se pude desplacer por partes. Uno, construir la organización propia diferente en competencia o en conjunto a las que existen, o tomar las existentes, lo cual parece que seria mas difícil esas organizaciones tienen el poder. O comprar MALDEF parte por parte. Un dato significativo, cuales han sido las demandas jurídicas (fuera de inmigración) no políticas, mas relevantes para los mexicanos en los últimos años. Asuntos de discriminación de vivienda. Fraude con las remesas. Robo de las tarjetas telefónicas prepagadas de larga distancia. Y donde a estado MALDEF? O como se han resuelto o encarado ha estos asuntos. MALDEF se hubiera vestido. Y nosotros hubiéramos apoyado la ayuda. Sus prioridades? Ellos trabajan para si mismos, buscan casos que los hagan lucir de cierta manera. Lo de la remesas le hubiera beneficiado.

ABG: En el caso, parece que todo mundo esta de acuerdo

W2: Yo nomás quiero agregar que a veces pensamos en tener una organización así, pero pienso que si estamos tratando de colaborar y trabajar en unión otra vez nos estamos dividiendo. Entonces encontrar una forma, en como todos estos grupos podemos trabajar y hacer una organización de todos. Pero no nomás específicamente de nosotros porque otra vez estamos haciendo lo mismo, lo que estamos en contra de.

ABG: En el caso de que se establecieran, estaría usted dispuesto a apoyar participar en una organización que fuera exclusivamente para gente de origen Mexicana. Le digo esto, no porque les voy a mandar una invitación, les pregunto esto porque hay una diferencia entre "si seria bueno, pero no es de prioridad" o " si seria bueno, y si es de mi prioridad". Eso es lo que estamos tratando de ver.

W3: Sabes cual es el problema en todo caso, desgraciadamente volvemos a lo mismo. Personalismos. Los latinos dependemos mucho de X personaje. Y dentro de los personajes hay personas que aceptan cambios, y hay otros que lo toman a manera personal y como insulto. El que llegue una persona muy educada de México, y que prácticamente, no que se quiera apoderar de X organización sino que viene con su ilusión y sus practicas, globales. No aceptan a veces, no pueden ver ojos bonitos en cara ajena. Y ya cuando entran personalidades en este caso es cuando hay las divisiones y se me viene a la memoria algo porque me lo recordó la foto de una persona. Hemos estado en luchas digamos comunitarias en la que gracias a nosotros en X periódico. Alguien que lo ponían como escritor, que staff. Que se le diera de correspondiente, y no voy a hablar del sexo, de quien era la persona. Y bueno paso el tiempo, se me hace fácil comentar en una reunión gracias al esfuerzo que tuvimos en Chicago tribune, esta persona la nombraron así. Y luego

salen y dicen que fue por merito propio, si fuera por merito propio esa persona estuviera todavía en el staff. Y llega un momento en que personalmente digamos porque los insultos eran ya personales, que dices, caray porque me ando partiendo aquí la M de memoria para que luego se enojen conmigo? No necesariamente que te besen la mano, pero desgraciadamente personalidades son las que dividen muchas veces la comunidad cuando la agenda debería de ser, me casi mal, me casi bien, pero la agenda a ser esta y vamos a lograrlo junto. Tu pones lo tuyo y yo lo mió, pero no debemos de quitar los ojos del premio, y el premio es conseguir licencia de conducir, arreglo migratorio, voto en el extranjero. Sintetizar cuales son las prioridades.

ABG: En este caso el premio es, una organización para gente de origen Mexicana.

M5: Para entrar a la mesa de discusión de crear una organización Mexicana que represente todos los sectores tenemos que necesariamente entrar a un debate sobre la democratización de las organizaciones ya existentes. No le hemos entrado todavía al debate porque son organizaciones como usted lo sabe, en sui interior, en su estructura es una estructura muy primaria. En un articulo que escribí yo los comparaba con aquellas organizaciones que nosotros creábamos cuando estábamos en la primaria. Que presidente o tesorero y un montón de puestos, vaya no es por menos preciar pero así funcionan. No carecen de una estructura democrática de elección. Como decían por acá, a veces el líder se adueña de la organización y de allí vienen muchos problemas. Yo creo que tendríamos que entrar al debate de la democratización de ellas. Las formas de elección popular para lideres, para secretarios, porque también a veces esto carece de participación ciudadana de los inmigrantes. Yo le llamo a esto un reflejo de lo que es la cultura política de cada uno de sus participantes. Acareamos con todas esas costumbres, esos viejos trucos que traemos de México y los aplicamos exactamente acá. Bajo una óptica menor, bajo una óptica muy particular no? Esos es el gran problema. Tenemos que entrar al debate, queremos ser democráticos, vamos a entrar a la democracia pero en términos reales de que es la democracia. No en términos de decir "bueno, están esos cuates allí y ellos me dijeron que es la democracia no.

ABG: Vamos al…

M3: Breve comentario. Yo pienso que no, que lo idilio seria lo que tu propones pero no es lo partible. Desgraciadamente no existe una madurez de liderazgo en los estados unidos en el cual lo que dicen varios es cierto, el personalismo y el protagonismo son la parte principal, medular de la razón de ser líder. Todavía no hemos llegado a un punto en el cual seamos capaces de comprender que es en nuestro propio beneficio, no solamente crear una organización de inmigrantes sino trabajar con los segmentos de los México

americanos. Lo ideal seria aprovechar la experiencia que ellos tienen y avanzar un poco la causa común de nosotros. Las causas comunes con las de ellos dentro de las utopías mas grandes que hay, aquella la que se cree que se puede crear una organización como la que tu describes porque no es posible, porque yo ya van dos intentos que le hago y no funcionan. No veo que eso vaya a ocurrir de inmediato, creo que nos falta mucha experiencia.

W3: Pienso que, algo que quiero dejar asentado porque digamos es muy obvio. Las organizaciones México Americanas que existen han llegado a un punto de poder tan tremendo que bueno que están allí. Pero su organización interior son los mismos lideres jugando "musical chairs". Y no admiten por así decir que entre alguien que se pueda dominar con ideas la audiencia le digo porque no lo permiten. Es como hoy yo soy presidente y mañana yo vicepresidenta y etcétera, etcétera. Si nos ponemos a ver el "roster" de X organización son los mismos, nunca cambian de liderazgo y pasan etapas en las que hay un líder que realmente sabe hacer algo pero luego viene otro que no.

ABG: Hablando de lideres, vamos a hablar de lideres a nivel federal en los Estados Unidos. Los miembros del Congreso federal de los estados Unidos que son de origen Mexicano, consideran ustedes que ellos le prestan suficiente atención, muy poca atención o mucha atención a cuestiones relacionadas específicamente con México. Estamos hablando de los diputados federales de los estados unidos. A mi una cosa que me gustaría saber aquí en Chicago, cuando hablamos de Luís Gutiérrez en otros lugares, lo consideran como uno de los lideres México americanos en el congreso.

W3: Me parece la mayor estafa moral que existe para nuestra comunidad. Luís Gutiérrez lo hacen poner en televisión a decir algo, y decir algo que pretende y que esta protegiendo los mexicanos es una falacia, la mayor falacia que existe. El señor a luchado por si mismo, punto.

ABG: Buen, no estaba preguntando como político como persona moral. Aquí vamos, porque a cualquier político le podemos echar piedras bastantes grandes. En términos de el caucus México americano vamos a decirlo así dentro del congreso (Hispano) , no porque los Cubanos salen y hacen otras cosas. Ciro Rodríguez, Javier Becerra, Vaca.

M4: No es lo mismo. Yo creo que cuando viene el presidente mexicano entonces se toman la foto, o sale una opinión publica acerca de la reforma emigratoria dicen que si, pero son poquitos y nuevamente encabezan su agenda, pero yo creo que no. No hay un interés bien enfocado, ni hay tampoco suficiente.

W3: Pienso que la pregunta debe ser, que efectivos han sido. Volvemos a los mismo, y "I'm sorry" pero es el que tenemos aquí, Luís Gutiérrez. Yo no se de

una sola iniciativa de el que halla ido al piso y aya sido discutido y halla ganado. Cuantos años tiene en cuestión de efectividad. Por eso es que hablaba de ello. Ahora en cuestión de cómo congreso o como equipo, vuelvo a lo mismo. Son personas que desgraciadamente se aprovechan los números. El la sabana del muerto, y agitarla por decir que somos millones de mexicanos o que podrían cambiar la política, la esfera política en los estados unidos. Pero ellos saben que cuando se habla de millones en realidad los que votan son muy pocos entonces lo utilizan simplemente como repito, una manera de asustar al anglo, y decir tenemos un gigante hormigueo. Pondría entre comillas, no creo que les interese mucho la situación. Ni en México, ni como vecinos, es simplemente cuando se necesita tomar una posición dentro de la televisión es cuando toman una posición. Pero en el congreso nunca.

M6: Solamente una aclaración, y el punto es que el señor Luís Gutiérrez , aunque bueno supuestamente el le a favorecido manejar a la comunidad mexicana, pero el es Puertorriqueño, para que no se crea que el es México americano. La comunidad en otros lugares tiene una manera de verlo diferente. Nosotros que estamos viendo acá exactamente que el a sido oportunista y a aprovechado los medios muy bien, y los medios les a convenido y lo han favorecido. Pero en realidad como decía la señora Mari no conocemos de ninguna propuesta, incluso su propia comunidad. Hay una gran comunidad que no esta de acuerdo. Porque? Porque cuando el quiere hacer algo, y solamente cuida sus propios intereses. Aquí necesitamos a alguien de nuestra propia gente, de nuestra etnia que va a proteger a nuestros intereses.

M7: De nuevo hace un momento nos comentabas, tu naciste aquí, tu agenda va mas a lo local, que pasa en tu país, es eso es tu país. A mi no me sorprende que los representantes electos de este país presten por su agenda local. Entonces, siendo pragmáticos políticamente hablando, pues no, no se escucha mucho sobre México y como defiende la agenda bilateral etc. Y menos en estos últimos dos años que estados unidos no ve mucho para afuera. Si ve para afuera es para bombardear, pero no para cooperar. No me sorprende pero que es necesario que aborden esta agenda. Que la hagan suya. Como lo van a hacer? Bueno, los electores se lo tienen que decir.

W2: No se yo la historia de los que están en el congreso que sean latinos. No se si la mayoría nació aquí. Si hubiera personas que sus raíces empezaron en México, alo mejor se avance un poquito mas. Pienso que lo que pasa es que si somos mexicanos pero hemos vivido aquí desde que éramos niños, como les digo sentimos mas que somos desde país a que somos mexicanos. Entonces no se.

ABG: Bueno, hablando ahora de la población de origen mexicano en conjunto. Consideran ustedes que esta le presta suficiente atención, mucha atención o muy poca atención a cuestiones relacionadas con México.

W3: Mucho. Acuérdate que el sueño de todos es regresar. Regresar con una situación económica buena y con un gobierno bueno. Y eso es lo que lleva a si una persona tiene acceso por medio de Internet estas enterado de toda la política allá porque es lo que influye en ultimo momento. Pienso que el inmigrantes siempre esta al pendiente de que sucede en su pueblo, su ciudad, y su estado. Y en conjunto pienso que puede influir en la elección. Ahora de que eso se pueda llevar acabo tiene que depender mucho en el voto del mexicano que esta en mexicano.

M5: En términos pragmáticos. Apoderando en ese concepto. Si, si están muy preocupados y están al tanto. Por ejemplo, pregúntale a un inmigrante urbano o rural, pregúntale cuanto es lo que manda de su sueldo a México. Entre el 10% y el 25%. Si queremos mas muestras, pues hay viajes continuos.

M7: Yo tengo una pregunta para ustedes que representa organizaciones comunitarias que tienen que ver con México. La pregunta va enfocada, la comunidad mexicana, que interés tiene en lo que acontece en México o lo de las organizaciones comunitarias porque son dos conceptos diferentes, la organización comunitaria per se que lucha por el voto en el exterior les va a tener mucho interés, pero ustedes así lo ven en la comunidad con la gente que hacen suyas esas agendas?

M4: Si no, no tuvieran éxito esas agendas, si no tuvieron el respaldo de la gente. Hay un dato muy importante que se dice respecto al voto y es que somos jefes en esto, el único grupo que busco fue el IFE y encontró que era el 87% de respaldo. Así es que una agenda de individuos no tiene éxito si no tiene un respaldo mas amplio. Pero si, habría varias maneras de medir. También hay gente que les vale, México les vale. Entre la gente mas activa y mas interesada no te sorprende encontrar que haya michoacanos en Chicago que sepan el nombre del gobernador y los ministros de estado mejor que sus senadores o representantes locales aquí en Chicago.

ABG: Consideran ustedes que los México Americanos están mas o menos comprometidos con México que los otros grupos étnicos están sus países. Por ejemplo si piensas en un americano que dice que es irlandés. Si piensa en la conexión emocional que tenga con irlanda por ejemplo, los México americanos están a la par, están mas arriba, menos tienen un compromiso?

M5: Es igual

M4: medio, pero hay razones por las que les debería afectar mas.

W3: Pienso que es cuestión geográfica. El irlandés como no le afecta mucho la decisión en irlanda se concreta, le digo porque trato con varias comunidades, y noto que cuando se acerca el día mas festivo de ellos se

pintan el rió de verde y todo mundo es irlandés no. Pero ellos pienso que son mas fríos de involucrarse, y tal vez el mexicano porque esta tan cerca y que somos tantos y muchos nos mantiene un poco mas ligados en lo económico y político.

W1: Aparte creo que al México americano a veces le da pena ser. O halar español o tener a sus raíces. Lo que comentaban, el irlandés por ejemplo pues esa gente se sienten orgullosos de sus raíces, y pienso que ese es el problema.

ABG: Bueno aquí lo que estoy escuchando es, estamos igual a la media, Maria que estamos mas porque geográficamente cerca. Tu dices que le da pena hablar español y no se quiere ver con sus primos que acaban de llegar entonces como que se alejan.

W2: pienso que en comparación con otros grupos étnicos nosotros estamos mas ligados a nuestro país. Por eso por cerca, por nuestra cultura y el aspecto familiar, entonces pienso que somos mas ligados a nuestro país.

ABG: Bueno y aquí una cosa que me gustaría preguntarles es que hasta que punto creen ustedes que los México americanos y los inmigrantes mexicanos tienen sentimientos negativos o resentimientos hacia México. Existe, no existe, es normal.

M5: Yo creo que si, perdón por interrumpir, hay un sentimiento de culpa y no saben a quien echársela. No se la pueden echar a los papas porque son sus papas. Pero su hay un sentimiento de culpar a alguien. Porque nací en los estados unidos y mi concepto de identidad nacional es tan diverso.

ABG: Por parte de los México americanos ¿

M5: Hay un concepto, el problema de la identidad. A pesar de que se allá trabajado mucho el concepto de l chicanismo, de ser México americano, existe un problema muy claro en decir, o so y mexicano o soy americano o la mitad . Pero siempre existe el problema de decir para donde me voy a ir. Yo creo que si hay un resentimiento.

M3: Gran parte de ese problema de identidad que tienen los pochos tiene que ver porque los padres cuando nacieron aquí, y los padres todavía tenían un cierto vinculo en México, los llevaban solamente al ranchito. Nunca los han llevado a la ciudad de México a ver los museos, nunca los han llevado a los sitios tan preciosos que tiene México, sino que los llevan a ranchito entre la caca de la vaca. Entonces ellos odian, NO, SI TIENE QUE VER, porque cuando ellos regresan aquí, ellos dicen que México es eso, y México no es eso. Eso es lo que causa ese amor desamor, porque por un lado nada mas se identifican con eso y con los primos mugrosos que acaban de llegar.

ABG: También estamos hablando acerca de la comunidad de origen mexicana, inmigrantes. Inmigrantes tiene resentimiento?

M7: Sobre la comunidad de origen mexicano, yo no creo que hay un resentimiento contra México, pero si contra sus gobiernos. La añoranza del país de origen es preciosa. México es muy bonito, Nada es aquí como lo era allá. Existe un cariño hacia el país de origen pero los motivos porque se salio es donde yo encuentro el resentimiento. A veces la gente no sabe decir exactamente que es lo que lo causó pero saben de la injusticia que intentaron y saben del hambre que también enfrentaron allá. De los grandes y enormes retos que han tenido que encara en los estados unido. Yo no creo que tengan resentimiento contra México pero si en contra de su situación. Y quien quiera que sea responsable de ella. México como país, como gente cultural, como identidad nacional los hace sentirse orgullosos.

W3: Creo que en esto entra mucho las circunstancias y la educación digamos porque, como lo puedo explicar si que se oiga chocante. Cuando tu te vienes por razones sentimentales, realmente la culpa no la tuvo nadie, pienso que la percepción en todo caso personal es muy diferente. Es tomarlo con un grano de sal, estoy aquí voy a hacer lo mejor que pueda. Hablando precisamente con grupos de padres y todo no creo que en muchos exista resentimiento necesariamente contra México. Pienso que el resentimiento mas bien esta dirigido y enfocado siempre al gobierno. Entonces es muy diferente la percepción del México americano que ya estaba aquí. Como que no le causa mucha mella no le hace diferencias. Dice estoy aquí tengo todo el derecho. Me gusta bromear en el aspecto de que en lo particular nunca me he existido extranjera aquí y siento que me encanta jugar al torero y lanzar la capa y decir a todos los racistas como me gusta decir y es una invasión silenciosa. Que México ya va estar, y no necesita mover la frontera, ya son de nosotros.

ABG: A mi me gustaría preguntarle a Carlos que piensa de esto.

M1: Pues yo no pienso nada, también e oído de personas así como que han tenido sus careras y han estudiado tanto tiempo y que en realidad no se han podido como desarrollar como lo que ellos estudiaron allá. Que han tenido que venir aquí a trabajar en una fabrica o hasta en el campo. Porque en realidad ya su país no hay que desarrollar su estudio.

ABG: Y sientes que eso genera un resentimiento, o?

M1: Lo que yo e oído de esas personas como que el gobierno no los esta apoyando lo suficiente para desarrollar su estudio.

ABG: Un poco polémico. Que opinan ustedes de la solidaridad que mostraron los cubanos en el caso de Elían González, comparado con la

actitud de los México americanos de las miles de muertos de los mexicanos que cruzan la frontera. Hay una diferencia, Elían, salieron todos los cubanos americanos, se mostraron luchando.   Miles de muertes, donde esta el escándalo?

M3: Son dos cosas diferentes. Porque acá era una cuestión de tipo poético, donde había muchos interés para los dos y el trofeo era el chiquillo. Las muertas en la frontera son un fenómeno que desgraciadamente va a ir en aumento hasta que en un momento. Si sigue la política en la manera que va dirigida, va llegar un momento en que doscientos o trescientos muertes no van a ser nada. Comparados con los miles Si no resuelve la institucionalización de transito entre los dos países. No se puede compara una cosa con la otra.

W3: Pienso que depende mucho el gobierno de Estad. unidos y sobre todo , y aquí entraría si realmente algún dia abren los ojos nuestros congresistas y forman un bloque solidó. Y hacen alianzas con el poder afro americano para exigir una política de mas puertas abiertas a que ayuden a México en todo caso. La amenaza de ellos va a ser de que algún día de verdad se vengan todos de México. Pienso que esto es algo que se debe de discutir en el congreso y que allá un gobierno que exija la responsabilidad de quitar a los estados unidos el pie que siempre a tenido en el pescueso de México.

ABG: Pero en términos por ejemplo de la diferencia de la respuesta.

W3: Acuérdate que los cubano americanos actúan como bloque. actúan canosamente contra el gobierno de Castro, y Elían era un símbolo que los movió a actuar. Las muertes son un símbolo pero no han causado un movimiento nacional pero no tenemos los lideres que protesten sobre lo que esta ocurriendo en nuestra frontera.

ABG: Hablando de lideres y de trabajo a nivel federal. Algunos grupos étnicos en los estados unido, así como los griegos o los Taiwáneses americanos mantienen cabildeos, organizaciones permanentes de lobby en Washington dedicados a influir en la política exterior en beneficio de sus países ancestrales. Porque piensan que la población de origen mexicano no lo a hecho.

M3: Es falta de madurez, porque las organizaciones nacionales si están allá. Pero de nuevo caemos a la interpretación si representan los intereses de los mexicanos o no. La prueba esta en que no porque ellos están allí, y no hacen nada por cambiar la situación de la cuestión migratoria. Desde que Reagan tuvo la amnistía en el 86, no ha vuelto a ver un solo movimiento ni de lado republicano ni de el lado demócrata. Regresando tantito lo de Elian. Te aseguro que si eso había pasado con este presidente invaden a cuba. No le regresan al chiquillo. Una cosa muy importante, el liderazgo mexicano de

origen no a madurado lo suficiente para saber que es un su mejor interés tener una oficina de lobby en donde están los recintos del poder. Los judíos, la diferencia sobre todo en la influencia en sus países de origen. La evidencia esta en que en 2002 México recibió menos de 290 millones dólares de ayuda la cual 90 por ciento iba destinado a usos militares o policíacos. Los judíos reciben 2700 millones de dólares al año mas otras garantías de créditos totalizando cerca de 10, 000 millones de dólares. Los judío están a 5000 millas de distancia o mas de aquí. México es su socio, segundo socio comercial y principal proveedor de esclavos. Porque no existe el lobby?

W3: El cien por ciento del que se dedica como lobista es quien proporciona el dinero. Por decir la industria del tabaco que tiene su lobista. Comparado con los lobistas para defender los derechos de Israel. Cuales lobistas tenemos nosotros para defender los derechos de México. Es inexistente por decir al oírlo hablar a estas alturas de lograr una influencia cuando no se tienen un equipo un trabajo cuando tenemos a un castañeda que autorizo las balas de goma. No hemos llegado porque el mexicano a ocupado y sigue con una posición servil , nunca de autoridad. Digamos, muchas veces te ves obligado o obligada a tomar cuestiones y célula protagonista en todo caso cuando se necesita sentar, no solamente derechos pero con hablar con la constitución y los derechos en la mano que mucha gente aquí no los sabe usar. El decir yo tengo derecho a esto y como persona de origen México americano exijo respeto a las entidades federales al igual entidades etc. etc. Sino defender y hablar con conocimiento de causa porque se han ganado aquí batallas, en este caso.

M5: Yo quiero conectar esta pregunta con la que nos hiciste al principio de las agendas de varias partes de los mexicanos de los mexicanos . Yo creo que no podemos hablar de México americanos en un frente comuna porque.

NEW TAPE

M7: Se tiene que asumir la responsabilidad migratoria en México. Y entonces se tiene que encontrar tierra común con los México Americanos. Por razones económicas en este país, que también a ellos les impacta de una manera o de otra. Es allí donde se tiene que encontrar tierra común. Por que lo van a hacer?

M5: Es que no solamente es con los México Americanos sino también con mecanismos. El inmigrante esta aquí como un ente solo. No hay un encuentro con los México Americanos y cuando busca un rencuentro con los Mexicanos no lo tiene. Se queda en medio.

ABG: Vamos en la pregunta numero doce y vamos hasta la pregunta veintiuno.

M5: Porque no le pones dos minutos máximo a cada pregunta.

M6 Exits.

ABG: Muy bien, si y es una vez mas es que permanezcan en el tema. La próxima pregunta es la siguiente. Cuando la comunidad de origen Mexicano piensa en la política exterior de estados Unidos, su prioridad debería ser México, o de forma mas amplia la relación con Latino América, o de forma general la relación con el mundo? Cuando la comunidad de origen mexicano piensa en esto cual es el enfoque de las relaciones exteriores?

M3: Los intereses principales deberían ser dirigidlas hacia la atención del problema que esta originando la inmigración en México que es la cadencia de desarrollo regional que sustente el crecimiento demográfico de tal manera de que existe una infraestructura económica. Mientras que eso no se solvente la inmigración es un fenómeno explosivo, que va seguirse dando por la polarizacion económica del continente, es la razón por la cual la gente desde la patagona se esta viniendo hacia acá. Responden a un instinto de conservación solamente.

ABG: Entonces el enfoque a México, bien.

W3: México, aquí es muy simple la formula, decimos que cuando la necesidad entra por la puerta el amor sale por la ventana. El mexicano esta inmigrando cada vez en números increíbles. Es escandaloso y es una vergüenza. Estados Unidos debe de ver que la política. Debe recapitular y decir debemos enfrentarnos al problema de la inmigración.

ABG: Muy bien. Muy bien.

M5: Yo creo que América Latina, porque si cambiamos un poco la percepción, no solamente tenemos que cambiar el concepto de política económica, o de política exterior. Tenemos que cambiar el modelo económico. Que tipo de modelo económico tenemos en América Latina? Allí radica un poco el problema de la inmigración. El problema de la polarizacion de la inmigración de mexicano hacia estados unidos radica en aproximación geográfica, pero si tuviéramos a los brasileños junto a estados unidos estaría lleno de brasileños. Si tuviéramos a los argentinos en la frontera, estaría lleno de argentinos.

ABG: Viendo, Es mejor enfocarse a la política exterior siendo primordialmente americanos, latinos, o personas de origen mexicano? Cuando nosotros vamos a comentar sobre la política, la comunidad de origen mexicano vamos a comentar de la política en este país, la abordamos desde una posición, dices tu como persona aquí, desde mi punto de vista como latina, o mexicana, que dices, que es lo mejor.

W2: La tercera, de origen mexicano. Personas que vivieron mas los primeros años de su niñez, porque tienen las raíces en México.

M3: Como individuo, yo pienso que es mas importante aunque, depende del tiempo que tengas aquí. Cuando tienes muy poco tiempo lo ves como mexicano porque todavía no estas asimilado. Cuando te piensas asimilar ya lo vez como mexicano que radica en los estados unidos y ya después de que tienes tiempo como Mari que llego antes de la revolución, ella ya esta totalmente asimilada a la cultura, tiene hijos, todos sus hijos son americanos, y veo que ella lo ve como mexicana americana Casi.

W3: fíjate que no, mis hijos son Mexicanos y son de Michoacán. Los cuatro son graduados de universidad, los cuatro gana casi cien mil dólares, los cuatro están muy bien y son muy orgullos de ser mexicanos. Si me preguntas de la política de la educación publica, a mi me interesa la política de Latino América puesto que ahorita hay chorros de guatemaltecos y de donde quiera.

ABG: No, la pregunta ya es la siguiente. Hablemos de tus hijos, deberían decir, yo como americano pienso esto. Yo como americano pienso esto. Etc.

W3: OK, pero piensa en la madre que tienen. Entonces para ellos su visión esta enfocada en que es lo mejor para México. Allí influye mucho el padre como la madre y el contexto familiar.

ABG: Hasta tal, en asuntos relacionadas con México incrementa la influencia y el poder político de las organizaciones y lideres de origen mexicano en otros temas de política publica, o en otros ámbitos. Que un líder o una organización trate con temas de México le crea o le quita capital política. Que consideran?

M4: Depende donde este y quien sea su electorado. Poniéndole atención a México obviamente que le da ventaja a los distritos que son cien por ciento mexicanos con dominante inmigrante. Cuando están mezclados algunos creen que no conviene. Estoy hablando de una agenda nacional, esta.

ABG: Entonces generalmente depende del contexto, pero generalmente de otras maneras no saldrían electos. están con mayorías mexicanas. Pero entonces a depende de la composición de su electorado. Si es México americano no tiene porque entrarles. Si es mexicano si posan. Porque no tienen para lo sincero.

W3: Pienso que los gobiernos latinoamericanos han perdido y dentro del contexto digamos de importancia para agendas. Estuve en dos cuando se han hecho los summits presidenciales nos llamo la secretaria de estado y la primera vez nos reciben con una agenda y nos dicen "queremos que colaboren" y mandamos cuestionarios a los presidentes de Latinoamérica.

Pero fue con cuestiones de México? Si, entonces cuando vi yo el draft de lo que iba a tratar la agenda y les dije "donde esta aquí lo de inmigración" y ninguno de ellos puso entre lo de las prioridades lo de inmigración.   Te digo todo esto porque todo esta dentro y todo fue grabado, digo una de dos, o nos están tomando el pelo o todos los presidentes de norte América son una bola de estupidos porque cuando no se pone la agenda inmigración. Le están haciendo caravanas al gobierno del estado de no poner algo tan primordial en todo caso para relaciones bilaterales.

ABG: Si, eso tiene poco que ver con el capital político, pero vamos a hablar de si México debería delentar a los inmigrantes mexicanos en los estados a que se naturalizan estadounidenses. Debería México delentar a sus ciudadanos.

W3: Si, porque tendrían mas derechos.

M3: A la larga en términos económicos les beneficia. Además les conviene porque si eres ciudadano americano ya no te interesaría mucho como ciudadano americano votar en México.

W1: Pues si, debería, es algo de revisión política. Lo esta haciendo con la ley de doble ciudadanía. Es algo que facilita, que todo mundo pueda dar el paso, lo esta haciendo, es un acto de reconocimiento jurídico. Yo creo que es mejor reconocer un hecho que esta allí, entonces si debería ser.

ABG: ¿En que tipo de temas hay mayor acuerdo entre México americanos y inmigrantes mexicanos. Y en que temas hay menor acuerdo?

M4: En ocasión de vivienda y oportunidades de empleo es donde hay mas acuerdo. Y inmigración es donde hay menos acuerdo.

ABG: ¿Coincides? De acuerdo?

W1: Si, pues si.

M3: ¿Pues quienes fueron los que pasaron la 187 en California? Eran los pochos.

M7: Ya lo hemos dicho de otras maneras. Los temas locales, ambos los van a encabezar, pero siempre se puede negociar. "ahora te apoyamos en esto y luego tu nos apoyas en aquello" . Esa es la articulación que esta faltando. Por falta de madurez estoy de acuerdo, pero esa madurez va a llegar. Porque los números no mienten.

ABG: Muy bien. Hay otros asuntos fuera de estos tres que particularmente podríamos decir que unen o dividen a los inmigrantes mexicanos y a los México americanos.

M4: que los une?

ABG: Que los une o desune, fuera de vivienda, empleo o inmigración.

M4: Pues el único tema que nos une es la virgencita de Guadalupe.

ABG: Si esta bien, religión.

M4: Fuera de esto no se.

ABG: Vamos a la cuestión de inmigración.

W2: Puedo agregar algo. Estoy tratando de entender. Pienso que la educación aquí en Estados Unidos no se enfoca mucho en México verdad porque estamos aquí. Entonces la raíz empieza allí, de que no le dan mucha importancia a nuestra cultura o nuestras raíces. Entonces todo es enfocado en Estados Unidos entonces uno va creciendo y le da muy poca importancia a México. Como que le roban a uno su identidad cuando estaban a hablando de identidad. Eso fue lo que me paso a mi. Hora como una persona adulta estoy tratando de conocer mis raíces y aprender de eso, y entonces por eso estoy en todo esto. Pero anteriormente yo no sabia de esto y no le daba mucha importancia porque eso no fue desarrollado en mi cuando yo era pequeña. Ahora lo puedo yo ver con mis hijos, este ahora que estoy mas involucrada en la comunidad y mas en lo que esta pasando, mis hijos están empezando a cuestionar cuando antes no. Entonces digo si empezamos con nosotros y poco lo transmitimos a nuestros hijos aunque ellos van a escuelas publicas pero si hay estas discusiones en casa, es mas de comunidad, es mas de México. Entonces ellos están consientizando mas en sus raíces.

ABG: Muy bien, vamos a preguntas de inmigración. Aquí hay uno de múltiples. Un examen de múltiples. Apoyaría usted la legislación de amnistía si fuera solo para indocumentados mexicanos o no aceptaría la legislación para solo los mexicanos y exigiría la amnistía de todos los indocumentados de origen latino, o no aceptaría y exigiría la legalización de todos los países. O alo mejor la legalización no es prioridad para ustedes.

M7: Yo creo que las leyes no pueden estar etiquetadas con un grupo en particular. Estamos hablando de leyes, en este caso federal, tendría que ser para todos. Obviamente el grupo mas beneficiado seria el de origen mexicano porque es el mas numeroso. Las leyes mandadas a ser por paquete son incorrectas y no deberían de existir.

M3: Nosotros podríamos decir en un momento los salvadoreños pidieron también y para los mexicanos.

ABG: Estamos hablando de estrategia política.

M3: El tiene razón. No se pueden etiquetar grupos étnicos porque eso va a traer una animosidad con los otros grupos étnicos.

ABG: Muy bien, pero lo que tu dijiste es que si hay manera de hacerlo. Pero primero dices si hay manera de hacerlo pero no lo deberíamos hacer. Entiendo porque no lo deberíamos hacer. Carlos?

M1: Si debería ser para todos.

W1: Si fueras pensando justamente dices bueno para los mexicanos, pero bueno si uno fuera de otro sitio y estuviera en las mismas circunstancias pues bueno,

ABG: Si llega alguien y te dice, " si dices que si será solo a los Mexicanos". Aceptas o dices?

W3: Sabes que es lo que pasa? Es que en términos diplomáticos siempre es mas bonito decir que bueno que no lo den a todos no, se supone que es la respuesta ideal. Pero estoy de acuerdo con Pelayo, porque lo llegue a comentar incluso por allí alguien se enojo, lo que no me intereso mucho, pero la realidad es que si ya se la dieron a los salvadoreños porque no se ponen a abogar por nosotras los mexicanos que somos los que hemos abierto los camino, y claro se ofenden no?

ABG: Entonces tu dirías que si a los mexicanos solamente.

W3: De los dientes para afuera yo puedo decir que a todo mundo, pero en lo particular me vale con que se lo den a las mexicanos.

ABG: Vamos a la próxima. Suponiendo que es poco probable que la legislación que legalice inmigrantes indocumentados que ya residen aquí fuese aprobada, ustedes apoyarían un programa de trabajadores temporales entre México y estados unidos?   O preferirían ver un bloqueo en el congreso a programas de trabajadores temporales, hasta que sea acompañado de alguna legalización de aquellos residentes que llevan un tiempo en este país. Si piensas que solamente no va a ver legalización dices, acepto lo de trabajadores temporales.

W3: Usted mismo nos esta dando la respuesta. Cuando no va a ver una legalización que es peor, en este caso pienso que el cerrar las puertas a los trabajadores temporales a mi en lo particular seria imposible puesto que para mi significa algo que he peleado mucho, sobre todo en las escuelas. El no romper el núcleo familiar. Entonces cuando tu sabes que vienen por un año o seis meses a trabajar para mi lo ideal es que sigan como familia pero si

se van a venir ilegalmente y como ahora existe y lo vemos venir, las redadas en masa, lo que queremos pelear claro va a ser para la legalización completa. Peor es nada.

M4: Yo soy un autoinmigrantista. "To the US by whatever means necessarry". Entonces por eso yo siempre me opongo a las drístitivas de que si tratado bi-nacional negociasgo o programa de amnistía. Amnistía general, o para algunos. Yo me pongo en el pellejo de los que están allá o de los que se mueren en el desierto o en el rió. Que preferirían esos tres o cinco. Yo creo que todo que sea un beneficio de los inmigrantes y los mexicanos debemos de apoyar ya que que preferimos. Esta bien.

ABG: Entonces tu respuesta es?

M4: todas las iniciativas que beneficien hay que apoyarlas.

W2: A veces lo que ha visto, yo apoyo las dos cosas, pero a veces lo que se a visto con los trabajadores temporales es que hay mucho abuso y le pagan muy poco.

W3: Pero lo que se refiera al programa es que por ejemplo vengan con permiso y se regresen.

W2: Pero hasta a esos trabajadores les pagan muy poco. No tienen para donde estar.

M4: Les pagan poco tamben a los que no están en ese programa y también en México, eso no es la razón para bloquear, o no respaldar algunas medidas. De que hay insecticidas en los campos, si pero gracias a dios que tienen insecticidas, allá ni para comprarlos tiene.

W1: SI pero cualquier opción es bueno, no?

M5: Pero tampoco se debe llegar a decir que peor es nada no? La estrategia debería estar enfocada a una proyección tipo hormiga, poco a poco hasta llegar a las calidades de inmigración

ABG: Si por supuesto esto no quiere decir que te vas a dar por vencido para siempre pero bueno. deberían los lideres y las organizaciones de origen mexicano impulsar la creación de una frontera abierta con México. La comunidad de origen mexicana debería de impulsar una frontera abierta con México?

M3: Si, es solamente un paso natural, lo que paso con la comunidad económica europea en la cual se logro la integración de una cantidad de países de orígenes diversos y etnias diversas y poderes económicos diversos.

Esa consolidación económica casi total que convirtió a sus fronteras a algo que es básicamente obsoleto es lo mismo que va a venir pasando eventualmente con la región norte del continente al menos sino por conveniencia va a pasar, van a incluir a México porque algún lugar tienen que sacar a los esclavos y ya no pueden hacer viajes a África, Entonces la integración no solamente es una necesidad, así como se hizo lo del tratado de libre comercio en lo que se puede intercambiar mercancías y vehiculo, también el transito humano no fue considerado dentro de esas discusiones que contrariamente a la unión económica europea en donde todos los ciudadanos pueden vivir en las estaciones mimbras siempre y cuando paguen sus impuestos pueden trabajar allí y no tienen ningún problema. Entonces no solamente es necesaria, sino que además se adecua a la realidad económica y social.

ABG: Nadie piensa que va a pasar mañana, pero simplemente si deberíamos como comunidad priorizar eso como una prioridad en el futuro.

M7: Yo creo que las condiciones políticas, por lo menos en los años por venir no están dadas para eso. Yo creo que suena muy bien, a mi me gustaría verlo, pero las condiciones políticas en los próximos años no están dadas para ello. Yo creo que deberían completarse en lo que se puede alcanzar es binacional, en acuerdos que beneficien a países como México específicamente con respeto a los programas de trabajadores, que no acepten, que se busque la regularización de los mexicanos que ya están aquí. Se tiene que reconocer a la inmigración como un fenómeno que esta allí, cada país debe asumir su responsabilidad en ella. Me parece que en la sociedad norte americana no existe una conciencia de la importancia del aporte de los inmigrantes. Vea las encuestas que saco USA Today cuando el presidente Bush hizo su propuesta de trabajadores migratorios una mayoría de la sociedad norte americana se opone. A un programa que es temporal, entonces si perdemos el foco, si nos preguntan "usted que quiere ser, feliz o infeliz, pues vamos a decir feliz verdad? Por supuesto o el triple del salario suena muy a todo dar, siendo concretos me parece que deberíamos de irnos a la agenda practica, una agenda de aquí a diez años viendo cuales son los grandes temas, y empujarlos.

W3: No creo incluso que la pregunta esa ahorita se podría incluir en el cuestionario, te voy a decir que después del 9-11 no creo que ni en veinte ni treinta años. Estamos hablando de fronteras abiertas y como decir, vivo en este barrio voy a dejar la puerta abierta de mi casa cuando quieras vas y vienes.

ABG: Aquí la pregunta la seguimos haciendo porque como dijo Luís Pelayo, pero de alguna manera o otra OK. Porque a varios años las medidas de seguridad migratoria han sido mas fuertes en la frontera que dentro de los estados unidos. Generalmente es en la frontera con la operación guardián,

todo eso, que con las redadas? En general creen que es preferible el tener una seguridad fronteriza fuerte como la operación gatekeeper, que una seguridad interior fuerte como redadas en lugares de trabajo.

M4: No podemos decir ningunas de la dos, o cual es la peor? La de la frontera es peor.

M3: Es como entrar a un gallinero a tratar de recoger gallinas, a si te paras en la puerta y las trata s de agarrar cuando entran. (Laughs)

ABG: Los ciudadanos Mexicanos residentes aquí actualmente deben viajar a México para votar en las elecciones mexicanos. Debería México implementar el voto en elecciones de México estando en los estados unidos.

M4: Si, Claro que si.

Si, Si, Si,

W3: No me valla a decir que apoya la propuesta de nuestro magnifico presidente Fox por no llamarle de otra manera, el que dice vallen a sacar su credencial de elector a México y luego que se regresen y aquí la risa no la podíamos parar.

ABG: Bueno, Carlos? (Si.) Maria? (Si.) En esta mesa no va a ver quien diga que no. Díganme en un minuto porque.

W3: Porque esta intrínsico en la constitución, (porque es un derecho). Como podemos exigir derechos de ciudadanos de primera clase aquí cuando no s nos coinciden en México?

M5: Si hablamos de la consolidación de la democracia en México, esto es parte de la democracia darle el derecho de votar a todo.

ABG: Luís me está viendo con una cara de horror.

M3: Es que cuando alguien me hace esa pregunta me dan ganas de matarlo

ABG: Y o simplemente hago la pregunta para que en el record sepan que no solamente es una cuestión de que aquí esta Luís.

M3: Somos 7 millones de personas que representamos el segmento mas grande a nivel mundial sin derechos políticos. No es posible que por capricho que es falta de voluntad política. Por años estamos preguntando por esto y es ridículo que a estas alturas vamos a México y nos dicen, es que no queremos legislar al vapor. Que mas es si no es voluntad política.

Entonces a la pregunta que usted hace, es por su puesto que la razón es porque está en la constitución y alguien en México se esta riendo de nosotros.

M5: Es como ir a u n buffet y que te digan si puedes comer pero solo de esta barra, eso no lo toques.

M7: Rápido una anécdota. Cuando Raúl presento su libro acerca del voto de los mexicanos por allí en el año 2001 en la biblioteca de la 18, un alto funcionario de esta representación tenia poco. Era recién llegado, dijo, " lo que pasa es que hay dos tipos de mexicanos, los que están allá y los que están acá" Entonces yo me pare muy enojado y dije "no señor hay un solo tipo de mexicano, unos vivimos aquí y otros allá. Por tanto ambos tenemos los mismo s derechos y se tiene que hacer la ley y ponerlos recursos para que podamos ejercer ese derecho. Falta de voluntad política. Preguntémosle nuevamente a los partidos políticos, porque lo van a hacer?

ABG: OK muy bien. Aquí a lo que estaba tratando de llegar es porque es que apoyamos esto en Chicago. Enfocando nuestra atención ahora a este lado de la frontera, a los estados unidos. Hay algunas propuestas para permitir el voto de inmigrantes legales que aun no son ciudadanos en algunas elecciones locales, tales como el de los padres de niños actualmente inscritos puedan votar en las elecciones de los comités escolares. Por ejemplo aquí en Chicago, se puede v otra, pero en San Francisco en California están tratando de cambiar las leyes para que inmigrantes no ciudadanos tengan el derecho de votar. deberían las personas de origen mexicano apoyar dichos derechos de votos locales para los ciudadanos.

W3: Claro, le digo porque fui parte de las reformas escolares en las cuales eso fue nuestro credo puesto que nuestros hijos acudan a las escuelas publicas teníamos que formar parte de la autoridad para decidir de que manera se iba a decidir la educación de nuestros hijos.

M3: Y pagamos impuestos a todos niveles. Como dicen los americanos, "no taxation without representación"

Everyone: Si, SI , Si , Si

ABG: Debería ser una prioridad, hablando de todo lo del trabajo y todo lo demás, debería ser una prioridad? Por ejemplo para la comunidad inmigrante en Chicago debería de ser esto igual, o mas, o menos, prioritario que el voto en México?

M7: No menos, que igual yo diría. Mas o igual pero no menos, porque esta es la realidad con la cual se están enfrentando todos los días. Además seria el principio de ver su importancia política.

W3: Además en México cuando se están hablando de maneras de cómo se haría la votación, puesto que existe desconfianza en contra de los consulados sugerí que esto sea implementado o sea visto como modelo a nivel nacional las elecciones en los concilios escolares. En los que no solamente vienen los padres los residentes del are etc. etc., sino que se vieron como muy claras muy limpias. Entonces cuando se hablaba de posibilidades de que quien va avenir al consulado de que van a pedir una cola de X cientos de miles de personas y se utiliza, porque tenemos la simpatía del alcalde los mexicanos, en este caso seria tratar de implementar elecciones o hacer las elecciones del voto del mexicano en el extranjero en todo caso en el sistema escolar.

ABG: Hay propuestas para permitir la representación en el congreso mexicano de esos ciudadanos que vienen del extranjero. Debería México organizar elecciones para que los mexicanos que vivan en los estados unidos puedan elegir a sus propios representantes en el congreso mexicano? (Si, Claro) Porque?

W3: Muy sencillamente porque la agenda en todo caso de esa persona seria de esas persona poner en contexto digamos la situación del mexicano en el exterior y lograr tal vez si se quiere decir mayor comprensión de la s necesidades y las posibles situaciones jurídicas, estamos hablando de Situaciones de justicia del sistema jurídico. O sea que en realidad esa persona llegaría a representar los intereses del mexicano acá.

M5: Si estamos hablando de sensibilidad política en cuanto se trata de mezclar no?

M4: El congreso como representación del pueblo esta incompleto si excluye a estos inmigrantes.

M3: definitivamente y aparte de que la. Quien mejor de los que han vivido desde el cruce de la frontera a levantarse a las seis de la mañana para esperar el
"ride" para ir a la chamba. Alguien que ya vivió la experiencia y que le ha costado. Y que conoce la realidad para poder legislar. No creo que una persona de un legislador que ha venido nada mas de visita pueda entender lo que a mi me duele.

W3: Pienso que esto no va a poder evitar estos oportunismos. Hay personas que realmente ahorita se están acogiendo a X organizaciones sobre todo en Los Ángeles.

W1: Si totalmente, quien mas puede hablar con conocimiento de causa, pues si apoyar .

ABG: La ultima pregunta, no se vayan. Si pero terminamos mas rápido. Como calificarían en términos generales la actitud que tiene el gobierno y la sociedad de México hacia las personas de origen mexicano en estados unidos.

M4: En comparación al resto del mundo creo que México a sido ejemplar, en términos de comparación a otros países. Mejor actitud. Obviamente que es plenamente insuficiente, pero desde que se les prendió el foco, a sido bastante.

ABG: hay diferencia entre la actitud de la sociedad y del gobierno, o es la misma, es una reflexión. Estamos hablando que la actitud que tiene México hacia la comunidad aquí, Raúl nos esta diciendo que hay una tendencia hacia lo positivo. Muy bien a mi me interesan dos cosas. Hay una diferencia entre la actitud por ejemplo de la sociedad y del gobierno o hay una diferencia y si ese es el caso el gobierno va primero, la sociedad va primero. O las dos están dirigiendo. No se como lo vea.

W1: Pues están trabajando ahorita se están dando cuenta que se puede trabar en conjunto. En beneficio de las comunidades. Es lo que están haciendo no, (quien el gobierno o las sociedades?) El gobierno las sociedades a manera de cómo se puede trabajar juntos. La sociedad mexicano, como ve a la comunidad mexicano aquí? Pues…

M7: bueno Yo creo que lo van a ver dependiendo de cómo aprecian el impacto en sus vidas, allá. La sociedad siempre va primero que el gobierno. La sociedad es generalmente reactivo. La sociedad percibe esos efectos. Si hablamos de una comunidad pequeña que vive de las remesas obviamente va a ver mas aprecio por la contribución de los inmigrantes. Que como una ciudad tan grande y cosmopolita como la ciudad de México. Se sabe del fenómeno pero no se hasta que punto la gente sabe la importancia de los inmigrantes y se aprecie y agradece. La sociedad va primero. El gobierno a dado unos pasos interesantes, que bueno que así sea. Pero la sociedad.

M5: Parece increíble pero a pesar de la situación geográfica que nos une y toda la historia hay un desconocimiento muy grande. Si no hablamos de la gente recibe las remesas, el resto de la población no conoce. Sabe que Los Ángeles o Chicago [porque sale en las noticias pero no sabe de otras comunidades que están en los estados unidos. Debe de haber mas trabajo de acercamiento. Y los medios de comunicación lo tiene que hacer. Lo hace solamente cuando están estos eventos. Cuando hablamos de gobierno si nos ven como remeceros grandisima atención nos ponen. Pero cuando hay intención de participar políticamente hay muchas dudas.

W3: Acuérdate que en México se habla mucho de la india de las castas. Si la clase elitista tiende a ignorar y despreciar al inmigrante, si son receptivos del dinero, comprenden el sacrificio que se dio. Dicen, bueno ya basta de

ignorarlos vamos a trabajar juntos, vamos a hacer esto o lo otro y a abrir puertas. Que real ente le den el poder lo pondremos entre comillas porque estamos viendo ahorita.

M3: Yo pienso que la sociedad y el gobierno viven en una dicotomía, especialmente la sociedad. Por un lado hay esa aceptación en recibir los frutos y bienes de los inmigrantes. Peor también hay estigma, y viene tanto de la sociedad como el gobierno. El gobierno ha mejorado, pero no podemos ser cuantitativos a la cantidad que hay. Si h mejorado pero somos doce millones. Son suficiente los consulados? A paso que vamos debería de haber uno en cada esquina como los McDonald's. Por el otro lado, la sociedad es hipócrita, pero igual es la sociedad de los estados unido hipócrita que se re usa a entender que nosotros somos una necesidad, que somos una presencia diaria y somos una presencia requerida. Yo en el concilio hispano tuve oportunidad de ver a gente, mexicano americano, que por un pinche mojado me corrieron. Y tu que les dices. Es lo mismo con la sociedad mexicana, se esta beneficiando del dinero que nosotros mandamos. Para que mejore el programa paisano o porque no salgan con tanto requisito en las aduanas.

W1: Si y antes para el inmigrante que era campesino y que venia a trabajar y esta cambiando ese concepto. Ahora los que regresan son exitosos, quieren invertir en México.

ABG: Algún último comentario?

W3: México esta sufriendo lo que se sufrió otros países que era fuga de cerebros, para mi lo mas triste es que tanto profesional viene a lavar platos. Para mi eso es inconcebible, es un crimen, allí si sufren.

ABG: Damas y caballeros muchas, muchas gracias.