

# Then and Now

## Today's Echos of the Progressive Era on Immigration Politics

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Even a casual reading of the social dynamics and political economy in the United States during the Progressive Era – roughly between 1898 and 1912 – is striking in its similarity to present day conditions. This paper discusses the major forces shaping the politics of immigration control during the period between the late 1800s and 1928, when the national origins quota system was adopted, and compares to the forces shaping present-day immigration politics.

## Universalist Civic Ideals and Inegalitarian Measures

Universalist civic ideals and inegalitarian measures are basic contradictions in American civic identity. On one hand, liberal-individualist conceptions of the citizen, with civil and political rights as individual endowments, are central American traditions and myths. Historian Philip Gleason expressed that conception when he stated that, to be an American citizen, “a person did not have to be of any particular national, linguistic, religious, or ethnic background. All he had to do was to commit himself to the political ideology centered on the abstract ideals of liberty, equality, and republicanism.”<sup>1</sup>

But pervasive and systematic limits to the application of this principle are sufficient to challenge its singularity in American political consciousness. Even Gleason acknowledges that this ideal has not been universally applied owing to a “latent predisposition toward an ethnically defined concept of nationality,” but asserts that official commitment to these principles has worked historically to overcome these exclusions, implying a linear progression toward an increasingly universal application of the liberal-individualist ideal.<sup>2</sup>

Examination of the history of inegalitarian provisions in U.S. law, however, shows a progression that has been far from linear. American civic identity may include adherence to liberal ideals, but it also includes much more. From the outset, the United States has stratified rights in ascriptive terms. Debates on how to parse this stratification, framed in terms of “fitness” for rights, have determined who has access to citizenship.

In fact, it is this tension between universalist ideals and not-so-latent predisposition to racially and ethnically defined citizenship that defines American conceptions. Inegalitarian legal provisions have been so pervasive that, Gleason’s assertions aside:

when restrictions on voting rights, naturalization, and immigration are taken into account, it turns out that for over 80 percent of U.S. history, American laws declared most people in the world legally ineligible to become full U.S. citizens solely because of their race, original nationality, or gender.... Those racial, ethnic, and gender restrictions were blatant, not “latent.” For these people, citizenship

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<sup>1</sup> Gleason, Philip. “American Identity and Americanization”, in Petersen, W., M. Novak, and P. Gleason, *Concepts of Ethnicity*, Cambridge: Harvard University Press, 1982 (orig. 1980), page 62.

<sup>2</sup> Smith, Rogers M. *Civic Ideals: Conflicting Visions of Citizenship in U.S. History*, New Haven: Yale University Press, 1997, page 15.

rules gave no weight to how liberal, republican, or faithful to other American values their political beliefs might be.<sup>3</sup>

Arguments for ascriptive citizenship were made by none other than Thomas Jefferson who was as much concerned about crafting a government with built-in limits to centralized power as he was about what he saw as the problems of a “mass society.” In Jefferson’s view, the right to govern – political rights – must be limited to those schooled in republican ideals and in the arts of ruling.<sup>4</sup> The idea of “fitness” for citizenship is deeply engrained in American political consciousness, and struggles over who is “fit” determine how the tension between universalist ideals and blatantly ascriptive limitations to those ideals is demarcated at any point in American history.

### **Immigration, Citizenship, and the Civil War**

The Civil War brought the most egregious manifestation of the contradictions between universalist ideals and ascriptive practices to an end. The rhetoric and passions of the war were squarely centered in this contradiction. Frederick Douglass, in a July 4, 1852, speech to a white audience stated “your republican politics, not less than your republican religion, are flagrantly inconsistent. You boast of your love of liberty, your superior civilization, and your pure Christianity, while the whole political power of the nation ... is solemnly pledged to support and perpetuate the enslavement of three millions of your country-men.”

These words lay bare the searing dilemma of the day, which dilemma was resolved by the war. Blacks were emancipated, given citizenship, civil rights, and the franchise. As Roger Smith writes: “The Thirteenth, Fourteenth, and Fifteenth Amendments, the Civil Rights Acts of 1866, 1870, 1871, and 1875, the Expatriation Act of 1868 and the Naturalization Act of 1870 all proclaimed egalitarian, nationalistic liberal republican principles to a degree that was unimaginably radical for most Republicans in 1860.”<sup>5</sup>

But the resolution was by no means universally accepted with subsequent retractions of those rights on an ascriptive basis by states in the South. These events and debates were precursors to wrenching changes of the Gilded Age and debates over immigration during the Progressive Era. The Civil War and the resurgence of ascriptive limits to citizenship for blacks which occurred in its aftermath set the stage for debates over immigration, immigrant rights, and citizenship for people whose racial and cultural roots did not match the northern European roots of the dominant white culture.

Until 1870, the admission and legal status of immigrants was regulated by states, and political interests aligned in such a way as to relegate nativist concerns to the background. Once significant European inflows were in place, national leaders and social interests were invested in

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<sup>3</sup> *Ibid*, page 15.

<sup>4</sup> Kahn, Joel S. *Modernity and Exclusion*, Thousand Oaks California, Sage Publications, Inc., 2001, page 83.

<sup>5</sup> Smith, *Op Cit*, page 286.

maintaining these patterns. The Democratic Party aligned itself with immigrant and ethnic (largely urban) voters. Republicans saw large-scale European immigration as consistent with its ambitions for national economic development.<sup>6</sup> Industrial employers wanted immigrant labor; representatives of western states wanted new settlers; and southern states wanted white European voters. But northern states were experiencing the effects of urbanization, industrialization, and the massing of large numbers of immigrants in cities.<sup>7</sup> In the decade between 1882 and 1891, “European immigration to the United States reached 5 million and represented close to 40 percent of the country’s total population growth.”<sup>8</sup> The stage was set for a resurgence of nativism.

### **The Gilded Age: Social and Economic Change**

The final decade of the nineteenth century saw tremendous social and political change in the United States. Industrialization and the emergence of a large urban working class together with a hugely wealthy capitalist class undermined democratic egalitarianism. The influx of immigrants, increasingly from southern and eastern Europe, increased cultural, ethnic, and religious diversity. In 1886, a bombing in Haymarket Square in Chicago during a national labor strike was blamed on seven anarchists, six of whom were immigrants, thereby equating radicalism, terrorism, labor unrest, and class antagonisms with immigrants.

Concerns about foreign radicalism revived anti-Catholic nativism. Protestants on farms and in small-town America saw the country’s growing industrial cities as home to corrupt party bosses and political subversives, paupers, criminals, saloon keepers, corporate barons, and financiers. In addition, they attributed the corruption and immorality of urban America to the large numbers of Catholics and immigrants in cities.<sup>9</sup>

While the Gilded Age is often described as the age of Horatio Alger and capitalism,<sup>10</sup> it also saw resurgence of ascriptive and racist sentiment due to social and economic change. Thus, in the context of American citizenship laws, the main story of the Gilded Age is not industrialism, but of “repudiation of Reconstruction egalitarianism and inclusiveness in favor of an extraordinary broad political, intellectual, and legal embrace of renewed ascriptive hierarchies.”<sup>11</sup>

The impetus was from the grassroots, and the initial resurgence of nativism was diffuse. Because the path to citizenship for immigrants was relatively unobstructed, both political parties depended on electoral support from immigrant groups. While efforts during the 1890s by nativist groups to dominate the Republican Party were not successful, their activities kept immigration restrictions and nativism as part of the political discourse during the final decade of the nineteenth

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<sup>6</sup> Tichenor, Daniel J. *Dividing Lines: The Politics of Immigration Control in America*, Princeton: Princeton University Press, 2002, page 48.

<sup>7</sup> *Ibid*, pages 67-70.

<sup>8</sup> *Ibid*, page 70.

<sup>9</sup> *Ibid*, page 71.

<sup>10</sup> Smith, *Op Cit*, page 347.

<sup>11</sup> *Ibid*.

century, and helped to set the stage for more sophisticated efforts on behalf of ascriptive hierarchies in the early part of the twentieth century.

### **Progressivism and Scientific Government**

During the mid-1890s, the Immigration Restriction League (IRL) was the first organization to work for restrictions on European immigration outside of political parties and electoral politics. Their efforts marked a sea change in the politics of immigration and were the precursor to efforts which culminated in the national origins quota system adopted in 1928. The league aimed to transcend party politics through advocacy, direct democracy, and ideas of “scientific government”.<sup>12</sup>

The IRL was founded by Harvard alumni and funded by upper-class academics, businessmen, politicians, and others who saw themselves as defenders of Anglo-Saxon traditions. Building on the increased clout of independent expertise in policy circles, the IRL influenced policy by directly lobbying national policymakers. They presented themselves as non-partisan and cloaked their efforts in academic legitimacy. Their work was described as “factual” and “legitimate” and they used mass publicity and direct Washington lobbying to convey their message. Importantly, they benefited from the restrictionist tone of most social-science research on immigration at the time.<sup>13</sup> As Tichenor states:

In an outpouring of scholarly articles published during the 1890s, several of the country’s most respected intellectuals recast the American immigration debate.... Claiming the mantle of scientific authority, academics differentiated between old and new immigration in economic, political, and racial terms.<sup>14</sup>

Foreshadowing views that would emerge in the late 20th century, Harvard economist Richard Mayo-Smith, one of the most respected commentators on the economic impact of immigration, challenged the ideal that American economic development depended on robust European immigration. He argued that the “progress of civilization” decreased the need for unskilled labor.<sup>15</sup>

There were two intellectual underpinnings to restrictionist arguments. The first was a challenge to 19th-century liberal individualism, limited state authority, and open immigration. They argued that freedom of immigration did not rest on individual rights but was, rather, a privilege granted by the state. This view continues to be widely accepted today.

The second underpinning was ascriptive in nature, and focused on the political behavior of immigrant voters, questioning their suitability for participation in democracy. Echoing Jefferson’s

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<sup>12</sup> Tichenor, *Op Cit*, page 76.

<sup>13</sup> *Ibid*, page 76-77.

<sup>14</sup> *Ibid*, page 77.

<sup>15</sup> *Ibid*, page 77.

concerns over mass rule, nativists cast immigrants as the lifeblood of corrupt urban party machines, undermining good government through patronage, pursuit of personal power and narrow partisanship.<sup>16</sup>

Sociologist Edward A. Ross, a Progressive concerned with electoral reform, railed against “simple-minded immigrants” and African Americans being used by political bosses in large cities to “neutralize the anti-machine ballots of an equal number of indignant intelligent American voters.”<sup>17</sup> Darwinian and Spencerian theories of racial hierarchies were applied to southern and eastern European immigrants.

Francis Walker, president of MIT, argued that these new immigrants “have none of the inherited instincts and tendencies which made it comparatively easy to deal with the immigration of olden time... [rather] they are beaten men from, representing the worst failures in the struggle for existence.”<sup>18</sup> Social Darwinism and eugenics came into vogue in American colleges and universities during the 1890s, and a dedication to the study of genetics in order to improve the racial quality of future generations emerged.

Having cast southern and eastern Europeans as “racially inferior” stock, it was easy for Progressive restrictionists to seek intellectual legitimacy for popular racism in the realm of academia.<sup>19</sup> In other words, in reaction to a shift of political power away from traditional elites and toward new immigrant groups, Progressives succeeded in racializing their economic and political concerns about immigration in a direct appeal to the not-so-latent ascriptive tendencies in American political thought.

The result was that centrist versions of progressive thought solidified during the early 20th century which held that “the United States should be a modern democratically and scientifically guided nation that was also culturally ordered, unified, and civilized due to the predominance of northern European elements in its populace and customs.”<sup>20</sup> The legacies of left-progressive thinkers did not emerge until the end of the 1950s championed by the civil rights and women’s movement and the Great Society.<sup>21</sup>

## Politics of the Progressive Movement

An important institutional development was the formation, in 1890, of standing immigration committees in Congress. Created due to the increased scale and complexity of Congressional work following the Civil War, these committees were important vehicles for shaping legislation and “...

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<sup>16</sup> *Ibid*, page 77.

<sup>17</sup> *Ibid*, page 79

<sup>18</sup> Walker, Francis. “Restriction of Immigration,” *North American Review*, Vol. 67, June 1896, reprinted as IRL Publication No. 33, March 1902, page 447.

<sup>19</sup> Tichenor, *Op Cit*, pages 79-80.

<sup>20</sup> Smith, *Op Cit*, page 411.

<sup>21</sup> *Ibid*.

were dominated by New England patricians like Senators William Chandler (R-NH) and Henry Cabot Lodge (R-MA) and Representative Samuel McCall (R-MA). [They] welcomed independent expertise, favored policy activism, and specifically backed new restrictions on European immigration.”<sup>22</sup> The committees also created a venue for the IRL to convey its message.

A second institutional development was passage of political reforms aimed at undermining corrupt urban political machines. The laws and rules weakened the power of political parties, allowing restrictionists to work through the committee structures in Congress and to appeal directly to individual senators and congressmen.<sup>23</sup>

Initial legislative efforts focused on literacy tests for new immigrants. Operating under the assumption that such a test would be especially onerous for southern and eastern Europeans, they was seen as a mechanism to filter out “naturally undesirable” immigrants in favor of those from traditional (northern European) sources.<sup>24</sup>

Legislation requiring literacy tests was introduced in 1896 and narrowly defeated. Its near passage caused pro-immigration forces to organize, and a coalition of pro-immigration intellectuals, business leaders, and social workers formed the Immigration Protective League in 1899. Their efforts were supported by business groups, steamship companies, and various industrialists and ethnic groups.

The early twentieth century was marked by a fierce war between defenders of open immigration and restrictionists. Its first battle occurred over an 11-year period between 1906 and 1917 over literacy tests which represented a larger struggle “between old and new political norms and institutions of an American polity in transition.”<sup>25</sup>

Organized associations of older ethnic groups, business interests, some labor unions, urban Democratic political machines, social reformers, and liberal cosmopolitans lined up in support of open immigration while patriotic societies, patrician nativists, eugenicists, the Grange, Asian Exclusion Leagues, and many intellectual elites took up the restrictionist cause. By the time literacy tests were instituted in 1917, there had been major political re-alignment in Congress in favor of restrictionists.

So, when literacy tests failed to restrict immigration from southern and eastern Europe, passage of racially-based immigration quota laws occurred relatively quickly in 1921 and again in 1924.<sup>26</sup> The most significant shift was in organized labor. Restrictionists courted the American Federation of Labor (AFL), arguing that “large-scale immigration was fundamentally corrosive to the

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<sup>22</sup> Tichenor, *Op Cit*, page 76-77.

<sup>23</sup> *Ibid*, page 116.

<sup>24</sup> *Ibid*, page 81.

<sup>25</sup> *Ibid*, page 124.

<sup>26</sup> The details of the battles in Congress over literacy tests and immigration restriction are aptly detailed in the Tichenor book, already extensively quoted herein. Rather than reproduce details of the legislative battle, the purposes of this paper are better served by noting major political shifts which occurred during that period.

economic security of American workers” and that “a foreign labor force was easily manipulated by large corporate employers to crush workers’ rights.”<sup>27</sup> These arguments proved convincing, the labor movement shifted from an international to a national focus,<sup>28</sup> and labor became an advocate of restrictions to immigration.

A second realignment was in widening the racialization of immigration. Restrictionists built alliances with Asian exclusionists and appealed to Northern and Southern racists by arguing for exclusion of “inferior” southern and eastern Europeans.<sup>29</sup> The Dillingham Commission, finished in 1910, was integral to this racialization process through its use of theories of eugenics and social Darwinism.

A third realignment was the shift was in power within the Republican Party away from free-market expansionists to classic exclusionists. This allowed the exclusionists to ensure that their nativist objectives were implemented over the next half-century.<sup>30</sup> The effort to implement restrictions on immigration which resulted in the national origins quota system was a battle of attrition, fought over literacy tests, and included ancillary issues such as making sure that new immigrants met “industrial standards” were “disease free,” paid appropriate head taxes, and were in other ways “racially desirable.” Table 1 provides a picture of the political landscape in which the struggle occurred. As will be discussed later, the quadrants of this landscape persist today.

**Table 1. Immigration Coalitions of the Progressive Era<sup>31</sup>**

Alien Rights Should Be	Alien Admission Should Be	
	Expanded or Maintained	Restricted
Expansive	<u>COSMOPOLITANS</u>	<u>NATIONALIST EGALITARIANS</u>
	Horace Kallen	Samuel Gompers
	Jane Addams	Terence Powderly
	Louis Marshall	John R. Commons
Restrictive	Immigration Protective League, American Jewish Committee, German American Alliance, “social justice” progressives	American Federation of Labor, Knights of Labor, Wisconsin progressive economists
	<u>FREE-MARKET EXPANSIONISTS</u>	<u>CLASSIC EXCLUSIONISTS</u>
	William Howard Taft	Henry Cabot Lodge
	Stephen Mason	Madison Grant
	Joseph Cannon	Albert Johnson
	National Association of Manufacturers, steamship companies, U.S. Chamber of Commerce	Immigration Restriction League, patriotic societies, the Grange, eugenicists, Asian Exclusion Leagues

<sup>27</sup> *Ibid*, page 118.

<sup>28</sup> *Ibid*, page 118.

<sup>29</sup> *Ibid*, page 124.

<sup>30</sup> *Ibid*, page 149.

<sup>31</sup> *Ibid*, page 121.

## **Current Geo-political and Economic Changes**

Today there are strikingly similarities to the political and economic environment of one hundred years ago, resulting in strong echoes of the Progressive Era in today's debates over immigration. The past 30 years have seen tremendous change. There has been an upsurge in immigration by people of diverse cultural and ethnic backgrounds since elimination of national origins quotas. The West won the Cold War. Globalization has increased international connections in all dimensions of society and created trans-national overlays on sovereignty.

The structure of the U.S. economy has changed dramatically. There has been significant worker displacement caused by a shift "off-shore" of traditional manufacturing combined with growth in technology sectors which different skills from U.S. workers. In addition, 80 percent of U.S. employment is now in the service sector. Changes in communications technology have altered the rate at which information, ideas, and resources flow around the globe. Income inequality has increased within the United States and between the United States and other countries.

Today's concerns over terrorism strongly echo Progressive Era concerns about communism and have caused a similar xenophobic fears based on ethnicity and religion. These changes have combined to bring questions of culture and national identity to the forefront and created fertile ground for the voices of ascriptive citizenship and nativism to emerge in organized fashion in political, social, and academic circles.

## **The State of Immigration**

Current immigration laws are built around family reunification and make it easy for close relatives of U.S. citizens, native born or naturalized, to gain legal entry to and citizenship in the United States. On the face of it, this is straight forward, except that recent immigration has been largely from Latin America, which means that newly naturalized citizens eligible to bring in their close relatives are reinforcing the changing cultural, ethnic, and racial trends in the United States. This, in turn, is prompting renewed debates about national identity.

Provision for economic immigration is limited and designed to meet two objectives: one is to "fill the gaps" in the domestic labor supply, thereby minimizing competition with U.S. workers by immigrants, and the other is to allow entry of "desirable" (i.e. uniquely-skilled or wealthy) individuals. Temporary entry is provided for low-skill agricultural and other seasonal workers. But provision for legal immigration has been not prevented extensive illegal immigration during the past 25 years.

Illegal immigration has become such a contentious issue that, to some extent, "immigration" has become synonymous with "illegal immigration" in public discourse. There is widespread support for harsh measures to crack down on illegal immigration and limits to public benefits for

aliens residing in the country.<sup>32</sup> As early as the 1980s, a climate emerged that persists today where “Americans are beset with anxieties, for which aliens, now, as in the past, provide convenient scapegoats. Exacerbating their anxiety... is fear that the country’s assimilative capacities [are] overtaxed, or indeed, that its character [is] imperiled by the preponderance of non-white, Spanish-speaking newcomers.”<sup>33</sup>

Control of illegal immigration has become intertwined with discussions about overall levels of immigration in an atmosphere of post-Sept. 11 national security concerns and debates over national identity.

### **Ascriptive Concepts Increase in Legitimacy**

The changes in attitudes about immigration during the Progressive Era were helped by single-minded efforts of individuals who fervently held ascriptive, nativist views. Their success derived, in part, from their ability to re-frame the debate away from universalist notions of “a nation of immigrants” by using academic expertise and “scientific research” to gain legitimacy for their nativist, racist ideas.

Similar efforts are in evidence today. While there is a greater range of opinion within academic circles today than during the Progressive era and there is widespread opposition to nativism and restrictionism among academic experts, there are also pre-eminent, highly respected academics such as economist George Borjas and political scientist Samuel Huntington, both at Harvard, and historian David Kennedy at Stanford who have emerged as leading voices of nativism and restrictionist policies.

A recent article, “The Hispanic Challenge” by Samuel Huntington articulates the essence of American cultural ideals and myths and gives intellectual legitimacy to nativism and restrictionist immigration policies. He states:

America was created by 17th- and 18th-century settlers who were overwhelmingly white, British, and Protestant. Their values, institutions, and culture provided the foundation for and shaped the development of the United States in the following centuries. They initially defined America in terms of race, ethnicity, culture, and religion.... By the latter years of the 19th century, however, the ethnic component had been broadened to include Germans, Irish, and Scandinavians, and the United States’ religious identity was being redefined more broadly from Protestant to Christian. With World War II and the assimilation of large numbers of southern and eastern European immigrants and their offspring into U.S. society, ethnicity virtually disappeared as a defining component of national identity. So did race, following the achievements of the civil rights movement and the Immigration and Nationality Act

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<sup>32</sup> Tichenor, *Op Cit*, page 242.

<sup>33</sup> Hull, Elizabeth, *Without Justice for All*, Westport CT: Greenwood Press, 1985, page 4.

of 1965. Americans now see and endorse their country as multiethnic and multiracial. As a result, American identity is now defined in terms of culture and creed.... The creed, however, was the product of the distinct Anglo-Protestant culture of the founding settlers. Key elements of that culture include the English language; Christianity; religious commitment; English concepts of the rule of law, including the responsibility of rulers and the rights of individuals; and dissenting Protestant values of individualism, the work ethic, and the belief that humans have the ability and the duty to try to create a heaven on earth, a “city on a hill.”<sup>34</sup>

This statement is remarkable in its invoking of universalist myths and while at the same time glossing over the deep tensions between those myths and ascriptive rights and citizenship discussed earlier in this paper. He implies easy and universal acceptance of the evolution American identity. To assert that race is no longer a defining element of American identity is bizarre on the face of it, and the broad implications of this statement are historically simplistic.

Citing statistics on English language acquisition, Huntington argues that Mexican immigrants and their descendants have failed to assimilate because of their geographic concentrations and because of a political agenda of reconquista (re-conquest) of the Southwest in order to create a Hispanic political and cultural enclave within the United States similar to that of Canada’s French-Canadians.<sup>35</sup>

He notes the spread of Spanish usage throughout the United States and cites Stanford historian David Kennedy who argues that Mexican-Americans in the Southwest will have “sufficient coherence and critical mass in a defined region so that, if they choose, they can preserve their distinctive culture indefinitely. They could also eventually undertake to do what no previous immigrant group could have dreamed of doing: challenge the existing cultural, political, legal, commercial, and educational systems to change fundamentally not only the language but also the very institutions in which they do business.”<sup>36</sup>

Huntington’s article prompted an outpouring of rebuttals by academics and other social commentators refuting the statistics, assumptions, and historical validity of Huntington’s analysis and the debate that it prompted is ongoing. But what is critical to nativist forces in the political process is that an article by someone of Huntington’s intellectual reputation who also happens to be on the faculty of one of the most prestigious academic institutions in the world provides intellectual cover for those who seek to assert the ascriptive, nativist threads of American civic identity. Efforts to assert these threads are actively under way in the United States Congress.

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<sup>34</sup> Huntington, Samuel P. “The Hispanic Challenge” in *Foreign Policy Magazine*, number 141, March/April 2002.

<sup>35</sup> *Ibid.*

<sup>36</sup> Kennedy, David “Can We Still Afford to be a Nation of Immigrants” in *The Atlantic Monthly*, November 1996, Volume 278, Issue 5, starting on page 52.

## Immigration Politics in the U.S. Congress

There is a battle over immigration being waged in Congress today. Since Sept. 11 it has been waged in the context of national security, but questions of national identity are also front and center. Since the Progressive Era, immigration has been understood as a privilege granted by the nation-state rather than a right vested in the individual, and that idea persists today.

The only questions that remain to be answered are: Who will be admitted? How many? Under what terms? It is through their answers to these questions that we can place legislators in Tichenor's framework for understanding the politics of immigration control.

The question of "who" relates to issues of culture and identity, to national security, and to economics. The question of "how many" relates to protecting American workers, but, as Huntington makes clear, also relates to the relative size of various cultural and ethnic groups in the country. The question of "under what terms" determines how quickly immigrants become citizens as well as what access they have to civil, political, and social rights.

There have been a number of legislative decisions in Congress relating to specific dimensions of these questions, and what follows is a summary of some of those issues and a mapping of positions on those issues to Tichenor's quadrants.

### *Classic Exclusionists*

Because of changes in cultural sensibilities since the Civil Rights movement of the 1960s, it is difficult to argue for immigration control in explicitly racist terms. A close reading of "The Hispanic Challenge" shows that Huntington is careful to frame his arguments in terms of the behavior of Mexican immigrants, their sheer numbers, their regional concentration, and their legal status rather than their race.

Nativist arguments are made in coded terms, and the classic-exclusionist case today is coded in terms of sheer numbers. Citing "unprecedented levels" of immigration, they argue that it is out of control, illegal immigration must be stopped and that provision for legal immigration must be reduced. Classic Exclusionists intertwine questions of who and how many, arguing for fewer of everyone and no illegal (Mexican) immigrants.

By way of reducing incentives for people to immigrate, they urge limits to immigrant access to public benefits. A classic-exclusionist group, Americans for Better Immigration (ABI), states on their Web site: "ABI believes the problem with immigration today is not the individual immigrant but the numbers. 'Better' immigration is lower immigration."<sup>37</sup>

Specific proposals include reducing admissions by denying family reunification rights to naturalized citizens in order to stop so-called "chain migration." They are opposed to any

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<sup>37</sup> From the home page of ABI Web site, found at <[www.betterimmigration.com](http://www.betterimmigration.com)>.

temporary worker programs, any increase in the allotments for legal migration, any form of amnesty for long-term illegal immigrants and would deny birthright citizenship to their children.

In addition to reducing immigrant admissions, they would limit immigrant rights, especially for illegal immigrants. Today's classic exclusionists would deny access to in-state tuition for higher education to children of illegal immigrants regardless of whether they are U.S. citizens. They would have local law enforcement officials enforce Federal immigration laws, thereby inhibiting access to basic police protection by illegal immigrants. They are opposed to allowing illegal immigrants to obtain U.S. driver's licenses or use so-called matricula consular cards issued by the Mexican government as forms of identification for basic activities such as opening bank accounts or renting apartments.

Support for an alien tracking system and alien ID cards is argued in terms of national security and fighting illegal immigration. ABI has a grading system for members of Congress whereby they assign grades based on votes on specific legislation related to immigration, its impacts on American workers, and immigrant rights. Individual Congresspersons are graded as are state delegations. The highest grade for any state delegation is a B for the delegation from Alabama.

Classic exclusionists are represented in the House of Representatives by the Congressional Immigration Reform Caucus (CIRC). ABI has a home-page link to CIRC's home page on its web site. Started by Tom Tancredo (R-CO) and made up of 71 out of 535 members of Congress, the CIRC cites the "largest number of immigrants ever recorded in the nation's history"<sup>38</sup> as their main concern.

To reduce illegal immigration, they advocate improved interior border enforcement, enforcement of employer sanctions for hiring illegal immigrants, and denying American Citizenship to American-born children of illegal aliens. Any temporary worker program must ensure that workers return to their countries of origin and cannot involve amnesty for illegal aliens. Further, the CIRC advocates reducing total legal immigration and voter reform to address "widespread problem of voting by illegal aliens."<sup>39</sup> Its membership is overwhelmingly Republican with only 3 of the 71 members being Democrats, and the majority of CIRC members receive grades between A- and A+ from ABI.

### *Nationalist Egalitarians*

The answer to who and how many for Nationalist Egalitarians is framed in terms of protecting the interests of U.S. citizens. Consequently, immigration should be limited to avoid downward pressure on American wages and undue local fiscal burdens.

The question of under what terms is answered in terms of maintaining and protecting immigrant rights. Legislators in this quadrant support lower limits in overall immigration, but also

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<sup>38</sup> From their Web site, found at <[www.house.gov/tancredo/Immigration/about.htm](http://www.house.gov/tancredo/Immigration/about.htm)>.

<sup>39</sup> From the CIRC Web site.

can support specific employment-related visa categories that fill “gaps” in the American workforce. Their view on immigrant rights is captured in the following passage from Barbara Jordan’s testimony as Chair of the 1996 U.S. Commission on Immigration Reform:

We believe that illegal aliens should be eligible for no public benefits other than those of an emergency nature, in the public health and safety interest, and constitutionally protected. On the other hand, we urge the Congress to retain for legal immigrants eligibility for our safety net programs. The United States screens legal immigrants to determine if they will become public charges, but unforeseen circumstances—deaths, illnesses—occur. The Commission does not want to see individuals whom we have invited to enter become vulnerable when such situations arise.<sup>40</sup>

Recognizing that the interests of U.S. businesses play a role in illegal immigration, Ms. Jordan’s testimony includes the following statement: “Our second set of recommendations would reduce the magnet that jobs currently present for illegal immigration. We have concluded that illegal immigrants come primarily for employment. The Commission believes that we need to enhance our enforcement of both employer sanctions and labor standards.”<sup>41</sup>

#### *Free-Market Expansionists*

Legislators in this quadrant support increased provisions for employment-based immigration and temporary worker programs. Answers to who and how many are labor needs of business interests. The answer to the under what terms question is revealed by the fact that people in this sector tend to oppose amnesty for illegal immigrants while also failing to sanction the businesses who hire them. Access to large numbers of illegal immigrants serves the interests of business by creating *de facto* access to low-wage workers with limited rights.

Senator John McCain (R-AZ) is representative of this quadrant. He opposed a measure to eliminate “chain migration,” supported a variety of provisions for increased economic immigration such as increases in the number of H-1B visas and amnesty for agricultural workers. While he has supported measures for increased border control, he opposed a measure that would have increased employer-sanctions for hiring illegal immigrants.

#### *Cosmopolitans*

This quadrant tends to be occupied by liberal democrats. Widespread public concern over illegal immigration requires that attention also be given to issues of national security and border control. Many proponents of the cosmopolitan position are advocacy groups such as the American Immigration Law Foundation and the National Network for Immigrant and Refugee Rights (NNIRR). NNIRR is a national organization “composed of local coalitions and immigrant, refugee,

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<sup>40</sup> Jordan, Barbara, “Testimony Before U.S. House of Representatives Committee on Appropriations Subcommittee on Appropriations for the Departments of Commerce, Justice, State, the Judiciary and Related Agencies”, March 29, 1995.

<sup>41</sup> Ibid.

community, religious, civil rights and labor organizations and activists [which] bases its efforts in the principles of equality and justice, and seeks the enfranchisement of all immigrant and refugee communities... advocating for their full labor, environmental, civil and human rights [and] emphasize the need to build international support and cooperation to strengthen the rights, welfare and safety of migrants and refugees.”<sup>42</sup>

Table 2 maps members of the House and Senate Judiciary Committee’s sub-committees on immigration to Tichenor’s framework. This mapping builds on Tichenor’s mapping along with my best judgment based on votes on specific immigration-related measures as reported by Americans for Better Immigration. Names of members of the House of Representatives are in italics.

**Table 2. Immigration Landscapes of the Early 21<sup>st</sup> Century<sup>43</sup>**

Alien Rights Should Be	Alien Admission Should Be	
	Expanded or Maintained	Restricted
Expansive	<u>COSMOPOLITANS</u>	<u>NATIONALIST EGALITARIANS</u>
	Linda Sanchez (D-CA)	Sheila Jackson-Lee (D-TX)
	Zoe Lofgren (D-CA)	Melissa Hart (R-PA)
	John Conyers (D-MI)	Diane Feinstein (D-CA)
	Howard Berman (D-CA)	Richard Durbin (D-IL)
	Mike DeWine (R-OH)	John Edwards (D-NC)
	Larry Craig (R-ID)	
	John Cornyn (R-TX)	
	Edward Kennedy (D-MA)	
	Patrick Leahy (D-VT)	
Charles Schumer (D-NY)		
Restrictive	<u>FREE-MARKET EXPANSIONISTS</u>	<u>CLASSIC EXCLUSIONISTS</u>
	Jeff Flake (R-AZ)	John Hostettler (R-IN)*
	Marsha Blackburn (R-TN)	Lamar Smith (R-TX)
	Chris Cannon (R-UT)	Elton Gallegly (R-CA)
	Saxby Chambliss (R-GA)*	Steve King (R-IA)
	Charles Grassley (R-IA)	
	Jeff Sessions (R-AL)	Americans for Better Immigration, FAIR,
Jon Kyl (R-AZ)		

\* Committee Chairs

<sup>42</sup> From the Mission Statement of NNIRR, found at <[www.nnirr.org/about/about\\_mission.html](http://www.nnirr.org/about/about_mission.html)>.

<sup>43</sup> Tichenor, *Op Cit*, page 276.

## Conclusions

There is an intense struggle over immigration along the diagonals of Tichenor's framework, and there are two dimensions to the conflict – one economic and the other social. In economic terms, it is useful to think in terms of a class conflict between the interests of workers and employers. Nationalist egalitarians are concerned with the impact of immigration on wages and on rights of individual employees and taxpayers. Free Market Expansionists, on the other hand, are concerned with the interests of business and their desire for a large pool of low(er) wage workers.

The social conflict is framed in terms of national and cultural identity and the tensions between universalist and ascriptive ideas of citizenship. In this realm, Classic Exclusionists echo the racist, ascriptive sentiments of the Progressives and define national identity and citizenship in explicitly ascriptive terms. Cosmopolitans, on the other hand, are today's advocates of universalist national identity and citizen ship.

Strident nativist voices are currently not dominant in Congress, and the battle over immigration policy is largely at a stalemate. Proposals for specific adjustments to aspects of the system are proposed and occasionally passed, but comprehensive reform to system has eluded lawmakers because there are deep divisions over what comprehensive reform should entail. Meanwhile, while there are debates over the extent to which economically-based immigration should be permitted, it can be argued that failure to enforce employer sanctions laws is a de facto program for immigration by low-skill workers.

Of course this approach victimizes already-vulnerable people, unduly benefits corporate interests, and exacerbates social tensions around political and social rights for immigrants. Post-Sept.11 national security concerns combine with concern over illegal immigration to create an atmosphere where it is easy to demonize and scapegoat immigrants. If this scapegoating significantly increases nativist voices in Congress, a shift in the landscape of immigration politics similar to that which occurred in the Progressive Era is imaginable. However, the population of the United States is far less homogeneous than it was a hundred years ago; it is also easy to imagine social fragmenting and "cultural wars" without resolving the fundamental problems with U.S. immigration laws.