

Session 16: What's New about "New Immigration"? lecture and discussion

Where we're going from here:

Today:

Immigration policy

How things have changed in the last few decades

Next class session:

No library session – instead we'll watch a short film, a ½ hour documentary looking at San Diego and Tijuana to get a joint history but it's actually more contemporary, about what life's like in both places today. Then we'll have a brainstorming session – we'll spend 2 weeks to think about current issues of US-Mexico border in historical perspective – what do you want to know? What kinds of sources would you want to look at? If we were going to do this research collectively, what would you want to find? Resources, interviews with people across the border, border guards, employers of Mexican workers, people who aren't crossing the borders but are nevertheless affected by these issues, Mexican-Americans in US (multiple generations)? What kinds of sources – newspaper articles, journal, photographs, works of art. We'll brainstorm about what might be on this list and then parsing out the research. Eventually, we'll have a collaborative project emerge – website, PowerPoint. This is designed to be flexible but substantive too.

Next week: Regular week of class

Thanksgiving week: Border research project

Paper topic: Write up something well in advance of the paper, definitely before Thanksgiving, that gives a sense of what you'll actually write your paper about. What sources will your paper be based on? Everyone will be using both primary and secondary material - primary material from the past to draw out some argument. Yes, you'll rely on secondary material from scholars, but you should have some core of sources that should help you answer some kind of analytical question. The one thing you should not write is a "This is what happened..." paper. The paper is due on the last day class.

Changes in immigration law and discussion of readings from *Guarding the Golden Door*.

Think about what is or isn't new about this so-called "new immigration" – put it in the perspective of other immigrants at the turn of century.

Let's start with the **1965 Immigration Act**. How does it work? If you were to describe the terms of the 1965 act, its central premises, what's different?

For a long time, there was a quota system that eliminated immigration, but the 1965 act changed that. It set a numerical cap – at the beginning, it was split by eastern and western hemispheres. The 1965 act looks to limit immigration from, in particular, Mexico, Canada, and South America. There were also the issues of needed workers, family reunification, refugees.

Part of what the book lays out is how these principles work (with lots of details) but it also explains why the number of immigrants who come doesn't match what people were expecting. Why?

Sources of immigration turn out to be different. Southern and eastern Europeans aren't rushing to migrate – but looking at the poorer corners of Europe, you see increasing numbers of immigrants after 1965.

Also, the numbers turn out to be much higher than expected. Family reunification and refugees turn out to be much larger. See page 136 – look at the preference systems of 1965 act, you see remarkable ways families can be unified. It includes children, spouses, parents, married children, etc. You end up with **family chains** whereby as families are unified, as one person moves here (maybe as a needed worker or refugee), he/she can bring in more family members who can in turn bring in more family members, and these numbers turned out to be more than people anticipated.

The other part of it was the **refugee** portion. The number of refugees turns out to be far larger than anyone anticipated. As these refugee policies began, it was as a small-scale program for those temporarily displaced. This was based on Hungary in 1956 - a couple thousand left Hungary and settled in US. Part of what happens is that under the politics of the 20th century, all kinds of wars and revolutions lead to a general steady stream of people who are refugees – so numbers are far higher. The conditions of flight, of leaving political crises, turn out to be much greater and more durable than any short-term political crisis.

We've seen the relationship of these changes between **domestic politics and foreign politics**. In domestic politics, you have the civil rights movement and at the same time you have the Cold War context on the foreign front. How can we see immigration through this lens in this time period?

1949 – mainland China becomes communist. At this point, there are still large numbers of Chinese people in the US. There's a lot of concern in the federal government about the **political loyalties** of these immigrants – this is a forgotten chapter of history. We know a lot about the internment of Japanese a decade before. But when the stakes of the Cold War were awfully high, there was a lot of concern of whether the Chinese in the US could be trusted. And the government sets up this program called the **Chinese confession program**. See pages 156-157. The Immigration and Naturalization Service (INS) knows in 1955 that there are large numbers of Chinese in the US and they know many are here illegally. They actually offer an amnesty program. If you think about the current debates over amnesty, this is in many ways the first historical precedent. The INS would offer amnesty to a Chinese immigrant here illegally on the condition that he/she gave information about other illegal Chinese immigrants. People end up turning in others – we don't have exact numbers, but it was between 10,000 to 20,000 people. This was occurring in Chinese communities where some were, in fact, communists, some were sympathetic to mainland China, or from mainland China, looking at the Chinese revolution not through a lens of communist world domination but through a lens of nationalism – here's their country that's been through a lot, through European exploitation, and now there's a nationalist movement under Mao and for many they see it only as nationalist. They know Mao's rhetoric – not interested in it or want to downplay it. Enthusiasm for Chinese revolution could have been misinterpreted for communism. The dynamics when you're being interrogated – it's a good chance to get back at people you don't like. The numbers are astonishing – we know the 1950s and we hear about McCarthyism and you think this only affects a few radical communists in Hollywood – this part of the story is usually left out but the numbers show what the **naming names policy** could do. It could snowball, people labeling one another

until you end up with 20,000 people who have either confessed themselves as illegal or brought in other people that they know. The question is how do we interpret this?

You can get a feel for specifically how complicated this was for Chinese people in the US who are here illegally – they're in this very vulnerable position. They don't belong, they don't have a right to be here. But if they participate, the government offers them amnesty – then everything will be normalized, your citizenship would be legalized. But this requires talking. The **murkiness of what it means to be communist** among Chinese people in the US in 1950s is totally unclear. Maybe in 1949 when Mao came to power, making public speech saying that China will be world power - saying something like that could come back to haunt you.

On the other hand, there are historians that say it's wrong to see this as a witch trial only through the lens of McCarthyism. We can see this as a **moment of victory** for Chinese Americans.

Students:

- if they're here illegally, they need to do anything they can to stay
- you've got a family here, you've established roots here, so it becomes a practical matter

We don't know how that 20,000 compares to the total number. It's a big number, considering the number of Chinese in the US in 1950 is low. At least 25% of the population in 1950 was illegal.

How can this be a step forward for the Chinese-American community?

By achieving amnesty, becoming citizens, they become **legitimate**. It depends on what you think about exclusion. If you think exclusion is the law and any good Chinese person should obey the law and so the people who are here illegally didn't really have any right to amnesty in the first place, then you could see it that way. But if you think exclusion was a racist law, an exclusionary law, then coming here anyway (through paper son techniques, etc.) and amnesty were a way to **assert your right**, particularly if you think about the way the naturalization law had excluded Chinese for so long.

In some ways the government setting up an amnesty program is an admission that their policies of exclusion were not working. The question is does that mean the policies weren't working because they were poorly enforced or because they were incoherent/unworkable in the first place. Think about this as you think about the **current debate on amnesty** – should it be part of the new system? If the procedures aren't working, is it because the Department of Homeland Security isn't strong or substantial enough or because the policies weren't meant to work in the first place?

Think about **4 ways of immigration**:

1. **Needed workers** – the immigrant's value is based on the American economy. Value could be based on skill (like nurses) but it could also be by need (like seasonal agricultural workers).
2. **Family reunification** – puts people's relationships first, recognizing that immigrants are real people.

3. **Refugees** – takes policies into account, that the US should base immigration policies in part on its politics. For example, if we're fighting the Cold War against communism, we should make room for those fleeing it.
4. **Lottery** – who cares who comes? Figure out how much space we've got and have a lottery and let people in at random.

And we could even add two more categories of restriction...

5. **No limits** on immigration.
6. **No immigration** at all.

How should the US decide what citizens of other nations are permitted to enter? Can you think of a set of underlying principles?

If you were going use family as a principle, should it be in US definitions of a family or the migrant's own definitions of family?

Student: It's based on the idea that the family is the basic structure of social, economic, and political life.

What do you do with someone who comes as a needed worker but their spouse is totally not needed from the economy's perspective? Let's say you just want to work in the US for a while – why disrupt the community and family structure in the home country for *x* amount of time, moving the family to the new country where they might not even want to be. There could be a reason where you might want to come by yourself. But shouldn't you be allowed to change your mind?

Student: There's often a minimum time – you have to be here a certain number of years before you're allowed to bring people over.

Most people interpret the time stuff as basically the government stalling to keep numbers down. Could you see it as an actual political principle? Could **time** be used to measure one's **commitment to the nation**?

Lottery is designed to compensate for people from countries that were discriminated against in prior decades.

Isn't there something denigrating in telling someone who doesn't have a good job or didn't pick the right spouse that you're not "useful" to us?

Student responses:

- there's going to be a few bad apples
- they could come over and take advantage of welfare system
- these policies are predicated on fear - Latinos are becoming a majority in this country – news reports telling whites to reproduce more, playing on fear of losing power/money

All this goes back to the question of **what are immigrants becoming?** They're becoming American, US citizens, voters, participants in democracy, workers in capitalist economy, consumers in consumer culture, white in a nation defined largely by its racial categories – those are all the things that would presumably get lost if Americans were overwhelmed by

having completely open borders. And this crosses all divisions in the US – Americans generally believe that **'Americanness'** is a pretty **valuable commodity**.

Student: the None category doesn't allow you to know people's purposes here

Could you imagine screening for those things in another way? Crime? How are you going to do that in this none category? Now we **use these immigration procedures to screen for other things** – which include crime, terrorism, becoming a public charge. Recall that the very first laws that restricted immigration were designed to prevent Chinese women from coming and working as prostitutes. We haven't really gotten away from that sense that we use the border to look for all kinds of things.

Is there anyone who would vote for the None category, or would see a principle of **political philosophy** that could underlie None?

Student responses:

- the idea that we're the best
- we should take care of the people we already have here
- in addition to closing borders, we should take more active role in global politics
- globalization argument that we'd want similarly developed nations

If you read these chapters, it's incredibly confusing and a real mess and it's not the author's fault. Part of what I want you to get out of all this is that behind all of these different policies - some of which are totally piecemeal or handovers to some other group (ethnic, or a group that employs particular workers), some of which are compromises, others that didn't turn out in practice, and yet others that are there for no real reasons – behind all of these are **political theories of justice**. As we talk about the various sort of policy options, people turn to explanations that are in many ways **identity based** – how will American identity be shaped by a change in this policy? Sometimes they turn to economic explanations – would this work in a globalizing economy? Would we be able to pay for social security? The conversation we haven't had as a country is this deep philosophical question: on what basic principles should a policy rest? I don't know if we have it in us as a country – I think we do. Those are some of the main ways of thinking about immigration.

Breakdown of political philosophy behind immigration policies:

1. Workers – what's good for the economy?
2. Family reunification – linking private and public concerns
3. Refugees – political/public concerns above all
4. Lottery/none – separating out politics and economics and looking at it abstractly