

I

Introduction

The United States is in the midst of its fourth major wave of immigration. Today's wave is the largest in absolute numbers, although not as a proportion of the total population. Unlike in previous waves, today's immigrants come from every inhabited continent and represent just about every country in the United Nations. As in previous waves, there is a profound ambivalence about immigration among the American public. Historically, Americans have seen their own immigrant forebears through rose-colored glasses while raising serious concerns about the contributions of current immigrants and the extent to which they will assimilate our values, language, and experiences.

This ambivalence has made immigration policy one of the most difficult on the U.S. political agenda. In the past three Congresses, the Senate and House of Representatives have debated immigration reform but have failed to come to consensus about the policies needed to address today's challenges. The difficulties they are experiencing are by no means new. Immigration reform has always been a difficult issue, requiring years of debate before any comprehensive changes are adopted. Although the problem is often described as a contest between pro- and anti-immigration forces, the reality is much more complex. Even among those who favor large-scale immigration, there are profound differences in views on the purposes of immigration and the contributions that immigrants bring to the country. Understanding the historical roots of American immigration, and American attitudes toward immigrants, helps to place today's policy debate into perspective and provides important insights into the reforms needed to address current problems and opportunities.

It is a truism that the United States is a nation of immigrants.¹ Certainly, the United States was settled by successive periods of immigration, from the first wave of colonization (sixteenth to eighteenth centuries), through the second (1830–1860) and third (1880–1924) waves of mass European migration,

¹ In one of the most quoted uses of the term, John F. Kennedy's *A Nation of Immigrants* made the case for repealing the national origins quotas.

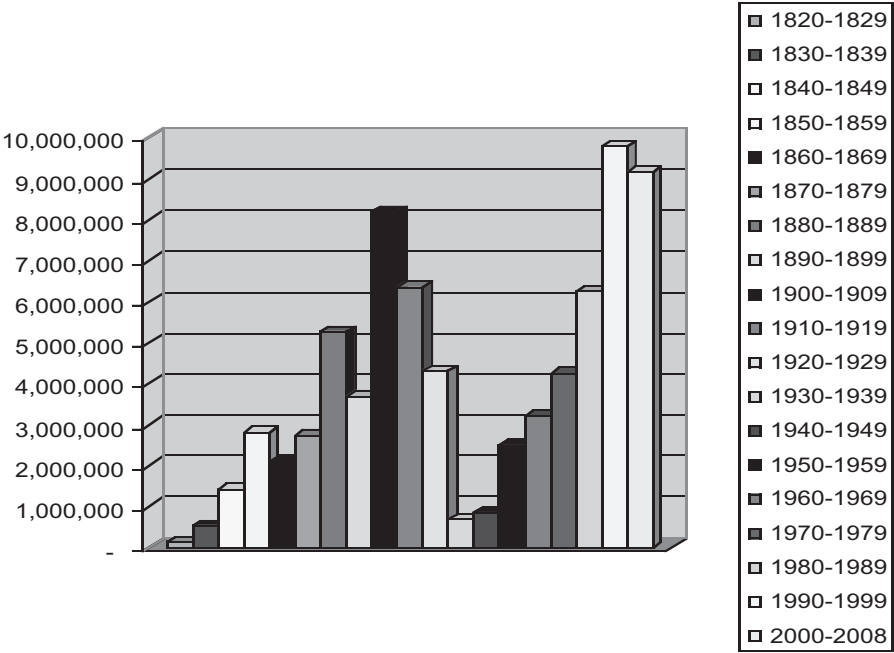


FIGURE 1.1. Immigration by Decade: 1820–2008. Source: 2008 Yearbook of Immigration Statistics, Department of Homeland Security.

into what is now the fifth decade of our most recent wave of migration, dominated by movements from Latin America, the Caribbean, Asia and, in smaller numbers, Africa (1965–present) (Figure 1.1).

Immigration has indeed been formative in making America what it is and what it will become. The phrase “a nation of immigrants,” however, hides as much as it illuminates in lumping together all immigrants and all forms of immigration. In fact, this book argues, America has been settled from its very origins by three different models of immigration, all of which persist through the four waves described above. Lawrence Fuchs, in *The American Kaleidoscope* (1990: 8), described each model in relationship to the colony in which it most thrived:

To oversimplify: Pennsylvania sought immigrants who would be good citizens regardless of their religious background; Massachusetts wanted as members only those who were religiously pure; and Virginia, with its increasing reliance on a plantation economy, wanted workers as cheaply as it could get them, without necessarily welcoming them to membership in the community.²

² In *Albion's Seed*, David Hackett Fischer (1991) also emphasizes differences in values and what he refers to as folkways in the settlement of Virginia, Massachusetts, and Pennsylvania. He adds a fourth folkway, represented by the settlement of the Appalachian region.

This book traces the evolution of these three models of immigration as they explain the historical roots of current policy debates and options. The focus is on 1) why each model has played an important role; 2) the contexts in which one model or another has risen in importance; 3) the impact of each on immigration and immigration policies; 4) the implications of each for the immigrants themselves; and 5) the implications of each model for the United States as a nation of immigrants. The book is organized chronologically, but separately discusses each of the models, as well as the backlash against immigration that accompanied each of the major movements. The final chapter shifts to the future, asking fundamental questions about where we as a nation are heading in our immigration and immigrant policies. Given the highly controversial nature of immigration in the United States and the heated political debate over immigration reform, my hope is that this book will provide a thoughtful, well-reasoned analysis that will be valuable to both academic and policy audiences, by placing today's trends and policy options into historical perspective.

Models of American Immigration

The first permanent English colony was founded in Virginia in 1607. Established by a trading company that was primarily interested in profits, Virginia largely equated immigration with the arrival of laborers. Indentured servants, convict laborers, and, finally, slaves were brought to the colony. Their labor was welcomed but, particularly in the case of slaves, full social membership was denied. Although the colonial leaders sought immigrants and, in the case of convict labor and slavery, compelled both convict laborers and slaves to migrate, few rights were accorded to those who came to be seen as supplying expendable and exploitable labor.

Massachusetts was also settled by a trading company, but its goals were loftier – to establish a colony for coreligionists who shared Puritan theology and values. From the establishment of the Massachusetts Bay Colony in 1630, the colony's immigration model was to welcome the true believer but to exclude and, in certain cases, to expel or even kill those whose views challenged the conventional wisdom.

William Penn was also motivated by religion in establishing the Pennsylvania colony in 1681, but he brought new ideas about religious tolerance and diversity. Although Pennsylvania was to be a haven for Quakers who faced persecution in Britain, Penn extended a welcome to other groups who wished to immigrate to the new colony. Members of religious minorities throughout Europe responded, making Pennsylvania one of the most diverse colonies in religion, language, and culture.

Fuchs (1990) asserts that the Pennsylvania ideal – that immigrants (specifically, white European settlers) would be welcomed on terms of equal rights – prevailed in the making of the new nation. The Massachusetts model “became influential in the development of a national ideology of Americanism, but it was too restrictive to form a dominant immigration and naturalization policy”

(Fuchs 1990: 8). He also argues that the Virginia ideal recurs as a model of labor migration, but, having found its most extreme form in slavery, remains suspect.

I agree with Fuchs' elaboration of these colonial models – although noting that, as archetypes, they have never existed in pure form – as well as his view that the Pennsylvania model reflects what has been best in immigration to the United States. I disagree with him, however, as to the extent that the Pennsylvania model has prevailed. Rather, I propose that each model has had salience throughout our history, with the strength of each model varying in accord with broader currents of thought and events. Each model is basically supportive of immigration, although they cast immigration as serving markedly different purposes. Each has been challenged, not only by the others, but also by more restrictive notions of nation and community. And as concerns about immigration mount, the economic, ideological, and integration arguments of the three models are used as often to justify curbs on immigration as to support continued admissions.

Here are a few examples of the ways in which the three models have played out. Exclusions based on ideological beliefs (alien and sedition acts, bars to admission of anarchists and communists), along with affirmative policies for admission of refugees from communist regimes, formed the nineteenth- and twentieth-century counterpart to the Massachusetts requirement of religious conformity. The importation of Chinese laborers to build the railroads and perform other unskilled jobs, followed by the Chinese Exclusion Act of 1882, reflected the Virginia idea of immigrants as expendable workers rather than members of the society. The *Bracero* program, under which Mexican workers were admitted on a temporary basis to fill wartime labor shortages, also followed the Virginia pattern.

The Americanization movement of the early twentieth century, conceived by proponents of immigration as a way to help immigrants achieve the promise of the Pennsylvania movement, was later “hijacked” [to use Barbara Jordan's (1995a) term in calling for a twenty-first-century Americanization movement] by restrictionists who introduced quotas on the admission of immigrants of selected national origins. It was not until the Immigration Amendments of 1965, passed during the height of the civil rights movement, that national origins quotas were eliminated. This opened immigration to new communities and set off the fourth wave of mass migration.

Today's notions and patterns of immigration may be the most complex of all. The threat of terrorism and concerns about fundamentalist Islam have led to new ideological restrictions with new theological overtones. With the end of the Cold War and the demise of Communism in most countries, U.S. refugee programs have lost their Massachusetts-style *raison d'être* and have still not returned to the levels of the 1980s.

At the same time, the apparently insatiable demand for labor has led to a tolerance of large-scale undocumented immigration and a proliferation of temporary worker programs, mirroring earlier periods of unfettered, Virginia-style migration. Another manifestation of the Virginia model has been a series

of federal laws that have restricted the rights of immigrants (for example, to public welfare benefits and due process of law) just as their numbers have increased substantially.

Numbers and Trends in Immigration

Statistics on the number of immigrants coming to America are weak even today. Although there are reliable administrative records on the number of persons who come through legal channels, determining how many persons arrive without authorization requires sophisticated estimation techniques combined with leaps of faith in the assumptions that underlie the estimates. No records are kept today on levels of emigration – that is, the number of persons who leave the United States – although such information was collected in the past. The decennial census offers information on the stock of foreign-born persons in the United States, but immigrants are an obvious source of the census undercount, given language, cultural and legal barriers to participation in the census.

With all of these caveats about the quality of the data, it is still possible to construct a picture of the scale of immigration during the past four hundred years. Klein (2004: 58) estimates that 198,000 Europeans and African slaves came to the American colonies during the seventeenth century. Most went to the southern colonies but a high proportion was male, and death rates, at least initially, were also high. Smaller numbers migrated to New England and the mid-Atlantic colonies, but as a result of lower death rates and a more balanced male-female population, there were more opportunities for natural growth than in the south. During the eighteenth century, immigration increased. Klein estimates that 586,000 immigrants (again from both Europe and Africa) arrived between 1700 and 1775.

The first U.S. census, carried out in 1790, found a population of 3.8 million persons. The census did not ask where inhabitants had been born but did ask about national origins. The largest proportion was of English and Welsh descent, with Scottish and German descent contributing sizable proportions. In 1820, the federal government began collecting data on arriving passengers, which provides useful perspective on immigration levels. Figure 1.1 shows the number of immigrants admitted during the period from 1820 to the present. The data map the various waves of immigration.

Into the third decade of the new republic, immigration levels were modest. They began to increase in the 1830s and grew substantially in the 1840s and 1850s, only to fall during the Civil War. Immigration during this period was primarily from Britain, Ireland, Germany, and the Scandinavian countries, although Chinese and Mexican laborers also arrived.

After the Civil War, immigration began to increase again, except during the 1890s, when the United States suffered several major economic crises. With recovery came record levels of immigration in the first two decades of the twentieth century, with more than 1 million immigrants arriving in six of the years between 1905 and 1914. Emigrants during this period came mostly from southern and eastern Europe, and brought people who shared neither the

language nor the religion of the majority Anglo-Protestant population of the United States. With the outbreak of World War I, events in Europe precluded mass emigration, reducing immigration levels from that continent. The United States recruited temporary workers from Mexico to fill the gap.

In the 1920s, immigration from Europe began to increase again, only to be permanently reduced by the imposition of numerical restrictions and national origin quotas that effectively ended the opportunity of southern and eastern Europeans to enter. As these new immigration policies went into effect, the Great Depression further suppressed immigration levels and, for the first time, levels of return migration to Europe exceeded new arrivals. Throughout the 1930s, the quota for Germany went unfilled as the U.S. State Department imposed administrative barriers to the admission of refugees from Nazi persecution, effectively precluding the resettlement in the United States of large numbers of Jews and other victims of fascism.

Low levels of permanent immigrant and refugee admissions persisted throughout the 1940s, but with U.S. entry into World War II, attention turned, as it had in World War I, to admission of temporary workers from Mexico. This program operated until 1964, employing between 4 million and 5 million Mexicans during the twenty-two-year period. Illegal immigration from Mexico also grew in those years, setting the stage for today's high levels of unauthorized entries.

With mass population displacement in Europe as a result of World War II and the Cold War, the United States reversed its refugee policies, allowing migration to increase during the 1950s and early 1960s. Congress did not agree to lift the national origins quotas, but ways were found to circumvent the restrictions for the admission of refugees and displaced persons.

More fundamental change in U.S. policies occurred with passage of the 1965 Amendments to the Immigration and Nationality Act. This legislation eliminated the national origins quotas as well as earlier restrictions on the admission of Asian immigrants. By the time of its implementation, few Europeans were able or willing to immigrate to the United States. Western Europe was importing temporary workers from southern Europe. Most of eastern Europe was behind an Iron Curtain that prevented emigration. Instead, immigrants' origins shifted to Latin America, the Caribbean, and Asia. Immigration began to increase in the 1970s but did not reach the levels of the early twentieth century, in absolute numbers, until the 1990s. As a percentage of the total population immigration is still not at nineteenth-century levels, when the overall U.S. population was much smaller. Significant levels of legal admissions have persisted into the first decade of the twenty-first century (although, at this writing, it appears that the economic recession may have reduced the numbers attempting to enter illegally).

Background to the Research

The research for this project has been almost thirty years in the making. A word about the author may be in order here. My early training was as an historian,

specializing in the colonial period. My first venture into research on immigration was a series of studies for the Select Commission on Immigration and Refugee Policy (1979–1981). These studies traced issues of recurrent concern regarding immigration (language, public health, crime, and return migration), to help inform the commissioners about the issues they were addressing. This research was collected into a volume on immigration history published by the commission. In 1980, I became the research director for the commission, taking lead responsibility for the staff report that explained the reasoning behind the commission's recommendations. This role gave me insights into the formulation of policies that would form the basis of the Immigration Reform and Control Act of 1986 and the Immigration Act of 1990.

After the commission ended in 1981, I spent the next decade as policy and research director at the Refugee Policy Group, a think tank on refugee issues. During that pivotal period in refugee policy, I focused initially on the resettlement of refugees to the United States. Later, I turned my attention to asylum issues as well as to international refugee assistance issues. During this period, I had the opportunity to visit refugee camps in Southeast Asia, Central America, and Africa. I also interviewed federal, state, and local government officials, representatives of private resettlement agencies, refugees, and asylum applicants in numerous states.

In the 1990s, I served as the executive director of the next major federal body that reviewed immigration policy, the U.S. Commission on Immigration Reform (often referred to as the Jordan Commission after its chair, Barbara Jordan). During five years, the Jordan Commission held hearings and consultations in communities throughout the United States. This provided me with the opportunity to hear from experts as well as from ordinary Americans who spoke during the open microphone sessions. The commission's field visits provided further opportunities to learn about immigration in the 1990s. Whether I was accompanying the Border Patrol along the United States–Mexico border, observing refugee adjudications in Kenya, or speaking at naturalization ceremonies, these experiences gave me a unique perspective on the implementation of U.S. immigration policies. I also had the good fortune to serve as the U.S. coordinator for a binational study team with Mexico, which allowed me to visit emigrant communities in Jalisco and Oaxaca and to tour the border from the Mexican side. The dozens of congressional hearings at which I testified and the numerous personal briefings I gave to members of Congress provided me with further insights into the key issues that were on the legislative agenda. When the Jordan Commission ended in 1997, I returned to academia where I have continued to undertake research on immigration to the United States at Georgetown University. Recent projects have studied the impact of immigration on new settlement communities, efforts to address unauthorized migration at the worksite, and the admission of temporary foreign workers to the United States.

Thus, having spent much of the past 30 years intimately involved in the immigration policy process, I bring my personal experiences and perspectives to this volume. I also draw upon previously published books and articles that I

have written on a range of immigration issues.³ This volume has made extensive use of primary sources materials, including letters, diaries, journals and other personal records, contemporary newspapers, magazines and journals, public immigration records, and the papers of the Dillingham Immigration Commission (which submitted 41 volumes to Congress in 1911). I also used analyses of laws, regulations, policies, and testimony, and consulted the *Congressional Record*, court cases, and other relevant materials that lead to an informed understanding of immigration policies. I have also analyzed census and administrative data on immigration patterns and immigrant experiences. Chapters 10 and 12 draw heavily on the public and personal records of the two commissions in which I served in senior capacities (including field visit notes, public hearings, background papers, decision memos, and commissioned research) and interviews I have conducted with policy makers and implementers at federal, state, and local levels.

The book builds upon a distinguished body of recent publications on U.S. immigration history, which has been invaluable to my research.⁴ I am indebted to two books in particular. Aristide R. Zolberg, *A Nation by Design: Immigration Policy in the Fashioning of America* (2006) and Daniel J. Tichenor, *Dividing Lines: The Politics of Immigration Control in America* (2002) meticulously analyzed the formulation of American immigration policy. Tichenor's analysis of the Select Commission on Immigration and Refugee Policy and Commission on Immigration Reform were particularly helpful in confirming conclusions I had reached as an insider. It was reassuring to know that an independent assessment had come to similar views about the aims of these commissions. This book has a broader scope, however, than these excellent volumes, in that it discusses the interplay between immigration policy and immigrant experiences, focusing on differences that emerge from the three models discussed herein.

³ Among the more relevant articles and books, "Quaker Tribalism" (Forbes [Martin] 1982) explores the response of one Pennsylvania community to the growing diversity that stemmed from the Pennsylvania model. "The Politics of U.S. Immigration Reform" (Martin 2003) and "The Attack on Social Rights: U.S. Citizenship Devalued" (Martin 2002) explore the pressures on the Pennsylvania integration model since 1996. "A History of American Language Policy" (Forbes [Martin] and Lemos 1981) and "Language and Immigration" (Martin 2005) explores the reasons that English language acquisition has been a "hot button" immigration issue since the beginnings of the nation. "Competing for Skills: U.S. Immigration Policy Since 1990" (Martin and Lowell 2005) and "U.S. Immigration Policy: Admission of High Skilled Workers" (Martin et al. 2002) examines labor migration policies. "Beyond the Gateway: Immigrants in a Changing America" (Gozdziak and Martin 2005) assesses the impact of today's immigration on new settlement areas in the United States. "International Migration and Terrorism: Prevention, Prosecution and Protection" (Martin and Martin 2004) discusses U.S. policy responses to the events of September 11, 2001.

⁴ In the years leading up to the 1965 immigration reforms, a number of important immigration histories were published that are at one and the same time predecessors and source materials for this book, including Oscar Handlin's *The Uprooted* (1952); John Higham, *Strangers in the Land* (1955); and Maldwyn Jones's *American Immigration* (1960).

A Roadmap to the Book

Chapters 2, 3, and 4 present the Virginia, Massachusetts, and Pennsylvania models, respectively. They describe the origins of the colonies, the aims of their founders, and the major migrations that took place during this first wave of immigration. These chapters highlight the push-and-pull factors that encouraged and, in the case of African slaves and English prisoners, forced movements across the Atlantic.

Immigration in the founding of the republic is discussed in Chapter 5. The chapter pays particular attention to evolving notions of membership in the American polity and how immigration fit into the process of nation building. The second major wave of immigration, which took place between 1830 and 1880, is examined in Chapter 6. The chapter focuses on the new Catholic immigration, particularly from Ireland and Germany, which was greeted with suspicion by the largely Protestant native population.

Chapters 7 and 8 focus on the third major wave of immigration, which began in the 1880s. Chapter 7 discusses the experiences of the immigrants as well as initiatives, such as the Americanization movement, to help them adjust to life in the United States. Chapter 8 discusses the movement to restrict immigration. It traces legislative actions to improve the “quality” of the immigrants to be admitted and then, in the 1920s, to impose national origins quotas.

The period from 1924 to 1965 is discussed in Chapter 9. The chapter examines the very restrictive refugee policy of the 1930s, comparing it with Cold War refugee admissions of the 1950s and early 1960s. It also discusses the reemergence of the Virginia model with the admission of Mexican temporary workers.

Chapters 10 and 11 recount the resurgence of the Pennsylvania model in the period from 1965 to 1994. Chapter 10 examines the new immigration emerging from passage of the Immigration Amendments of 1965, which eliminated the national origins quotas. The growth in immigration from Latin America and Asia are of particular focus. The chapter highlights the work of the Select Commission on Immigration and Refugee Policy and the two major pieces of legislation – the Immigration Reform and Control Act of 1986 and the Immigration Act of 1990 – that flowed from its recommendations. Chapter 11 focuses on U.S. refugee and asylum policy, discussing particularly the impact of the Refugee Act of 1980 which sought to bring U.S. policies and practices into conformity with evolving international norms and standards. The experiences of refugees from Cuba, Southeast Asia, and the former Soviet Union receive specific attention.

In Chapter 12, the immigration story is brought to the present. Unauthorized migration and post-September 11 policies are discussed as new manifestations of the Virginia and Massachusetts models, respectively. The chapter focuses particularly on the growth of undocumented migration, as well as such landmark, but ultimately ineffective, legislation as the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996.

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Finally, Chapter 13 looks to the future, setting out my recommendations to return immigration to the United States to the Pennsylvania model. The chapter argues that America has benefited the most from immigration when we as a nation, and the immigrant newcomers, both take seriously our mutual responsibilities – what the U.S. Commission on Immigration Reform referred to as a covenant between immigrant and country. The final chapter describes four prerequisites for an immigration system that fulfills the aims of the Pennsylvania model: the curbing of illegal immigration; the revitalization of legal immigration; the reassertion of U.S. leadership on refugee and asylum policies; and a renewed commitment to the full integration of immigrants into American society.