

## CHAPTER 6

### **Whom to Exclude, Whom to Prefer: The Immigration Reform Act of 1965**

Often, the changes Congress made to the immigration act in 1965 are described as revolutionary. In one way, they are. Congress removed race from the categories governing immigration and naturalization exclusion. This was the first federal statement about access to citizenship that did not say “white,” “Negro,” “Oriental,” or something similar. It fundamentally and irrevocably altered the legal basis for choosing America’s citizen population. It allowed immigration from every country and gave each country the same numerical limit, which allowed significant Asian and African migration for the first time. The act did not, however, increase the number able to enter; in fact, it altered the legal ceiling by pulling under it a previously unlimited group, Western Hemisphere immigrants. In that way, Congress extended regulatory control over the number allowed to enter, a profoundly conservative act, at the same time that it liberalized categories describing the characteristics it desired in its immigrants. This shift was, as were previous revisions of immigration policy, precipitated by an external change that challenged an assumption about American identity and interests on which prevailing policy rested.

Like World Wars I and II and the Korean War, decolonization changed the context in which the United States located itself. Immigration policy no longer meshed with, and in fact undermined, the country’s stance vis-à-vis the rest of the world. Reformers hashed out a response that redirected policy to protect against the threats or take advantage of the opportunities in this new world. This response was then adjusted—magnified or modified—through debate, by pointing to an outcome that might exacerbate a current domestic conflict. Recent strife over civil rights suggested to some in the early 1960s that American blacks would take unequal treatment of Africans and Asians as a denial of black equality with whites; this followed concerns in earlier decades that “ethnic” Americans would take immigration quotas that did not match Americans’ national origins as a statement that they were second-class citizens. As was true in earlier years, legislators believed that how immigration policy

treated foreigners revealed how Americans viewed their fellow citizens, their allies, and their enemies. Geostrategy had to be made consistent with domestic policies. Immigration policy made great propaganda, the currency of the cold war.

From 1952 through 1965, as in earlier periods, immigration policy provided the arena for direct fights between two views of American boundaries, sovereignty, and citizenship. To the 1920s, nativists and universalists had struggled over whether to establish boundaries at all, then over whether those boundaries ought to create a citizen group protected from racially motivated wars and therefore defined by race. To the 1950s, isolationists and idealists had argued over whether boundaries prevented or created war. Should the country enforce divisions assuming a racial threat against a white population, or an economic or ideological threat against a liberal population? From the mid-1950s to mid-1960s, proponents of autarky and internationalism clashed over whether, for practical and moral purposes, American principles and programs should stop at the fifty states' edge or should extend throughout the West. To decide whether self-interest should include the interests of non-Americans was to determine whether the "self" included noncitizens, whether American identity had to be based on a potentially transnational principle. In each period two viewpoints dominated, one defining the group to be taken into account narrowly, the other broadly. What changed were the reasons given to justify where the boundary should be drawn, because what changed by 1965 were legislators' interpretations of what new events meant for sovereignty and power.

The majority viewed American policies with bifocals for the first time, seeing distance and proximity with equal clarity. They worried about how foreigners as well as citizens would interpret what policy said about the desirability of people of their type. They worried about the symbolic and political effects of any group, internal or external, believing that the United States held them in secret contempt. The standard for measuring how much was too much was not the American citizen population but other potential immigrant populations. Early exclusionists had argued that the United States allowed too many Italians compared to native Americans; in 1965, reformers argued that it allowed too many Italians compared to Chinese. Global leadership, the legislators belatedly concluded, did matter. The United States was to remain as strict as ever when it came to numbers—it extended regulatory control over new groups, keeping the overall limit the same as it ever was—but it liberalized criteria governing those few who were allowed to enter.

Communism abroad motivated both isolationists and internationalists, who lobbied for far-reaching measures to counter communist expan-

sion. Some worried about the cold war at home while others worried about communism abroad; some groups stressed nonintervention and noninvolvement while others wrestled with the issue of how to develop and project American hegemony. The difference between them was not defined by a left/right split, nor a pluralist/anticommunist split, nor an interventionist/noninterventionist split. Rather, one group fought the cold war at home; the other fought it abroad. One group adopted a strategy of nonintervention toward the outside world; the other adopted it toward American society.

Why and how legislators became convinced that immigration policy needed to be overhauled can be seen in their discussions of who owed what to whom, whose interests ought to be taken into account, and what legitimate interests were. Possible catalysts to change during this period are lessening unemployment, which could reduce economic fears and perhaps encourage consideration of temporary laborers; domestic developments such as the civil rights movement and Great Society legislation promoting domestic equality and redistribution of opportunity—these could have encouraged change in desired immigrant characteristics by reforming the way that Americans thought about community; and external or foreign policy developments, such as the crises creating Hungarian and Cuban refugees, decolonization, the Kennedy assassination (by an expatriate), and the Vietnam War, which could have strengthened the country's resolve to help allies and hurt enemies in the cold war. The events least controllable by the U.S. government—civil rights demands, decolonization, and refugees—in fact provided the greatest stimulus to change. The following sections outline the viewpoint prevailing as the debate started—the isolationist position—and the internationalist viewpoint challenging this, then consider possible stimuli to change.

Arguments for change had to be tailored to contrast with current policy. McCarran-Walter drew the boundaries of American concern narrowly, focused attention on internal cohesion, and defined American citizens in racial and ideological terms. McCarran-Walter's champions were leaders in the domestic fight against communism, not the international fight. Indeed, Pat McCarran argued against creating international institutions to function as international outposts against Soviet expansion. "The foreign aid years" defined by the Marshall Plan, he argued, "have also created another type—a companion type—the psychological warfare warrior; the man whose purpose in life is to listen to foreign voices, observe foreign reactions, assess overseas angers and overseas jubilation. This is the sort of man who is a doctor of philosophy of alien emotion."<sup>1</sup> The purpose of foreign policy was to fix things overseas so that Americans would not need to bother further. "Few, if any, will quarrel with the original basic

objectives of this mutual security foreign aid program: to prevent Americans from again having to fight and die on foreign battlefields.”<sup>2</sup> Francis Walter, McCarran’s cosponsor, wanted American activity overseas to contract. Refugee slots were underused, he argued, because American reconstruction of Europe had been a success.<sup>3</sup> Nothing more need be done. McCarran rejected an internationalist anticommunism. “If we do not reject the idea of immigration as an instrument of national policy, as a pawn in the game of power politics, then our country is certain to become little different from the countries which these people would like to leave.”<sup>4</sup>

Although he argued strenuously for anticommunist immigration provisions, McCarran opposed using immigration policy to fight the cold war.

But with the idea of using refugees as chips in an international poker game, to achieve some advantage for ourselves, I am not at all in sympathy. If we are going to help refugees because they are refugees, because they are homeless and hungry and ill-clothed, that is one thing; if we are going to make a show of helping refugees in order to win an election in some European country, or get an agreement out of some European government, or try to win the friendship of the people of some country of Europe, I say the objective is primarily a selfish one, and unworthy of the traditions of the United States of America.<sup>5</sup>

The United States ought, in his view, to ignore the wishes of others.

At stake was the absolute sovereignty developed at the turn of the century, an authority that had to remain unquestioned and unresponsive to foreign demands to survive. Francis Walter declared that “throughout all our history immigration laws have been based on the premise that one of the first functions of sovereignty is control of both quality and quantity of prospective new citizens. The only yardstick in arriving at this determination has been the interest and welfare of the American people.”<sup>6</sup> Soliciting others’ views was wrongheaded and unproductive. “All other advanced countries in the world recognize their right to regulate immigration to correspond with the desires and welfare of their own citizens. The United States alone seeks world approval, and I might add to no avail.”<sup>7</sup> Listening to others “would inevitably lead to the weakening of the institutions of this country; and if we do not remain strong, then immigration policy will become a moot question in any event.”<sup>8</sup> Isolation secured defense.

Restrictionists’ views echoed those of earlier years. Immigration meant invasion. To remain sovereign, the population had to remain finite and controlled. “If we keep on adding to the number admitted into our country, eventually we shall find ourselves without a country, without lib-

erty, without freedom, and without opportunity for veterans who return from Korea.”<sup>9</sup> War was near suicide; immigration was in fact suicide. “The people of America do not want to turn their country over to the European hordes. . . . we have given them our boys, we have given them our blood; we have given them our substance; for God’s sake do not give them our country.”<sup>10</sup> Sending money abroad for reconstruction siphoned off power, but allowing immigrants in was worse, for it eroded sovereignty. “American citizens have been taxed untold billions of dollars to support foreign governments and foreign peoples. Now we are being asked to surrender the country itself to the world’s hordes who are just waiting for the immigration barriers to be lowered.”<sup>11</sup> International politics was a struggle to determine the fittest. “Self-preservation, in my opinion, is the first law of nature.”<sup>12</sup>

Immigrants were nonentities in a world composed of one’s own citizens and other governments. “Immigration laws, like trade laws and the like, come under the normal exercise of sovereign power”; therefore, it is not logically possible to discriminate against immigrants.<sup>13</sup> Moreover, “there has been some indication that we should not hurt the feelings of our friends, but America comes first.”<sup>14</sup> If other countries’ policies affected the immigration stream, America was not sovereign. Russia expels people; “is Russia, in this manner, to establish our immigration policy by actually determining the exact individuals who are to make up the America of the future?”<sup>15</sup> Isolationists viewed immigration policy as negotiating the country’s relationship to the rest of the world.

In this prevailing view, domestic values were the only appropriate standards to use to judge acceptable immigration. Internal subversion presented the greatest threat to the country’s future. “If we bring in 200,000 aliens, and if our security officers are  $99\frac{44}{100}$  percent perfect in their job, there would still be 1,120 subversives who would get into the United States. . . . Conquest of the United States of America at this period in world history would be the key to the conquest of the world, regardless of whether achieved by immigration, infiltration, fifth-column action, and economic warfare, or by military operations.”<sup>16</sup> Only through immigration could the country be subverted. “Consistent with the Kremlin-centered nature of the world conspiracy is the fact that the communist apparatus in our country is not a homegrown product, but is a weed transported from abroad. . . . At this very hour, the Communist Party is organizing all over this Nation cells and fronts under the guise of study groups for the purpose of propagandizing and agitating for the repeal or emasculation of the Immigration and Nationality Act [McCarran-Walter].”<sup>17</sup> For “too long traitors to this country have taken advantage of the many wonderful benefits provided citizens of the United States at the same

time they are plotting to destroy the country.”<sup>18</sup> Lee Harvey Oswald might not have been able to enter the United States had Congress taken sufficient action earlier.<sup>19</sup>

To save the United States, Americans had the duty to preserve the status quo. From this standpoint, national origins quotas’ value was in their ability to guard stability. Strom Thurmond argued:

The wish to preserve one’s identity and the identity of one’s nation requires no justification—and no belief in racial or national superiority—any more than the wish to have one’s own children, and to continue one’s family through them, need be justified or rationalized by a belief that they are superior to the children of others. There is no merit in the contention that the quota system is racist or morally wrong. Individuals, and groups, including nations, have an absolute and unchallenged right to have preferences for other individuals or groups, and nothing could be more natural than a preference based on a sense of identity.<sup>20</sup>

Isolationists argued for national origins policy using new reasons. They claimed to be democrats, not racists. “To the contrary, I assert that anyone who believes in the equality of man should share my views, because if men are truly equal, the people who constitute the most numerous part of the population of any nation are necessarily those who contribute most to that country and its development.”<sup>21</sup> The national origins formula “treats persons differently because they are basically different.”<sup>22</sup> Anglo-Americans might, for example, be better than others in their political habits. “If we transfer the pattern of our immigration to countries and people who have historically maintained a totalitarian concept of government, it will only be a matter of time until our Republic will veer from its traditions of freedom and democracy.”<sup>23</sup> Although President Johnson argued that national origins quotas “disparage the ancestors of millions of our fellow Americans,”<sup>24</sup> isolationists disagreed. “The national origins quota system is based on conditions existing in the United States, and for this reason, it is like a mirror reflecting the United States.”<sup>25</sup> What was most valuable was that which protected the status quo.

Isolationists sought to conserve (or create) a particular version of the United States. The country they desired was the country they imagined existed in the 1870s or so, one in which English, Irish, and Germans dominated, in which democracy worked, people spoke English, and they cared about their neighbors rather than about foreigners. It was a world focused in on itself, protected through isolation and ignorance from the chaos abroad. The domestic and foreign spheres were to be kept separate; should

they touch, the foreign would pollute the domestic, and the domestic would leak into the foreign. Complementing isolation was a policy promoting an internal purge. If the society could eliminate bad influences, it could close the borders confident that it would not be harmed. Isolation, not alliance, protected it from communism.

Internationalists, by contrast, viewed the United States not as a discrete sovereign unit but as the center of the West, a vast political realm whose borders were limited only by militarily fortified East Bloc boundaries. Sovereignty in this realm still depended on authority, but since the struggle was global, authority had to be global. There were, therefore, no limits on territories or peoples whose welfare ought to be considered when weighing policies. Universalists before this period had denied borders' relevance. Internationalists, though they shared universalists' concern with events and people outside the country, departed from universalists by acknowledging borders' importance. Boundaries mattered in the cold war. Internationalists were, also, forward-looking. Whereas isolationists valued the status quo and therefore sought to measure current policy by its deviation from past policy, internationalists left the past behind: "as far as ancestors are concerned, I will say they are like turnips—like turnips—nothing good of them but what is in the ground."<sup>26</sup> Relevant distinctions between citizen and noncitizen were no more nor less than those between West and East, friend and foe: loyalty to liberal principles of social distribution. The cold war demanded an internationalism that clarified the differences between East and West. Immigration policy had to encourage integration within the West and to weaken the East. Whereas isolationists drew narrow boundaries and worried about subversion, internationalists drew wide boundaries and worried about pushing back the threat. Isolationists relied on fortification; internationalists depended upon leadership and tipping dominoes in their direction. Isolationists guarded against an internal threat by purging the country and then quarantining it. Internationalists defended against an external threat by changing that outside world.

Leadership became of value in itself. It became important that the United States simply reign. Immigration policy became to some a symbol of general leadership, a signal that the United States would enact laws consistent with its pronouncements and would act on principle, that petty calculations of minor interests were beneath it. Internationalists understood the country to be establishing an age of American leadership defined by norms governing exchange and cooperation on various issues.<sup>27</sup> The United States wished "to do justice in terms of an open world extending not only to goods, but to people. That, I feel, is the ultimate objective of freedom and the ultimate objective of the kind of world in which we in the United States wish to live and wish everybody else to live."<sup>28</sup> For example,

“we have opened up a very important phase in which we have recognized that . . . there can be no free-trade doctrine worldwide unless there is free migration and free emigration of people. Without the free movement of people there cannot be a free movement of goods.”<sup>29</sup> Immigration was one such issue, but was also an arena in which other issues intersected. “We can no longer avoid, as we did in that decade [1930s], the responsibilities that have been placed upon us as a leader of free nations. We must take care that our immigration policy, like every other aspect of our behavior toward foreign persons and states, reflects the genuine and durable principles of our democracy.”<sup>30</sup> Like isolationists, internationalists understood immigration policy as an important symbolic and practical statement about the country’s relationship to the rest of the world.

American values were general, global principles for world emulation, not practical matters involving neatly definable short-term interests. Constant, nagging awareness that military apocalypse might be imminent added to the burdens of leadership and to the stridency with which internationalists argued for gestures of goodwill. “In this challenging world, our country cannot stand still. It cannot isolate itself from the demands of our times that would destroy the fearful. . . . Mere material wealth is not total security in an atomic age. It takes moral courage to accept leadership and to make high decisions in keeping with the character of the growing, generous America that is the parent of us all.”<sup>31</sup> The country could not shirk its responsibility. “At no time in the history of our Nation has there been a more desperate need, for the sake of preservation of civilization, to resolve misunderstandings, fears, and distrust among the peoples of the world. We are gripped by awareness that it is these tensions which have spurred nations in the race for military supremacy in atomic warfare.”<sup>32</sup> Legislators saw U.S. immigration regulation as a key to the Western unity so crucial to defend the free world.

For this reason, pronouncements of leadership during debates about immigration policy reform were far-reaching, oratorical, and vague, much more general than might be expected on a potentially narrow and technical topic of low politics: “For the sake of America’s greatness, its international prestige, and its position of moral leadership among the nations of the world, I urge this Congress to take swift action to undo the wrongs of the McCarran-Walter Act.”<sup>33</sup> America had come of age. “The abolition of the national origins system would signify to all our maturity and the casting off of unreasoning fear.”<sup>34</sup> Through reform, “we would once more prove that United States leadership of the free world in accordance with our policy declarations is not merely a figure of speech but both effective and real.”<sup>35</sup> Leadership was its fate. “We have been drawn inextricably into the affairs of the world, and on the security of America rests much of



the security of the world.”<sup>36</sup> The United States, through this step, took a decisive step toward asserting, or accepting, hegemony.

Forty years ago, the national origins quotas was [*sic*] first enacted into law. It was a time of fright when Americans, having recently emerged from World War I, seemed uncertain of themselves. Their reaction was to isolate themselves from the world, close their gates to new blood and new ideas, withdraw to the humdrum and the conventional. The repeal of the national origins quotas is a reaffirmation of our sturdy faith in human equality, of our enthusiasm for setting democratic standards for the rest of the world, of our willingness to lead a global community of peoples toward universal recognition of human dignity.<sup>37</sup>

This belief also explains why representatives could care about how their policies compared to others’. “I believe that we mark ourselves as a nation which has not yet fully grasped the significance of our role in the world when we allow other small countries—for example, like Venezuela—to show a record very much better than our own in respect to the resettlement of refugees and escapees.”<sup>38</sup> Reputation was power; image was everything.

Legislators hoped for imitation. “What we are trying to do is not only to grant material help to these [displaced] people, but to create a psychological atmosphere which is absolutely necessary to demonstrate the duty of leadership that belongs to America in guiding the way, so that other countries will follow our example, and actually do something about overpopulation [which led to communism] in a very substantial manner.”<sup>39</sup> If the United States successfully outlined an action plan and a rationale to justify it, other countries could shoulder some of the burden. “As leader of the free world and the nation most blessed with the resources for a solution of the escapee problem, can we create an impression of unwillingness to bear our fair share?”<sup>40</sup> (One act to admit refugees was in fact known as the Fair Share Law.) The United States had to articulate its conception of world order carefully, for much was at stake. “I am deeply convinced that we are faced not only with the crisis of defense, in connection with which we must catch up in missiles and rocketry—and unquestionably we will—but that we are also faced with the crisis of our relations with the world. These relations not only go to weaponry, but also go to immigration. This depends very largely upon the direction the free world will take due to the leadership implications of the immigration policy of the United States.”<sup>41</sup> The country sought to articulate norms and thereby establish patterns.

Such patterns would govern the West’s policies in the cold war. Korea had taught the United States that the war was real. It developed into a war

the United States could come to understand. Containing, and then rolling back, communism's spread would reduce the military threat that the United States faced. Crucial to containment were secure alliances. Security depended on loyalty, loyalty depended on credibility, and credibility depended on consistency. How immigration changes affected allies' perception of American commitment to the liberal, anticommunist principles on which alliances were (presumably) based would determine how firmly they would be willing to stand with the North American alliance in the event of war. Isolationist and internationalist legislators believed that equalizing quotas sent a strong signal to allies about American intent. They disagreed about what that signal was.

One difficulty they faced was uncertainty about exactly who those allies were. World War II had turned into the cold war so quickly that policies to take care of recent allies, current allies, and future allies piled on top of each other. Were ceilings to be equalized, World War II allies hurt would be England and Ireland. Dean Rusk wanted to save high quotas for these countries because "at a time when our national security rests in large part on a continual strengthening of our ties with these countries, it would be anomalous indeed to restrict opportunities for their nationals here."<sup>42</sup> Allies in the cold war were at least as important. "It is part and parcel of our foreign policy to make friends, particularly those of the NATO countries, where many of the refugees reside. . . . We have assumed world leadership and we must exercise world leadership."<sup>43</sup> But whereas World War II involved specific allies in a defined theater, the cold war involved all countries in a fluid arena of battle.

Could the United States give high quotas to all allies and potential allies in the cold war? Complicating this was the Quota Acts' legacy of excluding southern Europeans. The very people about whose salvation presidents had declared foreign policy doctrines were denied immigration on ethnic grounds. "Only the communists profit from the free world's neglect of Italy, which is the source of Western civilization, culture, and religion."<sup>44</sup> The Truman and Eisenhower administrations were appalled; the Kennedy and Johnson administrations were outraged. "It is an affront not only to the extremely important emerging nations of Africa and Asia, but also to some of our closest allies, such as Greece and Italy."<sup>45</sup> Equalization would "contribute effectively to the strengthening of our allies in the Pacific and the development of our neighbors in South America."<sup>46</sup> Equalizing countries' allotments within a defined limit simultaneously solved the symbolic and practical problems involved in distributing numbers.

Money as well as reputation was involved. Just as prisoners cost more per day in prison than they subsist on outside of it, refugees in Europe cost more to support than did displaced persons transferred to the United

States. "It has been estimated that we could save \$2 1/2 billion in foreign aid by allowing 240,000 special quota immigrants [from Europe] to enter the United States over the next 3 years."<sup>47</sup> Equalization would save money by convincing wavering populations that the United States was a credible ally. "We have poured out billions of dollars to shore up the economies of our allies. Yet I can only wonder whether much of this material aid may come to naught if we cannot, by this relatively small token, demonstrate that we practice what we preach by extending help to those who have bravely fought and who have somehow managed to escape totalitarian tyranny."<sup>48</sup> Policies in different spheres cost different amounts, but all had similar effects. "There is no yardstick with which to measure the impact of our immigration policy upon our foreign relations and the reputation abroad. But it would not seem outlandish to suggest that in the long run this impact may well equal that of our economic aid programs."<sup>49</sup> An effective immigration policy could minimize problems in other areas.

Isolationists meanwhile rejected arguments about allies in or out of the cold war and did not contribute to a discussion in which each side accepted that others' perceptions mattered. Isolationist Pat McCarran, in a rare comment, asked why if the "free world" included Europe, Europeans had to come to America to be free.<sup>50</sup> By the mid-1950s, the cold war had become such an accepted standard for measuring policy that those opposed to admitting refugees sometimes also cited practical consequences related to global U.S.-Soviet rivalry. Those advocating restriction had earlier asserted that other countries should fend for themselves and not expect American handouts. By 1953, however, restrictionists asked who, if the United States admitted refugees, "will be left in the foreign countries to fight communism? There will be none but weaklings, and soon the countries who will send us the immigrants will have to surrender to Communist forces."<sup>51</sup> Those who opposed refugee admissions also linked admissions and leadership, though they thought that leadership was not crucial. "The United States is not the only nation with a critical stake in problems of world security."<sup>52</sup> As the cold war became entrenched, legislators increasingly identified American interests with American hegemony. Internationalist language and terms came to dominate, and the debate slowly became an intra-internationalist debate.

Cold war propaganda replaced World War II aircraft carriers as the decisive destructive weapon. Just as the Japanese during World War II broadcast to the Indians, Burmese, and Chinese news of America's racial exclusion policies, so did communists after the war advertise the same thing. "There are many who feel that the McCarran-Walter Act has gratuitously placed a powerful propaganda weapon in the hands of the Rus-

sians, and the Russians are making the most of it.”<sup>53</sup> This could be turned around.

Our country has arrived at a turning point in history—at a great moment when, through psychological warfare, we can press our advantage. One of the finest means to do so is to send word behind the Iron Curtain that our doors are not closed to the refugees and escapees, but rather that we are willing to welcome reasonable numbers of those who we are sure are genuine partisans of the cause of freedom.<sup>54</sup>

This [McCarran-Walter] law is one of the greatest talking points against America which the Communist International has. We are held up to ridicule because of this law—a powerful country like ours—sound, prosperous, and stable—. . . We have lost more prestige abroad than we can compensate for with the *Voice of America*. This law, which the *Daily Worker* criticizes for its own purposes here, is priceless grist for the Communist propaganda mill abroad.<sup>55</sup>

I am deeply convinced that, in a package, they [immigration reforms] are as essential as is our massive effort to catch up in terms of the weapons race. If we do not expect—and certainly we do not—to resolve the conflict in the world by world war III, then our other means—by economic and technical assistance; by recognition of human dignity, through enforcement of civil rights; and by immigration legislation which is just and fair, and takes account of what is taking place in the world, and takes account not only of our own strengths, but also of the weaknesses of our enemies, in terms of the things in which we believe and which we hold the most dear—that is the package—constituting, as I see it, the way by which we hope to avoid world war III.<sup>56</sup>

The United States has failed to take the initiative in the battle for the minds of men. Economic assistance is not alone the answer to the dilemma of our foreign policy. Men do not live by bread alone.<sup>57</sup>

Refugees, meanwhile, provided the best information that the allies could obtain on Soviet plans and operations.<sup>58</sup> “We can advance the cause of world peace if we encourage the internal disintegration of the Red empire. One method to accomplish this is to aid Communist government officials to abandon their positions of leadership, defect to the west, and provide us

with valuable information.”<sup>59</sup> What the USSR lost, the United States gained.

Of course, propaganda worked both ways. Restrictionist declarations that immigrants were nothing more than slackers, spies, and criminals were used by the Soviets to their advantage: only criminals and other degenerates would want to leave the Soviet Union for the United States.<sup>60</sup> Refugees to the United States could, in turn, redefect.<sup>61</sup> And “Woe betide us if we ever go down the road in an effort to wipe out all the things that our enemies might use in their propaganda programs against us, for this would result eventually in the elimination of the free enterprise system.”<sup>62</sup> The country’s anticommunist fervor could be manipulated to the Soviets’ advantage.

According to internationalists, immigration restrictions were obviously hypocritical as well as counterproductive because they undergirded a Paper, or Red Tape, Curtain around the United States keeping people out, just as East Bloc countries’ Iron Curtain kept them in. “Thousands of these refugees have escaped from Communist-dominated areas behind the Iron Curtain only to be confronted by another kind of unfriendly barrier—rigid immigration laws which have prevented many of these freedom fighters and freedom lovers from earning a living and raising their families in countries dedicated to democratic ideals and institutions.”<sup>63</sup> Claiborne Pell called immigration barriers a “paper wall”;<sup>64</sup> many representatives drew general conclusions similar to those that Fernand St. Germain outlined, that U.S. goals should be “the re-establishment of refugees who cannot return to their native countries for religious, racial, political, or other reasons [which] is closely connected with our objectives to continue the provision for asylum and assistance to the oppressed, to extend hope in the process of freedom to the victims of communism, and to exemplify the differences which exist between free and captive societies by our sacrifices and actions in behalf of the less fortunate members of humanity.”<sup>65</sup> American policy should contrast, not imitate, Soviet policy.

Since the cold war between U.S. and Soviet allies was zero-sum, what helped the United States would harm the Soviets. This help could also be an absolute gain. Besides propaganda effects, economic benefits were an obvious example. “Indeed,” argued Jacob Javits, “we should adopt a policy that will attract to the free world as many as possible who are gifted and effective, who can make a major contribution to our society, and deprive the Communists of this benefit.”<sup>66</sup> By legalizing such admissions, the country would “help ourselves abroad by raising our prestige, and can help ourselves at home by enriching our national blood with new and worthy citizens.”<sup>67</sup> By equalizing quotas, “we would recognize the individual

worth of each immigrant and his potential contribution to the development and growth of our national economy.”<sup>68</sup> To others, military benefits were more striking. “The people of the world are not blind to this sort of hypocrisy. We sometimes wonder why we do not enjoy everyone’s unbri-dled friendship. We ask why our embassies are picketed by those we believe we have helped.”<sup>69</sup> Earlier, Pat Hillings had pointed out that “this is part of the new policy which will give the Russians such a bad time in their own back yard behind the Iron Curtain that they will not have a chance to start a third world war.”<sup>70</sup> If it did the opposite of what the USSR did, the United States could not lose.

In addition to stressing ways to win the zero-sum propaganda game between East and West, internationalists focused on ways to promote gains all around among the allies. Cooperation within the West was, in their view, positive-sum. This conviction underlaid proposals for cooperation in NATO as well as GATT, OECD, and regional international governmental organizations. One example of the win-win enthusiasm that permeated internationalist proposals about immigrants dealt with population size. While large populations in Europe were dangerous to Europe, a large population in the United States was beneficial, increasing American power. European overpopulation led to communist discontent. “Communism and totalitarianism thrive on unemployment, lack of housing, lack of food, and discontent.”<sup>71</sup> This was true of Europe. “In many of these southern countries in Europe, for instance Italy and Greece, there is a national problem with communism because of the crowded conditions.”<sup>72</sup> Once securely in the United States, however, immigrants lent their strength. “We have become a great nation. We have the greatest gross national product of any nation that ever existed. Our gross national product is approaching almost \$700 billion. One of the reasons therefor, I think, is that we have siphoned off the best of the brain and brawn of nations all over the world, of all races and climes and origins.”<sup>73</sup> The United States gained in absolute as well as relative terms.

Central to the internationalists’ worldview was the conviction that international and domestic policies should at a minimum be consistent, and preferably be mutually reinforcing. This mattered at both the symbolic and practical levels. Domestic and foreign policy had to match if the country was to avoid the charge of hypocrisy. Domestic norms and behavior revealed to foreigners the country’s true beliefs; foreign policies told Americans how the government really thought of their concerns. In addition, domestic policy could support foreign policy, and vice versa, creating a synergy allowing American hegemony to burst forth. Domestic economic and trade policies should mesh, territorial defense and extended

deterrence should be mutually supporting, civil rights should be consistent with human rights policies, and policies toward citizens and toward foreigners should be calculated according to the same principles.

Party platforms illustrate the way that public officials on both the left and the right saw domestic and foreign policies integrating. As early as 1956, both major American parties saw immigration policies as linking domestic and foreign policies. Both intended that the revisions they advocated would streamline the link between the domestic and the foreign sphere. For example, in 1956:

The Republican Party supports an immigration policy which is in keeping with the traditions of America in providing a haven for oppressed peoples, and which is based on equality of treatment, freedom from implications of discrimination between racial, nationality, and religious groups, and flexible enough to conform to changing needs and conditions.

We believe that such a policy serves our self-interest, reflects our responsibility for world leadership, and develops maximum cooperation with other nations in resolving problems in this area.<sup>74</sup>

While:

The Democratic Party favors prompt revision of the immigration and nationality laws to eliminate unfair procedures under which this country depends on quotas based on accident of national origin. Proper safeguards against subversive elements should be provided. We favor the elimination of the provision of laws that charge all persons admitted to our shores against quotas for future years. We also favor more liberal admission of relatives to eliminate the unnecessary tragedy of broken families.<sup>75</sup>

By 1960, both parties again pushed for reform. The Republicans argued that “immigration has been reduced to a point where it does not provide the stimulus to growth that it should, nor are we fulfilling our obligations as a haven for the oppressed. . . . The guidelines of our immigration policy be based upon judgement of the individual merit of each applicant for admission and citizenship.”<sup>76</sup> The Democrats echoed the substance of this position. Besides blaming the national origins system on the Republicans, the Democratic party platform argued that “the national-origins quota system of limiting immigration contradicts the founding principles of this Nation. It is inconsistent with our belief in the rights of man. . . . The revision of immigration and nationality laws we seek will implement our belief

that enlightened immigration, naturalization, and refugee policies and humane administration of them are important aspects of our foreign policy."<sup>77</sup> Both parties intended immigration policy to provide a better link between the country's domestic and foreign policy goals.

Immigration guidelines linked domestic and foreign policies philosophically, for they spelled out how the country thought of itself, its purpose, and its relation to the rest of the world. In the context of the cold war, it articulated the gist of the difference between the United States and the Soviet Union. "The fundamental difference between us and the Communists is that we want an open world in which people can move from place to place, in order to give the greatest opportunities in life and in order to have the liberty of the world. The Communists want a society in which people cannot move. The Communists want a world which is restricted within compartments, controlled by the state. We want a world in which movement is easily possible."<sup>78</sup> Revising immigration policy to select on individual achievements rather than on group ascriptive traits would highlight that "the cornerstone of American political and social philosophy is built on the dignity of the individual, an individual to be evaluated as an individual."<sup>79</sup> Individuals, to internationalists, should be distinguished only horizontally, by location in sovereign space, not vertically according to an ethnic or even ideological hierarchy.

Liberalism honors the individual, not the state, yet cold war ideology demanded that states secure their borders against individuals. "America's struggle with totalitarianism is far more than a contest for dominance in world power politics. Above all, it is a struggle for the vindication of democracy's belief in the individual worth of human beings as opposed to the totalitarian concept that individuals have no identity except as components in the political and economic structure of society."<sup>80</sup> Freedom of movement was a *sine qua non* of liberty. "There is probably no single matter of law or tradition that divides the free world from the Communist empire so dramatically as does the question of freedom of movement and migration. The Berlin Wall stands as a mute and monstrous testament to the power of the dictatorial state to curb the freedom of men to change their environment."<sup>81</sup> Liberalism demanded open borders; the cold war demanded realist politics, closed borders. What was a liberal country fighting such a war to do? Treating all states equally, regardless of their varied population sizes, showed respect for sovereign equality and would flatter newly independent states, encouraging them to ally with the United States. After numbers had been limited in this way, there was room for liberal principles. Individual equality could be respected within the confines of sovereign equality.

Altering immigration guidelines in a more cosmopolitan direction



would, hopefully, change American society for the better too. By integrating foreigners with Americans, Americans could be taught to take advantage of world opportunities. Unfortunately, argued internationalists, American provincialism retarded its advance. Such views, if thought, had not before been expressed in public debate.

It is a popular but erroneous belief that reform of the immigration laws would throw open the United States to a flood of slave traders, hashish chewers, coolies, witch doctors, mountain bandits, and camel drivers. This xenophobic concept envisions the typical immigrant as an illiterate, cholera-ridden pagan, who would either usurp the job of an American workingman or go on the relief rolls; who would subsist on fish heads and rice, father 13 children, and refuse to learn to speak English; who would lower property values wherever he lived; who would vote against school bond issues, hoard his money in tin cans and, who, in his idle hours, would run numbers, smoke opium, and revive the Tong wars.<sup>82</sup>

American society had to become more cosmopolitan because international society had become interdependent; American policy was to push that interdependence yet further.

In the light of interdependence, American immigration policy looked shabby and outdated, an embarrassment. "Interdependence among nations has become an essential to amiable and progressive international relations and the fostering of a lasting peace. . . . Yet we have an immigration policy which is in part isolationist and wholly iniquitous, and one which lags behind the demands and ignores the phenomena of a world in motion."<sup>83</sup> Inconsistency meant inefficiency.

Our immigration policy has lagged behind the promises of our tradition and the progress of the world. Trade crosses borders ever more freely; capital flows by the mere entering of figures on ledgers; ideas spirit from one country to another as fast as the printing press and the airplane can carry them; news, protests, approvals, anger and gratitude travel with the speed of light. But people—the people who make the goods, create the capital, think and live the ideas—move almost as slowly as if the airplane or even the railroad had never been invented. . . . Olivetti typewriters and Fellini movies come here more smoothly and easily than the gifted people who make them.<sup>84</sup>

Interdependence allowed loftier sentiments. "Let us keep to the heights where we shall be unafraid to welcome the worthy in a world which con-

stantly grows smaller in size.”<sup>85</sup> Interdependence also focused attention on individual rights and liberal norms, circumventing state boundaries. John Kennedy argued that “in an age of interdependence among nations, such a [national origins] system is an anachronism, for it discriminates among applicants for admission into the United States on the basis of accident of birth.”<sup>86</sup> A liberal immigration policy had a central place in a world order dedicated to transnational cooperation. “The goal of world peace and brotherhood in this or any other generation can be furthered only in a climate of increasing understanding and good will among nations; important in the area of international relations are immigration policies and procedures. Inevitably a nation’s immigration laws reflect its basic attitude toward nations and races.”<sup>87</sup> Liberal neutrality suggested borders open at least to liberal people.

Like isolationists, internationalists sought to create a particular version of the United States. The country they desired was the country they imagined could exist if the country chose to accept its responsibilities and to live up to its potential. It was a country that led the world out of the chaos abroad. Ignorance was dangerous. The domestic and foreign spheres should be integrated, because principle did not respect borders; furthermore, since other countries knew this, consistency would demonstrate American credibility. Complementing internationalism was a policy allowing domestic society to expand as it would according to its own impulses. If the country could eliminate bad foreign influences, it could open the borders confident that it would not be harmed. Hegemony, not isolation, protected it from communism. A series of events provoked debate over immigration policy.

### **Reason: Duty to and Interest in Hungarian Refugees**

In 1953, Peter Rodino pointed out that dramatic airplane escapes from the East Bloc were fine in principle, but mortgaged quotas meant that only few could escape with U.S. approval unless the country wanted publicity about the fact that it would not offer escapees entry.<sup>88</sup> Robert Hendrickson later argued that “the snarling little men of the Kremlin and the shivering puppets of their satellite empire are also looking on today. . . . For, in a very large measure, it [a bill to allow 209,000 refugees U.S. residence] represents a new blow at their recently demonstrated inability to keep their peoples in a slavish iron grasp growing rusty with the blood of their victims.”<sup>89</sup> No serious action, however, was taken until early 1957.

In late 1956, almost 200,000 Hungarians fled to the West after the Soviet military put an end to an anticommunist uprising in Hungary. Most

sought temporary or permanent residence in the United States. This group of refugees from the cold war faced an American refugee policy developed to protect the country from those uprooted during World War II. Displaced persons were to be retained in their homelands, if possible, to help rebuild them. If this was not possible, they were allowed to emigrate to one of several Western countries. Those who entered the United States were charged against their country's quota, based on the national origins of the U.S. population; if refugees exceeded spaces, immigrants mortgaged future quotas for their countries. In 1952, the Hungarian quota was 865 annually (0.56 percent of the total), already mortgaged until 1985.<sup>90</sup>

Internationalists argued that the country simply had to take in the Hungarians if it wanted to retain credibility in the fight against the Soviets. Richard Nixon reported to President Eisenhower:

The Communist leaders thought they were building a new order in Hungary. Instead, they erected a monument which will stand forever in history as proof of the ultimate failure of international communism. Those people, both inside and outside of Hungary, who had the courage to expose by their actions this evil ideology for what it is, deserve all the gratitude and support which we in the free world are so willingly giving today.<sup>91</sup>

For the first time, immigration policy allowed that some people, by virtue of their actions, had earned entry to the United States and that the United States' position created a responsibility for its consequences.

Recognizing this, internationalists argued, was not just morally appropriate but practically necessary to U.S. strength because it bolstered American credibility. Eisenhower noted that "our position of world leadership demands that, in partnership with the other nations of the free world, we be in a position to grant that asylum";<sup>92</sup> and John Dingell pointed out that "the first question we must face up to is whether, as a matter of policy, we want people in Eastern Europe to escape. If we do, then logically we have to shape our immigration policy to accept the consequences of this decision. . . . The problem this has created for us is affected by the fact that wealth has responsibilities. . . . they want to know what standards we will apply in admitting them."<sup>93</sup> (The same could have been true of Cuban refugees, but accepting Cubans was easy because they fled from the Western Hemisphere, which faced no numerical ceiling. Cuban refugees could be excluded only if they were personally unfit, e.g., were lunatics, prostitutes, or polygamists.) "If these escapees, beginning to realize the futility of spending more years in a camp, returned by the thousands as they are sure to do, then the United States from a propaganda

standpoint, will most certainly be discredited.”<sup>94</sup> Immigration policy was one of many policies that together waged the cold war.

Furthermore, since a global leader’s domestic and foreign policies merged into each other, domestic policy could send signals abroad and foreign policies could affect domestic loyalties. “We cannot afford to have a person risk flight from behind the Iron Curtain or other dictatorial government, only to find that the Free World will provide no haven for him. Such a situation would end in complete disillusionment with democracy, and would threaten the preservation of our democratic principles.”<sup>95</sup> Overcrowding threatened the same result indirectly, although ironically the overcrowding was due in part to American encouragement of cold war refugees. “Population pressure” led to unrest, social explosion, and communism. “Our allies in Western Europe are overcrowded and they are burdened with refugees. Certainly, if we know anything about our foreign policy, we know that we are encouraging the people to flee the Iron Curtain in an attempt to break down the hold of the communists on the satellite countries.”<sup>96</sup> The United States had already institutionalized an alliance with these countries. “Large numbers of nonproductive people undermine the basic security objectives of the North Atlantic community, objectives which are an essential part of the foreign policy of the United States. They reduce the capacity of the free world to establish an effective posture of defense against the threat of communist aggression.”<sup>97</sup> German ethnics expelled from Eastern Europe threatened to destabilize Germany and hence NATO.<sup>98</sup>

Liberty abroad meant liberty at home, and vice versa. “The national origins formula of the 1924 law remained an unsurmountable obstacle to what the people of the United States wanted to do; namely, to accept the responsibility which the U.S. position of leadership in the world had imposed.”<sup>99</sup> McCarran-Walter denied liberty to refugees. Therefore, McCarran-Walter was not the immigration policy of a liberal hegemon.

What was good for the country internationally was good for it domestically. Eisenhower was only one of many who claimed no conflict, in this area, between “our responsibility of world leadership and . . . our own self-interest.”<sup>100</sup> For example, “it is sound policy to consider the needs of our own country first, and then to legislate in accordance with those needs. Those needs, of course, include the cooperation with free nations of the world, in order to help preserve our liberties.”<sup>101</sup> International action was a no-lose proposition. A refugee admission bill, for example, “would contribute immeasurably to the economic and political stability of our allies. It would enhance our prestige throughout the world. It would encourage other nations to expand their resettlement programs. And it should strengthen our economy through the addition of productive

and much-needed agricultural and other workers.”<sup>102</sup> Every transaction among allies was, in this view, positive-sum.

### **Reason: Decolonization and Credibility**

People in former colonies were also engaged in translating ideas about equality and self-determination into action. The postwar wave of independence began in India and Pakistan in 1947 and reached its zenith from 1957 to 1963 when thirty-two countries achieved independence. During the period from 1945 to 1960, relations between the United States and its allies in the cold war although imperfect had reached a stage of some familiarity and predictability. How the newly independent countries would affect the cold war, internationalists believed, depended a great deal on how the NATO countries treated them. “Many countries of Asia and the Pacific have traditionally sought more than a token of immigration to the United States. These are the countries that will play a large and vital role in determining the future course of world events.”<sup>103</sup> Decolonization affected isolationists’ arguments only to the extent that one isolationist asserted that preventing emigration was in the newly independent countries’ best interests: “We have sent Peace Corps personnel to the four corners of the world to teach new skills and modern scientific techniques in the underdeveloped nations which are literally starving for trained workers. Are we now to establish a program which will literally skim the cream off the very countries that desperately need new skills to emerge from the dark ages?”<sup>104</sup> But since the new countries were not concerned about a brain drain, neither were the internationalists concerned.

The tone that the United States set, they believed, would at least affect and perhaps determine the cold war’s outcome.

During these times, when we are striving to win over and hold in our camp the peoples of the uncommitted and underdeveloped areas of the world, this problem assumes larger proportions. For these are the very people we are slapping in the face with our national origins selections. It is the people of the young burgeoning nations, the newly emancipated countries of Asia who bear the brunt of the most extreme discrimination in our present law—the Asia-Pacific Triangle restrictions.<sup>105</sup>

The Third World would turn away from the United States. “Everyone recognizes that the challenges of emerging nations are tremendous. Let us not be further hampered in our efforts to join with them in free world endeavor-

ors by the embarrassment of taking no action to move forcibly against the kind of national policy discrimination we know today under our immigration quota system.”<sup>106</sup> Individuals, as well as governments, could become enemies. “It must be remembered that our immigration policies often make up the first and only personal contact that people of other countries have with the United States.”<sup>107</sup> Decolonization provided an opportunity, and a risk.

Doing other good works was a waste of time and money since immigration policy belied American motives. “We spend billions of dollars in foreign aid so that we can convince other nations that our democratic way of life is the best and then we say to the people of these countries when they wish to come into the United States, ‘sorry, you were born in the wrong country.’”<sup>108</sup> Whereas military inferiority damaged the U.S. reputation, immigration policy directly affronted the newly independent. “If sputnik has caused us to lose face and threatens to drive noncommitted nations into the eastern camp, then how many years have we had of losing face among the noncommitted nations when America’s basic immigration law says that one group of people is more desirable than another?”<sup>109</sup> McCarran-Walter “is very bad foreign policy in a day when the attitudes and actions of peoples other than northern and western Europeans are increasingly important to our future.”<sup>110</sup> Retaliation was always possible. “If we are willing to continue laws discriminating against individuals because of race or national origin, what trust can we in turn expect from the emerging nations of Asia and Africa?”<sup>111</sup> Retaliation would cause American losses to escalate. “Modernization of our immigration system will demonstrate to other nations, especially to the new and underdeveloped countries with whom we wish to maintain good relationships, our sincerity and responsibility. Failure to act would in the long run result in a weakening of our foreign relations and a decline in our domestic, economic, and social well-being.”<sup>112</sup> If hegemony failed, the world would plunge again into a beggar-thy-neighbor nightmare.

Finally, such policies would redound to the detriment of the United States population. “Such provisions are not only a diplomatic handicap in our relations with such pro-Western Asian nations as Japan, the Philippines, Thailand, and Malaysia, but they are also provisions which are morally indefensible to a nation committed to the proposition that all men are created equal.”<sup>113</sup> As domestic ideals affected foreign perceptions, foreign policy standards affected the society that fashioned them. To a hegemon, domestic policy and foreign policy each grew from a continuum with a wide swath of overlap.

Hegemony depended upon global reach, and decolonization extended sovereignty throughout the globe. Decolonization created a

large untested population that could vote American power up or down. “The manner in which we conduct ourselves, the manner in which we treat our friends in Asia, will determine to a great extent what our position will be as world leader.”<sup>114</sup> Sovereign equality, like equality among citizens, had to be recognized in principle before substantive cooperation could proceed. “This bill will also demonstrate to the nations of the world that we recognize each nation as sovereign, with its citizens entitled to equal standing before our laws. I believe this will greatly benefit our relations with our friends and allies, particularly those in the Orient.”<sup>115</sup> Equalizing countries’ legal treatment would create bankable goodwill.

### **Reason: Proxy War and Credibility**

South Vietnam demonstrated the costs associated with a lack of goodwill. No wonder, argued internationalists, that the Vietnamese doubted American commitment when Americans refused to accept Vietnamese as fellow citizens on racial grounds.

In Vietnam, we are spending \$1.5 million a day and have suffered more than 2,000 casualties in support of the Saigon Government. The annual quota for South Vietnamese is 100. The population of South Vietnam is approximately 15 million. Evidently we are willing to commit the full strength of this Nation’s resources to the defense of liberty in Vietnam. At the same time, our immigration law makes it abundantly clear that while we may risk war for the right of the Vietnamese people to live freely and independently, we do not want them to live with us.<sup>116</sup>

War in Vietnam showed clearly that American hegemony demanded consistency of principle. Inconsistency would, sooner or later—though definitely at the most inopportune and costliest time—fly in the face of national policies that depended for their success on cooperation among allies the world over.

We have committed our Nation to the preservation of freedom for all peoples of the world; not only those of Northern Europe. It seems quite inconsistent that we should be asking people throughout the world to join us—to fight and die for the cause of freedom and at the same time deny them an equal opportunity to become American citizens. The current policy also presents the ironic situation in which we are willing to send our American youth to aid these people in their

struggle against Communist aggression while at the same time, we are indicating that they are not good enough to be Americans.<sup>117</sup>

War did not fundamentally alter arguments people offered about international obligations and immigrants. Rather, internationalists took Vietnam as an example verifying their predictions about the likelihood of future military problems centering on regions that immigration policy slighted.<sup>118</sup> Refugees who fled war, and those who stayed to fight a war, as well as those to whom war might someday come—all would help the United States fight the cold war if the United States formalized its belief in their equality by establishing an immigration policy honoring them.

External events provided evidence to isolationists that reinforced their beliefs. Without a ban on immigration, other countries' fights (Hungary, Vietnam) or decisions (decolonization) would generate exodus into the United States. The country would be accepting a passive role in determining its population. Since its population determined its destiny, to adopt a passive stance was to forgo its control over its own fate. Universalists, faced with the cold war, became internationalists: they worried about individuals in the context of states. They viewed these developments as evidence that American isolation gave the Soviet Union a propaganda advantage. The cold war internationalized the country's defense, so it internationalized the basis for allocating immigration quotas. External developments changed the nature of the antirestrictionist argument. Domestic events had a reinforcing effect.

### **Reason: Unemployment**

From 1952 through 1965, unemployment averaged 5.3 percent, up from 4.3 percent in the six years immediately following the war.<sup>119</sup> Isolationists sometimes focused on potential job loss, raising questions of equity between citizens and aliens. Economic uncertainty could be sufficient reason to halt immigration. "It is exceedingly unwise to relax our immigration laws and increase the immigrants coming to the United States to any extent at a time when 7 million Americans are on public welfare, 3.8 million Americans are seeking in vain for jobs in which to earn daily bread for themselves and their families."<sup>120</sup> Americans owed the social surplus to other Americans. "Give me your jobless, your poor, your untrained masses yearning to draw unemployment checks. Send them to me, and I will register them to vote."<sup>121</sup> Equity between the armed forces and civilians was also at stake. "Has anyone thought of the effect this additional 200,000 aliens will have on unemployment in our country, especially on



our soldiers returning from Korea?”<sup>122</sup> Increasing unemployment would, additionally, weaken the country, making it more susceptible to communist takeover. “I do not believe that America can be made more strong or resolute in its determination to stop Communist imperialism by weakening our security structure, nor by disrupting the domestic economy by preempting jobs otherwise available to unemployed Americans.”<sup>123</sup> In this period with a basically unchanged unemployment level, increasing exports, and an expanding consumer market, the numbers did not support claims that immigrants demonstrably harmed the economy. For this reason, it was rarely raised. Rather, unemployment’s importance was largely symbolic, raising questions of fairness and just expectations. For this reason, when it was discussed, it was raised by isolationists.

### **Reason: Racial Equity and the Civil Rights Movement**

If legislators thinking about immigration policy were primarily responsive to domestic change, nothing could have shaken them up more during this period than the civil rights movement. In 1955, Martin Luther King led the Montgomery boycott; in 1957, President Eisenhower sent federal troops to Little Rock to defend desegregation. Internationalists drawing lessons for immigration policy from civil rights events claimed that morality demanded and American leadership required consistent treatment of individuals.<sup>124</sup> The only isolationists to take civil rights developments into account when framing their arguments stated that “They [immigrants] will compete with the very class of American citizens our Federal Government is seeking to aid through its war on poverty. Unemployment among the Negro population of this country will not be eased regardless of the efforts of the administration to give them preferential treatment.”<sup>125</sup> The other asked, similarly, whether immigrants did not worsen black opportunities. “Will the addition of still more minority groups from all parts of the world lessen or contribute to the increasing racial tensions and violence we are currently witnessing on the streets of our major cities?”<sup>126</sup> Aiding immigrants raised the question of whether borders ought to extend responsibilities as well as to define the limits of obligation.

Internationalists, however, felt that what was right for actual U.S. citizens was right for potential U.S. citizens. As the interface between the domestic and the international sphere, immigration policy could become the arena for demonstrating that one’s statements of principle were true and credible, statements made to American citizens as well as to friends and enemies abroad. “We must never forget that the world watches closely to see what this country does with regard to helping immigrants, just as it

follows closely what we do in the field of civil rights. In our view, reform of the immigration laws is an integral part of our responsibility as leader of the free world."<sup>127</sup> The civil rights movement focused legislators' attention on national origins quotas' implicit designation of an ethnic hierarchy in the United States.

Initially, some viewed immigration primarily in terms of domestic politics, while others viewed it mainly as a component of the cold war. Eventually, most legislators saw it as both. By 1965, after the Voting Rights and Civil Rights Acts had passed, consensus could be parlayed, by analogizing, into a consensus on immigration reform. "It seems strange to me that at a time when the Congress is taking vigorous action to insure that no American will be denied their full privilege of citizenship because of race, we still maintain an immigration policy which relegates millions of other Americans to second-class citizenship because of national origin."<sup>128</sup> Legislators made an effort to identify immigration reform with Great Society legislation. "Just as we sought to eliminate discrimination in our land through the Civil Rights Act, today we seek by phasing out the national origins quotas to eliminate discrimination in immigration to this Nation composed of the descendants of immigrants";<sup>129</sup> International equality logically followed from domestic equality. "The requirements of a nation which is reaching for the Great Society compel us to change our immigration laws";<sup>130</sup> "This year, 1965, is a year of progress, a year when we and other men are beginning to move toward the realization of a society in which all men are truly free and equal."<sup>131</sup> Adjusting immigration policy would ease tension at the interface between domestic and international spheres.

If civil rights and immigration policies were connected, and immigration and cold war foreign policies were connected, then immigration policies linked civil rights to the cold war. John Kennedy argued, "Whether we identify immigration policy with foreign policy or not, our friends do—including some of our own partners in NATO, against whom we discriminate. And our enemies so identify it also."<sup>132</sup> What the country did domestically was viewed by allies as important information concerning its credibility in other areas. "We are moving to right racial wrongs at home. It would be foolish as well as unjust not to do the same in our dealings with foreign peoples who seek admission. Our discriminatory immigration laws delight our enemies and dismay our friends abroad."<sup>133</sup> What the country did in foreign policy, domestic groups took as a sign of intent. In both cases, the "practice" to confirm the "preaching" was immigration reform. Legislators argued that immigration policy and civil rights are "very much the same kind of issue,"<sup>134</sup> implicitly denying the relevance of a distinction between the domestic and the international sphere.

Civil rights legislation was, in its own way, foreign policy, just as cold war policy was, in a way, domestic. Immigration policy stood right at the interface. "This country is now involved in a great struggle against the forces of discrimination and the apostles of bigotry. Our national energy and conscience are committed to that fight and its quest for equality."<sup>135</sup> In fact, the Judiciary Committees handled both civil rights and immigration matters. The same legislators sat on the subcommittees dealing with these two issues and listened to testimony about both. Not surprisingly, they reached the same conclusions about each. "The United States again demonstrates to the world its firm conviction that there shall be no discrimination or prejudice in this country, that persons shall be judged upon the basis of their individual merit, and that liberty, equality, and freedom can be enduring realities in this country."<sup>136</sup> Hiram Fong demonstrated how policy levels should be integrated.

At home we are now attempting to revise our laws and practices to wipe out the last vestiges of racial discrimination against our own citizens.

As we reappraise the relationship of citizen to citizen, is it not also good for us to reexamine this same relationship of man's equality to man with other peoples of the world?

For as we move to erase racial discrimination against our own citizens, we should also move to erase racial barriers against citizens of other lands in our immigration policies and laws, which are replete with racially discriminatory provisions. . . . At home, we have wiped out racial barriers in our armed forces, in interstate transportation, in our institutions of higher learning, and in many areas of our economy. We are making significant progress in desegregating our public schools, housing, business, and public accommodations, and protecting the voting rights of all citizens. It is imperative that we, as a Nation, recognize this great upheaval throughout the world for equal status.<sup>137</sup>

White Americans "must open our doors wide" to black Americans and to Africans and Asians, "to let democracy in."<sup>138</sup> Faith in the universality of equality required a universal extension of principle. "The essence of our democratic credo is the dignity of man. Our constant effort to implement fully this credo, and our vigilant protection of America's heritage, require that our immigration policy be brought in line with the moral and ethical principles upon which our democracy is based."<sup>139</sup> Immigration policy could support or undermine civil rights. "We must remember that any

injustice in our immigration and naturalization law is a wedge which will weaken our political system and our long established, constitutionally guaranteed, doctrine that all men are created equal."<sup>140</sup> Policy had not only to be consistent, but to extend principle to its logical and practical limits.

Comparing the influence that external and internal changes had on the pattern of arguments offered about immigration reform leads to one general conclusion about motives—or at least publicly acknowledged motives—for change. During this period, external events precipitated arguments for change. Domestic events were relevant when they provided additional evidence supporting reformers' conclusions. The cold war's emphasis on hearts and minds magnified the importance of symbolic politics. America's stance toward cold war refugees and newly independent peoples provided information that other countries could use to assess American reliability. Legislators in this debate played to an audience abroad, who wanted to know not how the United States treated its own citizens but how it would treat them. Domestic processes, on the other hand, did not impel discussion. Unemployment was not a real problem and was rarely raised; although unrest that led to the civil rights movement had begun a decade or two earlier, and had certainly been headline news, not until 1963 did legislators use the civil rights movement as evidence that their constituents' values mattered one way or the other. Given representatives' notorious weakness for pandering to their constituents, the centrality of domestic distributive concerns to this debate is therefore implausible.

Providing additional evidence for externally locating the catalyst to change are representatives' observations on this point. Francis Walter, cosponsor of McCarran-Walter, by 1961 observed, "It is not necessary, of course, to stress before this enlightened gathering that the economic, social, and political conditions of the world are not static. They change and therefore immigration laws and policies governing the admission of immigrants must change."<sup>141</sup> He said that "the time has come to analyze our immigration problems in depth. No such analytic study has been made since the economic, political, and social conditions of the entire world have undergone the most profound changes since the late 1940s."<sup>142</sup> These changes amounted to a revolution in America's relationship with the rest of the world. "Much has changed during the past 40 years, at home and in the world around us, bearing upon a sound immigration policy which will serve the best interests of the United States and all our people."<sup>143</sup> Legislators considered McCarran-Walter almost immoral, but "even had this law been equitable and wise, it would be well to review whether changing requirements and times, and our changing role in the world community, have not made some of its provisions obsolete."<sup>144</sup> Too much had changed.

Progressive as that 1952 law was, today it is very obsolete. More than 10 years have now passed since its enactment. Since then, our Nation and the world have witnessed revolutionary changes in almost every phase of life. Many areas emerged from colonial status to full nationhood. Many nations have challenged their form of government. There is greater clamor for freedom, liberty, and justice, and, worldwide, peoples are on the march seeking equality. Economic interdependence has shaken traditional economic, social, and political patterns.<sup>145</sup>

Revising foreign policies would ease America's adjustment to its new role. "Just as world events of 25 years ago forced us to abandon splendid isolation the events of today must move us toward an immigration policy consistent with our philosophy as a free and democratic nation."<sup>146</sup>

In 1952, many thought of the immigration problems and minor crises that the country faced as exceptional, as phenomena peculiar to the period immediately after the war. The majority not only voted for a policy loudly reiterating the 150,000 ceiling and national origins quotas, but voted for it by a margin large enough to overturn a presidential veto. For 1952 through 1965, however, many became convinced that the crises they faced were not aftershocks of World War II but early tremors of the cold war. The uprising in East Berlin, the Soviet invasion of Hungary, and the Berlin Wall crisis convinced Congress that Europe's population remained far from settled; revolution in Cuba and decolonization convinced them that the world beyond Europe had to be taken on its own terms. By the early 1960s, so much ad hoc legislation had been passed that McCarran-Walter was having little practical effect on immigration flows, though still standing as a symbol of isolationist bigotry affecting the morale of allies in Vietnam and potential allies in Africa and Asia.

Consensus about the necessity of institutional adaptation to the cold war developed slowly. John Kennedy introduced a bill to liberalize provisions regarding orphans and tuberculosis sufferers, stop mortgaging, and ease parole and asylum.<sup>147</sup> In 1958, Congress voted to reinstate the mortgaged portions of country's national quotas. As refugee crises multiplied, so did support for a more liberal refugee admissions policy. Problems in Berlin quickly followed invasion in Hungary and revolution in Cuba; the magnitude of the refugee flows that each generated was unprecedented, at least as a matter of which the United States might take control. Excluding refugees from enemy territory during a war, the cold war, was not at all the same as excluding persons displaced after a war. Jacob Javits observed that "in the last 24 hours, 1,741 East German refugees reached West Berlin. Since last Saturday noon alone over 5,000 have escaped to the free

world in this way. Only 2 weeks ago the rate was about 1,100 per day, and the previous estimate of 300,000 for 1961 which was considered high, may have to be revised upward.” He argued that this revealed many problems with life under communist rule and concluded that American “preparation must at least be equal to the confidence of the refugees. The archaic and discriminatory immigration laws fall far short of the mark in this respect.”<sup>148</sup>

Ad hoc legislation would never be enough. “A bill to provide suitably for refugees and escapees needs to recognize also that the problem is recurrent—we have already had two previous Refugee Relief Acts—that it erupts out of major foreign policy issues, and that we have a considerable amount of unfinished business on hand right now.”<sup>149</sup> The cold war was there to stay, so immigration policy should adjust. “In view of the unrest and turmoil in the world, and the brutal policies of the Soviets, it is almost inevitable that more and more men, women, and children are going to be driven from their homes.”<sup>150</sup> Crises had become the normal way of life. “The fact of the refugee is an inescapable fact of contemporary history. Geographical partition produces refugees. Political division produces refugees. Supernationalist movements produce refugees.”<sup>151</sup> The cold war, Congress realized, was indeed a war, not a battle. It would be around for decades to come.

In the context of an ongoing war with the Soviet Union, internationalists argued that McCarran-Walter presented an immoral or simply poor image of the United States, which redounded to American disadvantage internationally. Others focused on its practical inadequacy in controlling immigration flows. Either way, Congress viewed its effects as perverse. The act sorted people into sets based not just on their own acts or beliefs but also on the institutional ideology of their home country: criminals subject to automatic exclusion included anticommunists convicted by a communist court.<sup>152</sup> On the other hand, “France, the western nation with the heaviest proportion of Communists, enjoys a fairly liberal immigration quota under the McCarran-Walter Act.”<sup>153</sup> Moreover, its racism was so extensive that it had difficulty specifying any unifying rationale for its varied exclusions. “The code of racial prejudice twists like a cowpath. To keep out Italians, Greeks, Turks, and Slavs, the McCarran-Walter Act relies on place of birth, not the ancestry of the applicant. To keep out Asians, the law ignores place of birth and relies on ancestry. For both groups, however, the law consistently ignores individual worth.”<sup>154</sup> McCarran-Walter had allocated colonies a separate quota of 100, removing them from eligibility for admission under their parent country’s usually large ceiling. The effect was to exclude Negroes and Asians.

McCarran-Walter was also a failure on its own terms, “as much a fail-

ure as a device as it is an embarrassment of a doctrine.”<sup>155</sup> Actual immigration matched the American population’s national origins very loosely, as English and Germans did not care to emigrate.<sup>156</sup> One could, further, measure its failure in the number of private bills (to allow an exception to the law) that legislators introduced annually. In the 79th Congress (1945–46), legislators introduced 14 bills; in the 80th (1947–48), 80; in the 81st (1949–50), 81; but in the 82nd (1951–52), 729.<sup>157</sup> Besides private bills, Congress had enacted ad hoc legislation allowing for the relief of refugees and the entry of displaced persons, agricultural laborers, and Basque sheepherders.<sup>158</sup> “The cumulative effect of this special legislation has so modified our immigration practice that the act of 1952 no longer represents our immigration quota policy. Of the 1 1/2 million quota immigrants authorized during the 1950s, only a million actually entered the United States. However, 1 1/2 million nonquota immigrants were admitted during the same period.”<sup>159</sup> Streamlining legislation into a single, rationalized package would itself be of value, even without changing numbers or bases for exclusion.<sup>160</sup> “I submit that when two-thirds of our immigrants come in outside the law, it is time to change the law.”<sup>161</sup>

McCarran-Walter’s insistence on channeling refugees through fixed country quotas, and on keeping those quotas at their 1924 levels, harmed executive branch efforts to fight the cold war. The racially unfit southern and eastern Europeans had become valuable prizes in the zero-sum fight between the United States and the Soviet Union. Allowing escapees entry would give the United States material benefits and relieve population pressures in NATO countries, but even altering the law to admit hypothetical refugees (since most could not escape) had great advantages in the war for hearts and minds.

“Many of the people of East Germany, Poland, Hungary, Romania, Bulgaria, Czechoslovakia, and the Baltic States, have been forced to flee their homelands and break through the Iron Curtain because of the enslavement and terror visited on their homes by the Communists. Their case is an ever-increasing burden on our allies in the North Atlantic Treaty Organization and a burden on our own hearts.”<sup>162</sup> President Eisenhower observed that “these refugees, escapees, and distressed peoples now constitute an economic and political threat of constantly growing magnitude. They look to traditional humanitarian American concern for the oppressed.”<sup>163</sup> The executive branch took a stance against McCarran-Walter on three grounds: it was inhumane, it denied the country needed workers, and it created a reputation unworthy of the country’s international position.<sup>164</sup> McCarran-Walter was the policy of a post-World War I isolationist, not that of a post-World War II hegemon; it was not only irrelevant to the country’s goals but impeded its ability to reach them.

### **Reason: Credibility Means Consistency**

Hegemony implied global reach; American hegemony implied equal treatment of countries and equality among individuals. Reformists pursued two principles simultaneously: globalization and equalization. To globalize was to modernize. This, for example, underlaid Humphrey's proposal that the United States have a quota equal to 1/6 of 1 percent (the McCarran-Walter formula) of the country's 1950 population, divided equally among countries.<sup>165</sup> This would set the new ceiling at 251,000. Eisenhower later advocated modernizing by doubling the 154,000 quota, including refugees but removing the Asia-Pacific Triangle and racial provisions, and basing the ceiling on the 1960 census.<sup>166</sup> Equality could extend to all sovereign states or could apply to all the world's individuals. Table 5 outlines the relationship between American quotas for regions and those regions' populations of individuals and states.<sup>167</sup> Consensus grew that immigration guidelines should cover all countries and all peoples equally. Since states' populations differed greatly in size, Philip Hart proposed setting a cap of 250,000, of which 50,000 would be refugees (previously covered by ad hoc legislation), 120,000 divided among states according to the proportion of the last decade's immigration they had supplied, and 80,000 to be allocated among states according to the proportion of the world's population they contained.<sup>168</sup> Asians and southern Europeans benefited from this move toward equality, since their allotments had been negligible or low. Their welfare was the yardstick that internationalist reformers used to gauge sufficiency.

Yet some areas would lose out. England and Ireland would have to see their quotas dropped, and the Western Hemisphere had never faced numerical restrictions. Legislators found themselves in a dilemma: the logic of their positions required consistency, yet few isolationists or restrictionists actually wanted a policy that treated all countries alike. The left/right split, or Democrat/Republican split, did not coincide with the isolationist/internationalist split. Table 6 shows how these categories divided opinion. Some restrictionists did want all areas closed for immigration; others wanted to retain preferences for England and Ireland (for reasons of race or alliance) and the Western Hemisphere (for reasons of cheap labor).<sup>169</sup> Some internationalists wanted to retain the same preferences, arguing that these extra allotments were goals toward which further reforms could strive, much as GATT supporters justified EC preferences—"No one regards, for example, as discriminatory the special relationship existing between member countries of the Common Market which has manifested itself in many ways, including the free movement of natives among the Common Market member countries"<sup>170</sup>—while others



argued that policy had to be consistent to be credible. Paul Findley argued that the Congress should equalize the hemispheres not by extending limits to the West but by removing them from the East.<sup>171</sup> Cutting across the isolationist/internationalist divide was a schism dividing those advocating preferences from those demanding consistency.

Table 6 outlines the differences between the left and right, and between the isolationists and internationalists. Internationalists who wanted to retain preferences implied that the larger the quota, the stronger the ally. "The absence of quotas within the Western Hemisphere is an invaluable adjunct to the good-neighbor policy."<sup>172</sup> The cold war again provided evi-

**TABLE 5. Regional Distribution of Quotas**

	1930	1950	1964	1970	1980
Africa, the Middle East, and the Philippines					
Percent of world's population <sup>a</sup>	11	12	13	13	15
Percent of world's countries in the region	13	15	38	36	40
Percent of U.S. ceiling allotted	0.7	1.1	1.7	26 <sup>b</sup>	40 <sup>c</sup>
Asia: Barred Zone Area					
Percent of world's population	55	55	55	57	58
Percent of world's countries in the region	16	15	11	20	20
Percent of U.S. ceiling allotted	0.5	0.7 <sup>d</sup>	1.1	14	20
Europe, Australia and New Zealand					
Percent of world's population	28	25	23	21	18
Percent of world's countries in the region	43	43	31	26	21
Percent of U.S. ceiling allotted	62	80	51	18	21
Western hemisphere (not including the U.S.) <sup>e</sup>					
Percent of world's population	6	8	9	9	9
Percent of world's countries in the region	28	27	20	18	19
Percent of U.S. ceiling allotted	36	18	46	41	19

Source: United Nations Demographic Yearbook, various years.

<sup>a</sup>World population does not include that of the U.S. Percentages calculated from census data in the *UN Demographic Yearbook*, table 1 (various years).

<sup>b</sup>Starting in 1969, each country in the Eastern Hemisphere was given a limit of 20,000 within a 170,000 maximum; the Western Hemisphere was given a 120,000 ceiling with no distribution by country. The allocation calculated in this column then is based on the number of countries among which a subquota is divided. It is the point at which countries equalize.

<sup>c</sup>Starting in 1978, the hemisphere divisions were lifted but all countries were limited to the 20,000 ceiling. This means that the hypothetical distribution of immigration slots among regions just matches the proportion of the world's countries in them.

<sup>d</sup>Until special legislation enacted from 1943 to 1952, the Asian quota was usable only by non-Asiatics, i.e., by those of European or African descent who happened to be born in Asia. Until this time, the quota for Asiatics was zero.

<sup>e</sup>The Western Hemisphere did not have a ceiling until 1965/1969. It is included through the whole period for the sake of consistency. "Ceiling allotted" for earlier years is the proportion of all legal immigrants coming from the Western Hemisphere.

dence. “We need all the friends we can muster—particularly at this time. We cannot afford to have any nations turn against us, particularly our neighbors to the south of us.”<sup>173</sup> World War II demonstrated that this evidence should be taken seriously. “It took President Roosevelt to establish the good neighbor policy and renew old friendships. And we all recall how important those friends were to us during World War II.”<sup>174</sup> Cuban threats underlined its importance. “All this, too, at a time when the ugly head of communism has been raised on the island of Cuba and we have been joined with other nations on this hemisphere to keep this, our hemisphere, the land of freedom and of government of, for, and by the people.”<sup>175</sup> During the last days of debate, American troops landed in the Dominican Republic. “I am deeply concerned about the strong propaganda tool which the limitation of 120,000 would give to demagogues, especially Communist demagogues, in Latin America, who may play this theme to a fare-thee-well.”<sup>176</sup> The Monroe doctrine, originally directed against European imperialism, did double duty as an anticommunist statement.

If these internationalists were inductive, in that they fashioned their case from visible contemporary threats, other internationalists were deductive, arguing that hegemony demanded consistency, and therefore American power demanded Western Hemisphere restriction. Since logic demanded restriction that many restrictionists did not want, these internationalists demanded logic. They wanted to force isolationists’ hands, to show that isolationists were not for closing all borders to protect America, but for closing the borders against specific groups.

The Committee on the Judiciary is asking the House to place a numerical ceiling on immigrants from all countries outside the Western Hemisphere. Would it not also be fair and just to place Latin American and Caribbean area immigration under a reasonable ceiling? In our foreign relations, does America want to convey the

**TABLE 6. Factions in the Debate**

	Left	Right
Internationalist	Equalize quotas in the East; keep Western Hemisphere open	Equalize quotas in both hemispheres at a higher numerical level
Isolationist	Equalize quotas in both hemispheres at a lower numerical level to protect labor	Leave national origins quotas; keep Western Hemisphere open to allow labor migration

impression that the Scandinavians, the Germans, the Irish, the Italians, are less welcome here than someone else?<sup>177</sup>

Not extending the ceiling would put the Western Hemisphere in a “highly preferred position,” neither “fair, just and reasonable” nor “logical.”<sup>178</sup> “To argue that the imposition of a numerical limitation is discriminatory to Latin American nations when we impose by this bill a numerical limitation against all the other nations in the world is not persuasive.”<sup>179</sup> Legislators had to be able to justify their choices on some reasonable basis. Logical consistency did matter.

Negotiated settlement on this issue was difficult because the factions split across regions and parties. The split on the Western Hemisphere issue was decisive in the House, where the vote was 189 to 218, with 25 not voting, against limitation.<sup>180</sup> The split on the issue of equalization was decisive in the Senate, and it is this issue that prevailed. The conference committee restored Western Hemisphere ceilings as a compromise because the Senate was worried about escalating Cuban refugees.<sup>181</sup> Those advocating consistency won because the other arguments were internally contradictory, relying on assertions that a threat would obtain in one instance or region but not another. Restrictionists and internationalists desiring consistency noted that the cold war was not just in the Eastern Hemisphere. The Western Hemisphere provided a haven for those hoping to slip into the United States uncounted. “Certainly there is no reason in the world for Russia or her satellite countries to try to send subversive spies, saboteurs, and traitors into the United States through legal ports of entry, when all that is necessary for them to do is to place such persons on the border between the United States and Mexico and say, ‘Go to it, boys. No one will make any attempt to stop you.’”<sup>182</sup> Both credibility and internal security suggested extending the ceiling west. “I am shocked beyond words that the Congress, which investigates practically everyone from a baby sitter to a kindergarten teacher, does not impose stringent controls in the case of immigration at the Mexican border.”<sup>183</sup> Internationalists had gained support for their position by arguing for equality as a principle to help fight the cold war. The cold war could not be both global and irrelevant in the Western Hemisphere.

### **Reason: Consistency**

Isolationists’ assertions that immigration would increase irritated internationalists. Isolationist O. C. Fisher said that his “chief objection to this bill is that it very substantially increases the number of immigrants who will be

admitted each year, and it shifts the mainstream of immigration from western and northern Europe—the principal source of our present population—to Africa, Asia, and the Orient.”<sup>184</sup> Echoing earlier arguments, isolationists such as Fisher worried that there would be more—too many—unassimilable people. Internationalists insisted that their intent was to equalize opportunity to immigrate, not to increase the volume of immigration.

Advocates of the immigration reforms pointed out that any seeming increase was really the result of changes in accounting. In theory, there would be an “approximate doubling,” but “in practice, this would not result in any marked increase in immigration, since in the last 10 years, there has been an average annual entry of 150,000 immigrants outside the quotas.”<sup>185</sup> A prominent supporter of immigration reform, Edward Kennedy, delineated how skeptics might be mistaken.

As I have previously stated, the number of quotas authorized each year will not be substantially increased. The world total—exclusive of Western Hemisphere—will be 170,000, an increase of approximately 11,500 over current authorization. But 10,200 of that increase is accounted for by the inclusion of refugees in our general law for the first time. There will be some increase in total immigration to the United States—about 50,000 to 60,000 per year. . . . These are the numbers that go unused each year. . . . the percentage increase that immigration will represent is infinitesimally small.<sup>186</sup>

The new law in fact extended regulatory control to an area previously unrestricted. In 1958, Emanuel Celler, reform’s main sponsor in the House, wanted an increase to 250,000 based “on the average number of immigrants actually admitted into the United States within the last decade.”<sup>187</sup> He successfully steered through Congress a bill that liberalized the way that the country determined acceptable immigrant characteristics in the context of no change in numbers. In 1965 he asked, “Do we appreciably increase our population, as it were, by the passage of this bill? The answer is emphatically ‘No.’ The thrust of this bill is no appreciable increase in numbers.”<sup>188</sup> Table 5 outlines the regional distribution of numerical ceilings.

Publicly avowed intent stressed characteristics exclusively, in a departure from previous debates. In the discussions up to 1952, the core concern had been the numbers of immigrants with particular characteristics. In 1965, legislators focused only on characteristics, declaring an intention neither to increase nor to decrease the volume of immigration into the country. Reasons publicly acceptable and persuasive in this period dealt

with equity and leadership, rather than with military and economic security, which underlaid efforts to tighten or eliminate restrictions on numbers. Contemporary public debate allowed consensus on liberalizing preferences and exclusions, and demanded agreement on keeping the publicly declared limit the same.

Given that the law's public intent was liberal on characteristics and restrictive on numbers, it is noteworthy that its effect (rarely publicly discussed and never mentioned as a goal) was the opposite, to continue to select the same immigrant characteristics as before, but to allow more to immigrate. By setting 74 percent of the preferences for family members, legislators assured that the immigrant stream could not shift source too quickly. They replaced the national origins quota law by "brothers and sisters" preferences, which allowed immigrants closely related to, and therefore of the same race as, citizens.

Prior to 1965, for example, if 20 percent of the U.S. population was of French ancestry, 20 percent of the immigration quotas would be allotted to French unrelated to U.S. citizens. After 1965, 20 percent of the people in the United States would be eligible to admit their relatives—who most likely lived in France. In practice, this system was biased toward recent immigrants—though there were not many because of the Quota Act and McCarran-Walter restrictions—because they were most likely to have relatives abroad; in the mid-1960s, few Mayflower descendants had siblings in England. Another 6 percent of the preferences would be for refugees, who had been entering via another administrative category before. The reasons changed, but they were reasons for selecting the same groups of people.

On the other hand, assuming greater demand for immigration than the supply of places, pooling unused quotas meant that immigration would increase. Those from, for example, Italy, instead of being placed on a waiting list, would enter using the places that the British did not want. Actual immigration would increase. In intent, the bill was liberal on characteristics but conservative on numbers; in effect it was conservative regarding characteristics but liberal on numbers. These effects of the 1965 act, not part of the public negotiations about boundaries leading up to it, would become relevant to discussion only in later decades.

Public interest arguments that hoped to succeed did not and could not advocate increasing numbers of immigrants. Successful arguments tied change in immigration policy to the national interest in protecting against a threat. Credibility in the cold war could demand consistency, but it did not require any change in numbers. Lyndon Johnson and other proponents of reform supported this "no change" interpretation of Hart-Celler's effect on numbers. "The total number of immigrants would not be sub-

stantially changed. Under this bill, authorized quota immigration, which now amounts to 158,361 per year, would be increased by less than 7,000.”<sup>189</sup> Similarly, “it is important to note that this new law will not open the floodgates of immigration. . . . [There is an] increase of only about 2,000 persons over the presently authorized annual total”;<sup>190</sup> “the annual influx of foreigners will continue to be barely perceptible in a population as large and as heterogeneous as our own.”<sup>191</sup> In fact, “this bill is more restrictive than present law. It imposes even more rigid requirements, and it sets more specific limitations than does present law.”<sup>192</sup> Legislators were anxious to demonstrate that the changes they sought did not weaken the borders that guaranteed American distinctiveness and integrity.

Characteristics, not quantity, were legislators’ avowed target. “The question posed by this bill is not whether quota immigration should be substantially increased, but simply how we are to choose those who are admitted.”<sup>193</sup> The bill was equitable. “Total immigration will not increase substantially under the newly proposed policy, but it will be more fairly apportioned.”<sup>194</sup> As important, the bill streamlined immigration policy and reduced the hodgepodge of laws into a single package. “When anyone in your constituency asks you about our immigration policies, about the number of immigrants that are coming into this country, I think for the first time you can honestly say what the number will be.”<sup>195</sup> Gaining control was an end in itself, regardless of the sorts of changes made to the laws. Figure 8 illustrates the arguments made.

Only thirteen years separated McCarran-Walter from its successor, yet the majority in favor of the 1965 liberalization was larger than that for the earlier restriction. The House of Representatives voted 318 to 95 (with 19 not voting) in favor of the package of reforms;<sup>196</sup> the Senate voted 76 to 18 (6 not voting);<sup>197</sup> and the House finally approved the conference report, which added a Western Hemisphere ceiling, by 320 to 69, with 42 not voting, an even larger margin than that by which they passed McCarran-Walter over Truman’s veto thirteen years earlier.<sup>198</sup> Many of the members of Congress present to vote in 1952 were no longer in office in 1965, but of the 320 who voted for Hart-Celler, 40 had voted for McCarran-Walter (and 39 had voted against it) in 1952.

The new members, who had been elected during the period when the United States threw its energy into putting international institutions into operation and into fighting the cold war, voted overwhelmingly in favor of eradicating the racial categories and agreed to include the Western Hemisphere under the immigration ceiling. Minds did not change; the population of legislators changed. None of the 40 who had reversed their position over the past decade spoke on the issue during the debates, though the adherence of new members demonstrated that the arguments that the

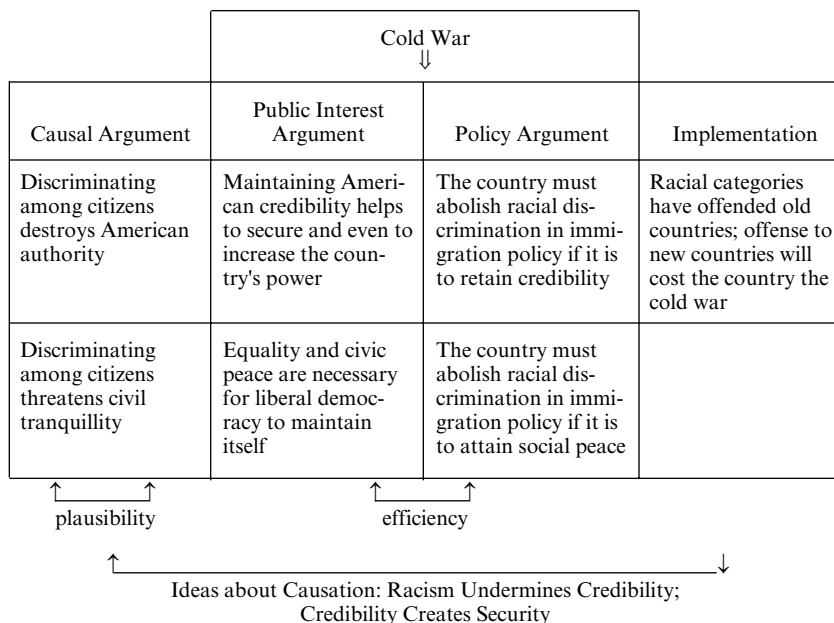


Fig. 8. Arguments made before Hart-Celler

minority had made during the early 1950s became more plausible as the decade progressed.

Change developed within and across regions, and within and across across parties. Table 7 shows the changing balance among the yeas and nays across regions.<sup>199</sup>

Hart-Celler, or the Immigration and Nationality Act Amendments of 1965 as the new provisions are formally known, has sometimes been interpreted as a breakthrough for liberalism, revolutionizing the way that the country thought of, and treated, potential immigrants. This is true and untrue. It is partially true not because the act took halfway measures in immigration reform, but because it took full measures in one direction, when considering immigrants' characteristics, and full measures in the opposite direction when considering immigrants' quantity. Hart-Celler eliminated exclusions based on race.

For the first time since just after the Civil War, race was irrelevant to eligibility for admission. Countries, moreover, received equal ceilings. Not only could Portugal send as many immigrants as England, but so could

Pakistan or the Philippines. A country’s history as an embarkation point, or gene pool, for American citizens no longer mattered.

Hart-Celler did not, however, increase the number of immigrants legally allowed to immigrate. The 1965 act raised the general ceiling from 150,000 to 270,000, but did so by bringing the previously unrestricted Western Hemisphere into the regulated group for the first time, allocating to immigrants from that region 120,000 places. For the decade 1955 to 1964, actual immigration from this region had averaged 109,000; during the early 1960s when debate about immigration was more intense, immigration from the Western Hemisphere jumped from 89,566 in 1960 to 110,140 in 1961; 130,740 in 1962; 144,680 in 1963; down to 135,820 in 1964 but then back up to 153,200 in 1965.<sup>200</sup>

Extending the legal ceiling to the Western Hemisphere primarily extended regulatory control and secondarily curtailed immigration from this region. Meanwhile, though, Congress’s having revised the categories covering immigrants’ characteristics—eliminating national origins quotas—had the consequence of increasing immigration from the Eastern Hemisphere, as the populous countries of Asia and Africa could for the first time send as many as 20,000 annually. Though the cap remained the same, the previously underused 150,000 for the Eastern Hemisphere was to be used fully after 1965. Legislators and those they invited to testify, however, mentioned neither of these effects on quantity. Several in fact took pains to point out that the law would have no effect on quantity at all, or else they provided volumes of numerical analyses demonstrating that actual immigration would decrease or increase by a couple of percentage points at most. What legislators stressed constantly was a move toward equity in the context of a flow numerically unchanged. Table 8 illustrates the ways in which Hart-Celler differed from its predecessor.

For this reason, the 1965 immigration reforms are unique. Changes to

**TABLE 7. Regionalism in McCarran-Walter and Hart-Celler**

	Northeast	South	Midwest	West
1952				
Yes	54	77	81	66
No	65	7	30	10
Not voting	4	18	4	14
1965				
Yes	97	48	100	75
No	1	46	5	17
Not voting	10	10	7	15



immigration policy before and after the 1965 act also made significant alterations in some areas and blessed the status quo in others, but reformists in other periods argued their case with explicit reference to numbers. A model argument common to the Quota Acts, to McCarran-Walter, and later to the Immigration Reform and Control Act of 1986 was: We allow too many of these people. The central problem was a glut not just of generic immigrants but of particular immigrants; conversely, the problem was not “these people’s” mere presence, but their presence in numbers. Too many Chinese, too many Italians, too many anarchists or communists, too many illegal aliens undermined social integrity and would handicap the United States in its struggle against its enemies: racially and socially decadent European and Asian countries, crazy European anarchists, Soviet and Chinese communists, German and Japanese economic competition. Hart-Celler was an exception.

Two changes led to McCarran-Walter’s eventual revision along the lines chosen. Decolonization convinced more legislators in 1965 than in 1952 that America had to lead and that its credibility affected the country’s security. The public interest had to be consistent with the national interest, and the cold war meant that national interest was international. Second, liberal internationalists accepted the bifurcation between economic and immigration policy initiated by isolationists in the early 1950s. Before McCarran-Walter, isolationists and internationalists had each argued for consistency among issue-areas: free trade in goods meant free trade in people; protectionism regarding defense and trade implied protection regarding people; and so on. McCarran-Walter’s advocates had managed to delink the issue-areas, achieving increased immigration restriction in a context of economic internationalism. Its 1965 reformers eventually accepted this split, targeting their proposals at content rather than form. Immigration policy could be formally, numerically restrictive while other policies were formally, numerically liberal—if they treated all countries alike. Peter Rodino, an internationalist, revealed that this choice was conscious when he declared, perfectly seriously, that “instead of logic and consistency [among issue-areas], I believe we must face reality and consider the national interest as being paramount.”<sup>201</sup> Hart-Celler applied the most-favored-nation principle to an immigration policy that, unlike trade policy, sought to curtail volume.

On one hand, policy in different issue areas could diverge. Trade policy, defense policy, human rights, immigration—each could follow its own logic. On the other, policy in domestic and foreign spheres could not diverge. Employment and trade policy, arms and alliances, civil rights and human rights, immigrants and citizens—all should be treated consistently. “Race and immigration, and how we resolve these problems may very well

**TABLE 8. Hart-Celler, the Immigration Reform Act of 1965**

Act	Numerical Restrictions	Preference Categories	Unrestricted (Nonquota) Immigrants	Exclusions
Immigration and Nationality Act (McCarran-Walter) Act of June 27, 1952	<p><i>Overall ceiling:</i> 154,657</p> <p><i>Method of allocation:</i> Each country given a cap equal to one-sixth of 1 percent of the persons in the U.S. in 1920 whose ancestry derived from that area. Established a minimum of 100, and granted Asian countries a general ceiling of 2000.</p>	<ul style="list-style-type: none"> <li>•1st: Aliens with special skills, with their spouses and children, 50 percent</li> <li>•2d: Parents of U.S. citizens, 30 percent</li> <li>•3d: Spouses and children of resident aliens, 20 percent</li> <li>•4th: Other relatives of U.S. citizens, 25 percent culled from unused slots above</li> <li>•Nonpreference: Any remaining unused</li> </ul>	<ul style="list-style-type: none"> <li>•Husbands of U.S. citizens</li> </ul>	<ul style="list-style-type: none"> <li>•Communists, as outlined in the Internal Security Act</li> <li>•Drug addicts</li> <li>•Anyone attempting fraud</li> <li>•Additionally established the alien address report system, which required aliens to report their addresses annually for inclusion in a central security file</li> </ul>
INA Amendments (Hart-Celler) Immigration and Nationality Act Amendments of October 3, 1965	<p><i>Overall ceiling:</i> 290,000</p> <p><i>Method of allocation:</i> 120,000 general cap for the Western Hemisphere; 170,000 cap for the Eastern Hemisphere, with a limit of 20,000 per country per year.</p>	<ul style="list-style-type: none"> <li>•1st: Adult unmarried children of U.S. citizens, 20 percent</li> <li>•2d: Spouses and unmarried children of resident aliens, 20 percent</li> <li>•3d: Professionals, 10 percent</li> <li>•4th: Married children of U.S. citizens, 10 percent</li> <li>•5th: Brothers and sisters of U.S. citizens, 24 percent</li> <li>•6th: Other needed workers, 10 percent</li> <li>•7th: Conditional (refugees)</li> <li>•Nonpreference: Unused slots from above</li> </ul>	<ul style="list-style-type: none"> <li>•Spouses, children and parents of U.S. citizens</li> <li>•Ministers</li> <li>•Former employees of the U.S. government abroad</li> <li>•Foreign medical graduates</li> </ul>	<ul style="list-style-type: none"> <li>•Sexual deviation</li> </ul>

be the key to America's victory in the struggle for the moral leadership of the free world."<sup>202</sup> Inside or outside the country made no difference. Policy became integrated by topic, not by sphere; it became split between topics, not between spheres. Integrating domestic and international processes created the tensions that propelled debate.

The set of tensions that the legislators faced all involved conflict between sovereignty and global liberalism. One tension was between the domestic economy and international security. "The nub of the problem is how to protect the country against a great stream of immigrants who could have a dislocating effect on the economy, yet at the same time to ease the explosive effect of overpopulation in other countries and do our fair share in the refugee field."<sup>203</sup> Another tension was between traditional immigration and subversion, between democracy and treasonous speech. "We are a Nation dedicated to the idea of providing a land of opportunity for the oppressed of other lands. This has been one of the cornerstones of our democracy and it has helped to make us the great Nation that we are. Today, however, because of the Communist conspiracy, we must examine our immigration policies in the light of a serious security problem. The conflict between our traditional desires and security has created the legislative impasse which now exists."<sup>204</sup> Autonomy and interdependence conflicted with each other, but each had advantages. One way to solve this dilemma was to choose an expansive sovereignty, one that allowed autonomy because it promoted asymmetrical interdependence. American hegemony erased the problem.