

Folks:

You can either listen to a podcast of the NPR radio program, or read the transcript below, or do both. (If I were you, I would do both.) As you digest this material, keep in mind the historical context: the struggle for civil rights by African Americans, which opened up a window for the redress of the, hitherto, racist inequity in U.S. immigration /citizenship polices (exemplified, for instance, by the exclusionary laws). It is not a coincidence that in the same year that the *1965 Immigration and Nationality Act* was passed, the *Voting Rights Act* was enacted and in the preceding year, the *Civil Rights Act*.

The *1965 Immigration Act* was not popularly supported—not surprisingly—and that only through testimony of key members of the political elite stating that the Act would not lead to any fundamental change in the racial coloring of the extant U.S. demography, but yet it was necessary for humanitarian reasons, namely family reunification, that the Act (bill) eventually made it through Congress to become law. However, as with other civil rights legislation of the period, there were other reasons too, and one that is worthy of highlighting is that in a *Cold War* world racist laws were proving to be a foreign policy embarrassment. A nation that preached democracy abroad but officially practiced racism at home had come to recognize that such hypocrisy was costing the country goodwill in foreign policy terms.

Needless to say, as the article points out, the sponsors of this Act turned out to be completely wrong in their predictions. From the vantage point of today, as one can readily see, the U.S. demography has changed so dramatically as a consequence of this Act, that it has given rise to a rainbow colored population that was large enough to be able to, most unpredictably, make history by coming together politically to facilitate the election in 2008 (*and* re-election in 2012), with the help of a minority of the EuroAmerican population of course, a person of color—an African American man named Barack Hussein Obama who himself was born in Hawaii of an immigrant father from Africa and a U.S.-born Euro-American mother from Kansas—as the 44th president of United States.

Here is an important question: Why were they wrong in their prediction? They had overlooked the potential of two fundamental factors to nullify the position of the Act's sponsors: the role of the Cold War itself as it eventually came to spawn a myriad of armed conflagrations all across the world, and the activities of Western (many U.S.-based) transnational corporations in pauperizing large sections of the world's populations. These two critical factors, set in motion both legal and illegal migrations of political and/or economic refugees to the richer countries of the world, including the United States, which continues to this day unabated. Folks, Remember that immigration/

emigration always involves both “push” and “pull” factors (this was true even of the circumstances of the original European settlers who came to this country in the seventeenth and eighteenth centuries to do their part in brutally abrogating the **natural law of prior claim**—by such means as superior firepower, disease, and the pure demography of numbers—by dispossessing the Native Americans of their birthrights and corralling them on reservations, which continue to exist to the present day).

Three more questions: Was it a good thing or a bad thing for this country as a whole that this Act was passed? If you are a recent—post-1965—immigrant, when did your folks come to this country, and why (push factor)? Does today’s definition of who is a U.S. American differ much from the one defined by (Michel Guillaume) Jean de Crèvecoeur (“melting-pot” concept) in his celebrated work, *Letters from an American Farmer*?

As with all readings in this course, read, digest, and be prepared to be tested on this material.

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1965 Immigration Law Changed Face of America

by [Jennifer Ludden](#) May 09, 2006 3:35 PM

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President Lyndon B. Johnson (center) signs the sweeping immigration bill of 1965 into law at a ceremony on Liberty Island, Oct. 4, 1965. Sen. Edward Kennedy and his brother, Sen. Robert Kennedy, are seen at right. © Bettmann/CORBIS





An Italian woman and her children arrive at Ellis Island in 1905. Italians were among those who complained that U.S. immigration laws discriminated against them. Since 1965, family-based immigration has driven profound demographic shifts in America. © Bettmann/CORBIS

Smuggling & Espionage Along America's Borders

Congress demands a report on illegal immigration. Authorities investigate smuggling and false documents. The public is in an uproar.

That scenario could be culled from today's newspapers, but it actually describes the situation a century ago. And the migrants weren't Latino:

There were no restrictions on Mexicans in those days.

Instead, they were from Japan, China, Greece and Syria, among other places. And they were crossing both borders, north and south, using professional smugglers and false documents.

Ellis Island, built in 1892, was virtually an open door for Western Europeans, though there were restrictions. The United States did not want newcomers who were sick, criminals or likely to become a ward of the state. It wasn't partial to Asians either, a point made clear in the Chinese Exclusion Act of 1882.

But as Ellis Island was experiencing the greatest influx of immigrants this country had known, others were sneaking across the borders. There was no Border Patrol to beef up — it wasn't created until 1924 — so the immigration agency sent inspectors out into the world to figure out what was happening.

In 1911, an enterprising inspector named Luther Steward went undercover to investigate. Marian Smith, historian for U.S. Citizenship and Immigration Services, says Steward had himself smuggled into Cuba, then over to Mexico and up through California.

One of Steward's more famous counterparts, inspector Marcus Braun, also carried out a groundbreaking investigation in Europe.

What they found was corruption on the part of the steamship corporations in Europe that brought migrants to America. Got a disease that would bar you from Ellis Island? You could travel from Marseille to Mexico and cross into the United States from there.

The motive was the big money to be made from passengers' fare. Apparently, a number of people were shipped to America against their will!

Here's an excerpt from a 1905 report by U.S. immigration inspector Maurice Fishberg. He recounts a "disagreeable feature" about steamship agents in Germany:

"They look upon every eastern European emigrant as one who must go to the United States, whether he desires to or not.

Many of the emigrants arriving in Germany who are brought by the police to the 'control station,' on being asked where they are bound for, say that they are en route to England. The agent sees very little commission in the sale of the ticket for London, and besides, suspects that the emigrant intends upon his arrival in England to embark on a vessel owned by one of the English or American companies.

The emigrant passing through Germany is considered the legitimate prey of the German steamship companies and their agents."

Fishberg described how one immigrant was forced to show all his money to a steamship agent, who then took enough for a steerage ticket to New York. The coercion continued.

"No amount of pleading on the part of the unfortunate alien is of avail. He is not sold a ticket to England, France, or any other country. 'America or home' is the verdict of the steamship company's agents, and the gendarme concurs."

— Jennifer Ludden



The Long View on Immigration

As a young politician, Sen. Edward Kennedy helped steer the 1965 immigration law through the Senate. He reflects on the politics that

helped push the overhaul through then — and on the current debate over immigration — in an interview with NPR's Jennifer Ludden, exclusively on npr.org:

[Read the Q&A with Kennedy](#) [See below] May 9, 2006

Mug shots of three Chinese immigrants captured in a sting on smuggling across the U.S.-Mexico border in 1911. Back then, border crackdowns focused on Chinese and other foreigners barred from entering the United States — not on Mexicans and other Latinos.

National Archives

As Congress considers sweeping changes to immigration law, nearly all the debate has centered on the problem of illegal immigration. Little discussed are the many concerns of legal immigrants, the estimated 3 million to 4 million who are, as it's so often been put — "already standing in line."



The current system of legal immigration dates to 1965. It marked a radical break with previous policy and has led to profound demographic changes in America. But that's not how the law was seen when it was passed — at the height of the civil rights movement, at a time when ideals of freedom, democracy and equality had seized the nation. Against this backdrop, the manner in which the United States decided which foreigners could and could not enter the country had become an increasing embarrassment.

An Argument Based on Egalitarianism

"The law was just unbelievable in its clarity of racism," says Stephen Klineberg, a sociologist at Rice University. "It declared that Northern Europeans are a superior subspecies of the white race. The Nordics were superior to the Alpines, who in turn were superior to the Mediterraneans, and all of them were superior to the Jews and the Asians."

By the 1960s, Greeks, Poles, Portuguese and Italians were complaining that immigration quotas discriminated against them in favor of Western Europeans. The Democratic Party took up their cause, led by President John F. Kennedy. In a June 1963 speech to the American Committee on Italian Migration, Kennedy called the system of quotas in place back then "nearly intolerable."

After Kennedy's assassination, Congress passed, and President Lyndon Johnson, signed the Immigration and Naturalization Act. It leveled the immigration playing field, giving a nearly equal shot to newcomers from every corner of the world. The ceremony was held at the foot of the symbolically powerful Statue of Liberty. Yet President Johnson tried to downplay the law's significance.

"This bill that we will sign today is not a revolutionary bill. It does not affect the lives of millions," Johnson said at the signing ceremony. "It will not reshape the structure of our daily lives or add importantly to either our wealth or our power."

Looking back, Johnson's statement is remarkable because it proved so wrong. Why? Sociologist Klineberg says the government's newfound sense of egalitarianism only went so far. The central purpose of the new immigration law was to reunite families.

Klineberg notes that in debating an overhaul of immigration policy in the 1960s, many in Congress had argued that little would change because the measure gave preference to relatives of immigrants already in America. Another provision gave preference to professionals with skills in short supply in the United States.

"Congress was saying in its debates, 'We need to open the door for some more British doctors, some more German engineers,'" Klineberg says. "It never occurred to anyone, literally, that there were going to be African doctors, Indian engineers, Chinese computer programmers who'd be able, for the first time in the 20th century, to immigrate to America."

Predictions Based on Ignorance?

In fact, expert after expert testified before Congress that little would change. Secretary of State Dean Rusk repeatedly stressed that the number of new immigrants coming to the United States was not expected to skyrocket. What was really at stake, Rusk argued, was the principle of a more open immigration policy.

When asked about the number of people from India who would want to immigrate to the United States, Rusk told the Senate Subcommittee on Immigration and Naturalization: "The present estimate, based upon the best information we can get, is that there might be, say, 8,000 immigrants from India in the next five years. In other words, I don't think we have a particular picture of a world situation where everybody is just straining to move to the United States."

Historian Otis Graham, professor emeritus of the University of California at Santa Barbara, says that when he first started studying the 1965 immigration law, he assumed that politicians at the time had lied about the law's potential consequences in order to get it passed. But he says he has since changed his mind.

"In the research of my students, and in the research I've been able to do," Graham says, "so many lobbyists that followed this issue, so many labor-union executives that followed this issue, so many church people — so many of those involved said the same thing. So you find ignorance three-feet deep. Maybe ignorance is the answer."

Karen Narasaki, who heads the Asian American Justice Center, finds the 1965 immigration overhaul all the more extraordinary because there's evidence it was not popular with the public.

"It was not what people were marching in the streets over in the 1960s," she says. "It was really a group of political elites who were trying to look into the future. And again, it was the issue of, 'Are we going to be true to what we say our values are?'"

In 1965, the political elite on Capitol Hill may not have predicted a mass increase in immigration. But Marian Smith, the historian for Customs and Immigration Services, showed me a small agency booklet from 1966 that certainly did. It explains how each provision in the new law would lead to a rapid increase in applications and a big jump in workload — more and more so as word trickled out to those newly eligible to come. Smith says a lifetime of immigration backlogs had built up among America's foreign-born minorities. These immigrants would petition for relatives to come to the United States, and those relatives in turn would

petition for other family members. Demand from post-colonial countries in Asia and Africa, she notes, jumped after World War II.

The Families Factor

The influx of refugees and of millions of illegal immigrants over the last several decades have certainly contributed to the United States' profound demographic transformation. But the chief driver of this change remains the system of family-based immigration put in place in 1965. Over time, in a process critics call "chain migration," entire families have re-established themselves in the United States. Historian Otis Graham thinks the policy has been a terrible mistake.

"Family reunification puts the decision of who comes to America in the hands of foreigners," Graham says. "Those decisions are out of the hand of the Congress — they just set up a formula and its kinship. Frankly, it could be called nepotism."

In fact, President Kennedy's original proposal made skills-based immigration the priority. But Graham says a broad lobby pushed for the greater emphasis on families. It included churches, ethnic groups whose members had family in the old country, and the AFL-CIO. Graham says the union worried about competition from too many highly skilled newcomers.

But the Asian American Justice Center's Narasaki thinks the family focus makes sense. She notes that in the Asian community, extended families often function as a close-knit unit. Parents will help raise children, while siblings will pool their money to buy homes and businesses together and to help finance college for the younger generation.

"A family is very important not just to the social and emotional well-being, but also to the economic well-being of these communities," she says.

At a recent naturalization ceremony, 32 immigrants gathered for their oath of citizenship in the ornate rotunda of Washington's National Archives. Of them, three were from Western Europe. The rest were overwhelmingly from Africa, Latin America and Asia.

Later, at a basement reception, the new citizens posed for pictures, holding tiny American flags and a gift bag that included a refrigerator magnet of the U.S. Constitution and an AT&T prepaid calling card. One older woman, dressed in her Sunday best, with a broad-brimmed hat, introduced herself as Hannah Ndubuisi. She is from Nigeria, and her name means "life is first." Ndubisi was sponsored by her U.S. citizen son, Samuel.

"Everybody in the world — I don't know if you know this — wants to come to the United States of America," she says. "All you need to do is go to the embassy, any embassy, and see long, long lines of people who want to come here."

In fact, Ndubisi has a long line of relatives still in Nigeria who'd love to come. It's the same with another brand-new citizen at the reception, Emad Ali from Sudan.

"I have my parents, I have sisters, I have brothers," Ali says. "I'm going to apply for them to come here soon — definitely. I hope they will be here soon."

It may not be soon at all, though. The immigration system set up specifically to reunite families is so overwhelmed with applicants, that relatives who wait their turn must endure being divided for years.

Q&A: Sen. Kennedy on Immigration, Then & Now

by [Jennifer Ludden](#) May 09, 2006 1:55 PM



Sen. Edward Kennedy (D-MA) helped steer the 1965 immigration law through the Senate. He has played a key role in crafting legislation on the issue since then. U.S. Senate

Irish forebears: Sen. Kennedy's maternal grandfather, John Francis "Honey Fitz" Fitzgerald (left), was mayor of Boston and a U.S. congressman. His paternal

grandfather, Patrick Joseph Kennedy (right), served in the Massachusetts legislature. JFK Presidential Library



Sen. Edward Kennedy (D-MA) has probably been more deeply involved in immigration issues than any other member of Congress. The [1965 overhaul](#) was first proposed by his brother, President John F. Kennedy, and it was the first piece of legislation that Kennedy managed on the floor of the Senate.

He has helped shape several substantial immigration overhauls since then, and is a co-sponsor, along with John McCain (R-AZ), of the bill now being debated in the Senate. That proposal would toughen border security, mandate that employers check the legal status of new hires, legalize millions of undocumented workers already here, and create a guest-worker program.

Return to Related NPR Story

[1965 Immigration Law Changed Face of America](#) May 9, 2006

NPR's Jennifer Ludden recently spoke with Kennedy about his own family's immigrant history and the legacy of the 1965 legislation.

Q: Take us back to 1965. What were the social and political forces then that really drove this [1965 overhaul](#) of immigration law?

KENNEDY: For all intents and purposes, it was wide open when my great-great-grandparents came here in 1848. I can look out of my office in Boston in the JFK building and still see the docks where eight of my great-great grandparents came in 1848. I can see what they call the Golden Stairs, which are the stairs that come off the piers into East Boston. They were named that by immigrants that came from all different parts of the world.

There was an enormous rivalry with the various groups. There was rivalry between the Irish and Italian and the Polish groups. Massachusetts has a number of families, for example, from the French tradition. It was probably the first nationality for Massachusetts and recognized as so. They had French newspapers in Massachusetts. They were printed weekly up until a few years ago. You had Father Morrisette from Lowell, who spoke French to his parishioners.

You could look into these communities, even today, and almost see why some were the Democrats and some were Republicans. If they came on in and were the first groups that worked in manufacturing, and they were the ones who got the jobs, or went places where others were established, like the Irish, they remained Democrats.

If a new group came in and they were excluded from the jobs, they would turn and become Republicans. You can almost see this in different communities, where Polish-Americans in Chicopee will be Democrats because they got there very early. And yet in another community, they are Republicans because they got there later. There was an enormous sense of discrimination against the immigrants that grew, and discrimination against the Irish — which I remember hearing about in great detail from my grandfather.

Q: What did your grandfather say about those times?

KENNEDY: That no Irish need apply for jobs. They were constantly ostracized and discriminated against, primarily against employment and every other aspect of social-political and economic life. And then they gradually asserted themselves. My grandfather Fitzgerald was the first son of immigrants that was elected to the Congress of the United States, and also a mayor of a major city, which was a major breakthrough. But the sting of discrimination they felt was very powerful and stayed with them. And that became a very important element in the whole restructuring of our immigrant bill in 1965.

Q: What's striking about the debate in 1965 is how so many people did not expect a huge increase in immigration, or a change in the demographics of the nation. You told Congress that immigration levels would remain "substantially the same," and that "the ethnic mix of this country will not be upset." Why weren't these changes foreseen?

KENNEDY: There were enormous changes as a result of illegal immigration. A lot of the antagonism, frustration and anger is better focused at the illegality and the illegals that came here in very significant numbers. [People] are certainly frustrated by the illegality and the explosion of illegals who come here that have impact in terms of the economy, depressing wages, and taking jobs.

But on the other hand, they have this incredible admiration and respect for their neighbor, the person at the corner store who is working 18 to 20 hours a day, trying to provide for their family, and whose child is serving in the armed forces of the country. They admire those [immigrants] they see in church, churchgoers who are trying to bring their kids up. So there's a very significant ambivalence in people's minds.

Q: But the level of even legal immigration has increased dramatically since 1965, even though many supporters of the legislation then said it would not.

KENNEDY: Everybody obviously wants to come, because this is the land of opportunity, but we've seen a rather dramatic shift as well in terms of the birthrate here. That was not really foreseen.

You're having now the leveling off of the birthrate here among a number of families. You certainly saw that in terms of Europe and Western Europe, where there is an actual decline. I don't think we foresaw that so much at the time, 40 years ago. But that is a fact, and that sends all kinds of messages.

To be energized we need new workers, younger workers, who are going to be a part of the whole economy. We don't have them here in the United States. There are greater outreach efforts being made in terms of trying to keep people in the labor market longer.

We need to have the skills of all of these people. The fact is, this country, with each new wave of immigrants, has been energized and advanced, quite frankly, in terms of its economic, social, cultural and political life. And I think that's something that will continue into the future. I don't think we ought to fear it, we ought to welcome it.

Q: Some have suggested it was a mistake to make family reunification the main purpose of our immigration law. They say perhaps we should have a system more like Canada's, which lets people in based largely on their skills. How do you respond to these criticisms?

KENNEDY: I think our tradition of the Statue of Liberty is to be willing to accept the unwashed as well as the highly skilled. There are a lot of people who haven't had opportunities in other places as a result of dictatorships and totalitarian regimes and discrimination. Are we going to say we refuse to let any of those individuals come in because we've got someone who has happened to have a more advantaged situation? I'm not sure that's what this country is all about.