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Immigration Policy Over the Past Century

The topic of immigration is inescapable in America. It is often a headline, election topic, and issue of general debate; however, many Americans rarely hear or say anything positive about it. Many Americans wince at the past blunders of immigration policy which have been problematic and xenophobic. Policy makers wish to sweep this embarrassing part of America's history under the rug and focus on the often mentioned but unfortunately untrue paradigm that America is a melting pot which welcomes immigrants. However, the effects of past immigration policies are ongoing and should continually be re-examined. Rather than dismissing all past policies as a failure, it needs to be asked, were there some parts of the policies that were beneficial and kept Americans safe? What policies were most harmful? It is only by looking back and researching these and other policies that policy makers can learn from the mistakes of America and use prior knowledge to create more beneficial immigration policies now. It is by looking backwards that we have identified that within the past century, overall immigration policies have gotten more lenient and this has greatly benefited the wellbeing of immigrants.

Brief History and Current Impacts of United States Immigration Policy

Immigration policy has changed significantly since the twentieth century, and is still changing significantly today. In the early twentieth century United States, regulatory legislation on immigration was fundamentally flawed. The Immigration Act of 1924, “... completely excluded immigrants from Asia.”(Immigration Act of 1924). It also set quotas on immigration

based on the 1910 census, setting the quota at 350,000 visas (Immigration Act of 1924). Furthermore, the Immigration Act of 1924 also favored the heavily white countries of western Europe. The United States Office of The Historian highlights the fact that,” It [The Immigration Act of 1924] did not, however, establish quotas of any kind for residents of the Western Hemisphere.”(Immigration Act of 1924). Bias policy, like The Immigration Act of 1924, was a normality of the time period, where an almost exclusively white male congress favored white immigrants, and discriminated against anyone that threatened their supremacy. The United States also saw the birth of new border regulatory measures in 1924,” among them border security policy, the creation of the Border Patrol, and the criminalization of unlawful entry.” (Ngai 71). The introduction of such restrictive legislation enabled the predominantly white population to continue its growth, and maintain its superiority. The United States would have to wait over forty years, until 1965, to see the ignition of significant reform.

On October third, 1965, President Lyndon B. Johnson passed the Hart-Celler Act, more commonly referred to as The Immigration and Nationality Act of 1965. The Immigration and Nationality Act of 1965 aimed to right the wrongs of historically biased immigration policy, by reconstructing the quota system. The History, Art, & Archives of The United States House of Representatives asserts that,” Congress erected a legal framework that prioritized highly skilled immigrants ... ” and also,” ... capped the number of annual visas at 290,000, which included a restriction of 20,000 visas per country per year.” (Immigration and Nationality Act of 1965). The Immigration and Nationality Act of 1965 recognized the shortcomings of the Immigration Act of 1924 by removing restrictions based on nationality, making a leap towards diversification of immigration in The United States. The Immigration and Nationality Act also included the family reunification clause which allowed families to reunite with each other in the United States. The

History, Art, & Archives of The United States House of Representatives also highlights,” In particular, the law created new opportunities for immigrants from Asian nations to join relatives in America.” (Immigration and Nationality Act of 1965). With many Asian immigrants taking advantage of the family reunification clause, immigration vastly diversified with,” ... only 20 percent [coming] from Europe.” (Immigration and Nationality Act of 1965). While The Immigration and Nationality Act of 1965 broke the wheel of immigration into The United States for Asian immigrants, it failed Latin Americans. Before 1965, there had been no caps on immigration from Latin America, but the Immigration and Nationality Act of 1965 saw a quota of 120,000 set for immigrants from the Western Hemisphere (Massey & Pren 1). Latin American immigration is a stain on the legacy of the progressive Immigration and Nationality Act of 1965. However, Latin American immigration still continued to grow,” Legal immigration from the region grew from a total of around 459,000 during the decade of the 1950s to peak at 4.2 million during the 1990s”(Massey & Pren 2). The expansion of progressive immigration policy in the United States would eventually face a setback in the early twenty-first century with the terror attacks of 9/11.

On September eleventh, 2001, The two world trade center buildings in New York City were devastated. Two Boeing 767 airliners, bound for Los Angeles, took off from Boston’s Logan International Airport on the morning of September 11, 2001. They were both hijacked by the Al Qaeda terrorist organization and flown into the world trade centers. On that day, 2,977 people would die. Before the attack, immigration reform was very close to becoming law. “ On September 11, 2001 (9/11), the U.S. House of Representatives had scheduled a vote on legislation to allow immigrants without legal status to adjust to legal permanent residence if a U.S. citizen family member or employer had filed a petition on their behalf ” (Bier 205).

Immigration policy was hours away from a breakthrough for undocumented immigrants living in The United States. Instead of the imminent progression, 9/11 led to preventative measures against terrorism, with side effects. “ In 2001, there were roughly 18,000 criminal deportations compared to a projected 91,000 in 2012 — roughly a 400 percent increase, according to data from TRAC.” (Hesson). This vast increase in deportations, an attempt to protect the United States from terrorism, left many innocent people feeling the effects. The attacks of 9/11 also sparked a vast increase in islamophobia and anti-muslim hate crimes, as angry people generalized Al Qaeda to all islamic people. “The data shows anti-Muslim hate crime incidents spiked after September 11th, 2001, jumping from 28 incidents in 2000 to 481 in 2001.” (Lisignoli). The effects of 9/11 are still felt today, and decisions are still influenced by the terror attacks of 9/11.

Within the last decade, there has been back and forth on immigration. In 2011, Alabama and Georgia introduced laws that denied the basic rights given by the bill of rights to undocumented immigrants. These laws were quickly repealed as the states were losing large amounts of money, because of the labor undocumented immigrants provide (Choi). In 2017 Donald Trump Introduced the Reforming American Immigration for a Strong Economy Act, better known as the RAISE Act. The RAISE Act saw the number of visas available for immigrants shrink. “ The bill reduces the baseline annual cap for family-sponsored visas from 480,000 to 88,000 and revises the methods for calculating the cap” (H.R.2278 - RAISE Act). This Act denied the ability for families to reunite in the United States, and led to a vast decrease in legal immigration. In 2021, President Joe Biden proposed a bill that allows, long time, undocumented immigrants the opportunity to become citizens in the United States. The bill also aims to reunite immigrant families and ban the discrimination of immigrants based on religion

(The White House). The government is currently working towards positive change in the diversity of immigration. Islamophobia, however, is an issue that needs an immediate solution. According to the Islamophobia Research and Documentation Project research initiative conducted by the University of California, Berkeley," almost 80% [of polled muslims living in the west] said they feel at least somewhat worried about the safety of their family in the U.S."(Alfonseca). With safety being a major concern of Muslim Americans, there needs to be a focus on political reform to protect them. The United States has made progress since the early twentieth century, but we still need to grow as a nation, and support people from all walks of life equally.

Review of Literature

Many sources and various studies will be utilized to validate the claim. "The Architecture of Race in American Immigration Law: A Reexamination of the Immigration Act of 1924," by Mae M. Ngai, is the first source. Author Mae M. Ngai examines the racism contained in the Immigration Act of 1924 in her work *The Architecture of Race in American Immigration Law: A Reexamination of the Immigration Act of 1924*. In this article, Ngai focuses into the racial bias established by the Immigration Act of 1924 due to geographical limits, as well as the impact this had on public view of various immigration groups. It also looks at the origins of quota systems and how they influenced the 1924 Immigration Act. Ngai also represents the citizenship restrictions imposed by the 1924 Immigration Act. Because it examines the consequences of the Immigration Act of 1924 on immigrants and public view of immigration, this article will be beneficial to the paper.

"The Immigration Act of 1924 (The Johnson-Reed Act)" comes from the United States Office of The Historian's official website. This page explains how the Immigration Act of 1924

reduced the immigration limit from 3% to 2% of the foreign-born population and altered the census used to determine the population from 1910 to 1890. It also outlawed all Asian immigration, including that of Japanese nationals who had previously been exempt. This source will be beneficial to the thesis because it is an official US government source. Daniel Turcotte collated policies and statistics on immigration from the early twentieth century to the early 2010s in his book *U.S. Immigration: Key Trends, Policies, and Programs*. Only the first chapter will be used. Ruth Ellen Wasem is a Professor of Public Policy Practice at the University of Texas at Austin and the author of this piece. In 1990, she earned a Ph.D. in History from the University of Michigan. Immigration, asylum, and citizenship are among her research interests. Many statistics about policy implementation may be provided in this chapter, such as the Immigration Act of 1924. It also illustrates how early in the twentieth century, immigration was dominated by three or four nations, but later in the century, it became more diverse. This source will provide support for the essay by referencing a variety of policies adopted throughout the research period, such as the Immigration Act of 1924, as well as the relationship between those policies and immigration levels.

The fourth source is Charles Hirschman's "Immigration to the United States: Recent Trends and Future Prospects." His article, "Immigration to the United States: Recent Trends and Future Prospects," will be useful to the paper since it not only provides a broad review of immigration and assimilation, but it also delves into the intricacies of how legislative changes in the 1960s led to the Post 1965 Wave of Immigration. Hirschman examines and contrasts how immigrants from various historical periods have been greeted, as well as how their experiences in America have been similar and different. Hirschman discovered that, contrary to popular belief, immigrants now integrate as well as, if not better than, their predecessors did. The

"Immigration and Nationality Act of 1965", this document does not have an author indicated, however it is from the United States House of Representatives' official website: History, Art, and Archives. The Immigration and Nationality Act of 1965 is detailed in this source. It changed racial immigration quotas to prioritize skilled labor instead. The 1965 Immigration and Nationality Act includes a family reunion clause that permitted immigrants' families to reconnect in the United States. Because it is an official United States government source that discusses the Immigration and Nationality Act of 1965, which we will focus on in our research, this source will be relevant to the study. "Unintended Consequences of US Immigration Policy: Explaining the Post-1965 Surge from Latin America," by Massey, Douglas S., and Karen A. Pren, is the sixth source. Douglas Massey and Karen Pren's paper "Unintended Consequences of US Immigration Policy: Explaining the Post-1965 Surge from Latin America" looks at how policy changes in 1965, specifically the elimination of the contentious Bracero Program, influenced immigration in the United States. They discovered that these changes had a significant impact on an increase in negative portrayals of Latin American immigrants in the media, which has maintained to this day. This essay will help with the study since it provides a unique viewpoint on how immigration changed after 1965.

David J Bier's book "The 9/11 Legacy for Immigration" is the seventh source. David J. Bier is an immigration policy expert with the Cato Institute's Center for Global Liberty and Prosperity.. Our thesis will benefit from his article, "The 9/11 Legacy for Immigration," since it analyzes how border controls and immigration rules have changed in the United States since 9/11, and how it has gotten more difficult to enter the nation. "Five Ways Immigration System Changed After 9/11," written by T. Hessen, is the eighth source. He is particularly concerned about immigration. In his post "Five Ways Immigration System Affected After 9/11," which was

published on ABC News, he explores how the 9/11 terrorist attacks changed the course of the immigration debate. This article will aid the study since it highlights the most significant changes to the immigration system as a result of the terrorist attacks on September 11, 2001.

"Op-Ed: America's Conflicting Attitudes toward Immigration," authored by Choi, Sooin, is the ninth source. Her post was written to critique both previous President Donald Trump and current President Joe Biden's recent policies, with her major concern being that the policies they implement are rooted on the same bigotry that our country was established on. She claims that much too much money is spent on border security rather than really assisting immigrants. This article will be valuable to the paper since it not only provides a more contemporary perspective on immigration policy in the United States, but it also goes back in time to explain how such policies evolved. The final source is Thomas B Edsall's "The 'Third Rail of American Politics' Is Still Electrifying." This essay addresses the divisive issue of immigration. It begins by examining how immigration policy should change as political leaders change, but it does not appear to be changing as much as it should. The essay goes on to explain why change is slow. It also gives data about the popularity of immigration in the United States, as well as a broad demography of individuals on both sides of the immigration debate. Although there is a lot of author prejudice in this post, it raises some interesting issues when you look past it. This article will help with the thesis since the numbers give context to the immigration policies adopted in the twenty-first century and demonstrate why immigration fluctuates slowly at the top.

Analysis of Sources

Based on the three major policies/ events that sparked policy change in the past century, it was determined that overall, US policy on immigration has improved over the past 20th century. It was in the 1920s when the strictest immigration rules existed. The 1920 immigration

act only allowed immigrants from certain countries to immigrate and placed a quota on the amount of immigrants from countries outside of Western Europe that could come. In the 1960s, the strictness on the amount of immigration decreased and arguably, the treatment of the immigrants got better than before. Immigrants from many different countries were allowed and the quota system stopped. As a result, an influx of immigrants especially from Asia and South America increased and the US began seeing more of those immigrants enter the country than ever before. Additionally, more programs began to emerge which helped immigrants and harmful programs were shut down. This pattern continued up until 9/11. After the attack, immigration policy began to see a downward spiral once again. Although 9/11 was not sponsored by any country, Islamophobia began which had a lasting impact on Middle Eastern immigrants. While policy did not directly limit the amount of immigrants which entered the US from these countries, the treatment of the immigrants did. The FBI began thousands of interviews with muslims who were not related to the attack at all. The stigma from the media had more of an effect on the treatment of the immigrants but the US's hostile attitude added to the othering that occurred at the time. Since 9/11, the attitude and policy towards immigration have been coming to reach the pre 9/11 standards. Although many harmful policies which attacked immigrants have been discontinued in previous years, the past still lingers. Additionally, increased focus on the southern border following former President Trump's promise to "build a wall" has subsequently harmed many immigrants. However, the future of immigration is hopeful and depending on the attitudes of voters, u-coming years may see more positive change than ever.

The Impact on Immigration

When looking at immigration policy through the prism of systematic racism, it becomes clear that today's predominantly Latino illegal immigrants face significantly harsher punishments for the same precise violation of unlawful entrance than white Europeans did in the past. The academic definition of structural racism is a system that treats immigrants differently primarily because of their color.

Unlike today's undocumented immigrants, "illegal" European immigrants suffered little consequences. There was almost no infrastructure in place to enforce immigration laws. Few people feared deportation if they were detected. Those who entered the country illegally before the 1940s were shielded from deportation by statutes of limitations, and tens of thousands of unauthorized immigrants were granted amnesty in the 1930s and 1940s. Those who were not covered by a statute of limitations or amnesty had another option: before 1976, the government seldom deported US citizens' parents. Until the 1970s, there were no immigrant limits on public benefits, and it wasn't until 1986 that hiring an undocumented immigrant became illegal. In summary, millions of mostly white immigrants entered the nation illegally from the early 1900s through the 1960s, with little fear of being apprehended or deported. Businesses legally hired these immigrants, who were entitled for state assistance if they ran into financial difficulties.

In contrast, today's undocumented population—which is largely Latino and people of color—has none of the advantages enjoyed by past generations of white immigrants.

Immigration rules were toughened in tandem with a change in immigration from Europe to arrivals from Latin America, Asia, and Africa, typically in the setting of racially charged arguments aimed mostly at Latinos. Researchers have demonstrated how radicalized views of Mexicans affected law and bureaucratic practice in the 1960s. Over the next decade, Congress eliminated the Bracero program, which permitted up to 800,000 temporary migrants from

Mexico to work mostly in agriculture each year; reduced legal immigration from Mexico by half; and ended the long-standing practice of not deporting the parents of US citizens. Reduced legal immigration routes inevitably resulted in an increase in unlawful arrivals, prompting requests for stricter enforcement. The next step was to limit access to public benefits. In 1971, then-Governor Ronald Reagan pushed through a major California welfare reform proposal that denied assistance to undocumented immigrants, sparking a racially charged dispute. The federal government and other states quickly followed suit. After a racially charged battle over California Proposition 187, which tried to deny illegal immigrants state assistance, Congress went even farther in 1996, barring legal immigrants from receiving most federal benefits, though some have since been restored. The measures prohibiting most Latinos crossing the southern border from acquiring green cards were established by Congress that year. The same bill allows state and municipal police to enforce immigration laws, such as the infamous Joe Arpaio, who was convicted of racial profiling of Latinos based on the mere suspicion that they were undocumented. As a result, today's illegal immigrants of color suffer significantly harsher penalties than their white predecessors. They're considerably more likely to be captured, for starters. The immigration enforcement system has expanded from a few hundred border guards to a "formidable apparatus" bigger than all other federal law enforcement agencies combined, according to the Migration Policy Institute, which is supplemented by state and local police organizations.

Immigrating to America has also become extremely difficult for Muslims. Since 9/11, there has been a significant increase in islamophobia, making immigration harder for individuals residing in Muslim-majority nations. There has been a hostile attitude against Muslims after 9/11. People have begun to perceive them as aggressive, and Islam has become associated with

terrorism, resulting in widespread racial prejudice against Muslims and Muslims seeking to immigrate to the United States.

Conclusion

While the United States has seen progress, political policy still has plenty of room to grow. Over the past hundred years, immigration policy in The United States has seen many shifts. The Immigration Act of 1924 was very restrictive towards Asian immigration, but very permissive to western European immigrants. The Immigration and Nationality Act of 1965 saw a shift to immigration based on skilled labor, and quotas by country. Unfortunately, the Immigration and Nationality Act of 1965 failed Latin America by implementing quotas, and regulations that were not in place for them before, making it much more challenging for latin immigrants. Lack of immigration regulation for immigrants of western European nations was a thing of the past. Latin immigrants were branded as illegal immigrants and discriminated against.

The dawn of the 21st century saw progress and hope, but that was quickly slashed away. In response to the terror attacks of 9/11, the RAISE Act was introduced that dramatically cut the amount of visas available for immigrants. In response to 9/11, there was a stark rise to Islamophobia in the United States. Immigrants from middle eastern countries were discriminated against by the public, and the FBI. Many immigrants felt in danger in their own homes. Since 9/11, we have seen a shift of focus to the southern border once again. However, there is currently a push for change. The Government must do more, we cannot tunnel vision on the southern border when there are issues just as prevalent in today's America. There must be reform that serves, and protects the Muslim American population. No one, not a single person should have to go to sleep in their own home, feeling unsafe because of their ethnicity. No one should have to

go to sleep stressing about whether they will still be in the country they have called home for years the next day. There must be reform to protect those without a voice, and ethnicities that face discrimination. The United States as a people can push for a change that needs to happen. Any voter in the United States has a voice, we, as a people, must push for a safer, and stronger United States for every single one of us.

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