

Historical Impact of Race and Ethnicity upon Immigration in the United States: Theoretical Perspectives and the Application to Contemporary Latinos

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Abstract

Immigration, migration, and emigration trace their origins to the beginning of humankind. People have immigrated, migrated, and emigrated in search for food, survival from predators and enemies, and improved lives. In modern societies throughout the world, immigration remains a highly sensitive phenomenon, especially when race and ethnicity are involved. For example, the United States first referenced immigration within its Constitution in the 1700s, but it began to pass specific laws in the 1800s targeting Asians. Later, Congress passed a law that only free White aliens were eligible for naturalization as citizens of the United States. Further, it imposed quotas on the number of individuals who could come to the United States which was based on race and this law was not abolished until 1965. Currently, the United States is experiencing an imbroglio over an immigration problem involving persons from Mexico and South America or people of Latino descent, which former President Jimmy Carter stated has elements of racism. This article discusses the historical background of immigration in the United States and utilizes world systems theory and Everett S. Lee's theory of migration to assist in understanding immigration. World systems theory is also used to explain the behaviors of seven young Latino women who had immigrated to the United States from Mexico.

I. Introduction

Since humans first appeared on the earth in large numbers, immigration¹ by them from one place to another place has occurred.² Biologists confirm that human beings emerged first in Africa and began to migrate from Africa about 60,000 years ago.³ While Native Americans are referred to as the First Nation people in the United States, Native Americans were reported to have migrated to America from Asia, crossing a land bridge into Alaska and then down into America.⁴ Historians have documented the lives and movement of persons during the First Millennium BC⁵ and 2200 BC in Mesopotamia and Egypt.⁶ As governments of countries grew and developed, they often passed laws and codes restricting entrance into their countries. Subsequent laws, such as the laws within the nascent America, were generally passed while immigration was being encouraged at one point. For instance, America invited immigrants in the 1700s, although it passed An Act to Establish a Uniform Rule of Naturalization in 1790⁷ and the

¹ Vincent N. Parrillo, *Strangers to These Shores* (9th ed.) (Boston, MA: Pearson, 2009), 9-10. Moreover, Parrillo differentiates migration, emigration, and immigration. Migration is the movement of people into and out of an area either within a country or to another country. Emigration is the movement of people out of a country to settle into another country. Immigration is the movement of people into a new country.

² Christopher Chase-Dunn, "World-Systems Theorizing," In *Handbook of Sociological Theory* ed. Jonathan H. Turner (New York, Kluwer Academic, 2001), 589-612.

³ University Of Cambridge "New Research Confirms 'Out Of Africa' Theory Of Human Evolution" . *Science Daily* file:///E:/ImmigrationArticle/New%20Research%20Confirms%20'Out%20Of%20Africa'%20Theory%20Of%20Human%20Evolution.mht.

⁴ University of Illinois "New Ideas About Human Migration From Asia To Americas." *Science Daily*. <http://www.sciencedaily.com/releases/2007/10/071025160653.htm>.

⁵ William R. Thompson, "Eurasian C-Wave Crises in the First Millennium B.C." In *The Historical Evolution of World-Systems* eds. Christopher Chase-Dunn and E. N. Anderson (New York: Palgrave Macmillan, 2005), 20-51.

⁶ Sing C. Chew, "From Harappa to Mesopotamia and Egypt to Mycenae: Dark Ages, Political-Economic Declines, and Environmental/Climatic Changes 2200 B.C.-700 B. C." In *The Historical Evolution of World-Systems* eds. Christopher Chase-Dunn and E. N. Anderson (New York: Palgrave Macmillan, 2005), 52-74.

⁷ Paul Spickard, *Almost All Aliens: Immigration, Race, and Colonialism in American History and Identity* (New York: Routledge, 2007), 89.

Alien and Sedition Acts of 1798.⁸ The U. S. Constitution, formulated in 1787, referenced immigration in Article 1, Section 9,⁹ and forbade Congress from prohibiting immigration until 1808,¹⁰ indicating that the United States wanted immigration for about 20 years. As a consequence, waves of immigrants from Ireland and Germany came to the United States in the 1800s.¹¹

The movement of groups of people into a new place often produced conflict,¹² and the intensity of this conflict often was determined by the race and ethnicity of newcomers.¹³ For instance, several laws were passed in the 1800s in the United States to control the entrance of persons from China. Revealing differences in how race was viewed, a federal judge in 1882, who was deciding a case involving an Asian, commented on “our worthy resident aliens from Europe- -gentlemen of Irish and German nativity.”¹⁴ This comment seemed to differentiate Asians from persons of Irish and German descent, implying that Asians were unworthy and the Irish and Germans were worthy. Barry W. Higman asserted that in the late 19th century, New Zealand, Canada, the United States, and Australia pursued immigration policies based centrally upon race.¹⁵ The number of Germans, Irish, and Italians in the 1800s created concerns among some Americans, and Congress created the first immigration statute in 1875, barring the admission of convicts and prostitutes.¹⁶ This same 1875 law, however, specifically targeted Chinese, and Congress passed more restrictive legislation, such as the Chinese Exclusion Act, in 1882.¹⁷ The legal literature confirms that the principal targets were Asians, and the federal courts, including the United States Supreme Court, decided a number of cases involving immigration and persons of Asian descent.¹⁸ During this period, there were little or no case laws pertaining to immigration and White Europeans like there were for Asians. However, in the 1920s, cases were decided on who was White and who was not White and their eligibility for naturalization.

In the 21st century, immigration continues to be a highly sensitive topic in the United States, and the focus again is upon race and ethnicity. While the focus is primarily upon illegal immigrants as opposed to legal immigrants, the underlying issue is ethnicity. Legal residents are those persons who were granted lawful permanent residence, asylee status, refugees, and granted a temporary stay for work or school, whereas illegal or unauthorized residents are those persons who are foreign born, non citizen who entered the United States without inspection or were

⁸ Spickard, *Almost All Aliens: Immigration, Race, and Colonialism in American History and Identity*, 95.

⁹ Specifically, Article 1, Section 9 says that “The Migration or Importation of Such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one Thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each person.”

¹⁰ Cynthia S. Becker, *Immigration and Illegal Aliens: Burden or Blessing?* (Detroit, MI: Thomson Gale, 2008).

¹¹ Parrillo, *Strangers to These Shores*, 575-580.

¹² Brian N. Fry, *Nativism and Immigration: Regulating the American Dream*. (New York: LFB Scholarly Publishing LLC, 2007) 43-45. Becker, *Immigration and Illegal Aliens: Burden or Blessing?*

¹³ Diana Velloso, “Immigrant Latina Domestic Workers and Sexual Harassment,” *American University Journal of Gender and the Law* 5 (1997): 407-432 (1997); Kevin R. Johnson, “The Immigration Laws, and Domestic Race Relations: A Magic Mirror into the Heart of Darkness,” *Indiana Law Journal* 73 (1998) 1111-1159.

¹⁴ *In re Quong Woo*, 13 F. 229 (1882), 231.

¹⁵ Barry W. Higman, “Testing the Boundaries of White Australia: Domestic Servants and Immigration Policy, 1901-45.” *Immigrants & Minorities*, 22(1)(2003) 1-21.

¹⁶ Velloso, “Immigrant Latina Domestic Workers and Sexual Harassment” 415.

¹⁷ Velloso, “Immigrant Latina Domestic Workers and Sexual Harassment” 415.

¹⁸ See *Fong Yue Ting et al. v. United States* (1893); *Lee Moon Sing v. United States*, 158 U. S. 538 (1895); *The Japanese Immigrant Case*, 189 U. S. 86 (1903).

temporary admitted but stayed longer than granted by their visas.¹⁹ Today, the illegal residents that cause the most concern are Latinos in the United States.²⁰

In 1979, John Tanton created an organization called the Federation for American Immigration Reform (FAIR), which has its genesis in a race and eugenics ideology and stresses how immigration from Mexico and Latin America is going to destroy the United States.²¹ Invited to address Congress numerous times and sought after by the mainstream news media for comments on immigration legislation, FAIR is a very politically active organization and was very instrumental in pressuring Congress to defeat two immigration bills in 2007.²² Fueling the opposition to immigration too is the work of a staunch Republican, Pat Buchanan, who wrote a book entitled *State of Emergency: The Third World Invasion and Conquest of America*.²³ Buchanan's inflammatory title and thesis is that immigration will destroy America.²⁴ Sentiments such as those voiced by FAIR and Buchanan have helped to incite many States to pass laws criminalizing the hiring of illegal aliens, creating disincentives for Latinos who seek to come to the United States looking for employment.²⁵

Showing the volatility and sensitivity of the immigration issue, a high school Spanish teacher named Ms. Erica Vieyra had her class to undertake a project in which they would assume the identity of an Latino immigrant, research the place and social problems in his or her Mexican and Central America home, and then apply for residency in the United States.²⁶ Ms. Vieyra, acting as the U. S. Government, denied them entrance, and the students were asked then to plan how they would come to the United States illegally and then how they would gain legal status. The story about this project appeared in a Sunday's edition of the *Columbus Dispatch*.²⁷ Within a few days, a national furor developed from conservatives who decried the project and accused this teacher of indoctrinating students in how to be criminals.²⁸ National news shows, including CNN, called the high school for comments.²⁹ The principal of the high school was sent numerous emails, urging him to fire the teacher. Some emails accused all involved with this project with treason and stated that they all should be shot or sent to Mexico to live on the streets.³⁰

As shown above, immigration and race are incendiary topics and worthy of scholarly attention. To this end, two scholarly journals have been created to provide forums specifically for scholarship on immigration and race- *Immigrants & Minorities* and *Journal of Ethnicity and Migration Studies*. The aim of this paper is to discuss race, ethnicity, and immigration in the United States, with a particular focus on contemporary immigration. In addition, this paper

¹⁹ Michael Hoefler, Nancy Rytina, and Christopher Campbell, *Immigrant Population Residing in the United States, January 2006*. (Washington, DC: Department of Homeland Security, 2007).

²⁰ Joseph Matlew and Dan Devivo *Crossing Arizona* (New York HBO Documentary, 2006).

²¹ Heidi Beirich, "The Teflon Nativists." *Intelligence Report*, (Birmingham, AL: Southern Poverty Law Center, 2007)

²² Beirich, "The Teflon Nativists."

²³ Pat Buchanan, *State of Emergency: The Third World Invasion and Conquest of America*. (New York: Thomas Dunn Books, 2006).

²⁴ Buchanan, *State of Emergency: The Third World Invasion and Conquest of America*.

²⁵ Chamber of Commerce et al. v. Henry et al., 2008 U. S. Dist. LEXIS (2008).

²⁶ Holly Zachriah "Immigration Debate: High-School Project Sets Off Internet Brouhaha." *Columbus Dispatch*, December 21, 2007, A1, A4.

²⁷ Zachriah, "Immigration Debate: High-School Project Sets Off Internet Brouhaha."

²⁸ Zachriah, "Immigration Debate: High-School Project Sets Off Internet Brouhaha."

²⁹ Zachriah. "Immigration Debate: High-School Project Sets Off Internet Brouhaha."

³⁰ Zachriah, "Immigration Debate: High-School Project Sets Off Internet Brouhaha."

seeks to place immigration within broader theoretical perspectives. Finally, this paper, utilizing qualitative data from a thesis, analyzes reports from several unauthorized Latinos in the United States to analyze the theoretical perspectives offered herein.

II. A Brief History Of Immigration Legislation And Legal Decisions In The Late 1700s And Early 1900s In United States

Although America's purported mottos are to give America your poor and huddled masses of other countries longing to be free and America is a melting pot,³¹ America has not always welcomed and embraced most immigrants,³² as stated in the introduction involving Asians. Early on, a person's race was the main factor in whether that person could become a naturalized citizen.³³ When the United States created its new Constitution, it soon thereafter passed a law regarding nationalization in 1790. This act stated that any alien, being a free white person who had been in the United States for two years, was eligible for naturalization. Many features of this 1790 act provided qualifications for naturalization that still exists today: there must be a period of residence; States could set additional qualifications for becoming a citizen of their States; Minor children automatically become citizens when their parents are naturalized; Children born in the United States automatically become citizens; and applicants must take an oath of allegiance to the United States Constitution.³⁴

Representing not only a law but also a contract between or among nations,³⁵ one of the earliest treaties with implications for immigration and emigration involved the Emperor of China and the United States. In 1858, these two parties entered a treaty of peace, amity, and commerce. From the perspectives of Americans in China, they were to be placed on equal footing with persons in China. Americans were entitled to the protection of the government of China, shielding them from insult and injury. Americans had the right to rent houses and places of business in China or build these establishments. By this 1858 treaty, Americans had all rights, privileges, or favors related to navigation, commerce, political involvement, or other intercourse recognized by China.³⁶ In 1868, this treaty, named the Burlingame Treaty, was amended to encompass immigration and emigration involving citizens of the United States and China. In the Burlingame Treaty, the Emperor of China and the United States concurred in the inherent and inalienable right of individuals of both countries to change their homes and allegiances.³⁷ Yet, after a few years, the United States sought modification of its treaty with China. The United States "was brought to the opinion that the presence within our territory of large numbers of Chinese laborers, of a distinct race and religion, remaining strangers in the land, residing apart by themselves, tenaciously adhering to the customs and usages of their own country, unfamiliar with our institutions, and apparently incapable of assimilating with our people, might endanger good order, and be injurious to the public interests; and therefore requested and obtained from China a modification of the treaty."³⁸

³¹ Laura K. Engender, *Illegal Immigration*. (Detroit, MI: Greenhaven Press 2007) 11; Becker, "Immigration and Illegal Aliens: Burden or Blessing"

³² C. Caldwell , "The Other Immigration." *New York Magazine* (May 7, 2006), 15-16.

³³ Spickhard, *Almost All Aliens: Immigration, Race, and Colonialism in American History and Identity*, 89.

³⁴ Spickhard, *Almost All Aliens: Immigration, Race, and Colonialism in American History and Identity*, 89-90.

³⁵ Black's Law Dictionary (6th ed.), St. Paul, MN: West (1990).

³⁶ Chew Heong v. United States, 112 U. S. 536, (1884), 540.

³⁷ Chew Heong v. United States, 112 U.S. 536 (1884) , 540-541.

³⁸ Fong Yue Ting et al., v. United States, 149 U. S. 698 (1893), 717

Later, Congress passed further legislation to limit severely the Chinese permitted to immigrate to the United States. Enacted in 1882, this act prohibited the immigration of Chinese persons into the United States for ten years.³⁹ In addition, for the Chinese already in the United States, they were required within one year after the passage of the law to acquire a certificate of residence.⁴⁰ Accompanying this application for a certificate of residence was an affidavit of at least one credible witness of good character who attested to the Chinese applicant's residence and lawful status within the United States.⁴¹ In one case, the collector of internal revenue refused to issue a certificate of residence for one Chinese applicant. The basis of this rejection was that the witnesses whom the applicant listed were all persons of the Chinese race and thus were not credible and that witnesses needed to be persons other than Chinese.⁴² Put another way, these witnesses needed to be White. Apparently, the intent of the law was to deport or force to leave the United States any Chinese who did not obtain a certificate of residence.

In *Chew Heong v. United States*, the United States Supreme Court rejected a decision by the government to prevent a Chinese person who wanted to return to the United States after living for a few years in Honolulu. In the interim, Congress had passed the Chinese Restriction Act in 1882.⁴³ The Court ruled in favor of Chew Heong, holding that he could return to the United States. In dissent, Justice Field expressed views in *Chew Heong* that reflected racial bias. Justice Field summarized the reasons for Congress passing the legislation restricting Chinese immigration. As told by Justice Field, when California joined the union and gold was discovered there, people throughout the world emigrated to the state, including Chinese laborers. Employment was plentiful. These Chinese were employed doing domestic work, constructing roads, draining marches, cultivating fields, and any other outdoor work. They were viewed as "industrious," "docile," and "peaceable."⁴⁴ Generally, Whites were not concerned about the jobs that the Chinese were doing, but there was some concerns by Whites when Chinese workers were employed in mines. As more Chinese workers came to California, they found work in various trades and mechanical pursuits, including artisans and mechanics and thus were competing with Whites. In this manner, the Chinese interfered with the industries and business of the State of California.⁴⁵ Continuing, Justice Field stated

Very few of them had families, not one in five hundred, and they had a wonderful capacity to live in narrow quarters without injury to their health, and were generally content with small gains and the simplest fare. They were perfectly satisfied with what would hardly furnish a scanty subsistence to our laborers and artisans. Successful competition with them was, therefore, impossible, for our laborers are not content, and never should be, with a bare livelihood for their work. They demand something more, which will give them the comforts of a home, and enable them to support and educate their children. But this is not possible of attainment if they are obliged to compete with Chinese laborers and artisans under the conditions mentioned; and it so proved in California. Irritation and discontent naturally followed, and frequent conflicts between

³⁹ Fong Yue Ting et al. v. United States, 149 U. S. 698 (1893), 718.

⁴⁰ Fong Yue Ting et al. v. United States, 149 U. S. 698 (1893),726.

⁴¹ Fong Yue Ting et al. v. United States, 149 U. S. 698 (1893), 726.

⁴² Fong Yue Ting et al. v. United States, 149 U. S. 698 (1893), 703.

⁴³ Chew Heong v. United States, 112 U. S. 536 (1884), 538

⁴⁴ Chew Heong v. United States, 112 U. S. 536 (1884). 565.

⁴⁵ Chew Heong v. United States, 112 U. S. 536 (1884), 565.

them and our people disturbed the peace of the community in many portions of the State.⁴⁶

Of course, many persons in the United States had opposition to other immigrants coming to the United States, such as the Irish, Italians, and Jews,⁴⁷ but there were no specific legislation targeting by names these groups, such as an act to prevent the coming of Jews, Irish, Italians, Germans, or Polish persons to the United States. The targets then were immigrants with diseases. Aliens who were believed to be carrying diseases were denied admission to the United States, and for this reason, some Jews were denied entrance to the United States and were forced to go to Britain.⁴⁸ For instance, 87 percent of immigrants rejected from entering the United States had trachoma, an eye disease easily contacted by close living quarters and poverty.⁴⁹ Eastern European Jews were thought to carry this immigrant disease and were not permitted to disembark in the United States. From 1881 to 1914, an estimate 150,000 East European Jewish immigrants settled in Britain, but “an even larger number were transmigrant in Britain; that is they arrived in Britain en route to other destinations, primarily the United States.”⁵⁰

Congress studied immigration in 1907 when it formed a joint Senate-House Committee called the Dillingham Commission. Its report was released to the public in 1911, highlighting that new immigrants were not assimilating as quickly as previous immigrants. Its primary recommendations were to compel new immigrants to learn English and to restrict the number of immigrants coming to the United States. Thus, a bill was passed requiring immigrants over 16 to learn to read the English language, but it was vetoed by President Taft. About this time, Madison Grant published a book in 1916 entitled, the *Passing of the Great Race*, which was projected to occur due to the mixing of Whites with undesirable immigrants.⁵¹ Given this atmosphere, Congress passed the Naturalization Act and the Immigration Act of 1917, which applied, in part, to aliens who were free White persons.⁵² Fueling this racism towards immigrants also was the publicity surrounding a Massachusetts murder trial involving Nicola Sacco and Bartolomeo Vanzetti in 1920. Bombarded by the prosecutor as murderous immigrants, Sacco and Vanzetti were convicted and subsequently hanged.⁵³ Congress passed the National Origins Quota Act, which is also called the Immigration Act of 1921. This law established an immigration quota of three percent for each nationality based on the Census of 1910. This law was made more restrictive in 1924, reducing the quota to two percent based on the census of 1890. The result of his legislation was to significantly reduce the number of some immigrants coming to the United States.⁵⁴

⁴⁶ Chew Heong v. United States, 112 U. S. 536 (1884), 565-566.

⁴⁷ R. Dalla and S. L. Baugher. “Immigration in the Rural Midwest”. In *The Hidden America: Social Problems in Rural America for the Twenty-First Century* ed. R. M. Moore III (Cranbury, NJ: Associated University Presses 2001) 219-233.

⁴⁸ Krista Maglen, “Importing Trachoma: The Introduction into Britain of American Ideas of an Immigrant Disease, 1892-1906” *Immigrants & Minorities* 23 (1) (2005). 80-99.

⁴⁹ Maglen, “Importing Trachoma: The Introduction into Britain of American Ideas of an Immigrant Disease, 1892-1906” 81.

⁵⁰ Krista Maglen, p. 83.

⁵¹ Parrillo, *Strangers to These Shores*, 171.

⁵² Patrick Weil, “Races at the Gate: A Century of Racial Distinctions in American Immigration, Policy, *Georgetown L. J.* 15: 625-627.

⁵³ Parrillo, *Strangers to These Shores*, 192.

⁵⁴ Parrillo, *Strangers to These Shores* 275.

The courts too had gotten involved in the immigration issue by their rulings and made it very clear that race and ethnicity were very central issues, according to historical accounts.⁵⁵ In 1923, the United States Supreme Court issued a ruling rejecting that a high caste Hindu of full Indian blood from Punjab, India was a White person and thus was not entitled to citizenship.⁵⁶ The Court noted that the Naturalization Act and the Immigration Act did not exclude any particular class of persons, and it stated that only White persons were specified for the privilege that the statute conferred.⁵⁷ The framers of the law, noted the Court, intended that only Whites from the British Isles and Northwestern Europe were favored for immigration because these were the areas in which their ancestors came.⁵⁸ Later, immigration was encouraged from Eastern, Southern, and Middle Europe.⁵⁹ According to the Court, it was a historical fact that about the year 2000 B.C., the Aryans conquered the aborigines in India and there were sexual unions between them due to the absence of Aryan women. Nonetheless, the children of these unions were not White.⁶⁰ Emphasizing the later differences among groups, the Court stressed that the children of English, French, German, Italian, Scandinavian, and other Europe parentages easily assimilated with the White population in the United States, obscuring their European roots.⁶¹

On the other hand, another court case from a federal district court concluded that an Armenian was a White person, and the United States government could not cancel his certificate of naturalization.⁶² The court referenced a number of sources that were considered to be experts on the subject of racial groups and who was White and who was not. The court noted that previous courts had rejected deciding who were White and eligible for citizenship based solely on the color of skin as variations existed within the same race. For instance, the court stressed that “even among Anglo-Saxons, ranging by imperceptible gradations from the fair blond to the swarthy brunette; the latter being darker than many of the lighter hued persons of the brown or yellow races.”⁶³ Among the sources considered by the court to decide the case was a book by D. C. Brinton entitled *Races and Peoples*; a book by H. F. B. Lynch entitled *Armenia, Travel and Studies*; W. Z. Ripley entitled *Races in Europe*; Roland Burrage Dixon entitled *The Racial History of Man*; and A. C. Haddon entitled *The Races of Man and Their Distribution*.⁶⁴ In addition, the court appeared to have expert testimonies from academic witnesses; including Franz Boas, Professor of Anthropology from Columbia University, Paul Rohrbach from a Berlin university; Roland Burrage Dixon from Harvard University, and a Dr. Barton from American Board of Commissioners for Foreign Missions. M. Vartan Malcolm, an Armenia attorney in New York City, had written about intermarriages between Armenians and White females and the acceptance of this practice, which he testified as an expert witness.⁶⁵ A female witness, Mrs. Otis Floyd Lamson, stated that she married a White American male and she had found no discrimination against her or other similar couples, and the question of race or color presented no

⁵⁵ *Ozawa v. United States*, 260 U.S. 178, (1922).

⁵⁶ *United States v. Bhagat Singh Thind*, 261 U.S. 204 (1923).

⁵⁷ *Bhagat Singh Thind*, 207-210.

⁵⁸ *Bhagat Singh Thind*, 213.

⁵⁹ *Bhagat Singh Thind*, 213.

⁶⁰ *Bhagat Singh Thind*, 212-213.

⁶¹ *Bhagat Singh Thind*, 215.

⁶² *United States v. Cartozian*, 6 F.2d. 919 (1925)

⁶³ *Cartozian*, 919.

⁶⁴ *Cartozian*, 220-221.

⁶⁵ *Cartozian*, 220-221.

obstacles.⁶⁶ The unanimous opinion of all the experts was that Armenians were from the Alpine stock and thus were White and were viewed as Whites based on the significant number of intermarriages. In issuing its ruling for the Armenia whom the U. S. Government had tried to cancel his certificate of naturalization due to its belief that Armenians were not White, the Court stated that its decision was based on three factors: (1) Armenians in Asia Minor are of the Alpine stock; (2) Armenians are White persons as understood in speech and popularly understood and interpreted in this country by the forefathers and by the community at large; and (3) Armenians easily amalgamate readily with the white race historically and including the White people of the United States.⁶⁷

In 1965, Congress abolished the law regarding quotas for immigrants, which had long favored Europeans over immigrants from Asia, Latin America, and Africa.⁶⁸ Currently, the perceived immigration problem is the number of undocumented persons from Mexico and Latin American countries residing in the United States.

III. Contemporary Immigration In The United States

Estimates by the Pew Hispanic Center are that as of March 2006, about 11.5 to 12 million Latino children and adults are in the United States illegally.⁶⁹ Some of these individuals are from Mexico and some from Central America. About two thirds of them have been in the United States ten years or less, but 40 percent of them have been in the United States five years or less.⁷⁰ While the largest percentage of workers is employed in farming or agriculture, 24 percent, about 43 percent are employed in cleaning, construction, and food preparation.⁷¹ Further analyzing these data, Rakesh Kochhar reported that these construction jobs are located in Atlanta, Dallas, and Raleigh, the hospitality jobs (cleaning) are located in New York City, and manufacturing in Chicago.⁷² What these data and Kochlar say is that a sizeable group of unauthorized Latinos are in urban cities or communities. Their social and economic impact is qualitatively different from Latinos in rural communities working in agriculture or farming.

Major tension has arisen over a bill that was being considered by Congress in 2006 to criminalize all illegal immigrants in this country and anyone who hired and assisted them with felony charges. Even giving illegal immigrants food and water would be a felony.⁷³ This bill has sparked massive demonstration in numerous major America cities and has divided the country.⁷⁴ Many Americans, according to several scientific polls, believe that illegal immigrants use more public services than what they pay for in taxes.⁷⁵

Rakesh Kochlar asserts that unauthorized workers from Mexico are very valuable to the United States labor market numerically and economically. Immigrants from Mexico totaled 3.5

⁶⁶ Cartozian, 221.

⁶⁷ Cartozian, 222.

⁶⁸ Robert L. Barker, *The Social Work Dictionary* (5th ed). (Washington, DC: NASW Press 2003).

⁶⁹ Jeffrey. S. Passel. *The Size and Characteristics of Unauthorized Migrant Population in the United States*. Washington, D.C. Pew Hispanic Center (2006).

⁷⁰ Passel, *The Size and Characteristics of Unauthorized Migrant Population in the United States*.

⁷¹ Passel, "The Size and Characteristics of Unauthorized Migrant Population in the United States."

⁷² Rakesh Kochhar, *The Economic Transition to America*. (Washington, DC: Pew Hispanic Center 2005).

⁷³ R.D. McFadden, "Protests Staged for Immigrants Across the U. S." *The New York Times*, (April 10, 2006). A1, A20.

⁷⁴ R. L. Swarns, "Growing Effort to Influence U. S. Policy," *New York Times National*, (April 11, 2006) A1, A17.

⁷⁵ M. Connelly, In Polls, Illegal Immigrants Are Called Burden, *New York Times*, (April 14, 2006). A16.

million individuals and account for 20 percent of the Latino labor force in the United States. From 2000 to 2004, about 300,000 undocumented workers came from Mexico for each of these years. This number represented not only a significant growth in the Latino labor force, but also is a significant part of the overall U. S. labor force. For the same years, 2000 to 2004, the Bureau of Labor Statistics reported that 1.2 million workers were added to the labor force for each of those years. In simple terms, unauthorized Latinos from Mexico represented about one of very four new workers in the America's labor force.

An unspoken issue, but likely is discussed privately, is that several years ago, demographers, newspapers, and reports have discussed the "Browning of America"⁷⁶ and the growth of the Latino community in America. Currently, Latinos are the largest minority group in the United States,⁷⁷ surpassing African Americans. These reports were based on Latinos in the America legally and those who are here illegally. Hence, the continued Latinos' entrance into this country likely is a major concern of White America. The bill introduced in Congress in 2005 and debated in 2006 is whether Latinos who are in the country illegally should be granted amnesty and allowed to stay in America. Many members of Congress are opposed to amnesty, for Latinos are already a potentially potent political force and could get stronger if three to five million more Latinos could vote. Congress considered a bill to pass a law in 2005, but strong political opposition held up the bill. President Bush conducted a nationally televised speech on May 15, 2006 to encourage a compromise. Hence, the immigration bill in Congress has been labeled by some observers as racist in nature. Former President Carter stated that the current immigration bill has overtones of racism, and Senator Harry Reid commented that an addendum to the immigration bill requiring English the national language is racist and divisive.⁷⁸

Filling the void of inaction by the federal government, a number of states have proposed legislations targeting illegal immigration. As of April 2006, 43 state legislatures have proposed 461 bills addressing illegal immigration in at least one respect.⁷⁹ Of these states legislatures, the Georgia legislature was the first state to pass a comprehensive law to address immigration, which was signed into law on April 17, 2006. However, to ease passage of the bill, many provisions of this bill would not go into effect until 2007, 2008, and 2009. These delays were to put into the law to address concerns of the business community, which wanted more time to present their concerns to Congress and to seek a federal law that would supersede Georgia's law.⁸⁰ Among the many features of the Georgia law were to make it a felony to engage in human trafficking for labor or sexual reasons and to hire someone without verifying that a potential employee is in the United States legally.⁸¹ On January 1, 2008, a new law went into effect in Arizona whereby businesses that hired illegal immigrants would lose their licenses for 30 days. For a second violation, these businesses would permanently lose their licenses.⁸² Oklahoma passed an even

⁷⁶ NPR, The Bloggers' Roundtable: The Browning of America. August 15, 2007. Retrieved June 29, 2008 from <http://www.npr.org/templates/story/story.php?storyId=12819222>.

⁷⁷ U. S. Census Bureau. Hispanic Population in the United States. Retrieved June 29, 2008 from <http://www.census.gov/population/www/socdemo/hispanic/hispanic.html>.

⁷⁸ Race Part of Debate on Borders, *Columbus Dispatch*, (June 6, 2006) A11.

⁷⁹ J. Preston, "State Proposal on Illegal Immigration Largely Falts." *New York Times* (May 9, 2006) A17.

⁸⁰ R. Lyman, "As Congress Dithers, Georgia Tackles Immigration" *New York Times* (May 12, 2006), A17.

⁸¹ Georgia Security and Immigration Compliance Act, GA. ALS 457; 2006 GA Laws 457 (2006).

⁸² Jane Sasseen, "Hire An Illegal Worker, Lose Your Business; Arizona's Tough New Immigration Law Has Companies Running Scared." *Business Week*, (December 24, 2007) 64

more restricted law that went into effect on November 1, 2007, which drove a number of immigrants from Oklahoma.⁸³

Even when foreigners come to the United States legally looking for employment, they meet with some resistance. Highly skilled workers from developing countries are assisted with securing H-1B visas and should be eligible for green cards or permanent work permits. However, a long backlog of applications has been slow to be acted upon by immigration authorities. As a result, these highly skilled immigrants have created an organization called Immigration Voice. As noted by Caldwell, “when high-skilled immigrants who are already like us, jumping every hoop to join us on a legal footing, it dissolves a lot of resistance. But it doesn’t dissolve everything. It doesn’t dissolve our sense that people like them are different and potentially even threatening”.⁸⁴ To support this conclusion, Caldwell pointed to the resistance by some segments of the United States of immigration of Americans from one part of the United States to another part of the United States. For instance, North Carolina was very leery of Northerners moving to its areas, fearing a change in its political leaders. While many transplanted Northerners voted for Jessie Helms, a conservative hero, North Carolinians were not seeking more Northerners.⁸⁵

IV. Theoretical Understanding Of Immigration From World Systems Theory

Christopher Chase-Dunn presented world systems theory to explain the development of modern societies.⁸⁶ Central to world systems theorists is that the world is composed of core societies, which are dominant, semiperiphery societies, which are not as strong as core societies, and periphery societies, which are the weakest societies. These societies have evolved as the world has developed, and a dominant core society years ago may be a periphery society today, such as Iraq, Rome, or Egypt. Figure 1 below presents a revised model of Chase-Dunn world systems scheme. Particular to the issues here involving immigration and migration are (1) population pressures; (2) emigration; (3) circumscription; and (4) conflict. *Population pressures* occur from the rising costs of securing raw materials and food that people need. In the past, population pressures occurred when hunters had to go further from their homes to hunt because games had become scarce due to intense hunting. As a result, the cost in distance, time, and effort increased the “price” for food. *Emigration* occurs when these increased costs compels people to leave their homes for new homes.

In contemporary society, people do not hunt their food and instead purchase their food from a supermarket or grocery store. But the inability to afford food, or sufficient food, produces population pressures. Further, the lack of jobs and under employment may produce population pressures. Having an unfulfilled or violent life also produces population pressures. *Circumscription* occurs when the costs of leaving a new area are higher than the costs of staying in that area. The degree of resistance from those individuals already in an area is a complex dynamics of differences and similarities in technology, social organization, and military methods between those in an area and those newcomers coming into an area. *Conflict* follows

⁸³ Emily Bazar, “Strict Immigration Law Rattles Okla. Businesses: Undocumented Workers Have Left by the Thousands, Creating Hole in Economy,” *USA Today*, (January 19, 2008) 1A.

⁸⁴ C. Caldwell, “The Other Immigration,” *New York Times Magazine*, (May 7, 2006) 15-16.

⁸⁵ C. Caldwell, “The Other Immigration,” *New York Times Magazine*, (May 7, 2006) 15-16.

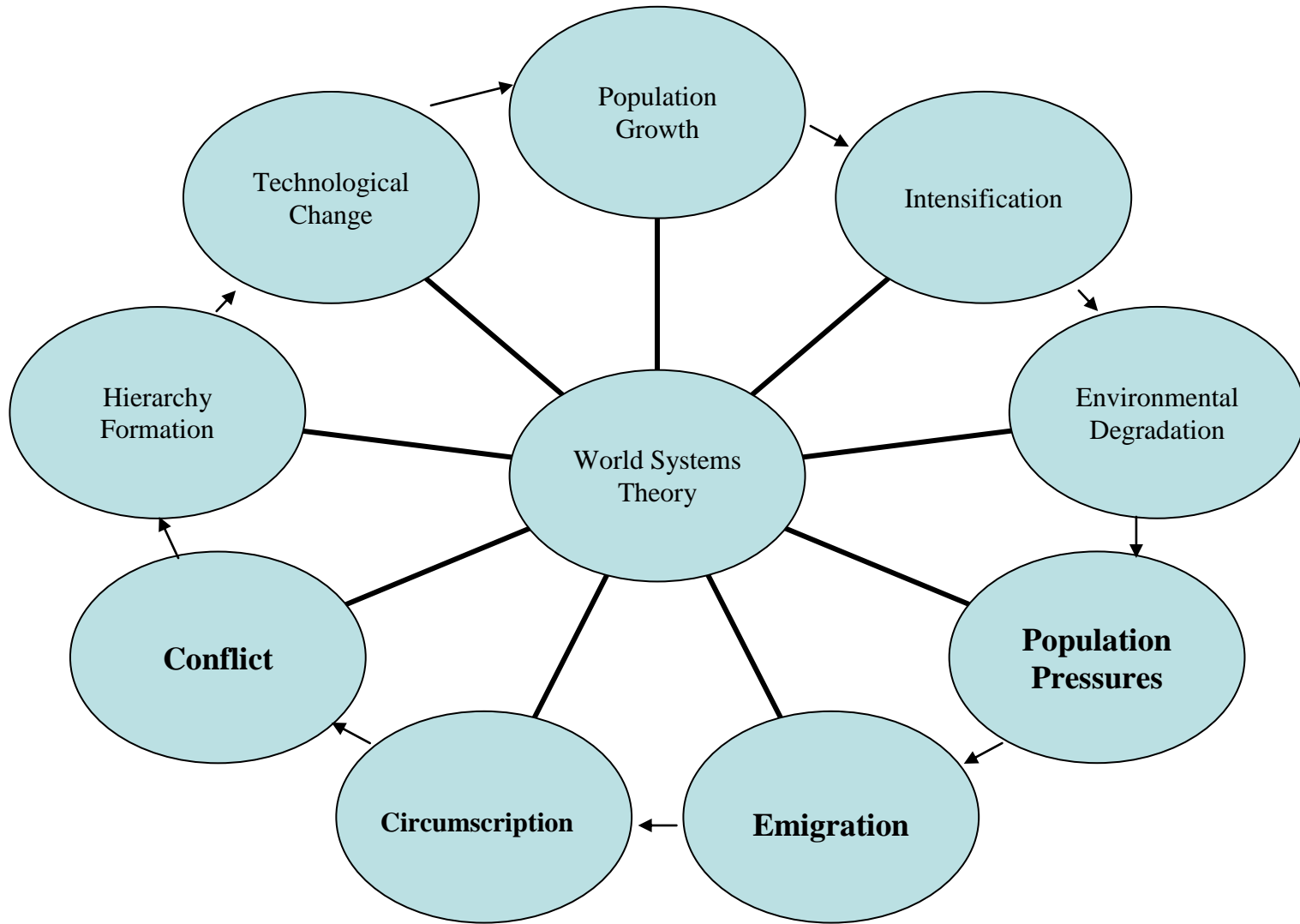
⁸⁶ Chase-Dunn, *World System Theorizing*.

circumscription when no exit option exists for immigrants in the face of greater costs by leaving rather than staying. This conflict may be class antagonism, clan war, civil war, or some other type of battle, such as demonstrations and resistance to a new proposed immigration law.

Immigration can be viewed from a world systems theoretical perspective. For instance, an Ohio newspaper reported that the State of Ohio has lost 126,452 residents from 2000 to 2004 and the number one reason was the unavailability of jobs.⁸⁷ Also losing residents for economic reasons were New York, California, Illinois, Massachusetts, New Jersey, Michigan, Louisiana, Kansas, and Utah.⁸⁸ Americans emigrate from state to state due to seeking employment, and Latinos come to the United States seeking employment. In the 1800s, social scientists began to write scholarly articles on the laws of migration. In 1966, Everett Lee provided a systematic theory of migration that has many testable hypotheses for a broad range of movements by individuals.

⁸⁷ T. Doulin, "Ohioans Head for Exit: Pace of Departures Faster Than a Decade Ago," *Columbus Dispatch*, (April 14, 2006) A16.

⁸⁸ T. Doulin, "Ohioans Head for Exit: Pace of Departures Faster Than a Decade Ago,"



Everett Lee also has proposed a theory of migration. Broadly speaking, migration is the permanent or semi-permanent change of one's residence. Regardless of the distance or difficulties involved, every act of migration consists of an origin, a destination, and a set of intervening obstacles. Further, the theory predicts migration regardless of whether a move is being contemplated from one part of town to another town, to a different city or state, or country. The factors that come into play when a decision to migrate has been made and the process of migration can be summarized under four headings; (1) Factors associated with the area of origin; (2) Factors associated with area of destination; (3) Intervening Obstacles; and (4) Personal Factors. According to Everett Lee, "we can never specify the exact set of factors which impels of [sic] [or] prohibits migration for a given person, we can, in general, only set forth a few which seem of special importance and note the general or average reaction of a considerable group"⁸⁹. A favorable factor for one person, such as a neighborhood with good schools, may be a disincentive for another person, such as a retired couple with no children and reluctance to pay school taxes. Among the propositions developed by Lee are:

1. The volume of migration within a given territory varies with the degree of diversity of areas included in that territory.
2. The volume of migration varies with the diversity of the people.
3. The volume of migration is related to the difficulty of surmounting the intervening obstacles.
4. The volume of migration varies with fluctuations in the economy.
5. Unless severe checks are imposed, both volume and the rate of migration tend to increase with time.
6. The volume and rate of migration vary with the state of progress in a country or area.
7. Migration tends to take place largely within well defined streams (i.e., a trend or course)
8. For every major migration stream, a counterstream develops.
9. The efficiency of the stream (ratio of stream to counterstream or the net distribution of population effected by the opposite flows) is high if the major factors in the development of a migration stream were minus factors at origin.
10. The efficiency of a stream and counterstream tends to be low if origin and destination are similar.
11. The efficiency of migration streams will be high if the intervening obstacles are great.
12. The efficiency of a migration stream varies with economic conditions being high in prosperous times and low in times of depression.
13. Migration is selective
14. Migrants responding primarily to plus factors at destination tend to be positively selected.
15. Migrants responding primarily to minus factors at origin tend to be negatively selected; or where the minus factors are overwhelming to entire population groups they may not be selected at all.
16. Taking all migrants together, selection tends to be bimodal.
17. The degree of positive selection increases with the difficulty of the intervening obstacles.
18. The heightened propensity to migrate at certain stages of the life cycle is important in the selection of migrants.
19. The characteristics of migrants tend to be intermediate between the characteristics of the population at origin and the population at destination.

⁸⁹ Everett. S. Lee, "A Theory of Migration," *Demographer*, 3, (1966), 50.

Lee's theory applies to not only Latinos from South America or Mexico, but also Russian and Eastern Europeans to America. It also explains African Americans who left the South in huge numbers after slavery and the emigration of African Americans to Northern states in the 1920s and 1930s seeking employment and better lives. Further, it will explain the movement of professors from one area of the country to another area. For example, one of the obstacles to moving is the expense of transporting household furniture. A new college or university (destination) makes it easier for professors to move by paying their relocation expenses. The theory likely will explain a move to attend college if one student came from out of town or from another state. One critical obstacle for many students is paying for their education and the availability of a full scholarship may remove the financial obstacle and cause students to move from Florida to California, as an another illustration. Further, this theory likely will explain why some people will move from certain states and not return (i.e., hurricane prone areas), and why many people from New Orleans who experienced Hurricane Katrina and relocated to other states will not return. Lee's theory will explain why some people who were living in the Sudan "moved" to Chad. Last, the theory will likely explain the Exodus of Jews, as well as why some Jews migrate to Israel.

V. The Application Of World Systems Theory And Migration Theory To Seven Women From Mexico

In 2007, Maria Eugenia Corral-Ribordy completed a master's thesis at Humboldt State University consisting of 224 pages.⁹⁰ A qualitative study, this thesis was entitled *Between Two Homelands: The Experiences of Undocumented Mexican Mothers with the K-12 Public School System in a Rural Community*.⁹¹ In conducting her study, the investigator interviewed six women, revealing their homes in Mexico and why they emigrated to the United States. Being born in Mexico City, she also included herself as a subject. As a qualitative study, no theory was employed to analyze the data. Hence, I will use this researcher's data and analyze them using world systems theory and migration theory. While the data included these women experiences in the United States, I was only interested in their living conditions in Mexico and what population pressures that they were under, prompting their decisions to come to the United States. In addition, I will analyze and tie the current conflict over immigration in the United States to world systems theory.

Case I- -Ana

Ana was born in Colima, Mexico, a capital city near the Pacific coast of Mexico, but her family lived in a rural part of Mexico because her father was a ranch caretaker. Because Ana was the oldest of seven children, she was forced to work as a 10 year old child to help supplement the family's income. Ana had only one year of formal education. At 16 years of age, Ana got married and had five boys, but she was the main care provider for her children. She sold tortillas and she worked in the field picking limes. Often, she took her children with her to the fields because she did not have child care. Ana's husband was abusive to her and she wanted to leave him. Ana had a godmother who lived in Los Angeles, and she sent Ana money to leave her

⁹⁰ Maria Eugenia Corral-Ribordy, "Between Two Homelands: The Experiences of Undocumented Mexican Mothers With the K-12 Public School System in a Rural Community." (Master's Thesis, Humboldt State University, 2007).

⁹¹ Maria Eugenia Corral-Ribordy

husband and Mexico. Ana left her three youngest children with her sister and took her two oldest boys, age 8 and 10, by bus to the border. At the border, they attempted three times to enter the United States but failed the first two times. On the third try, they entered and found their way to Los Angeles. She found a low wage job in Los Angeles and was able to send for her three other children. Her husband located her in Los Angeles, attempting to reconcile. They did reconcile and moved to a rural area of California.

Case 2- -Christina

Christina was born in Nayarit, Mexico, which is on the Pacific coast of Mexico. She was the middle child of three children born to her parents, and her parents were able to send her to school to become a high school graduate. However, her parents could not afford to send her to nursing school, which was her aspiration, and her brother to medical school. Christina's brother quit medical school and emigrated to the United States. After a year in the United States, her brother returned to Nayarit and told her sister of the numerous opportunities and social activities available in America. Christina begged her brother to take her to America when he returned and he did, along with Christina's boyfriend, Samuel, and another friend of theirs. With the aid of a "coyote", they were able to enter the United States on their third attempt. Residing in Northern California, Samuel and Christina married and had three boys.

Case 3- -Erica

Erica was born in Michoacán, Mexico, which is also on the Pacific coast of Mexico, and was one of four children. Her family was poor, but she had an uncle who had a restaurant in the United States. When she was 12 years old, her uncle asked her parent to permit Erica to come to the United States and work at his restaurant. They agreed and Erica's uncle got her a tourist visa. In her uncle's home and business, Erica was subjected to exploitation, sexual abuse, and physical abuse. Children Protection investigated and concluded that Erica was victim of child labor violations and abuse by her uncle. As a result, she was sent back to Mexico after a year with her uncle. After returning to Mexico, she later married an older man and was pregnant when she was sixteen years old. Her husband wanted her to have an abortion, and when she refused, he left her. Pregnant, Erica decided to return to the United States in order to create a better life for her child, and she was able to cross the border undetected.

Case 4- -Fabiola

Fabiola was one of 12 children born to her family in Leon, Guanajuato, a state in central Mexico. Fabiola's father left the family to work in the United States and was providing some support to his family in Mexico. However, because of marital problems, Fabiola's father stopped sending financial support. Even with the financial support, Fabiola's mother struggled to support her family and desperation sank in when the father stopped sending money home. Two of Fabiola's brothers left Mexico to go to the United States to seek work. When she was a teenager, Fabiola quit school to work as a waitress in Mexico. She frequently heard how well people lived in the United States, and Americans were so well off that they threw away brand new televisions and radios. Among her friends and sisters they often talked about the American Dream and how great it would be to live in the United States. So, she, two of her sisters, one brother-in-law, and a

14-year-old brother decided to cross the border, and they were successful the second time they attempted to cross. At this time, Fabiola was still a teenager and was 15 years old.

Case 5- -Gabriela

Gabriela is the sister of Fabiola. So, the family circumstances described above is the same. Gabriela was 18 years old, pregnant and recently married when she decided to join her sister. She, too, was motivated by wanting to experience the American Dream.

Case 6- -Talia

Talia was one of six children living in abject poverty in Colima, Mexico, which is on the Pacific Coast of Mexico. Her home had a leaky roof and during the rainy season, her bed was frequently wet. When Talia was 13, her mother left the family to work in the Florida agriculture fields and took the two oldest children with her. Talia was given the responsibility of taking care of her three youngest siblings. Talia became pregnant and decided to leave Mexico with her eight-months old daughter, and she and her baby crossed the border.

Case Seven- -Maria

Maria is investigator for this study and included herself as a subject. Maria was born in Mexico City. Her mother was born in the United States and her father was a Mexican citizen. As a result, Maria had dual citizenship in Mexico and the United States. When she completed high school, her family moved to Sacramento, California. Maria stated that her parents moved to the United States to be near their maternal relatives and so she and her three siblings would have better educational opportunities.

VI. Theoretical Linkages To Cases

Most of the young women experienced considerable pressures to leave Mexico for the United States. Ann married at 16 years of age, had five children, and worked in the fields. Compounding her poverty was an abusive marriage. Erica initially came to the United States legally on a visa as a 12 year old child to work in her uncle's restaurant. But she was exploited by her uncle forcing her to work long hours, ignoring school, and abusing her physically and sexually. Returned to Mexico by the immigration authorities, she married at 16 year of age to an older man, impregnated, and then abandoned by her husband when she refused to have an abortion. As a result, Erica returned to the United States to create a better life for her unborn child. Fabiola and Gabriela were sisters and came from a family consisting of twelve (12) children. Their father, who came to the United States, was sending some support to his family but this support ceased. Hearing about the superb life of Americans and having some siblings who had traveled to the United States and returned to Mexico, Fabiola, then 15 years old and Gabriela, then 18 years old and pregnant, came to the United States. Talia lived in extreme poverty in a house with a leaky roof in Mexico. At 13 years of age, Talia's mother left Mexico to work on the Florida's agricultural fields and Talia was responsible for caring for two youngest siblings. Talia became pregnant and migrated to the United States with her baby.

Christina appeared to have been better off than the other young women from Mexico in that she had a high school education, wanted to go to nursing school, but her family could not afford to send her to nursing school and her brother to medical school. Christina's brother told her about the splendid opportunities in America and she begged her brother to take her. Her brother did take Christina, along with Christina's boyfriend to the United States. Similarly, Maria came from a family that appeared not to be poor. Maria finished high school in Mexico, like Christina. Maria's mother was a United States as well as Mexican citizen, and wanted her children to have the best education possible in the United States.

These stories show five of the seven women were under significant economic pressures to emigrate from Mexico to the United States. Maria Eugenia Corral-Ribordy's data support confirmation of Chase-Dunn's theoretical concepts of population pressures and emigration, but her data do not present enough discussions for the other two concepts. However, the discussions presented earlier in the paper support the other two of Chase-Dunn's concepts of circumscription and conflict. Life for many Latinos is difficult in America as many Latinos perform jobs that many Americans do not want, such as agriculture work. Nonetheless, their condition in America is often better than what they had in Mexico or other Latin American country. As a result, circumscription exists and conflict follows. The conflict manifests itself in the resistance and opposition by many White Americans to the immigration problem and numerous States passing legislation to address the immigration problem in the United States.

Conclusion

The newly United States referenced immigration in its Constitution in the 1700s, indirectly encouraging immigration by forbidding Congress from passing any laws until the early 1800s. In addition, it stressed in an Act that was passed in 1790 that the embryonic United States favored free White aliens for naturalization. In the 1800s, Congress passed laws restricting Asians from coming to the United States. Currently, the problem is the immigration of Latinos into the United States from Mexico and other Latin American countries. World systems theory provides an understanding of immigration involving Asians in the late 1800s and Latinos presently. Population pressures, emigration, circumscription, and conflict explain the situation involving the Chinese. Conflict, as noted by a U. S. Supreme Court Justice, occurred when the Chinese began to compete with White Californians for skilled jobs, and Congress passed laws to restrict immigration and force the Chinese to leave the United States.

Presently, Latinos are the largest minority group in America and their numbers threaten to grow with their influx into the United States. Additionally, Latinos have the highest birth rate of all racial groups.⁹² In fact, Latinos' high birth rate has more now to do with their rising population than immigration.⁹³ Undoubtedly, race and ethnicity are a central undercurrent of the debate over immigration. In 1916, Madison Grant published *The Passing of the Great Race* and the threat that immigration posed for Whites. In a similar manner, in 2005 Pat Buchanan published *State of Emergency: The Third World Invasion and Conquest of America*. Demographers have commented upon the "Browning of America" and that America will be less White in the years to come and Whites will be a minority in the United States. Unlike the Chinese, the conflict with Latinos is not necessarily over competition for jobs, but the conflict is likely over the fear of major changes in the social and political landscapes.

⁹² Children Trends Data Bank, "Birth and Fertility Rates, 2007", <http://www.childtrendsdatbank.org/indicators/79BirthRates.cfm>.

⁹³ Haya El Nasser, "Births Fueling Hispanic Growth," *USA Today*, (June 30, 2008) 1.