ciple," initially concealed by supporters on strategic grounds. This was a step in the right direction, but hardly a sufficient one: "how long it will take to secure the passage of a frankly restrictive law, such as that urged by Senator Dillingham lineup ... time alone can tell." Surmounting the obstacle of traditional principle surely mattered, but the discovery of substitute sources of labor undoubtedly helped as well. Together with the great internal migration from the South, the intra-American movements vastly reduced the dependence of American industry on European labor and thus considerably weakened the visible hand's incentives for keeping the Atlantic gates open.

In the aftermath of World War I, the United States loudly proclaimed to the world its determination to cease being a nation of immigrants. In one of the most spectacular displays of legislative power in American history, with two waves of its magic wand Congress sought to make immigration disappear, much as it had attempted to do with drinking by way of the Volstead Act. But whereas alcohol consumption was reduced by only one-third, in the sphere of immigration the transformation was radically effective. In 1921, when civilian shipping resumed to its full capacity, the United States admitted 652,364 Europeans, more than half of the 1907 record; and the addition of millions of brutally uprooted political refugees to the steadily expanding pool of economic migrants suggested that the record would soon be surpassed. Instead, in the following years the 1921 figure was quickly cut in half, and then in half again, so that by 1929, the last pre-Depression year, European immigrants numbered only 158,598. This amounted to merely one-seventh of the 1907 level and a marginal one-tenth of 1 percent of America's continental population. Beyond this, Asian immigration was in effect extinguished altogether and most of the now exceedingly scarce European admissions were reserved for the "original American stock," the white nationalities that had an opportunity to proliferate over three centuries. The legislation's draconian character is demonstrated by its immediate effect on immigration from Italy and Poland. In 1914, Italian arrivals reached 283,738; after the wartime interruption, the number quickly returned to 222,260, and there can be no doubt that it was well on its way to exceeding the previous record. Instead, entries were sharply reduced from 1921 on, and as a consequence of the quota imposed in 1924,
the average annual level for the remainder of the decade was reduced to 14,969, a mere 7 percent of the 1921 level. The effect of restriction was almost as acute for Poles, many of whom were Jewish: 95,089 in 1921 as against an average of 8,111 for the postquota years, about 8.5 percent of the unrestricted level. Implementation of both components of restrictionism entailed a vast expansion of the capacity of the American state to regulate movement across its borders and its deployment abroad to achieve the elusive remote control to which regulators had long aspired. The ad hoc visa system instituted during the war proved inadequate, and in the early 1920s the State Department established itself as the lead agency in the sphere of immigration by creating an elaborate overseas bureaucracy capable of carrying out the complex administrative procedures that implementation of the restrictive legislation required. Remote control effected a sweeping and permanent reversal of the relationship between potential immigrants and the American state. Whereas previously there was a presumption of admissibility unless an immigration inspector established the contrary, now the burden of proof was placed on aliens to establish prior to embarkation that they were eligible for admission according to the newly imposed and highly selective criteria. The innovations also made it finally possible to harness the shipp ing lines to the implementation of border control. From the perspective of the European shore, it was clearly understood that these actions signaled the determination of the United States to transform itself into a nation like the others. Writing in the mid-1920s, Alexis de Tocqueville’s compatriot Andre Siegfried opened his account of America Comes of Age by observing, “The essential characteristic of the post-war period in the United States is the nervous reaction of the original American stock against an insidious subjection by foreign blood.” The transformation proceeded swiftly. A year later, a scholarly analyst of population issues commented that “American fear of renewed immigration resulted in the quota laws, after which active interest in immigration problems in this country declined.” By 1931, when Frederick Lewis Allen published Only Yesterday, his celebrated chronicle of major social events of the postwar years such as the "Big Red Scare," the revival of the Ku Klux Klan, anti-Semitism, and Prohibition, he made no mention of either the speedy resumption of large-scale immigration after the war or of its near-elimination by the end of the decade. The very subject had been relegated to long-term memory.

Late-twentieth-century awareness of the centrality of race in American development has stimulated a revival of interest in the racialization of the white population by way of the national origins quotas, leading to a spate of research that complements John Higham’s Strangers in the Land. However, the concomitant imposition of an overall quantitative limit on European immigration has been accorded secondary importance. This distorts reality, because whereas the national origins quota law evoked vociferous opposition on the part of the targeted groups, the quantitative limit attracted a much broader consensus and proved a more enduring element of American policy. For example, Max Kohler, engaged in the struggle against restriction from the beginning of the century, reflected in 1927 on the path leading from the Commission to “Quota Laws, based on racial distinctions and preferences, which I abhor,” but conceded “that the War required new methods of restricting immigration.” When the United States abolished the national origins quota system four decades after its adoption and simultaneously relinquished remaining barriers to Asian immigration, it not only retained a quantitative limit on immigration from Europe, Asia, and Africa, but also simultaneously imposed one for the first time on immigration from the Western Hemisphere.

However, the new immigration policy also included a third component, which in effect contradicted the cultural imperatives that drove the other two. Even as they restricted the “new immigration” nearly to the point of extinction, the legislators acting on behalf of the “original American stock” refrained from closing the country’s back door, in full knowledge that it allowed for a growing stream of Mexicans who, by their own racial standards, were more objectionable than southern and eastern Europeans because they were for the most part not even “white.” The emerging distinction between a main gate tightly regulated in keeping with the “national interest,” as determined by the guardians of the country’s “Nordic” character, and an informally managed “back door” where agricultural employers ruled supreme, was thus institutionalized into a long-lasting feature of American immigration policy.

The Drive to Isolation

It is no accident that the longtime promoter of immigration restriction, Henry Cabot Lodge, was also Woodrow Wilson’s nemesis on the League of Nations. Both responses were hammered out within a worldwide climate of tightening borders and increasing restriction on the movement of persons, triggered initially by rising international tensions culminating in the conflagration, but reinforced afterwards by economic difficulties and political instability.
Wary of "insidious subjection by foreign blood," the political establishment kept a sharp lookout for the resumption of immigration. In the year following the armistice, the anticipated flood failed to materialize, as much of the available shipping was dedicated to the return of American troops; instead, there was a large exodus of workers who had come to America on the eve of the conflict and been immobilized during the war. By one careful statistical reckoning, from 1915 to 1922 over half as many foreign-born left the country as entered, a trend especially pronounced for males and among the Balkan nationalities. But arrivals from Europe reached a quarter of a million in 1920 and some 650,000 the following year, prompting the immigration commissioner of the Port of New York to proclaim that over 10 million were waiting to embark; and Wilbur Carr, head of the U.S. Consular Service, warned in an appendix to a congressional committee report that the United States was about to receive an unprecedented wave of Polish Jews who were "filthy, un-American, and often dangerous in their habits... lacking any conception of patriotism or national spirit."12

Conditions in postwar Europe were indeed conducive to massive uprooting. The sudden demobilization of an entire generation of young adult males and a lack of capital interacted to mire the former belligerents in deep economic doldrums. The Continent was also in the throes of an unprecedented refugee crisis. The doctrine of national self-government was applied with special fervor to the dismantling of the defeated Austro-Hungarian and Ottoman Empires, and by the successor states themselves against their minorities. Meanwhile, the only victorious empire, Russia, exploded into a revolution that generated political refugees as well as minority ones, and also experienced some dismantlement, giving rise to further successor states, Poland, the Baltic trio, and Finland, all of which also mistreated minorities in the name of nation-building. Contrary to the American Jewish organizations' optimistic expectations, the war had been calamitous for Jews in eastern Europe as well. After some in the westernmost part of the Russian Empire welcomed the German and Austro-Hungarian armies as liberators from oppression, the tzar ordered their massive deportation to the Polish section of the empire conversely, many Galician Jews fled to western parts of the Hapsburg Empire in the wake of the Russian invasion. In addition to the sequels of the conflict itself, the Russian Revolution and the postwar settlements generated tensions that produced more internationally displaced persons. The Jews, again, were caught in the middle, mistrusted by the Bolsheviks for their bourgeois inclinations, and by nationalists, notably in the Ukraine, for leaning toward the Bolsheviks; half a million fled westward to Poland, where their arrival precipitated sporadic violence. By the mid-1920s, estimates of European refugees ranged to nearly 10 million, including 1.5 million resulting from the "unmixing" of populations in Greece and Turkey at the end of their own war, 2 million Poles, over 2 million Russians and Ukrainians, and 1 million Germans.13

In the wake of the war, there was "a pronounced tendency to regard the regulation of migration as an international matter." Observing that "the Japanese introduced the issue at Versailles," A. B. Wolfe, an American scholar writing in 1928, surmised that "it was probably one consideration which helped toward the decision of the United States not to enter the League of Nations."14 A conference of the leading immigration nations was held in Paris in 1923, and another organized by the successor to the Second Labor International in Prague in 1924; a general international conference was convened at Rome in 1924, with representatives of fifty-seven countries, where "under the leadership of Italy, some outspoken demands were made for modification of national sovereignty in the interest of the establishment of some international authority to regulate migration and settlement"; another labor-sponsored meeting was held in London in 1926, and a Second International Immigration Conference in Havana in April 1928. In the intervening period, the International Labor Office established a Permanent Migration Committee for the study of migration problems.

On a closely related theme, the postwar years also witnessed a revival of Malthusianism. In *The Economic Consequences of the Peace*, John Maynard Keynes emphasized "an excessive population dependent for its livelihood on a complicated and artificial organization" as one of the major factors of instability in prewar Europe, leading a contemporaneous commentator to suggest that "[i]t is a prominent place given to the Malthusian specter in the prologue of a book of this kind, so widely read at so psychological a moment, could not fail to bring home to thousands of readers the fact that the population problem is far more than an academic pastime."15 This concern was echoed on the American side in works such as *Standing Room Only*? (1927) by Wisconsin sociologist E. A. Ross, long associated with the restrictionist cause.

In this light, it is evident that the significance of American policy transcended immediate concerns with immigration proper, constituting a defiant assertion of the country's unbounded nationalism, manifested most immediately by the State Department's refusal to take part in the discussions of the resolutions of the Rome Conference at the 1928 Havana meeting "on the
ground that participation in such discussion might give rise to misapprehension as to the fundamental position of the United States, which is that control of immigration is a sovereign right and that Congress has final authority. 24

The Deepening Ideological Divide

The anti-immigration camp was reinforced by the fear of Bolshevik contagion and a yearning for a return to "normalcy," as well as the onset of postwar economic doldrums. 25 Immigrant workers figured prominently in the successful drive to unionize steel that got underway in the summer of 1918, and in the wave of strikes that swept the country the following year. 18 In early 1920, Attorney General A. Mitchell Palmer predicted that by May 1 the country would be locked in the convulsions of a "Red Revolution," and went on to arrest some 6,000 allegedly seditious men and women, most of them immigrants, of whom many were subsequently deported. 26 In June of the same year, Congress enacted a law that, for the first time, punished aliens for merely possessing subversive literature, advising rather than advocating and teaching revolution, holding membership in groups and societies as well as organizations, and showing sympathy and support for radical organizations by way of financial contributions apart from actual membership. 27

The campaign against radicals was part of an array of reactionary developments, including rejection of U.S. membership in the League of Nations; the revocation of the Ku Klux Klan, which advertised itself as a 100 percent American organization, targeting foreigners, Catholics, and Jews as much as African Americans; the enactment of Jim Crow laws throughout the South; the tightening of laws restricting Japanese land ownership in California; and the onset of more explicit social discrimination against Catholics and Jews in elite institutions, notably universities. 28 The constitutional amendment to prohibit the consumption of alcoholic beverages, passed over President Wilson's veto in 1917 and effective as of January 1920, also constituted a rejection of "foreign ways," with support from middle-class, white, Protestant, socially mobile, native or thoroughly assimilated voters, while opposition was provided by wage-earning immigrants or Americans of recent vintage. 29

Higham asserted, "After the war, the dwindling company of progressive intellectuals played curiously little part in restriction controversies. Most of them rather agreed with the popular demand for a more stable, homogeneous ethnic pattern," and more recent writers have generally confirmed this trend. 30 While this was true, it would be more accurate to say that a signal cultural divide was in the making. While accepting restriction as inevitable under existing circumstances, antirestrictionist intellectuals held on to and even elaborated their position, laying the groundwork for a "nearly complete repudiation of every scientific rationale for racism," however, the change "was not nearly or widely enough disseminated" to affect policy. 31 Bereft of political support in Washington, they carried on a rear-guard action. On the other side of the divide loomed a phalanx of restriction-minded intellectuals, closely connected with the eugenicists on the one hand and the Republican congressional leadership on the other, broadly comparable to the emergence of a neconservative intellectual network in the post-Vietnam era. Among other things, they systematically set out to legitimize their camp's position by providing revisionist accounts of how immigration was envisioned in American history. Publicizing hitherto ignored demurrers by the Founding Fathers, they also exhume the protracted regulatory efforts by states and localities discussed in earlier chapters. 32

The rise of mass testing of draftees it
conducted during the war, that blacks were inferior to whites and new immigrants to old, sometimes even to blacks. Although their results indicated that the scores of the foreign-born improved the longer they lived in the United States, this was dismissed as an error in measurement. A leading academic restrictionist asserted explicitly in 1926 that the work of H. F. Laughlin "had such great influence that it is often considered the principal basis of the Act of 1924." The eugenicist orientation also pervaded the Committee on Scientific Problems of Human Migration established by the National Research Council’s Division of Anthropology and Psychology in 1922.

On the other side, the New York Times proclaimed in an editorial, “This new historic idea (racial determinism) runs counter to our spiritual convictions as to the brotherhood of all human beings and the identical preciousness of all human souls. It runs counter to the political dogmas of universal equality and the sanctity of the will of the majority. Spiritually and politically it is no democratic but aristocratic—though the aristocracy is that of biology.” While acknowledging that “with Bolshevism menacing us on one hand and race extinction through warfare on the other, many people are not unlikely to give it an increasingly respectful consideration,” the inference they drew was not the need for immigration restriction but rather for “a league or association which will unite the nation in defense of what is precious in the Nordic inheritance.” The Nation commented similarly in 1921 on “the controversies here and there stirring over the true color and quality of the national genius. At one extreme are the rock-bound nativists, the besotted Anglo-Saxons, who point with rapture to the Puritan tradition and with pride to the older days of Little America before the Civil War. … Our hopes lie rather in our fusion of many cultures. We are still, for all the changes that have taken place in three hundred years, a laboratory for the Old World, where a great human experiment is being carried on.” Following enactment of the 1921 law, the magazine cited a National Industrial Conference Board study indicating that because of the high number of departures, net immigration “shrinks to almost nothing,” and exclaimed, “Yet in the face of a situation like this the immigration restrictionists are demanding a still tighter law.” The New Republic also denounced the 1921 law as an “arbitrary, unscientific act” and editorialized in 1924 that since “[n]either our past nor our present immigration policy has been based on any high moral principle,” one should not look at the immigration bills awaiting further negotiation in the light of “abstract justice,” and concluded, “Looked at from the coldest point of view of expediency, then, it remains true that there is no justification in fact for such discriminatory legislation as both houses of Congress have enacted.”

Within the academy, a new generation of social scientists such as Robert E. Park and Robert Redfield, as well as historians such as Carl Becker and Carlton Hayes, systematically criticized the eugenicist, racist, and hypernationalist literature on which restrictionists rested their case. The turn of the National Research Council’s Committee on Scientific Problems of Human Migration toward eugenicism prompted the Laura Spelman Rockefeller Memorial Fund to shift its support to a group of scholars who formed a new Migration Committee within what became the Social Science Research Council (SSRC). This innovative interdisciplinary body was initially chaired by Edith Abbott, based in the University of Chicago’s Anthropology Department, and included leading disciplinary figures such as Charles Merriam (the SSRC’s founding president) and Frederick Ogg from political science, John Commons and Robert Forester from economics, and Carl Wittke from history. Although the committee’s research interests encompassed international migration worldwide, it resolved to give special attention to Mexican immigration to the United States and internal migration of African Americans because of their growing importance. The projects it funded, including studies by Manuel Gamio, Walter Willcox, and Harry Jerome, had a major impact in developing migration studies as a scholarly field.

Legislating and Implementing Restriction

Postwar legislative developments were shaped by the reinstatement of Republican hegemony, interrupted by the unusual circumstances of the three-way presidential contest of 1912 and its sequels. Benefiting from a popular revolt against the incumbents, driven largely by a doubling of the cost-of-living index since the end of 1915, the Republicans regained Congress in 1918, when the Democratic Party lost 26 House seats, notably thanks to the defection of their western German voters. They went on to reconquer the presidency in 1920, with the Republicans’ 1924 presidential candidate, Charles L. Faust, running against the incumbents, who was outmaneuvered by the Republican Party’s success in the presidential contest of 1912 and its sequels. Benefiting from a popular revolt against the incumbents, driven largely by a doubling of the cost-of-living index since the end of 1915, the Republicans regained Congress in 1918, when the Democratic Party lost 26 House seats, notably thanks to the defection of their western German voters. They went on to reconquer the presidency in 1920, with the Republicans’ 1924 presidential candidate, Charles L. Faust, running against the incumbents, who was outmaneuvered by the Republican Party’s success in the presidential contest of 1912 and its sequels.
the outcome: in all instances, restriction was supported by Republicans from both rural and urban districts, as well as by rural Democrats, mostly southern. This left northern Democrats, who in the wake of the 1920 election were reduced to only 10 percent of nonsouthern seats, as the only source of opposition. However, since many voters of recent immigrant origin defecited from the Democratic Party, notably on foreign policy grounds, defense of their interests probably ranked low among the party’s priorities, except in New York City.

Initially, the National Association of Manufacturers (NAM) resisted draconian plans to suspend immigration altogether or limit it severely on the grounds that this was too inflexible to accommodate future needs. A similar 1920 by the Inter-Racial Council, a coalition of big business executives; immigrant advocates such as Louis Marshall, Max Kohler, and Fiorello La Guardia; and foreign-language publishers, whose board was chaired by General Coleman du Pont and whose president was the head of the National Civic Federation. The conference resolved among other things that “[w]e regard the literacy test as not only without merit, but as a direct injury to the interests of commerce, industry, and agriculture, and recommend its repeal.” Immigration should flow freely, but with strict enforcement of the asylum provisions. They also issued recommendations pertaining to incorporation, including the creation of a “Federal Board of Assimilation” as well as federal funding for improving the education of immigrant children. Acknowledging that the United States was experiencing “a condition of public unrest,” they is being carried on principally among our residents of foreign birth” and particularly through foreign-language publications.

However, in the summer of 1920, the American economy experienced its first severe recession since the 1890s, lasting until the spring of 1922, and it was in the course of this that Congress enacted the first quantitative restrictions on immigration. The Republican convention that nominated Warren G. Harding for president endorsed a proposal to impose draconian limits on European immigration for a year. Sprung on by favorable political prospects, the escalation of arrivals, and dire economic conditions, as the end of 1920 the restrictionists in the House secured approval of a bill introduced by Representative Albert Johnson, a long-standing anti-Asian activist from the State of Washington, for a fourteen-month suspension of all immigration, except for farm labor and intermarriage blood relatives. Among the explicit arguments on the bill’s behalf was that a large percentage of incoming immigrants were Jews, who would be kept out by way of the farm labor qualification. However, the upper chamber approved instead a plan by Senator Charles Dillingham to radically restrict European immigration for fifteen months by applying the nationalities quota system considered by his commission in 1911. The cap would be set at 3 percent of the foreign-born of each nationality resident in the United States in 1910, as enumerated in the U.S. Census, for an estimated total of 592,000. Temporary visitors, citizens of Western Hemisphere countries, members of certain learned and professional classes, as well as domestic servants would be admitted outside the quotas.

In the end, Congress approved a compromise conference version that reduced the cap to 3 percent so as to limit European immigration to approximately 359,000 per year. Preference would be given to wives and minor children of naturalized citizens and “intentioners,” legally admitted aliens who filed their intention to naturalize. However, President Wilson allowed the bill to die by withholding his signature. A “liberal” alternative, advanced by the National Committee for Constructive Immigration Legislation and endorsed by the Committee of One Thousand, whose signatories included Cardinal Gibbons, Adolph Sabath, and social activist Lillian Wald, would have allocated admission in proportion to the number of members of each nationality group who had become naturalized citizens; plus their American-born children. It is thus eminently clear that the opposition accepted not only the principle of a quantitative limit but also the allocation of entries on the basis of nationality quotas of some kind.

Dillingham’s proposal quickly moved through the new Congress—the Senate vote was 78 to 1, with 17 abstentions—and was approved in May 1921 by the incoming Republican president, hailed by the Immigration Restriction League as the first genuine restrictionist in the White House. The law exempted alien minor children of citizens, certain professional classes, and domestic servants and granted preference within the quotas to close relatives of citizens and intentioners. Amidst proliferating proposals for more extreme measures, including one by Chairman Johnson to suspend immigration altogether for a period of three years, at its expiration the legislation was renewed twice and extended to 1924. There were also pernicious moves to prohibit Japanese immigration, driving the Japanese government to impose new restrictions under the “Gentlemen’s Agreement.” In 1922 Congress further protected Americanism by adopting the Cable Act (42 Stat. 1022), whereby
an alien woman marrying a U.S. citizen no longer automatically acquired his nationality.

Thanks to the new law and postwar business doldrums, European immigration dipped by two-thirds from 652,369 in 1921 to a mere 216,385 the following year. The restrictionist scholar Roy Garis contended that “according to a careful estimate [the measure] kept from our shores 1,750,000 to 2,000,000 immigrants, few of whom we would have been prepared to receive and care for in a year of unemployment and readjustment.” However, arrivals then climbed back to 364,339 in 1924, approximately the maximum level attainable under the new law. Garis observed further that the percentage of English-speaking immigrants, which had dropped to 8.8 percent of the total in 1914, rose to 14.9 percent in 1921 and reached 28.3 percent in 1924, and he noted approvingly that adoption of the quota system also had the effect of inducing more of those admitted to remain permanently, thereby restoring a measure of social stability to American society.

However, the new system wreaked havoc with ongoing regulatory practices. Admissions within each country’s quota were allocated monthly upon arrival in the United States, on a first-come, first-served basis, prompting races between steamships to reach the ports and dump their passengers before numbers were exhausted. Visas were required, but the consuls were instructed to refuse them only “when informed that a sufficient number of aliens had been admitted into the United States to exhaust the quota of the country of which the applicant was a native.” The system created considerable duress for the immigrants, who might be refused entry because the quota filled by the time they arrived or because they failed to qualify on some other grounds, as well as difficulties for the shippers and the stateside American authorities, who had to assume responsibility for returning them. It thus became evident that efficient operation of the new system required the distribution of entry permits in advance of embarkation, and that this in turn mandated the elaboration of a more extensive overseas bureaucracy.

**Preserving the Back Door**

In 1924, the United States received almost as many nationals of independent countries of the Western Hemisphere as Europeans: 342,537 altogether, including 200,690 from Canada and Newfoundland, the forgotten throng of American immigration history, as well as 89,336 from Mexico. Writing in 1930, Paul Taylor pointed out that “Mexicans” constituted not only 74 percent of railroad maintenance workers on the southwestern continental lines, where they took the place of Greeks, Italians, Japanese, and Koreans, but also 39 percent of workers on local and eastern roads. He explained that the situation “shows in detail the results . . . of the slackening of European immigration, the exclusion of Oriental immigration, the drift of older immigration to other occupations.” Mexicans were no longer restricted to the Southwest, and “[if] in the long run, there is probably about as much, but no more reason to regard the Mexican population as confined to a region than the Negro population.”

His unconscious confounding of Mexicans and African Americans matched that of the 1927 Annual Meeting of the American Economic Association, where several speakers singled out Negro immigration and Mexican immigration as major economic consequences of restriction. The two met in the Chicago-Gary region, where by 1928 the labor force in steel was 12.3 percent African American and 9.4 percent Mexican, and in meatpacking 29.5 and 5.7 percent respectively.

Both movements were driven simultaneously by “push” and “pull.” World War I stimulated a great demand for cotton, driving its price in the Delta to the all-time high of $1.00 a pound in 1919, but disaster struck the following year, when it fell to 10 cents. Consequently, “The Delta began struggling on and off with economic depression a decade earlier than the rest of the country,” turning sharecroppers into a burdensome population that owners brutally drove off their land. On the pull side, even as he fought immigration on cultural grounds, Henry Ford dispatched company officials to recruit African Americans in the South. As a leading immigrant advocate reflected at the time, Negroes were “attempting to fill the role that the immigrant alien had been taking much better.” Overall, African American migration to the northern industrial states soared from 370,500 in 1910–1920 to 664,900 in 1920–1930, with New York and Illinois the leading receivers in both periods.

Mexican immigration had been long in the making, with 173,663 entries recorded in the 1910–1919 decade, but estimates of actual movement across the largely unguarded border range two to five times higher. Its subsequent expansion was governed by ongoing economic transformations and protracted revolutionary upheavals, notably the Cristero rebellion of 1926–1929 in populous central Mexico, with movement vastly facilitated by the spread of automotive vehicles and the concomitant construction of a network of roads in northern Mexico. On the American side, demand expanded from Texas cotton producers to sugar beet growers throughout the upper Midwest, and
in the wake of draconian restrictions on Asian immigration, it grew vastly in California as well. Since the war, it also encompassed the railroads and northern industrialists. Large numbers of Mexican strikebreakers were transported from the Southwest to the Chicago area during the steel strike of 1919, much to the dismay of the AFL, and in May 1923 Bethlehem Steel again hired a large contingent of Mexicans as a "short-term supplement" to its labor force in the Chicago-Calumet region.60 Altogether, the 1920 U.S. Census enumerated about half a million Mexican-born residents, as well as a Mexican American population of some 800,000; the population of "Mexican origin," which combined the two categories, numbered 486,418 in the four south western states alone, but this was again a very likely substantial undercount. Total recorded entries for 1910-1929 exceeded 1.5 million; however, there was considerable return movement, so that net immigration for the period is estimated at only about 400,000.61

The term "back door" was itself coined by the frustrated cultural restrictionists, who sought in vain to limit the growing Mexican immigration by subjecting it to a quota. As Garis, their leading academic spokesman, pointed out in another congressional hearing in 1930, "mixed breed" Mexicans were even more undesirable than Polish Jews or southern Italians; hence, "to admit peons from Mexico...while restricting Europeans and excluding orientals is not only ridiculous and illogical—it destroys the biological, social, and economic advantages to be scored from the restriction of immigration."62 He explained further that the lax ongoing policy flew in the face of scientific demonstrations that Mexican men were less intelligent than Polish Jews or southern Italians; hence, "to admit peons from Mexico...while restricting Europeans and excluding orientals is...merely a fraud upon the country."63 Others were concerned that the growing settlements along the southern and northern borders might lead to secession; one commentator surmised in the late 1920s that "if we ever had a people who were not sympathetic to the cause of independence, it was the Mexicans...[who] are not actuated by patriotism or love of country, but simply by a desire to obtain land and enjoy the benefits of civilization."64

On the Mexican side, successive regimes were ambivalent over emigration: while humiliating from a nationalist perspective, as well as a potentially dangerous source of democratic ideas, it also became the major outlet for uprooted "surplus" population and a source of much-needed remittances.65 Hence, the government "did not always act vigorously to retain or return its citizens."66 On the American side, the relevant interests easily secured suitable

in the face of impending restrictive legislation, agricultural entrepreneurs mobilized to maintain the wartime exemptions, which were due to expire in February 1920. As the president of the South Texas Cotton Growers Association explained to a Senate committee a month before the deadline, more workers were needed than ever because recent advances in mechanization facilitated the expansion of farms.67 With regard to the immediate issue, he pointed out quite logically that a Mexican worker would come if he had to pay an $8.00 head tax, because if he had that kind of money there would be no need to come. He also reassured those who worried about the presence of revolutionarily-minded aliens along the border that "[i]f there were ever more people in the world than the Mexican," conceding that in the present political climate, Congress might not be able to grant agriculture's request for continued exemptions, he suggested there was an alternative possibility: "If you gentlemen have any objections to admitting the Mexicans by law, cut them out and take the river guard away and let us alone, and we will get them all right."68

The State Department joined agriculture in arguing on behalf of continued exemption, on the grounds that the imposition of quotas would jeopardize Ambassador Dwight Morrow's ongoing negotiations on behalf of American businesses nationalized by Mexico's revolutionary governments.69 When the restrictionists fell back on the argument that "mixed breeds," most Mexicans were excluded by virtue of the clause in the 1924 act that prohibited the immigration of persons ineligible for citizenship, the government insisted on exempting all Mexican workers.70 When the restrictionists fell back on the argument that "mixed breeds," most Mexicans were excluded by virtue of the clause in the 1924 act that prohibited the immigration of persons ineligible for citizenship, the government insisted on exempting all Mexican workers.71 When the restrictionists fell back on the argument that "mixed breeds," most Mexicans were excluded by virtue of the clause in the 1924 act that prohibited the immigration of persons ineligible for citizenship, the government insisted on exempting all Mexican workers.72 When the restrictionists fell back on the argument that "mixed breeds," most Mexicans were excluded by virtue of the clause in the 1924 act that prohibited the immigration of persons ineligible for citizenship, the government insisted on exempting all Mexican workers.73 When the restrictionists fell back on the argument that "mixed breeds," most Mexicans were excluded by virtue of the clause in the 1924 act that prohibited the immigration of persons ineligible for citizenship, the government insisted on exempting all Mexican workers.74 When the restrictionists fell back on the argument that "mixed breeds," most Mexicans were excluded by virtue of the clause in the 1924 act that prohibited the immigration of persons ineligible for citizenship, the government insisted on exempting all Mexican workers.75 When the restrictionists fell back on the argument that "mixed breeds," most Mexicans were excluded by virtue of the clause in the 1924 act that prohibited the immigration of persons ineligible for citizenship, the government insisted on exempting all Mexican workers.76
can be deported. . . . The general attitude of the growers toward the Mexicans is summarized in a remark made by a ranch foreman to a Mexican: 'When we want you, we'll call you; when we don't—git.' 99

America Restored

Thanks to these developments, Atlantic and Pacific restrictions were no longer incompatible with economic rationality. As dissenting voices weakened further, the restrictionist coalition raised its sights to the genuinely reactionary objective of rolling back the ethnic makeup of the country's white population to its pre-New immigration configuration. 89 In a series of articles published in 1923, Secretary of Labor James Davis bluntly asserted, "We want the beaver type of man. We want to keep out the rat-type." In order to bring this about, he promoted the imposition of numerical quotas on all countries, with a selection based primarily on American manpower needs, to be carried out in the country of origin prior to departure. The proposed extension of quota limits to the Western Hemisphere, notably Mexico and Canada, reflected protracted efforts by AFL President Samuel Gompers to secure the administration's support in this matter. 71 In addition, the president of the United States should have the authority of suspending immigration altogether whenever the secretary of labor and the secretary of commerce "jointly certify that in their opinion unemployment in this country makes suspension necessary." 72

In early 1924, House Immigration Committee chairman Johnson proposed decreasing the annual European quota from 3 percent to only 2 percent, and using the 1890 U.S. Census rather than 1920 as the baseline. 73 This would reduce European immigration to about 110,000 a year as well as further minimize the eastern and southern share. The baseline shift originated in a Scribner's article by Roy Garis, a professor of economics at Vanderbilt University who subsequently published a triumphalist history of restrictionism with a foreword by Johnson himself. Johnson's bill also prohibited the immigration of persons ineligible for naturalization, a provision targeting the Japanese and their Korean subjects, but did not apply the quota system to the Western Hemisphere. It was approved by an overwhelming 322–71 vote on April 12, with support from every section of the country except for a divided Northeast and vociferous opposition from the New York City delegation, led by Samuel Dickstein and Fiorello La Guardia.

However, the opposition lacked an alternative plan. Harold Fields, head of the nonsectarian League of Foreign-born Citizens, urged the creation of a federal board of immigration comparable to the Interstate Commerce Commission, which would put American immigration on a "scientific basis" (founded) upon the social and economic needs of the country. However, a labor-oriented policy held little interest for Jewish organizations, which carried considerable weight in the opposition camp, because Jews were unlikely to be eligible on the basis of manpower criteria. 74 Bowing to the prevailing winds, they merely fought a rear-guard action to retain 1920 or even 1910 as the basis rather than roll back to 1890. 75

An altogether different formula was put forth in the Senate by Republican Senator David Reed of Pennsylvania. Sharing in the objective of limiting the new immigration but recognizing that the 1890 baseline was politically risky because of its flagrantly discriminatory character, he proposed instead an annual cap of 150,000, with admissions apportioned according to the number of inhabitants of each "national origin" present in the continental United States as of 1920. Senator Lodge, still around to witness the victorious completion of his decades-long struggle to preserve America's identity in his image, explained disingenuously that there can be no question then of discrimination, because it will treat all races alike on the basis of their actual proportion of the existing population. 76 The formula was suggested by John Trevor, a close associate of Madison Grant, who was himself probably inspired by a recent publication of the National Historical Society, America's Race Heritage, and it was promoted by Henry M. Curran, commissioner of immigration at Ellis Island, as a policy that "mirrored America." 77 Up to half of each national quota was allocated to relatives of American citizens aged twenty-one or over, and for the remainder, preference was given to persons skilled in agriculture, again for the basis rather than roll back to 1890. 78 Unmarried minor children and wives of citizens with Jews as the target. 79 Unmarried minor children and wives of citizens with Jews as the target. 80 Unmarried minor children and wives of citizens with Jews as the target. 81 Unmarried minor children and wives of citizens with Jews as the target.

While it has been argued that the shift of the United States from debtor to creditor status in world capital markets induced a decline of the price of capital to the country of origin prior to departure. The proposed extension of quota limits to the Western Hemisphere, notably Mexico and Canada, reflected protracted efforts by AFL President Samuel Gompers to secure the administration's support in this matter. 71 In addition, the president of the United States should have the authority of suspending immigration altogether whenever the secretary of labor and the secretary of commerce "jointly certify that in their opinion unemployment in this country makes suspension necessary." 72

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the major producing states. What tipped the scales was that businessmen were not merely capitalists but also social elites, swayed by concern for cultural regulation as much as by balance sheet imperatives. They sought to keep “Bohunks,” “Kikes,” and “Dagoes” out of the country for the same reasons that they excluded them from their clubs and universities and devised restrictive covenants on real estate to keep them out of their neighborhoods, notably the new suburbs rendered accessible by the automobile. After the conference bill was approved, the NAM and the U.S. Chamber of Commerce acknowledged that national origin quotas were desirable for national integration, but thought the numerical limitation overly restrictive in the light of economic recovery, and recommended retaining the 1920 level.

On the ethnic front, the leading Jewish organizations bowed to the necessity of numerical restriction but sought the national origins baseline, going so far as to characterize it as violating treaties with almost every country of the world, “comparable with German behavior” in World War I. However, they no longer wielded the same degree of political influence within what had become a more rural-centered Republican Party, and they were further constrained by their own self-imposed caution. Battered by wartime hostility, German Americans basically kept quiet, whereas Scandinavians demonstrated their Americanism by joining the outcry against the new immigrants. America, the leading Catholic weekly, shifted decisively toward restriction in the course of the Red Scare, and by 1923 was referring to the new immigration as a handicap to Catholicism and to the nation. African Americans, hitherto ambivalent at best on the subject of immigration, were overwhelmed by fear that postwar flows would jeopardize their race’s hard-earned foothold in northern industry, and shifted decisively to the restrictionist side as well. Other than those directly targeted, one of the few explicit sources of resistance to the dominant trend was the northern Baptists, whose 1925 convention protested the quotas and racial provisions of the National Origins Act on the grounds that they erected obstacles to the fulfillment of America’s providential mission: “The Good News of the gospel is to all the people of the world.”

The final bill was approved by the Senate on April 18 by 62–6, with 28 abstentions, but no vote of record. President Calvin Coolidge declined to meet with objectors and signed the Johnson-Reed Act on May 26. The sociologist Robert Park observed that the law’s effect “was to give a sort of sanction to the notion which has been persistently maintained in the case of the Negro, that certain of the racial and national groups in the United States were not only culturally but biologically, inferior to others.” A similar point has been made more recently by Mae Ngai: the use of “origin” rather than place of birth in effect reconstructed “nationality” into a category defined by bloodline and blood quantum, akin to “race” as used with regard to Negroes and Asians. Accordingly, the move evoked vigorous critiques from a number of contemporaneous social scientists, notably Park himself and Franz Boas.

Did the restrictionists really mean to equate differences among whites with those separating the “races of mankind,” as conventionally understood at the time? In retrospect, their position appears ambiguous. For example, Roy Garis conceded somewhat defensively in 1926, “Very few students of immigration who are advocates of restriction maintain that there is any difference of inherent racial qualities between the old and the immigration... other things being equal, or that one nationality is superior to the other.” But he then went on to explain that other things are not equal: the new immigrants are not as easily assimilated as the old because their numbers are much larger; they differ sharply in economic, political, and social background; they are unstable (that is, many return); and they are concentrated in poorly paid industries that seek unskilled labor. He further cited H. H. Laughlin of the Eugenics Record Office, who “substantiated the conviction that was becoming more and more fixed in the minds of those favoring restriction” that “by admitting strains far removed” from the original settlers, “the United States has already tended to become in certain sections like Central Europe, a collection of unassimilable blocs.” Paradoxically, the Jewish organization B’nai B’rith in effect agreed, commenting that the quota law might even be beneficial for Jews because it eliminated American fears about the dangerous effect of a large unassimilated mass, and that “this is a more honest argument for immigration restriction than the Nordic myth.”

Nevertheless, the conventional distinction between race and nationality prevailed, as reflected in the determination to deal with nonwhite races by way of exclusion and with undesirable European nationalities by restriction. Yale of exclusion and with undesirable European nationalities by restriction. Yale

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line because, according to Senator Reed, both blacks and whites “do not want to allow great immigration from African sources.”

Yet the law’s ostracism was less extreme for people of African origin than for Asians. Johnson-Reed terminated one-sidedly the long-standing “Gentlemen’s Agreement” between the United States and Japan, and, extending the practice instituted with regard to the Chinese, aliens ineligible for citizenship were not admissible at all even if they were nationals of a European or Western Hemisphere country; the U.S. Supreme Court established that this encompassed the Japanese (Ozawa v. US, 1922) and Asian Indians, hitherto ambiguously “Caucasian” (US v. Thind, 1923). The racial status of Arabs gave rise to considerable debate, somewhat like the Jews; albeit “Asians” (or Africans), they were a “people of the Book,” and most of those immigrating at the time were in fact Christian. Filipinos were still considered U.S. “nationals,” along with Puerto Ricans; however, their settlement on the mainland evoked considerable opposition, and in 1934 Congress established a ten-year transition period to independence, simultaneously declaring that for purposes of immigration, the Philippines immediately constituted a foreign country, with an annual quota of fifty, the lowest in the world.

For persons of African origin, however, the determinative criterion was nationality, as for whites. In keeping with the general principles governing the Western Hemisphere, blacks and mulattoes from Cuba and Haiti were neither excluded nor bound by numerical limits, but governed only by “qualitative” restrictions, notably the literacy and LPC requirements, as well as payment of the head tax. The independent countries of Africa (Ethiopia, Liberia, and South Africa) were each awarded a minimal quota of 100, as were the former German colonies mandated by the League of Nations. Blacks living under colonial rule were eligible within the quotas of their respective imperial powers, and presumably at their discretion. Given the large British allocation and the relatively low demand for visas from the British Isles, this provided opportunities for blacks from the English-speaking Caribbean. In practice, by virtue of the qualitative requirements, strictly implemented by American consular staff, the law limited the award of visas to the more skilled and educated segments of the island population. This selective effect undoubtedly helps explain the remarkable upward mobility of black West Indian immigrants in the middle decades of the twentieth century.

The quota system was scheduled to become operational in 1927. In the intervening period, the House’s preconference version would go into effect: admissions were reduced to 2 percent of the population of each nationality as enumerated in the 1890 U.S. Census, thereby immediately slashing the southern and eastern European share. But how were the quotas to be established and implemented? “Origins,” beyond place of birth of residents and their parents, were not recorded in the Census and lacked official standing. Although an “account of the diffusion of ancestral stocks in the United States” had recently been set forth in America’s Race Heritage, even the measure’s most ardent advocates conceded that the National Historical Society’s compendium was inadequate and that a more reliable classification would have to be undertaken. This prompted the creation of an interdepartmental Quota Board, chaired by Dr. Joseph A. Hill, chief statistician of the U.S. Census Bureau and a follower of Francis Walker, who endorsed his theory of the depressing effect of immigration on the native birthrate. Hill’s starting point was a 1909 attempt by the Census Bureau to classify the 1890 population according to country of origin. Although he conceded to critics that this exaggerated the English proportion because by that time many names had already been anglicized, he nevertheless retained this as his baseline. After it became evident that the proposed system would increase the share allocated to the ancestral countries of the earliest settlers at the expense of the later western European sources, Midwestern congressmen from heavily German and Scandinavian constituencies belatedly joined their East Coast colleagues representing the new immigrants in attempts to secure postponement of the national origins provision, hoping that the breather would provide an opportunity for its modification, if not outright repeal.

Concerned with immediate electoral repercussions, the Coolidge administration obliged. As critiques proliferated, Hill obtained a grant from the American Council of Learned Societies to establish a more reliable baseline with the assistance of Walter Willcox, the Cornell demographer on record as a critic of restrictions; Howard Barker, a genealogist; and Marcus Hansen, the immigration historian. A second postponement was enacted in 1928 because the computation of the quotas was “indefinite and uncertain,” and finally, in February 1929, the Senate endorsed Hill’s third plan. Although incoming President Herbert Hoover had told German and Scandinavian audiences during his campaign that national origins quotas were impossible to determine “accurately and without hardship,” he proclaimed them effective on March 22 and the system finally went into effect on July 1, 1929.

Restriction was coupled with “Americanization,” simultaneously a movement in the sociological sense and a concerted policy whereby the federal government assumed an unprecedented activist role with regard to the in-
The Triumph of Remote Control

In the course of the new regime's enactment, the Department of the Interior implemented the elaboration of an extensive immigration bureaucracy abroad. The new law required not only unprecedented advance selection of authorized immigrants from among applicants, but also the maintenance of application files for those waiting for quota openings at a later time. If new developments were largely the work of the State Department's Wilbur J. Carr, a career civil servant who had labored for two decades to transform the consuls into a professional corps.

From the restrictionist perspective, it was evident that remote control had been established in the nick of time. In the fiscal year ending June 30, 1928, the consulates issued only 369,562 entry permits. The quotas for all of the countries of Europe and the Near East, totaling 161,346, were completely used up; another 3,321 were issued for other countries, leaving 2,238 unused admissions, "made up almost entirely of quotas for African and Asiatic countries against which there is little or no demand." In the same year, the department also awarded 161,255 immigration visas to "nonquota nationals" (that is, Western Hemisphere immigrants), exempt categories (ministers, professors, and students), returning aliens, and relatives of immigrants; and another 97,756 visitor visas to tourists and businessmen. As an incentive for strict enforcement, the American Foreign Service Journal, a staff publication, regularly published "error scores" of the various consulates based on the ratio of visa holders denied entry at Ellis Island. As the Department suggested, the system also provided some security to the immigrants, whereas the overall rate of exclusion at U.S. ports of entry was 3.6 percent, the rate for those arriving with a visa was only 0.25 percent. The remote control system was shortly expanded to cover health inspection as well. In response to British complaints regarding the difficulties that ongoing practices imposed on the steamships sailing under its flag, an interagency plan was worked out whereby U.S. Public Health Service surgeons together with immigrant inspectors were sent on an experimental basis to the British Isles to act as technical advisors—without diplomatic status—with a view to giving intending immigrants an examination abroad equal to that given at ports of entry.

The new system was immediately effective: recorded immigration from Europe was reduced from 364,339 in 1924 to 148,366 the following year, and averaged about 160,000 over the next four. Writing in the American Journal of Sociology, Alcott W. Stockwell of the U.S. Immigration Service, Boston, suggested that the various steps from laissez-faire to restriction "present an object lesson of what might be termed sociological evolution, and serve to demonstrate the ability of the American democracy to work out its own salvation." Within a year, Commissioner of Immigration at Ellis Island Henry Curran reported in the Saturday Evening Post that virtually all immigrants now looked exactly like Americans.

Concurrently, Congress empowered Immigration Bureau employees to...
rest without warrant aliens seeking to enter illegally or illegally in the United States; to board and search vessels within the territorial waters of the United States, and "within a reasonable distance from any external boundary of the United States," any railway car, aircraft, conveyance, or vehicle; and, within a distance of twenty-five miles from any external boundary, "to have access to private lands, but not dwellings, for the purpose of patrolling the border to prevent the illegal entry of aliens." Nevertheless, there were worrisome reports of illegal entries by way of the northern and southern land borders as well as the Florida and Gulf Coasts, mostly from Cuba. Overstaying was another path to unauthorized immigration, since visitor visas were much easier to obtain. In the years immediately following the passage of the quota laws, what one observer termed "conservative estimates" of illegal entries ran to 175,000 a year. "At one time it was estimated that there were a million aliens illegally in the country. In 1935, according to the best official estimates, the number of alien residents in the United States who had entered unlawfully was 400,000."109

As anticipated, the largely unguarded Mexican border emerged as the major problem. In 1918, to help enforce the new Passport Act, the U.S. Army had assigned cavalry units to patrol duty along the Rio Grande; however, "because they rode through less difficult stretches and could be evaded rather easily, additional men were needed in the outside force who were rugged enough to patrol hostile areas on flexible schedules so people trying to enter illegally would never know when or where they might be encountered."110 Thanks to Passport Act enforcement appropriations, the force was able to recruit local ranchers and cowhands, including many lusitano employed as private gunhands. Subsequently mobilized into enforcing prohibition, it was formally organized into the U.S. Border Patrol by the Immigration Act of 1924; by this time it had grown to some forty officers, who adopted a uniform inspired by the Canadian Mounted Police. However, the principal targets were neither Mexicans nor Canadians but Europeans and Asians, and the small, untrained body spent much of its efforts enforcing prohibition rather than immigration. Mexican "wetbacks" (los mojados) were generally allowed to pass unmolested; but if apprehended, they were taken to the nearest Chamber of Commerce, which paid the required fees and forwarded them to the nearest entry point, where they were allowed to reenter legally.111 Thanks to a $1,200,000 appropriation, the Border Patrol was extended over the next few years to cover Florida as well as the Canadian border. As of 1930, it numbered 875 men "to protect a front, land and water, of . . . approximately 8,000 miles," of whom

Ironically, even as the main gate was being radically straitened, the Ellis Island reception center, shuttered in 1916 by the explosion of a munitions barge on nearby Bedloe's Island, was rebuilt with a handsome self-supporting terracotta ceiling and a new tiled floor, which imparted to the hall a palatial welcoming appearance commemorated in its late-twentieth-century restoration.112 But after the institutionalization of remote control rendered the New York scrutiny superfluous, except for immigrants from nonquota countries in the Western Hemisphere, the facility functioned mainly as a deportation center, with a reduced force and maintenance budget. Rather than providing eager immigrants with the first glimpse of a fabulous American future, the great hall's splendor accentuated the bitterness of America's writ of rejection.

Aftermath and Depression

The Immigration Act of 1924 was as far as the moderate elements of the restrictionist coalition were willing to go; but attempts to substantially soften the law mostly failed as well. By the late 1920s, mainstream politicians had in effect reached a consensus on the new regime, as indicated by the nearly identical platforms of the Republican and Democratic Parties in 1928, which called for full implementation of the new laws, but with some consideration for the reunion of nuclear families.113 Other than the potential immigrants themselves, the most negatively affected were the shipping lines, which were devastated by the abrupt loss of much of their steerage business; however, they soon recovered after hitting upon the idea of reconfiguring the vacated space and promoting affordable "tourist-class" trips to Europe for American college students and schoolteachers.114

A number of yet more draconian proposals, set forth while the economy was still in full swing, failed to move forward.115 Although starting in 1928 consular officers issued to holders of immigration visas serially numbered identification cards to be countersigned by immigration inspectors at the port of entry, constituting a record of the alien's legal admission, the federal government lacked the authority to require U.S. residents to carry such docu-
ments, and a 1930 Michigan law to that effect was found unconstitutional. There were also persistent attempts to impose quotas on Western Hemisphere countries as a whole, or specifically on Mexico. Immigration from the latter was viewed as especially problematic, because its mestizos—according to Princeton economist Robert Forster—would "lower the average of the race value of the white population of the United States." Following the failure of Gompers to secure the inclusion of Mexico within the quota system, his successor, William Green, enlisted Mexico's leading trade union body in the elaboration of a "Gentleman's Agreement" whereby the Mexican government would voluntarily limit emigration; but after two years of protracted negotiations, the arrangement failed and the AFL returned to its traditional stance on behalf of quotas. Among its allies were the cotton growers of East Texas, intent upon minimizing competition from the Southwest. As before, however, proposals to that effect were vociferously opposed by California's growers, who insisted that a quota was unnecessary because "[t]he Mexican is a 'homer'. Like the pigeon he goes back to roost" and "can be deported if he becomes a county charge." The laissez-faire coalition also included Texas Representative John Nance Garner, selected by Franklin D. Roosevelt as his running mate in 1932. The State Department opposed the Mexican quota as well because it would "endanger our relations" with Mexico, and because it was difficult to target the southern neighbor without creating Canada in the same manner. To alleviate congressional pressures, the Hoover administration engineered the enactment of a law upgrading the penalty for aiding illegal immigration from a misdemeanor to a felony (signed March 4, 1929), and the State Department sharply reduced the attribution of Mexican immigration visas by strict enforcement of existing regulations: the LPC clause, the prohibition against contract labor, and the literacy requirement. The chief of the Visa Office reported with evident satisfaction to a staff conference on immigration policy, which was gathered in New York City in December 1930, that thanks to these administrative measures, legal Mexican immigration was brought down from 40,013 in 1928–1929 to 11,801 the following year.

As the United States slid into the Great Depression, there were persistent congressional moves to reduce immigration further or even suspend it altogether for the duration of the crisis. However, the State Department continued to oppose such draconian moves on diplomatic grounds, and as an alternative suggested extending the approach it had developed for reducing Mexican visas to the rest of the world. Accordingly, on September 8, 1930, President Hoover issued an executive order prescribing strict application of the LPC clause to all visa requests, and uniformity in enforcement was insured by consular conferences held in the following months at the principal immigration centers in Europe. Over the next five months, less than 10 percent of the quota was used because in addition to the executive order, consuls were instructed verbally to keep visas at that level, and in March 1931, the president reported that in the first five months, 96,883 otherwise eligible aliens had been denied visas. In the first "national origin" year, 1930, the State Department issued 150,879 European quota visas (out of a possible 153,714), as well as 107,469 nonquota ones, for a total of 258,348 immigration permits, but in the first year after the new regulations came into force, the numbers were brought down to 48,528 and 45,999 respectively, for a total of 94,527, a cut of approximately 60 percent. By 1934, its score of refusals had more than doubled to some 750,000, over half of them under the public charge provision. A contemporaneous economist suggested that this temporary move was likely to become permanent, since once demand for labor resumed, "a new exodus of the southern Negro towards the industrial centers of the north and the north seems inevitable." The election of a Democratic House in November 1930 brought Samuel Dickstein, a stalwart opponent of the discriminatory features of the quota system representing New York's heavily Jewish Lower East Side, to the chair of the Immigration and Naturalization Committee. Early in 1932, he introduced a bill to check the State Department's power to deny visas to relatives by providing for an appeal to the secretary of labor, but was unable to move this beyond the committee stage. However, to ward off further attempts to constrain its authority, the department instructed its consuls to review all cases in which relatives of citizens and resident aliens had been refused visas on LPC grounds. By 1934, less than 2 percent of relatives, who made up some 60 percent of admissions, were being refused. With regard to Mexican immigration, not only were the restrictions imposed in 1928 further reinforced, but there is also evidence of what amounted to a deliberate "push-out" throughout the Southwest. Documented Mexican immigration was brought down further to 3,333 in 1931, lowered to 2,171 the following year, and kept at roughly that level for the remainder of the decade. Moreover, according to the Census, the Mexican-born population in the four southwestern states (Arizona, California, New Mexico, and Texas), in 1940, which numbered 616,998 in 1930, dropped to 377,433 in 1940, a net loss of about 240,000. Many of those who left were undoubtedly accompanied by their U.S.-born children, and overall estimates of the exodus of Mexican immigrants and Mexican Americans (1929–1939) run as high as 1 million. Was the exodus voluntary or forced? Mexicans had an extremely low rate...
of naturalization, both out of reluctance to "betray" their fatherland and because the surrounding American community rarely invited them to integrate and take the steps leading to citizenship; the costs involved undoubtedly acted as a deterrent as well. Generally denied local relief, unemployed Mexican nationals had little choice but to return to their country of origin, and this held even for some American-born adults who were unaware of their rights as American citizens. The Southern Pacific Railroad rose to the occasion, organizing massive removal at the modest cost of $14.70 per head, although they were told that they could return at any time, their passports or Mexican identity cards were stamped by the county welfare department, thereby establishing that they failed to meet the "LPC" clause. Over 13,000 Mexicans living in Texas and New Mexico were "voluntarily repatriated" in this manner between 1931 and 1934, as were another 18,520 from Arizona. Similar developments were reported as far north as East Chicago and Gary, Indiana. Although the more brutal practices were discontinued after the New Deal came into being, and in the case of Los Angeles, out of concern for public relations in anticipation of the 1932 Olympics, the exodus continued throughout the decade.

"On the Acquiescence of This Government in the Murder of the Jews"

Displaying a prophetic acumen equal to his prediction that prosperity lay just around the corner, President Herbert Hoover declared in a campaign speech in October 1932 that the tightening of immigration was justified because "[w]ith the growth of democracy in foreign countries, political persecution has largely ceased. There is no longer a necessity for the United States to provide an asylum for those persecuted because of conscience." Hoovers self-deluding statement echoed the conclusions reached by the League of Nations the previous year when, concluding that the sequels of the post-World War I and Russian Revolution expulsions and flight (including my own Polish-born parents, whose stateless status I subsequently inherited by virtue of Jus Sanguinis, in vigor in my native Belgium at the time. The Office was named in honor of the Norwegian polar explorer Fridtjof Nansen, a leading promoter of refugee protection.) by 1936. In fact, it was already evident to anyone willing to look that democracy was hardly growing in Europe: Fascism had triumphed in Italy back in 1922, and the Decree of Public Safety issued by Benito Mussolini in November 1926 to consolidate his police state turned the trickle of political exiles into a massive exodus, mostly to France. In 1923 Primo de Rivera established a military dictatorship in Spain, while Marshal Piasecki did so in Poland three years later, as did General Gomez da Costa in Portugal, and by the time of Hoover's campaign.

The episode has spawned an extensive literature seeking to explain precisely why immigration policy failed to change. After a quarter of a century of nearly total disinterest, public consciousness was awakened in 1967 by Arthur D. Morse's sensational While Six Million Died: A Chronicle of American Apathy. Works by Wyman, Feingold, Stewart, and Friedman, already in the making, quickly followed. Since then, the literature has continued to grow out, leaving no stone unturned and no participant unscathed. Nor has the target been government alone: in 1984, for example, a report of the American Jewish Commission on the Holocaust leveled severe charges against the major Jewish organizations. Always the same question: why wasn't more done? The query has been directed also at the other countries that were in a position to do something, notably Britain, Canada, and Australia. The underlying premise is that many of Adolf Hitler's victims might have survived by fleeing, and some writers have gone so far as to suggest that the Nazis would not have resorted to the Final Solution at all had they been able to achieve ethnic cleansing by pushing out all those deemed undesirable. In this light, America's failure to open its doors wider constitutes a significant contributory cause to the Holocaust. Seething with retrospective outrage, the explanations for American inaction are manifold: the bureaucratic rigidity of the Immigration Service, the current administration's subservience to political gamesmanship, the insularity of the American nation, the inability of Jewish American organizations to rise above their petty quarrels and their unduly cautious stance; and, beyond all these, the deep-seated xenophobia and anti-Semitism of the American people. As happens when history is turned into a courtroom, the accumulation of charges has also provoked the elaboration of an exculpatory counterposition. William D. Rubenstein,
author of a sweeping case for the defense, grants that "in the early days of the Nazi period, intending refugee migrants to the United States were met with severe obstacles," but points out that "the existence of a strict quota also meant that the United States could not fail to admit some Jews (and others), regardless of the intention of America’s nativists, while political pressure could—and eventually did—ensure that Jews were admitted up to the maximum quota limit." Granting that "America’s record in its reception of refugees from Nazi Germany was far from perfect," he nevertheless insists that "on any objective analysis, in the context of the evils of the Nazi regime as they were known at the time—and not with post-Holocaust eyes—it is far better than its critics maintain."

As a "case study," the episode raises a question of central theoretical import for this book’s argument: how come a policy that was the outcome of an ordinary political process became so rapidly and profoundly anchored as to whether a radical change of circumstances? In this perspective, the American response to the refugee crisis is a powerful demonstration of the process of "path dependency," whereby "once certain choices are made, they constrain future possibilities. The range of options available to policymakers at any given point in time is a function of institutional capabilities that were put in place at some earlier period, possibly in response to very different environmental pressures."

Or, as Paul Pierson has put it in a recent overview, "specific patterns of timing and sequence matter; a wide range of social outcomes may be possible; large consequences may result from relatively small or contingent events; particular courses of action, once introduced, can be almost impossible to reverse; and consequently, political development is punctuated by crucial moments or junctures that shape the basic contours of social life." Seldom has a scientific formulation encompassed a greater tragedy.

Nazi Initiatives and Initial Responses

At the time of the Nazi takeover, Germany had 525,000 self-identified Jews, including nearly 100,000 recent immigrants, three-fifths of them Polish nationals and another one-fifth stateless, mostly originating also in historic Poland or Ukraine. An additional 292,000 persons were of Jewish descent, amounting altogether to about 1.5 percent of the total population. Concentrated in the larger cities, one-third in Berlin, the Jews were overwhelmingly middle class, largely engaged in trade and commerce as well as in the professions, notably law and medicine. The targeting of the Jews for persecution came as a shock, not only because such brutality in a land renowned for its great culture was inconceivable, but also because Jews were arguably better integrated in Germany than anywhere else in Europe and perhaps in the United States as well, as indicated for example by the fact that they constituted 2.6 percent of university professors, at a time when they had barely crossed the threshold of American elite institutions of higher education.

Initially the overwhelming majority of the targeted population adopted a wait-and-see attitude, making the best of a bad thing, expecting that the new government would not last, or that, having assuaged the yearnings of Nazi militants, it would turn to the more serious business of economic recovery. This would surely temper attacks on an economically valuable segment of the population, as Hitler’s own economic experts, notably Hjalmar Schacht, president of the Reichsbank, advised.

Nevertheless, in the first two years, some 75,000 persons left Germany, about four-fifths of them Jews. Thinking of the move as temporary, most of them relocated in a neighboring country—such as Austria, Czechoslovakia, or France—whereby virtue of their relative affluence they were regarded as unproblematic visitors. Only a small minority undertook to emigrate overseas, given the difficulty of doing so in the midst of a worldwide depression, and at the American executive branch’s refusal to issue visas. The leading alternative to the United States was Palestine, the obvious choice for committed Zionists; but others went as well merely because it was available, prompting a joke recorded by Victor Klemperer in June 1933: "An immigrant to Palestine is asked, ‘Are you coming from conviction or from Germany?’ It moved to Palestine was facilitated by a "transfer" (ha’avarah) agreement that the Zionist leaders had negotiated with the Nazis, whereby departing Jews were allowed to remove part of their property in the form of German goods.

Despite America’s consecrated self-image as a land of asylum, the only provision for refugees under the recently established regime was an exemption from the literacy requirement in case of religious persecution; but this was hardly relevant to educated Europeans, and in any case was applicable only to people who met all the other conditions for immigration. The quota system itself did not constitute an overwhelming obstacle, as it was provided for the admissions of up to 25,000 Germans a year. Ironically, Jews rejected by the Nazis because they did not satisfy their criteria of being genuine Germans. The problem arose rather from the Hoover-imposed LPC clause noted earlier.

Concern with the German situation was initially circumscribed almost ex-
clusively to the Jewish community. At the highest levels, lucidity prevailed. As early as May 8, 1933, the secretary of the American Jewish Committee alerted his Executive Committee that "[W]hat has happened to the Jews in Germany (and indirectly to the Jews of the world) is worse than the expulsion of the Jews from Spain. It not only involves the possible extermination [sic] of 600,000 Jews, but threatens to react dangerously upon the political, social, and economic status of the Jews in other countries. . . . We have a tremendous job on our hands, not a passing episode. But one that threatens to be a problem for a long time. . . . Many civilized countries of the world will have to be enlisted to offer shelter to the refugees." Shortly after Hitler came to power, Representative Dickstein introduced a bill to revoke the executive order of September 1930 tightening the LPC clause. However, Max Kohler, who had taken over as the American Jewish Committee's immigration specialist after the death of Louis Marshall, urged him to desist because, given the unemployment crisis, the initiative created "a situation where it will be charged that America's Jews want to sacrifice America's obvious and essential interests on behalf of their German coreligionists." The other leading organizations concurred, and Dickstein gave up. Instead, he reintroduced his 1932 bill for a review process, but abandoned this as well in the face of State Department hostility.

Restrictionism remained firmly entrenched despite the fact that the Democrats controlled both houses from 1932 onward. Concerned most of all with building a coalition in support of his economic recovery program, President Roosevelt was intent on avoiding moves that might alienate crucial elements of his own party, notably the Southerners; and this was true also of the liberal bloc that labored on behalf of foundational New Deal legislation, notably the Wagner Act (1935). Finding their path blocked in Congress, advocates of a more open door turned to the executive branch. Committed to a rigid interpretation of its functions and to protection of the national interest narrowly construed, the State Department bureaucracy opposed special treatment for refugees on the grounds that this might antagonize the German government, and jealously guarded its recently acquired authority over the award of visas against encroachments by congressional advocates or by the Department of Labor, which housed the Immigration Bureau, reorganized in 1933 as the Immigration and Naturalization Service (INS). The rivalry between state and labor was exacerbated by the fact that the latter was headed by Frances Perkins, one of the most liberal members of Roosevelt's cabinet. Although Secretary of State Cordell Hull was himself married to a Jewish woman, within the habitus of the foreign service, anti-Semitism was respectable and perhaps even mandatory. An especially relevant case in point was Wilbur J. Carr, who in his capacity as assistant secretary of state for administration in the early 1930s was in a position to decisively implement his preferences. Although the State Department also contained a few exceptional individuals, both Jews and non-Jews, who perceived the gravity of the situation early on and were determined to intervene, they faced an uphill fight within their own bureaucratic sphere.

Despite intervention at the presidential level by Judge Irving Lehman, brother of the New York governor, with support from Secretary of the Treasury Henry Morgenthau, the established LPC policy was maintained on the grounds that there was little need for change so long as the German quota remained unfiled, a state of affairs that was of course attributable precisely to the policy in question. The State Department also opposed a proposal by Judge Mack of Philadelphia to use a provision of the 1917 law allowing for the LPC requirement to be met by the posting of bonds, and after Perkins ordered her department to move ahead with the bonding procedure anyway, the State Department continued to delay its application. Refugee advocates were constrained from mobilizing public opinion on behalf of their cause by the pervasiveness of anti-Semitism, whose prevalence and depth are difficult to imagine today. Among its most extreme manifestations were the rantings of Father Charles Coughlin, the Detroit-based "radio priest" who even in his early leftist phase, when he attacked Wall Street and preached that "the New Deal is Christ's deal," charged that the Depression was cunningly orchestrated by a sinister international Jewish directorate. Coughlin was by no means a marginal character but a major public figure, invited twice to the White House by the newly elected Roosevelt, who was eager to cultivate Catholic immigrant communities and determined to emulate the priest's masterful use of the new broadcasting medium. Anti-Semitism formed a negative background that constrained decision makers from making choices that appeared philo-Semitic, and it severely handicapped the efforts of American Jews on behalf of refugees for fear of confirming reigning stereotypes. Although by virtue of their numbers and urban concentration, the Jews of the "new immigration" achieved some political clout in states critical for Democratic success, notably New York, Illinois, and Pennsylvania, their representatives were afraid to undertake substantial modifications of the immigration system because they were persuaded that a debate on the House floor could lead to an explosion against us. As in Europe, the experience
of anti-Semitism also contributed to the spread of Zionism, whose organizational expression was the American Jewish Congress. This was the source of a persistent dilemma: should efforts to secure asylum for the persecuted Jews of Germany be directed at the United States or at Britain, which guarded the door to Palestine? Jewish-dominant labor unions, such as New York’s garment workers, as well as radical groups close to the Communist Party, were less constrained and immediately took a firm stand on behalf of liberalization of the immigration laws; however, their marginal position in the political arena minimized their influence on policy makers, and mainstream organized labor turned a deaf ear to their entreaties.¹⁷⁰

Nevertheless, the various interventions did result in a slight loosening of red tape regarding immigration visas, including the possibility of issuing them to German refugees residing in other European countries, and more significantly in a liberalization of temporary visitors’ visas. There were also successful efforts to admit a number of distinguished refugee scholars, scientists, and artists under a provision of the immigration law allowing for the possibility of acquiring foreign talent outside of quota limitations.

The Limits of International Intervention

At the international level, the Nazis’ proclaimed objective of ridding Germany of the Jews confronted liberal states with a dilemma: wouldn’t the provision of asylum to those deemed undesirable encourage the Nazis to pursue their project more vigorously? Often dismissed as an excuse for inaction, in retrospect this consideration is rendered more credible by its evocation at the end of the twentieth century with regard to “ethnic cleansing” in Bosnia.¹⁷⁰ At the outset, the League of Nations was immobilized by the requirement of consensus, which afforded Germany an effective veto; hence both the refugees and their hosts were left to their own devices. After Hitler pulled out in October 1933, the League did establish a “High Commission for Refugees (Jewish and Other) Coming from Germany,” but to avoid antagonizing Germany, it was organized as an autonomous entity, located away from Geneva.¹⁷¹ This also made it possible to secure American involvement, in keeping with indications from President Roosevelt that he was inclined to adopt a somewhat more internationalist stance while avoiding an all-out confrontation with the isolationist camp.¹⁷² With the president’s approval, the League appointed an American, James G. McDonald, a former official of Herbert Hoover’s relief organization, as high commissioner.

Although the agency was able to effect some resettlement, McDonald resigned in December 1935 and registered a forceful and lucid protest over his lack of authority and means: “I am convinced that it is the duty of the High Commissioner for German Refugees, in tendering his resignation, to express an opinion on the essential elements of the talks with which the Council of the League entrusted him. When domestic policies threaten the demoralization and exile of hundreds of thousands of human beings, considerations of diplomatic correctness must yield to those of common humanity. I should be recreant if I did not call attention to the actual situation, and plead that world opinion, acting through the League and its Member-States and other countries, move to avert the existing and impending tragedies.”¹⁷³ His successor, Sir Neill Malcolm, was more directly connected with the League and somewhat better funded, but nevertheless retained a narrow mandate dealing only with the formal protection of refugees who had left Germany. In early 1938 the League moved to consolidate the Nansen Office and the High Commission for Refugees (Jewish and Other) Coming from Germany, to which Austria had been added in the wake of the Anschluss, into a single organization.

The expectation of return, shared by many of the early refugees, was shattered by the proclamation of the Nuremberg Laws in September 1935, which indicated that their exclusion was permanent and precipitated a greater exodus as well as an escalation of visa applications. In response to entreaties from advocates, Roosevelt issued a directive to give refugees “the most humane and favourable treatment possible under the law.” Accordingly, Carr’s successor, George Messersmith, who had shown some sympathy for refugees while serving in Berlin, instructed the European consulates that the possibility of becoming a public charge “was not sufficient grounds for denial” of a visa.¹⁷⁴ The new policy resulted in a dramatic increase in visas granted under the German quota, from 6,978 in fiscal year 1936 (27 percent of the maximum possible) to 12,532 the following year (48 percent).¹⁷⁵ Concurrently, President also extended the validity of visitors’ visas issued earlier to persons who could not return to Germany.

As of the end of 1937, the Jewish exodus from Germany amounted to some 130,000; taking into consideration the fairly large number of deaths attributable to the population’s age structure, this amounted to a little over one-fourth of the original number. Of these, about 38,400 went to Palestine, 35,000 to the United States (including extended-stay visitors as well as quota immigrants), and another 20,000 to South America (mostly Argentina and Brazil). The remaining 50,000 were scattered throughout Europe, including some 10,000
each in France, Britain, and the Netherlands. But in March of that year, the Austrian Anschluss added 180,000 persons to the pool of undesirable “non-Aryans” within what was now the “Greater Reich,” prompting about one-third of them to flee abroad by the end of the year. The annexation of the Czech Sudetenland in the fall contributed another 30,000, of whom most escaped to nearby Prague. The Nazi government then decided to expel some 30,000 Polish Jewish residents who, unwanted by the Polish government (which in order to prevent their return cancelled the citizenship of persons residing more than five years outside the country), languished for several months in a man’s-lard. Distressed by his parents’ predicament in Hanover, Germany, Herschel Grynszpan, a student in Paris, attempted to assassinate the German ambassador, but succeeded only in killing a minor official. This unleashed the state-organized terror, retaliation of November 9-10, 1937, known as Kristallnacht, the night of broken glass.

The emerging situation was well captured by a grisly joke: the world was made up of two kinds of countries, those where Jews could not live, and those they could not enter. Those already outside the Greater Reich turned into permanent refugees, and most of those still inside understood that they had little choice but to emigrate; and it was becoming evident that eastern and central Europe’s 5 to 6 million Jews were in dire jeopardy as well. France, which had arisen as a major haven in mid-1936 when Prime Minister Léon Blum’s Popular Front came to power, began to close down after Blum was overthrown. His conservative successor increased the authority of border guards to keep refugees at bay and responded to the Kristallnacht exodus by creating detention centers. Nevertheless, he refrained from expelling refugees already in the country, and there was a continuous trickle of illegal entry as well, so that on the eve of the war, France hosted about 40,000 refugees from Germany and several hundred thousand from Spain after the onset of civil war in 1936. Most critical was the situation in Palestine, where in 1936 the Arabs rose up against expanding Jewish settlement. To pacify them, Britain reduced legal entries, which averaged 30,000 to 40,000 a year from 1933 to 1936, to between 10,000 and 12,000 after that.

Consequently, by 1938 the United States and the other democracies were faced with a refugee crisis of unprecedented character and magnitude, which forced them to confront their repressive immigration policies head on. Roosevelt endorsed merging the small Austrian quota with the larger German one so as to provide more opportunities for newly vulnerable Austrians, an operation facilitated by the presence in the Berlin and Vienna consulates of sympathetic officials, who also initiated a more liberal policy regarding visitors’ visas. For some months, the prominent journalist Dorothy Thompson, who was married to the novelist Sinclair Lewis, had been promoting the establishment of an international organization capable of dealing with the refugee problem on a broad scale. Thompson’s proposal was opposed by the State Department, which advocated instead U.S. cooperation with an enlarged refugee bureau of the International Labor Organization. Nevertheless, it was taken up by President Roosevelt, reportedly on the advice of his confidant, Judge Samuel Rosenman, and with the support of Secretary Morgenthau. Accordingly, on March 24 the president announced the convening of an international conference to establish a new ad hoc Intergovernmental Committee on behalf of refugees (IGC); however, he also indicated that the United States would not consider increasing admissions beyond the numbers prescribed by existing legislation, nor would it expect any other nation to do so. Moreover, Secretary of State Cordell Hull made it clear that in order to attract British participation, there was to be no discussion of Zionism or Palestine.

Immediately afterwards Roosevelt also appointed a Presidential Advisory Committee on Refugees, made up of representatives from the major religious communities and headed by former High Commissioner McDonald. Concurrently, Representatives Dickstein and Emmanuel Celler drafted a bill that pooled all the quota allotments and made them available to refugees regardless of nationality, as well as exempted them from the LPC requirement. However, the leading Protestant, Catholic, Jewish, and nonsectarian refugee and agencies opined that the initiative jeopardized the scheduled international conference and persuaded the congressmen to desist.

Caught unawares, a reluctant State Department had twenty-four hours to plan Roosevelt’s conference, which was scheduled to open in Evian-les-Bains, the French watering resort near Geneva, on July 5. “Considering that the Department did not really favor the President’s idea in the first place, it is not surprising that the preparation lacked imagination and went little beyond the procedural.” Although the president’s objectives remained nebulous, as an indication of the importance he attached to the meeting, he appointed as leader of the American delegation Myron Thompson, former chairman of U.S. Steel, with McDonald as an adviser. They were accompanied by unofficial representatives of thirty-nine private organizations, twenty-one of them Jewish. German and Austrian Jews, no longer under any illusion about their future, hoped the conference would help mobilize sufficient international funds to permit a total evacuation, which was estimated to require four years.
Thirty-three nations were invited, including all the European democracies, Canada and Australia, the Latin American states, and Italy; no call was issued to Germany, nor to Russia, Poland, Hungary, Rumania, Yugoslavia, Greece, Turkey, or Spain. Italy alone refused to participate, on the grounds that Germany had been kept out. Anti-Fascist Italian exiles hoped to benefit from this refusal, as their efforts to gain protection under the League had hitherto been defeated by Italian vetoes.

Mystified as to American intentions, the European states initially opted for routine representation by diplomats in neighboring posts. However, a five-point agenda sent out by the United States on June 16 clarified the president's objectives somewhat, suggesting that the conference should consider establishing a continuing body to cooperate with existing refugee organizations as well as deal with "the problem in the larger sense," and that it should make recommendations not only on all the specified agenda items, but further on "other points which may be proposed to it." This was interpreted by local diplomats to mean that Roosevelt was opening the conference door "to the whole existing or potential refugee problem outside Germany—that is, in Spain, Italy, Poland, Rumania, and Hungary."186 Although the more comprehensive approach was strongly opposed by France and Britain, Norway and nongovernmental organizations that had been dealing with anti-Fascist refugees from Italy and elsewhere leaned toward broadening, and the prospect caused several of the participants to upgrade their delegation.

As the conferors prepared to meet, the New York State Encampment of the Veterans of Foreign Wars, holding its annual meeting in Albany, adopted a resolution stating that it "disapproved" of the action of President Roosevelt in permitting refugees to come to the United States.187 This was very much in tune with the attitude of the more general public; according to a Fortune poll taken at the time, 67.4 percent of Americans said the United States should keep out German and Austrian refugees.188 As against this, New York Times columnist Anne O'Hare McCormick insisted in her Independence Day piece that "[a] great power free to act has no alibi for not acting." Providing a haven for refugees "is not simply humanitarian. It is not a question of how many more unemployed this country can safely add to its own unemployed millions. It is a test of civilization."189 In the same issue, the paper also reported that Rabbi Stephen S. Wise, a member of the President's Refugee Advisory Council, told the Detroit congress of the Zionist Organization of America, in his valedictory address as president, that Evan would be a "dismal failure" unless Britain was prepared to open Palestine to mass immigration of Jews from Germany and Austria, and urged the American delegation to impress this on their British colleagues.190 The Zionists unanimously adopted a resolution thanking President Roosevelt for bringing the conference into being and urging the establishment of a special commission to that effect.

On the eve of the opening, one delegate commented that the atmosphere at Evian was that of "a none too truthful poker game, particularly as between the three great democracies, the United States, the United Kingdom, and France," but with the object of the game "changed from money and arms to human beings." The motive power continued to be supplied by the United States, with the United Kingdom as the chief brake, and France trying to steer a middle course. In his opening statement, Myron Taylor argued on behalf of an Intergovernmental Committee, which would become a permanent continuing mechanism competent to deal with future refugees from other countries, to be established outside the League. As against this, Earl Winterton, on behalf of Britain, and Senator Berenger, on behalf of France, insisted that the new body's domain be limited to refugees from Germany and Austria, and that it function merely as an advisory body to the League's high commissioner. Although the Americans preferred to have the presidency go to Berenger so as to engage the Europeans into the project, Taylor was elected instead, indicating that the Europeans expected the United States to shoulder most of the responsibility for the new body and its policies.

From the outset, the sticking point was immigration. Winterton announced that his government was actively surveying possibilities of relocating refugees in its colonial and overseas territories, and in particular of settling a limited number of families in East Africa, while the American delegation reported that the recently consolidated German and Austrian quotas would be entirely filled in the current year.191 Both the Belgian and Dutch delegates pleaded saturation, while Argentina insisted it had done as much as the United States, despite its much smaller population. The Australian representative issued the conference's most restrictionist response, pointing out, "As we have no real racial problem, we are not desirous of importing one by encouraging any scheme of large-scale foreign migration." Canada, in striking contrast, indicated that although it had been forced by the Depression to prohibit immigration in principle, it had made "a substantial number" of administrative exemptions on behalf of refugees.192 The Dominican Republic stood out from the pack by pledging to take in as many as 100,000 refugees, but it was difficult to know whether this was a serious proposal. The League's high commissioner indicated his support for the IGC on the grounds that "it would have behind it
the enormous prestige of the President of the United States of America and the American people; but also reported discouraging replies from the dominions and other overseas governments.

On July 8, the IGC held a hearing for some forty nongovernmental assistance organizations, mostly Jewish. Rabbi Jonah B. Wise promised the full cooperation of the American Joint Distribution Committee, while Dr. Arthur Ruppin reported on behalf of the Jewish Agency that Palestine had already absorbed 40,000 refugees but could take more, provided Germany let them take out some assets. Nahum Goldmann of the World Jewish Congress estimated that the IGC would have to provide for the emigration of 200,000 to 300,000 remaining Jews in Greater Germany within the next few years, and urged it to also consider the situation of the Jews in Poland, Hungary, and Rumania. The conference also heard three representatives of Austrian Jewry, authorized by the Nazis as observers, to the effect that if the conference could arrange for the exodus of some 40,000 persons, the authorities would let them take out some of their property. Back in New York, Evian was the subject of many Sabbath sermons; but concern remained focused on emigration to Palestine rather than the United States.

On Bastille Day, Evian adopted a final resolution constituting itself into a permanent body independent of the League, to be headquartered in London but headed by an American. Leaving the management of refugees already out of Germany to the League's high commissioner and the Nansen Office, the IGC would undertake negotiations toward the orderly resettlement of prospective refugees, but limit itself initially to Germany and Austria so as to discourage other states from imitating the Nazis. It was to report to a permanent committee of the thirty-two states attending the present meeting and would be governed by an executive committee of five states, chaired by Britain. Roosevelt announced the appointment of George Rublee, a distinguished seventy-year-old Washington lawyer, while Myron Taylor continued as American representative on the Executive Committee. The conference also approved an optimistic resolution to the effect that the report of the technical committee "holds out that the prospects have increased for the reception of refugees," and recommending that governments "continue to study these technical problems "in a generous spirit." However, as negotiations drew to a close, the New York Times reported under the headline "REICH POWER FEEL AT REFUGEE PARLEY" that Germany was putting pressure on the Latin American states and its small neighbors to whittle down a proposed resolution, insisted on by France and Britain, asserting that involuntary emigrants have the right to export their assets. Accordingly, the conference limited itself to urging the countries of origin to "collaborate" in this matter.

Highly divided at the time, assessments of Evian remained so after the conference passed into history. The New York Times commented editorially that although "[i]t cannot be said that the conference solved the problem," nevertheless it "accomplished all that it could have been expected to do," and the editorial concluded by suggesting, "In a special sense it is up to the United States, which has taken a generous initiative, to set an example of prompt and generous action." Briefly summarizing the outcome, the Christian Science Monitor headlined "NATIONS LOATH TO GIVE ASYLUM TO JEWS." In the same vein, Hitler remarked sarcastically in January 1939, "It is a shameful example to observe today how the entire democratic world dissolves in tears of pity, but then, in spite of its obvious duty to help, closes its heart to the poor, tortured people." Jewish Americans were angered by the conference's failure to address the Palestine issue, and Evian came to be inscribed in their collective memory as the gateway to Auschwitz.

Pointing to a contemporaneous partisan's observation that Evian backward spells "naive," one retrospective critic has provided a caustic summary of the proceedings: "Having established a precedent for inaction, the American delegation listened as one national representative after another disavowed the initiative in resolving the refugee problem." But an analysis viewing Evian from the perspective of the development of an international refugee regime has suggested instead that, thanks largely to the skillful efforts of Myron Taylor, the conference constituted a turning point in American acceptance of cooperative responsibility for the solution of a European problem, as well as a stepping stone toward what would become a more solid international refugee regime after World War II.

As it was, the IGC was quickly overwhelmed by developments arising from the briskly evolving international situation. Two months after mandating Rublee to undertake negotiations for orderly departure, Britain and France sought to appease Hitler by granting him the Czech Sudetenland, a move that sent many thousands fleeing toward Prague and added substantially to the population at risk within the enlarged Greater Reich. Then came Kristallnacht, prompting the Los Angeles Examiner to proclaim in a banner headline, "NAZIS WARN WORLD JEWS WILL BE WIPED OUT UNLESS EVACUATED BY DEMOCRACIES." Nevertheless, by the end of the year the Nazi government appeared to recognize the IGC as a bargaining agent. Rublee finally reached Berlin in
January 1939 and reported optimistically to his governing body the following month that he had achieved an agreement with Hjalmar Schacht on a plan for the orderly emigration of most of the remaining Jews and non-Aryans from the Reich with part of their assets, leaving some 240,000 elderly persons to live out their lives peacefully within their homeland with the help of a trust fund to be established by Jewish organizations abroad. The scheme, which parallelled the ongoing Rublee agreement, was promptly approved by the State Department. His mission accomplished, Rublee stepped down; his place was taken by Sir Herbert Emerson, the League’s new high commissioner for refugees from Germany, thereby in effecting merging the two bodies. However, no progress was made toward implementation of the Rublee plan, and an attempt to enlist Mussolini’s help came to naught as well; in fact, the Duce himself belatedly initiated Jewish persecutions. Schacht himself was shortly removed from his post, and captured German documents retrospectively confirmed that the Nazis saw the Rublee plan as a means of speeding up the exit of Jews and of securing some immediate economic gains, but were by no means committed to implementing the conditions specified.\footnote{199}

Accelerating Crisis

The refugee crisis grew throughout 1939 at an accelerating pace. On March 15-16, less than six months after Britain, France, Germany, and Italy signed the Munich Pact, Hitler annexed the rest of Czechoslovakia, adding another 400,000 Jews and anti-Nazis, including many recent refugees from Austria and the Sudetenland, to the pool of persons in jeopardy. There were additional anti-Semitic actions in Hungary and Poland, as well as in the Baltic states. In May the British government published a White Paper further restricting Jewish immigration to Palestine to 75,000 over a five-year period; however, perhaps to compensate for this move, it eased immigration into Britain itself. Consequently, by the outbreak of war Britain emerged as the third largest asylum provider, after Palestine and the United States.\footnote{200}

In response to Kristallnacht, President Roosevelt recalled his ambassador from Germany, extended the visa of some 15,000 German visitors, and pressed the IGC to undertake a survey of the “uninhabited areas of the world” that might provide resettlement for anywhere from 10 to 20 million displaced persons. A worried German ambassador to Washington reported “a hurricane of condemnation,” stressing that “Even the respectable patriotic circles which were thoroughly... anti-Semitic in their outlook also begin to turn away from

us.”\footnote{201} Yet restrictive legislation came closer to passage than at any time since 1930, and an interfaith effort to enact a law to admit German children outside the quota, promoted by a blue-ribbon committee that included former IGC director Rublee, generated considerable enthusiasm in the country at large but failed to secure presidential endorsement. After being amended to grant children priority for admission within the quota rather than in addition to it, the “Wagner-Rogers” bill was opposed by its original sponsors and failed to come to a floor vote in either house.\footnote{202} A scheme to increase admissions by “mortgaging” quotas for later years failed as well. At the end of May, the plight of refugees filled every neighborhood movie screen, as the weekly newsmagazines featured the pathetic passengers of the SS St. Louis. Lured to Cuba by a corrupt diplomat with the promise that they would be allowed to wait there for American visas, they were in fact denied admission; prohibited from entering American waters, the vessel was escorted by the U.S. Coast Guard along the coast of Florida to prevent anyone from swimming ashore, and it ultimately sailed back to Europe, landing its passengers in Antwerp. An Alaskan Development bill that would open the territory to settlement by refugees, promoted by the Department of the Interior but opposed by the State Department, and another involving the Virgin Islands, got nowhere in Congress.\footnote{203} Nevertheless, thanks to the recent changes in American administrative practices, the German-Austrian quota was being filled as promised, and additional refugees were being admitted as tourists also. Richard Breitman and Alan Krutel therefore conclude that the period from March 1938 until September 1939 marked the most liberal phase of American immigration policy between 1931 and 1945.\footnote{204}

Altogether, about 127,500 Jewish refugees were admitted to the United States in 1933-1946, including immigrants and visitors: who were subsequently allowed to stay. Was the glass half full or half empty? The number exceeded the refugees admitted to Palestine in the same period (65,900 Germans, Austrians, and Czechs, out of 208,600 recorded legal immigrants in 1933-1940, plus some illegals), and amounted to considerably more than any other country.\footnote{205} However, another 110,000 could have been admitted within the limits of the German quota alone in the years before it was filled. Totally ignored in Rubinstein’s inexpressive plea on behalf of a good western conscience is the fact that as of the end of June 1939, 309,782 nationals of the Greater Reich (including Austrians and Czechoslovaks) had applied for immigration visas, resulting in a waiting list that would have taken a dozen years to exhaust within the framework of the established quota system.\footnote{206}
However, even in this
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212 membership in American society, including a stark proposal by a Georgia
refugees who were in a position to leave Europe but prevented from doing so
and France and Britain declared war on Germany. By this time, approximately three-fifths of the Jewish population of pre-Anschluss Germany had gotten out, nearly half of them in the last two years. The 250,000-300,000 Jews remaining in Germany and Austria, as well as most of those in ex-Czechoslovakia, were now in effect confined. Following the division of Poland between the Nazi and Soviet partners, western Poland’s massive Jewish population faced Nazi occupation as well, and from late 1939 onward, Nazi policies and practices in occupied Poland shifted perceptibly from persecution toward annihilation. While the possibility of westward movement was almost totally eliminated by the outbreak of war, a small number managed to escape to eastern Poland under Soviet rule, to the Soviet Union itself, or even to Japan.

The United States Faces the Holocaust

In the spring of 1940, Germany launched major offensives in the West, which shortly brought Denmark, Norway, Belgium, Luxembourg, the Netherlands, and northern France under its control, concurrently, it established its hegemony over the Balkans, either directly (Greece) or through allied regimes (Hungary, Rumania, and Bulgaria). The French Republic voted itself out of existence, and on July 10, Marshal Petain became head of the French state, albeit formally neutral, the Vichy government collaborated with the Nazis in most spheres, notably in implementation of their anti-Jewish policies. However, for a time unoccupied France afforded a place of refuge and the possibility of exit to neutral Spain, or even overseas. With Britain out of play, except with regard to Palestine, and the overseas dominions also at war with Germany, neutral America’s immigration policy moved to the fore as a critical determinant of the fate of refugees outside occupied Europe. The outbreak of war stimulated renewed xenophobia, manifested in renewed attempts to restrict immigration and to exclude aliens from membership in American society, including a stark proposal by a Georgia congresswoman “to deny admission into the United States to all immigrants and to deport all aliens.” President Roosevelt’s interest in refugees was steadily overshadowed by an overwhelming concern with getting his program in support of Britain through Congress and getting the country ready for an impending war. Immigration policy was steadily tightened up on security grounds, and refugees were deemed to provide particularly grave risks of infiltration, leading to a reversal of the permissive use of the German and Austrian quotas. In June 1940, the INS was transferred from the Department of Labor to the Department of Justice, and a registration requirement was imposed on all aliens. On the other hand, in July 1940, Roosevelt created a President’s Advisory Committee on Refugees, at whose behest the State Department instituted an “unblocking” procedure for the award of visas to refugees trapped by the collapse of France. In addition, the Committee drew up a list of 4,000 persons in special danger to be given visitors’ visas, of whom 2,000 arrived over the next year.

However, the President’s most consequential move was the appointment of Breckenridge Long as the successor to Messersmith as assistant secretary of state for administration. A political appointee associated with Woodrow Wilson, Long has achieved historical notoriety as the bête noire of refugee policy for his extremely rigid stance on the subject of visas; this stance, blamed by many on his personal anti-Semitism, is better accounted for by an overwhelming concern with security, which he shared with Avra Warren, head of the Visa Division. Following the proclamation of the National Emergency on June 24, 1941, the award of visas was centralized in Washington, where applications were subject to an elaborate security screening that prolonged the already arduous procedure; particularly problematic was a new policy of rejecting affidavits of support from anyone other than immediate relatives. Moreover, on July 10, 1941, all U.S. consulates in Germany were closed, making it impossible to obtain visas without first escaping the country. Although the President’s Advisory Committee on Refugees met with Roosevelt on September 4 to protest the new procedures, his sole concession was provision for an appeal. Combined with the shortage of transportation and the refusal of the shipping lines to accept German currency, the new procedures prevented thousands of otherwise eligible persons from entering the United States between 1940 and 1942, with often fatal consequences. Estimates of refugees who were in a position to leave Europe but prevented from doing so by U.S. obstacles range from 62,000 to 75,000. However, even in this
darkness period, the record is not completely one-sided, and the INS claimed that 34,000 more Jewish refugees were admitted to the United States during the 1940–1942 period under the various quotas.213 On June 22, 1941, Germany invaded the Soviet Union, rapidly bringing under its control eastern Poland, the Ukraine, and the Baltic states, most of which had large Jewish populations. With Jewish undesirables now rising to several millions and almost totally immobilized, in early 1942 the Nazis adopted a systematic program for implementing the “Final Solution,” hitherto practiced in loco by way of removal to industrialized death camps. Sketchy information regarding their existence reached Jewish American leaders as early as May and was confirmed at the end of July by a more reliable source. The recipients passed on the information to the government, but abided by the State Department’s request not to make it public, pending official verification.214 President Roosevelt spoke up about war crimes as early as October 7, but skeptical officials verified the information to their satisfaction only in late November. The tragic news was then widely publicized.

On December 17, 1942, the United States joined Britain and ten allied governments in exile in denouncing the Nazi extermination plot, but no action followed.215 After meeting with Vice President Henry Wallace and Speaker of the House Sam Rayburn about the need to loosen restrictions on immigration and imports, President Roosevelt retreated when told that this would meet with considerable congressional opposition.216 In the face of mounting public pressure, the British ambassador to Washington asked his government to cooperate with the Americans on refugee problems, and after trying to sidestep the issue, the State Department finally responded on February 25, 1943, on the eve of a massive rally organized by Rabbi Stephen Wise in Madison Square Garden under the slogan “STOP HITLER NOW!”217 To avoid likely demonstrations, the conference was to be held in Bermuda, with refugee relief organizations limited to observer status. Myron Taylor, at this time special envoy to the Vatican, refused to head the U.S. delegation in the absence of a guarantee of effective action and was replaced by Harold Dodds, president of Princeton University.

The Bermuda Conference opened on April 16, 1943, which happened to be the first evening of Passover and also marked the onset of the final Nazi assault on the Warsaw Ghetto. It was agreed at the outset that it should not consider any actions that might detract from the war effort, in particular no negotiations with the enemy. The American delegation refused to discuss any changes in immigration law, while the British shunned any consideration of proposals to take more decisive action on behalf of rescue, as manifested by gigantic rallies in Madison Square Garden and Carnegie Hall and a proliferation of resolutions to that effect in Congress. However, Roosevelt acted only after being warned that further failure to do so would trigger a political scandal. Acting on the basis of intelligence that there was a possibility of evacuating some Romanian Jews, the State Department’s request not to make it public, pending official verification.218 President Roosevelt spoke up about war crimes as early as October 7, but skeptical officials verified the information to their satisfaction only in late November. The tragic news was then widely publicized.

Outraged by the State Department’s persistent reluctance to carry out even cautious negotiations on behalf of threatened survivors, on January 16, 1944, Secretary of the Treasury Henry Morgenthau presented President Franklin D. Roosevelt with an eighteen-page memorandum prepared by his staff under the provocative title “Report to the Secretary on the Acquiescence of This Government in the Murder of the Jews.”219 At this time as well, summoned to defend the government’s refugee policy and its stance at Bermuda, Long turned himself into a definitive political liability by mistakenly claiming that some 880,000 refugees had been admitted to the United States since 1933; in fact, there had been only 296,000 recorded arrivals from Europe, of whom...
only some 202,000 might qualify as refugees, including 138,000 Jews.222 In response to these developments, Roosevelt loosened the State Department's grip on refugee policy by creating a War Refugee Board (WRB) as a joint operation of the Treasury, War, and State Departments; and within the State Department itself, visa operations were transferred to Assistant Secretary Adolph Berle, who subsequently initiated a more liberal administrative policy. This constituted a definite shift in the American stance, which enabled children to leave Rumania for Bulgaria and Turkey, and also allowed refugees in Spain to be evacuated to North Africa. In a significant reversal of Bermuda, the administration also engaged in direct negotiations with Hungarian strongman Admiral Horthy to dissuade him from turning over the Jews under his control to Germany, an intervention credited with saving about one-third of the targeted population.223 About 1,000 Jewish survivors, in American custody in southern Italy, were relocated to an unused military installation in Oswego, New York, where they were detained for over a year so as to maintain the legal fiction that they were not in the United States even as visitors. These innovative actions confirmed the mounting weight of external policy considerations in the sphere of immigration, and established precedents for the adoption of exceptional policies on behalf of refugees in the postwar period.

In the same vein, in 1943 the president took on Congress in the matter of Chinese exclusion after Generalissimo Chiang Kai-shek indicated that such treatment was inappropriate for a wartime ally and was being exploited by Japanese propaganda. Promoted by a blue-ribbon association under the leadership of the popular novelist Pearl S. Buck, but opposed by the AFL and veterans' associations, a proposal to add persons of Chinese nationality or of Chinese descent to those eligible for naturalization, and providing for the admission of 105 Chinese a year as ordinary immigrants, became law in December 1943. Although the measure had limited practical effect, it constituted a significant breach in the racial foundations of American immigration policy and also confirmed the further emergence of foreign policy considerations in that sphere as a concomitant of the transformation of the United States into a global power. A similar measure was enacted on behalf of India in July 1946.224

Reviewing American immigration policy for the period 1924–1952 as a whole, Robert Divine concluded in 1957 that with respect to the refugee crisis, "The American record . . . is curiously mixed": while efforts to liberalize immigration law on behalf of refugees failed, the Roosevelt administration's administrative flexibility enabled the United States to absorb more refugees than any other nation.225 Breitman and Kraut offer a similar assessment: within the context of a general failure of the West to live up to its values, "The American record was not the worst. But the United States failed to do even what its own immigration laws allowed."226

Why was not more done? Anti-Semitism within the State Department, within the Congress, and in the country at large all played a part, so did the divisiveness and pusillanimity of American Jews, as well as the president's perennial subordination of humanitarian measures to what he considered more vital political objectives, and later on to strategic imperatives. In the end, however, one thing stands out throughout: all the relevant actors took it for granted that the quota system was etched in stone. Albeit hardly a part of the Constitution, it had swiftly taken on an aura of legitimacy seldom achieved by ordinary legislation, as representing the American people's inviolable determination to no longer be a nation of immigrants. In the absence of a sufficiently powerful countervolt, the bureaucracies governing the award of visas and admissions were left largely to implement their own preferences, which were restrictionist.227

As suggested at the outset, the episode is a tragic demonstration of "path dependency." Although the divisions among American Jews and their hesitations played a significant role, when the situation in Europe made it necessary to substantially alter American immigration policy, the obstacles advocates faced were so considerable that even a preternaturally united and committed community would have been stymied. Surreptitious action to land immigrants illegally, as in Palestine, was not feasible because the Atlantic was not the Mediterranean; it would have entailed logistically and politically complex operations, imperatively involving Mexico or Cuba. Alternatively, they might have tried to alter policy by extraordinary means, akin to the contemporaneous Ghandian civil disobedience movement, or to the civil rights movement of the postwar era.

This very possibility was indeed raised by the besieged Jews of Warsaw in a spring of 1943 message to Smull Zygelbojm, the Bundist representative to the Polish government-in-exile, demanding that Jewish leaders "go to all important English and American agencies. Tell them not to leave until they have obtained guarantees that a way has been decided upon to save the Jews. Let them accept no food or drink, let them die a slow death while the world looks on. This may shake the conscience of the world." Zygelbojm reflected to a friend at the time that "[i]t is utterly impossible, they would never let me die a slow lingering death. They would simply bring in two policemen and have
me dragged away to an institution." Nevertheless, six months later he did carry out the mission they assigned him: "Let my death be an energetic cry of protest against the indifference of the world which witnesses the extermination of the Jewish people without taking any steps to prevent it." Collective action along such lines would have satisfied the imperatives of moral commitment, but would it have succeeded in altering policy in time? We shall never know, because it was not tried.

The Ambiguities of Reform

American society's profound transformation after World War II, as well as enormous changes in the world at large, brought the regime established in the 1920s steadily into question. However, because of the peculiar configuration of American political institutions, defenders of the established identity boundaries initially managed to retain the upper hand, regardless of which party was in power in the White House or in Congress. There ensued a protracted confrontation between the conservatives and those seeking to shift the boundaries to encompass the European "new immigration" as well as Asians. Hardly noted in the extensive literature on the subject, however, is that the reformers now tacitly accepted the restrictionists' overall objective of keeping immigration within very limited bounds, and agreed that the "nation of immigrants" was a thing of the past. The face-off culminated in an historical compromise, a year after the enactment of the Civil Rights Act of 1964, whereby the main gate was redesigned to remove the features that humiliated Americans of the new immigration and enabled some to bring in their relatives, as well as to erase the last traces of Asian exclusion. But as this was being celebrated in a moving ceremony at the foot of the Statue of Liberty, much less was said of the fact that the long-awaited reform also imposed unprecedented restrictions on browns and blacks from neighboring countries.

While participating in the ongoing transformation of the American economy, agriculture sought to retain the advantages it had derived since the beginning of the twentieth century from the availability of a vast pool of cheap labor in Mexico and the Caribbean. Here also, the configuration of political institutions provided signal advantages to defenders of the status quo, and their ability to secure a largely free hand was reinforced by the marginality of