

RADICAL (IN)HOSPITALITY: AMERICAN MEDIA AND REGULATORY STANCES TOWARDS IMMIGRATION

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In ancient Greek, *Xenia* describes the relationship between a guest and his or her host. It is a relationship governed by Zeus “the protector of guests”. In extending hospitality, humans “demonstrate their virtue or piety by extending hospitality to a humble stranger (xenos), who may turn out to be a disguised deity (theos) with the capacity to bestow rewards.”

The violation of the laws of *xenia*, in the abduction of Helen of Sparta, is often portrayed as the *casus belli* of the Trojan War at the center of the Iliad.

(Cook, 2006: 155)

ABSTRACT

IMMIGRATION (IN)HOSPITALITY: AMERICAN MEDIA AND REGULATORY STANCES

TOWARDS IMMIGRATION

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This dissertation examines the ideal of immigration hospitality as it is manifested in the regulatory and media environments. Focusing on three representative periods of American immigration history--the 1880s and the Chinese Exclusion Act; the 1920s and the National Origins Quotas; and the post-9/11 treatment of Muslim immigrants in the United States—this dissertation considers the myth of the United States as a welcoming “nation of immigrants” in light of immigration restriction and anti-immigrant sentiment. In so doing, the dissertation acknowledges that the myth of the nation of immigrants is unevenly realized, though it might play a role in motivating the public to mobilize against exclusionary policies and rhetoric, potentially inspiring more inclusive hospitality in the future.

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CHAPTER ONE

Introduction

On January 27th, 2017, less than 10 days after taking the oath of office, President Donald Trump enacted an executive order that halted the entry of Syrian refugees into the United States indefinitely. It also placed a 90-day ban on the entry of visitors from seven Muslim-majority countries: Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen (Executive Order, Protecting the Nation from Foreign Terrorist Entry into the United States, January 2017). Instantaneously, travelers who were suspended mid-air as the ban went into effect suddenly found their visas made invalid by the rule and were detained upon arriving at their destination.

In the aftermath of the decision, the American Civil Liberties Union took the matter to court, successfully obtaining a temporary stay on the deportation of visitors detained under this new rule. In the following days, protests broke out across the country, and an estimated 10,000 protestors marched in New York City's Battery Park facing the Statue of Liberty, while another 8,000 marched at the Capitol steps (McGurty and Frandino, 2017). At airports across the United States, protestors congregated and shouted "Let them in!" In Philadelphia, over 6,000 flocked to the airport. Another 2,000 protestors occupied San Francisco airport with signs stating, "Muslims welcome here." Throughout the country, tens of thousands took to Twitter and the streets to express their discontent with the policy, all maintaining one core argument in common: The United States has always been a nation

of immigrants and a welcoming country for refugees from around the world. But to what extent is that statement true?

This dissertation addresses a crucial contradiction within American policy and media discourses that emerged most recently in the debate over the Muslim Travel Ban from 2016-2018. On the one hand, it addresses the commonly-held image of the United States as a “nation of immigrants,” with immigration and naturalization enshrined in the Declaration of Independence and the Constitution (Section 8, Article 4) and in fundamental notions of American identity. On the other hand, it confronts the “nation of immigrants” narrative with a history of American immigration policy that reveals a far more restrictive approach to immigration than evidenced by either the foundational texts of the nation or common myths of national identity. It asks: how did the dissonance between the “nation of immigrants” myth and immigration policy and media discourse come about? What role did the media play in framing political debates on immigration and countering restrictive policies or justifying them? Finally, it demonstrates the aspirational value of the “nation of immigrants” myth despite, or perhaps because of, these contradictions.

Throughout this analysis, I intervene in the debate over immigration policy and media discourse by introducing the concept of hospitality as a crucial framework through which the issue of immigration may be elucidated. I argue that hospitality has been overlooked in research on immigration and immigration discourse. I survey the diverse research that examines immigration through concepts of sovereignty, identity, culture among others. Nevertheless, migration depends on hospitality, for it necessarily involves leaving places of belonging, entering alien spaces, and offering positive reception. Existing

research beyond immigration studies has recognized the usefulness of a hospitality lens in analyzing literary works about immigration (Rosello, 2002). Yet hospitality has thus far been overlooked in immigration studies per se. This dissertation argues that hospitality is a valuable intervening concept that complicates existing assumptions about the belonging and sovereignty of a native population and allows scholars and members of the public to reflect upon the moral rights of the immigrant as addressed in policy and media debates.

This dissertation applies the concept of hospitality to two environments pertinent to the immigrant experience: immigration policy and media discourse. I distinguish between two forms, what I call “regulatory hospitality” and “media hospitality,” to illustrate the interaction of policy making and media coverage in three periods of immigration restriction: the 1880s, the 1920s, and the 2000s (post-9/11 period). Historicizing the American openness to immigration that I call “immigration hospitality,” this analysis provides a closer and more critical look at how and under what circumstances the United States extends hospitality towards immigrants, and how media and policy interact to shape the immigrant experience.

Literature Review

Though spatial mobility is a crucial part of modernity, its understanding has been treated with varying degrees of success across the academy. Immigration studies focus on the push and pull factors of migration that impact migratory flows around the globe. These include both the economic, political, ethnic and other predictors of migrant and refugee movements, the irregular patterns driving migration flows (McAuliffe, 2018), and the

comparative dimensions of international regulatory regimes (Collyer 2011: 74). Immigration studies often provide models of migration that target conditions among senders (Collyer, 2011: 74). For instance, political economic perspectives point to the importance of international labor markets in motivating economic migration flows (Cohen & Verkuyten, 2006), drawing migrants from countries with labor surpluses to countries with shortages in labor supply (Wills, Kavita & Evans; 2010; Arnold & Pickles, 2011). Indeed, as early as the Atlantic Slave Trade, migration was driven by the labor needs of agriculture and industry in the United States. These labor market dynamics in turn influence internal migration, as rural workers migrate to cities to fill industrial jobs (Casas-Cortes et al., 2015). Migration is also explained by pointing to the impact of political oppression (Bilodeau, 2008) or organized crime (Zolberg, Suhrke and Aguayo, 1989) in countries of origin. A second branch of immigration research complements the study of the conditions among senders with the study of integration and assimilation among recipients (Thomas & Znaniecki, 1918; Handlin, 1951, Ajrouch & Jamal, 2007). These studies focus on immigrant strategies of accommodation, acculturation and adaptation as they settle in their adopted countries (Portes, 1981).

The two existing streams of research in migration studies together provide a reliable foundation for understanding immigration flows across the world. Nevertheless, their focus on economic and political push and pull factors fails to capture fully the cultural or symbolic richness of the immigrant experience. Nor does it illustrate the degree of welcome that immigrants might or might not encounter upon entering and settling into their adopted nations.

A different source of neglect has characterized work on political communication, whose insights on the media's role in shaping perceptions of those affected by spatial mobility are relevant. Though media discourse affects both migrant flows and immigrant assimilation in adopted countries (Benson, 2014), the political influence of media messages, central to the field of political communication research for the past half-century, has been pre-occupied with "the thinking, beliefs, and behaviors of individuals, groups, institutions, and whole societies and the environments in which they exist" (Graber, 1993: 305, Denton & Woodward, 1998; Hahn, 2003; Perloff, 1998). Spatial mobility has not been central to their concerns.

The work of McCombs and Shaw (McCombs and Shaw, 1972) was the first to point to the role media coverage plays in framing public perception. Robert Entman defined "framing" as the process through which media influence public opinion by "[selecting] some aspects of perceived reality and mak[ing] them more salient in a communicating text, in such a way as to promote a particular definition of a problem, causal interpretation, moral evaluation, and/or treatment recommendation for the item described" (1993: 53). The framing of political issues influences public assessments of political issues, as Zaller argues that the public uses cues from political elites gleaned from media coverage to generate value orientations in assessing policies (1990: 125). Scholarship in media effects has sought to explore the causal relationships between media messages and the political system, identifying the impact of media coverage on public perceptions of political candidates and policy issues. The impact of media coverage on the political system is summarized in the following way:

Media can draw and sustain public attention to particular issues. They can change the discourse around a policy debate by framing or defining an issue using dialogue or rhetoric to persuade or dissuade the public. Media can establish the nature, sources, and consequences of policy issues in ways that fundamentally change not just the attention paid to those issues, but the different types of policy solutions sought. Media can also act as a critical conduit between governments and publics, informing publics about government actions and policies, and helping to convey public attitudes to government officials. (Soroka, Lawlor, Farnsworth and Young, 2012)

Applying the framing paradigm to the issue of immigration, Rodney Benson, in his comparative study of immigration in the media in France and the United States, identifies seven dominant frames used to discuss immigration. He argues that discussing immigration within a national cohesion frame portrays it as a threat to the stability of national identity. Conversely, he shows that framing immigration as a humanitarian issue presents the matter in a positive light (Benson, 2014). Complementing the work of Benson and others, Rens Vliegenthart and Conny Roggeband employ computer-assisted content analysis to understand the impact of media discourses of immigration on policymaking (2007). This study found bidirectional causal relationships between media discourses and parliamentary discussions, acknowledging that both are affected when external events or factors intervene (2007: 295).

A further academic investment in immigration has come from scholars invested in culture, who have been concerned with the cultural ramifications of media coverage. They

argue that the media play an important role informing and performing society, situating immigrants and other groups in the societal landscape (Carey, 1992). Firstly, media influence public perceptions of religious (Abu-Laban & Trimble, 2006), ethnic and racial minorities (Khaki & Prasad, 1988) through their representations of these groups. Moreover, media coverage may generate or reinforce negative stereotypes of groups of immigrants. In *The Cultural Politics of US Immigration*, Leah Perry (Perry, 2016) analyzes the representation of Latino minorities (including those of immigrant backgrounds) in the news media and American popular culture, demonstrating how examples in popular culture that cast visible minorities and immigrants as villains (*Scarface*), welfare-abusers (*Mi Vida Loca*), or even as exotic wives (*Modern Family*) perpetuate negative stereotypes of these groups.

Similarly, anthropologist Leo Chavez argues that the media play a crucial role in constructing subjective understandings of citizens and immigrant aliens through the mediatization of border interactions (2001: 5). Jiwani confirms these findings, arguing that the media construct identity and belonging “through their practices of selection, editing and production, [and] determine the kinds of news we receive about our nation” (Jiwani, 1995). As Minelle Mahtani notes, cultural studies scholars go further, arguing that analysis of media representation must include media representation, under-representation (Fleras & Kunz, 2001) and mis-representation of immigrants, and consider diversity among newsmakers themselves (Mahtani 2001: 18). Moreover, scholars have explored media coverage to understand public perceptions of immigration and views on policies that should be adopted to regulate it (Bauder, 2008). One study has found that the media create a “crisis

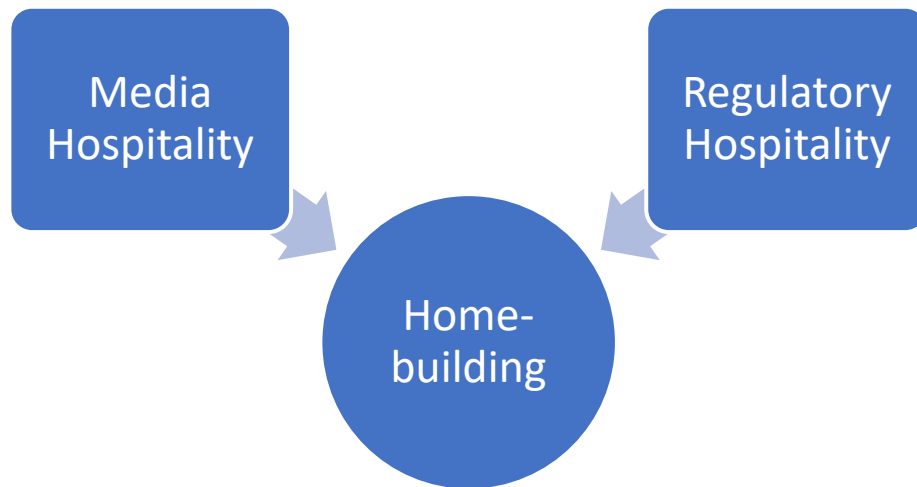
mentality,” wherein immigrants are dehumanized and represented as vectors of violence and disease or as fraudulent asylum applicants. Such representations of immigrants as “enemies at the gate” promote anti-immigrant attitudes (Esses, Medianu and Lawson, 2013).

This analysis takes such media coverage as its focus so as to more fully explore how the interaction of media discourses and political systems affect the representation of immigrants and the immigration issue to the broader public. In short, this dissertation further consolidates the role of the media in existing scholarship on immigration policy and history.

This project expands research on media discourse and policymaking by adopting a holistic approach to both areas, approaching them not as two spheres that causally impact one another but rather as two interacting spheres in which society expresses hospitality—or hostility—towards its newcomers. While causal approaches are important to observe the impact of each realm over the other over the passage of time, this dissertation is less interested in that impact and more focused on the combined role that each realm plays in creating an hospitable environment for immigrants. Thus, this project explores instead the interaction of media discourse and policymaking and how they together shape the immigrant experience. Typical of this approach is the employment of the same or different representations of immigrant groups in congressional debates and media coverage.

This dissertation thus treats regulatory regimes and media coverage as observable manifestations of American immigration hospitality. Rather than focusing on the impact of media on politics, it shifts attention to the importance of hospitality as a moral, cultural and

symbolic framework through which to view immigration in media and politics. It analyzes how extending welcome or withholding it cultivates an environment that is either hospitable or inhospitable to migrants, impacting their efforts to build a sense of home in their adopted country.



When examining media discourse, the study is inspired by Stuart Hall's conception of media discourse and its reception as subject to the dominant cultural order (Hall 1980: 130-2). Hall's work introduces the importance of dominant cultural frameworks to the analysis of media messages and their reception by audiences. This project envisions media representations of immigrant groups and immigration more generally as expressions of the degree of hospitality existent in society as a whole. In keeping with this approach, I consider hospitality media and policy in historical and contemporary contexts.

In examining immigration regulation, this project considers immigration policy as legislative decisions that are born out of a distinct historical and cultural context, an approach consistent with the views of legal scholars. This perspective is rooted in the distinction between legislative and judicial power, according to constitutional law.

Congress possesses the authority to make new laws or overturn existing ones as it sees fit to suit the contemporary circumstances, while the judiciary holds the power to assess the constitutionality of such laws (Article I, U.S. Constitution).

In its treatment of media and regulation's impact on immigrant experience, this project also draws on the work of Frances Henry, who argues that the media "contribute [s] to the development of a negative image of racial communities, which are then marginalized and legislated against" (Henry 1999: vii). I position the media as an important element that structures reality both for receiving populations—including policymakers—and for immigrants. To do so, the study undertakes a qualitative approach to media coverage that examines how the areas of media and policy interact, how they influence society's treatment of immigrants, and how they shape the contours of the immigrant experience.

A Hospitality Perspective on Migration

The theoretical framework of this dissertation introduces a further contribution to immigration studies and communication research by grounding the analysis in the concept of hospitality. Guided by academic reflections about the notion of "hospitality" in sociology, anthropology, architecture and design, as well as media studies, this study applies the concept as a normative framework with which to analyze regulation and media coverage. I understand hospitality as an ethical concept with applications in multiple practical areas of human society, including but not limited to the immigration policies and media discourses which I analyze in this study.

If “home” acts as a metaphor to frame the relationships of attachment and belonging to place, then hospitality has become a primary metaphor for framing the relationship of the migrant to both the “native” population and the host nation (Bell, 2010: 316). Yet the concepts of home and hospitality are inextricably bound, for hospitality “begins in the home” (Gans, 2012). It rests on the host’s belonging to places that are considered “home,” and on the movement of an Other into it.

The two concepts reify one another, for hospitality actualizes the host’s ownership and control of places of belonging (Derrida, 2000: 263). Hospitality equally affirms the belonging of the host to the home as one of the multiple factors exerting the host’s right of ownership (Bell, 2010: 237). As Read observes, inhabiting space and cultivating spatially-anchored identity engenders a sense of ownership over places rooted in belonging and attachment (Read, 2000). The relevance of these dynamics can be found in the oft-employed argument that because undocumented children have been born and have lived their entire lives in the United States, they thus *belong* in the United States. Their continued residence in the United States not only asserts their belonging in the country, but it supports their acquisition of national identity through citizenship.

Moreover, hospitality occupies “a universal normatively positive position,” whether its motivations come from cultural, religious, philosophical or other discourses (Bulley, 2016: 3). It is often evoked in religious tradition as an indicator of righteousness: In the Islamic tradition, it is equated with the core beliefs of the faith, as prophet Mohammed (PBUH) stated, “He who believes in God and the Last Day should honor his guest and recompense him” (Hadith 5673, Sahih Bukhari). It is evoked in Christianity to

justify the need to “make room” (Pohl, 1999), and “welcome the stranger at one’s door” (Soerens, Yang and Anderson, 2009)¹. Hospitality also appears in cultural forms: “*Karam al-Arab*” or Arab hospitality is a source of great pride (Shryock, 2004), while the traditions of Indian culture—Hindu, Buddhist or Jain—consider hospitality a reflection of one’s “relationship with the divine,” where the “guest is God” (Rotman, 2011: 115). In each case, hospitality evokes an engagement with notions of morality and “goodness” (Rosello, 2001: 32), wherein the good treatment of a guest is seen as a reflection of the morality of the host.

Beyond its abstract conceptualization, hospitality is also a concrete act. It is either initiated by invitation, or called upon in mobility, since all movement requires moving out of places of belonging—home, neighborhood, town, city, state, country or continent—and entering spaces that belong to an Other. At the micro-level, hospitality not only involves ownership and belonging but also a spatialized power relationship towards the “guest.” At the national level, the discourse of hospitality can refer to the population inhabiting a host state as “natives,” and to the nation of settlement as a “host nation,” highlighting the primacy of belonging and ownership of place while implying the existence of a sovereign authority (Bell, 2010: 236-8). At the global level, ownership, belonging and authority may be practiced through multiple domains, enacted legally through the issuing or rejection of

¹ This does not suggest Christian theological thought is emblematic of a universal acceptance of hospitality. It suffices to consider the pervasive image of the legend of the Wandering Jew to illustrate the inhospitable history of Christian thought towards the traveler and stranger. According to the legend, the wandering Jew was condemned to homelessness for his sins and was destined to wander the earth in repentance. Such images ascribe blame to displaced communities in the past and ground such prejudice in religious narratives. For a more detailed account see Adolf A. Leschnitzer. “The Wandering Jew: The Alienation of the Jewish image in Christian Consciousness.” *Viator* 2 (1971): 391.

visas, the granting of asylum, the normalization of political relations, and the presence of diplomatic representation. Moreover, transnational agreements signal the belonging of several populations to a region: the Schengen Territory of the European Union that asserts the belonging of Europeans to agreed-upon boundaries of the European continent, or the Arab Gulf region of the Arab Gulf League, which asserts the free movement and belonging of Gulf citizens to the region of the Arab peninsula. Underscoring these legal frameworks is a primacy of belonging and attachment that validates the authority and control of particular spatially-tied identities over places.

Once hospitality is extended, what does the act entail? The presumed earliest notions of hospitality, drawn from Greek and Roman traditions, entailed “hosting a guest” with food and drink (Still, 2006). In the commercial field, hospitality tends to be defined as the provision of “the holy trinity” of food, drink and accommodation (Lynch, Molz, McIntosh, Lugosi and Lashley, 2011: 4). In international relations, hospitality expands to “protecting a stranger who arrives at one’s door” (Still, 2006), entailing shelter and protection. More recently, the discourse surrounding hospitality has been intricately tied to the discourse on human rights, for hospitality involves acknowledging the “moral rights” of others whether or not they are inscribed in the law (Douzinas, 2009: 9), an act that is considered the ultimate test of our humanity because “the right to have rights and to be part of humanity is expected in the modern world to be guaranteed by humanity itself” (Arendt, 1973: 298). In this light, human rights cannot exist without hospitality since the movement of a community that belongs to one place entails their arrival in the places of belonging of other communities, and the respect of the guest community’s human rights rests upon

hospitality. As Arendt argues, guarantees of recognizing the rights of the Other are not self-evident. Reflecting on Hitler's famous phrase, "what is right is what is good for the German people," Arendt demonstrates how the fascist dictator was able to commit atrocities and violate human rights while appealing to the national public by limiting the observance of human rights to a particular group of people: limiting hospitality (Arendt, 1973: 299).

Thus, the guest-host relationship inherent to hospitality confronts the native population with an Other and it is defined by the treatment of guests and hosts for one another within this relationship. For the host, hospitality rests on the host's willingness "to let passage to the other, the wholly other" (Derrida, 1999: 80). Kuakkanen reaffirms this relationship, saying "hospitality is an act of openness to the other that helps to bring guest temporarily within the sphere of family or group, even if they come as a stranger" (Kuakkanen, 2003: 268). To him, hospitality goes beyond the material requirements of shelter and sustenance to the ideational "responsibility" of "openness" (Kuakkanen, 2003: 280). Through openness, hospitality provides an opportunity for cultural as well as material exchange and allows the host to learn from the episteme of the Other. The guest is also reciprocally responsible for learning of and from his or her host. It is thus not surprising, for instance, that the genre of the *Bildungsroman* in literature is comprised of the narrative of the protagonist's travels in different terrains and cultures, each of which contributes to the *Bildung* or personal development of the character. The responsibility incumbent upon the guest is to learn and respect the host's culture and traditions (Cook, 2006: 65). The edifying value of hospitality is also hailed in folklore, where "the Arkansas traveler"

emblemizes an interaction of host and guest as an opportunity to unlearn prejudices and stereotypes (Bluestein, 1962: 156).

Admittedly, hospitality is not without its limitations. Several scholars note that hospitality is a relationship of alterity (Sobh, Belk, and Wilson, 2013: 446), solidifying an unequal relationship of spatially-anchored power. Scholars who recognize the importance of the concept to human rights advocacy often criticize its emphasis on difference and otherness (Douzinas, 2009: 9). However, as long as the Westphalian nation-state political system remains, immigration introduces a relationship of difference between the inhabitant of a state and the immigrant who arrives at its borders (Rudolph, 2005). If alterity cannot be evaded, it is how alterity is confronted that matters. Thus, it remains useful to confront what hospitality means in American society today, and what it has meant over time.

As a lens through which to regard immigration, hospitality can also capture abuses of power by either party in the guest-host relationship. For instance, a host may mistreat or disrespect a guest, or take the guest hostage, depriving him or her of expected shelter, food, openness, and even freedom and basic rights. At the same time, the guest may take advantage of a host's welcome, threatening the host or infringing upon his or her comfort or rights.

Indeed, the earliest theorizations of hospitality from Greek mythology required both host and guest to respect the sacred relationship they shared with one another. For hosts, the obligation to extend welcome and generosity springs from the solicitation of hospitality by the gods as tests of one's goodness and morality. In book XIV of the *Iliad* Homer remarks, "for it is Zeus who sends to us all beggars and strangers" (Butler, 1999:

XIV). Similarly, guests are often shown to infringe upon hosts' welcome as well. For example, the kidnapping of Helen of Sparta is an abuse of the hospitality of Agamemnon, or in the example of the numerous suitors Penelope received while Odysseus was traveling overstayed their welcome until Odysseus arrived and "planted the seed of death and slaughter for the suitors..." (Butler, 1999: 28). Thus, violations of the sanctity of the guest-host relationship by either party was portrayed as a sacrilege punishable by the gods.

I define hospitality as a relationship between a host who has developed an identity that is spatially-anchored in a place—and is thus seen as belonging to a place and possessing authority over it—and a guest who enters the host's domain and whose identity is perceived as tied to other places. This relationship provides a lens through which to regard immigration as it combines notions of home and identity, host and belonging, and the guest and Other/stranger. Within this relationship, the host grants access to potential places of belonging, providing food, drink and shelter, while cultivating a relationship of openness and understanding (Kuakkanen, 2003: 280). Meanwhile, the guest respects the traditions of his or her host. In the modern context, this relationship can be productively discerned in two environments: regulation and the media.

Regulatory Hospitality

An important area of hospitality's relevance in the modern era is in immigration policy and the regulations that impact the lives of immigrants in their host countries. As such, regulatory hospitality is evident in the degree of welcome extended to immigrants in all "acts, treaties and conventions that relate to the immigration, exclusion, or expulsion of

aliens” (Act to Limit the Immigration of Aliens into the United States, 1921). It is also informed by other conditions that govern immigration and resettlement, such as constitutionally-based rights, executive decisions and the law enforcement environment. This is not to exclude conditions outside of the law that influence immigration decisions, such as the patterns of immigration in terms of demographic characteristics, countries of origin and conditions of immigration.

As such, the first component of regulatory immigration hospitality concerns the barriers to entry set for immigrants, and the degree of recognition accorded the right of movement that is expressed by a country’s laws. In the United States, the right of movement was enshrined in the nation’s Constitution from its earliest moments, particularly in the law of naturalization which anticipated the arrival of immigrants and their integration into the nation. Thus, the Constitution empowered Congress “to establish a uniform Rule of Naturalization” (Article I, Section 8, clause 4), foreseeing immigration as a matter to be included in the foundational text of the United States. Immigration policies established in the first century of the Republic’s history did not present barriers to the entry of incoming immigrants, but rather required that they register their arrival on U.S. soil (Steerage Act, 1819). The right to movement within the Republic was also stressed in the Articles of Confederation, which stated that in order to “secure and perpetuate mutual friendship and intercourse among the people of the different States in this Union [...] the people of each State shall have free ingress and regress to and from any other State” (Article V).

Second, recognizing the desire of immigrants to integrate into their host nation is another manifestation of regulatory hospitality. Just as the right to migrate was alluded to in the Declaration of Independence, the document also asserted that “all men are created equal,” and “that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness” (Declaration of Independence, 1776). These arguments for life, liberty and the pursuit of happiness, as extended to all “men” in the Declaration, suggest to immigrants the opportunity of attaining social and economic well-being in American society, an important component of successful home-building. The right of movement was thus fittingly connected in these texts to other socio-economic activities, namely the exchange of goods and services across borders, and it indirectly tied the international right of movement to the economic and social well-being of all residents, including immigrants.

Third, regulatory hospitality in a host nation is informed by the international conventions that impact the conditions of immigrants therein. These include international conventions such as the Geneva Convention and the Geneva Protocol, the International Convention on Intervention and State Sovereignty, as well as relevant executive actions and Supreme Court decisions that affect it (an issue of particular relevance to the first and second Muslim Travel Ban, and the Supreme Court decision to allow its modified version in 2018). The Right to Protect Doctrine is also an orienting framework for US political intervention in cases of humanitarian crises since the 1990s, assuring the displaced that they could take refuge in the United States and other signatory states. The International Commission on Intervention and State Sovereignty, under the sponsorship of the

Government of Canada, issued the Responsibility to Protect Report in response to the “widely criticized humanitarian responses to crisis in the 1990s (ICISS: 1). The report stipulated the international sharing of responsibility for crisis response, and it enforced the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Covenant on Economic and Social Rights, the Genocide Convention, the Geneva Conventions and additional protocols, and the Rome Statue of the International Criminal Court (ICISS: 3). Together, the global commitment towards enforcing these conventions, at the head of which have been the countries of North America--Canada and the United States--reframed the concept of hospitality within an international law framework. It is worthy of note that such applications of hospitality are yet again rooted in acknowledging the moral human rights of others.

Finally, regulatory hospitality interacts with the political and social environments that encourage policy responses to either extend or withhold hospitality. In these cases, the type of policy response, as well as lack thereof, is also a manifestation of hospitality or inhospitality in the broader environment. That is to say that although regulatory hospitality rests foremost in regulatory frameworks, it has direct effect on cultural, social and political movements taking shape beyond regulatory spheres.

In sum, regulatory hospitality is a concept that measures the degree of hospitality as manifested in national immigration policies and as a result of national policy-making, judicial decisions, and the ratification of international agreements that require a degree of hospitality towards particular groups of immigrants. The term regulatory hospitality signifies an overall openness to immigration that is demonstrated in a clearly outlined

approach to immigration that may be navigated by an immigrant or potential immigrant with relative ease, and which offers opportunities for arrival, settlement and work in an adopted nation. When categories, races, or classes of people are excluded from such openness, hospitality is non-evident or evident to a lesser degree.

Media Hospitality

Hospitality requires a medium through which it can be performed, and that is where media assume their role in extending hospitality towards immigrants and refugee communities. Media are ubiquitous, where “through their practices of selection, editing and production, [media] determine the kinds of news we receive about our nation” (Jiwani, 1995). Indeed, according to classic agenda-setting theory, editors, newsroom staff, journalists and broadcasters play an important role in shaping political reality by choosing and displaying what news is covered (McCombs and Shaw, 1972). Thus, in selecting stories that portray immigrants as threats to the health, security and cultural cohesion of a population (examples of which will be discussed in chapters of this dissertation), the media shape the political reality that appears to the public.

Moreover, media coverage can frame the debate surrounding immigrants within a particular set of thematic issues that dictate a positive or negative portrayal of immigration. For example, by framing immigration and refugee policy as a matter of national security, humanitarian concerns, economic opportunity, or labor market competition, media coverage contributes to how an issue is publicly viewed and discussed by policy makers. Silverstone elaborates on the responsibility of that role, as he defined media hospitality as

a normative position where the media speaks not only to an empirical reality, but to a moral interrelationship with the immigrant and refugee as an “Other” in social and cultural space (Silverstone, 2006: 100-1).

These representations have powerful repercussions for the rights of minority-groups. As Gramsci pointed out, media provide a powerful tool for a majority-group to exert influence by legitimizing its dominance in the representation of social and political reality (1971). For example, the “whiteness” of Hollywood impacts the marginalization and devaluation of the talent and life stories of non-white immigrants and racial minorities in the United States (Wang Yuen, 2017).

Representations are a significant dimension of hospitality: they bear a tangible impact on immigrants’ sense of identity and sense of feeling at home in the host nation. In her analysis of Canadian mediated representations of minorities, Mahtani argued that “demeaning characterizations and an absence of nuanced representations” make immigrant communities “feel as if they do not belong” (Mahtani, 2001: 3). The absence of visible minorities that are immigrants or descendants of immigrant parents is also significant, because media coverage targets an “implied audience” (Livingstone, 1998), thus denying the existence and belonging of minorities excluded from a perceived audience.

Media representations of marginalized groups like immigrants affect a number of issues within their respective communities, from mental health (Collins, 2000; Chae, Wizdom Powell, Nuru-Jeter, et al., 2017), to gender identity (Ward, Hansbrough and Walker, 2005), as well as opportunities for educational attainment, employment, access to capital and other realms that affect socio-economic well-being. Thus, the media’s role in a

majority group's representation of immigrants is critical, particularly in how such representations interact with immigration policies to create an environment that is either hospitable or hostile towards them.

Media hospitality implies an openness to the Other through his or her inclusion in media portrayals and media professional spheres. If hospitality is “openness” to an Other (Kuakkanen, 2003: 280), then learning the language, literature, idioms and expressions of that Other indicates openness. Newsroom diversity, which introduces diverse linguistic skills into journalistic professional circles, may enhance the degree of hospitality shown to migrants in a host nation. By contrast, a lack of familiarity with the Other—as well as with his or her culture and language—suggests a lack of openness and an unwillingness to “do the homework” to accommodate other worldviews.

The presence or absence of marginal voices in the national media ecology is another vector of media hospitality, because absence may suggest the lack of importance or even non-existence of the Other (Mahtani, 2001: 4). The meanings and representations offered by the media define the experience of minority communities in society, suggesting that the valence of media portrayals is an important indicator of media hospitality. Conversely, the under-representation and mis-representation (Mahtani, 2001: 6) of immigrants and refugees in the media represent another obstacle to media hospitality. When immigrant communities appear in the media, the language used to describe and represent them becomes more nuanced.

As such, media hospitality describes the degree of presence or absence of immigrant communities in the media, as well as the valence of the representations of

immigrant communities when they appear, taking into account mis-representation in the form of stereotypes and otherwise. In parallel, media hospitality may be articulated directly in messages of welcome to immigrant communities and in an emphasis on the value of welcoming immigrants and refugees to national society.

A Working Definition of Hospitality

Hospitality describes a relationship between a host—who has developed an identity that is spatially-anchored in a place and is thus associated with a place and seen to belong to it — and a guest whose identity is perceived as tied to other places and who enters the host’s domain. This relationship combines notions of home and identity, host and belonging, and the guest and Other/stranger. The host grants the guest access to potential places of belonging, often providing food, drink and shelter, and welcomes him/her by cultivating a relationship of “openness” and understanding (Kuakkanen, 2003: 280). In the modern context, hospitality can be seen as present in immigration policy when clearly defined immigration guidelines provide opportunities for entry and settlement in a host nation. Similarly, hospitality can be seen as present in the media when immigrants are part of media coverage, when they have a positive representational valence, and when their presence is seen as valuable by the host society welcoming them.

The study of media hospitality is inextricably tied to that of regulatory hospitality, as media coverage bears an impact for policymaking and shapes the reception of policies by the public, helping to define the terminology in which policies are discussed. Bill Orme from the Ethical Journalism Network, for example, observed that the terms “alien,” and

“undocumented immigrants,” when used by media organizations, have different outcomes: In the first case, they normalize the othering and criminalization of immigrants for the public; in the second, they focus objectively on the distinguishing legal situation of such immigrants (personal communication, 2018). In light of these perspectives, regulatory and media hospitality describe the degree of welcome extended towards immigrants in the regulatory environment and in media coverage.

Context for Regulatory and Media Hospitality: The Birth of the (Immigrant) Nation

The relevance of regulatory and media hospitality dates to the earliest days of the American Republic, though contemporary research on immigration has privileged the study of international migration flows, illustrating them as either emblematic of the modern condition or symptomatic of a new transnational understanding of home and belonging (Castells, 1996; Anderson, 2006). By and large, these accounts unproblematically frame global migration from the perspective of the past few decades, as defined by the crossing of international borders within the contemporary understanding of the Westphalian political order.

Immigrants are seen as a destabilizing force in this view, disrupting national identities and necessitating a reframing of identity and belonging that encompasses new communities (Alba and Nee, 2009). These studies tend to not address how national identity has come to be in host nations, and whether it is formulated to identify one identity category as belonging to a place, at the expense of others. As a result, most studies of immigration continue to revolve around assimilation theory, which is concerned with the integration of newcomers into the native population of a host country (Alba and Nee, 2009).

Assimilation theory constricts the study of hospitality for several reasons: Firstly, it does not take into account that national identities of so-called “native” populations may have coalesced around groups of immigrants who displaced indigenous communities. This is especially relevant for the study of settler-colonial societies. Secondly and more importantly, perspectives that continue to focus on contemporary migration in this fashion

fail to encompass broad swaths of history in their analysis, and in so doing, may overlook abuses of hospitality.

These oversights are particularly relevant to the study of American immigration history and immigration history in other settler-colonial nations. Canonical texts that focus on immigration to the United States often begin in 1882 (Daniels, 2004), a temporal focus that inadvertently neglects to acknowledge the history of the territories of the United States predating European colonization. Immigration scholars who examine settler-colonial nations' histories post-colonization thus continue to draw from assimilation theory to explain the integration of newcomers into the already established settler-colonial state. This pattern is not only typical of the United States, but common across other settler-colonial countries. For example, historical accounts of Canadian history begin with European colonization (Kelly and Trebilcock, 1998) with little regard for the expropriation and displacement of First Nations peoples who had established self-governing societies with their own languages, traditions and spiritual beliefs, alongside a deep-seated belonging to the territories they inhabited (Wilson & Peters, 2005; Harris, 2011; Kornelsen, Kotaska, Waterfall, Willie & Wilson, 2010). The study of Israeli history until recently centered on discussions that began with the arrival of settler immigrants to the British-Mandate. Even texts that examined modes of Jewish "settlement" of Palestine failed to mention the existence of an indigenous people in the region (Katz, 1988). In fact, as Idith Zertal reflected in her book *Israel's Holocaust and the Politics of Nationhood*, Israel continues to perceive itself as a victim of "people who are living in untenable conditions under [its] military occupation" (Zertal, 2002, 2014). These examples demonstrate a marked trend of erasing and overlooking displaced communities in the immigration histories of settler-

colonial nation-states. Nevertheless, the “creation” of settler-colonial nation-states in the Westphalian system, and the subsequent development of a sense of belonging for the populations residing therein, inevitably involves not only the voluntary migration to and between territories, but also the forcible displacement of indigenous peoples inhabiting territory (Ahmed et al., 2003: 1-3). They also implicate the importation of forced laborers needed to fuel the development of “new” worlds.

As such, while American immigration scholarship emphasizes that the “Great Migration” between 1630 and 1780 of an estimated 501,000 Europeans to the original United States was a pivotal migration for the nation’s establishment, these accounts often fail to consider the forcible displacement of indigenous peoples and African communities as foundational to this migration. A key indicator of this oversight lies in the portrayal of resident communities as “Native Americans,” suggesting that their study only began once the geographical establishment of “America” was secured. This enabled the retro-active assessment of the indigenous communities inhabiting this territory as “Native Americans” rather than through the use of their own self-ascribed tribal and other identities. African-American communities are addressed in the same fashion, suggesting that their history had only been adequately acknowledged once it could securely be portrayed as a history of African-American imports rather than African communities. By contextualizing the study of immigration hospitality within this dissertation with an acknowledgement of the forced migration of these two communities, I aim to reckon with the history of American hospitality more critically.

The study of U.S. immigration hospitality can thus profit by first considering the legacy of Native American genocide and cultural erasure, as well as the forced

displacement and multiple internal migrations of Native American populations as they were relocated within the territory of the United States. It can similarly profit by considering the experience of forced migration among African slaves. Both groups raise important questions about the resonance and validity of the claim of America as a nation of immigrants.

Colonization of the “New World”

As a settler-colony, the immigrant history of the United States is an inevitable part of the nation’s formation (Daniels, 2016). As North America relied on the influx of primarily European settler-immigrants to populate the “New World,” immigration was emphasized by the colonial powers as a critical component of the development of the region that would become the United States. As such, the relatively young region witnessed a high level of immigration during the 18th and 19th centuries, as 55-60 million Europeans sailed from the “Old World” to the North American Continent (Akenson, 2011: 5) in a historical period now referred to as the “Great Transatlantic Migration.”

Encouraging immigration and naturalization was one of the founding tenants of the Declaration of Independence and the foundation of the American nation. Thomas Jefferson listed immigration restrictions by England among the grievances of the American colonies against British colonial rule, lamenting that King George limited immigration to the United States and the naturalization of its newcomers, saying:

He has endeavoured to prevent the population of these States; for that purpose, obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

(Declaration of Independence, July 4, 1776)

This meant that the earliest European settlers and immigrants arriving in the United States encountered a high level of immigration hospitality even if it came at the expense of the native population. Firstly, European immigrants arriving during the colonial eras were instantaneously recognized as imperial subjects upon arrival, granted equal rights and responsibilities as the native population. This is telling given the significance of this period to painting an image of the United States as one of high immigration hospitality that would endure far longer than the policies of this time.

Against the background of very little regulatory response to control or limit the influx of immigrants, immigration rose to historic levels, earning the country a reputation as a “nation of immigrants” (Zolberg, 2006: 4). During the Republic’s early history, an exceptionally high number of immigrants arrived in the country. Between 1820 and 1860 amidst the “near-absence of federal legislation” on immigration (Zolberg, 2006: 3), 5 million immigrants settled in the United States. The number rose to 13.5 million between 1860 and 1890 – making one in every seven US citizens foreign-born. This trend continued into the early 20th century; an estimated 30 million people immigrated to the United States between 1836 and 1914.

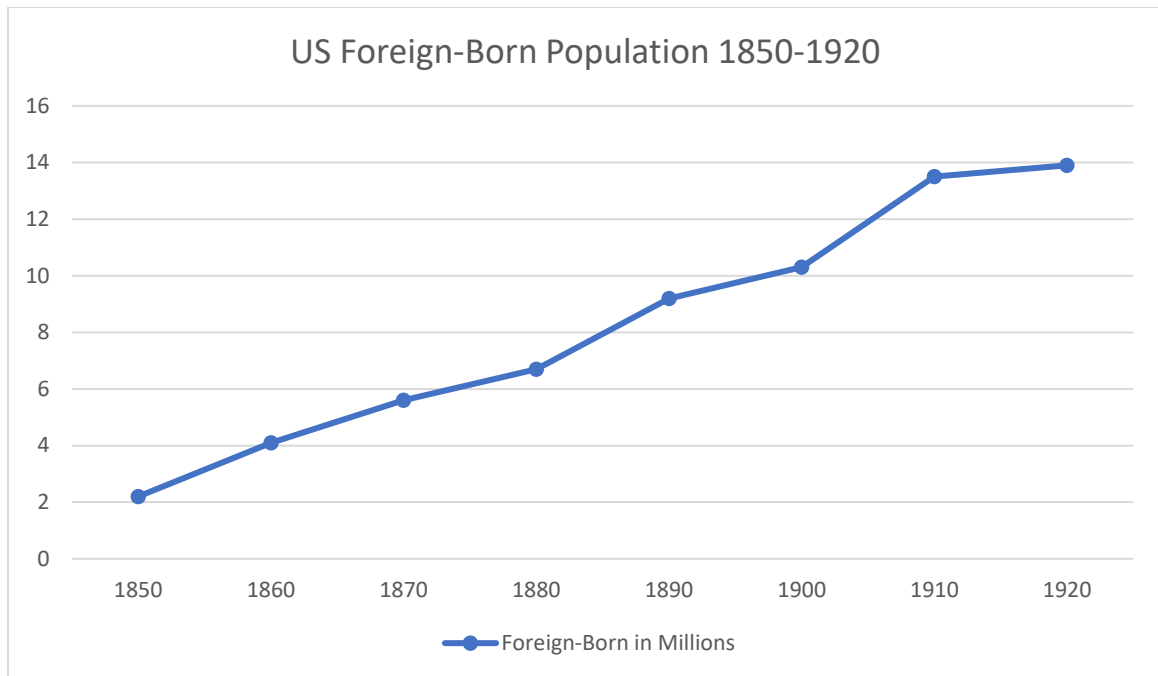


Figure 1: U.S. Foreign-born Population (in millions) U.S. Census Bureau and Pew Research Center Tabulations.

When these numbers are combined with the lack of policy, what becomes clear is that the foundation period of the Republic echoed the intentions of Thomas Jefferson in drafting the Declaration of Independence to “encourage migrations hither” (Declaration of Independence, 1776).

Scholars in the 21st century attribute this early absence of immigration policy to an effort to preserve the sovereignty of individual states or to the relatively young regulatory infrastructure available (Zolberg, 2006: 4). However, a closer examination of the evidence suggests that the absence of immigration policy was no oversight of policy-makers of the time. During this same period, the young nation imposed several regulations on immigration, revealing a regulatory willingness to legislate policy that did not curb immigration flows as well as an ability to legislate policy governing immigration. For example, the first congressional act governing immigration flows, the Steerage Act, simply

required that ships provide information regarding immigrants on board and collect demographic information for the federal government (1819 Steerage Act, 15th Cong. 2nd sess. Chap. 47; 3 stat 488). Thus, for over a century, immigrants flowed into the nation's receiving ports in Boston, Philadelphia, and New York with no barriers to their entry and a simple requirement of registering their passage to the United States.

There are on board this ship, all told, 50 persons, viz:-
 Capt Winthrop Sears, - 1st 2d & 3d mates, - Carpenter, -
 10 Able & ordinary seamen, - 8 Boys (Green hands) without regard to age
 among the latter is Conner Wood Whitney, who has shipped before
 the mast for the benefit of his eyes.
 Steward, - Stewards - assistant steward - & Cook.
 and 17 Passengers.
 The passengers are as below:-
 Revd Hitchcock & wife of Honolulu.
 David Hitchcock " do
 Edward Hitchcock " do
 Revd Baldwin & wife bound to, Lohaina, Sandwich Is.
 Revd Pierson & wife " Micronesia.
 Mrs H. M. Whitney & children, of Honolulu, S.S.
 Miss Celia P. Wright, bound to Honolulu, S.S.
 Edwin Everett " "
 Chas H. Lunt } Bound to the Sandwich Islands and
 Edward M. Brewer } elsewhere, no particular plan made
 Alfred Trafts } beyond said islands.
 Geo P. Tufts }

Figure 2: An example of a passenger list provided in accordance with the Steerage Act. Image by Nour Halabi with permission from the Massachusetts Historical Society, Log of the bark Frances Palmer, 1855 in Tufts Family Papers.

Because hospitality involves not only welcoming the stranger, but acknowledging him or her as an equal part of society, the transition of a “guest” into a citizen in immigration policy takes place through “naturalization,” the process through which the United States grants citizenship to immigrant arrivals. As such, naturalization policy holds important implications for this study of immigration hospitality. Here too, American immigration policy of the time demonstrated a high level of hospitality. Priority was granted to naturalization policy, with the centrality of immigration to the American experiment echoed in the Constitution which enshrined the need for a uniform law of

naturalization (Section 8, Article 4). As such, recognizing the importance of incentivizing potential European migrants to populate the “New World,” the Framers inscribed immigration in the Constitution (Pfander and Wardon, 2010: 367). During this period, European immigrants arrived with little regulation at the borders, as national regulations were sparse, “allowing states a large amount of discretion in regulating immigrant arrivals” (Department of Justice, 1987: 2). This in turn encouraged “the perpetuation of the high rates of immigration of the period” (*ibid*: 2).

Under these conditions, immigration rose to historic levels according to immigration historians, earning the country a reputation as a “nation of immigrants” (Zolberg, 2006: 4). As such, the origins of American immigration created an image of the United States as an “immigrant nation” possessing a high level of immigration hospitality. However, contemporary uses of the label “nation of immigrants” belie the less hospitable realities of early American immigration and obfuscate the injustices and contradictions underlying the myth of the immigrant nation. Overlooking this past has enabled statements across time that not only contradict but re-write American immigration history. Consider the example of President John F. Kennedy’s book *A Nation of Immigrants*, a laudatory account of the nation’s immigrant past from an Irish immigrant whose ancestors had endured significant discrimination for being “papists” and “bogtrotters,” individuals destined to be “undigested, and indigestible” (Handlin, 1991: 55).

In 1790, the United States Congress passed the Alien Naturalization Act that stipulated that “any alien, being a free white person” who has resided lawfully in the United States for a period of two years may be “admitted to become a citizen” (Alien

Naturalization Act, 1790). In addition, as outlined in the definition of regulatory hospitality, the enforcement of immigration policies also offered avenues to assess immigration hospitality. As such, the relative ease of the naturalization process prior to 1906, when any "court of record" (municipal, county, state, or Federal) could grant U.S. citizenship (National Archives Online, 2017), demonstrated the effort of American policy-makers to exhibit hospitality at all levels of the immigration process. This straightforward process stood in direct contrast to the complexity of immigration and naturalization processes in times of immigration restriction.

Judicial decisions also reaffirmed the right of immigrants to naturalization and citizenship. For instance, the Supreme Court decision of *United States v. Kim Ark* stipulated that:

the Fourteenth Amendment affirms the ancient and fundamental rule of citizenship by birth within the territory, in the allegiance and under the protection of the country, including all children here born of resident aliens, with the exceptions or qualifications (as old as the rule itself) of children of foreign sovereigns or their ministers, or born on foreign public ships, or of enemies within and during a hostile occupation of part of our territory.

(*United States v. Kim Ark*, 1898)

As such, hospitality extended to children born to foreign-born residents of the United States, seeing them as belonging to the nation and worthy of citizenship by birth (*Jus Soli*).

By enshrining the right to naturalization in the American Constitution, and in allowing citizenship in the Alien Naturalization Act in 1790 to “any alien, being a free white person” who had resided lawfully in the United States for a period of two years

(Alien Naturalization Act, 1790), US immigration laws thus exhibited a seemingly high degree of immigration hospitality in the early years of the nation's history.

However, the Naturalization Act of 1790 also demonstrated the exclusive nature of the welcome extended. Even as the act granted a pathway to citizenship to white immigrants, it was also used to restrict the access of numerous groups of non-white immigrants to citizenship (Daniels, 2004: 7). Thus, while US immigration hospitality is widely noted in the literature on American immigration, its history of racialized exclusion is less noted. Nowhere is this bifurcated approach to hospitality clearer than in the starkly different experiences of European immigrants and other immigrant communities.

Underside of American Hospitality: Indigenous and African Communities

The high level of immigration hospitality in the United States was not without its contradictions. Hospitality towards European migrants aiming to populate the United States was coupled with the persecution of the indigenous population referred to in the American context as Native Americans. Soon after, immigration hospitality was denied in a similar fashion to African Americans who were brought to the country during the slave trade. This section briefly outlines the contradictions that these two populations posed and illustrates the importance such contradictions have in signaling future bifurcated approaches to hospitality in American immigration environment.

Indigenous Peoples and the "New World"

As Roger Daniels observes, historians concerned with United States history "still write as if the New World before the coming of the whites had been a tabula rasa or a virgin

land for them to conquer and manipulate as they would” (2001: 5). Even historians who are aware of this bias position their histories of American immigration well after the establishment of the American nation-state and expropriation of the lands of Native Americans (Daniels, 2003). As a result, historical treatments of US immigration policy tend to reflect on the past from the perspective of the colonial assertions of European-American ownership of North America. According to this Eurocentric perspective, the Euro-American “host” community could be seen to practice hospitality towards its newcomers.

However, factoring in the dispossession and displacement of Native Americans dramatically transforms the temporal horizon of American immigration history. In this view, the settlement of North America took place around 15,000 years before the “discovery of the new world” in 1492. Indeed, archeologists estimate that Northeastern Asians crossed the Bering land bridge between Asia and America during the Ice Ages (Meltzer, 2009). A few even contend that these migrants may have arrived some 150,000-200,000 years earlier (Carter, 1952; Irving et al., 1986). Whether this migration occurred 30,000 or 150,000 years earlier, these facts historically transform notions of the first migration to the North American continent, making Native Americans the first immigrants in the region, long before Europeans’ arrival. This also places indigenous communities at odds with the development of an immigration system that began with the establishment of the American nation-state.

Throughout several centuries of their inhabitation of North America and well before European contact began in the 1400s, Native Americans had established belonging to the region due to their continuous inhabitation and cultivation of the land (Reich, Patterson et al., 2012: 2). During this period, they also established distinct cultures and systems of governance in their territories.

When European migration began—fostering the sensationalized portrayals of the “Great Transatlantic Migration” that continue to forefront contemporary treatments of American immigration—it brought with it a marked degree of chaos. The period of European colonization was far from perfect. Some scholars describe it as “one of the truly freak phenomena in human history” (Akenson, 2011: 5) because it produced “the greatest single period of land theft, cultural pillage and casual genocide” in history (Akenson 2011: 6). Others have noted this period as a singular period of genocide, ecocide and colonization (Churchill, 200). By and large, however, history overlooked the persecution and dispossession of the native population produced by this migration. As a result, the racially-driven discrimination and European imperialism that heavily accompanied it largely escaped historical attention.

During this period, European settlers arriving in the United States colonized the land with little regard for the societies and cultures that inhabited, operating with a sense of superiority as well as a religiously inspired mission to spread the empire of God Westward (Daniels, 2016: 4). The first European settlers had been given divine right to the territory of North America by Pope Alexander VI in a papal bull on May 4, 1493 (Hanke,

1937: 63). Although some scholars suggest that the Pope intended to protect Native Americans, by suggesting that they be included in the populations and territory of the United States under the condition that they “were instructed, in the name of [the] Savior, [the] Lord Jesus Christ” (Hanke, 1937), others argue that the Christian papacy decimated Native American freedom and belonging to their territories (Frichner, 2010). Moreover, a series of papal bulls in the 1400s together forged the “Doctrine of Discovery” that informed the European colonization of North America, legitimizing the domination and destruction of non-Christian people in territory seized by discovery and conquest (Miller, 2010).

The Doctrine of Discovery, alongside an overall legitimization of the conquest of the Americas under the pretense of spreading the word of God, emboldened colonists to perform great injustices and crimes against Native American populations, displacing and killing native populations (Stannard, 1993). The children of Native Americans were sent to residential missionary schools, and their culture and religion were curtailed as “primitive” practices (Hanke, 1937). Before European contact, and before epidemics decimated indigenous populations, North America’s indigenous population was estimated to be at “two to five million” (Borah and Cook, 1963). After European contact, Native Americans who had “swam out” to welcome European settlers and shared their corn and agricultural knowledge with them at first (Stannard, 1993: 52) suffered from a series of genocidal campaigns in which colonizers would slaughter thousands at a time (Stannard, 1993: 70). One Dominican friar recounted the brutality in which Native American women and children were treated, saying that when “Christians encountered an Indian woman who was carrying in her arms a child at suck [...] they tore the child from the mother’s arms

and flung it still living to the dog who proceeded to devour it before the mother's eyes" (Casas, 2007: 16). Tales of the brutal rape, murder, mutilation, enslavement and torture of Native Americans litter historical accounts of the early periods of American history, while noting that Native Americans extended hospitality to European soldiers shortly before these massacres occurred (Stannard, 1993: 66). After the establishment of the Republic, Native Americans continued to suffer from repeated campaigns of displacement, severing the relationship of Native Americans to their lands, and stifling the cultural identity of indigenous communities.

This history complicates notions of American hospitality by revealing its contradictions in the nation's earliest period. It also foreshadows the contradictions of American hospitality to come. Because hospitality entails a relationship between a host community, which has established a belonging in a territory or home due to historical and ongoing inhabitation and cultivation of the land, and a guest, whose arrival and settlement is contingent upon the hospitality of the host, the case of Native Americans upsets both sides of the relationship. Analyzing immigration and immigration policy without including the colonial history as a starting point, a practice termed "decolonization" in indigenous studies across the world, prevents the nuanced picture that contradicts that of the white American of European origin welcoming immigrants to the United States.

To this day, indigenous peoples continue to identify one another by acknowledging a belonging to the territory that predates the arrival of European colonizers. In the view of Cree lawyer and indigenous land rights activist Sharon Venne, indigenous people "are the

descendants of the peoples occupying a territory when the colonizers arrived” (1999: 88). This introduces a distinction between a “nation” that belongs to a land, whose language, legal system and culture are indigenous to a territory, and a colonizer, whose language, culture and legal system are being imported from the center of the colonizing empire, their nation of origin (Venne, 2012). It also complicates the identity of the “guest” and “host,” by suggesting that the risk to the host community within the context of settler-colonialism involves a different set of power dynamics than that generally assumed.

It is important to note that the territorial belonging of indigenous peoples is recognized within the international legal system and human rights framework. For instance, in the midst of contentious debates regarding rights to natural resources and land in Canada, the Office of the High Commissioner for Human Rights acknowledged that “Indigenous or aboriginal peoples are so-called because they were living on their lands before settlers came from elsewhere [...] through conquest, occupation, settlement or other means” (UNHCR, 2002). It is telling as well that the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the United Nations General Assembly in 2007, by an overwhelming majority of 144 states in favor and only 4 votes against. The four countries that opposed the declaration were all settler-colonial states: Australia, Canada, New Zealand and the United States (UNDESA, 2008).

The definition of indigenous populations helps complicate productively the framework of hospitality used in this dissertation. Indigenous communities are identified as:

peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories or parts of them.

(Jose Martinez Cobo, 1986)

This definition regards the position of Native Americans as an Other and host at once, relegated by a particular form of colonizing migration to the position of the hostage within the host/guest relationship. Although the Native American population was not a “guest” population, but rather the legitimate “host” community, its treatment by incoming settlers and its oppression by the nation-state that continues to rule over indigenous descendants demonstrate the delicate balance struck in relationships of hospitality, between the behavior of the host in acknowledging and welcoming the guest, and the behavior of the guest in graciously accepting the welcome of the host and not imposing on his or her hospitality. Indeed, as in ancient Greek mythology, the tradition of *xenia* or hospitality may be infringed by either party, host or guest, although the former is observed more often. Thus, in the context of settler-colonialism, the guest-host relationship transforms into one of guest-hostage, in which the host community is threatened, and its freedom, security and future are at risk because its belonging contests the efforts of the settler colonist to colonize the territory.

The treatment of Native Americans thereby symbolizes a different relationship between a host and a guest community than a simple one of hospitality extended by the host. Here, the relationship between newcomers and the settled indigenous populations represents one of conquest and colonization rather than assimilation or integration. This is due to the fact that, as a settler-society, the United States perceived Native American

belonging to the region as a threat to its assumed ownership of the continent. In response, colonizers implemented a process of “elimination” (Wolfe, 2006: 387) because “indigenous people obstructed settlers’ access to land.” (*ibid*, 368). Meanwhile, the United States actively sought to displace Native American populations and expropriate them of their land through treaties or in battle, a practice it deemed necessary to assert ownership over the territory that would allow the practice of hospitality towards newcomers.

Thus, as a settler-colonial model of immigration, the colonization of the United States represents a relationship of hospitality in which the guest encroaches on the host’s hospitality, taking the host hostage and enslaving and killing the host community in order to displace it. Similar to accounts of abuses of hospitality in Greek mythology, such as Odysseus’ murder of the Cyclops while he was a guest, or Paris’ abduction of the Helen of Sparta while he was Agamemnon’s guest, these examples of the abuse of hospitality in the literature all foreshadow a rupture of the ideals of hospitality, as limited to a guest-host connection.

The acknowledgement of Native Americans is central to establishing more inclusive policies of hospitality to all individuals living in a territory. Recently, in Canada for example, a growing narrative surrounding First Nations peoples and immigration policy stressed that all individuals are immigrants unless they are of native origins (Barker, 2009). This primary retweaking of immigration hospitality places European settler-colonists and more recent waves of immigrants on equal footing as immigrants, illustrating the complications that acknowledging indigenous history presents for immigration hospitality

in the United States. It also raises fundamental ethical questions regarding the value of immigration hospitality when certain groups continue to be excluded from it and when it comes at the expense of the oppression of native populations.

Slave Trade and Immigration

At the same time that millions of blacks were being transported across the Atlantic into slavery, millions of whites were migrating from Europe to America in search of greater independence in religion, work, and politics. The Atlantic frontier offered opportunity for whites only.

(Rawley and Behrendt, 2005)

The paradox of the Native American population would be accompanied by a different contradiction in US immigration hospitality: the slave trade. The early open-immigration policies of the United States, enjoyed exclusively by white immigrants, occurred against the background of enslaved African migrants brought to the United States aboard ships during the transatlantic slave trade that lasted for approximately four centuries from the 1480s until the 1800s (Deveau, 1997: 49).

Unlike white immigrants who could voluntarily migrate to the United States to be greeted with low barriers to arrival, a pathway to full citizenship and equal treatment, Africans were forcibly transferred to the United States, representing the first foray of the United States in international forced migration. While Native Americans represented the first domestic forced migrants, internally displaced within the United States, African Americans constituted their “imported” parallel. When viewed against the background of the nation’s welcoming of white immigrants, the slave trade revealed the extent of racialization that characterized US immigration policies. It highlighted the degree to which

the immigration hospitality exhibited by the nation's policies did not extend to non-white immigrants.

During the slave trade, immigration policy regulating the transfer of African slaves into the United States was mainly concerned with the registration of slaves, their physical features and identifying characteristics for the purposes of recording their presence in the United States. All vessels were required to produce a record of all individuals aboard any ship upon arriving in the United States as part of the Passenger Act which regulated immigration in general (1847 Passenger Act Session II, Chapter 16: 127)².

These records have since been used to produce systematic estimates of the slave trade by Curtin, Eltis, and others (Curtin, 1969; Eltis, 2010), who estimate the Western Hemisphere's importation of enslaved Africans as about 9.5 million, of which the United States is estimated to have received about 4% (Rawley and Behrendt, 2005). Since the arrival of the first slave ship in 1619, hundreds of thousands of African slaves were brought to the United States. By 1775, "500,000 of the thirteen colonies' 2.5 million inhabitants were slaves" (Baptist, 2014: 4).

² The Passenger Act (1847) provided more detailed regulation of incoming immigration, including a tax of ten dollars levied per passenger. Most importantly, however, the act was the first to acknowledge the African slave trade and to make specific requirements regarding the transportation of slaves into the United States. The Passenger Act followed the Steerage Act and allowed regulators to include the slave trade within immigration regulations

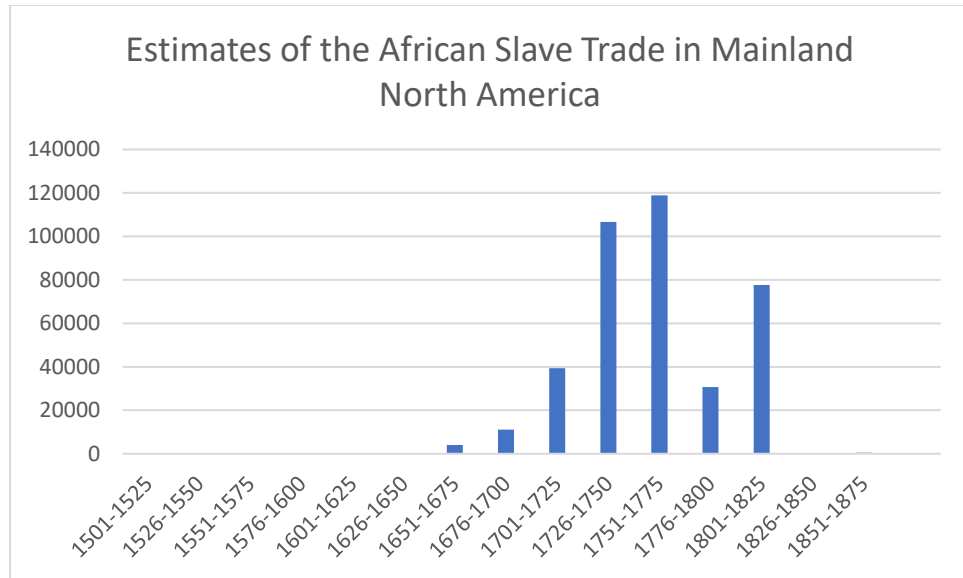


Figure 3: Trans-Atlantic Slave Trade Database Estimated African Slave Trade Figures

The hundreds of thousands of African forced migrants brought to the United States were deprived of all rights extended to white immigrant arrivals. They were considered property that could be sold or transported according to a master's wishes (Morgan, 1975). They could be whipped and coerced into labor, their children also considered slaves and sold into slavery. Women were often sexually assaulted or raped, while other slaves were helpless to protect them (Brown, 1855: 17). They were often deprived of sleep in order to enhance their productivity, with slaveholders harnessing the potential of the newly-discovered clock to monitor and enhance the productivity of their slaves (Smith, 1997).

The forced migration of African slaves did not end with their arrival in the United States, for slaves were often transported like chattel, or forced to march in shackles for hundreds of miles towards south or west, exploited for their use in other pursuits. The tragic

impact of these repeated forced migrations on African slaves' families, observed in the diaries and accounts of slaves and then-recently freepeople, has been collected in academic research. These accounts detail how slaves often begged to no avail to be sold with their husbands or parents and grandparents (Fedric, 1853), while familial ties often served as a reason to exploit slaves further (Baptist, 2014: 13). In fact, the separation of slaves from their brothers, sisters, parents and spouses was essential to make them more marketable (Mitchell, 2008: 147).

The African arrivals in the United States represent a complicating lens through which to view hospitality. While they were not welcomed, they were nevertheless actively brought to the continent, as slaves and laborers rather than equal participants in building the nation. Indeed, African slaves did not encounter barriers to their entry into the United States, as they were forcibly transported to fuel the development of the nation. At the same time, the 1790 Naturalization Act explicitly barred African immigrants from equal rights and citizenship in the new nation, denied the possibility of integrating into the new nation. Moreover, the numbers of African slaves were in fact used against the interests of these communities. The Three-Fifths Compromise agreed by Congress in the 1787 convention ensured that although African slaves were deprived of their rights and were barred from voting, their numbers counted as three-fifths of the white population in slaveholder states, a fact which increased the political clout of the latter towards sustaining and furthering the slave trade (Pope and Treier, 2011: 293).

Thus, although African forced migrants could have assumed the position of “guests” in the theoretical framework of hospitality, these immigrants were not extended the courtesies offered to guests. Not only was the guest in this relationship not extended the same access to food, shelter and opportunity as his European counterpart, but this guest was also robbed of his or her freedom, transforming the dynamic of the guest-host relationship to that of a host and hostage in which the guest was being kept as security or guarantee rather than being offered hospitality freely and without gain. Thus, much like that the position of Native Americans vis-à-vis European colonizers, African Americans were forcibly positioned as hostages rather than guests in the host-guest relationship of hospitality. This was accomplished in this case not by conquest, as with Native Americans, but by forced migration and enslavement. Thus, the relationship of guest-host in the case of the slave trade was one of host and hostage.

Slaves were instrumental to maintaining the industrialization and development of the American economy. As a result, European Americans of that period installed the one-drop rule that would ensure that slave-hostages would multiply, and that their children, borne of the colonizer or of other slaves, would continue to occupy an inferior position to whites in later decades (Sweet, 2005: 176). Hospitality and hostage are distinct because while they both require welcoming a foreigner to the territory of the nation, they differ in the conditions of the movement and life of the foreigner once he or she arrives. In the case of the hostage, hospitality is not truly achieved because the foreigner is forced to abdicate his or her freedom. Meanwhile, the policies that allow the registration of slaves and their

characteristics entail “keeping watch” on the body of the slave as security and guarantee of his or her fulfillment of the “work” as the condition of their existence on national territory.

While the slave trade and policies regarding native populations may seem to entail rupturing the record of immigration hospitality of US early history, they instead point to previously overlooked factors motivating US immigration hospitality, including the importance that space and place played in the dynamics of American hospitality. They also illustrate how American hospitality often discriminated against non-European “Others” and placed them in hostage positions rather than as hosts or guests in the host-guest relationship.

Structure of Dissertation

Although the cases of the Native American and African American communities fall beyond the scope of the case studies examined in this dissertation, an understanding of the dynamics of the internal and international migration of Native Americans and African Americans is crucial to more critically considering the myth of the United States as a nation of immigrants. Both circumstances demonstrate the exclusionary and racially discriminatory nature of U.S. immigration hospitality from its earliest recorded history.

Thus, in critically re-examining the genesis of American immigration hospitality, two things become clear: First, race from the beginning constituted a crucial determining factor for American immigration hospitality. Second, overlooking particular groups of migrants—Native Americans as internally displaced migrants, African slaves as forced

migrants from abroad—has perpetuated a false image of the United States as a hospitable nation and allowed for the birth and sustenance of the image of the “immigrant nation.”

Hospitality is to allow “passage to the other, the wholly other” (Derrida, 1999: 80), an approach that does not reflect the exclusionary policies of US immigration. To extend a welcome exclusively to European immigrants, particularly white Protestant Europeans, while displacing indigenous people from their land or actively importing African slave labor as forced migrants, represented an immigration regime that did not practice immigration hospitality towards the “Other.”

The contrasting treatment of three different groups during the colonization of the territory of the United States—the high level of immigration hospitality shown towards white European settlers; the expropriation, displacement and extermination of Native Americans; and the gross mistreatment of Africans transported to the United States during the African slave trade—demonstrates a more complex vision of US immigration hospitality than has been assumed. It also suggests a variety of relationships by which to interrogate what hospitality has meant in the US context over time. Because existing studies of immigration policy and discourse often contribute to the perpetuation of the myth of American hospitality by not including the widely divergent treatment given to either Native Americans or African Americans, their inclusion provides a pertinent contextualization that illustrates the bifurcated and racialized nature of U.S. immigration hospitality, even if they are not the central focus of the case studies of this dissertation. Their treatment sets the precedent for the enactment of discriminatory policies targeting

other communities in later periods of history, and it confronts the long-held belief in the United States as a nation of immigrants and as a nation welcoming towards immigrants with the contradictions of American hospitality during its peaks and its nadirs. These forgotten histories have the capacity to inform more sensitive accounts of immigration that are particularly crucial to a discussion of hospitality as an ethical concept that may be practiced in the regulatory and media environments. If we are to examine the myth of the United States as a nation of immigrants, it is critical to establish the foundations upon which this myth was established, before analyzing how it was sustained and contradicted.

These considerations thereby drive the analysis of the three historical periods that are the focus of this dissertation. It suggests a framework through which to understand how the United States has, from its earliest history, sustained a bifurcated environment for immigration hospitality that extended exclusively to white (predominantly Protestant) Northern European immigrants, while excluding ethnic, religious, and racial categories that were deemed “Other.” This more complicated approach to immigration hospitality can help us understand how over time Chinese Americans, Southern and Eastern Europeans, and Muslim immigrants came to be excluded from the welcome of the “nation of immigrants.”

The dissertation analyzes regulatory hospitality by including all “acts, treaties and conventions that relate to the immigration, exclusion, or expulsion of aliens” (Act to Limit the Immigration of Aliens into the United States, 1921). It also considers executive actions signed by the administrative branch which affect the lives of immigrants arriving and living

in the United States. It integrates these contemporary policies and decisions with constitutionally-based rights inscribed in the foundational text of the nation and interpreted periodically by the judicial branch, particularly in Supreme Court decisions. Finally, it integrates the analysis of national regulations with international conventions such as the Geneva Convention and the Geneva Protocol that require member states to adhere to a level of immigration hospitality.

To provide an analysis of media hospitality, this project traces the dominant media narratives surrounding immigration during three periods of US immigration that follow the widely-celebrated open-immigration of the post-Independence era: the exclusionist policies of the late 19th century, the nativist period of the early 20th century, and the restrictive policies of the post-9/11 context. It examines this coverage in the main media organs of each period against the dominant media narrative of the United States as a “nation of immigrants.” During each period of immigration restriction, immigrants, community organizations, and individual policymakers voiced opposition in the media throughout the policymaking process. As such, this dissertation incorporates examples of alternative and immigrant press during each period to reflect upon the resistance to regulatory policies, the arguments resisters used, and the resonance/impact of their dissent.

Together, the applications of regulatory and media hospitality at the macro-level of the public realm, rather than in individual interactions, are critical to the experience of immigrants as they integrate into an adopted home. As Derrida argued, and Silverstone agreed, there can be no hospitality without a home (Silverstone, 2006: 142). In turn, I argue

that extending hospitality in conditions of immigration may allow for the cultivation of a sense of being at home for immigrants, an ideal that allows a safer, more productive inclusion of the immigrant “other” into the self.

This project builds on an analysis of the actions of the executive, legislative and judiciary branches towards immigration and of the treatment of immigration in the media during three periods of US national history, chosen for their ability to reflect different discriminatory contours that American immigration hospitality assumed in response to the increased arrival of certain immigrant groups over time: In Chapter Two, I examine the passage of the Chinese Exclusion Act in 1882, designed to limit Asian immigration into the United States (Congress 1882, Session 1, Chapter 126). In Chapter Three, I examine the 1920s passage of the National Origins Quotas, that regulated immigration according to country of origin and had particular effect on immigrants of Southern and Eastern European origin (Act to Limit the Immigration of Aliens into the United States, 1921). Chapter Four analyzes policies toward immigrants from Muslim-majority countries post-9/11, with particular emphasis on the Patriot Act. In the conclusion, I reflect upon the contemporary context of quasi-closure of US immigration policy (2000s – 2010s), leading up to the Muslim Travel Ban of 2017 and 2018 and its public repudiation. In sum, I demonstrate how the myth of the “nation of immigrants” diverges from the history of the nation, yet it remains a promising avenue for inspiring future immigration reform.

CHAPTER TWO

Period of Exclusion: Chinese Exclusion Act (1880s)

By the time the United States reached its first centennial, the circumstances surrounding Native American and African American populations seemed distant. In 1865, the abolishment of slavery aimed to circumvent the ramifications of the slave trade, while the plight of Native Americans receded into the nation's background. But as national growth and the need for a rising labor force began to assert their influence, the familiar terrain of immigration hospitality increased in relevance.

1880s in Context

Not long after the passage of the 13th amendment abolishing slavery in 1865, the United States began to experience a rise in immigration replacing slave labor, with the most noticeable wave of these migrations that of Chinese immigrants in the 1870s and 1880s. During this period, Chinese immigration increased suddenly, rising from only eleven Chinese immigrants arriving between 1820 and 1840 to 300,000 Chinese immigrants arriving in the following three decades between the 1850s and 1880s (Zinzius, 2005: 9). In fact, until the mid-19th century, Chinese immigration to the United States represented a negligible proportion of the Chinese exodus to other places such as the Philippines, Vietnam, Thailand, Malaysia, Indonesia and South America (Mangiafico, 1988: 11), a pattern that would change dramatically as Chinese immigrants arrived in the U.S. hoping to pursue the lure of the Gold Rush, work in the nation's successful mining industry and

find jobs with the Pacific Railroad Company in California, and finally work in farming, tobacco and other industries (Coolidge, 1909: 16). By 1870, the national census tallied 49,310 Chinese immigrants in California, making up roughly 8.5% of the state's population (Gyory, 1998: 7).

Chinese immigrants arrived at a turning point in American history, as the nation grappled with the new realities of a post-slavery society and economy, and a re-established racial hierarchy between white immigrants and freed slaves (Okihiro and Jung, 2014: 34). Arriving to "serve the master-class" of white immigrants, Chinese and newly freed slaves shared a subordinate position vis-à-vis whites, and thus "yellow [was] a shade of black, and black, a shade of yellow" (Okihiro and Jung, 2014: 34). Within this context, as the first study of Chinese immigration to the United States published in 1909 by sociologist Mary Roberts Coolidge pointed out, the arriving Chinese were welcomed at first (Coolidge, 1909: 17), regarded as a useful working force to support the rapid industrialization and development of Southern states following the Civil War. Expected to work in garment factories, in constructing railroads, and in mining (Zinzius, 2005: 11), they were especially welcomed by employers interested in finding cheap labor to replace the dependence on black workers. Isaacs confirms this view, naming the period until 1840 the Age of Respect, when American attitudes towards the Chinese were positive (Isaacs, 1994: 71). Moreover, the adaptability of Chinese workers to the shifting labor needs of the rapidly industrializing young nation placed "them among the most worthy groups of immigrants" to have immigrated to the United States (Coolidge, 1909: 15). As such, Chinese immigrants flocked towards each sector of the American economy that required labor at the time, from

mining during the Gold Rush, to railroad construction and farming, and finally to the growing industries of shoes, cigars and other consumer goods.

The early positive reception toward Chinese immigrants changed in character by the late 1870s and 1880s, particularly in the Pacific Coast. This was due to the fact that incoming Chinese immigrants were spread unevenly across the territory of the United States, concentrated more densely in the Pacific States on the West Coast. Census data illustrates this pattern clearly, for while the Chinese represented a mere .002% of the population across the Continental United States in 1880, they represented 10% of the population of California. This pattern was compounded by the concentration of Chinese immigrants across and within cities. In California, Chinese immigrants comprised 35.7% of the San Franciscan population by 1890 (Zinzius, 2005: 15), most of whom resided across a few blocks of San Francisco's Chinatown. Thus, as Chinese immigration grew, San Francisco's Chinatown expanded from housing 2,719 inhabitants in 1860 to 21,745 in 1880, according to official records (U.S. Bureau of Census, 1880).

The concentration of Chinese immigrants on the West Coast had serious consequences for their reception. In their study of Chinese migration to the West, Fong and Markham observed that as minority populations in general began to represent a large proportion of a local population, they were more likely to be perceived as a threat by the residing ethnic majority. This is due to the increased visibility afforded by larger numbers as well as the perceived increased ability of the minority to organize for resources (Fong and Markham, 1991: 472). Thus, western states became the fomenting ground of a

significant anti-Chinese movement, articulated by policymakers and the press alike, which thereafter spread throughout the United States.

In this chapter, I examine the immigration policy negotiated and legislated during the 1880s with the passage of the Chinese Exclusion Act, and thereafter in the decades of restrictive policy and the regular renewals of the Exclusion Act in the decades that followed. At the same time, I contrast the restrictive immigration policies with two trends in the American press of this period: the negative coverage of Chinese immigration and of Chinese people, as well as the overall consolidation of a myth of a nation of immigrants bolstered by the construction of the Statue of Liberty. Finally, I consider the ways in which Chinese immigrants cultivated a sense of feeling at home under the conditions of the Exclusion Act. Throughout this analysis, I demonstrate how the myth of welcome immigration persevered in the face of growing immigration restriction, and how efforts to strengthen it in times of great injustice to immigrants succeeded at obscuring aspects of immigration restriction.

It is important to note that the arrival of Chinese immigrants in the United States came amidst the emergence of several movements that promised to exacerbate tensions between the incoming migrants and the wider American public. Against the background of many cultural movements of the time, Chinese immigration became a highly contested topic, debated among politicians, editorialists and the public, and workers and labor unions.

Chinese immigrants entered the American public consciousness at a time when the nation was negotiating its identity following the abolishment of slavery (Miller, 1969: 15), the conclusion of the Reconstruction period following the Civil War, and the redefinition

of American citizenship necessitated by these changes. Just at the time that the United States abolished slave labor, industrialists and farmers turned to Chinese immigrants as a cheap labor source that would continue to sustain an economy modeled on the expropriation and land theft of indigenous communities on the one hand (Acuña, 2012) and the enslavement of African immigrants on the other (Genovese, 1959, p. 180). These historical moments are essential to understanding the significance of the exclusion movement as part of a continuum of US immigration hospitality towards white immigrants, and hostility towards racial others of Native American, African, or Asian origins.

The rise of the labor movement in the West Coast had serious implications for the Chinese immigrants residing in the area. This was due to the fact that the increasing concentration of the Chinese population on the West Coast heightened the competition between white and Chinese workers in the labor market (Fong and Markham, 2002: 185). In response, white workers organized to combat Chinese labor competition, often driving Chinese minorities out of their jobs or homes (Minnick, 1988). Gradually, the informal organization of white workers into anti-coolie clubs and bands offered opportunities for labor organizations to gather members by appealing to anti-Chinese sentiment. As such, trade unionism became the primary advocacy network of anti-Chinese sentiment within and beyond the West (Mink and Baum, 2009: 150). Labor unions even devised labels to certify products produced by native labor, thus combining nativism and trade unionism (Baum and Harris, 2009: 150). These unions encouraged workers to intimidate Chinese workers so as to push them out of industries where they were argued to have “crowded out” local workers.

Chinese immigrants were also impacted by the fact that the nation was grappling with the aftermath of the abolition of slavery and the start of yet another great migration of freed slaves who had fled persecution and discrimination in the South by heading to Northern cities and towns. With the close of the Civil War, throughout the Reconstruction period that followed and for around a century thereafter, tensions between white and black, free and slave continued to play out in society (Berlin, 1998: 7). Particularly in the wake of the re-organization of industries and the mechanization of production during this period (Hitomi, 1994: 122), white labor struggled to compete with the recently freed slave labor migrating from the South alongside incoming international immigration, a factor that would greatly influence the dynamics of the movement for Chinese immigration exclusion.

Additionally, the arrival of a new wave of immigration that included Russian Jews, Catholics, Italians and to a lesser extent Chinese, Portuguese, Polish and other immigrants shifted the demographic, religious and ethnic makeup of the country in unprecedented ways, threatening a resistance to change which would rear its head in discussions of the Chinese exclusion movement that ensued in the 1880s.

Regulatory Hospitality

Amidst an environment of post-Civil War cultural shifts and labor mobilization, the House Committee on Education and Labor put forward a report issued on January 26, 1882, that addressed Chinese immigration to the United States. Noting that both political parties had passed resolutions condemning Chinese immigration but suggesting that further action be taken to restrict it, it stressed that “the Chinese have no desire to assimilate with our

people and have been and always will be a distinct race” (“A Report Adverse to Chinese Immigration,” January 27, 1882). Over the course of eight weeks, congressmen and journalists debated respectively inside the nation’s chambers and in the press on the constitutionality, feasibility, and morality of restrictions on Chinese immigration. During this time, *The New York Times* published the arguments made in defense of Chinese immigration as well as the drafting of legislation banning it. In this section, I consider both the congressional records of proceedings on the House and Senate floors and the political speeches published by *The New York Times* about the eight-week long debates. Discussions surrounding immigration emblemized themes and ideological arguments that would continue to struggle for dominance in the U.S. immigration policy and discourses of later periods.

Chinese Exclusion Act Debates

At the center of the debates on Chinese immigration lay a proposal to exclude Chinese immigrants from arriving and settling in the United States. On one side of these debates was a diverse group of what came to be known as exclusionists who straddled both sides of the American political spectrum: Democratic and Republican. This heterogenous group included Conservative Democrats who stressed that Americans were Caucasian with ancestors of European descent. The Democratic exclusionists instrumentally employed interpretations of the nation’s Constitution and Declaration of Independence to justify the protection of the interests of white citizens. Resurrecting debates surrounding the intentions of the Framers of the Constitution, they argued that the Constitution was established by

“white men” to secure the blessings of liberty for posterity (“Negro & Chinaman,” March 9, 1882). In addition, they argued that the Declaration of Independence “was made by a people for themselves and not for anybody else. It did not contemplate that all races should indiscriminately swarm into this country but rather the exercise of criticism as to the fitness of all immigrants to share this privilege” (Metrick-Chen, 2012: 152).

The issues of Chinese immigration and African-American enfranchisement were thus often discussed in conjunction with each other in the American press as well as the political arena. This was due to the concern on the part of politicians over the eventual pathway that Chinese immigrants might one day demand a pathway to citizenship and voting rights as African Americans had done before them. As such, even as Democratic exclusionists reluctantly acknowledged African Americans as citizens (Metrick-Chen, 2012: 157), seeing the involuntary nature of African-American immigrant arrival in the United States as well as the exploitation of African-American immigrants as extraordinary circumstances that justify the exceptional citizenship of African-Americans, the enfranchisement of African Americans only invigorated opposition to Chinese immigration.

Slavery and Chinese immigration would also come to be connected in the 1880s as a result of the reconsideration of the nation’s naturalization and citizenship laws during emancipation. Since 1790, the Naturalization Act reserved naturalization and citizenship for “free white persons” (Naturalization Act, 1790). This stipulation, that restricted slaves from being naturalized, also rendered immigrants from other racial groups ineligible for citizenship (Kerber, 1997: 840). As such, in granting citizenship to freed slaves,

emancipation ended almost a century of the uncontested entitlement of white immigrants to citizenship and in so doing paved the way for Chinese citizens to potentially become eligible for citizenship in time.

Of course, there is one connection between the issues of slavery and Chinese immigration that continues to elude historians and political economists alike, and that is that the political economy of the United States hinged on a steady supply of cheap labor to support agriculture and manufacturing. Satisfied in earlier eras by slave labor, and subsequently by immigrant labor following the abolition of slavery, this dependence continued to motivate a strong anti-immigrant sentiment in native workers, directing their frustrations towards immigrants without confronting the realities of an economic system that would depress wages and working conditions by any means at its disposal.

Moreover, the utilization of emancipation as an example of the threats of incoming immigrants demanding citizenship and voting rights allowed Democratic exclusionists to publicly worry about the implications of admitting Chinese immigrants in the context of the then-recent enfranchisement of African-American immigrants. They voiced concerns that Chinese immigration would someday force the discussion of Chinese naturalization and enfranchisement. This tension was evident in the exclusion debates of the time. One debate among politicians, titled “Negro and the Chinaman,” played out in *The New York Times* in 1882 as a conversation about the “settled problem of negro citizenship and the unsettled problem of Chinese immigration” (“Negro and Chinaman,” March 9, 1882). Democratic politicians remained concerned that Chinese immigrants would one day be at the center of a renewed debate surrounding citizenship and enfranchisement.

Ironically, the exclusionist movement also found resonance in the Republican party which had only recently been instrumental in abolishing slavery. Anti-slavery Republican politicians argued for Chinese exclusion because Chinese immigration constituted a novel means of importing slave labor that arrived under the “guise of immigration” (Congressional Record, 1882), thus undermining the aims of the abolition of slavery in the United States. These arguments were reiterated in the report of the House Committee on Education and Labor, which said of the Chinese immigrants that “their coming here was not voluntary and many are detained until their contract expires” (“A Report Adverse to Chinese Immigration,” January 27, 1882). The Republican party platforms of the 1880s thus called for the restriction of Chinese immigration as a natural continuation of the party’s commitment to abolishing slave labor. In 1880, the Republican party platform considered Chinese immigration to be “a matter of grave concernment,” promising to “limit and restrict that immigration by the enactment of such just, humane and reasonable laws and treaties” (Republican Party Platform, 1880). The Republican party platform four years later reinvoked this view, stating that

Having its birth in a hatred of slave labor and a desire that all men may be truly free and equal, is unalterably opposed to placing our workingmen in competition with any form of servile labor, whether at home or abroad. In this spirit, we denounce the importation of contract labor, whether from Europe or Asia, as an offense against the spirit of American institutions; and we pledge ourselves to sustain the present law restricting Chinese

immigration, and to provide such further legislation as is necessary to carry out its purposes.

(Republican Party Platform, 1884)

This stance was strongly advocated by the American Labor Movement, which called for the exclusion of Chinese immigrants to protect workers' rights (Coolidge, 1909; Saxton, 1975; Ngai, 2014). Local labor organizations such as the Workingmen's Party in California adopted the slogan "the Chinese must go," and unions devised labels identifying union-approved products that were produced without Chinese labor (Lee, 2003, p. 26). In fact, labor leaders warned legislators, as an *Oakland Tribune* (California) article stated that "no man who is in favor of coolie immigration to the degradation of free labor can expect to receive a workingman's vote" ("A Re-action," April 20, 1882). In turn, these warnings were heeded by politicians as indicators of public opinion in the 1880 election, when both parties competed over who could "out-Chinese the other" (Gyory, 1998: 187), using racial appeals and rhetoric to win over voters in East and West, North and South.



Figure 4: Tailor Union Boycott Fliers and Label (1884). Taken from National Archives and Records Administration, Records of the U.S. Circuit Courts, Record Group 21.

Boycotts such as the one advertised in Figure 4 demonstrate the language used by organized labor in fliers and the methods used to discourage the employment of Chinese labor. In the flier, the Butte Tailors Union announced the names of “scab” tailor houses that had hired Chinese laborers, calling for the boycott of such establishments in favor of ones that displayed a label provided by the union certifying that it employed white laborers to work in “fair and sanitary conditions.” Such fliers encouraged American consumers to “patronize home industry.” Of course, the flier listed “all Chinese tailor shops” among the “scab” tailor shops.

At the national level, the American Federation of Labor argued that Chinese immigrants degraded American labor by accepting wages and living conditions that no white worker would or should tolerate (Lee, 2003: 26). Federation President Samuel

Gompers would reaffirm that view in an essay titled, “Meat vs. Rice: American Manhood vs. Chinese Coolieism, who will survive?” (Gompers, 1901). His essay, published nationally by the AFL, presented Chinese immigration as an existential threat to white workers, to be combatted to ensure the survival of American labor, institutions and values. It is worthy of note that Gompers’ presentation of the Chinese immigration issue also framed Chinese immigrants as threats to American manhood, primarily because of the threat they posed the ability of America’s male-dominant workforce to provide for their families and compete with Chinese labor in the labor market. Throughout this period, Chinese immigrants argued that racism fueled the discriminatory resistance towards Chinese labor. As the Chinese Six Companies pointed out, “up to 800,000 Europeans enter the United States per year, yet the labor unions hardly cared” (Takaki, 1994: 86).

Congressmen in both chambers debated the suitability of Chinese immigrants for American integration, often comparing assessments of their potential for assimilating to that of African-Americans. Some argued that the Chinese, unlike African-Americans who had lived in the United States for many years, are not “here to stay” and thus do not intend to assimilate to the United States (“Negro and Chinaman,” March 9, 1882). Senator George Edmunds (R-Vt.) voiced these views in his comments on Chinese immigration, stating that there was no common ground for assimilation with the Chinese immigrants. Some Congressmen dehumanized Chinese immigrants by denying them free will, arguing that although many Chinese immigrants arrived voluntarily, they were still “being imported as slaves” (41st Congress, 3rd Session, Congressional Globe 5124). Congressmen did not limit themselves to attacking the ability of Chinese immigrants to freely migrate in their

racialized rejection of Chinese immigration. Republican George Hazelton claimed that the Chinese immigrant is a “loathsome revolting monstrosity who lives in herds and sleeps like packs of dogs in kennels” (Congressional Record, 1882). George Hazelton also did not address Chinese immigrants as sentient conscious beings, preferring instead to use the pronoun “it” (Congressional Record 2210, 1882). Other congressmen went further, comparing Chinese immigrants to rats, insects, mildew, rot and cancer (Gyory, 1998: 4).

Nonetheless, there remained a strong movement against exclusionary policy, with its most notable moment and powerful expression in the speech given by Senators Platt and Hoar on the Congress floor on March 8, 1882. Senator Hoar argued that the true interpretation of the Declaration of Independence and the Constitution prohibited the “exclusion of any race from this country” (“A Vote not yet Reached on Anti-Chinese Bill,” March 9, 1882). Hoar challenged arguments to limit Chinese immigration based on the assumed irredeemable and unassimilable character of the Chinese immigrant by alluding to the fact that these arguments had been exchanged and refuted regarding African Americans (13th Congressional Record 1710, 1882). A longtime advocate of Native American and African American rights, he argued that the Exclusion Act was yet another attempt to legalize racial discrimination in U.S. policy (Daniels, 2011: 54).

What the anti-exclusionist camp could not fight, however, was the strategic importance that the exclusion of Chinese immigrants would take on in the political arena. By 1879, the makeup of Congress had shifted with the end of the Reconstruction period following the Civil War. As Republicans held a narrow majority in the Senate and Democrats held a strong 21-member majority in the House of Representatives, both parties

were eager to “pander to any strong groups that might influence the election of 1880” (Gold, 2012: 202). This would include anti-Chinese groups and labor unions opposed to Chinese immigration on the West Coast. Moreover, witnessing the significance of the anti-Chinese issue in previous California elections (Mink and Baum, 2009: 150), and eager to win the votes of Californians in presidential elections, Republican and Democratic politicians turned to anti-Chinese sentiment to appeal to voters at the national level. Opposition to the exclusion of Chinese immigrants grounded in industry and fiscal arguments dampened in the 1880s, as the improving economic conditions at the time somewhat decreased the importance of Chinese immigrants as taxpayers (Kanazawa, 2005: 786-7).

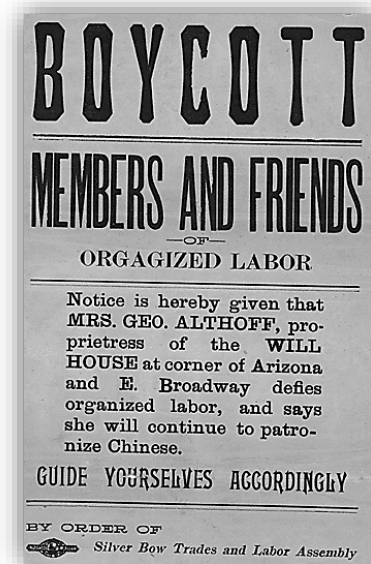


Figure 5: Union Boycott Flier (1884). National Archives and Records Administration, Record Group 21.

But employers, who were eager to sustain access to affordable labor and had lobbied against the Exclusion Act in previous decades, nonetheless bowed under the

pressure of the boycotts, attacks and strikes of white workers' organizations. These tactics are illustrated in Figure 5, where a Silver Bow Trades and Labor Assembly Union informed "members and friends" that Will House store continued to patronize Chinese workers, instructing readers to guide themselves accordingly.

Nor could anti-exclusion politicians combat the cultural factors that had brought anti-exclusion sentiment to the fore in the 1880s. Putting aside the vitriolic rhetoric espoused by exclusionist congressmen, several cultural crises equally contributed to limiting immigration hospitality during this period, foreshadowing the future of US immigration hospitality. Firstly, religion in the United States was undergoing radical change as the incoming immigration of Catholic, Jewish, and immigrants of other denominations introduced diversity to American religious public life (Higham, 1988: 28). These immigrants transformed the makeup of the nation in a way that threatened the previous dominance of Protestant institutions over the American religious sphere. Thus, religion played a significant role in motivating the rejection of color-blind naturalization and citizenship in the debates that led up to the Exclusion Act because it would give "heathens and pagans power to control our institutions" (41st Congress, 2nd Session 5171-72, 1870), as Senator Williams from Oregon urged during the 41st Congress.

Race was also a major determinant of arguments against color-blind naturalization, as policy-makers and politicians maintained that the United States should remain a predominantly white country (Daniels, 2004: 17). As a result, when Senator Sumner suggested in the 41st Congress that the word "white" be struck from all naturalization laws so as to remove racial discrimination, the amendment was overwhelmingly rejected by

Congress (Gold, 2012: 31). Racial tensions were intricately tied to mounting sexual anxieties of the white population vis-à-vis new immigrants. This anxiety motivated a rejection of Chinese immigrants on the grounds of the great disparity in numbers between male and female immigrants alongside the aversion to Chinese men taking white wives (Jorae, 2009: 93).

As Marchetti explained, “one of the most potent aspects of [the] yellow peril discourse is the sexual danger of contact between races” (Marchetti, 1993: 3). It articulated a threat of the lascivious Asian women seducing white men, but was most often portrayed as a threat of Asian men who prey on innocent white women (Marchetti 1993: 3). Hoppenstand connected the anxieties surrounding the threat of the Asian male sexual predator to the Yellow Peril narrative, illustrating that the former allowed the narrative to individualize cultural anxieties surrounding the Mongolian invasion of American society by Chinese and Asian immigrants by personalizing the issue as one of the violation of white American women by Asian men (Hoppenstand, 1983: 174).

The demographic patterns of Chinese immigrants exacerbated these sexual anxieties. Men outnumbered women among Chinese immigrants at a rate of about 20:1 (Daniels, 2004: 16). However, in spite of the fact that the disproportionate numbers of men among Chinese immigrants conformed to Ravenstein’s laws of immigration (drawn from models of European migration in earlier periods) and thus resembled the demographic patterns of European immigrants that had come before them, the predominance of males among Chinese immigrants in the United States was perceived as a threat to the ethnic white population. Even before the passage of the Exclusion Act and the emergence of

discriminatory policies against Chinese immigrants in the 1870s and 80s, Chinese immigrants complained that “it is impossible to get a Chinese woman out here unless one goes to China and marries her there, and then he must collect affidavits to prove that she is really his wife” (Takaki, 1994: 107). Of course, such procedures were prohibitively expensive to Chinese laborers who had immigrated to the United States, and they were reserved for wealthy merchants with the means to secure passage to the homeland and back. Women were also discouraged from immigrating to the United States, as they were considered a “worse evil” because they were allegedly brought to the United States for “shameful” purposes (President Ulysses Grant Sixth Annual Address to the Senate and Congress, 1874). As such, the male-dominant Chinese immigrant population was seen as a threat to the domestic well-being of American families.

Fear of radical ideology provided yet another push towards exclusionary rhetoric and policy. As John Higham explains, Anglo-Saxon nativism was tied to anti-radical and anti-communist nativism, inspired by the view that anarchy and radicalism was a “blood disease” with which the English were not afflicted (Higham, 1988: 138). This problem emerged, according to this narrative, with the arrival of new immigrants and particularly Chinese immigrants. It followed that legislation was needed to limit the immigration of subversives, hostile immigrants, and disrupters (Johnson, 1997: 843).

White workers also came face to face with additional pressures during this period. Many suffered from the discrimination being leveled against white ethnics (Takaki, 1994). Non-English-speaking white immigrants to America—Poles, Italians, Greeks and Slavs (PIGS), arriving to replace black Americans after the abolition of slavery (Fogleman, 1998:

43)—were seen as foreign competition to the white Anglo-Saxon American working class (Olzak, 1989: 133). Among these “not-yet-white-ethnics,” as historian Barry Goldberg has called them (Goldberg, B., 1990), were the Irish, who were perceived as threatening to the emerging “national culture” and accused of being “wicked, naturally given to idleness, barbarous and papists” (Canny, 1973: 585), as well as lacking real Christian faith or good manners (Takaki, 1994: 29). Disdain for Irish immigrants may indeed have had roots in the British colonial period (Takaki, 1994: 29), when Irish immigrants could not own land, carry weapons, bear witness or hold office (Quinn, 2008: 76). However, it escalated noticeably in the years following the wave of relatively larger Irish immigration after the Potato Famine (1845-1850) and thus was well-poised to play a role in motivating Irish workers to oppose Chinese immigration in the 1870s and 1880s (Daniels, 2002: 126).

At the same time, other forces complicated the national labor market. The abolishment of slavery and the subsequent “great migration” of six million freed men out of the Jim Crow South (Wilkerson, 2011) left white workers struggling to overcome the impact of incoming African American internal migrants on white employment. It also necessitated that white workers distinguish themselves from black laborers at a time when they were often likened to African-Americans. For example, Italian immigrants were perceived as dangerous criminals and described as “blacker than the blackest Negroes in existence” (Barrett and Roediger, 1997: 38). Similarly, ethnic discrimination against Irish immigrants was often connected to racial discrimination against African Americans, as Irishmen were often compared to Negroes and described as “negroes turned inside out,” and “Negroes as smoked Irish” (Ignatiev, 1995: 34). In fact, immigration historian Barry

Goldberg argued that the “not-yet-white ethnics” of the late 19th and early 20th century experienced a hostility that approached, although to a lesser extent, the hostility shown to African-Americans (Goldberg, B., 1992: 201). This is illustrated most poignantly in the irony that even though the Ku Klux Klan derived its name from the Greek word “Kyklos” meaning circle, white Greek immigrants found themselves intimidated by the KKK and were driven out of towns by the organization. In his book *Demetrios is now Jimmy*, historian Odzak describes how Greek immigrants were often pressured to anglicize their names and adopt Anglo-Saxon cultural mannerisms in fear of white intimidation (Odzak, 2011). The dual effect of facing racial discrimination by Anglo-Saxon whites and the increased competition and political valorization of blacks played an immense role in motivating racial tensions between white workers and African-American internal migrants as well as Chinese immigrants. As such, white ethnics organized into labor unions that counted white workers exclusively among their members, using those unions as platforms to combat African-American and Chinese labor competition.

In conjunction, white workers favored exclusion in order to valorize white ethnic identity vis-à-vis a new inferior category of labor (Roediger, 1994: 186). In turn, anti-Chinese sentiment amidst the tensions of the 1880s enabled white ethnics to coalesce around protecting white entitlement to resources, particularly in the West (Ngai, 2014: 109). In essence, it provided a mechanism through which “white” identity could be reshaped to encompass white non-Anglo-Saxon ethnics. As scholars continue even today to debate the mechanism through which “not-yet-white-ethnics” became white (Yang & Koshy, 2016), most scholars agree on two main avenues behind the assimilation of white

ethnics into “whiteness.” Communities firstly achieved whiteness by acquiring social status (Ignatiev, 1995; Jacobson, 1998; Roediger, 1999), a goal evident in labor’s arguments for Chinese exclusion because Chinese immigrants depressed wages and threatened native labor. Secondly, white ethnics achieved whiteness via changes in racial classification (Arnesen, 2001) exemplified by the circumstance of the Chinese exclusion movement. In this case, the ability of white workers of all ethnic groups to collectively mobilize around Chinese exclusion positioned whites in a singular racial category in the midst of a fight over resources by different racial groups: white, Chinese and black. Such movements thus provided the conditions through which not-yet-white-ethnics began to be regarded as whites.

The coolie became a reassuring rally-cry of white ethnics to restore their position in the national labor market in the face of discrimination and the rising competition from recently-freed slaves. Narratives of the Yellow Peril thereby valorized white ethnics vis-à-vis other groups. This can be witnessed in Southerners’ efforts to combat Chinese immigration and emancipation by encouraging white immigration that would potentially restore their demographic majority and offset black suffrage (Jung, 2005: 215) to preserve white supremacy (*ibid.*: 173). This allowed the Chinese Exclusion Act to be viewed as an anti-slavery, pro-immigrant legislation (Jung, 2005, p. 6), whereby denying naturalization and immigration rights to coolies invigorated the national and racial celebration of the “land of immigrants” and incorporated white immigrants in that group at the expense of all other immigrants.

The Yellow Peril frame, which I will detail further in the analysis of media coverage of Chinese immigrants in the 1920s, resonated with the American public because it drew from a repository of fear that had been cultivated among Western civilizations since medieval times. These yellow peril narratives drew from the fear of Genghis Khan and Mongolian invasions of Europe in earlier eras. Further, they connected those historical fears with the then-contemporary fear of Asians in the United States, articulated in the 1880s as a threat of cheap labor flooding American markets and threatening the livelihoods of white European immigrants (Marchetti, 1993: 2). In this fashion, the historically-grounded Yellow Peril frame provided new prejudices a wealth of material to support racial discrimination, from historical battles, to art, poetry, and literary works created in light of those ancient anxieties. Moreover, Yellow Peril narratives had been used in previous eras to justify imperialism and colonial domination because a powerful Asia was a threat to Christian civilization (Marchetti, 1993: 2). As a result, the morphing of the Yellow Peril narrative in the 1880s as a dominant framework through which immigration could be viewed rationalized restrictive and unjust policies against Chinese immigrants as necessary measures to ensure the safety of the American public.

Because of the political economic conditions of the American labor market, as well as cultural shifts in American society, arguments against exclusion lost their resonance as the Chinese Exclusion Act passed with overwhelming bi-partisan support on May 9th, 1882. Originally envisioned as a twenty year-long restriction of Chinese immigration, the act initiated a 39-year period of racialized exclusionary immigration policy against Chinese immigration (Daniels, 2004: 3). The language of the act reinforced the image of Chinese

immigration as an invasion or a threat, stating that “in the opinion of the Government of the United States the coming of Chinese laborers to this country endangers the good order of certain localities within the territory thereof” (Exclusion Act, May 9th 1882).

Even though the Exclusion Act was originally intended as a provisional measure, the years that followed witnessed the renewal of Chinese exclusion measures as well as further legislation intended to discriminate against Chinese immigrants already in the United States. This included the 1888 Scott Act, which barred Chinese residents from re-entering the country unless they had family or property in the United States, a condition that the vast majority of Chinese immigrants could not satisfy. Implemented haphazardly, the measure ensured that legal Chinese immigrants who were abroad at the time of its passage would no longer be permitted re-entry to the United States. A series of measures at the local level that are often referred to as the Alien Land Acts thus prevented Chinese immigrants from owning land or property, closing the opportunity associated with land-ownership and home-ownership to Chinese immigrants.

In 1892, Congress passed yet another immigration policy that further limited immigration hospitality towards the Chinese, placing burdensome requirements on Chinese immigrants’ movement and residence in the United States. The Geary Act required that all Chinese immigrants “legally present in the United States” carry a certificate of legal residence. This requirement was intended to cut down on illicit border crossings, authorizing the deportation of illegal immigrants. In addition, the Geary Act extended the exclusion period set up by the Exclusion Act another ten years. Most importantly, the implementation of the act reinforced the importance of racial origin in the interpretation of

the law. In 1883, when a Chinese man born in Hong Kong and thereby a British citizen claimed that he could be excluded by the Exclusion Act as a British subject, the associate justice of the Supreme Court of the United States ruled that the subject was “Chinese by race, language and color” and possessed “all the peculiarities of the subjects of China” (“Chinese from Hongkong,” October 14, 1883). Finally, in the wake of emancipation, white Americans sought to enforce segregation in schools, housing, transportation and services, driving Chinese immigrants to raise such issues in the highest courts of the nation. Neither black nor white, Chinese existence in the post-Civil War era entered into the existing debates on the “separate, but equal” white and black components of American society. In fact, the first family to contest Jim Crow laws, long before the Brown vs. Board of Education ruling, was a Chinese family whose daughters were expelled because they were “colored” and were not admissible in a whites-only school in Mississippi (Cohen, 1984)³.

In sum, the Chinese Exclusion Act is an era in American history that reveals the racial, religious, linguistic boundaries placed on American immigration hospitality. It also provides a case study of the influence of the exploitative organization of the American economy and thus the labor market competition that affected the reception of immigrants in the public sphere. Returning to the ethical concept of hospitality as one that extends

³ See *Chinese in the Post Civil War South: A People Without a History* by Lucy M. Cohen which details the struggle of Chinese laborers brought to replace newly-emancipated slaves in the south. The book, as well as work by Cohen illustrates how Chinese immigrants were not “docile” workers and how they endeavored to contest racial discrimination against them. Cohen, L. (1984) *Chinese in the Post Civil War South: A People Without a History*. Baton Rouge: Louisiana University Press.

welcome to the other while also asserting the authority and ownership of the native population over the national sphere, these circumstances demonstrated the conditions under which hospitality could be restricted in order to protect the perceived rights, economic well-being and sovereignty of the native population.

Media Hospitality

Reflecting on the arrival of Chinese immigrants in the United States and their reception by the media, Stuart Miller noted that “the Chinese arrived in the middle of the slavery controversy, when modern racist theory was being developed and when Americans were becoming more conscious of antisepsis and germs [...] this stimulated editorial fear of coolieism, of alien genes and germs” (1969: 15). Miller’s important research on media biases against Chinese immigrants illustrates many of the themes that dominated American discourse on immigration at the time.

This discussion addresses the media coverage of the immigration wave that preceded the Exclusion Act. It illustrates how the media portrayed Chinese immigrants, particularly drawing attention to the dominant representational tropes in media coverage. It also discusses press coverage of immigration legislation governing the arrival and integration of Chinese immigrants in the United States. I examined both *The New York Times* coverage of Chinese immigration from 1882 to 1920, and considering the particular importance of the West Coast to this issue, analyzed several West Coast publications, including the *San Francisco Tribune*, *The Oakland Tribune* and *The Record Union* as well as select coverage from other publications. Moreover, as highlighted by journalistic

historian Thomas Leonard, political cartoons and particularly the highly influential lithographs of Thomas Nast provided a mechanism of “visual thinking” in an environment of low literacy, a thirst for pictures at a time when the public would wait years to see the likeness of politicians (Leonard, 1986: 98, 127). As such, I included political cartoons in this sample, drawing from the archives of *Harper’s Weekly* and *The Wasp* as well as secondary research on the topic.

Dominant Media Tropes

Media coverage of the issue of Chinese immigration was dominated by four tropes that defined the representation of Chinese immigrants and Chinese immigration: The Yellow Peril or Mongolian Invasion trope characterized the representation of Chinese immigration as a threatening invasion of an alien other that undermined the racial, linguistic and cultural makeup of the United States. The “servile coolie” presented Chinese immigrants who arrived voluntarily in the United States as “coolies,” belonging to a hybrid form of slave labor. The trickster trope emphasized the deviousness, unreliability and ungovernability of Chinese immigrants. Finally, the inferior being trope emphasized the racial inferiority of Chinese immigrants, likening them to animals, vermin and other creatures. This section outlines these tropes in detail.

Yellow Peril

One trope that dominated coverage of Chinese immigration was a textual and visual comparison between Chinese immigration and settler-colonialism, a form of colonialism in which colonization takes place through the mass immigration of people into a country (Veracini, 2014: 615). According to this portrayal, Chinese immigrants were compared to

white settlers who had arrived in the early periods of American history and eliminated the native population before them. Settler colonialism, as Patrick Wolfe put it in his highly influential essay on colonialism, “is inherently eliminatory” (Wolfe, 2006: 287), threatening the genocide of the native population (*ibid*: 287-8). As such, media coverage that employed the settler colonialist lens to explain Chinese immigration often implied that Chinese immigrants would exterminate, enslave or displace white Americans, as European immigrants had done to Native Americans, portraying their civilization as a threat to American culture. As the *Record Union* said of the Chinese in 1882, “we believe that their exclusion is necessary to the settlement of California and the Pacific Coast with Americans and maintenance of the Anglo-Saxon civilization” (“Watch the Rascals,” May 13, 1882).

News coverage drew on the language of the Exclusion Act to bolster the view of Chinese immigration as a form of invasion. Thus, the media both encouraged the passage of the Exclusion Act prior to its passing and used the legislation’s language afterwards as an indication of the veracity of the claims of exclusionists. For instance, an article in *The New York Times* in 1882 argued that if Congress was of the opinion that “the coming of [Chinese laborers to the United States or their residence affects our interests and endangers order,” then it was important to “accept the views of Congress” (“Watch the Rascals,” May 13, 1882). Moreover, the words used to describe the wave of Chinese immigrants also reinforced prejudice: Chinese immigration was likened to a “horde” (“Of One Mind,” March 5, 1882), a Mongolian invasion, or a slave trade (“Watch the Rascals,” May 13, 1882).

Visual representations complemented the verbal portrayal of Chinese immigration as an invasion, portraying the Chinese immigrant as a plotting colonizer, whose hypothesized domination of white Americans was seen to avenge previously oppressed races, such as Native Americans and African-Americans. In “Every dog (regardless of race) has his day,” a political cartoon by Thomas Nast [Figure 6], a Native American whispered in the ear of a Chinese man, “afraid you’ll crowd [them] out, as he did me.” The Chinese man was shown to be looking thoughtfully at anti-Chinese slogans and newspaper headlines plastered on a wall. In the background, a black man was portrayed napping with the words “my day is coming” in his head, a depiction that perpetuated racist stereotypes of black workers as lazy and reaffirmed the position of blacks as a lingering latent threat to white society. The cartoon revealed both the anxieties of white Americans at the time as well as a general fear of Chinese immigration, seen as a threatening invasion akin to the settler-colonialism of earlier times. In turn, this depiction exemplified the interconnection of the issue of Chinese immigration, Native American expropriation and African-American enslavement, bringing all of these communities into one illustration that demonstrated the tacit agreement on the role each race played in unsettling white superiority and economic, geographic and social power.



Figure 6: Every Dog Has His Day (1879). Thomas Nast, Harper's Weekly

The “Mongolian invasion” or “Yellow Peril” narrative connected Chinese immigrants with anxieties surrounding slavery following the conclusion of the Civil War (Miller, 1969, p. 190). On the one hand, those opposed to the “experiment” of the enfranchisement of African-Americans feared that Americans would one day consider the “Chinese question,” as they had the “negro question” before (“Negro and Chinaman,” March 9, 1882). On the other hand, concerned politicians on the East Coast worried that the new immigrants were not “voluntary immigrants but absolute slaves” (Miller, 1969, p. 192). Indeed, many Chinese immigrants could not afford the price of passage, and as a result, Chinese immigrants entered into contracts that allowed them to repay the price of passage over several years. This credit-ticket system allowed Chinese merchants to pay for workers’ passage to the United States, binding the latter to work for a determined period. However, as Zinzius pointed out, the arrangement did not make them “unfree as coolies were” (2005: 12). More importantly, this system did not substantially differ from the choices other groups of immigrants had made during the 17th, 18th and early 19th centuries.

Long before the arrival of the Chinese, immigrants had traveled to the New World as indentured servants, agreeing to work for an employer for a limited amount of time in exchange for passage, food and shelter (Wolfe, 2015). The historian Edmund Morgan showed. For instance, that for much of the seventeenth century, indentured servants were white English men and women—with a smattering of Africans, Indians, and Irish (Morgan, 2013).

Servile Coolie

The origins of the term coolie are further evidence of the racialized discourses about Chinese immigrants. First used to describe Chinese indentured or contract laborers sent primarily to Cuba, Peru and the colonies of the West Indies, the term re-appeared in the United States in the 1870s and 1880s to describe Chinese immigrants who arrived voluntarily in order to associate Chinese workers with the much-loathed slave trade. Indeed, the “coolie trade” and the slave trade were connected, as Chinese labor arrived in many countries just as slavery was being abolished as a replacement for slave labor. For instance, some 125,000 Chinese laborers were “imported” into the island nation of Cuba from 1847 to 1874, just as slavery was being “abolished.” Similarly, when Peru “abolished” the African slave trade, 95,000 individuals were imported from China to work in plantations (Hu-Dehart, 1993). The transplantation of the term “coolie” from its original context to the American one distilled the problem of slavery to one of the immigration of Chinese people. Further, it demonized Chinese people for bringing back slavery to the United States without placing any blame on exploitative plantation owners and capitalists who continuously sought cheap labor.

By the 1880s, “a rhetorical shift” had occurred, “magnifying the image of the coolie as the new slave” and allowing workers with anti-slavery positions to proclaim immigration exclusion as a justified stance (Metrick-Chen, 2012: 152). As labor organizations struggled to compete with incoming immigrant workers, “the trade union response to this pressure was to mobilize, and then to lobby, for immigration restriction” (Miller, 1969). In turn, “virtually every labor newspaper and organization opposed Chinese immigration after 1870” (Miller, 1969: 140). The workers’ stance against Chinese immigration was echoed in mainstream newspapers as well.

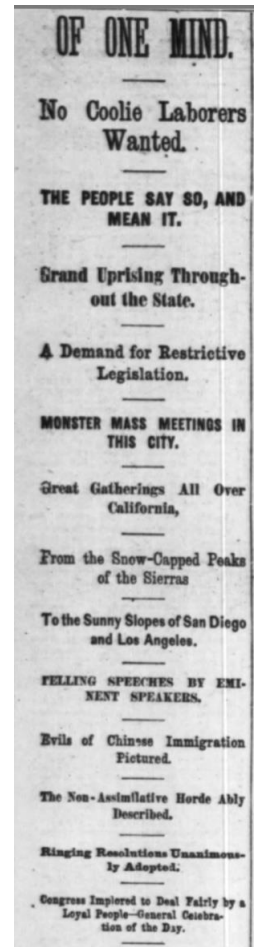


Figure 7: *Of One Mind*

A poem/call-to-action titled “Of One Mind,” published in the *San Francisco Chronicle* (“Of One Mind,” March 5, 1882), echoed these views [Figure 7]. The call to action suggested that people were mobilizing across the country for restrictive legislation to stop the “evils” of “the non-assimilable horde” of Chinese immigration. Announcements like this one in the nation’s newspapers warned of “monster mass meetings” (“Of One Mind,” March 5, 1882).

Alongside portrayals of slave labor as devoid of political opinions or free will, several other related themes dominated coverage of the Chinese immigrant as coolie. First,

the transformation of the term coolie from a signifier of class to one of race accompanied a gradual transformation of the term from an identifier of workers to a term describing cargo and objects, devoid of humanity. Thus, the first article on the Exclusion Act in *The New York Times* argued that Chinese immigration is “too much like an importation to be welcomed without restriction, too much like an invasion to be looked upon without solicitude” (“A Report Adverse to Chinese Immigration,” January 27, 1882). As such, Chinese immigrants were being compared to objects, cargo imported in trade between countries. The West-Coast *Record Union* echoed this view, discussing “the coming coolie cargoes” aboard the steamers due to arrive at California’s ports. Noting that “the Oceanic should leave Hong Kong coolie laden,” it suggested offloading coolies in British Columbia if the shipment did not arrive in time (“The Coming Coolie Cargo,” July 25th, 1882). Some publications dehumanized Chinese laborers by treating them as either catalysts or impediments to economic expansion. In an article appearing in March 1882, *The New York Times* noted that the twenty-year exclusion then being debated in Congress would allow time to test the “experiment of excluding the Chinese.” With time, it argued, “the statistics of labor and commerce would shed new light on the problem” (“China in the Senate,” March 4th, 1882). Such treatments of Chinese migrant labor that depicted immigrants as shipments to be loaded, unloaded or imported, as they framed discussions surrounding immigration restriction as policy experiments, obscured the impact of such hostile policies on the daily lives of Chinese immigrants living in the United States.

The term “coolie” for Chinese immigrants, which increasingly pervaded news coverage across the country, allowed the press to describe people of Chinese descent

without addressing them by name or acknowledging their humanity. As the term coolie morphed from an indicator of class to a derogatory racial term for Chinese immigrants, its use became widespread in the media. A search for the term coolie in newspaper archives from 1882-1920 returned 74, 287 results (author search), distributed unevenly across the territory of the United States. As evidenced by the results of a search of the term “coolie” in all American press during the 1920s [Figure 8], the use of “coolie” as a term to discuss Chinese immigrants corresponded in large part to the states with the highest numbers of Chinese workers. The term was most widely used in mining and labor-intensive states such as California, Pennsylvania and Kansas, while its use in those regions influenced the use of “coolie” in media coverage in the political and cultural centers of the nation such as New York or Washington D.C. in spite of the lack of significant Chinese immigrant populations in those cities.

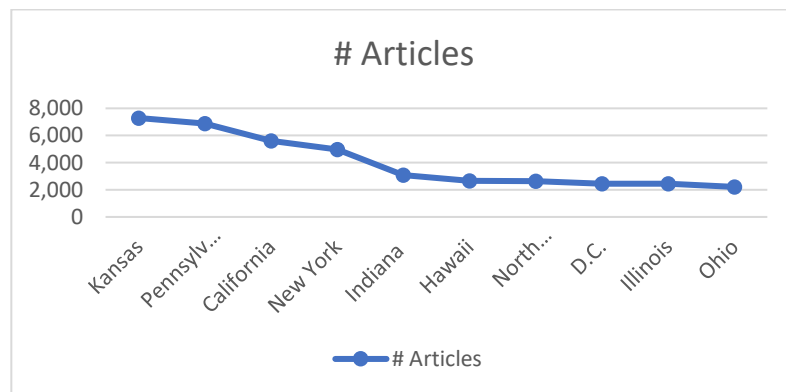


Figure 8: The 10 States with highest occurrence of "coolie" in press. Created by author based on Newspapers.com digital archive.

Perhaps the most important aspect of the widespread acceptance of the term “coolie” to describe Chinese immigrants rested in the racial tensions it revealed. Tellingly,

Chinese immigrants did not fit the coolie classification simply because they voluntarily accepted contract work in return for passage to the United States. Nor did the terms of their passage differ greatly from those of poor Irish immigrants or other ethnic groups who had signed similar contracts of labor in return for passage during their migration to the United States. In spite of the similarity of the arrival of many English and Irish immigrants as indentured servants, white immigrants were not classified as coolies or slave labor as Chinese immigrants had been. As a result, observers point to the targeting of Chinese and Asian immigrants as coolies as evidence of the racial rather than ethnic prejudices inherent in media discourses of immigration. While white immigrants could be “immigrants,” Chinese immigrants were designated as “coolies” even when they arrived of their own will. In turn, as outlined by Moon-Hu Jung in her extensive study of the use of “coolies” in the sugar plantations of Louisiana, the term coolie did not reflect a legal category but rather an amalgamation of racial imaginings (2005: 8). In a nation that was struggling to redefine the value of whiteness and racial difference in the wake of emancipation and reconstruction, the emergence of the coolie as an alternative racial category sustained the racial hierarchies of the era. Thus, commending the coolie’s efficiency allowed white employers to criticize the indolence of black workers. Meanwhile, criticizing their (often assumed or coerced) servitude and docility ensured their racial inferiority vis-à-vis white Americans, immigrants and natives.

Trickster Chinese

Another common trope in the coverage of the Chinese immigrant was the promotion of narratives about Chinese cunning and trickery, promoting distrust while

legitimizing discriminatory policy as necessary for dealing with supposedly troublesome individuals. One newspaper article in the *Marshall County News* in Kansas recounted the experience of a botanist who had been robbed by Chinese people while on a botanical expedition in Solio Falls. Using the coolie trope discussed earlier, the article emphasized the trickery and untrustworthiness of the Chinese people. In the article, the botanist recalled having ventured out of the camp with “Mr. Merrill, Miss Hancock, a coolie” and himself. The Chinese companion who remained unnamed but for “coolie” became indistinguishable from the “coolie” thieves who approached the group. The mistrust of Chinese individuals was further emphasized when the botanist commended Miss Hancock’s command of the Chinese language that had enabled negotiation with the attackers directly “and not through our coolie” (“Entertaining Loh Fau Brigands,” 1917). The botanist’s retelling of his experience being robbed stressed throughout its narrative the impossible position of the innocent Chinese “coolie.” By implicitly accusing the Chinese companion of collusion with the Chinese robbers, the expedition seemingly neutralized his role by not relying on the companion to translate.

Alongside these depictions of untrustworthiness, Chinese immigrants’ deviousness was often connected to a parallel trope of the ungovernability of Chinese residents. Thus, news of the tensions arising from governing and living with Chinese immigrants filled newspapers on the West Coast. One article written by the District Attorney of San Francisco in 1882 recounted the case of a crime in the city’s Chinatown, where the accused was assumed to have paid witnesses—all Chinese—to testify that he wasn’t at the site of the crime. The Chinese were, in Leonidas Pratt’s eyes, “a set of murderous, irresponsible

heathen” whom one could not “put too much cursedness” in describing (“Chinese Criminals,” May 3, 1882). More importantly, these testimonies continued to emphasize the inability to govern or control Chinese communities living in the United States, placing Chinese immigrants as direct threats to the rule of law across the country.

The inability to govern Chinese immigrants who often subverted the law and moral codes was frequently connected to the religion of Chinese immigrants in press coverage. Thus, tales by Pacific Coast officials stressed the difficulty of dealing with Chinese immigrants, arguing that such efforts required adopting tricks “darker than a heathen’s.” For example, the County Assessor in San Francisco described in the *Oakland Tribune* a novel method he had devised to collect taxes from “the heathen Chinese.” His method consisted of driving an express wagon to a location and waiting for “the Mongolians [to] swarm up the wagon like a flock of turkeys in a stubble field.” In so doing, the tax collector rejoiced, he had found a way to collect taxes that is “darker than a heathen’s,” implying he had outsmarted the devious Chinese (“The Assessor’s Strategy,” March 17, 1882). A similar theme appeared in an article on the Chinese Exclusion Act that argued that the “cunning coolie” would find ways to subvert the exclusion measure by collecting papers of returning Chinese workers and smuggling illegal immigrants to replace them (“Beware the Rascals,” May 13, 1882). Yet another article traced the ungovernable character of Chinese immigrants to their being “irresponsible, murderous heathen” (“Chinese Criminals,” May 3rd, 1882). Together, these painted a picture of Chinese immigrants as incomprehensible creatures who defied the moral, religious and legal codes that governed the United States.

Inferior Being

When not referred to as heathen or coolies, Chinese immigrants were likened to animals, vermin or inanimate objects. Inspired by the Eugenic Movement's conviction that the Chinese represented an inferior race, cartoonists, editorialists and journalists often portrayed Chinese immigrants as sub-human, using dogs or pigs to illustrate their inferiority. One political cartoon titled "Darwin's theory" [Figure 9] illustrated the creation of Chinaman and Pig" provided a sequence of fictional evolutionary phases beginning with apes. It depicted a Chinese man as a primitive life form, who gradually evolved into a pig, turning the man's pig tail into a literal one ("Darwin's Theory Illustrated," November 1881).

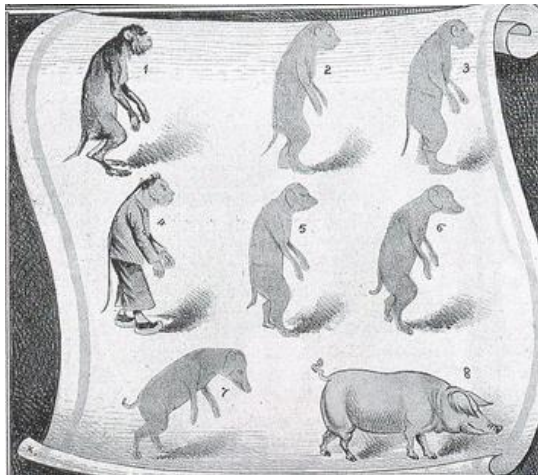


Figure 9: Darwin's Theory Illustrated (1881)

The depiction of Chinese immigrants as animals associated with unhygienic lifestyles stemmed from deep misunderstandings of Chinese immigrants' culture in the United States. Alongside the rise in the number of Chinese-Americans on the West Coast, several traditions within Chinese society were misunderstood, fueling the racism towards

Chinese immigrants of the time (“The Chinese Question,” November 27, 1885). In spite of the copious coverage of the conditions of Chinese immigrants’ housing, the reasons motivating the choice of Chinese immigrants to live in crowded quarters were poorly communicated. Decades later, Takaki demonstrated that immigrants made housing choices in response to violence in non-Chinese neighborhoods (1994: 16). During the 1870s and 1880s, 153 riots occurred in the West, during which Chinese workers were attacked and killed and their property burned and damaged. Thus, as Takaki argued, Chinese immigrants sought safety in numbers within Chinatowns on the West Coast (Takaki, 1994).

In addition, individualism as understood by non-Chinese immigrants in the United States had not developed the same way in China or among Chinese immigrants. Instead, all Chinese workers with the same family name considered themselves relatives (Zinzius 2005: 17). Accordingly, members of the same family-clan willingly organized shared housing with each other. Describing their living arrangements, Chiu wrote:

Most of the men lived in boarding houses, crowded small rooms with other members of their family or village. To save space, beds were sometimes nailed to the walls, two or three above each other. In some crowded rooms, the men slept in shifts. At the end of the year, expenses were divided among members. These fongs, or rooms, were the basic living arrangements in Chinatowns across the country.

(Chiu 1960: 50-1)

Compassionate illustrations of Chinese immigrants in the media were lacking, in particular given the lack of Chinese voices in the American press. As the prominent Chinese-American radio personality Betty Lee Sung told the historian Ellen Wu, she was “appalled at the image” that the American public had of Chinese Americans as “coolie labor,

highbinders, hatchetmen” and other negative stereotypes, and she strove throughout her career in the 1940s to rectify the negative image of Chinese immigrants in the American media (Wu 2008: 398). Yet, until the Cold War began to motivate editorialists to recruit Chinese American journalists as a display of inclusion in American society, the voices of Chinese people would continue to be stifled, which in turn allowed misunderstandings and stereotypes of Chinese immigrants to thrive in the 1880s.

Thus, the intricacies of the Chinese family-clan system were poorly understood in the press, and these unfavorable depictions of Chinese immigrants on the West Coast influenced the coverage of national newspapers, particularly ones in areas where Chinese immigrant populations were negligible. For instance, a *New York Times* article in 1885, publishing from a city that lacked a significant Chinese population, argued that Chinese immigrants accepted unhygienic and crowded living conditions because they were “filthy” by nature (“The Chinese Question,” November 27, 1885).

The four overwhelmingly negative tropes that dominated coverage of Chinese immigration and Chinese immigrants in the American press thus emphasized the existential threat that Chinese immigration represented to the local population (Yellow Peril). They stoked existing tensions surrounding labor competition by emphasizing the servile “slave-like” nature of Chinese immigrants (Servile Coolie). They also justified discriminatory policy such as the Exclusion Act by drawing on government spokespersons as experts, and by emphasizing the ungovernability of Chinese immigrants that thereby necessitated exceptional restrictiveness (Trickster Chinese). In sum, the vilification and at times utter

dehumanization of Chinese immigrants (Inferior Being) minimized public opposition to Chinese exclusion.

Home-Building Efforts of Immigrants

One of the most important and neglected consequences of the Exclusion Act was its impact on the ability of Chinese immigrants to achieve a sense of “feeling at home” in the United States. Indeed, many Chinese immigrants do not speak of that dark chapter of history. As Erika Lee described the difficulty of conducting ethnographic research on the period, she wrote that Chinese grandmothers refused to speak of the “old days,” because they were “times that were full of pain and wounds that never healed” (Lee, 2003: 6). She spoke of one grandmother who reluctantly recounted her memories of the Exclusion period, saying that “when I could coax her into talking about her past, I had to take surreptitious notes under the dining room table” (Lee, 2003: 6).

Nevertheless, the realities of this period made the Act’s impact on the Chinese immigrant community clear. The legislation inspired an “abatement” campaign throughout the United States, aimed at violently driving Chinese immigrants out of their homes and workplaces. During this time, Chinese immigrants were harassed and expelled from 34 communities in California, nine in Washington, three in Oregon, and four in Nevada, while millions of dollars of Chinese immigrants’ property was destroyed (Mišćević and Kwong 2000: 99). The deadliest of these attacks occurred in California in the towns of Eureka (1885), Redlands (1893) and Chico (1894), and in Juneau, Alaska (1886). These “Outrages,” as they were called in the news, became increasingly common as white

laborers organized against Chinese men. The most referenced example of anti-Chinese riots was the Rock Springs massacre of 1885, when a mob of 150 armed white miners attacked Chinese miners in the town of Rock Springs, Wyoming. The labor riot resulted in the deaths of 28 Chinese miners and \$150,000 dollars in property damage to Chinese workers. Yet coverage of the massacre in *The New York Times* articulated many of the anti-immigrant sentiments of the period. An opinion-piece titled “The Wyoming Troubles” (September 9, 1885) reported “the massacre of heathen Chinese by so-called Christians in Wyoming.” Meanwhile, *New York Times* journalists observed that the local newspapers of Rock Springs “recounted the atrocities with cynical and ghastly joy” (“Mob Law in Wyoming,” September 19, 1885).

In response to anti-Chinese mob violence in 1885, Chinese immigrants sought safety in numbers in major cities such as New York, Philadelphia, Boston, Cleveland and Chicago (Mišćević and Kwong 2000: 102). In those cities, Chinese immigrants often lived concentrated in a few overcrowded blocks. Shut out from many state services, Chinese individuals established their own community organizations, such as the Six Companies and Chinese Consolidated Benevolent Association (Mišćević and Kwong, 2000: 104). These organizations provided important services and protected their interests because of the neglect by government agencies of the needs and rights of the Chinese immigrant population (Hom, 1987: 13).

Fear of attacks by white workers prevented Chinese immigrants from bringing their wives and families to the United States (Takaki, 1994: 88). In turn, this exacerbated the large imbalance between men and women among Chinese immigrants (Daniels, 2004: 16)

and contributed to the emergence of a prostitution trade to alleviate the loneliness of the “bachelor societies” in the Chinatowns of the country (Jorae, 2009: 76). Thus, according to the 1870 census, 61% of the 3,536 Chinese women living in California were prostitutes, eventually dropping to 24% of 3,171 in the 1880 census, as Chinese men were briefly able to bring wives before the Exclusion Act came into force (Takaki, 1994: 102-4).

The inability to bring families and children to the United States also contributed to a widespread feeling of loneliness and boredom among Chinese immigrants. “On Sundays,” noted Takaki, “Chinese men had no families to take on outings” (1994: 111). Instead festivities and holidays, a source of joy for many communities, exacerbated the loneliness of Chinese immigrants, as one wrote in a poem: “each festival arouses my feelings of home” (Hom, 1987: 172). At the same time, the estrangement of Chinese men from their spouses and children fractured family life. In a chapter titled “Lamentations of Estranged Wives,” Hom collected poems of lonely Chinese wives left behind as their husbands sought wealth and prosperity out West. It included numerous songs of Mandarin ducks, separated and longing to be reunited⁴.

During this time, many Chinese immigrants could only aspire to be part of “split-families,” with relatives residing back home as they worked in the United States (Jorae, 2009: 11; Peffer, 1986). Thus, Chinese families took to a primitive form of photoshopping to create an illusion of family intimacy. Often, they would cut and paste absent family

⁴ Long believed to mate for life, *yuanyang* or Mandarin ducks are a metaphor for harmonious and faithful marriage in Chinese popular culture.

members into photos, making their absence almost unnoticeable, at least in image. One 2015 exhibit displayed these photographs of visually-reunited families, demonstrating how family photographs offset the consequences of the Exclusion Act on Chinese immigrant families (Yelsey, 2015).



Figure 10: Low Family Portrait, Museum of Chinese in America Collection (circa 1940).

The images of multiple generations of Chinese families reunited in photographs present haunting evidence of the unfair impact of the act on the domestic life of Chinese immigrants. Particularly captivating was the bridal couple at the center of the photograph [Figure 10], turned towards one another, though thousands of miles apart, revealing in the intimacy of their portrait the unjust consequences of exclusion and the harsh reality of estrangement. These mechanisms of coping were a testament not only to the lack of hospitality by the American community as a host to Chinese immigrants, but also to

migrants' creativity in finding avenues to simulate feeling at home and building resilience in the face of a hostile environment.

Time and again, Chinese immigrants distinguished between their current residence and the place of their belonging. As one self-described wanderer lamented his estrangement from the land of his ancestors, he wondered "who is taking care of the ancestors' graves?" The temporary position of the United States was then reiterated as he asked, "How can I be with my family again? I wish to set sail for home, but my fortune is not yet made" (Anonymous poet cited in Hom, 1987: 173). Another Chinese poet hoped to "leave this barbaric land on the earliest possible day. It can't be compared to the warmth of home" (Hom, 1987: 169). Another wrote, "I look around north, south, east west, I don't know which direction is home" (Hom, 1987: 163). Chinese immigrants responded to the sense of feeling displaced or uprooted by bringing native traditions to their new environment. Thus, immigrants expressed their attachment to their *guxiang*, or native-place, through consumption and food in particular, as Chinese immigrants imported tea, opium, shark fins, preserves, bamboo, seaweed, mushrooms, duck, along with "well-polished chopsticks" with which to eat (Qin, 2016: 110).

In 1892, Chinese immigrants in the United States mounted a resistance movement challenging the constitutionality of the Chinese Exclusion Act. The former Commissioner of Education Yung Wung declared that the Chinese community hired two leading constitutional lawyers Joseph H. Coate and Charles H. Seward. The Oriental Club of New York also announced that it would convene meetings to arouse sympathy for this effort among Chinese immigrants, declaring that it would be levying a head tax of \$1 for all

Chinese immigrants in the United States to defray the legal costs of the case (“Resistance,” December 16, 1892). The resulting Supreme Court case, *Fong Yue-Ting v. United States* (1893), resulted in a 6-3 decision for the United States, with the majority opinion re-affirming the constitutionally-grounded authority of the United States government to regulate immigration as it saw fit (149 US 698, 1893). This decision to affirm the constitutional rights of the government to regulate immigration while denying the constitutional right of the Chinese immigrants to Habeas Corpus was criticized by justice Melville Fuller, who wrote in his dissent that the decision had “the germs of the assertion of an unlimited and arbitrary power, in general, incompatible with the immutable principles of justice, inconsistent with the nature of our Government, and in conflict with the written Constitution by which that Government was created and those principles secured” (149 US 698, 1893).

At the same time, Chinese immigrants responded to the discrimination they encountered by advocating for their worthiness in American courts and media outlets. Chinese Foreign Minister Wu Tingfang, for example, wrote in the *North American Review* that justice demanded the equal treatment of Chinese and other immigrants (reprinted in Wong and Chan, 1998: 12). Similarly, Chinese writers protested the labels used to attack Chinese immigrants, such as an essay by Wong Chin Goo in *North American Review* that demonstrated pride in his identity as a heathen, a position morally and logically superior to the teachings of Christian missionaries, intent on stamping out one’s godless nature. In a humorous tone the author described how when he got to the New Dispensation and the promise of sin forgiveness was granted by the crucifixion of Christ, he “figuratively went

to pieces on Christianity” (*North American Review*, August 1887, republished in anthology by Yung, Chang and Lai, 2006: 70).

Above all, the passage of the Act and the discourses around it highlighted one important reality to Chinese immigrants of the time: that “immigrants with white skins did not remain strangers in America the way Asians did” (Takaki 1994, p. 87). The recognition by Chinese immigrants of their perceived cultural inferiority hindered their ability to feel at home in their new environment as publications ridiculed their appearance, mocking their long hair, nails and clothing and their cultural practices, and decrying their traditional gambling games and opium smoking. The trauma of being refused belonging in the nation was palpable in the response of Amy Chin, a Chinese American curator who recently noted that “the trauma of feeling unwanted is still present.” (Yelsey, 2015).

Race and ethnicity scholars of the 21st century continue to stress the lesson that Chinese grandparents learned in Exclusion-era America: visible cultural indicators of difference exclude Chinese immigrants from national belonging (Lim, 2006: 9). Yet the contemporary echoes of these discourses on immigrants’ lives offer a moment of opportunity as they show the impact of immigration exclusion more openly than in past periods in our history. By examining the history of a period of strong bi-partisan support for immigrant exclusion and discrimination, a history that is often overlooked in narratives of American immigration history as a whole, this project hopes to reveal a few of the limitations of the “nation of immigrants” narrative, as illustrated in times of intense restriction. As Chin says of her curatorial efforts to display Chinese immigrants’ lives, “I’m

putting something out there that had been kept secret [...]: our immigration history.” (Yelsey, 2015).

Anchoring a Myth Against the Tides

It has been argued that Americans possess a “variability, if not schizophrenia” in their thoughts on immigration (Feagin, 1997: 14). This is due in part to the publicly held approach to immigration as desirable so long as immigrants are successfully integrated into the population. It is also due to the fact that popular culture, immigration historians, and the media selectively draw from an early history of hospitality, painting it as a period of “open-gates” immigration policy without paying heed to the reasons behind hospitality’s decline or to its racially-determined exceptions such as that of the Exclusion Act in the 1880s.

This section reflects on the demographic factors that bolstered the image of the United States as a nation of immigrants, in spite of the Chinese Exclusion Act. The construction of the Statue of Liberty played a particular role in supporting this myth. The Statue of Liberty carried within it a critique of American immigration hostility and a push towards greater hospitality towards immigrant others.

The 1880s witnessed several demographic shifts that bolstered the myth of a nation of immigrants. Moreover, this era began to witness the arrival of new groups of immigrants such as the Irish, Russians, Jews, and others, alongside changes in U.S. Census data that captured these new ethnicities as they arrived. These conditions allowed the census to paint the image of the United States as a nation that was attracting immigrants with its policies

and welcoming immigrants *en masse*. Immigration numbers continued to rise, portraying an hospitable nation towards immigrants in spite of the rise of anti-immigrant sentiment in public discourse. The 1880s began a period in which the United States would gain a reputation as an industrial powerhouse fueled by its open immigration policy (Khan, 2015: 7).

One anchoring element of this reputation was the story of the Statue of Liberty greeting immigrants at the nation's gates. Initially intended by legal scholar Édouard-René Lefebvre de Laboulaye to celebrate the United States as an example of liberty and representative government throughout the world (Khan, 2015: 5), the statue was to be erected on the centennial of the Declaration of Independence. Announced in a ceremony with the music of La Marseillaise and Hail Columbia, when copies of the Constitution and the Declaration of Independence were placed in its cornerstone ("Liberty's Place of Rest," August 6, 1884), the statue symbolized a feat of modern architecture. When artist Frédéric Auguste Bartholdi had unveiled the project in Paris in 1882, hosting a dinner party atop a scaffolding at the statue's knee, he had imagined a monument that would rival the great wonders of the world ("On the 20th," August 3, 1882). Indeed, by the time the project was completed, it was hailed as the 8th wonder of the world, as well as its first modern wonder (Khan, 2015: 4).

Inadvertently, however, and in a twist of fate, Bartholdi's "lady liberty, enlightening the world" would come to take on a meaning far more resonant and captivating than even the loftiest aspirations of its male architects. It was instrumental in anchoring the myth of the United States as a nation that welcomed immigrants, connecting

it to the image of a maternal figure that embraced arrivals at the nation's gates. At the time, fund-raising efforts to build a pedestal to support the statue were struggling. As a result, the American fund-raising effort reached out to Jewish poet Emma Lazarus in 1883, asking her to dedicate a poem to the new monument.

History owes a large part of the shift in the meaning of the Statue of Liberty to Lazarus. Working with Jewish refugees during that time, the poet was inspired by the plight of European Jewish forced migrants arriving in the United States as she was writing her tribute to the new colossus. The 1882 work shifted her focus to the themes of forced migration and persecution, and to the role of the United States as a place of refuge. This inspired her to rename the statue "The Mother of Exiles" and to convey in her sonnet "The New Colossus" a strong sentiment of welcome to newcomers ("The New Colossus," 1883). Her poem brought Lady Liberty alive, transforming her into a welcoming figure who greeted the world's most vulnerable immigrants at the gates of the nation. Send me the world's "homeless," she wrote, the nation-less forced migrants of the earth, as she lifted her lamp to guide them "beside the golden door."

Lazarus' poem had resonance in U.S. governmental circles. Speaking in his official capacity as U.S. President during the unveiling ceremony of the statue on October 28, 1886, President Grover Cleveland dedicated the statue in the following manner:

We joyously contemplate [...] our own deity keeping watch and ward before the open gates of America, and greater than all that have been celebrated in ancient song. Instead of grasping in her hand thunderbolts of terror and of death, she holds aloft the light which illumines the way to man's enfranchisement.

(Cleveland, 1886)

Cleveland's words illustrated how Emma Lazarus' verses fundamentally transformed the fate of Lady Liberty from one denoting transatlantic cooperation and the promise of participatory democracy to a central figure grounding the identity of the nation as a welcoming refuge to the immigrants and forced migrants of the world.

Lazarus' poem emblazoned on the statue in 1903 further echoed these sentiments:

Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore, send these, the homeless, tempest-tossed, to me: I lift my lamp beside the golden door.

("Liberty Unveiled," October 29, 1886)

Thus, after worrying in *Songs of a Semite* whether Jewish refugees arriving in the 1880s and beyond would ever find a "fire-cored cloud" and "divine guide" to illuminate their journey from persecution (Lazarus, 1882: 9), Lazarus emblazoned her answer on the pedestal of the deity standing at the nation's most prominent gate.

Both the statue and the words it carried would come to represent the central symbol anchoring the myth of the United States as a "nation of immigrants" and as a country welcoming of immigrants and refugees. The website of the Statue of Liberty Foundation continues to agree with this view, stating that "this plaque [...] has come to symbolize the statue's universal message of hope and freedom for immigrants coming to America and people seeking freedom around the world" (Liberty Foundation, 2017).

Given its location at the gates of New York and the role of the statue as a lighthouse in its early history, Bartholdi's statue thus inadvertently turned into an image of harbor, safety and refuge that would become the core image of the United States as a hospitable nation. It endures to this day as a central figure, anchoring the myth of the United States as

a welcoming nation. Significantly, the symbolism attached to the statue endures, even though it belies the reality of US immigration policy at the time that it was erected. The narratives surrounding the “open-immigration policy” of this period referenced the high regulatory hospitality that is often nostalgically evoked in narratives of a “nation of immigrants.” They also, however, corresponded to a period in American history where incoming migration was strategically inclusive. Almost exclusively white, it left out all those who did not fit its aspired immigrant population.

Hospitality is always a fraught concept that acknowledges the powerlessness of the arriving guest. In this case, the hospitality of Lady Liberty obscured the injustice inflicted on Chinese immigrants, even as a narrative of open gates and hospitality was being cultivated. Reflecting on the meaning of the Statue of Liberty, Yasmin Khan wrote in 2015, “how we interpret the statue’s meanings depends on our own personal history, along with the mood of the country at any given moment” (Khan, 2015: 3). In the 1870s and 1880s, the nation’s reputation was blossoming into one of vitality derived from its unique blend of people and its “open gates,” in the words of U.S. President Cleveland at the unveiling ceremony. Thus, coupled with net population figures that obscured the racial divides plaguing the national public, the construction of a “colossus” at the gates of the nation’s largest port of entry cultivated an image of the United States as a welcoming nation of immigrants and refugees despite the political realities of the time.

Ironically, as Lazarus’ poem and the image of the female deity embodied the myth of the nation of immigrants, they both contained within them a critique of U.S. immigration restrictiveness and a vision of a potentially more inclusive immigration policy. History

owes a large part of this critique to Lazarus, who gave Bartholdi's "lady liberty, enlightening the world" a radical position that she would occupy again and again.

Lazarus, who had until then "laid aside her diffidence as a Jewess" because of the "narrow spirit of hostility which still pervades Christian communities" ("Emma Lazarus," November 20, 1887) returned to her Jewish roots as inspiration for the statue. Lady Liberty suggested a figure who resisted efforts at transforming her into a mechanism to obscure injustice. For some, she emblemized a critical view of U.S. immigration policy restrictiveness. Consider for instance this cartoon from the exclusion era [Figure 11]:

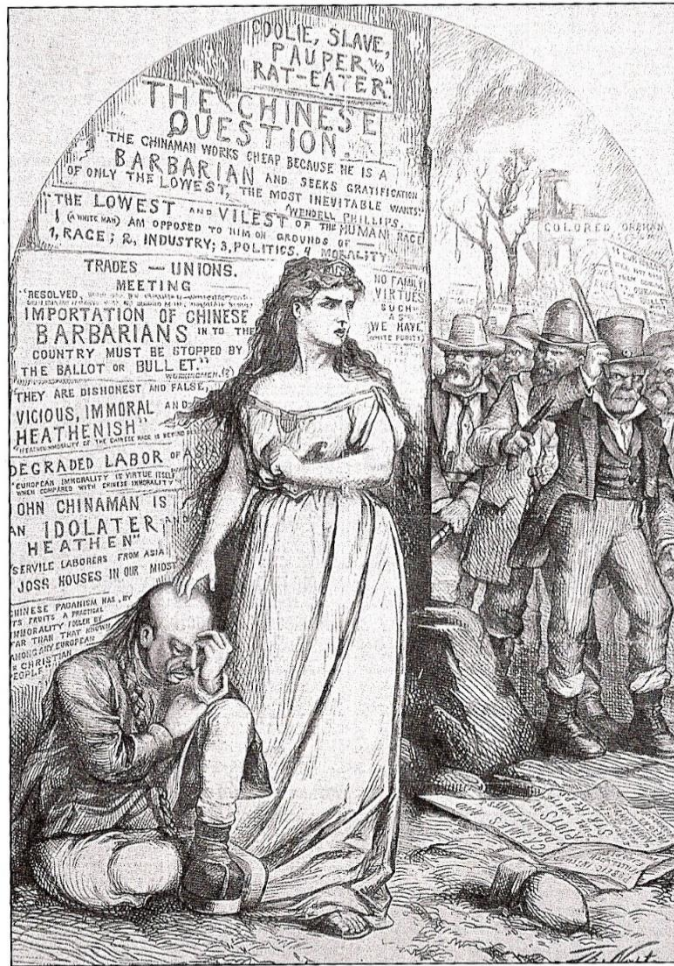


Figure 11: "Hand's Off Gentlemen!" (Harper's Weekly, 1871)

Illustrated by Thomas Nast in *Harper's Weekly* in 1871, Columbia was shown protecting a desolate Chinese immigrant from an angry mob of armed protestors. In one view, the Nast illustration sympathized with the Chinese immigrant, shielding him from the Irish (center) and German (right) men depicted (Kennedy, 2018). Columbia, the "feminine symbol of the United States, was positioned in the foreground with a Chinese immigrant before a wall plastered with all of the negative descriptors used for Chinese immigrants in the press" (Kennedy, 2018). Despite these negative stereotypes, Columbia was shown recognizing his true human nature and vulnerability as she laid one hand on the

migrant's head in reassurance and another fisted as she glared at the advancing angry crowds. This image presented Columbia as a symbol of empathetic welcome and a reassurance of justice for which many continue to turn to her as tools of subversive critique of American immigration policy restriction.

The image of the Statue of Liberty resisted the various attempts by her engineers, funders and builders to establish a monopoly over her hermeneutic meaning. Rather, her interpretation and reinterpretation allow the democratic creation of new narratives of not only herself but the ideals of the American nation, what America can and should stand for vis-à-vis its immigrant guests.

Conclusion

The 1882 Exclusion Act is argued by historians to have marked a turning point in US immigration history, signaling the first time an “immigration law ever passed by the United States barring one specific group of people because of their race or nationality” (Gyory, 1998: 4). Since the passage of the Exclusion Act, the law continues to appear in immigration policy history as a singular moment of racially-based immigration exclusion. Indeed, no other law ever passed before had ever barred entry to a group because their race.

Its historical treatment, however, belies two important populations that this analysis points toward. Exclusionary immigration policy, as I show in my discussion of hospitality, is not restricted to limits on entry into the United States. Rather, it extends to the equal treatment, legal ability to work, pathway to citizenship and acknowledgement of legal rights of immigrants arriving in the nation. In this regard, the simplistic interpretation of

the Chinese Exclusion Act in US immigration history as a singular moment of racial discrimination in immigration policy neglects the exclusion of both Native Americans and African forced migrants from the immigration system entirely and the historicization of its realities.

The implications of this neglect should be clear. For many immigration historians, Daniels noticed, “the words European and immigrant were interchangeable” (2002: 238), while Chinese immigrants, African immigrants, Native American immigrants were instead designated as coolies, slaves or inconvenient pre-modern tribes. In turn, that has permitted immigration history to continually paint injustices towards either Native Americans or African American immigrants as symptoms of indigeneity or slavery without examining the racially discriminatory character of U.S. immigration hospitality. In addition, these distinctions have continued to deprive non-white immigrants of many of the rights and privileges granted to white immigrants, such as access to land and property, freedom, citizenship and enfranchisement.

The Chinese Exclusion Act is often deemed an interruption, a brief intermission in American immigration history. This treatment has facilitated the compartmentalized approach that many Americans have toward immigration which champions the large numbers of immigrants who were allowed to arrive and settle in the United States, while treating excluded groups as exceptions at the peripheries of American immigration history. This approach has thus far obstructed a complete appraisal of how periods of intense restriction, such as the Chinese Exclusion Act, may illustrate important dynamics at play

in American immigration hospitality and of how important factors that impact the Americans' readiness to extend hospitality may be being obscured.

Most importantly, the Chinese Exclusion Act, and the media surrounding its legislation and maintenance, reveals how indigeneity, slavery and Chinese immigration restriction can all be seen as responses to the racial limitations of American hospitality, which, in the 1800s, was unconditionally extended only to white, predominantly-Protestant, European immigrants. The period also reveals the structural violence perpetrated by the American political economic system, that relied on an exploitative production process. As long as the dependence of American agriculture, industry, and manufacturing on cheap labor continues unabated, the consequences of these pressures on the labor market continue to influence anti-immigrant sentiment.

In later periods, historians of slavery tried, and failed, to bring a critical political economic lens to bear on the matter of slavery. For instance, *The Political Economy of Slavery* (Genovese, 1989) was thoroughly disparaged in scholarly reviews at the time. In the *Journal of American History*, Joe G. Taylor found the work “disappointing” (1966: 120). In the *American Historical Review* the reviewer Carl Degler disagreed with Genovese’s political economic arguments and countered that these dynamics could be more readily explained by considering white solidarity (1966: 305). This rejection of a critical political economic perspective on the connections between slavery and immigration from a labor market perspective illustrated the debilitating limitations immigration scholars had set on the definition of the immigrant.

The siloed nature of debates about indigeneity, slavery and immigration has also precluded scholarly comparisons between the African American and Native American slave trade, which in turn could potentially bring forth multiple critiques surrounding the dependence of American development on slave and cheap labor from its earliest history during the colonial era, as well as the need for European colonization to enslave and displace non-European communities. Indeed, slavery featured prominently in the colonial project that became the United States, as Christopher Columbus kidnapped and enslaved thousands of Native Americans to bring back to Europe and sell to European nobles and to entice the latter to migrate to the New World (Stannard, 1963: 66-67). Such connections were made by Columbus himself, when he wrote in his diaries that he applied lessons he learned abducting and transporting African slaves to his endeavors in the New World (Morison, 1963: 93).

Media of the time in part reflected upon the connections between the Exclusion Act and the historical mistreatment of Africans who had been brought to the United States “against their will and domesticated during many years of residence” (“Negro and Chinaman,” March 9, 1882). But even their uneven mention revealed the degree to which the issues of Chinese immigration and African-American oppression are interconnected. Moreover, the discrimination against Chinese immigrants as “new slaves” and “coolies” and the other negative portrayals of low-income workers disguised racial oppression by blaming the victim rather than addressing the rapid industrialization and economic development in the country that not only increased the demand for labor, but also

artificially depressed wages by importing labor either through slavery or through the immigration of low-income workers from other countries.

In sum, the United States economic system has been constructed over centuries with a dependence on cheap labor, whose needs economists eagerly announce can be satisfied via immigration. At the same time, native labor has continued to articulate anti-immigrant stances in response to increased labor pressures brought about by immigration, without acknowledging that the political economy of the United States continuously works to depress wages by immigration or any other means necessary. Revisiting Genovese in a 1995 review, historian James Oberly opined that “historians today may not accept Genovese's argument [...], but they are far more likely than they were in 1964” (Oberly, 1995: 5).

Indeed, elevating the economic imperatives and racial politics of labor markets back to the forefront of the discussion illustrates how American policymakers and the American press strategically negotiated American identity in the context of incoming migrant workers. It also demonstrates the racial limitations of American hospitality by highlighting episodes of history that have been re-written, mis-written, and instrumentalized into new discourses surrounding American hospitality. Thus, instead of viewing exclusion as a turning point that signified the end of the “open immigration policies” of the past (Gyory, 1998: 4), this period can be understood as Senator Hoar had presented it in 1882: a legislative effort to re-introduce racial discrimination into United States immigration policy, following the abolition of slavery.

The contradictions of the 1880s—a period when the American myth of the nation of immigrants was literally cemented against a simultaneous a period of unjust exclusion toward Chinese immigrants—address the reality of what Feagin regards as American immigration schizophrenia (Feagin, 1997: 14). This chapter demonstrates how this myth prevailed in the face of media coverage of immigration policy closure and the passage of the racially-discriminatory Chinese Exclusion Act. It testifies to the myth's moral force in American politics and media. From Emma Lazarus' words to Lady Liberty's light, this chapter illustrates the birth of a distinct image of the United States as a welcoming nation, one that embraced the world's poor exiles into its bosom, even as it categorically excluded the Chinese from its embrace.

CHAPTER THREE

Period of Nativism: National Origins Act (1920s)

During my graduate studies at the University of Pennsylvania, I lamented the shutting down of a famous Prohibition era bar—Hop Sing Laundromat. The prohibition-inspired bar's lavish interiors hid behind the façade of a faux-Chinese laundry. I regretted that the bar had closed its doors to patrons before I had had the chance to visit it, unaware as a recent immigrant at the time of the significance that a Prohibition era bar posing as a Chinese laundry establishment would come to have for my dissertation research. The bar successfully repackaged the injustice toward Chinese immigrants in the Exclusion Era (symbolized by the Chinese Laundromat exterior) with that inflicted on immigrants in the Prohibition Era. The lavish prohibition era furnishings bypassed the restrictiveness into a commercial outlet enjoyed by tourists and immigrants in the 2000s.

Such anecdotes are common among recent immigrants in the United States and they indicate the importance of the 1920s to understanding the myth of the nation of immigrants. Indeed, for many recent immigrants to the United States, the 1920s bring to mind conflicting images of anarchists and artists, depression and poverty, alongside extravagant flapper soirees and stock market speculators. Consonant with the immigration policy and discourse of the previous period, this schizophrenic style pervaded American immigration: On the one hand, it was an era rife with the emergence and resurgence of violent anti-immigrant groups that particularly targeted Eastern and Southern European “new immigrants.” These groups included the KKK, the American Eugenics Society and the

Immigration Restriction League. On the other, it was a period of artistic creation that provided influential and seductive symbols of immigrant attainment associated with the “American Dream” (Pearson, 1970).

Though the 1920s produced two sides of immigrant attainment, this chapter focuses primarily on the history of restrictiveness and discrimination of the period, particularly as it confronted the influx of “new immigrant stock” from Eastern and Southern Europe. It foregrounds its analysis of the period by establishing the political, cultural and social context of the time via secondary sources, paying particular attention to the emergence of eugenic and racial thought as well as the resurrection of the Ku Klux Klan, both of which would come to affect the environment for immigration discussion and policy-making. The chapter then turns to policies that encompassed immigration policy, the prohibition movement, and other regulatory decisions during the 1920s that impacted the hospitality shown towards immigrant communities. Finally, the chapter considers the print media of the time, focusing on the three largest newspapers of the period: *The New York Times*, *Wall Street Journal* and *Washington Post*. In so doing, it offers a narrative that exemplifies what Ronald Allen Goldberg called “the dark side of the twenties” (Goldberg, R., 1999).

1920s in Context

Scholars have long maintained that cultural production dominates our understanding of the 1920s. As Cummins noted in 1980: “it is likely that an accurate social portrait of the twenties and thirties can be reconstructed from the popular media entertainments” (1980: 13). But though much public knowledge of the twenties is informed

by mediated re-imaginings of the era, they are often written from the perspective of American citizens and affluent protagonists and fail to capture the divergent experience of non-English-speaking “new immigrants” of Italian, Polish, Greek, Russian and other backgrounds. Indeed, the 1920s was an era of intense discrimination against Southern and Eastern European immigrants who encountered inhospitable policies and media rhetoric, aimed at quelling the rise of the migration of this “new immigrant stock” to the United States.

Cultural and Demographic Tensions

By 1915, the United States was coming to terms with the WWI armistice and the transition to a peacetime economy following the war (Goldberg, R., 2003: 1). During this time, the release of about two million servicemen from duty and subsequent termination of several government war contracts resulted in a dramatic economic collapse in the spring of 1920 (Goldberg, R., 2003: 3-4). By the late 19th century, immigrants represented less than 1% of the annual expansion of the national population (Zolberg, 2006: 4) and the country had not only formulated a distinct “Anglo-American” culture, but it had developed a nativist movement lead by earlier immigrants and aimed at combatting the arrival of new categories of immigrants into the United States (Higham, 1988). In the meantime, global immigration patterns were shifting, suggesting the rise of non-Anglo-Saxon and non-English speaking immigrants who would represent a growing share of immigration flows into the United States (Zolberg, 2006: 4). As a result, much of American society became increasingly gripped by a nativist movement that classified immigrants as “new immigrant stock” and distinguished them from the primarily white, Protestant, English-speaking

population resulting from pre-war immigration. According to this narrative, old immigrants who came from the British Isles and Northwestern Europe resembled the existing population of the American colonies and were thus relatively easy to assimilate. In contrast, the “new immigrants” of the 1880s onward were ethnically distinct, “spoke strange languages and worshipped strange gods,” and were thereby less suitable for assimilating into the United States (Daniels, 2002: 121). This movement portrayed new immigrants as threats to American democracy and its political institutions, justifying strong denunciations of unfettered immigration (Higham, 1988).

The author Henry James reflected this sentiment when he described Ellis Island in *The American Scene* (1907). James commended the liberal hospitality of Ellis Island Commissioner who helped introduce the author to the island but warned that immigration “is a drama that goes on, without a pause, day by day and year by year.” He likened the scene he witnessed on the island to that of a grotesque “visible [...] ingurgitation on the part of our body politic and social, [...] beyond that of any sword-swallowing or fire-swallowing of the circus” (James, 1907: 85).

Alongside immigration at the nation’s sea ports, the agricultural transformation of the greater southwest region attracted a significant rise in Mexican immigration on the country’s southern border. This prompted responses from university professors as well as small farmers that warned of the dangers of incoming Mexican immigration. In the *Annals of the American Academy*, Congressman James Slayden blamed large planters and industrialists for being too pre-occupied with their cotton crops or railroads to consider the social costs of welcoming Mexican immigrants (1921: 121). Moreover, as Montejano

observed, the Midwest and Rocky Mountain states were gripped with a form of “statistical terrorism,” whereby Mexicans were argued to be genetically inferior to the Nordic race but also more sexually “fecund,” providing fabricated statistics of Mexican birth rates to substantiate such claims (Montejano, 1999: 172). Thus, employers who encouraged incoming immigration in order to supply their economic activities with cheap labor were accused of corrupting the racial superiority and stability of the country by employing new immigrants.

But the influx of immigrants of the time came primarily from a European wave of forced migration following WWI. In 1919, 430,000 refugees from Europe landed in the United States, and the number doubled in 1920 (Stephenson, 1926: 178). This encouraged Congress to search for more methods to curb immigration into the country, positing that “the literacy test alone was not enough to prevent most potential immigrants from entering” (Office of the Historian, 2017). This restrictive push continued in spite of reports that refugees denied entry were repatriated to their countries and often to their deaths, a reality that could have been avoided had the United States welcomed those seeking refuge. At the time, the United States had yet to stretch the administrative borders of immigration policy abroad, prompting countries to process and review immigrants at their country of origin before arriving in the United States. Thus, the processing of immigrants at Ellis Island and other ports of entry provided plenty of opportunity for asylum seekers to arrive in the United States and seek refuge. However, the repatriation of immigrant arrivals regardless of their potential safety stifled the humanitarian potential of the American immigration processing system. The harsh fate of repatriated forced migrants was discussed in

Congress, albeit rarely, and reported unevenly by the press. In Figure 12, for example, *The New York Times* reported in 1921 that Armenians in search of refuge from genocide, starvation and disease were being deported to their deaths, a reality that was relayed to Congress and publicized in the press by the Welfare Counsel, which advocated extensively in favor of foreign aid and the refugee resettlement of Armenians affected by forcible deportation, genocide and oppression in the 1910s and 1920s (Watenpaugh, 2010). This reality however did not sway Government officials' intransigent stance against refugees, as they hoped that setting a precedent of deporting immigrants regardless of their potential safety in their countries of origin would deter future asylum seekers.



DEPORTED ARMENIANS SLAIN
Welfare Counsel Tells House Com-
mittee of Immigrants' Fate.

Figure 12: New York Times Headline, December 19, 1921

As these immigration flows were shifting, the 1920s brought about noticeable changes in immigration policy and administration. A historic rise in immigrant arrivals to 14.5 million immigrants between 1900 and 1920 motivated the creation of two immigration administrative bodies which would oversee the processing of new immigrants and collect information on immigrant arrivals, naturalization and countries of origin: The Bureau of Immigration and the Bureau of Naturalization (1913) (U.S. Citizenship and Immigration Services, 2012). The creation of these bodies enabled greater oversight over the number of immigrant arrivals and the conditions of their settlement in the United States.

Moreover, changes in patterns of immigration prompted a shift in the survey of immigration numbers by census officials. As a result, when immigration began to rise from its World War I stagnation in May 1920, reaching 5,000 daily immigrant arrivals at Ellis Island (Higham, 1988: 267), U.S. population statisticians were prepared for the influx. They had developed measures to capture a picture of the immigrant arrivals as well as document their native languages, ethnicities and racial backgrounds. In this way, U.S. population statisticians were able to capture the rise in the foreign-born share of the population from 10 million in 1900 to 13.9 million in 1920. At the same time, they were also able to compare the changing geographical origins of these immigrants with the first available records of countries of origin.

These measurements revealed a great transformation taking place in American immigration: new immigrant aliens were not Englishmen and Dutchmen but Italians, Poles, Russians and Greeks; they were Catholics and Jews; and they were arriving in large numbers. Among the 14 million immigrants arriving in the United States between 1901 and 1920, statisticians counted more than 5 million newly-arrived Italian Catholics and Russian Jews (Tucker, 1990: 7). Moreover, the shift in incoming immigration patterns in the United States seemed to reflect a shift in global immigration patterns, suggesting a long-term and global move towards non-European and Southern European immigrants representing a growing share of global immigration flows from the 1900s onward. European migrants, who had represented 85% of global migrant flows from the 1880s to 1920s (Castles, 2000: 271), no longer represented the majority of global international migrants from the 1920s onwards (Castles, 2000: 271). At the same time, a growing share of global immigrants originated from developing countries (Koser, 2007). The most

striking shift in immigration in the United States was the shift within European immigration, as Southern and Eastern Europeans outnumbered Western European immigrant arrivals. According to the statistics provided by the U.S. Census Bureau, the number of immigrants from Northern and Western Europe in the United States dropped from 7.2 million in 1900, to 6.2 million in 1920. Meanwhile, the number of immigrants from Southern Europe more than doubled over the same time-period, rising from just over 500,000 in the 1900 census to 1.9 million in 1920 (U.S. Census Bureau of Statistics, 2002).

The observation of these shifts was also accompanied by a rise in public suspicion and distrust of Eastern European political ideologies, notably communism and anarchism. As Goldberg observed, the 1920s saw a nation gripped by an unprecedented anti-Hun, anti-Bolshevik, anti-communist hysteria that became known as the “Red Scare” (Goldberg, R., 2003: 9). The literature on the “Red Scare” illustrates how unsuspecting migrant workers organizing for workers’ rights in an atmosphere of growing unemployment and job precarity after the war found themselves detained and deported under charges of being members in the Union of Russian Workers or similar political organizations (Murray, 1955: 176). The Red Scare motivated fear of immigrants, particularly those of Southern European and Eastern European backgrounds because they were perceived to view communist and anarchist ideologies more favorably. Alongside the demographic shifts in immigration to the United States in the 1920s, the Red Scare and other concerns helped create an environment that was particularly hostile towards the immigrants arriving during the 1920s.

Eugenics and Racial Thought

One particular movement of the time—eugenics—fueled anti-immigrant sentiment. The shift in immigration demographics towards Southern European and non-European immigrants, as well as the enhanced ability of census statisticians to capture the shift, revived interest in eugenics and racial theory in the post-war era. Madison Grant's *The Passing of the Great Race*, published in 1916, scarcely received any attention with its publication. It “enjoyed a substantial vogue in the 1920s” (Higham, 1988: 271), motivating its republication in 1918, 1920 and 1921.

Grant's scientific racial theories received marked interest abroad, influencing the emergence of National Socialist ideology in Germany and providing Nazi leaders with the first notion of blond, blue-eyed people as a *Herrenvolk*, or master race (Grant, 1916: 12). To that effect, Madison Grant received a letter in the early 1930s from Adolf Hitler thanking him for his book, which he considered his “bible” (Spiro, 2009: xi). At the close of WWII, Dr. Karl Brandt cited the German translation of *The Passing of the Great Race* in his trial for crimes against humanity at Nuremberg. Ironically, the defense in *United States of America v. Karl Brandt et al.* forced the Nuremberg judges “to come to terms with the discomfiting irony that the Nazi doctor was tracing the roots of the Third Reich's eugenics program to a best-selling book by a recognized American scholar” (Spiro, 2009: xi).

Indeed, the prevailing approach to scientific racism to this day is that eugenics and racial thought are distinctly un-American and inconsistent with American ideals. They are more readily associated with German National Socialism, a consensus that has perhaps

hindered a reckoning with the roots of eugenics in the United States. And yet, Grant's work, which predates National Socialist ideology by nearly a decade, was published amidst a rise in American white-nationalism and met with approval in the United States of the 1920s (Higham, 1988: 270). It was also published amidst a furor of anti-German propaganda during the WWI effort (Spiro, 2009: 161).

Instrumental in defining American racist thought in the 1920s, Grant identified race, language and nationality as three distinct categories. This logic would come to motivate a change in annual census instructions in later years, distinguishing between foreign-born citizens' reported place of birth, and their "real" origin as per their spoken language and/or ethnic identity (U.S. Census Bureau, 2002). It also drew greater attention to the origins of Southern European and non-European immigrants arriving from northern-European countries or their colonies. Grant was also credited with teaching "American people to recognize within the white race a three-tiered hierarchy of Mediterraneans, Alpines, and Nordics" (Higham, 1988: 272). He emphasized that the pure white races displayed measurable physical characteristics, such as the size of their skull, hair color, eye color, and height, and that the intermixing of races produced "disharmonic combinations" such as tall brunettes or blond brown-eyed people (Grant, 1916: 12). Grant's ideology was accompanied by a strong anti-democratic and anti-equalitarian rationale, positing instead that democracy was intended as a system of governance among Western races. If applied to a mixed-race society, it would lead to the rule of the lower races of immigrants. Grant also contended that slaves were necessary for the advancement of racial elites (Grant, 1916: 5).

Grant's ideas afforded the author considerable professional success throughout the twenties. In his biography of Madison Grant's life, historian Jonathan Spiro counted as many as 35 organizations where Grant had served as a board member, founder or co-founder. Among them were the American Eugenics Society, the New York Zoological Society, the American Geographical Society, and the American Museum of Natural History (Spiro, 2009: 391). At the same time, his book received praise from prominent American political figures, including this response to the book by Theodore Roosevelt in *Scribners* [Figure 13], who wrote that the book demonstrated a "fearlessness in assailing popular and mischievous sentimentalities" regarding evolution and migration. To that, he added, that every American "should be sincerely grateful" for Grant's book (Roosevelt, 1917).

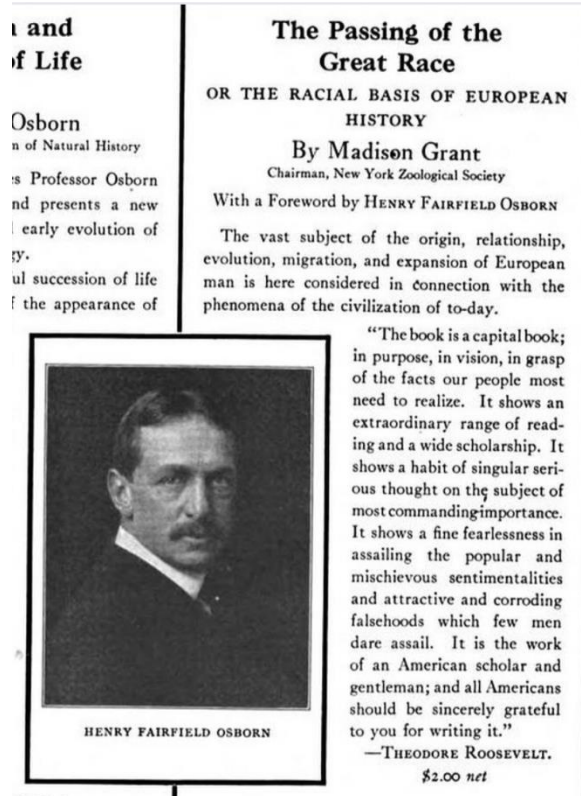


Figure 13: Theodore Roosevelt's Review of *The Passing of the Great Race*, Scribners, 1917

From his various affiliations, Grant was well-positioned to inspire a younger generation of historians, economists and academics to publish similar racial thoughts. In 1920, Grant's disciple Lothrop Stoddard published *The Rising Tide of Color*, warning that the war between the primary races of mankind, which he called the “conflict of color,” would become the greatest problem of the twentieth century and beyond (Stoddard 1920: 16). In a fiery introduction to Stoddard's book, Grant warned of nothing less than the end of civilization if “the great Nordic race” dwindled, stating that democracy was only acceptable among a homogenous population of Nordic blood. It was a different entity, he

argued, for “the white man to share his blood with, or entrust his ideals to, brown, yellow, black or red men” (1920: xxxii).

The mushrooming of scholarly publications on eugenics did not take long to convert American universities to their cause. Whereas only 9% of American colleges and universities offered eugenics courses before *The Passing of the Great Race* was published, by the late 1920s eugenics was being taught at 75% of American institutions, including Harvard, Columbia, Brown, Cornell, Northwestern, and the University of California (Spiro, 2009: 168). A series of eugenics textbooks would bolster this trend, publishing readings that catered to these courses. One was *Applied Eugenics* (Popenoe and Johnson, 1918), co-authored by a professor of eugenics at the University of Pittsburgh, whose professional title alone was a testament to the growing acceptance of eugenics as a legitimate research area.

Popular culture complemented the sweeping tide of eugenics and racial thought emerging in the nation’s university halls, literature, films and other artistic creations, impacting the conversation on immigration. This is due to the fact that cultural production in the United States was intricately tied to the creation and resurrection of civil society groups that would actively mobilize towards limiting immigration. Key here was the decision of Kentucky-born D.W. Griffith, the son of a Confederate soldier shot in the Civil War, to commit Thomas Dixon’s novel *The Clansman* to the big screen in 1915, the fiftieth anniversary of the end of the Civil War. Seeing an opportunity to visualize the Great War from the perspective of the antebellum South, Griffith’s blockbuster production, “Birth of a Nation,” met widespread success, and it was broadly distributed, showing in working-

class neighborhoods (Rogin, 1985, p. 155), upscale theaters (Lenning, 2004, p. 119), and even the White House before an audience of Supreme Court Justices, congressmen and senators. In fact, “Birth” captured so much public attention that the U.S. President requested a private White House viewing which helped endow the film with “a political seal of approval” (Rogin, 1985: 154).

Reflecting on the themes of the film, Eisenstein wrote that Griffith captured the “second side of America—America the traditional, the patriarchal, the provincial” (Eisenstein, 1949: 147). However, most strikingly, the film portrayed cloaked Klansmen as “avenging spectral crusaders” riding in as heroic characters (Rogin, 1985). In fact, white aggression was defanged because the director chose to overlook the violent ideology of the Klan and focus on the Herculean efforts the depiction of the Klan movement on screen required. Rather than discuss the movement’s ideals, Griffith bragged of the 25,000 yards of white cloth stitched into uniforms for the production of the movie (Turner Classic Movies, 2017). Such statements transformed the KKK uniform, a symbol of white aggression in the United States, to a harmless and even impressive feature of the film. At the same time, the creation of a black antagonist named Silas Lynch was a deeply symbolic choice that transformed the act of lynching from a symbol of white aggression against blacks, to an indicator of a black aggressor. In turn, this furthered Griffith’s general portrayal of the submission of the white South under black domination (Rogin, 1985: 166).

The Ku Klux Klan and Other Majority Groups

Exploiting the release of this racist celluloid blockbuster and riding on a national wave of racism following the blockbuster’s success (Gitlin, 2009: 12), the once-defunct

secret society of the Ku Klux Klan capitalized on the newfound popularity of racial thought, garnering new supporters (Streissguth, 2009: 65). The Klan of the 1920s, emerged as a formalized fraternal order that had to some extent abandoned the more violent tendencies of its roots. It was also more widely geographically distributed than its ancestor had been, attracting supporters in the North because of Northern resentment towards black migration north after emancipation (Gitlin, 2009: 14).

By 1920, the organization had already amassed several thousand members (Streissguth, 2007: 65). By 1923, this number rose to an estimated four million members nationwide as a result of the Klan's embrace of a savvy mass communications strategy and multipronged approach to publishing, marketing and interviews in major outlets (Gitlin, 2009: 76). Scholars credit this media savvy with fueling the popularity of the group and particularly the role played by two media strategy experts: Edward Clarke and Elizabeth Tyler, founders of the Southern Publicity Association. The Southern Publicity Association had previously helped the Red Cross and Anti-Saloon League raise funds and was subsequently contracted to help promote the Klan (Gitlin, 2009: 13). Its media coverage, intended to warn the public of the dangers of the organization's rise to prominence, served the unintended purpose of boosting the group's popularity. Notably, *The New York World's* ambitious two-week investigative exposé of the organization in September 1921— that uncovered 152 crimes, four murders and 47 tar-and-featherings— inadvertently led to an increase in the KKK's ranks, as some readers saw the negative portrayal of the exposé as a prime example of big-city arrogance and condescension, as well as urban liberal bias against “ordinary people” (Gitlin, 2009: 15).

The Klan's core tenets required members to accept the immigration restriction of "new immigrant stock" as an important goal for the organization and its members (Rawlings, 2016: 112). This was reflected in an informal survey conducted by *Outlook* in 1924, which provided a rudimentary portrait of the agreement of members of the organization on immigration policy change. The survey found that more than 90% of Klansmen households responded that foreign immigration should be further restricted (Rawlings, 2016: 214). The KKK dedicated many of its resources to this end, using the financial contributions of its swelling member base to position itself as a main donor and supporter of political candidates. The strategy paid off: In the 1922 off-year elections, 75 members of Congress owed the success of their campaigns to Klan support ("Hylan Asks Harding to Stop Klan Paper", December 21, 1922). Moreover, the Klan enhanced its influence by sending threatening letters to candidates that were unfavorable to the group as they ran for office in local elections, or to judges and jurors in court cases against the organization ("Klan Letters Set to Grand Jurors," December 12, 1922). In Oregon, the Klan was also instrumental in enforcing compulsory public education to prevent immigrants, Catholics and other groups from seeking private schools that reflected their religious views or language differences ("What the Klan Did in the Oregon Elections," December 3, 1922). In conjunction with their role in supporting candidates, Klan leaders conducted regular visits to Washington to secure the interests of their organization among policymakers with meetings and lobbying efforts. Finally, the group emphasized its aims to pursue its agenda democratically through political lobbying and voting.

The growing influence of the Ku Klux Klan, at a scale far beyond its progenitor, was accompanied by the establishment of several majority-group organizations that gradually shifted their focus from spreading racial theories to lobbying for discriminatory policy towards immigrant minorities. First, there were Grantian-inspired organizations which maintained that “the new immigration [...] contained a large and increasing number of the weak, the broken and the mentally crippled of all races drawn from the lowest stratum of the Mediterranean basin and the Balkans, together with the hordes of the wretched, submerged populations of the Polish ghettos” (Grant, 1916: 88). Among these majority-group organizations were the American Eugenics Society and the Immigration Restriction League (IRL), which also counted Grant among its members. The Immigration Restriction League was established on May 31, 1894 by three Harvard graduates—geographer and climatologist Robert DeCourcy Ward and lawyers Charles Warren and Prescott Hall—in response to the “invasion” of the United States by “undesirable immigrants.” The IRL was created with the purpose of advocating for “restriction and regulation of immigration” [Figure 14] by issuing documents and publishing advocacy research to “arouse public opinion to the necessity of further exclusion” (Constitution of the Immigration Restriction League, 189-?).

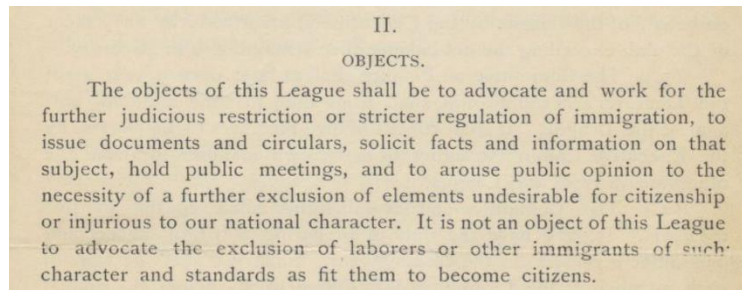


Figure 14: The Purpose of the IRL as stated in the Constitution of the Immigration Restriction League. Immigration Restriction League, 189-?].

To that end, the League would embrace the efforts of journalists, politicians and philanthropists to further the exclusion cause. In a letter penned by the League's secretary Prescott Hall, interpersonal communication was intermingled with written correspondence to disseminate arguments, encouraging one philanthropist to support anti-immigrant legislation in Congress and discuss these matters with friends and any charitable or other organizations of which he was a member (Hall, 1898). The arguments set forth in many of the circulars produced by the Immigration Restriction League echo the arguments previously made against Chinese immigration leading to the Chinese Exclusion Act in 1882.

Consider, for example, this statement from a circular delivered to citizens of New York in 1905: "the rushing into New York city of a foreign population that is fitted only for push cart and sweat shop work and garment making is creating alarm and making the situation intolerable" (Immigration Restriction League, 1905: 2). This statement also recalled similar themes to those evoked by Samuel Gompers' famous essay, "Meat vs. Rice: American Manhood vs. Chinese Coolieism, who will survive?" (Gompers, 1901), which presented Chinese immigration in the 1880s as an existential threat to white workers

and white manhood, because of the relative lower skill and pay of Chinese workers that endangered American labor and workers' rights.

The combined effect of the racial trends in popular culture and civil society on the horizons of the immigration debate was noticeable in Thomas Bailey Aldrich's poem "The Unguarded Gates," which vocalized the fears of many middle and lower middle-class Americans that the incoming immigration of inferior peoples was threatening the national demographic makeup. Describing immigration at the gates of the country, he wrote:

*Wide Open and unguarded stand our gates
And through them passes a wild motley throng
Men from the Volga and Tartar steppes
Featureless figures from the Hoang-Ho
Malayan, Scythian, Teuton, Kelt and Slav
Flying the Old World' poverty and scorn
These bringing with them unknown gods and rites
Those tiger passions here to stretch their claws
In street and alley what strange tongues are these
Accents of menace in our ear
Voices that once the Tower of Babel knew.*

(Aldrich, 1982)

Highly influential, this poem was discussed and shared by policy makers and influential public figures as a critique of the United States' immigration policy to that date. The poem

represented the image of “open-gate” immigration⁵ as a threateningly unguarded gate, soliciting the transgressions of immigrants from around the world. Moreover, the image of the guarded gate painted the immigrant as a criminal trespasser, even as he or she arrived within the framework of existing immigration regulations. Finally, the latter section of the poem presents the diversity of immigrant origins as a “wild motley throng,” like a wildfire threatening to overwhelm the American national identity with “strange tongues” and “unknown gods.” The menace of immigration, as shown by the poem, foreshadowed the destruction of the United States, likening the unfamiliar languages of immigrants to “voices the Tower of Babel knew” before its dark fate.

In sum, these cultural and demographic tensions created a context that helped foster anti-immigrant sentiment directed at the “new immigrant stock” of Southern and Eastern European origin. Together and alone, they created fruitful conditions for the conversations that would take place on the floors of the House and Senate and in the leading newspapers of the country.

⁵ Open-gate immigration is a myth often evoked to denote eras of relative immigration openness, which bypassed its selective application, as discussed in the previous chapter on Chinese exclusion.

Regulatory Hospitality

The sentiments that arose from the cultural and demographic tensions of the 1920s were influential in informing the immigration policy debates from the 1920s onward. These debates drew heavily from the idea that “new immigrant stock” differed greatly from the “old immigrant stock” in character, cultural proximity to the “native” population and assimilability. Thus, amidst the convergence of nativist anti-immigrant sentiment across popular culture, academia, and several other spheres, immigration policy in the 1920s approached incoming immigrant arrivals as an alarming development that needed to be swiftly and decisively dealt with. Responding to reports that 800,000 immigrants had entered the country in twelve months (“805,228 Immigrants,” August 31, 1921), Congress was eager to discourage “undesirable” Southern and Eastern European immigrants.

Deportations, Raids and Rights

One important factor influencing the legal context of the interwar period was the dramatic rise in deportations, as well as changes in U.S. policy that crafted extra-judicial hearings to assess deportation cases. Against the background of economic depression and the increased mechanization and unemployment that came with the close of World War I, deportations and raids became less objectionable as the nation became gripped by an unprecedented anti-Hun, anti-Bolshevik, anti-communist hysteria commonly known as the “Red Scare” (Goldberg, R., 2003: 9). The anti-communist movement of the 1920s replicated several characteristics of the anti-anarchist movement of the early 1900s. When the self-proclaimed anarchist Leon Czolgosz fatally shot President William McKinley in

1901, his actions set in motion a wave of anti-anarchist sentiment and inspired the Immigration Act of 1903, which excluded “anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States or of all government or of all forms of law, or the assassination of public officials” from immigration to the United States (Act to Regulate Immigration to the United States, 1903). This “Red Scare” disproportionately affected Southern and Eastern European immigrants, or “new immigrant stock” because they were perceived to possess a greater affinity to Bolshevik and communist political thought. At the time, a judge insisted that anarchists did not deserve constitutional protection, declaring: “It was said by a distinguished English judge, in the celebrated Somerset slave case, that ‘No slave can breathe the free air of England.’ It would be well if the laws of this country were such that it could be said truthfully, that no anarchist can breathe the free air of America” (Kraut, 2012: 176).

The “Red Scare” of the 1920s was equally fueled by several violent attacks occurring between 1918 and 1920, many of them associated with individuals of Southern or Eastern European lineage. The mail bomb attacks in the spring of 1919 were central, when 36 packages containing crude bombs were stamped as having come from the Gimbel Brothers Department Store and addressed to prominent businessmen, senators and cabinet members (Ferrell, 2006: 141). The bombing of the private home of Attorney General Mitchell Palmer on June 2nd, 1919 instigated the highly controversial Palmer deportations in 1920. Although the bomber in the latter case was found dead and dismembered as a result of the explosion, the incident led to 4,000 arrests of suspected anarchists and radical leftists across 23 states, many of them from Eastern and Southern Europe, as well as the

deportation of 529 immigrants (Wilson, 2012: 455). Then-Assistant Secretary of Labor Louis Freeland Post later described the Palmer deportations as “a delirium” (Post, 1923), stressing the negative consequences of suspicion towards immigrants on civil rights. Indeed, the Palmer deportations revealed the risk to which America’s immigrant aliens were exposed, because immigrants were arrested without trial given the lack of protection of alien rights under the Constitution.

It is worthy of note that the wave of deportations disproportionately affected immigrants from the “new stock” who were perceived to possess an affinity for communist thought. As Panunzio observed, of a sample of 200 cases he could examine, 74% of the defendants were Russians, followed by Poles, Lithuanians, Austrians and Croatians as well as a smattering of Italians, Yugoslavians, Bulgarians and other Eastern and Southern European immigrants (1921: 17).

In this respect, the deportations of the 1920s realized the aspirations put forth by the judge in 1903 who had said that anarchists do not deserve constitutional protection (Kraut 2012: 176). The Immigration Act of October 18, 1918 amended the Immigration Act of 1903 by bolstering the ability to deport anarchists and communists, as well as excluding them from immigration to the United States (Section 1 & 2 of 1918 Immigration Act). The Act notably did not distinguish between members of anarchist organizations and the broader platforms of such organizations. Also, it placed the enforcement of such rules “upon the warrant of the Secretary of Labor” (Section 2, Anarchistic Aliens Exclusion Act, 1918)

Moreover, being an administrative rather than criminal matter, the cases of immigrants would be heard by immigration officers who possessed neither knowledge of residents' rights by law nor experience dealing with groups of immigrants (Panunzio, 1921: 15). As a result, in cases where a charge could not be substantiated, officers could simply create new charges under which they could deport immigrants, notably using the charge that immigrants were liable to "become public charges" upon their entry to the United States as grounds for deportation. As a result, many immigrants decided to leave the US voluntarily as a result of being questioned and held on high bail (Panunzio, 1921: 45).

Attorney General A. Mitchell Palmer had been appointed by President Woodrow Wilson in 1917 as the alien property custodian, a position that entailed seizing the assets of suspected disloyal immigrants during the wartime mobilization of World War I (Potter, 1924). As such, Palmer's career had long represented the violation of immigrant rights that had preceded the Palmer raids. In spite of his advocacy on multiple civil rights issues including women's suffrage and children's rights, Palmer exhibited the same disregard towards immigrant rights in the 1920s that he had in 1917, as he rounded up and deported suspected anarchists. Defending the raids, Palmer wrote in *The Forum* in 1920:

Like a prairie-fire, the blaze of revolution was sweeping over every American institution of law and order a year ago. It was eating its way into the homes of the American workmen, its sharp tongues of revolutionary heat were licking the altars of the churches, leaping into the belfry of the school bell, crawling into the sacred corners of American homes, seeking to

replace marriage vows with libertine laws, burning up the foundations of society.

(Palmer, 1920)

The essay, titled “The Case Against the Reds,” described individuals of immigrant background with dehumanizing terms denoting danger and disease. Its use of verbs and adjectives elicited connections with sub-human objects—descriptions of anarchists “crawling” like insects, or anarchists’ uncleanness likened them to vermin and disease.

The most extensive study at the time of the legal consequences of these deportations on immigrants was that of Panunzio, who conducted interviews with 168 alien prisoners held in three prisons across the country and followed the case proceedings with the permission of the Department of Labor (Panunzio, 1921). His study concluded that several immigration policy decisions had created severely unjust circumstances for foreign-born residents in the United States. Firstly, the 1918 Immigration Act stipulated that “anarchists” as well as any aliens teaching or advocating for the overthrow of the United States government could not only be excluded from entry as earlier immigration policy had ordered, but they could also be deported if already residing in the United States. The Acts went further, placing the enforcement of decisions under the purview of the Department of Labor, making deportations an administrative matter that did not require criminal court hearings (Panunzio, 1921: 13). Meanwhile, the role of the Department of Justice was restricted to gathering evidence that supported the charges of espionage or communism filed against the immigrant being reviewed.

The Palmer deportations were just one example of the numerous deportations of immigrants that took place in the 1920s under the pretense of combatting anarchism, radicalism, communism and other -isms perceived to be political vices. In fact, suspicion towards immigrants reached such heights that journalist A. J. Liebling exclaimed that if an alien dropped a penny in the hat passed around by an unemployment council speaker or bought *The Daily Worker*, he would find himself deported (cited in Moloney, 2012, p. 165). Distrust towards immigrants motivated new criteria for immigration processing, including a test of loyalty, character assessments, and statements of non-affiliation in left-wing parties for eligibility of immigrants (Streissguth, 2009: 69).

Prohibition

The Prohibition Movement marked a policy change that transformed the social and political environment in ways that directly targeted immigrants. On January 16, 1919, the Constitution was modified to include the eighteenth amendment prohibiting the manufacture and distribution of alcohol, a shift that would mark the beginning of the Prohibition Era in the United States. The Prohibition Movement represented a period of great injustice to immigrants, as it was coupled with a distinct anti-immigrant mobilization that connected the prohibition of alcohol to the restriction of immigrants (Caves, 2012). According to Higham, the Constitutional amendment initiated a crusade by “drys” against foreigners who were associated with lawlessness, inebriation and foreign interventionism (Higham, 1988: 267). Concurrently, the prohibitionists associated immigration with moral corruption in the nation’s largest cities, criticizing them as dens of vice and harbors of

Catholic and Jewish immigrants while warning of the threat of spillover because of mass communication and transportation (Streissguth, 2007: 28).

The problem of alcoholism was often connected to the question of immigration in the 1910s, prohibitionists saw their campaign as a solution to the “tide of problems brought ashore by immigrants from strange lands” (Streissguth, 2009: 28). As Gusfield observed, the prohibition movement represented a symbolic struggle between old immigrants and new immigrant arrivals from Southern and Eastern Europe (1962), who were perceived to be a demographic obstacle to a dry nation (Moore, 2014: 525). It did not help that most alcohol breweries were German-owned and operated. Drinking in the social contexts of the saloon, tavern and beer gardens was an integral part of the common immigrant experience of the time (Wasserman, 1989: 886), and immigration laws during the Prohibition Era reflected the suspicion that immigrants were often drunkards and alcoholics. For instance, the Immigration Act of 1917 introduced alcoholism into the list of characteristics that disqualified immigrants from being able to settle in the United States. The result was immigration policy that approached the immigrant as a suspected alcoholic and a risk to society in need of restriction, creating a connection between immigration and alcoholism that persisted beyond the retraction of the Eighteenth Amendment. Thus, the Prohibition Era is argued to have had a lasting effect on immigration policy, introducing drunkenness and alcoholism as disqualifying factors for immigration to the United States, conditions that would re-appear in the 1952 Immigration Act that banned naturalization to any “habitual drunkard” (Immigration Act, 1952).

Moreover, Prohibition Era politicians exhibited a contradictory relationship towards mass communication. This contradictory relationship was exemplified in the position of Roy Haynes, who was appointed by President Warren Harding as Commissioner of the Treasury Department's Prohibition Bureau. A former newspaperman, Haynes acknowledged the need to maintain positive relationships with journalists to create positive publicity about the Prohibition administration (Lee, 2008: 276). Yet, the former newspaperman saw the press as instruments in the "carefully planned propaganda" by 'wets' against prohibition ("Denies Dry," 1922). He also argued that a major impediment to Prohibition enforcement was apathetic citizens ("Denies Dry," 1922), who often jeered and booed as officials raided establishments where liquor was sold ("Sees Rum," 1922).

Media and mass communication were also instrumental in constructing the imaginary geography of the "inner city" vis-à-vis neighboring towns and even rural areas. As such, the media contributed to the cultivation of an image of the inner city as "a grey, shabby, derelict, poverty-ridden fairytale land" (Burgess, 1985). It validated views that the inner city was a morally corrupt place where criminality, drunkenness and other vices threatened to infiltrate the stability of American society. Ironically, mass communication was viewed as the vehicle (along with transportation) through which the moral corruption of the inner city threatened to reach into the American home⁶. As John Durham Peters reflected in his essay, "Satan or Savior," mass communication was treated during the 1900s

⁶ The myth of America's moral decay is a powerful and persistent one, evidenced by its resurgence again and again in American history in response to television, social media, LGBTQ+ rights, and any number of great shifts in national policy. For contemporary treatments of the phenomenon, see https://www.huffingtonpost.com/john-pavlovitz/the-christian-myth-of-americas-moral-decay_b_10022720.html

as a vehicle that could “reconstruct, or further ruin, community life” by exposing it to the vastness of a larger society whose sheer scale and geographical spread precluded firsthand acquaintance of its dispersed members (Peters, 1989: 250).

The arguments for prohibition and immigration restriction often echoed one another. They borrowed from the lamentations of Madison Grant and the Immigration Restriction League regarding the concentration of immigrants in city “slums” in New York, Boston and Philadelphia. Thus, the morning prohibition went into force, famous Evangelist Billy Sunday held a mock funeral over the body of John Barleycorn and declared: “The reign of tears is over. The slums will soon be only a memory. We will turn our prisons into factories and our jails into storehouses and corncribs. Men will walk upright now, women will smile, and the children will laugh. Hell will be forever for rent” (“Billy Sunday,” January 17, 1920; “Thousands Hear,” January 17, 1920). Sunday’s declaration revealed the degree to which criminality, immigrant slums, alcoholism and all social ills were associated, and how anti-immigrant groups and “drys” were considered the cause of prohibition.

In sum, prohibition policies reflected a culmination of social anxieties of the rupture of community life in the face of mass communication, transportation, and the increasing urbanization of the United States. Together, these anxieties were applied towards enacting policies that shrunk immigration hospitality in the United States by attacking immigrants’ livelihoods and lifestyles.

A Duo of Immigration Acts

The influence of these anti-immigrant cultural movements and the burgeoning role of majority-group organizations would reach its apex in the fall of 1920, when Senator Albert Johnson (R-Washington), the chairman of the House Committee on Immigration and Naturalization, with whom eugenicist Madison Grant had been cultivating a friendship for several years, invited Grant to the nation's capital to draft emergency legislation limiting immigration arrivals. The result was a bill that "loudly proclaimed to the world [US] determination to cease being a nation of immigrants" (Zolberg, 2006: 243).

The Emergency Immigration Act (officially referred to as the Act to Limit the Immigration of Aliens) of 1921 put in place a quota system which would temporarily limit the number of immigrants from any European country to 3 percent of the total number of immigrants from that country according to the 1910 census. This promised to reduce immigrant arrivals to 355,000 as well as dramatically reduce the share of immigration coming from Eastern and Southern Europe (An Act to Limit the Immigration of Aliens into the United States, 1921). To limit immigration from Africa and Asia, Congress excluded African Americans who comprised 9% of the American population at the time from the quotas as well as Asian immigrants since they were "ineligible for citizenship" (Ngai, 1994: 72). Moreover, the Act considered nation of origin to be place of birth, while excluding any colonies or territories of a country, in order to yet again limit the immigration of Asian or African immigrants. In excluding these two groups, the resulting calculus gave 85% of the annual quota to northern and western European immigrants (ibid, 67). Grant rejoiced after the passage of the bill, stating that it would favor Nordic immigrants over "Jewish tailors and Greek banana vendors" (Grant, November 15, 1920).

The debates in the chambers of Congress revealed many of the tensions at the heart of U.S. immigration policy hospitality. On the one hand, Meyer London, a Socialist Congressman from New York who had become famous for being the only vote against the Espionage Act of 1918 that made it illegal to criticize the president, stated on the floor of the House of Representatives that “to prevent immigration means to cripple the United States” because the “most developed industrial States are those which have the largest immigration.” To emphasize this link further, he added, “the extraordinary and unprecedented growth of the United States is as much a cause as the effect of immigration” (Congressional Record Vol. 59, 66th Congress, Second Session).

The most poignant criticism that London leveled at proponents of immigration restriction addressed the fallacy of “old” and “new” immigrants at the heart of the debate. He stated:

Defenders of this bill thoughtlessly repeat the exploded theory that there have been two periods of immigration, the good period, which the chairman of the committee fixes up to the year 1900, and the bad period since. The strange thing about it is that at no time in history has any country made such rapid progress in industry, in science, and in the sphere of local legislation as this country has shown since 1900. The new immigration is neither different nor worse, and besides that, identically the same arguments were used against the old immigration.

(Congressional Record Vol. 59, 66th Congress, Second Session, 1918)

Similarly, Frederick Rowe from New York stressed that “we need laboring men and women of certain-classes [...] not because we have not plenty of men in this country.”

Instead, he argued, “people of the second generation in this country will not carry a hod or dig a trench” (Congressional Record Vol. 59, 66th Congress, 1918).

However, proponents of the immigration restriction bill continued to stress that although the “time once was when [the U.S.] welcomed the oppressed and down-trodden people from all the world [...] that time has passed” because we “must protect ourselves from the poisonous influences that are threatening the very foundation of Europe” (Congressional Record Vol. 59, 66th Congress, 1918). The debate surrounding immigration reform in Congress entertained arguments for and against immigration from both political parties, albeit immigration restriction received widespread approval in both houses, passed by a majority and receiving only one dissenting vote in the Senate in 1921 (Stephenson, 1925: 180). Lucien Walton, a Democrat representative, instead demanded that

We [...] stop immigration entirely until such a time as we can amend our immigration laws and so write them that hereafter no one shall be admitted except he be in full sympathy with our Constitution and laws, willing to declare himself obedient to our flag, and willing to release himself from any obligations he may owe to the flag of the country from which he came.

(Congressional Record Vol. 59, 66th Congress, Second Session, 1918)

Ultimately, the 1921 Emergency Immigration Act enforced quotas which succeeded at limiting Eastern and Southern European immigrant numbers: Italian immigration fell to 7% of its pre-quota level. Similarly, Polish immigrants, who were often

Jewish, fell from 21,076 to 5,156 (Kohler, January 7, 1924). In conjunction with the quota system, the Department of State took charge of the enforcement of immigration regulations, putting in place a remote-control system which allowed immigrants to be processed before they arrived in the United States. The new system thus transferred processing that once took place at ports of entry to processing centers in countries of origin, and it discouraged immigration by accompanying restrictions on arrival, with a number of highly selective eligibility criteria, and placing the burden of proof on immigrants (Zolberg, 2006: 244).

By 1924, several senators had put forth plans to make the Emergency Immigration Act permanent, restricting immigration by country of origin further and introducing new requirements to the process. Representative Albert Johnson, Chairman of the House Committee on Immigration, proposed a bill that would make the provisional effect of the Emergency Immigration Act permanent. The Johnson Bill cemented immigration quotas by country of origin, and it would become known afterwards as the 1924 Immigration Act.

Superficially, the 1924 Immigration Act was intended to limit immigration in general. However, the policy represented a form of discrimination because it mandated skewed quotas, favoring immigrants from Northern European countries who were present in high numbers prior to 1890, and thus would receive higher annual quotas for new arrivals. The 1924 Immigration Act also restricted the naturalization of Chinese, Japanese, and other Asian immigrants, as well as Hindus (“Chinese,” January 5, 1924). Even as the Exclusion Act remained in place, and a gentleman’s agreement with Japan limited Japanese immigration, the addition of Asian countries of origin to this bill consolidated other

restrictive measures into the United States' universal policy governing all immigration. In addition, the Act restricted immigration to any category that was ineligible for citizenship, as the 1921 Emergency Act had done. As a result, immigration from Asia was entirely halted.

The Immigration Act of 1924 regulated all immigrant arrivals, limiting them to 2% of the total number of immigrants from that country according to the 1910 census. The act also included a provision excluding unmarried children or wives of citizens of the United States from the national origins quotas (1924 Immigration Act, 1924). In 1925, Albert Johnson introduced an amendment to the bill removing the exception placed on “wives and minor children of citizens” if the citizen did not reside in the United States (A Bill to Amend the Immigration Act of 1924, 1925). Since the 1924 Immigration Act remained in place for three decades, this move would extend and formalize racially-motivated immigration restriction for several decades.

The 1924 act was also accompanied by a general agreement among politicians and academics regarding the superiority and thus higher desirability of Northern European immigrants. In a report issued by the Committee on Selective Immigration by the Eugenics Committee of the United States, the report argued that “there were fewer Southeastern Europeans in 1890 than in 1910,” thus using the figures of the 1890s census that would most effectively curb the wave of new immigration (“1890 Census Urged as Immigrant Base,” 1924). If the conclusions of the Eugenics Committee seemed tangential to the passage of the law, it is worthy to note that Albert Johnson, also Chairman of the House

Committee on Immigration, and the drafter of the 1924 Immigration Act, was also a member of the Eugenics Committee (Kohler, January 7, 1924).

In sum, the Immigration Act of 1924 enforced quotas on the number of immigrants allowed from each country with the aim of restricting immigration from Southern and Eastern Europe. At the same time, the measure excluded countries in the Western hemisphere such as Canada and Mexico⁷. In parallel, it provided higher immigration quotas to immigrants from Northern European immigrants, who benefited from high immigration quotas because of the high numbers of their compatriots in the United States prior to 1890.

It is worth noting that many individuals protested the policy as discriminatory. Former District Attorney Max Kohler pointed out in *The New York Times* that the policy discriminated against incoming immigrants who were not part of the old immigrant stock, arguing that the measure was discriminatory against new immigrants who were “chiefly Catholics and Jews” (Kohler, January 5, 1924). In fact, after leaving the New York District Attorney position to become a partner in the law firm Lewinson, Kohler, and Schattman, Kohler continued to practice pro bono immigration cases for 25 years, helping immigrants of various ethnicities and supporting the work of the Hebrew Immigrant Aid Society (HIAS). As memorialized in the American Jewish Historical Society’s Max Kohler papers, “Kohler's conviction that the United States was founded as a 'haven of refuge' for the

⁷ The decision to exclude Mexico from immigration quotas stemmed from the lack of attention towards Mexican immigrants as potential threats. As Mexican immigrants came to replace other groups during the period of restriction from the 1920s to the 1960s, the issue of restriction to Mexican immigration began to rise in policy discussions. For more on this shift, see: Levenstein, H. (1968) The AFL and Mexican Immigration in the 1920s. *The Hispanic American Historical Review*. pp. 206-219.

oppressed of all countries” motivated his activism against alien registration and deportation, immigration restriction and religious discrimination in immigrant admissions (Max Kohler Papers, Jewish American Historical Society). Similarly, Rabbis protested the act’s discriminatory nature, particularly as Palestine’s annual quota was limited to one immigrant. This sentiment was echoed in contemporary reflections on the impact of the act on Jewish demographics in the United States, as Rabbi Waxman stated in 2016, that the 1924 Act eliminated “America as a refuge for Europe’s Jews” (Young, 2017). Similarly, the black press criticized the immigration restriction of the 1920s, noting that arguments for immigration restriction “also came from enemies of the race,” who were pre-occupied with limiting the immigration of Eastern European Jews to the United States (Hellwig 1981: 116). Representatives of foreign countries also added to the debate. The Italian foreign minister argued that the restriction of the Italian immigrant quota to 8,000 annually represented a dramatic decrease from the 42,000 Italian immigrant arrivals in the United States the year before, arguing that the policy amounted to “discrimination against Italians” (“Italy Feels,” January 6, 1924). Likewise, the Japanese Ambassador Hanihara wrote in the *New York Times* that the passage of the 1924 act would be a violation of the gentleman’s agreement between Japan and the United States. In the aftermath of the quotas enforcement, the annual limits to immigration were often rapidly exhausted by June (“Japanese Protest the Immigration Bill,” January 27, 1924). Moreover, the universal maximum of 339,381 total immigrants was filled before the end of the year (“Call Immigration,” June 1, 1924).

However, the critiques of 1920s immigration policies emanated from the exact immigrant groups that were deemed “undesirable” by policymakers—largely those from Eastern and Central Europe. These critiques were neither shared in the pages of *The New York Times* by white, Protestant Americans from earlier generations of immigrants, nor did they resonate with the wider American public, who had firmly fallen into the grip of nativist and anti-immigrant sentiments. The ineffectacy of the critiques put forth by foreign dignitaries, first- and second- generation immigrants from the targeted groups, and others, reveals one limitation of the “nation of immigrants” narrative, in that the myth is more effective at countering discriminatory legislation when it is widely adopted by the majority of the public, rather than heralded by immigrants in their struggle for equal recognition and rights. These limitations also reveal the imbalanced power dynamics of American immigration hospitality that rests upon the myth, demonstrating how welcome must be extended by the majority of the native population, re-affirming their authority over space and belonging to the nation.

The 1921 and 1924 Acts are significant to the study of US immigration policy for two reasons. Firstly, the 1924 Act identifies the first instance of American restrictionism that was tied to countries of origin. The 1924 Immigration Act equally denied entry to “any alien who by virtue of race or nationality was ineligible for citizenship” (Office of the Historian, 2017). As such, it represented the first implementation of a quota system to limit immigration according to country of origin that spanned a number of “undesirable” countries in its scope. While the 1921 Emergency Immigration Act was intended as a

temporary measure for one year, it remained in place until 1924, when it was made permanent.

However, as this discussion illustrates, immigration policy during the 1920s did not represent the only means by which a lack of regulatory hospitality manifested during this era. When one considers the growing political influence and lobbying power of majority-group organizations, such as the Immigration Restriction League or the KKK, it is clear that the growing power of these groups represented a regulatory system that was hostile towards immigrants from “new immigrant stock,” particularly those of Eastern or Southern European origin. The connections between the eugenics and anti-immigrant movement and the inhospitable immigration policies drafted in this era is particularly evident given the intersection between these groups’ members and the selected politicians and members of the public who were invited to draft immigration laws proposed in Congress. Additionally, the passage of prohibition policies during this same period demonstrates an example of regulatory hospitality that targeted immigrant lifestyles and livelihoods rather than simply immigration policies.

Media Hospitality

Media coverage of immigration in the 1920s echoed the restrictive climate set up in the regulatory, cultural and demographic spheres of public life, with public opinion on incoming immigration so negative in the 1920s that George Stephenson characterized it as “hysterical” (Stephenson, 1926: 172). It is perhaps no surprise that it was sensationalist in nature. Editorialists pointed to the high incidence of criminality among the immigrant

population and warned readers of the radical political leanings of newcomers (Stephenson, 1926: 172). Moreover, the coverage of immigrant arrivals from Eastern and Southern European countries in 1921 often focused on the diseases and alcoholic tendencies that “new immigrants” were introducing into the American body politic.

The news coverage of the 1920s reinforced anxieties in public opinion about outsiders and connected them directly to the question of immigration. In attributing the ills of society to immigration, press coverage emphasized a connection between immigrants and criminality, inebriation, disease, radical political ideology, and threats to national political, social and institutional stability. Through these themes, media coverage reinforced and justified legal discrimination against immigrants, particularly those from Eastern and Southern European countries.

Dominant Media Tropes

Media coverage of nativism and Eastern and Southern European immigration was again dominated by four tropes: Inebriation and immigrant “wets” characterized the representation of immigrants as predisposed to drunkenness and violence. Medicalized nativism presented Eastern and Southern European immigrants as vectors of deadly diseases. Coverage about inferior genes emphasized the inferiority of Eastern and Southern European immigrants vis-à-vis “old immigrant stock” of Anglo-Saxon heritage. Finally, the trope of the security threat emphasized that immigrants were predisposed to radical ideologies that threatened the security of the nation.

This section illustrates these dominant themes of media coverage across the largest publications in the nation—*The New York Times*, *Wall Street Journal*, and *Washington Post*. The section also addresses their expression of media hospitality, or inhospitality, towards immigrant arrivals.

Inebriation and Immigrant “Wets”

A common theme in 1920s media coverage of immigration was linking inebriation, alcoholism and criminality with immigration. One article by the Board of Temperance Prohibition and Morals of the Methodist Church in the *New York Times* argued in 1924 that most bootleggers were foreigners who “should be sent where they belong” (“Asks Drastic Change,” January 2nd 1924, page 2). Examples like this one did not simply attach the crimes of selling alcohol to foreigners; they also called into question the belonging of immigrants to the United States by stating that they should be sent elsewhere.

As observed, waves of new immigrants from Southern and Eastern Europe, particularly Catholics and Jews, were considered a threat to the “Protestant way of life” in the public consciousness because of their propensity to drink alcohol (Rathod, 2013:803). For example, German immigrants were vilified for their consumption and production of beer (Welskopp, 2013: 32). Meanwhile, the stereotype of the “drunken Irishman” persists to this day, resulting in prominent figures in the temperance movement mobilizing against primarily Catholic Irish immigrants as well as racial mixing with them, for fear of introducing their “hard drinking and immoral ways” into the American body politic (Rathod, 2013: 804). Meanwhile, Italian immigrants were stereotyped as criminals and suspected for their expertise in winemaking (Baughman, 2006: 385). These perceptions

were reinforced by the fact that most saloons were immigrant-owned and frequented by immigrant patrons (Behr, 1996: 50).

Coverage focused on the illicit materials hidden in the stowaways and luggage of immigrants arriving in the United States, as well as the vessels carrying them. On October 15, 1921, customs inspectors reported finding fifteen Chinese immigrants hidden in various spots across a vessel arriving in Brooklyn, New York City (“Seek Drugs and Find Chinese Stow Aways,” October 15, 1921). The connection between these border crossings and alcoholism was made explicit in a *Washington Post* article, which stated that the “border ‘bootlegging’ of aliens is highly organized,” thereby associating the process of producing and smuggling alcohol (an illegal substance during prohibition) with the transportation of immigrants (“Immigration Today,” December 15, 1924). Other articles connected the legal border crossings of immigrants to the threat of dangerous ideals or substances being brought to the United States. For example, while the immigration of citizens from the contiguous countries of Canada and Mexico was considered legal, it was characterized as highly dangerous because the countries were being used as the “bases of operation” for smuggling illegal aliens, narcotics and illicit alcohol (“The Problems of Immigration,” April 5, 1924).

The connection between the inebriation and proclivity to drinking among immigrants and the threat they posed to society had a number of effects. First, the proclivity of immigrants to drinking was framed as making them more likely to be criminals, particularly as alcohol was prohibited. Second, because immigrants were thought to

possess lower mental abilities and intelligence, the addition of alcohol was thought to exacerbate already-existent biological limitations on immigrants' intelligence.

Medicalized Nativism

Media coverage of the 1920s also exhibited what Young has argued was a “medicalized nativism,” that justified a fear of immigrants bringing disease and degenerate genetic material into the American body politic. This provided the impetus for immigration restriction due to various illnesses brought ashore by immigrant arrivals (2017: 223). *The New York Times*, for example, warned readers of the threat of encroaching disease arriving with incoming immigrants, suggesting that their arrival would reverse decades of work by the Health Department to eradicate disease. *The New York Times* warned elsewhere that authorities were struggling to contain the typhus, lice, vermin and other ills brought with incoming immigrants at ports of entry (“141 Infested Aliens,” February 18, 1921).

Newspapers also regularly reported updates in the number of cases of ill immigrants (“Cabin Passenger brings Typhus to the City,” February 6, 1921). One article covered the case of a cabin passenger who had been diagnosed with typhus fever and transported to a hospital, warning that this passenger’s case “showed that the disease against which the health authorities have set up many barriers actually has invaded the city” (“Cabin Passenger Brings Typhus,” February 6, 1921). In this way, immigrants were presented as a regressive force, threatening to undo decades of national progress in combatting deadly disease.

Much coverage of the time reinforced this fear of disease, arguing that these isolated incidents represented a small minority of existing cases of diseased immigrants

and that many diseased immigrant arrivals were in fact not detected or quarantined at the border. One article from February 1921 suggested that 9,799 of the 10,002 admitted immigrants in the second six months of 1920 should not have been admitted because they suffered from contagious diseases, citing the testimony of Surgeon General Cumming before the House Immigration Committee in Congress (“Charges,” February 10, 1921). Another piece considered its ramifications, asking “how many have slipped through who are in the early stages of typhus and bring with them the carrier louse can only be conjectured” (“The Typhus Menace,” February 11, 1921).

Recognizing that reports of immigrants being barred from entry were bad for the morale of public health officials and Ellis Island employees (“Charges,” February 10, 1921), Ellis Island officials released the following statement in *The New York Times*, blaming migrants for their own troubles: “it is not Uncle Sam that is separating families, but the families that are separating themselves.” This was due to the fact, according to these officials, that “in the majority of cases in which one member of the family is refused admittance the conditions that cause of the refusal are [...] evident [...] before [immigrants] sailed from the other side.” This suggested that immigrants took the risk of travel in the hope that “they might affect the entrance of the person likely to be barred” (“Blame Migrants for Own Hardships,” July 8, 1923).

The connection between immigration and illness was further supported by testimonies by health officials advocating for a complete ban on immigration until a number of diseases could be eradicated at countries of origin (“39 Typhus Cases”, February 11, 1921). This included a statement by the Health Commissioner that “drastic measures

[must] be inaugurated at once to prevent the plague from getting a foothold” (*ibid*). The following month, *The New York Times* quoted the Health Commissioner that “it is neither safe nor decent to permit filthy newcomers to get within the city lines” (“New Plea to Wilson,” February 14, 1921). Finally, the threat of disease became connected to a portrayal of immigrants as threats to citizens’ welfare as well as the health of the federal budget. One public official demanded 17 million dollars to repay the unpaid medical expenses of infected immigrants then being treated in U.S. hospitals (“Smith Seeks,” February 6, 1924).

Disease was also linked with Bolshevism, echoing the “Red Scare” of the time. When *The New York Times* warned of 20,000 Bolshevik propagandists trying to enter the United States, it connected their efforts to avoid visa restrictions with “efforts to avoid the quarantine restrictions on against typhus, smallpox, and cholera” (“Seek to Keep out Reds and Disease,” November 17, 1920). The inference was clear: Bolshevism, like all other global epidemics, would come to the United States via immigrants. Thus, the dominant tropes in media coverage that provided a negative portrayal of immigrants reified one another by connecting to immigrants concerns regarding inebriation, lowered intelligence, communism and many other societal problems, broadening public fear.

Inferior Genes

Media coverage also pondered the effect of incoming immigrants on the intelligence of the American population. Citing a Princeton professor, one article argued that immigration has resulted in the “wholesale importation of a low-grade people” leading to the lowered intelligence of the country (“Congress to Tighten Immigration Curb,” January 27, 1924). Another article underscored the “need to select immigrants” due to the

inferior intelligence of the new immigrant stock, often bolstered by a proclivity to alcoholism (“Need to Select Immigrants,” January 27, 1924). Projection of this racial and classicist animus towards the mental capacity of immigrants, calling both control over mental faculties and capacity for learning into question, rested on an argument about biologically and genetically-determined limitations to immigrants’ mental capacity. By doubting their ability to learn the languages and skills needed to integrate into American society, these discussions contributed to the nature vs. nurture debate at the core of U.S. immigration policy.

Thus, one stream of articles emphasized the disease-like invasion of inferior genetics into American society. A common theme was that this invasive foreign genetic makeup threatened the existing genetic makeup of the American public. *The New York Times* relied on the “expert opinions” of eugenicists in coverage of this issue. Under the title “Eugenicists dread tainted aliens,” it launched its foray into needed reform in immigration policy with the inflammatory statement, “severe restriction of immigration is essential to prevent the deterioration of American civilization.” It then proceeded to conduct interviews with prominent eugenicists who argued that “the melting pot is a fallacy” because it convinced Americans that a “poor stock” of immigrants could overcome its biologically-determined inferiority with the help of improved education and healthcare of the United States. Contributing again to the nature vs. nurture debates at the center of American immigration hospitality, immigration was seen as favorable so long as immigrants could integrate into society. The diminished ability of immigrants to integrate for biological reasons was therefore instrumental to steering public opinion against

immigration. Such articles thus argued that racial mixing and immigration were deteriorating the quality of the “good stock” of Americans of Nordic descent (“Eugenicists Dread Tainted Aliens,” September 25, 1921). This focus resulted in expressions of public concern over the racial mixing of English and “Nordic” immigrants, who had arrived in earlier waves of immigration, with the Southern and Eastern European immigrants, who arrived in the early 20th century (Rathod, 2013: 508). Indeed, the early 20th century witnessed discrimination against new immigrants who were perceived to be racially inferior and less-white than their Anglo-Saxon counterparts (Barrett and Roediger 1997: 37). New immigrants who arrived to provide cheap labor were described with an array of slurs that often were used interchangeably for African-Americans, including guineas, hunkys, and negroes reflecting inferior positions in the American racial hierarchy. As the Irish-American immigration historian Quinn told *Time* in an interview, “when people talked about intermarriage [...], they weren’t talking about black-white, they were talking about Irish-Italian,” Catholic-Protestant, and Anglo-Saxon-Celtic marriages (Quinn as quoted in Begley, 2015), echoing Grant’s argument that they contributed to the “racial mongrelization” of the “Nordic race” (1916).

The centrality of inferior genes to coverage of the racial logic of the 1924 immigration policy can be summarized in an article titled “Like-minded or Well-born?” in *The New York Times* in 1924. Reflecting on the veracity of the “science and art” of eugenics underlying the Immigration Act, the article remarked on the eugenics’ belief in the birth of superior and inferior races and men, which had led the Eugenics Committee of the United States to endorse the 1924 bill. In its reporting, the article reified the legitimacy of

eugenicists arguments that immigrants and particularly visible minorities possess inferior biologically-defined mental, physical and moral capacities (“Like-minded,” January 10, 1924).

Security Threat

A fourth strain of media coverage of immigration was the specter of the security threat presented by immigrants, a threat seen as undermining the stability of the U.S.’ political institutions and social fabric. In November 1920, the *Wall Street Journal* reported a speech by the Chairman of the House Committee on Immigration, Albert Johnson, in which he stated that the “United States cannot become an asylum for the broken nations of the world. Europe is bending every effort to pour her restless hordes within our borders by hundreds of thousands.” Johnson’s solution was to “either suspend immigration or quadruple the inspection service” (“America No Asylum,” November 19, 1920).

The tone of Johnson’s speech permeated coverage of immigration over the years that followed, as newspapers presented the issue of immigration as a threat to the security of the United States and its population. Immigration officials were invited by the press to discuss the pernicious effects of immigrants. One article penned by the Commissioner of Immigration at Ellis Island in *The New York Times* warned that the country was “dangerously near being discordant, disunited and divided against itself,” because the United States had too many “foreign colonies, foreign loves and foreign points of view” as a result of its open-gate policy over the past several decades (“Curb Immigration to Save

the Nation,” January 26, 1924)⁸. Thus, the diversity of thought, ethnic origin, religion and language brought about by immigration was argued to threaten national cohesion and democracy in the country.

Media coverage appeared to converge towards one conclusion: open immigration was an ideal that threatened the health, security, cultural and political cohesion and democracy of the United States. By that logic, immigration restriction was necessary, it argued, to limit the threats it posed to society. This view was emblemized in a *New York Times* article from 1921 that quoted a scholar who said:

Either we can never become a homogenous American people, either unassimilated masses of European nationalities must share our domain with us, or we must set limits to the tide of immigration so that a unified national life and consciousness shall remain possible.

(“Melting Pot,” February 3, 1921)

Similarly, the *Wall Street Journal* conceded that immigration restriction was necessary, drawing on the opinions of policymakers and experts. It quoted members of the Chamber of Commerce reaffirming the need for selective immigration to address the immigration problem (“Chamber of Commerce Meeting,” December 8, 1922). Because the 1921 Emergency Immigration Act was due to lapse on June 30th, 1924, with no permanent immigration restriction policy in place, newspaper coverage emphasized the importance of

⁸ This article appears earlier in the chapter to illustrate the threat of inebriation and other ills. The combination of multiple themes within each article illustrates the interconnected nature of the arguments against immigration at the time.

re-instating existing immigration restriction. In that vein, the *Washington Post* expressed an urgency in advocating for immigration restriction:

Has Congress failed to realize the momentous importance of the immigration problem? Having eyes, does it not see the looming specter of an unrestricted immigrant horde that is hungrily looking insistent demands of the nation's best interest for the placement of barriers against the ever-pressing flood of aliens to take the place of those that will automatically collapse on June 30?

(“Speed Immigration,” March 12, 1924)

Other coverage similarly urged Congress to enact new legislation, such as a *Washington Post* article in April 1924 that stated, “The country does not deserve to suffer from the procrastination of Congress in the matter of suitable immigration legislation” (“Problems of Immigration,” April 5, 1924).

By 1924, the Commissioner on Immigration announced in *The New York Times* that “the day of open door for all oppressed peoples is past” (“Expects our Curb on Aliens to Stay,” January 13, 1924). His statement concluded the debate over immigration policy in favor of restriction. All of this coverage urging Congress to act on the issue of immigration relied on the logic that immigration posed a legitimate and substantial threat to political institutions, democratic governance and social cohesion in the country, and it threatened to topple the delicate political balance if left unchecked.

Once the 1924 Immigration Act was passed, limiting immigration from 1924 onwards, coverage turned to government officials who were supportive of the Act as expert sources. The editorial choices of *The New York Times* and *Washington Post* privileged the perspectives of experts and spokespersons whose positions and titles predisposed them to

favorable views of the law. One article published on January 13, 1924 in *The New York Times* stated that the Commissioner General of Immigration met applause as he declared the era of the immigrant over, and the era of “America First” begun (“Expects Curb”, January 13, 1924).



Figure 15: "America First" New York Times Article

In this article [Figure 15], the Commissioner General of Immigration declared that the future of American immigration policy would no longer be designed to benefit the immigrant but to put “America first.” Moreover, the article suggested a widespread acceptance and popularity of immigration restriction policies (“Expects Curb on Aliens to Stay,” January 13, 1924).

It is worth noting that the *Wall Street Journal* advocated and cited employer interests, even as it accepted the need for immigration limitation. Covering immigration

restriction from an industry perspective, it discussed the impact of immigration restriction on labor shortages in the mining, steel and metal, agriculture and automobile industries (“Labor Shortage,” June 28, 1922). Yet, it conceded that immigration restriction remained necessary to address the problems it created. The paper acknowledged the pleas by industry leaders and the Secretary of the Treasury to limit immigration restriction, while admitting that the policy had passed in Congress nevertheless (“Seeks Further,” November 25, 1922).

These editorial choices made by the *Wall Street Journal* reflected a slightly more critical approach to the policies, unlike that taken by *The New York Times* and *Washington Post* that adopted a more neutral tone in reporting any opposition to the policies. For instance, articles in the *The New York Times* and *Washington Post* plainly stated that the provision to ban Orientals had passed in Congress, without indicating the problematic nature of the provision for treaties the United States had signed with countries of origin affected by the bill. This general lack of critical treatment reflected a tacit acceptance of discriminatory immigration policy. Further, given the choice to feature experts who had helped draft the policy in newspaper coverage, it is surprising that the papers showed a cursory, if any, consideration of opposing views.

The tacit acceptance of discriminatory policy can also be inferred from the foreign-language opinions gathered in *The New York Times* to reflect on immigration policies of the 1920s. One article about foreign-language coverage of immigration restriction selected only the positive reviews from all foreign-language news sources in the United States, particularly Northern European newspapers who supported the relative advantages the quotas gave their community. Based on this evidence, the article concluded that not all

foreign-language newspapers were opposed to selective immigration in light of the different contributions of “different races” (Lewis, January 13, 1924). Other articles focused on relaying the opinions of Northern European immigrant groups who had been favored by the Immigration Act. William Redfield, executive vice president of the Netherlands-American Foundation, wrote in support of greater immigration restrictions by advocating for improved “quality” rather than quantity restrictions. He argued that such “percentages shall exclude men not alien to our people and ideals,” whose relations had resided in the United States for centuries (“Opposes Literacy Tests,” January 18, 1924). Thus, even critical views of the policy published in the newspaper reflected suggestions to change selection criteria rather than demands for open immigration.

As such, using seemingly balanced coverage, newspapers published contestations of the policy that went no further than suggesting adjustments in the administration of the law. For example, an article titled “Calls Quota Law Cruel” criticized then-current policy on the grounds that it admitted less worthy immigrants rather than consider the “physical, mental and moral fitness” of incoming immigrants (“Calls Quota Law Cruel,” January 27, 1924). The most prominent dissenting voice in the *New York Times* and other newspapers was that of Max Kohler, who published numerous opinion pieces in 1924 advocating for the repeal of the act (Kohler, January 7, 1924, January 9, 1924, January 25, 1924). His contributions did not go unrecognized, however. Numerous Letters to the Editor disparaged his population statistics and arguments. Some conceded that the comparison of “race value” felt morally objectionable, but they retorted, “immigration policy was less concerned with feelings” than it was with facts. As such, it is “plain [that] the new immigrants average

considerably below Americans in intellectual capacity” (Hoffman, W. January 27, 1924). The attacks on the logic of Kohler’s argument were also an implicit attack on Kohler’s own intellectual capacity and worthiness given his own “new immigrant stock,” coming from a Jewish family that had immigrated from Leipzig. As the articles subtly disparaged his intelligence and proclivity to sentimentality they also critiqued his belonging to the exact groups that were deemed undesirable by the policy. In sum, the ineffective results of Kohler’s 25 years of legal and media advocacy, alongside the critiques of his advocacy in opinion pieces during that period, points to one important limitation of discussions of immigration hospitality and the myth of the “nation of immigrants”: immigration hospitality must be expressed by the majority of the native population in order to encourage the enactment of fair immigration regulations and sympathetic media coverage of immigrant issues. When adopted by groups that are targeted with restriction, as was the case with Max Kohler, such criticism of restriction is easily rejected by the public because it emanates from the same “undesirable” groups excluded in immigration coverage and regulations.

In sum, media coverage in the 1920s reinforced and justified restrictive immigration policy by connecting immigrants to multiple ills including inebriation and disease, lowered intelligence and radical political ideologies. In so doing, media coverage supported the passage of restrictive immigration policy that declared the “era of the immigrant” ended. Once the National Origins Act was passed, media coverage justified legislation as a necessary policy in response to the ills of immigration. In this fashion, the 1920s exemplifies the ways in which media and regulatory hospitality mutually reflected

the nativism that undercut the degree of hospitality immigrants from Southern and Eastern Europe were accorded.

Home-Building Efforts of Immigrants

In spite of the media discourse surrounding immigrants, and the national immigration policies passed in the 1920s to limit and control immigration, immigrant groups continued to resist expressions of inhospitality in media and policy with practices of home-building

First and foremost, an important avenue of home-building for immigrants was the flourishing ethnic press in the United States. As Robert Park noted, European immigrants were generally not allowed to publish in their own languages in their countries of origin, where they had not experienced free speech. Thus, they had strong attachments to printing and reading news in their native languages in America (Park 1922: 9). At the same time, immigrants could not rely on the American press for their news because the “immigrant intellectual [had] a very poor opinion of the American newspaper [...], with its local news, its personal gossip, and its human-interest anecdotes, [was] not his conception of journalism” (Park 1922: 69). Moreover, the American press of the time focused on local rather than international news, ignoring political developments taking place in immigrants’ countries of origin. As Park (1922) argued, immigrants during this period gravitated towards newspapers written in their native languages as they navigated their new belonging to the United States, connecting with immigrants from similar background scattered across the nation and maintaining a bond to their country of origin through language and cultural

practices. Immigrant bulletins and newspapers focused on homeland political and economic developments, as well as foreign relations with the United States (Italy America Bulletin, January 21, 1920). They also introduced immigrants to the technological developments taking place in the United States, whether in engineering, transportation or other realms of daily life (Park, 1922: 104-6). Occasionally the immigrant press would console immigrants targeted by discriminatory and unjust policies, restoring and reaffirming their faith in the promise of their adopted nation, invoking and reinforcing the myth/trope of hospitality. Edward Bierstadt noted that after Russian and Ukrainian societies were raided and their members were attacked or even killed, the foreign-language press “reiterated again and again the appeal to its readers that these injustices were on the part of individuals that they did not represent the nation” (Bierstadt, 1921).

As a result, the immigrant press of the 1910s and 1920s flourished at a time that American English-language presses were transforming from their once intensely participatory positions as public fora (Tocqueville, 2003) into commercial enterprises (Deuze, 2006). Immigrant readers bolstered the development of ethnic presses into a participatory forum (Nord, 2001) for democratic debate with ethnic editors and the larger immigrant community by writing readers’ letters (Jaroszynska-Kirchmann, 2015: 2).

Immigrants also used food as an important arena of home-building in the 1920s. Italian immigrants in particular found culinary ways to bypass the restriction on the production and distribution of alcohol during the prohibition era. As Harvey Levenstein wrote in *Paradox of Plenty*, a history of eating in the United States, Italian restaurateurs “who regarded Prohibition as some kind of a sick joke—continued to serve their homemade wine, beer, and [...] fiery grappa,” along with affordable meals to Italian immigrants. These

restaurants also attracted a broader American clientele searching for venues that served alcohol (Levenstein 1994: 51).

In so doing, Italian immigrants transformed the restrictions of prohibition, which they perceived to be anti-immigrant and anti-Catholic, into opportunities to promote and market Italian food and culture. As Baughman reflected, “if the Yankee elite had not left the East side in search of a cocktail back in the 1920s, they might never have learned the joys of a good marinara sauce or a veal saltimbocca” (Baughman 2006: 385). In fact, Levenstein marvelled, “by the time Prohibition ended in 1933, the cozy little restaurant in Little Italy with checkerboard tablecloths, candles in wine bottles, and reasonably priced food and drink was already on its way to becoming a cliché” (Levenstein 1994: 51).

Another avenue for home-building among immigrants of the 1920s period was education. Eager to integrate into the United States citizenry and to acquire necessary language and technical skills to enter the workforce, immigrants created foreign-language schools that provided necessary classes in English language to adult immigrants who had found American adult education programs propagandistic and unhelpful (Bierstadt, 1921). Russian immigrants established universities, including the Russian People’s University, and the Russian Collegiate Institute of New York, that enrolled a few hundred students in vocational subjects such as English language and grammar, automobile repair, blacksmith work, and the use of machinery in farming. Attendance at such schools declined dramatically after the Palmer Raids in 1919, as Russian immigrants avoided gathering for fear of accusations of Bolshevism.

In 1919, 15 states established English-only instruction laws targeting the education of newly-arrived immigrants and their children. These laws banned bi-lingual education,

or even the use of a foreign language to support the education of immigrant children. English-language instruction was seen as a means to mitigate the radical and anarchist ideologies brought ashore by immigrants (Crawford, 2000: 21). Countering efforts to stifle immigrants' native languages at schools, immigrant groups created familial and immigrant-group education and cultural programming, a pattern replicated among Slavic-Americans, Italian-Americans and Jewish-American Yiddish speakers (Krause, 1979). Moreover, they encouraged a limited level of residential and cultural segregation which supported native-language maintenance during this period (Fishman, 1982). In spite of the difficulties that regulations represented, these educational institutions continued throughout the 1920s to provide much needed adult- and child-educational services to immigrants, when the existing educational programs had neglected them.

Finally, immigrants appealed to the law to contest the immigration restriction as well as the dehumanizing statements made by journalists and policymakers describing them. On April 29, 1929, Senator David Reed of Pennsylvania declared on the Senate floor that Syrians were the "trash of the Mediterranean," implying that they were a mongrelized impure race, part of "all the Levantine stock that churns around through there and does not know what its own ancestry is" (Congressional Record 71, 1929).



Figure 16: *White Man Lynched*, *The Reading Times*, May 18, 1929.

Less than a month later, a Syrian, Nola Romey, was lynched in Lake City, Florida after his wife, Fannie, was murdered by a cop (“White man,” May 18, 1929). In response, Syrian Americans wrote a number of opinion pieces in two prominent Syrian- American publications: *Syrian World* and *ash-Shaab*. Their articles compared the plight of Syrian Americans to that of African Americans, and they pondered how Syrians fit in the complex racial politics of 1920s America. Community leaders also wrote to their senators and sought legal counsel to respond to Senator Reed’s comments. The efforts of the Syrian community in this instance were moderately successful: they encouraged Senator Reed to retract his remarks, and they convinced other Senators to raise the concerns of Syrian Americans for debate in Congress (Gualtieri 2009: 111). Throughout all of these efforts, Syrian Americans sought to remedy the injustice done to them by asserting their racial purity and “whiteness,” and highlighting their efforts to Americanize and assimilate into society (Gualtieri 2009: 111).

The strategies immigrants adopted to adapt and resist discriminatory rhetoric and regulation during the 1920s reveal one key limitation of the “nation of immigrants” narrative. In each of these strategies, immigrants creatively adapted to their alienation and

othered status in the American public sphere, at times turning discriminatory policies into economic and cultural opportunities. Nevertheless, their inability to overturn discriminatory policy reveals the power dynamics at the heart of American immigration hospitality, wherein solidarity efforts of the majority group are necessary to adequately contest and overturn policy. Moreover, the case of Syrian Americans demonstrates that immigrants sought to overcome discrimination through re-asserting their racial whiteness, and thus their belonging to the dominant native population. In so doing, immigrants' efforts indirectly reaffirmed the primacy of white belonging to the American nation, to which one may only truly belong by becoming white. Moreover, this approach suggests the limitations of the "nation of immigrants" narrative in accepting diverse immigrants.

These strategies were not always successful. The futility of immigrants' efforts to align themselves with the native white population is noticeable in the contradictory news headline, "White Man Lynched," announcing the lynching of Nola Romey. It can also be noticed in the chilling comments of Nola and Fannie Romey's daughter who said in 1968, "all my life I still live in fear. I look over my shoulders thinking are they looking for the survivors of my family?" (as quoted in Gualtieri 2009: 113).

These examples point to the limitations of the nation of immigrants narrative and of the contestations of restrictive policy when they are adopted solely by immigrants who are deemed undesirable. Instead of contesting the grounds of restriction, the opposition to immigration restriction often indirectly re-affirms the belonging and authority of the dominant group of white, Protestant European immigrants, rather than extending belonging to new immigrant groups.

Conclusion

This chapter has argued that, thanks to the Eugenics Movement, the KKK, discriminatory immigration policy and anti-immigrant media coverage, the 1920s embodied immigration inhospitality, not hospitality. Importantly, the central immigration policy of this period—the 1924 Immigration Act—would remain in place almost unchanged for four decades.

This chapter illustrates that the 1920s represented an important period of U.S. immigration restriction, embodying the conditions under which immigration hospitality shrinks. It also shows the dynamics through which media and policy interacted around a climate of nativism to express hospitality or inhospitality towards immigrants, particularly directed toward immigrants of Eastern European and Southern-European descent.

Discussion of this decade demonstrates how a short period of anti-immigrant furor can drive the creation of discriminatory policies. These periods leave a lasting impact on immigration hospitality that remains far after the anti-migration lobbying groups and movement subside. The chapter also demonstrates how nativist anti-immigrant sentiment and slogans may be re-used in later eras. As noted earlier, the 1920s [Figure 15] was the first time the slogan “America First” emerged in media coverage of immigration policy. This statement would be resurrected in the 2016 Presidential Election by Republican Candidate Donald Trump, who successfully campaigned on an anti-immigrant stance and

an “America First” platform. This demonstrates the contemporary echoes of the nativist anti-immigrant fervor of the 1920s.

CHAPTER FOUR

Period of National Security: Patriot Act (2000s)

The late 20th and early 21st centuries add another period to the story of U.S. immigration hospitality. This chapter begins by illustrating the impact of mid-20th century legislation and the Civil Rights movement in the 1960s in helping dismantle the national origins quotas set by the 1920s immigration laws. Though this created a temporary platform for immigration hospitality to flourish for various immigrant groups arriving in the United States, the chapter shows how its potential was offset by the Bush and Obama administrations at the turn of the 2000s. The 9/11 attacks and their aftermath resulted in a strong diminution of immigration hospitality, justified by an impetus to protect national security from foreign threats, namely militant Islam. Media coverage of Muslims in the aftermath of 9/11 reinforced the tightening immigration restrictions then targeting Muslim immigrants.

Turn of the 21st Century in Context

The sharp rebuke to immigration hospitality that came with the turn of the 21st century came at the back of a heightened period of hospitality, as a number of policy changes from the 1960s onward made for a temporarily more hospitable environment. The Civil Rights movement, perhaps more than any other forum, played an important role in changing immigration policy. Its success in delegitimizing discrimination in housing, education and employment and federal services guaranteed equal access to opportunities

to all citizens regardless of race (The Civil Rights Act, 1964). In so doing, the Civil Rights Act conferred upon African immigrants in the United States quasi-full and equal treatment almost a century after the end of commercial slave trade that had brought Africans to the shores of the United States. The Voting Rights Act of 1965 went further, outlawing prerequisites or conditions that would “deny or abridge the right of a citizen to vote on account of race or color.”

Repercussions of this movement towards racial equality among US citizens gradually spilled over into re-evaluations of racial discrimination in immigration law. With discrimination against immigrants intricately tied to the dynamics of racial discrimination against African Americans in the United States. Discrimination against many groups of immigrants has often been compared to that of African Americans, who were deemed the epitome of undesirability—as Takaki noted, “Irish immigrants often found themselves compared to blacks” (Takaki, 1994: 141)—such comparisons established the group as the standard for racially “inferior” savages that were to remain subservient to Anglo-Saxon Americans (*ibid*: 141). At times Irish immigrants were treated with greater contempt than African Americans. For example, Irish immigrants were often hired by slave masters to do hazardous jobs they wouldn’t give their slaves because, as Takaki quoted a Southern planter “if a negro dies, it’s a considerable loss, you know” (Takaki, 1994: 142).

Parallels between immigrant rights and civil rights activists also emerged in another key arena: a quest for expanded access to education. As noted in Chapter Two, Chinese Americans were the first group to contest Jim Crow laws in federal courts to obtain equal access to primary education. Similarly, Takaki observed that African Americans and Jews

faced similar barriers to university employment, and that the anti-discrimination achievements of the civil rights movement helped both groups enter academic fields. In housing, Jewish immigrants in the United States became the first group to use anti-discrimination laws to overcome discriminatory housing practices, demonstrating that “the frontline of the battle for equality for everyone, including the Jews, was the civil rights struggle for the blacks” (Takaki, 1994: 143).

Most importantly, the overlooked connection between the civil rights movement and immigrant rights rested upon acknowledging the immigrant history of African Americans, who had been brought to the United States during the slave trade as the nation’s first forced migrants, although conversations on forced migration often restricted their focus to contemporary contexts. Moreover, African American immigrants experienced multiple waves of forced migrations, as Ira Berlin noted in *Generations of Captivity* (Berlin, 2004), whereby they were cyclically displaced as part of a domestic slave trade that responded to changes in labor demand (Berlin, 2004: 131). Ethnomusicologist Ingrid Monson illustrated in her work that it was impossible to consider African musical contributions to American culture without first acknowledging that “African immigration to North America under the terms of chattel slavery must be described as completely involuntary or forced migration” (Monson, 2003: 22).

Thus, the abolition of slavery, the Civil Rights Act and the Voting Rights Act were three accomplishments of African American rights that would recognize African Americans as full citizens and grant them equal political rights, releasing them from the bondage/subjugation that had greeted them when they first immigrated to the United States.

It is important to note that in finally acknowledging the rights of African Americans to equal citizenship and treatment, United States policy embraced the responsibility of hospitality. This, in turn, encouraged more recognition of the rights and liberties of broader spectrum of newcomers, regardless of race, religion, ethnic background, or any other marker of difference.

In addition, African immigrants' continued struggle against unequal treatment of citizens on the grounds of race resonated beyond the context of voting and segregation debates to make possible the broader acceptance of racial diversity in American politics and society. It was in this vein that President Lyndon Johnson, in his State of the Union Address to Congress in 1964, called for the end of discrimination against all categories of citizens in the United States, while also "lifting by legislation the bars of discrimination against those who seek entry into [the] country" (Johnson, 1965).

The abolishment of racially discriminatory immigration legislation brought the history of U.S. immigration policy full circle from the 1700s to the 20th century, because it represented a small period of hope in which immigration hospitality could finally be extended to all immigrant groups arriving in the United States. This sentiment motivated Johnson to sign into law the 1965 Hart-Celler Act (H.R. 2580; Pub.L. 89–236, 79 Stat. 911), enacted June 30, 1968, effectively putting an end to the 1924 Immigration Act. Under the watchful gaze of Lady Liberty—the enduring image of American immigration hospitality—he delivered a speech declaring the 1924 Act "un-American in the highest sense, because it has been untrue to the faith that brought thousands to these shores even before we were a country." The Hart-Celler Act enshrined the value of immigration

hospitality as central to American identity and culture, and it rewrote the history of racial discrimination and immigrant inhospitality as a mere lapse in America's welcoming ethos rather than the norm.

Johnson considered the signature of the Hart-Celler Act as "one of the most important acts of [his] Congress and administration" because, in his words, "it does repair a very deep and painful flaw in the fabric of American justice. It corrects a cruel and enduring wrong in the conduct of the American nation" (Johnson, 1965). The enactment of the Immigration and Nationality Act of 1965, which was another name for the Hart-Celler Act, ended the national origins formula in favor of prioritizing family re-union for immigration and naturalization, a move that promised to transform American immigration policy from that point onwards (Halter and Capozzola, 2014: 3).

For several decades, the Hart-Celler Act continued to dramatically transform the country's demographic makeup (Takaki, 1995: 13). The post-1965 "New American Immigration" reflected a diversity new to American society, a phenomenon *Time* magazine called "the Coloring of America" ("The Coloring," 1991). The era of post-1965 immigration policy ushered in an age when immigration hospitality would offer a moderated welcome to European, Asian, Arab, and African immigrants alike. It was in this context that the first mass-refugee crisis struck American policy-makers, and it was against this context that a response on forced migrants seeking refuge in the United States would subsequently emerge.

This policy shift directly affected forced migrants as well, whose arrival in the United States was equally governed by the existing national origins quotas. First among

them was the Displaced Persons Act in which US Congress recognized as eligible displaced persons as anyone who had entered Germany, Austria and Italy between September 1, 1939 and December 22, 1945. It also encompassed displaced persons residing in the post-war territories governed by the American, French or British allied forces. The Act also included residents of Germany or Austria who had fled Nazi persecution and had not been resettled in their country of origin. It entitled all “eligible displaced persons” permanent residence in the United States, according to the Constitution of the United Refugee Organization, of which the United States was a member at the time. Significantly, the Displaced Persons Act was passed in a post-national origins quota policy environment, where the measure cemented a position for refugee policy as a humanitarian commitment that the United States acknowledged, unlike the nation’s national origins quotas which had allowed immigration officials to turn back many Jewish refugees in the 1920s and 1930s because quotas had been satisfied (Friedman, 1973).

Secondly, the United States became a signatory to the International Geneva Convention in 1951, as well as to the convention’s revisions and amendments in the 1970s. As a result, international humanitarian law (anchored in the Geneva Convention) guaranteed protection to refugees and stateless persons resulting from a conflict. Article 44 and 45 also defined the right of refugees to migrate to another state of residence as well as the rights of refugees and stateless persons within their “state of refuge” (Article 73, Geneva Protocol). Thus, refugees and asylum seekers arriving in the 1980s onwards benefited from substantially increased rights to refuge vis-à-vis earlier waves of forced migration in the United States.

Yet another seminal moment in US immigration policy towards refugees came in 1981, when the United States found itself for the first time a country of mass asylum for immigrants fleeing their countries (United States Congress, 1981). This occurred when an unprecedented 125,000 Cubans entered the United States between April and September of 1980. Faced with a stark change in the international position towards forced migrants and the new conditions following the 1951 Convention, US immigration policy was no longer able to bar forced migrants as it had done in the aftermath of WWII. At the same time, the passage of the Hart-Celler Act limited the ability of the United States to restrict forced migrants by claiming that national origins quotas had been satisfied (as it had done in the past).

These new immigration imperatives revealed contradictions in the hospitality ethic. Tellingly, then-President Ronald Reagan claimed that the Mariel boatlift “brought home to most Americans the fact that the United States immigration policy was out of control” as America’s commitments to several international conventions precluded the possibility of turning the Cuban refugees away. This put the United States in a position that resonates with the contemporary treatment of the “refugee crisis” of 2016 and 2017. Just as in 1968, these agreements did not prevent the United States from accepting the smallest possible number of refugees. As Chairman of the Subcommittee on Immigration and Refugee Policy Alan Simpson noted, although the United States was a signatory of the 1968 United Nations Protocol Relating to the Status of Refugees, that did not mean that the country “must accept for permanent resettlement each legitimate asylee who arrives on [its] shores” (United States Congress 1981: 2).

Nevertheless, the increased opening of both immigration policy as a whole, and refugee policy in particular, signaled an era of growing hospitality and heightened diversity in the demographic makeup of the American citizenry that promised to foster positive public responses to pro-immigration policies. This was evident in the changing demographic makeup of the American immigrant population over the several decades following the Hart-Celler Act. Pew Research showed that the foreign-born share of the population grew from 5% in 1960 to 13% in 2013 as a result of the Hart-Celler Act. It also projected in 2015 that the combined proportion of first- and second-generation immigrants within the American population would rise to 37% by 2050, compared with 15% back in 1965 (Kohut, 2015). Indeed, by 2013, the census showed that half of the immigrant population was Latin-American/Caribbean, 27% was Asian, while the European share of the immigrant population had fallen to 13%.

The polls also suggested a pattern of rising positive public opinion on immigration as a result of the growing numbers of immigrants among the voting public. Thus, while only 7% of the American public favored increasing immigration in 1960, that figure rose to 25% by 2014 (Kohut, 2015). In addition, first and second-generation immigrants tend to favor pro-immigration policies. According to the leading organization on Latino public opinion research, Latino Decisions, Latinos represent 22% of the voting-eligible population and they tend to vote for presidential and local government candidates who possess positive stances on immigration (Latino Decisions, 2016). The “Latino vote” thus tends to favor candidates who support reforming immigration law and providing greater

pathways to citizenship and a clear resolution to the status of undocumented immigrants (Barreto, 2018).

Thus, the combined effect of the Displaced Persons Act, the Geneva Convention and the Hart-Celler Act and the Civil Rights movement all represented a moment of hope for immigration hospitality in the United States, providing the conditions for positive immigration reform, promising growing diversity in the public as immigration hospitality was extended to newcomers regardless of their race, ethnicity or creed, and providing the conditions for increasingly positive public opinion on immigration. However, all of this would change in 2001, in the wake of the events of 9/11.

Regulatory Hospitality

The hope represented by the late 20th century came to a halt in the aftermath of the September 11 attacks. Responding to news circulating that terrorists had entered the United States on visitor visas, the United States Congress and the Bush administration mobilized quickly to transform U.S. immigration policies and institutions, with the aim of restricting immigration hospitality towards immigrants and refugees from Muslim-majority countries. The impact of these changes can still be felt today by immigrants across the spectrum, producing multiple waves of immigration restriction and hostility from counter-terrorism initiatives that target Muslim immigrants to the United States and the Muslim community as a whole. This extends to the registry of Muslim immigrants that operated from 2001 to 2017 as well as the surveillance, detention, and deportation efforts underway in the early 2000s.

During this most recent period of immigration restriction, opposition to immigration restriction was stifled under the imperative of protecting national security and combatting extremism, and contestations of policies often sought to divert attention from one immigrant group to another, rather than contest the suitability of immigration restriction overall. This section tracks anti-Muslim immigration policy across the early 2000s, connecting two previous eras of restriction—Chinese Exclusion Act of the 1880s and the deportations and raids of the 1920s—with immigration policy of the 2000s. In connecting the contemporary manifestations of immigration restriction to periods of exclusion and nativism, this section illustrates yet another set of conditions under which US regulatory hospitality shrank.

The 9/11 attacks had a profound impact on US immigration policy. Fourteen months after the attacks, Congress enacted the Homeland Security Act (Pub. L. No. 107-296), which reorganized many agencies in the policies overseeing immigration. The Act created the Department of Homeland Security (DHS), and it brought 21 federal agencies including the Immigration and Naturalization Service (INS), the Federal Emergency Management Agency (FEMA) and the Transportation Security Administration (TSA) all under the umbrella of the newly created body: DHS. The movement initiated a new era in American policy, one in which the policy-making and administration of immigration fell under a national security framework, where immigrants were regarded with caution and suspicion.

This new directive was openly outlined by U.S. immigration agencies. Typical was this overview of U.S. immigration policy priorities post-9/11, taken from the U.S.C.I.S website:

The events of September 11, 2001 injected new urgency into INS' mission and initiated another shift in the United States' immigration policy. The emphasis of American immigration law enforcement became border security and removing criminal aliens to protect the nation from terrorist attacks.

(U.S.C.I.S., 2012, p. 11)

During this period, the Bush administration also created the National Security Entry-Exit Registration System (NSEERS). The program collected data on immigrants from Pakistan and Bangladesh along with other Muslim countries from 2011 onward. It was envisioned as an anti-terrorism registry of males over the age of 16 from those countries, who were fingerprinted, photographed, and interviewed at the point of registry, and required to check in with Immigration and Customs Enforcement on a periodic basis. Not only did the program criminalize Muslim men and treat them with suspicion, but NSEERS created an environment that was hostile towards Muslim-Americans and Muslim immigrants. One survivor, Mohammad Jafar Alam, expressed: "I know exactly what a program like NSEERS does to a person and their family. The extreme mental, emotional distress, the financial problems, the pressures on a family and the isolation that happens is a punishment not just for one person, but everyone involved" (quoted in Sohrabji, 2017).

NSEERS also paved the way for a frenzy of detentions, deportations and other measures taken against Muslim immigrants. As Deepa Fernandes wrote in her groundbreaking research on US immigration detention centers post-9/11, the aftermath of 9/11

had terrifying and often deadly consequences for Muslim immigrant non-citizens living in the United States. Many Muslim immigrants, whether they were illegal immigrants, green-card holders, students, or tourists, were rounded up and put in detention centers in the aftermath of 9/11, without due process or clear accusations justifying their detention. The registry enabled the rounding up of up to 5,000 Muslim male immigrants in what became known as the Ashcroft Raids, during which the government deprived these individuals of their due process rights (Fernandes, 2007).

In these cases, court rulings were important sources of precedent that compounded the single-minded security framework of government immigration policies. Thus, in the *Turkmen v. Ashcroft* case in 2006, when Muslim detainees after 9/11 sued the US government over abuses endured during their detention, a New York judge ruled that the government had the right to detain non-citizens on the basis of their religion, race or national origin, and to hold them indefinitely without explanation. Federal Judge John Gleeson's 99-page ruling argued that such singling out on the basis of race or religion was possible for non-citizens. However, he added, "If applied to citizens, [it] would be highly suspicious," a position that Rachel Meeropol, a lawyer representing the Muslim male plaintiffs, called "profoundly disturbing," because it gave the green light for the government to detain non-citizens "at the whim of the President" while placing them outside of constitutional protection (Rothschild, 2006). Law professor David Cole, who was co-counsel to the plaintiffs in the case, wrote an article in the *Los Angeles Times* in the aftermath of the decision saying that his clients asked him, "what will they do to us if there is another attack? Will they intern us like they interned the Japanese?" (Cole, 2006). The

concerns of immigrants revealed that immigrant communities sensed the continuities between the U.S. immigration hostility of the past with an acuity and clarity that slipped by many Americans in communities not targeted by counter-terrorism programs. Moreover, these concerns showed that targeted immigrant groups in one period of restrictiveness recall the treatment of other immigrant groups in earlier eras (Bernstein, 2006).

Gleeson's decision had a large impact on immigration hospitality in the United States, setting a frightening future precedent in the US for the complete disregard of the basic rights of noncitizen immigrants residing on American soil. It signaled the precarity and volatility of their position in the United States as aliens with unrecognized rights. As Gerald Neumann argued, the decision hinted that "the next time there is a terror attack, the government is free to round up every Muslim immigrant in the U.S., based solely on their ethnic and religious identity, and hold them on immigration pretexts for as long as it desires" (quoted in Bernstein, 2006).

Existing immigration policies were also modified to create stringent criteria for people residing in the United States on various kinds of visas. Overnight, international students in the United States found themselves in violation of their visa status for having dropped a credit that semester (Fernandes, 2007: 30). In turn, the criteria for deportation expanded dramatically after 9/11 to make such lapses in immigrant status punishable with deportation (Kretsedemas and Brotherton, 2008: 6). This also paved the way for racial-ethnic profiling by law enforcement in order to distinguish "Americans" from "aliens" (Kretsedemas & Brotherton 2008: 336). At the same time, opportunities for permanent

residence shrank, instead paving way for the proliferation of temporary visas that allowed people to live, study and work in the United States while preventing them from applying for permanent residence (Kretsedemas and Brotherton, 2008: 6).

In conjunction with the changes in immigration laws that impacted the status of immigrants residing in the United States, Congress increased the budget allocation thirty-fold for ICE's Criminal Alien Program, rising from \$6.6 million in 2004 to \$180 million in 2008 and resulting in a ballooning of the organization during that time. In fiscal year (FY) 2013, Congress began to funnel the funding of other programs towards ICE's Criminal Alien Capture Program, resulting in a 64 percent increase in funding, from \$196.7 million in FY 2012 to \$322.4 million in FY 2015 (Cantor, Noferi and Martinez, 2015). Yet again, these choices reflected a criminalization of immigration and the broad acceptance and financial support of initiatives that targeted immigrants and detained, abused⁹ and deported them.

In other instances, laws were changed so that immigrants convicted of petty crimes could be detained indefinitely as "criminal aliens." Rather than deporting immigrants detained for crimes, these changes required that INS imprison them indefinitely on American soil. Yet another change of policy fostered the use of the term "excludables," referring to noncitizens on US soil in detention centers as legally non-existent, as if they

⁹ Several investigative journalists have revealed a long-standing history of sexual abuse in ICE detention centers, transportation network, etc. For more, see: <https://theintercept.com/2018/04/11/immigration-detention-sexual-abuse-ice-dhs/>

had never set foot in the country. Malone argued that the anxiety displayed in the nomenclature of detained immigrants reflected a discomfort of a “nation of immigrants” that prevented policymakers from addressing detained immigrants directly, and “prevents us from describing them [detained immigrants] as human beings and what happens to them in simple, straightforward terms” (Malone, 2008: 47). Complicating matters further, in the case of detained immigrants whose nations refused to accept repatriation, immigrants were forced into detention centers until a resolution for their status could be determined (Malone, 2008: 47). This provided the pretext for the detention of numerous asylum seekers in the United States, as the law placed burden of proof on applicants for asylum and on those who fled their countries without satisfactory documentation (Malone, 2008: 51).

Patriot Act of 2001

In conjunction with changes in immigration policy, legislative changes that governed how law enforcement could operate and the circumstances under which it could surveil or follow citizens changed. The most significant of these legislative changes was the passage of the Patriot Act. In 2001, Congress enacted the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (which has since been known as the Patriot Act). The Patriot Act passed with overwhelming bipartisan margins in Congress, passing quasi-unanimously in the Senate with a 98-1 margin, as well as passing by a wide margin in the House of 357-66 (Department of Justice, 2001). It was intended to enhance the capabilities of law enforcement and multiple government agencies to prevent future attacks on American soil.

However, several civil rights organizations noted abuses of citizens' rights as a result of the powers given to law enforcement to surveil and harass journalists, activists, and immigrant groups. Most importantly, the narrow definition of what constituted terrorism according to the Department of Justice allowed for the targeting of immigrants of Muslim-faith or those coming from Muslim-majority countries.

Officially, government bodies were careful to avoid connecting the Patriot Act with Islam. The Act allowed several government agencies to bypass stringent permissions needed to wiretap, monitor and surveil subject, so long as these operations were conducted with the purpose of "preventing another terrorist attack on U.S. soil" (Patriot Act, 2001). Thus, it was telling that government agencies were careful to provide definitions of terrorism according to the Act in their mission statements that avoided any mention of religion or Islam. Instead, terrorism is defined as "premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents" (CIA); as "the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives" (FBI); and as 'activity that— (A) involves an act that— (i) is dangerous to human life or potentially destructive of critical infrastructure or key resources; and (ii) is a violation of the criminal laws of the United States or of any State or other subdivision of the United States; and (B) appears to be intended— (i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government by intimidation or coercion; or (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping" (Department of Homeland Security). The only definition of

terrorism that mentions religion is that given by NATO, which states that terrorism is “unlawful use or threatened use of force or violence against individuals or property in an attempt to coerce or intimidate governments or societies to achieve political, religious or ideological objectives.”

Nevertheless, the enforcement of the Patriot Act as well as the United States War on Terror clearly targeted Muslim communities. Evidence of the targeting of Muslim communities pointed to a far narrower and more discriminatory definition of terrorism among these agencies, and media coverage gradually took note of this shift. A series of leaked documents by *The New York Times* reported that the CIA and NYPD had been collaborating on a surveillance program that targeted all Muslim Americans living in New York, and that they inserted agents in Muslim Student Associations, Mosques, and even Muslim barbershops to listen to conversations taking place in the Muslim community (Apuzzo and Goldman, 2014). Operating under the auspices of the Patriot Act, the program used census data to map where Muslims in New York lived, and it classified all Muslim youth as susceptible to radicalization and all mosques as “terrorism enterprises” (Apuzzo & Goldman, 2014: 180). The impressive investigative report earned the Associated Press a Pulitzer Prize in 2012 (Associated Press, 2012) and resulted in an archive of leaked documents that revealed extensive surveillance of all aspects of Muslim-American life. Ultimately, Apuzzo and Goldman went on to write a 336- page book to fully address the leaks (Apuzzo and Goldman, 2014).

Following upon these institutional changes, the language used by the Office of the U.S. President reinforced the suspicions leveled at Muslims. Even as Presidential speeches

by George W. Bush continued to stress that “Muslims are not *our* enemy,” many of President Bush’s speeches in the aftermath of 9/11 emphasized that “the war against terrorism is not a war against Muslims, [...] It’s a war against evil people who conduct crimes against innocent people” (Bush and Megawati, September 19, 2001). Yet, in many of these reiterations, President Bush articulated a dichotomy of the “our” of the American public, institutions and government, who were combatting terror, and Muslims who may or may not be the enemy, but were certainly not part of the “our” of the American fabric (Bush, 2002).

Take, for example, the statement he made at the Annual White House Iftar dinner in 2002, where he said:

America treasures the relationship we have with our many Muslim friends, and we respect the vibrant faith of Islam which inspires countless individuals to lead lives of honesty, integrity, and morality. This year, may Eid also be a time in which we recognize the values of progress, pluralism, and acceptance that bind us together as a Nation and a global community. By working together to advance mutual understanding, we point the way to a brighter future for all.

(President George W. Bush, December 5, 2002)

Statements like this one placed Muslim American community members in attendance as “friends” rather than compatriots and citizens. In conjunction, despite Bush’s repeated assertions that “Muslims are not our enemy,” his definition of the War on Terror identified Muslim history as the core target of its project. Take, for example, this statement:

They (the terrorists) hope to establish a violent political utopia across the Middle East, which they call a “Caliphate” where all would be ruled according to their hateful ideology. Osama bin Laden has called the 9/11

attacks “a great step towards the unity of Muslims and establish the Righteous Caliphate.” This Caliphate would be a totalitarian Islamic empire encompassing all current and former Muslims lands, stretching from Europe to North Africa, the Middle East, and Southeast Asia.¹⁰

(President George W. Bush, September 6, 2006)

Moreover, Bush often expressed that at the core of the terrorist project was a concept integral to Islamic history and Muslim *Weltanschauung*: A historical form of Muslim rule known as the Caliphate (Zuhur, 2008: 6). The caliphate in Muslim history corresponds to a relatively long period in which the disciples of the Prophet Mohammad (PBUH) governed Muslim communities in the Middle East. By attacking the caliphate without qualifying that the expansionist, violent expression of the concept in the fundamentalist rhetoric used by Bin Laden is the specific target of these critiques, Bush’s speeches against the Caliphate alienated Muslim communities and pointed out that their history and faith were considered dangerous political projects according to the President.

Despite widespread criticism of the Patriot Act and the War on Terror’s disproportionate burden on Muslims, both the Bush and Obama administrations did not acknowledge or respond to these calls for a review of the act and its implementation. In response to the critiques surrounding the Patriot Act, the Justice Department issued a document titled “dispelling myths about the Patriot Act” that addressed the many criticisms

¹⁰ The text of this speech has been removed from the White House Bush Administration Archive Page. For parts of this text see: Sherifa Zuhur (2008) *Precision in the Global War on Terror*. Carlisle, PA: Strategic Studies Institute, U.S. Army War College.

of the Act. In the document's 26 sections that responded to critiques ranging from the targeting of peaceful activists to the widespread use of wiretapping, the department did not mention the words "Muslim" or "religious organization" once, thereby failing to respond to mounting evidence that the Patriot Act disproportionately targeted Muslim Americans and Muslim Immigrants living in the United States because of its narrow definition of terrorism.

Finally, under the guise of national security concerns, refugee policy was drastically revised in a move that, while hidden under other national security imperatives in the nation's highest courts, was most plainly explained by George W. Bush who stated, "we will turn back any refugee that attempts to reach our shore" (Human Rights Watch, 2004). The Bush administration had finally found a way to dispense with legal and ethical obligations required by the International Convention on Refugees, and that was by criminalizing the act of crossing borders in order to reach a country of asylum and apply for resettlement. Essentially, as Mark Dow pointed out, "if you categorize a person in a certain way, that person's rights and protections are gone; if you categorize the place where you hold that person in a certain way, that person's rights protections are gone; and by using the pretext of war or national security—you can do anything at all to a person—certainly a noncitizen" (2008: 35). Moreover, the criminalization of border crossing resulted in a ballooning of the number of immigrants being held in national detention centers, without public information on detainee numbers or the charges on which they were being held. The most important thread that weaves through all of these policies and their implementation was one of public knowledge and public consent. As Malone pointed out,

for as long as the information on whether and how many asylum seekers, immigrants and foreigners are held by the United States was concealed, it was impossible for the public to tell whom it has deprived of liberty and dignity or the conditions of their detention, and “without that knowledge, consent is meaningless” (Malone, 2008 :59).

Thus, the post-9/11 policy responses of the Bush and Obama administrations highlighted that from 2001 onwards, the United States, for reasons of security, would severely restrict the hospitality extended towards immigrants and asylum seekers, particularly those from Muslim-majority countries or of the Muslim faith. They also demonstrated that the United States would no longer acknowledge and respect migrants’ basic human rights. The implicit contract made between each American administration and the American public, in return for protection and security, would soon pave the way for the Muslim Travel Ban of 2017.

Media Hospitality

Media coverage during the post-9/11 period intensified the hostile environment created by immigration policies towards Muslim communities, a fact that has been well-documented in a growing field of studies on media representations of Muslim communities post-9/11 (Bayoumi, 2015; Alsultany, 2012; Grewal, 2014). This section begins by analyzing media coverage of Muslim immigrants and American Muslims in *The New York Times*, the *Wall Street Journal*, and the *Washington Post* from 2001 to 2015. It identifies several dominant trends in media coverage during this period that cemented a perceptual linkage of Muslims to violence and terrorism, justifying the passage of restrictive immigration policies and

extra-judicial surveillance, detention and deportation of Muslim immigrants. Moreover, the coverage repeatedly positioned Muslims as dangerous Others who carried out attacks on “Western” citizens because of their incomprehensible and unpredictable religious dogma. This analysis illustrates the role of the media in alternately justifying or questioning inhospitable discriminatory policy.

Journalism scholars have pointed to several trends in media coverage after 9/11, noting that the period following the attacks became a time of “rallying around the flag,” as critical coverage of the national war on terror policies prompted/invited accusations of “giving aid and comfort to the enemy” (Navasky, 2011: xix). Journalists resorted to common western media tropes of the “Islamic peril,” which echoed the tropes once used to represent Chinese immigrants. This approach rested on simplistic generalizations of an entire faith that was practiced differently as the majority religion in 49 countries and observed by the citizens of numerous countries on every continent (Desilver and Masci, 2017). Post-9/11 media coverage primarily followed the formula set by U.S. Presidential speeches, presenting the post-9/11 era as a battle between “good vs. evil” in which derogatory stereotypes of Muslim communities formed the “evil” side of this dichotomy, securing the American position as morally righteous.

Dominant Media Tropes

Three main media tropes characterized representations of Muslim communities during this period. I concur with scholars who have argued that media coverage post-9/11 overlooked systematic violence taking place in global geopolitics and the role that U.S.

military involvement in the Middle East may have played in destabilizing the regions now considered terrorist hotbeds (Karim, 2011: 131-2). However, what follows focuses specifically on the dominant representation of Muslim immigration and Muslim-American communities living in the United States. It explores the emphasis on Muslims as a “hard” and intractable enemy, and the construction of an apparent pattern of Muslim violence against “soft targets,” rendering this enemy all the more frightening. Finally, it examines how the media constructed all Muslims as impossible victims. Rendering all Muslims, moderate or violent, as complicit, the media precluded the representation of innocent Muslims, let alone victims, of the War on Terror.

“Hard” Enemies

The first prevalent trope that emerged in post 9/11 media coverage was the emphasis on Muslims as a “hard enemy” whose motivations, language, religion and culture could not be understood by the American public or political and military elite, making Muslims a hard enemy to defeat.

Such a sentiment was reflected in a front-page article in *The New York Times* on September 12, 2001 entitled “U.S. ATTACKED; Hijacked Jets Destroy Twin Towers and Hit Pentagon in Day of Terror,” and it reflected the confusion and trauma that many witnesses to the 9/11 attacks experienced. While most of the quotes collected from onlookers relayed the shell-shocked experiences of New Yorkers on the day, one particular utterance began to synthesize the direction *The New York Times* took from the earliest moments “It's like Pearl Harbor. It's war.” The newspaper signaled a war that would unfold between the United States and an unnamed adversity (Kleinfeld, 2001).

Another article in *The New York Times* responded to this sentiment with the headline, “U.S. ATTACKED; President Vows to Exact Punishment for ‘Evil’” (Schmemmann, 2001). The dialogical nature of the two articles, reflected in the construction of their titles, pointed to a cause-effect dyad, wherein the 9/11 attacks represented an assault on the United States, thereby eliciting retaliation. However, the U.S. reprisal following 9/11 was directed at an amorphous enemy described using the morally absolutist category of “evil” inspired by Manichean religious traditions. The flattening and oversimplification of extremist groups’ motivations in this fashion invited overgeneralization of attitudes towards all Muslims following 9/11, as bearers of an “evil” religious ideology. These two front-page articles illustrate the pattern of American journalistic response to the traumatic events of 9/11 in which, as Karim argues, American journalists recovered from the confusion of the event to fall back on prescribed newsgathering procedures and existing cognitive frameworks about Islam, violence, and terrorism (Karim, 2011: 131-2). They regarded an inconceivable and incomprehensible “Muslim terrorism” as a threat to Western societies. In conjunction, George W. Bush’s quoted statements, such as “we will make no distinction between the terrorists who committed these acts and those who harbor them,” consolidated this elision (Schmemmann, 2001). Thus, Islamic terrorists, as well as the vague category of “those who harbor them,” could easily be interpreted by some readers as everyone who shared the Muslim faith.

In fact, as the scholar Lila Abu Lughod reflected in an auto-biographical account of her numerous invitations to lectures, news interviews, and other public outreach opportunities post-9/11, the period that followed the initial confusion often saw journalists

seeking culturalist explanations to extremism, operating on the assumption that if only American leadership understood Islam better, the tragedy and loss of life on 9/11 could have been prevented (Abu Lughod, 2002: 784). Instead, this search for culturalist explanations reinforced the assumption that violence was inherently tied to the Muslim faith.

The menace of Islam was connected to reporting on immigration from Muslim-majority nations, as reporters began to question how, and even if, Muslim immigrants could be integrated into American society, using headlines such as “Defining the All-American Muslim” (Schaefer Riley, 2012), “Muslim Melting Pot” (Manji, 2007), or “Are Muslims Integrating or Are They Taking Iver?” (“Are Muslims,” 2010). These articles echoed many tropes of foreign race invasion that had appeared in previous eras of U.S. media history, calling for the need to tighten “lax immigration” policies that were allowing Muslim immigration to continue unfettered, or citing the threat that a relatively higher “Muslim birth rate” posed to the demographic makeup of European and Northern American societies (“Are Muslims,” 2010). Even articles adopting a more positive stance acknowledged the permanent “foreignness” of Muslim immigrants in Western society (Fredette, 2014), illustrating the difficulty of assimilating Muslim immigrants. Moreover, efforts to include seemingly positive voices on Islam overwhelmingly relied on figures that Hamid Dabashi has called “native informers,” who derive their authority from being “natives” while being “reformed” or “recovering” members of the Muslim community (Dabashi, 2011: 22-23). Individuals such as Hirsi Ali, who describes herself as a heretic to this day, or Irshad Manji, the Bengali-Canadian gay-rights activist who claims to hope to “reform” Islam were

consulted as “native informers,” useful reinforcers of bias because their discourse confirmed the racial and cultural inferiority of their community (Dabashi, 2011: 23; Grewal, 2014: 18).

According to media coverage, the Muslim enemy was also ubiquitous. In the wake of the terrorist attacks on the World Trade Centers in New York City, *The New York Times* embarked on a global coverage campaign pinpointing Muslim groups and individuals accused of inciting or planning terrorist attacks in Indonesia (Bonner & Perelz, 2002), China (Eckholm, 2002), the UK (Cowell, 2002) and the Philippines (Schmitt, 2002). This international laundry list of militant acts suggested that all Muslim-majority countries were dangerous places teeming with terrorists and their sympathizers. The clear implication flowed that multi-national companies, expatriate workers, and financial investors should abandon these locations. Indeed, *The New York Times* marveled that “despite the apparently globe-girdling reach of Islamic terror groups, some of the biggest Western multinational corporations are holding fast to their investments in most Muslim countries.” More significantly, the article referred to “Islamic terror groups,” thereby associating Islam as a whole to the violence carried out by a small fraction of believers in its name (Altman, 2002).

These representations of Muslim-majority countries as bustling with terrorist activity and terrorism sympathizers facilitated the characterization of immigrants from Muslim-majority countries as undesirable national security threats. In fact, these arguments resurfaced in support of President Trump’s proposal for a travel ban restricting the arrival of immigrants from Muslim-majority countries. Thus, the emphasis on an “Islamic threat”

facing American values justified a media consensus on the need for immigration restriction. As I will show below, this coverage also legitimized the existing policies of surveillance, harassment, detention, and deportation of Muslim immigrants studying or working in the United States.

“Soft” Targets

Often, coverage of the threat of extremism also emphasized the vulnerability and gullibility of the American public and political elite. It repeatedly alluded to the American civilians, institutions and values as being put at risk by the incoming migration of communities with incompatible values. Journalists characterized well-intended hospitality and generosity shown to Muslim immigrants as naïve, invoking a history of Muslim violence directed at “soft targets.” This trope portrayed Muslims as terrifying merciless enemies who targeted unarmed civilians, women and children.

News outlets attributed the vulnerability of the American public to its lack of knowledge and understanding of the Muslim faith. Thus, media coverage in the 9/11 era struggled to explain the basic principles of the religion it had pronounced as “evil.” To address this need to understand Islam, the *Wall Street Journal* organized a symposium titled “What is moderate Islam?” Although the query may have been fitting in the immediate aftermath of 9/11, the intervention almost a decade after 9/11 indicated how little knowledge news media had gained over the span of 9 years (“A Symposium,” 2010). In fact, as late as 2010, media coverage across all major newspapers continued to feature articles such as “What is moderate Islam?” (Hussain, 2010).

Several articles emphasized that the American leadership and public lacked the understanding of Muslim ideology that would have enabled it to foresee and prevent a Muslim threat. Key were suggestions of the inevitability of Muslim violence and the misguidedness of generous perspectives on Muslim immigrants' intentions. A *Wall Street Journal* article criticized a sympathetic report by Brian Williams and Ron Allen that portrayed a Muslim cleric's blissful family life, pointing out that the cleric abruptly beheaded his wife after she asked for a divorce (Stephens, 2010). The article cited yet another example of the unpredictability of Muslim attackers: a 1993 controversy over the closure of a Washington, D.C mosque that was criticized for demonstrating discrimination against Muslims. Later, the article noted, the mosque would become known as "none other than [...] 'the 9/11 mosque,'" infamous for inspiring several terrorist attacks over the years. These examples posited that Americans' ignorance and misunderstanding of Islam was detrimental because it left them vulnerable to the threat that Muslims posed, rather than because this ignorance fueled bigotry and discrimination against Muslims. Skewed conceptualizations of Islamic belief and practice were deployed against Muslims themselves, as is reflected in the largely, rhetorical question underlining much reportage: "is it bigoted to oppose bigots?" (Stephens, 2010)

Moreover, media coverage criticized the perceived naïve response of American leadership, and particularly President Obama, to emphasize that not all Muslims were terrorists, and that America was not at war with Islam. For example, in the wake of the November 2015 Paris attacks, well-known *Washington Post* columnist Colbert I. King ridiculed the Muslim community's response, suggesting it rehearsed to the point of

insincerity. Similarly, other articles blamed Muslim migrants in the immediate aftermath of the attack (Landauro, Dalton and Entous, 2015). King then criticized President Obama for eschewing the phrase “Islamic terrorism” asking the President “whose feelings are being spared?” He quoted Aretha Franklin saying “who's zoomin' who? Who's being fooled” to criticize the naiveté of American politicians and the American public in responding to the threat of Islam (King, 2015). He also suggested that the American public was being fooled by its leadership’s false rhetoric of Islam as a peaceful religion, that left it vulnerable to the danger Muslims posed.

American society’s vulnerability was depicted as the consequence of Muslim immigrants’ inability or unwillingness to integrate. Journalists questioned the ability of Muslim immigrants to become Americans in light of the tenants of the Muslim faith, and their incompatibility with ideals of free speech, individual freedom, or human rights. They cited the ghettoization of European societies as an example of the problems posed by Muslim immigrants internationally (Johnson, 2005), suggesting that Muslim immigrants were unable to integrate into American society and institutions, and put these institutions and values at risk. Consider, for example, coverage of Muslim responses to several offensive cartoons that the press deemed protected free speech, which privileged violent over peaceful protest. To counter the news media’s defamation, Muslim scholars and professionals often responded to these reports. For example, Muslim attorney Qasim Rashid was featured in a series of articles and televised interviews in *The New York Times*, *Huffington Post*, the Fox News Network, and *USA Today*, stressing that free speech was

one of the fundamental tenants of Islam. Rashid argued that the religion instructed its followers to respond to offensive messages with peaceful dialogue (Rashid, 2015).

Moreover, newspaper coverage amplified and celebrated the voices of known Islamophobes to support illustrations of Islam as a vindictive religion that attacks peaceful individuals with critical views. For example, in November 2002, Marlise Simons from *The New York Times* wrote a fawning article commending the infamous Islamophobe Ayaan Hirsi Ali, proclaiming her a visionary for seeking to “reform Islam.” Simons marveled at Ali’s bravery in telling reporters that the prominent gay politician Pim Fortyun was justified in calling Islam “backward” (Simons, 2002). The article also highlighted the death threats, enhanced security, and other consequences that Ali had faced for expressing her views. Such reporting drew broad conclusions about Islam, flattening the complexity of a religion practiced differently by many different cultures across the world; it also relied on a few prominent commentators known for their controversial and incendiary anti-Muslim rhetoric, representing an editorial strategy to characterize Islam as a whole as an oppressive and unjust religion and a vindictive ideology that motivated its followers to violently attack peaceful critics.

Finally, the coverage of violence inspired by radical interpretations of Islam often emphasized the willingness to attack “soft targets,” signaling the brutality and inhumanity of Muslim violence. A search for the keywords of “soft targets” in *The New York Times*, *Washington Post* and *Wall Street Journal* retrieved 443 results of articles that had used the term to identify terrorists’ merciless targeting of innocent and helpless civilians. One article stressed that terrorists were beginning to target a terrifying list of leisure locations such as

“shopping malls, sports arenas, hotels, restaurants, bars, nightclubs, movie theaters, housing complexes,” maximizing the pain and suffering inflicted on “us infidels” (Ervin, 2006). Other articles noted that Al Qaeda’s history of picking “soft targets” necessitated terror alerts that inconvenienced citizens and disadvantaged businesses (Kehaulani Goo & Mintz, 2003; Henkel, 2004). Focusing on terror alerts, other articles portrayed how even those who escaped terror attacks remained traumatized by the constant change in terror alert statuses from orange to yellow to red (Rashbaum & Flynn, 2003).

Impossible Victims

Another trend in media coverage during this time period was the emphasis on the impossible position of Muslims as innocent victims of discrimination in immigration policy and law enforcement’s war on terror. This was rooted in the persistent accusation that moderate Muslims did not condemn terrorist attacks, as well as in the fact that the monitoring, surveillance, detention and deportation of Muslim immigrants were all necessary procedures in the War on Terror.

The presumed guilt of moderate Muslims because they shared the Muslim faith of terrorists was reinforced by the public speeches made by the Office of the President and quoted widely across the news media. On one occasion, *The New York Times* quoted George W. Bush’s statement saying, “we will make no distinction between the terrorists who committed these acts and those who harbor them” (Schmemmann, 2001). Thus, Islamic terrorists, as well as the vague category of “those who harbor them” which could be interpreted by readers to encompass everyone who shared the Muslim faith, were pronounced the enemy. From that moment, media coverage post-9/11 adopted the rhetoric

of the War on Terror wholesale, replicating the narrative espoused by George Bush's administration with little critique. This pattern would continue across the coverage of the early 2000s.

Suspicion of all members of the Muslim faith because of their acceptance of what was deemed a violent religion obscured repeated statements by the Muslim American community to disavow terrorism, therefore cementing their guilt. For instance, the *Washington Post* reported that Muslim leaders in Canada and the U.S. had issued a "fatwa" against terrorism that prohibited Muslims from "giving any support to terrorist groups who have carried out attacks against unarmed civilians" (Murphy, 2005). However, coverage by *USA Today* dismissed the role of American clerics in drafting the fatwa and instead criticized the "deafening silence among American Muslim leaders when it comes to denouncing extremists who terrorize in the name of Islam" (USA Today, 2005). These discussions across several news outlets illustrated the intertextual relationships between articles that covered Islam and terrorism and the power of each article at reinforcing the existing bias against the community. In response to these repeated criticisms of inaction from 2001 onwards, Muslim Americans wrote opinion pieces communicating their dismay at the continuous promotion of the narrative of complacency among Muslims, citing the example of the Council on American Islamic Relations' (CAIR) petition against terrorism, that received several hundreds of thousands of signatures from Muslim supporters (Kemp, 2004). In another article where CAIR publicized the launch of a multi-platform media campaign against terrorism spanning newspapers, radio, billboards, Mosque sermons and all forms of communication in the community, one spokesperson for a religious

organization complained that “the most frequent criticism that's tossed at the American Muslim community is, ‘You never denounce terrorism,’ ignoring the fact that we've denounced terrorism every which way from Sunday. I don't know what more we can do, and that is part of why we launched these initiatives” (Cooperman & Murphy, 2004). Articles in the *Washington Post* that were critical of the Republican stance that saw Islam and terrorism as interchangeable were also guilty of connecting Muslims with terrorism in more indirect ways, arguing that although Islam was not a violent religion, “terrorism is the expression of a violent ideology that has, disturbingly, taken root among some Muslims” (Gerson, 2013).

Because so much media coverage focused on Muslims as aggressors and criminals, media outlets covering the global war on terror completely overlooked the injustices and terrors inflicted on the Muslim American and international Muslim population. Thus, in focusing on attempted embassy bombings or potential threats of groups around the world, newspapers failed to cover the unjustified detainment, surveillance, deportation, torture, or extra-judicial killings taking place. Analyses of media coverage of immigrant detainees, for example, pointed to the severely reduced examples of journalism questioning the practices of Republican or Democratic administrations vis-à-vis immigrants (Kurzban, 2008: 71). In fact, the push towards entertainment pieces and sensationalist coverage as well as the turn towards uncritical coverage relying on TV pundits allowed the Bush and Obama administrations to dictate coverage and to continue to conceal information regarding the number of immigrants detained and where they were being held. Instead, by insisting that such information was classified for national security or prisoner privacy

reasons, government officials received the tacit consent of the public to detain particularly Muslim or Muslim-looking detainees because they were protecting the public from potential terrorism (Sheikh, 2008: 81).

These portrayals of a global network of terrorist organizations planning coordinated and concurrent attacks on Western embassies conjured an image of an unprecedented security threat that would justify draconian security measures and discrimination against Muslim Americans and Muslim immigrants. Thus, when *The New York Times* reported that a new policy “quietly imposed by the Bush administration” prevented “tens of thousands of Muslim men, from more than 26 countries” from obtaining United States visas, it dismissed the move as an inconvenience that was “causing headaches for American diplomats” (Bonner, 2002), leaving the policy’s legitimacy and morality unquestioned. Instead, it represented restrictions on immigrants from Muslim countries, including Middle-Eastern countries and Pakistan, Malaysia and Indonesia, as necessary security measures. Moreover, the general portrayal of Islam as threatening, and the populations of Muslim-majority countries as suspected terrorists dampened the impact of critical coverage in American media of the abuses of power at the heart of the War on Terror that unfairly discriminated against Muslim immigrants. Thus, a series of articles in the *Washington Post* highlighted the use of “immigration policy as a weapon” in the War on Terrorism (Sheridan, 2005), with a specific focus on deporting Muslim immigrants and stripping citizenship from Americans with Muslim backgrounds. Citing the example of a Saudi immigrant who was detained on false charges of supporting terrorism, the newspaper demonstrated how the targeting of Muslim immigrants over minor issues, such as buying

supplies for a social event at a mosque or misunderstanding official forms, resulted in their deportation (Sheridan, 2005). This illustrated how immigrants from Muslim-majority countries felt intimidated and scared after their experiences in being detained and deported by ICE. Another example from the *Washington Post* quoted a Pakistani fellow at the Brookings Institute who was detained and deported for not registering within 40 days of his arrival, part of an entry-exit registration system in place for immigrants from Muslim majority countries such as Syria and Pakistan. He had in fact been wrongly advised that this measure was no longer necessary by INS officials, who later put the journalist-fellow in prison for the mistake (Lardner, 2003). In response, the journalist expressed that he “cannot wait to leave and, if such policies continue, will never come back” (Lardner, 2003). However, this coverage of the degree of scrutiny and unjustly disproportionate consequences to any gaffe in filling immigration forms because of immigrants’ religious background was repeatedly justified as “understandable” in light of law enforcement’s need to combat terrorism (Thibodeaux, 2002).

Yet another article from 2002 illustrated journalists’ tacit acceptance that violations of constitutional rights were necessary in the War on Terror. When James Ujaama was held for a month without charge (in violation of his constitutional rights as a Muslim American citizen), the press justified this decision as necessary because he was “designated a material witness to terrorist activity, which allows the authorities to detain him indefinitely” (“Lawyer,” August 24, 2002). These trends in coverage demonstrated an acceptance of the suspected illicitness of Muslim Americans, as well as the need to violate their constitutional rights in order to prevent further attacks from happening. Thus, the dominant themes in

American press coverage of Muslim immigrants and American Muslim communities have been those that adopted the national security lens of the War on Terror, drawing attention to Muslim men in particular as aggressors and dangerous threats, and justifying discrimination against the community as necessary steps in the global war against terrorism.

The activism of Muslim civil rights groups somewhat helped shift the media conversation and political environment in the War on Terror. Beginning immediately after the attacks, Muslim groups such as CAIR encouraged voting registration among eligible Muslim American citizens (“Muslim Group,” 2002). Moreover, Muslim civil rights groups allied with other civil rights advocates began to advocate for acknowledgment and reparations for the abuses of Muslim citizens’ constitutional rights in the wake of 9/11. For example, the Center for Constitutional Rights, accused the government of arbitrarily holding Muslim detainees in prison for months on minor immigration violations, with no hearings to determine whether the government had probable cause to hold them. One article in *The New York Times* covered a class-action lawsuit filed by the families of Muslims who had been wrongfully detained in the wake of 9/11 (Sachs, 2002). Although the article was flanked by other pieces that focused on assistance to the families of victims of 9/11 (Wald, 2002), the article initiated an acknowledgement of the newsworthiness of the civil rights activism of Muslim rights groups. Such a perspective, however, was not dominant.

Thus, the years following 9/11 witnessed an overall negative portrayal of Muslim immigrants and Muslim Americans in the American news media. This portrayal was dominated by a framework of national security concerns regarding a suspect Muslim

population, a focus on Muslims in the United States as immigrants or citizens as internal threats, and a portrayal of Muslims abroad as potential threats to the United States if they decided to immigrate. The coverage stressed the “softness” of the American public in responding to the threat of terrorism and the vulnerability of the American public and political and social institutions. Meanwhile, coverage of injustices towards Muslims was muted, and often coupled with several articles that re-iterated Muslim terrorism threats justifying the abuse of power by the Bush and Obama administrations.

The patterns of media coverage following 9/11 exhibited a hostility towards Muslim Americans and Muslim immigrants that branded the group as violent criminals, complicit in the crimes committed by extremists in the name of their faith. It thus became very difficult for media coverage to adequately respond to the onslaught of anti-Muslim rhetoric that would emerge during the 2016 election, or the transition period that followed. Instead, the lack of sufficient critical examination on the use of immigration policy as a weapon in the War on Terror undermined the ability to adequately respond to the Republican candidates who expressed intentions to limit or even halt immigration from Muslim-majority countries. Moreover, the tacit agreement in media coverage that the surveillance and detention of Muslim immigrants were necessary procedural steps in the war on terror prevented media coverage from responding to proposals to create a Muslim registry or other discriminatory policies targeting immigrants from Muslim-majority countries.

In sum, media coverage in the post-9/11 period was by and large inhospitable. It continued to emphasize the threat of Muslim terrorism, thereby justifying the surveillance,

detention, deportation and torture of Muslim immigrants as well as American citizens with Muslim backgrounds. The coverage emphasized that Muslims were difficult enemies that targeted the “softness” of American citizens’ generosity of spirit and ignorance of the true danger of Muslim terrorism. It also continuously painted Muslims as guilty even when they condemned terrorist attacks and extremism, making it impossible to portray them as victims of the civil rights abuses of the post-9/11 era. These dominant tropes in media coverage would become instrumental in the 2016 election and Trump administration that would follow.

The 2016 Election and its Aftermath

The 2016 presidential election represented a culmination of anti-Muslim hysteria on the American political stage. Among the Republican Presidential candidates, Dr. Ben Carson likened Muslim refugees arriving from Syria and Iraq to “rabid dogs running around your neighborhood” (Reuters, 2015). Meanwhile, then-Presidential candidate Donald J. Trump said he would “absolutely” require the creation of a Muslim registry. When asked how this registry would differ from the former Jewish registry created by Nazi Germany to record “persons undesirable to the National Socialist Regime” (Monroe-Sheridan, 2018: 2), Trump responded by flippantly challenging the reporter, saying, “you tell me” (Gabriel, 2015).

These incidents reflected a general shift in American politics from administrations that created policies that indirectly discriminated against Muslims, to the potential rise to the presidency of individuals who openly expressed hostility towards Muslims. This both took the form of dehumanizing and threatening characterizations, such as those of Carson, and the form of potential surveillance and control programs, such as the Muslim Travel Ban and registry policies suggested by Trump. Ironically, the traumatic experience for multiple immigrant and minority communities in the United States of witnessing the electoral win of candidate Trump was likened to the experience of witnessing 9/11, with intervention-inspired public fora created to discuss the election among college students and community members (Skalka, 2016; Dremann, 2017; Li, 2016), or newspaper articles that referenced the difficulty of this moment for these communities. In relaying the election

results, some broadcasters reacted emotionally on-air (Grynbaum, 2016), and late-night television hosts announced the results with visible consternation and concern (Yahr and Butler, 2016).

The record-levels of xenophobic and anti-immigrant sentiments expressed by Presidential candidates in the 2016 elections corresponded with a rise in hate crimes and incidents throughout 2016. On the University of Pennsylvania's campus following the 2016 election, black freshmen students were invited to a daily lynching event on a social media platform. Noted Penn student Maya Arthur, in a statement that crystallized the fears that people of color, religious minorities, and the LGBTQ+ community: "If this is the start, [...] the next four years will be a continued struggle and continued other-ing of a part of a community that's already marginalized" (Jonsson, 2016).

After the election, President-Elect Trump proceeded to assemble a government that promised to act upon these hostile stances towards Muslims. The media took note. Take, for example, CNN's coverage of Trump's nomination of Mike Pompeo for the position of Secretary of State: noting Pompeo's distinction during his studies at West Point, Carol Costello mentioned more "controversial" moments of the nominee's career, including his involvement in the Benghazi committee and his criticism of Hillary Clinton's handling of the crisis, as well as his history of saying "critical things about Muslims." In fact, after the Boston marathon bombing, Pompeo declared on the House Floor that "leaders in the Islamic faith who are not out there condemning it are potentially complicit in it as well" (Boorstein, 2018). The statement reflected Pompeo's views that Muslim immigrants and Muslim-Americans were legitimate objects of suspicion who must constantly condemn the

actions of Muslim attackers in order to disprove their complicity. Nevertheless, CNN argued that Pompeo possessed “a stainless reputation” (CNN Newsroom, November 18, 2016).

Thus, after a perfunctory citing of Pompeo’s anti-Muslim sentiment, CNN concluded that Pompeo still possessed a “stainless reputation.” Costello predicted that the nominee would be “grilled” on his anti-Muslim rhetoric by Democrats in the Senate, suggesting that Pompeo’s views might be more acceptable to Republican Senators, but concluded that Democratic resistance to the candidate would be motivated more by his criticism of former Secretary of State and Democratic Presidential Nominee Hillary Clinton than by disagreement with his position on Muslims. While Pompeo’s hostility towards Muslims was noted as a potential criticism of the candidate, media coverage sustained that the nominee had a “stainless reputation,” suggesting that his controversial bigoted remarks on Islam were of little consequence. The Muslim community’s anxieties about the formation of a government that was hostile to their existence in the United States was thereby overlooked. Similarly, media coverage of Kris Kobach’s involvement in the Trump transition team and in drafting a future Muslim registry program minimized the hostility of the former Kansas Secretary of State towards Muslims. This pattern would continue for many cabinet appointments made by the Trump transition team.

Another fundamental shift in the media ecology during the 2016 election and the transition period was the increased ability and acceptability of the Presidential candidate (later the President-elect), as well as his cabinet nominees to directly address the public via

Twitter. For example, Flynn expressed opinions condemning the Muslim faith and not just radical Muslims as a violent ideology, tweeting after an attack in Paris:



Figure 17: Mike Flynn tweet about Muslim leaders (July 14, 2016)

In fact, Flynn regularly re-tweeted statements and videos by members of the alt-right, arguing that Islam in general, not its merely extremist iterations, was a dangerous ideology. In another tweet in 2016, he warned:



Figure 18: Mike Flynn Tweet on Muslims (February 28, 2016)

On another occasion, Flynn tweeted a picture of Hillary Clinton wearing a headscarf while visiting a mosque in Pakistan on diplomatic tour, deeming her behavior in conflict with “American values”:



Figure 19: Flynn retweets Hillary picture in Hijab on diplomatic tour (July 14, 2016)

Although mainstream media outlets featured numerous articles covering the “outrageous” statements made by the President-Elect and his cabinet nominees on Twitter, this coverage was usually within the context of other issues, such as attacks on journalists, CNN and Jews (Anapol, 2017; East, 2016; Kaczynski, 2016). Only a handful of articles across all online and offline media honed in on officials’ statements against the Muslim community (Piggott, 2016). Meanwhile, the coverage of the formative period of the Trump government in the national South East Asian immigrant newspaper *India-West*, a paper read primarily by Muslim immigrants, noted that, “Trump has surrounded himself with people with unusual ideas who may support a ban on Muslims from any country,” referencing the nominations of Michael Flynn and Mike Pompeo (Sohrabji, 2017). This coverage noted the NSEERS registry enacted by the Bush Administration and enforced by the Obama Administration until December 22, 2017 as precursors to the potential registry that could be created by the Trump Administration. This connection exemplified the consciousness of Muslim communities in the United States about the connection between past discriminatory government policies and the proposals

of a Muslim Travel Ban and registry made during the Trump campaign, a teleological link that was often overlooked by reporters from outside the community (Sohrabji, 2017).

Equally, mainstream coverage of the President-Elect's choices in creating his government did not connect facts regarding the officials and policies of previous administrations and the appointees and proposed policies of President Trump's future administration. For example, just as newspapers condemned the Muslim Travel Ban, they failed to connect the ban and the registry to policies enforced by the Bush and Obama administration which only ended on December 22, 2017, a few days before Obama left office. Instead of acknowledging how the ongoing enforcement of NSEERS throughout the Obama administration provided a legal precedent as well as an infrastructure to support future legislation targeting immigrants from Muslim-majority countries, *Vox News* simply congratulated Obama on "making it more difficult for Trump to build his Muslim registry" (Lind, 2017). Yet again, discussions of current and future policy measures did not reckon with a history of injustice towards immigrant communities, thereby retarding any effort to dismantle immigration hostility towards Muslim immigrants.

Moreover, the coverage did not critically examine the motivations expressed by the Obama administration in terminating NSEERS, which revealed that in the era of the NSA such an antiquated registry was no longer necessary. Consider, for example, the statement published by the Department of Homeland Security during the dismantling of the NSEERS program:

DHS ceased use of the National Security Entry-Exit Registration System (NSEERS) program in 2011 after finding that the program was redundant, captured data manually that was already captured through automated systems, and no longer provided an increase in security in light of DHS's evolving assessment of the threat posed to the United States by international terrorism.

(Removal of Regulations Relating to Special Registration Process for
Certain Nonimmigrants, 2016)

The declaration demonstrated firstly that the NSEERS program, throughout its many years in operation, never acknowledged that it targeted arrivals from Muslim-majority countries, choosing instead, even when dismantling the program, to call it a “registration process for *certain* nonimmigrants,” a wording that allowed a lack of accountability or critique because of its ambiguity. Another important reveal of this statement was the fact that the violations of basic rights of immigrant communities were made possible by the classification of such groups as “nonimmigrant.” Considering the broad powers granted to the government to arrest and detain immigrant non-citizens indefinitely, the choice to define immigrants to the United States (according to UN definitions of immigration) as nonimmigrants denied these subjects the minimal rights provided to noncitizen immigrants.

Conclusion

In conclusion, the post-9/11 era demonstrated the volatility of American immigration hospitality, as it flourished from the 1960s onward due to the passage of the Hart-Celler Act, only to abruptly and dramatically decline after the September 11 terrorist attacks. Indeed, the regulatory and media environments of this era showed that immigration hospitality shrinks once a threat by part of an

othered community is perceived. Noting this, Muslim comedian Bassem Youssef pointed out that all it takes is a terrorist attack to worsen the situation for Muslims in the United States. In response, he facetiously created a “vaguely Muslim looking morning after kit” for Muslim-looking Americans to use the day after any terrorist attack, wherein they can practice “sounding white” with a CD and have an automated condemnation statement literally at hand with a keychain that recited “I hereby condemn yesterday’s terrorist attack” (Maldonado, 2017).

Bassem Youssef’s humorous advice points to the media and regulatory inhospitality that characterized the turn of the 21st century, as Muslim immigrants and Muslim-presenting Americans were vilified and represented as dangerous and suspected radicals in the media, and as immigration and law enforcement policies targeted these groups under the guise of protecting national security. In turn, this environment was crucial to foregrounding and foreshadowing the policies and rhetoric that would define the Trump administration after the 2016 election.

CHAPTER FIVE

Future of American Hospitality

This dissertation has examined three periods of immigration restriction in U.S. immigration history, reflecting on the factors that affected regulatory and media hospitality during times of exclusion or restriction, and how these factors reveal the racial, religious, ethnic and other limitations to American immigration hospitality. It has demonstrated that the United States established a bifurcated environment for immigration from the earliest days of its establishment as an imperial colony and subsequently as an independent republic. Within this environment, white, Protestant, primarily Northern European immigrants were extended unlimited welcome while other immigrants were denied that same status.

This history shows that particular ethnic, racial and religious communities have been systematically excluded from the embrace of American immigration hospitality. In Chapter One, the dissertation showed how a bifurcated environment was built atop Native American and African American injustices. In Chapter Two, the dissertation highlighted the factors that contributed to the discrimination of Chinese immigrants and brought about the Chinese Exclusion Act. In Chapter Three, it considered the factors that motivated discrimination in media and regulatory policies against Southern and Eastern European immigrants, culminating in the National Origins Quotas of the 1920s onwards. Finally, in Chapter Five, this dissertation examined the negative media and regulatory environment for Muslim immigrants in the aftermath of the September 2001 terrorist attacks. Across

these chapters, analysis has shown that American hospitality periodically and repeatedly shrinks and that the mechanisms of othering and exclusion in regulation and media portrayals impact immigrants' ability to settle and feel "at home" in their new homes.

To conclude this study, I turn to the contemporary situation of the Muslim Travel Ban and the public, media and regulatory responses to it. Although the analysis of previous chapters has examined critically the myth of American hospitality, this conclusion points to one potential avenue in which hospitality may still have a future: public discourse that attests to the importance of the image of America as a nation of immigrants.

Muslim Travel Ban

On January 27th, 2017, less than 10 days after taking the oath of office, President Donald Trump enacted an executive order indefinitely halting entry of Syrian refugees into the United States. It also placed a 90-day ban on the entry of visitors from seven Muslim-majority countries: Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen (Executive Order, Protecting the Nation from Foreign Terrorist Entry into the United States, January 2017). Instantaneously, travelers who were suspended mid-air as the ban went into effect suddenly found their visas invalidated and were detained upon arriving at their US destination. In the meantime, protests broke out throughout the country from New York to California (McGurty and Frandino, 2017).

The period immediately following the signing of this first Executive Order exhibited many of the characteristics Charles Tilly (2003, 2017) identifies with social movements: It entailed the activation of multiple civil society associations and coalitions

in response (Mitchell, 2017), including statements from CAIR, the ACLU and SPCA protesting the order (ACLU, 2017). The aftermath of the order produced rallies, demonstrations and protests nation-wide with protestors marching at international airports, city streets and public squares. The ban's enactment also sparked a number of donation drives enabling civil society organizations to fight the ban in court. This grassroots mobilization influenced the ensuing regulatory and media hospitality towards Muslim immigrants after the ban was issued, as the following sections will show.

The enactment of the Muslim Travel Ban is important for a discussion of immigration hospitality because it points to the possibility of grassroots responses to many of the perceived injustices and inadequacies of not only the Trump administration's policies towards Muslim immigrants, but more broadly to the historical treatment of immigrants in American immigration policy and its possible change in the future. In tracing the grassroots responses to the enactment of the Muslim Travel Ban, this chapter raises the possibility that a sense of public hospitality can not only challenge many of the perceived injustices towards Muslim immigrants but more broadly rectify the inequities in the treatment of immigrants in the U.S. Moreover, it points to the important tension that occurs when journalists and members of the public express hospitality in the absence of regulatory hospitality, resulting in a contradiction in the migrant experience as they experience exclusion in immigration policy and welcome in media coverage of immigration and immigrants. As such, this example illustrates the possibility of these tensions at encouraging greater immigration hospitality.

Regulatory Hospitality and the Muslim Travel Ban

The public mobilization against the Executive Order resulted in a number of contestations and temporary suspensions of the order in 2017 and 2018. Civil rights organizations followed much of the American public's grassroots response to the Muslim Travel Ban: The National Immigration Law Center collected a list of the officially declared protests in 32 cities following the Executive Order ("Muslim Ban," 2018). Similarly, several regional chapters of the American Civil Liberties Union connected these protests to the challenges of the Executive Order in the American judicial system, seeing the protests as crucial factors supporting the civil rights groups' efforts to counter the decision ("Timeline," 2018; "Muslim Ban," 2018).

Thus, on February 3, 2017, the ACLU took the matter to court. Strengthened by the position that much of the public was taking against the ban, the ACLU obtained a temporary stay on the deportation of visitors detained under the Executive Order until June 27, 2017, while the legality of the order was in debate. A week later, the Ninth Circuit Court of Appeals upheld the decision to put a temporary stay on the order's enforcement. At every hearing of the case in court, and even when the cases were dismissed, protestors gathering outside chanted "No Muslim Travel Ban ever," and "No ban no wall," strengthening civil rights groups' resolve to appeal unfavorable court decisions (Gandy, 2017; Pieklo, 2017).

The Executive Order was heard again in Virginia on December 8, 2017, as arguments were put forth against the Trump administration's third attempt to enforce the

ban. After the failure of two attempts at a temporary ban, deputy assistant attorney general Hashim Mooppan argued that a third executive order differed significantly from the original in that it provided evidence-based research that recommended prohibiting immigration from countries that did not provide sufficient information and documentation for its citizens. Having blocked the Executive Order three times, Doug Chin, the attorney general of Hawaii, recognized the peril of national origin and religious discrimination, issuing a statement saying, “this is the third time Hawaii has gone to court to stop President Trump from issuing a travel ban that discriminates against people based on their nation of origin or religion” (Kelsey, 2017).

However, the judicial obstruction of the executive order failed to deter President Trump, who had promised throughout his campaign to achieve a “total and complete shutdown of Muslims entering the United States,” even going as far as asserting that Muslim American citizens traveling outside the country would not be allowed to re-enter the United States if he were elected President. These declarations, which were published on the then-Presidential candidate’s campaign website, were later removed because they presented evidence of Trump’s unconstitutional intention to target individuals with the Muslim Travel Ban because of their religion. Thus, each challenge to the Executive Order forced the administration to issue a new iteration of the policy, reaching a third iteration in September 2017.

The Muslim Ban continued to be heard and reviewed in the Supreme Court as I wrote this conclusion. In the final Supreme Court decision made regarding the third iteration of the executive order on June 26, 2018, Supreme Court justices ruled 5-4 for

upholding the policy, choosing to evaluate the thrice-revised order for its explicit language while disregarding the rhetoric of the administration and its key officials during the campaign and the drafting of the policy. Interestingly, the choice to disregard comments made by officials to evaluate whether a policy was discriminatory was a departure from the choice the Supreme Court had taken in *Masterpiece Cakeshop vs. Colorado Civil Rights Commission* a few days earlier, where the court ruled 5-4 that the comments made by Colorado officials characterized a hostility towards Christianity (Supreme Court Opinion 584, 2018: 14-5). The coverage of the decision yet again pointed to another instance during the discussions of the Muslim Travel Ban in which the level of regulatory and media hospitality diverged from one another, allowing media hospitality to extend welcome to immigrants when regulations did not.

While many had hoped that the Supreme Court's decision to consider comments made by Colorado officials during hearings of the *Masterpiece Case* suggested an opening for overturning the Muslim Travel Ban (Jacoby, 2018), the court decided to take the opposite stance in its ruling on the Muslim Travel Ban. In spite of the unfavorable Supreme Court decision, the ongoing discussions and protests surrounding the Muslim Ban and its multiple court hearings reveal the conditions under which regulatory hospitality shifts in the United States. It both contracts to near-extinction and balloons to surprising dimensions depending on the circumstances. In propelling public mobilization for political and legislative efforts that might enact more inclusionary and hospitable policies towards immigrants and refugees, it paradoxically draws attention to the potential of the myth of

the “nation of immigrants” in inspiring greater immigration hospitality and in critiquing earlier restriction and discrimination.

The Muslim Travel Ban drew its support from the patterns of and arguments made for immigration restriction in other eras examined by this dissertation. Just as earlier eras had argued that immigrants should be banned because they brought with them threatening behavior such as opium smoking, diseases such as typhoid or dangerous radical ideologies such as anarchism and socialism, contemporary debates on immigration continue to justify immigration restriction because immigrants threaten to import various social ills, namely religious radicalism and terrorism.

Consider, for example, a brief filed by the Zionist Organization of America in support of the Muslim Travel Ban, which justified the restriction of any immigrants arriving from war-torn countries because they were “infested with terrorist groups and sympathizers,” neglecting the American commitment to accept refugees escaping violence (Berney, 2017: 3). This statement both neglected the American commitment to accept refugees fleeing violence at home and revealed outright support for a discriminatory policy by an organization that claims to lobby against religious and ethnic discrimination; it also demonstrated verbatim use of the Geneva Convention for refugees to justify exclusion. Here refugees’ escape from war-torn countries was used to defend policies of restriction rather than defend the ability to flee violence as a protected human right. Positions similar to that of the ZOA were put forth by multiple organizations that adopted a “national security” framework, including national security experts from the Center for Security

Policy, Citizens United, the Conservative Legal Defense and Education Fund, Gun Owners of America, Inc. and the English First Foundation (Supreme Court Archive, 2018).

These discussions recall the conditions under which immigration hospitality has shrunk in multiple periods of American history, where security and safety concerns positioned immigrants as vectors of disease and perpetrators of violence and other undesirable social behavior. They also demonstrate how the dehumanization of specific categories of immigrants—Chinese, Eastern and Southern European, or Muslim—hinders the recognition of both their capacity to integrate and their right to migrate to safer and more prosperous countries.

Arguments in support of the Executive Order directly reference other periods of history during which immigration restriction was enacted under similar concerns (Lee, 2016). For example, in the aftermath of the June decision, *National Review* wrote that the Executive Order fell within the authority of the President (“Supreme Court,” June 26, 2018). Opponents of the ban criticized this connection to historical parallels of discriminatory policy as indicative of the policy’s moral paucity. For instance, Congressman Ted Lieu issued a statement following then-candidate Donald Trump’s suggestion of a ban during his presidential campaign, dismissing the move as an attempt “to justify [his] bigoted proposal based on policies the U.S. enacted in World War II” (Lieu, 2015). As Lieu indicated, the replication of the WWII policies was unacceptable because “the racist internment of Americans of Japanese descent represented some of the darkest moments in American history – when we betrayed our most sacred values” (Lieu, 2015). Similarly, Rep. Judy Chu, Chair of the Congressional Asian Pacific American Caucus

(CAPAC), criticized the Trump proposal because of its resemblance to Japanese internment policies during WWII, saying that “like Japanese incarceration, imposing a registry upon American Muslims is not only unconstitutional, but it goes against our very principles as a nation” (Lee, 2016). Thus, just as earlier periods of immigration restriction are invoked to justify discriminatory policy in later periods, they also open these policies to critique because of the critical retrospective view of discriminatory policy.

What is most compelling about the Muslim Travel Ban for the study of immigration hospitality, however, is that it demonstrates a moment in which the discriminatory exclusion of one group from hospitable welcome can invite public appraisal. Take, for instance, *USA Today*’s discussion of the Muslim Travel Ban in April, 2018. The article noted that although several Supreme Court justices appeared to favor upholding the ban, “only one side of the argument over President Trump’s travel ban was well represented outside court” (Wolf, 2018). Pointing to the numerous protestors gathered outside the hearing, the article accompanied this observation with several images of peaceful protestors standing in front of the court building [Figure 20].



Figure 20: Protestors Outside Supreme Court, April 25, 2018.

From the earliest period of its history, as this dissertation has shown, the United States has rested upon the prejudicial exclusion and systematic oppression of Native Americans and African Americans as Others. These two groups were not given immigrant status but treated in ways that anticipated the later treatment of new arrivals to the United States. As the country developed, it fostered a bifurcated immigration environment that extended hospitality to white, mostly-Protestant Northern European settlers and immigrants, while excluding particular categories of immigrants—Chinese, Southern and Eastern Europeans, and Muslims—from this welcome. In this sense, the opposition to the Muslim Travel Ban illustrates continuities in the contradictions of American hospitality, highlighting the need to address the Muslim Travel Ban as part of a continuum of restrictive inhospitable immigration policies. But it also illustrates a crucial mechanism through which immigration hospitality might be expanded, as public awareness of these continuities increases, and the acceptance of discriminatory policy diminishes.

This sentiment is noticeable in a brief put forth by the Japanese-American community that highlighted the endurance of immigration restriction and discrimination against communities. Submitted by the Korematsu Center for Law and Equality, a brief by the children of the famous interned Japanese American Fred Korematsu maintained that they felt compelled to respond to this case, as they recognized “the disturbing relevance of this Court’s decisions in their fathers’ infamous cases challenging the mass removal and incarceration of Japanese Americans during World War II” (Korematsu 2017: 2). The children highlighted their father’s legacy in fighting against the incarceration of Japanese

Americans, and his efforts to prove that “military necessity” did not justify the deprivation of innocent Americans of their Constitutional rights because of their race and national origin. They reminded the court that the United States had since admitted that the internment of Japanese Americans was wrong, awarding their father the Presidential Medal of Freedom for his “work advancing civil and human rights” (Korematsu 2017: 2). What the responses of the Korematsus and others reveal is that for immigrant communities targeted by discriminatory policies and immigration hostility, the continuities between past injustice and contemporary policy are vivid and palpable. This renders the current imperative to combat these injustices more pressing.

All in all, the legal arguments surrounding the Muslim Travel Ban reveal a few common tropes in American regulatory hospitality that this dissertation has identified: First, the arguments supporting the ban reveal that the precedent of previous restriction is used to justify later discriminatory policies. They relatedly demonstrate the cyclical resilience of the conditions that cause immigration hostility, such as security concerns, religious intolerance, and racial and ethnic othering. For example, multiple sources supporting the ban describe it as a “necessity” that is similar in other bans to Chinese, Iranian, and other immigrants in earlier periods of American history.

Second, proponents of the ban continuously defend the need to exclude by nation of origin as acceptable, thereby alluding to the National Origins Quotas of the 1920s as precedents. Thus, just as this period characterized a shrinkage of American regulatory hospitality, it also reveals the conditions of national security that instigate the contraction

of hospitality, as well as the cyclical patterns that illustrate the way immigration hospitality regresses to discrimination and restriction.

But most importantly, and more so than in other periods, discussion of the ban points to the capacity of social movements to express a sense of public welcome and hospitality to transform the policy-making environment at the grassroots level. While the three iterations of court hearings did not prevent the Muslim Travel Ban from being upheld by the Supreme Court in June 2018, they had impact in tempering its scope, severity and influence. Not only does discussion enable discriminatory policies to be heard and contested in court, but it also promises that such movements can foster an environment for greater immigration hospitality.

Media Hospitality and the Muslim Travel Ban

Just as the judicial response to the Executive Order reflects a reaction to the public opposition to the policy, the media coverage of the Executive Order issued by Trump on January 27th, 2017 continues to respond to the dramatic shift in public attitudes regarding discrimination against Muslim immigrants and Muslim Americans. First exemplified by the protests that swept through the nation in the wake of the Executive Order, media coverage of public protest online and offline directly addresses the mechanisms through which media hospitality has shrunk in the past. Unlike in the past, however, it also tackles the particular manifestations of media inhospitality towards Muslim immigrants by critiquing them.

Because the Executive Order and the protests occurred simultaneously, the media often address protests of the ban as part of their coverage of the ban itself. For instance, while the Executive Order was first being contemplated by the Trump administration, *The New York Times* enthusiastically reported that New Yorkers were wasting “no time in protesting whatever [is] next” (Robbins, 2017). The *Washington Post* ran one article titled “No ban no wall, justice for all” (Ribas & Micaya, 2018) and another proclaiming “Love the neighbor” (McCrummen, 2017). Such coverage of the protests helps make it possible for public expressions of hospitality to invigorate the media’s immigration policy discussions from the bottom-up. In that light, it is important to note how often images captured at protests are accompanying the news articles reflecting on the Executive Order. This has included numerous articles by *The New York Times* featuring pictures of protest banners accompanying reflections on the legality and constitutionality of the Muslim Travel Ban (Gladstone and Sugiyama, 2018; Liptak & Shear, 2018; Brenner, 2018).

Criticism of the Executive Order has been particularly evident in social media postings. For example, one sign [Figure 21], posted by the Women’s March twitter account on January 25, 2017, stated that “immigrants make America great” (Women’s March, 2017). The same sign was recirculated in other Twitter accounts and blogposts (Baftijari, 2017).



Figure 21: "Immigrants Make America Great," Women's March Twitter Account, 2017

Though it is impossible to discern causality without additional data, it is fair to assume that these efforts are helping to enhance media hospitality in mainstream news coverage. As news outlets reflect on the ban by replicating many of the tropes of solidarity, hospitality and welcome that are emerging in user-generated content in social media, articles portraying Muslim immigrants as victims of discrimination, injustice and violence are reversing the post-9/11 trend that primarily portrayed Muslims as criminals and perpetrators of violence and terrorism: The *Washington Post* boldly stated that the "U.S. is still harsh to Muslims, no matter how the travel ban case goes" (Yasin, 2018). Other articles pointed out that "US bigotry didn't start with Trump," (Essa, 2017), reminding the public of the past treatment of Muslim immigrants. Finally, a stream of articles reflected upon the Supreme Court's "indefensible double standard" in considering the anti-Christian rhetoric in one case and overlooking anti-Muslim rhetoric in another suggesting that Muslims suffer disproportionately when such imbalances of judicial oversight occur (Somin, 2018; Aziza, 2018). In this way, media coverage harnessing the messages being circulated in public

protests and online responses, which affirm the American identity of Muslim Americans, reflects a shift towards greater hospitality after a period of othering and exclusion following 9/11. Thus, the aftermath of the ban is producing media coverage that affirms the belonging of Muslim Americans and combats the othering of Muslims that had taken place in the past, particularly due to media coverage that had emphasized criminality or terrorism. It also is challenging news outlets to provide more compassionate and objective coverage of Muslim immigrants, enhancing media hospitality.

Resonant with this more hospitable coverage is the fact that the media are recirculating images created by activists, artists and community leaders that directly address immigration hostility of the past. One example of this trend can be seen in Shepard Fairey's poster project responding to the Muslim Travel Ban [Figure 22]. Fairey used his iconic style, previously used to create the "Hope" posters that defined the Obama campaign and administration, to create an image of a Muslim woman veiled in the American flag, weaving the community into the nationalist symbol to proclaim it as part of the nation.



Figure 22: Shepard Fairey, the artist behind the iconic "Hope" posters of President Obama, created this image from the picture of Munira Ahmed [left]

The image, recirculated in news outlets such as *USA Today*, *Huffington Post*, and CNN online, became emblematic of the belonging of Muslim immigrants that defied the exclusionary policies of the Trump administration (Leonardo, 2017; Chung, 2017; Wolf, 2018). Thus, as Fairey told CNN, his “We the People” poster series would convey a “simple message” that depicted the diversity of the American people in the face of Trump’s xenophobia and othering (Schwarz, 2017).

The circulation of the image in the media also complemented its circulation in offline protests. One scholar of Muslim media representations described her experience at the Women’s March in 2016 where she noticed Fairey’s then-iconic image of a Muslim woman wearing the American flag as a headscarf [Figure 22] and marveled, “wow, people care about Muslims all of the sudden!” (Peterson & Halabi, 2018). Muslim immigrants are commenting on the greater public understanding of Muslim rights as part of the broader movement for civil rights in the country (Snow & Banks, 2017).

Efforts such as these have produced memorable images that testify to the intersectionality of the post-Muslim Travel Ban civil rights movement, such as this now-iconic image of two Muslim and Jewish fathers hoisting their children on their shoulders during an airport protest in Chicago [Figure 23]:



Figure 23: "An encounter" by Nuccio DiNuzzo, 2017.

The image, taken by photographer Nuccio DiNuzzo, was shared in numerous outlets, including CNN online, Quartz, ABC News online and *The New York Times* (Aquito, 2017; Aberra, 2017; Kristof, 2017; Isabella-Burton, 2018). It was also republished alongside articles pertaining to the Muslim ban, as debates surrounding the order continued (Kristof, 2017).

Indeed, the media positioned public mobilization in the immediate aftermath of the ban as evidence of a dramatic transformation in public opinion towards Muslims: *Vox* cited a study by three political scientists, Loren Collingwood, Nazita Lajevardi, and Kassra

Oskooii, concluding that “the national discourse on the Muslim Travel Ban” repeated statements that the policy conflicted with “American values” and changed public opinion on the matter of Muslim immigration (Isabella-Burton, 2018). Such media coverage revealed an uncharacteristic awareness of news outlets regarding the shifting attitudes of the American public towards Muslim immigrants.

Alongside critical coverage of the Executive Order and public protests, media coverage also demonstrated a shift from its post-9/11 focus on Muslims as criminals and terrorists. Thus, articles after the ban focused on Muslim victims of hate crimes, such as a stream of articles in the *Washington Post* that followed the case of a Muslim teenager who was assaulted and killed as she was leaving her mosque (Siddiqui, Zauzmer and Pulliam Bailey, 2017). The articles criticized law enforcement and the regulatory infrastructure that had resulted in cases of hate crimes being prosecuted as “road rage” incidents in spite of race and religion motivating the attacks (Stack & Mele, 2017). One pointed out that a similar concurrent attack on Muslim mosque-goers in London, that had killed one Muslim and left 10 injured, was being investigated by London police as “terrorism against Muslims” (Bilefsky, 2017), suggesting a critique of the lack of adequate response by Virginia police in the case of the slain American-Muslim teenager.

Additionally, as elaborated earlier in this dissertation, media hospitality is also manifested in the inclusion of Muslim voices and perspectives in media coverage that allows audiences to understand the struggles of a minority community. As such, articles in *The New York Times*, *Wall Street Journal*, *Washington Post* and other outlets have enlisted Muslim bloggers, Imams and prominent activists to reflect on the impact of the ban (Umar,

2018; Hawgood, 2018). An opinion piece in the *New York Times* by an Iranian blogger pointed out the “reductive media representations” of Muslims in American media and provided her insight not only on Muslim-American lifestyles and belonging, but also on the repercussions of discriminatory policies for Muslim-American communities (Hawgood, 2018). An opinion piece by Iranian-American scholar and activist Samira Rajabi reflected on the traumatic impact of the Executive Order on herself and her family, providing a humanizing perspective of how such policies affect universally joyous occasions such as weddings (Rajabi, 2018). Finally, in an article in the *New York Times*, Muslim imam Mustafa Umar suggested that since Islam teaches us that life is a struggle to do good and overcome divine “tests” of one’s faith, the Trump presidency represents a test of faith for the Muslim community, challenging its resolve and willingness to advocate for greater justice (Umar, 2018).

The introduction of Muslim voices in media coverage is also impacting the patterns of media coverage. *The New York Times*, for instance, highlighted the change brought about by the greater diversity of writers and opinion leaders invited to opine on issues in the news, when, in the aftermath of one terrorist attack, it invited Muslim community members to reflect on the dangerous and alienating impact of news coverage patterns that follow terrorist attacks in the United States (Barone, 2017). Such conversations reflect efforts by news outlets to provide fairer and more ethical coverage of Muslim Americans. They also point toward efforts to elucidate past wrongs.

One consequence of the Muslim Travel Ban has been vibrant discussions among journalists and editors regarding the ethical coverage of the debate over the Executive

Order. For instance, in January 2017, a directive sent by the editor of the *Wall Street Journal* was leaked to *Politico*, in which the editor berated journalists for portraying the Executive Order as a Muslim Travel Ban rather than a Travel Ban and instructed them to describe the countries included in the ban as “states that pose significant or elevated risks of terrorism” (Pompeo, 2017; Perlberg, 2017). The incident sparked a debate in many other news outlets—the *Washington Post*, *Politico* and *Huffington Post* and even broadcast news such as CNN and alternative news sites such as BuzzFeed. When the editor claimed that his choice was motivated by the need to focus reporting on facts and thus to not call falsehoods that the President stated as “lies,” or to not call the order a Muslim ban, these choices were labeled “deeply disturbing” (Herrerla, 2017). Similarly, journalists speaking on condition of anonymity told *Politico* that “for the editor-in-chief of a major American newspaper to go out of his way to whitewash [this] is unconscionable,” pointing to the nefariousness of ambiguous language that normalizes and disguises discrimination against Muslims (Pompeo, 2017). These responses suggested that while American mainstream media had plainly and uncritically reported discriminatory policy in the past, it would no longer necessarily do so in the aftermath of the Muslim Travel Ban.

Finally, media responses to the Executive Order have produced a re-emergence of Lady Liberty as a dominant trope in critiques of the policy particularly as a betrayal of American values and American hospitality. Replicating images and tropes that were used before during the Chinese Exclusion era [Figure 26], cartoonists and online activists drew images of a compassionate and indignant Lady Liberty protecting members of a community that had been discriminated against.

Examples of this trend emerged in several Twitter threads reflecting on the policy. In the wake of the ban, writer Hank Green challenged Twitter artists to create hand-drawn cartoons about the ban and the result was a series of tweets. One such image [Figure 24] portrayed an indignant Lady Liberty, who with knitted brow and a mouth pursed into a calming “shush” sound, consoled a brown-skinned veiled Muslim woman. Here, the skin tone and headscarf that had previously been used as symbols of the otherness of Muslims were shown empathetically. This iconic image was shared thousands of times online and carried at protests across the country, becoming emblematic of resistance to the ban (Miner, 2018; Worley, 2017). Jamie Hu, the artist who created the illustration, told *Vice* that he was proud this illustration was his most recognized piece of art because “Muslims and refugees deserve just as much protection and love in America as anyone” (Mufson, 2017).



Figure 24: Lady Liberty Protecting Muslim Woman, Jamie Hu Twitter, 2017.

Other images featured an angry Lady Liberty protecting Muslim immigrants. One such image portrayed the Statue of Liberty holding a Syrian refugee child who carried the torch in her hand [Figure 27]. The drawing directly connected the betrayal of what the Statue of Liberty stood for to the Muslim Travel Ban, as Columbia's angry raised eyebrow mirrored the child's concerned lowered brows. These images portrayed women and children, perceived to be the most vulnerable populations in forced displacement.



Figure 25 [Left]: "Justice for the Chinese" 27 March 1886 by Thomas Nast. Source: Museum of Fine Arts Houston, shared under Public Domain license

Figure 26 [Center]: The Chinese Question by Thomas Nast, Harper's Weekly, February 18, 1871

Figure 27 [Right]: Lady Liberty Carrying a Syrian Refugee, Unknown Artist, 2017

The messages in contemporary artistic responses to the Muslim Travel Ban resurrected many of the images of the Chinese Exclusion and other periods of restriction. They portrayed the statue protecting immigrants and opposing bigotry and violence against immigrants. They also replicated the tenderness of Lady Liberty from previous images.

These images also portrayed immigrants as the bearers of Lady Liberty's torch, thereby connecting the position of immigrants in American society with the resonance and reach of American ideals. In this image by Karen Hallion [Figure 28], Lady Liberty supportively embraced a Muslim woman who holds the flaming torch not high above her head but solemnly almost in prayer, clasping both hands at her waist. These images suggested the faith of immigrants in the promise of the United States, and how that faith sustained America's image as a land of immigrants.



Figure 28: *Mother of Exiles*, Karen Hallion 2017

Images circulating in social media platforms thus influenced the level of media hospitality as exhibited by mainstream outlets. They also prompted conversations in mainstream media about how hospitality belonged within American identity and values: For instance, *Vox* reported that the Muslim Travel Ban instigated a conversation about what American values stood for, and how the Travel Ban conflicted with Americans' perception of their own values (Isabella-Burton, 2018). Similarly, in the *Washington Post*, images of the Statue of Liberty held by protestors at marches accompanied a reflection on what American values meant for immigrants in the United States (Hauslohner, 2018).

This theme has been noticeable in the images portraying “American values” and Lady Liberty following the Executive Order. The myth of the nation of immigrants implicitly ties hospitality to America's identity, culture and values. Thus, responses to the Muslim Travel Ban highlight the ideal of hospitality personified by Lady Liberty and connect this ideal to American values. Similarly, critiques of the order focus on the visual portrayal of the death of hospitality that this Executive Order accomplished and the betrayal of American ideals that this death entailed.

From the words of Emma Lazarus to the years of standing witness to Ellis Island, the Statue of Liberty has come to emblemize America's vision of itself as a welcoming nation, portrayed in some artistic reflections of 2017. Another response to Hank Green's invitation to reflect on the Muslim Travel Ban through art was this illustration by Nica Andor, which proclaimed, “all are welcome,” showing Lady Liberty affectionately embracing a Muslim child who returns her embrace [Figure 29]



Figure 29: "All are welcome" Nica Candor Twitter, 2017

The importance of the myth of the nation of immigrants is evident in the messages portrayed in these cartoons, which elaborate on a perceived set of American ideals that placed immigration hospitality and welcome at the center of American values, a portrayal that would be echoed in the slogans and banners of the public mobilization against the Travel Ban. Within hours of its proclamation, an estimated 10,000 protestors marched in

Battery Park New York facing the Statue of Liberty, while another 8,000 marched at the Capitol steps (McGurty and Frandino 2017). At airports across the United States, protestors congregated and shouted, “Let them in!” In Philadelphia, over 6,000 flocked to the airport. Another 2,000 protestors occupied San Francisco airport with signs stating, “Muslims welcome here.” Throughout the country, tens of thousands took to Twitter and the streets to express their discontent with the policy, all maintaining one core argument in common: The United States has always been a nation of immigrants and a welcoming country for refugees from around the world. Faced with the reality of an immigration policy that withheld welcome to Muslim immigrants, protestors filled airport arrivals halls chanting to remove barriers to immigrants and extend them direct welcome.

These responses connect the welcome extended to Muslim immigrants to the perceived ideals of the nation of immigrants. A sampling of the protest chants recited at demonstrations throughout the country also echoes these trends, as protestors shouted: “This is what America looks like” in reference to the racial and ethnic diversity that define contemporary American society. Other chants included, “we are all immigrants” (Sinnar, 2017). Another powerful chant was “let them in” chanted by protesters at airports to extend welcome to Muslim immigrants detained at airports, even when the authorities could not. Often, these chants could be heard from a distance. But they were certainly heard by immigrants as they were detained.

In light of these images and protest slogans, it is clear that the opposition to the Executive Order offers a glimmer of hope for the prospects of immigration and media hospitality in the United States. It demonstrates the impact of the demographic change

brought about by the Hart-Celler Act in inspiring an empathetic public view of immigrants. For example, the Muslim Travel Ban sparked a trend online that highlighted the immigrant history of those who opposed the order, as prominent personalities, such as Reza Aslan, tweeted, “My family fled Iran for a better life in US,” alongside a photograph of his family. These responses by accomplished American citizens highlight that their contribution to the United States was made possible by their family’s migration (Aslan, 2017).

In sum, the aftermath of the Muslim ban has thus far pointed towards greater media hospitality towards Muslim immigrants and immigrants in general. While it is too soon to predict how lasting the effect of the Muslim Travel Ban will be, this period points to the capacity of public expressions of hospitality to inspire a shift in mainstream news media towards accommodating greater media hospitality. It is also prompting the media to reevaluate the hostility expressed towards these communities in past periods.

A Future for American Hospitality?

Throughout this dissertation, I have argued that hospitality describes a relationship between a host who has developed an identity that is spatially-anchored—and is thus seen as belonging to a place and possessing authority over it—and a guest whose identity is perceived as tied to other places and who enters the host’s domain. This relationship combines notions of home and identity, host and belonging, and the guest and Other/stranger. In it, the host grants access to potential places of belonging, often providing food, drink and shelter, and welcomes the guest by cultivating a relationship of openness and understanding.

This dissertation identifies hospitality as an important and relevant intervention in both the study of immigration history in the United States and the study of media coverage of immigrant communities and immigration. I illustrate how media coverage and immigration regulation express hospitality towards immigrants in American society. In its analysis, this study focuses on three periods of immigration restriction, examining them as significant historical moments that demonstrate the conditions under which American hospitality is extended or denied to immigrants.

In so doing, this dissertation reveals several key limitations of American hospitality that are relevant to debates on immigration. Firstly, it demonstrates how American hospitality shrinks periodically in the face of compounding variables that distinguish immigrants from the native population, including perceived visible racial difference, religious diversity, and ethnic, linguistic and socio-economic differences between incoming immigrants and the settled population. The analysis has thus attended to the power-dynamics through which immigration policy and media discourses about immigration have mutually constructed an inhospitable environment for immigrants. Though this stops short of attributing causal impact in the relationship of media and policymaking, it does suggest a joint interaction of media and regulation on the immigrant experience. Their combined presence helps explain how hospitality acts as an important lens that informs the “nation of immigrants” myth.

Secondly, by introducing the analytic lens of hospitality, this study challenges the assumed belonging and authority of white, Protestant European immigrants that pervades the study of immigration as well as media representation of minorities of immigrant origin. In reckoning with this nation's past treatment of othered immigrant groups—including Native Americans, African Americans, Chinese, and Southern and Eastern Europeans—this project enhances public awareness of the racially discriminatory tendencies endemic to the federal enforcement agencies that oversee immigration and resettlement. It also underscores the cultural factors that inform the dominant media tropes representing immigration and immigrant communities. The siloed treatment of indigenous issues and the “peculiar” industry of slavery, in particular, illustrate the limitations of American welcome and the failure to reconcile past injustice with continued violence.

By invoking the context of hospitality as both a concept and relationship governing immigration, this dissertation advances our understanding of media representation and immigration policy: It unsettles the implicit assumption, prevalent across immigration and media research, that white, predominantly-Protestant Americans of European ancestry constitute a “native” population that belongs to the territory of the United States and thereby exert greater authority over its territory. Additionally, it expands the phenomenon of American hospitality by accommodating the cases of slavery and indigenous genocide and expropriation as examples of the periodic degeneration of the host-guest relationship. That relationship's denigration to one of host-guest or host-hostage, respectively, reveals the racial discrimination at the core of the nation's model of immigration. Within the guest-hostage model of hospitality that emerged during the Colonial era, white, predominantly-

Protestant, Northern and Western European settlers arrived to the “New World,” forcibly displacing the indigenous peoples who inhabited the land in order to assert new ownership over the territory that became the United States. Thus, after acting as gracious hosts on numerous occasions detailed in historical accounts, Native Americans were subsequently massacred or treated as hostages in the then-nascent slave trade of the “New World.” Shortly thereafter, the importation of African forced migrant formed them too into hostages, exemplifying a host-hostage relationship wherein newcomers were denied the opportunity for naturalization and equal citizenship extended to other migrants.

This pattern of hospitality—in which notions of “hostage” taint both the host and guest roles relevant to the relationship—continues to impact more current periods of history. It reserves the activities of belonging and ownership—characteristics of the host community—to one racial category, foreshadowing the racial discrimination and exclusion that would befall other racial, religious and ethnic groups over time. Such was the case with Chinese immigrants in the 1880s, Southern and Eastern European immigrants in the 1920s, and finally immigrants from Muslim-majority countries in the 2000s. It also reasserts itself in the Muslim Travel Ban. Thus, the historical grounding of this analysis points to the racial injustice embedded in American immigration hospitality and illustrates the consequences of this past on the practice of hospitality in later periods.

Thirdly, this dissertation uncovers the dissonance between the restrictive immigration history of the United States from the 1880s onwards and the myth of the “nation of immigrants” that is often evoked in political or media debates on immigration. Most clearly illustrated in the treatment of the Muslim Ban in Chapter Five, this dissonance

undercuts aspirations of immigration hospitality. Yet the latter remains immensely powerful as an ideal that guides policymakers, activists, journalists, and members of the public in navigating constructs of self and other. At the heart of this myth is a conception of American identity that centers on the just treatment of the newcomer who arrives at the nation's airports, shores and borders.

The surfacing of these tropes across the most widely-circulated national newspapers in this dissertation's periods of study shows that although criticism of restrictive policies may be prevalent in the news of each period, hospitality relies on a welcome from the majority of the population. This suggests that critiques of regulation are only successful at resisting, changing or dismantling policies when they are adopted by large segments of the public rather than simply the immigrant communities that the regulation targets. This is exemplified in the 1880s failure of the Chinese immigrant community to reverse the Exclusion Act or any of its conditions, as well as in the ineffectiveness of Max Kohler's activism against 1920s immigration policies as discriminatory towards Jewish immigrants. But this dynamic is reversed in the current resistance to the Muslim Travel Ban, which encompassed a broad spectrum of American society and resulted in critical coverage in several of the leading mainstream news outlets of the period. The latter example proved successful at repealing two versions of the Ban, and requiring the third iteration of the Muslim Travel Ban to be heard at the Supreme Court. Thus, history yet again points to the importance of a majority-group adoption of hospitality for discriminatory regulation to be critically examined and overturned.

Indeed, the contrast between the public response to the immigration restriction discussions of the 1880s, 1920s and 2000s and the contemporary debate surrounding the Muslim Ban reveals that, as Martin Luther King once stated, “the arc of the moral universe is long, but it bends toward justice” (Denzel-Smith, 2018). Unlike the periods of intense restriction analysed in this dissertation, which witnessed strong bipartisan support for the policies that regulated and limited immigration and widespread public support across media outlets and platforms for the negative rhetoric surrounding immigration, the Muslim Travel Ban was countered by vibrant bi-partisan debates surrounding American values, as this chapter has illustrated. It is telling that reflections on the Muslim Ban have centered on the precise ethical lens of hospitality, evoking religious and nationalistic rhetoric to suggest that the hospitable treatment of refugees and immigrants reflects the moral rectitude of American society, and that discriminatory policies betray America’s identity as a “nation of immigrants.”

Inspired by the “universal normatively positive position” that hospitality occupies across the world (Bulley, 2016: 3), the centrality of hospitality to American national identity, as demonstrated by the defining myth of the “nation of immigrants,” illustrates the potential of the “nation of immigrants” myth—if incongruous with American immigration history—to ethically inspire more inclusive policy in the future. Indeed, I argue that the myth becomes all the more significant during periods of restriction and discriminatory policy.

Finally, the treatment of hospitality is crucial to examine how extending welcome impacts the immigrant experience, and how immigrants navigate home-building,

particularly in periods of restriction. As such, the analysis shows that debates over immigration hospitality directly and indirectly impact the ability of newcomers to cultivate a sense of feeling at home in an adopted country through home-building. This treatment of the “guest” immigrant community thereby attends to the creative strategies through which immigrants have navigated the process of home-building during these periods, despite inhospitable media discourse and regulations.

Home-building requires the perception of a welcoming host nation and a newcomer willing to join the new nation. The words of one recently naturalized citizen, interviewed by *The Nation* at an anti-Ban protest, encapsulate the importance of perceptions of welcome and hospitality to immigrants and new citizens:

I was really excited to become American. And now I’m sad. I’m sad that America is being affiliated with people who don’t believe it’s a welcoming place, who feel like they can close our borders. That’s not what America believes in. I’ve lived here for 15 years now, and this is the first time I’ve felt legitimately scared—scared for the country, scared for my friends, scared for people like me who come here for a better life and we’re being turned away. *That’s not what this country stands for.*

(Kane, 2017, emphasis added)

Home-building is an active process that emerges in immigrant mobilization against discriminatory policies and the assertion of one’s right to equal treatment. In this vein, the backlash against the Muslim Travel Ban demonstrates that the years of campaigning for

civil rights for the Muslim community have made anti-Muslim discrimination visible in national discourse. It also reveals that immigrants such as the above-mentioned naturalized citizen ground their home-building practices in both their own understanding of “what America believes in” and the global perception of “what this country stands for,” as projected by the “nation of immigrants.”

Community efforts at home-building appear repeatedly in immigrants’ efforts for equal rights and positioning of their history at the core of a nation’s development. Thus, the mobilization of Chinese immigrants to defy Jim Crow laws was crucial to their home-building. The arguments put forth by 1920s immigrants regarding the inhumane nature of national origins quotas was an example of homebuilding. Finally, homebuilding is evident in the mobilization of Muslim immigrants following the Muslim Ban, producing the hashtag #MyMuslimImmigrantFamily to document their stories as Muslims in the United States. Sharing their collective history represents a crucial dimension of home-building that highlights a community’s position as part of the national community. These efforts assert the belonging of immigrant communities within the nation, transforming their position from that of a guest/other to that of the host.

Home-building also materializes in immigrant activism against bigotry and discrimination. In April 2018, for example, a Muslim civil rights group publicly demanded an apology from a Louisiana elected official who had posted an Islamophobic tweet accusing Muslims of unhygienic toilet practices with a photo of a bearded man on the toilet claiming that Muslims use their hands instead of toilet paper (A.P., April 27, 2018). These public declarations and denunciations shape the political environment and policymaking.

When a Michigan elected official began peddling conspiracy theories contending Muslims planned to hijack American politics by running for office, the public denunciation of his Islamophobic remarks elicited a wider condemnation by fellow politicians, with Michigan Senate Minority Leader Jim Ananich arguing that Colbeck continued “to prove that he's an ass,” while Sen. David Knezek, a Democrat from Dearborn Heights, called him a coward and a bully (A. P., April 26, 2018). All of these condemnations were reported in the local and national press and circulated among the American public. Such public contestations and denunciations of discriminatory rhetoric allow immigrant communities to mobilize to lower the acceptability of discrimination.

While this dissertation has deliberately focused on the positive value of hospitality, hospitality remains a relationship of alterity (Sobh, Belk, and Wilson 2013: 446). It accurately depicts an unequal relationship of spatially-anchored power, where the host population is assumed to belong to a place and exert ownership and authority enabling it to extend hospitality towards an Other. More importantly, the assumed belonging and authority of this “native” population may have come at the expense of the ethnic cleansing and genocide of an indigenous other. In this fashion, hospitality as a concept relies on difference and otherness (Douzinas, 2009, p. 9). Nevertheless, as long as the Westphalian nation-state political system endures, immigration will continue to be a relationship of difference between the inhabitant of a state and the immigrant who arrives at the borders (Rudolph 2005). If alterity is inevitable, what matters is how it is confronted. In moments where welcome is extended in spite of discriminatory policy, or where belonging is actively asserted by an immigrant community, these acts represent more inclusive approaches to

hospitality and home-building that are mutually edifying and allow both the native and immigrant community to move towards one another, rather than imposing the integration of the immigrant community into the national body politic, as the majority of the literature on immigration and integration suggests.

Although a third, moderated version of the Executive Order was upheld by the Supreme Court in June 2018, contestation against the ban holds significance for the future of immigration hospitality. It demonstrates that public response to discriminatory policy is effective in curbing even the authority of the Executive Branch at enforcing discriminatory policy. At the same time, it signals a public rejection of discriminatory rhetoric, and a more sympathetic view of the plight of Muslims after the Muslim Travel Ban. As a result, the period following the Muslim Travel Ban is reflecting a potential reversal of many of the dominant tropes in coverage of Muslim immigrants during the post-9/11 era, as news articles are publishing images proclaiming that Muslims are neither terrorists, un-American [Figure 22] nor security risks who deserve to be banned (Gani, 2017

This policy and media analysis of American immigration hospitality demonstrates that the myth of the “nation of immigrants” diverges from the exclusionary, racist and inhospitable nature of immigration policy or discourse. However, at the same time, the myth remains a powerful metaphor that continues to inspire activism towards greater immigration hospitality. It endures as an important point of mobilization for immigrants who rely on its promise and retains its power to symbolically project welcome, especially in periods of restriction. This dissertation thereby examines media and policy as two areas where American immigration hospitality is expressed, and where the welcome extended or

denied to immigrants affects their mission of building a sense of home in their adopted country. Its analysis of media and policy addresses the creative ways immigrants adapted to inhospitable policies to create a sense of feeling at home in the United States from Chinatown laundromats to Italian restaurants. In each period, it shows how strong dissenting voices—as widely known as Emma Lazarus or as little known as Max Kohler—continued to champion the moral responsibility of the United States as a receiving country even in periods of restriction.

In pointing to the important caveat to the promise of the “nation of immigrants” myth, exemplified by the opposition to the Muslim Travel Ban in 2017 and 2018, the dissertation suggests that the myth is most powerful as a vehicle for positive change in media representation and in reversing discriminatory policy when it is widely embraced by a wide swath of society rather than by a narrow group of immigrants targeted by exclusion. This seemingly fraught act of welcome surpasses any simplistic measure of its importance, as it continues to impact the various ways in which immigrants sense welcome and proceed to build a sense of feeling at home in their adopted country. Just as Lady Liberty symbolically embraced and protected newcomers from the Chinese Exclusion Era to the Muslim Travel Ban, the #NoBanNoWall movement represents a moment of opportunity to foster mobilization towards greater immigration hospitality in the United States, now and in the future.

Appendix A: Methods

The polemical nature of the debate on forced migrants in the US over the past two decades makes research on the topic difficult, as it is assumed that the researcher possesses a particular stance regarding not only the debates surrounding refugees in host nations but also the heated debates within one's own communities. In my case, the debate within the Syrian diaspora regarding the justification of the Syrian regime or its opposition adds a layer of complexity to the study of migration and forced migration. Certainly, my position both as a Syrian and as a family member from which many have become refugees during the current crisis is worthy of note from the outset of this research. Thus, this research is performed with the understanding that complete objectivity is impossible under any circumstance (Armitage, 2008). Rather, objectivity in research may be approximated via a number of strategies that protect the integrity of the data. This includes the application of the procedures of grounded theory (Glaser and Strauss, 1965, 1970) to allow the systematic collection, organization and interpretation of the press articles and policy documents that comprise the core of this study.

It is important to transparently note my involvement with the topic at hand. In 2015, in the midst of my PhD studies at the University of Pennsylvania, my parents applied for asylum in the United States. Given my involvement throughout the process, owing to a relatively stronger command of the English language and greater proximity to legal counsel, the years 2015 and 2016 left me acutely aware of the intricacies of US immigration policy, or as aware as one can be in such a labyrinth, particularly one that is constantly in

flux. It became clear to me at the time how the narratives of the United States as a “nation of immigrants” and a “nation of exiles,” often staples of media coverage on immigration policy public debates, conflict with the restrictiveness, complexity and growing closure of its immigration and refugee and asylum policy. Equally, it became clear that immigration policy is rarely historically contextualized in journalistic, academic or even legal discourse, allowing for a simplification of the debate that flattens historical nuances that impact the immigrant experience. It is as a result of these ponderings that I decided to undertake this project and thus it is important to note as part of my methodological choices.

This study uses grounded theory (Glaser and Strauss 2009) to conduct a qualitative study of immigration policy and discourse that allowed for the systematic collection, organization and interpretation of the data (Strauss & Corbin 1998: 12). During the coding stage, I combined inductive and deductive reasoning rather than establishing hypotheses (Charmaz 2000), which resulted in a series of reflections on my preliminary data that pointed to the relevance of hospitality as a lens with which immigration could be considered. In the memo writing stage, I drew relationships between concepts, allowing for a clearer conceptualization of hospitality to take form and its applications to immigration policy and media discourse to crystallize (Charmaz & Mitchell, 1996). The iterative nature of grounded theory was particularly helpful in ascertaining the importance of the degeneration of the guest-host relationship and its inclusion of the position of the hostage, as it related to Native Americans and African Americans. The position of the hostage that emerged in the memo-writing and dissertation-writing stages points to a promising new angle for the study of immigration and hospitality.

This study draws from an analysis of regulatory legislation and media coverage, selected according to tenets of grounded theory, that took shape over four distinct periods of US immigration history: the 1880s, 1920s, 2000s and the 2017-2018 period of the Muslim Travel Ban. Selected as periods because they constituted active regulatory and mediated environments following an uptick in numbers of arrivals from particular immigrant communities—respectively, Chinese, Eastern and Southern Europeans, and Muslims, these periods were each analyzed by surveying the key legislation relevant to immigration of the period as well as its media coverage in the main news outlets of the time.

The data collection for this dissertation adopted a twofold process to collect regulatory and media data. The analysis of regulatory hospitality includes all central acts, treaties and conventions that relate to the immigration, exclusion, or expulsion of aliens during each time period, as well as relevant executive actions, legislation on constitutionally-based rights, international conventions such as the Geneva Convention and the Geneva Protocol that require member states to adhere to a level of immigration hospitality, as well as relevant judicial and Supreme Court decisions that affect immigration. The parameters used to collect policies for analysis included key immigration policies from 1819 onwards, as well as policies influencing immigrants' lives, such as the 18th Amendment and the Patriot Act. I constructed a data base of relevant immigration policies during archival research at the University of Pennsylvania Law Library between January and March of 2017; the Thomas Jefferson and John Adams Papers at the Massachusetts Historical Society in April-May 2017 (for immigration debates of the post-Independence era); Congressional Records at the CU-Boulder National Government

Library in August-October 2017 (for immigration policy debates in Congress of the 1880s); and Congressional Records online (1995-), as well as the United States Citizenship and Immigration Services online archives (for immigration debates in Congress of the 2000s). Finally, the parameters for collecting international conventions were guided by the key documents available in the United Nations archive online, including the Geneva Convention and Geneva Protocol (1951). I also consulted the Treaties and other International Acts Series in the Department of State online archive for international and bilateral agreements which impact U.S. immigration regulation and administration.

For my analysis of media hospitality, I primarily relied on the *Wall Street Journal* (1889-), *The New York Times* (1851-) and the *Washington Post* as primary sources of media coverage, because these publications reflected the breadth of the American ideological spectrum and two of them were widely-distributed newspapers which remained in circulation throughout the periods analyzed by the dissertation. I searched them using ProQuest as well as each newspaper's subscription-based online archive. I analyzed a total of 223 news articles across the three time periods selected in this dissertation.

In the 1880s, I conducted a search for all articles published between January 1, 1880 and January 1, 1900 that used terms referencing Chinese immigrants, including "Chinese," "Coolie," "Immigrant," "Chinee," "Immigration," and "Cargo." I also searched for all articles that mentioned "Chinese Exclusion," "Immigration Restriction," and "Exclusion" in policy debates over immigration in the media. The search returned a total of 42 articles, which form the basis of the analysis of the 1880s. In light of the heightened importance of Chinese immigration for the West Coast in the 1880s, the sample also included leading

West Coast publications: the *San Francisco Tribune*, *The Oakland Tribune* and *The Record Union* as well as select coverage from other publications. Moreover, as highlighted by journalistic historian Thomas Leonard, political cartoons and particularly the highly influential lithographs of Thomas Nast provided a mechanism of “visual thinking” in an environment of low literacy during the 1800s (Leonard, 1986: 98, 127). As such, the sample incorporated the political cartoons dealing with immigration that appeared in *Harper’s Weekly* and *The Wasp* during the same period.

In the 1920s, I searched the *Wall Street Journal*, *The New York Times* and the *Washington Post* online archives for all articles between January 1, 1920 and January 1, 1930, using the terms “Immigration,” “Immigrant,” “New Immigrant,” “Immigrant Stock,” “Refugee” and “Refuge,” as well as articles which reflected upon regulatory decisions that affected immigrant lives, including “Prohibition,” “Wets,” “Drys,” “Temperance,” “Quota,” “National Origins,” and “Immigration Law.” I also searched for terms that related to particular immigrant communities targeted by restrictive policies, including but not restricted to “Italian,” “Irish,” “Greek,” “Polish/Poles” “Russian,” “Jewish” as well as “Southern European” and “Eastern European.” The search returned a total of 98 articles which form the basis of the analysis in the chapter.

In the 2000s, I searched the archives for media coverage of immigration in *The New York Times*, the *Wall Street Journal*, and the *Washington Post* from 2001 to 2018, using the search terms “Immigrant,” “Migrant,” “Refugee” and “Asylum” as well as terms specific to coverage of immigration from Muslim-majority countries, including “Muslim,” “Muslim-majority” and “Arab.” A preliminary analysis of the dominant media tropes

pointed to the widespread use of the terms “Muslim extremism,” “Radicalism,” “Terrorism” as well as “soft targets” in security-minded coverage of immigration, requiring further searches for those terms. This search returned a total of 83 articles that form the basis of the analysis in the chapter. In addition, to reflect the widening of the media ecology of the 20th and 21st century and the technological developments that have increased the number of media platforms available to politicians to publicize their views on immigration, I also searched the official Twitter accounts of key figures in the Trump presidential campaign and transition team during and after the 2016 presidential campaign. This sample included the accounts of Donald Trump, Mike Pence, Michael Flynn, and Steve Bannon. Finally, to reflect upon the online mobilization against the ban, I conducted a Twitter hashtag search for the trending #MyMuslimAmericanFamily and #NoBanNoWall.

All of the news articles and Twitter posts referenced in the dissertation are included in the bibliography. A list of all the immigration policies and regulatory documents consulted in preparing this dissertation is included below:

Appendix B: Regulatory Documents

Acts of Congress

United States. Cong. Transcript of Alien and Sedition Acts (1748) 5th Cong. 2 nd sess. US Immigration Legislation Online. University of Washington Bothell. Retrieved from http://library.uwb.edu/Static/USimmigration/2005_real_id_act.html. February 1, 2017.

United States. Cong. 1819 Steerage Act. 15th Cong. 2nd sess. Chap. 47; 3 stat 488. US Immigration Legislation Online. University of Washington Bothell. Retrieved from http://library.uwb.edu/Static/USimmigration/1819_steerage_act.html. February 1, 2017.

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United States. Cong. 1885 Contract Labor Law. 48th Cong. 2nd sess. Chap.164; 23 stat 332. US Immigration Legislation Online. University of Washington Bothell. Retrieved from http://library.uwb.edu/Static/USimmigration/1885_contract_labor_law.html. February 1, 2017.

United States. Cong. 1891 Immigration Act. 51 st Cong. 2st sess. Chap. 551. 26 Stat. 1084. US Immigration Legislation Online. University of Washington Bothell. Retrieved from http://library.uwb.edu/Static/USimmigration/1891_immigration_act.html. February 1, 2017.

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United States. Cong. Immigration Act of February 20, 1907. 59th Cong. 1st sess. Chap. 641; 34 stat 898. Retrieved from Archive.org: https://archive.org/stream/cu31924021131101/cu31924021131101_djvu.txt February 1, 2017.

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United States. Cong. 1941 Wartime Measure. 77th Cong. S. 913; Pub.L. 77-113; 55 stat 252. US Immigration Legislation Online. University of Washington Bothell. Retrieved from http://library.uwb.edu/Static/USimmigration/1941_wartime_measure_1.html. February 1, 2017.

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