

5-2020

"Give me your tired, your poor, your huddled masses yearning to breathe free": A case study analysis of U.S. immigration policy and public perceptions of Latin American immigrants

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Recommended Citation

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“GIVE ME YOUR TIRED, YOUR POOR, YOUR HUDDLED MASSES YEARNING TO
BREATHE FREE”:

A CASE STUDY ANALYSIS OF U.S. IMMIGRATION POLICY AND PUBLIC
PERCEPTIONS OF LATIN AMERICAN IMMIGRANTS

A Thesis Submitted
in Partial Fulfillment
of the Requirements for the Designation
University Honors with Distinction

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May 2020

This Study by: Erin Thomason

Entitled: "Give me your tired, your poor, your huddled masses yearning to breathe free": A case study analysis of U.S. immigration policy and public perceptions of Latin American immigrants

has been approved as meeting the thesis or project requirement for the Designation University Honors with Distinction

Date

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Date

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Introduction

In today's politically charged climate, when the subject of immigration is brought up, it is almost always in regard to Latin American immigration in particular. This tends to be the case for everything from the rhetoric surrounding the proposed border wall to Deferred Action for Childhood Arrivals (DACA), the immigration policy implemented through memorandum by President Barack Obama in 2012 that provided some protections for undocumented immigrants that had been brought to the United States as children, also known as Dreamers. Throughout his campaign and now his presidency, Donald Trump has taken an unprecedented approach to Latin American immigration, often making it the centerpiece of his governance and being unafraid to demonize Latin American immigrants. However, many ordinary Americans share President Trump's same concerns. For example, according to a July 2019 Gallup poll, nearly three-fourths (seventy-four percent) of respondents considered the "situation at the U.S. border with Mexico" to be either a "crisis" or a "major problem," just a few months after President Trump declared a national emergency at the border (Gallup 2019a). In contrast, only eighteen percent found the situation to be a "minor problem," and only seven percent said it was not a problem at all. Similarly, a Gallup poll from February 2019 found that forty-seven percent of respondents found undocumented immigrants to be a "critical" threat to the United States (Gallup 2019b). Thirty percent of respondents said that it was an "important but not critical threat," and twenty-two percent said it was "not an important threat at all." It is not uncommon to hear people share reservations about Latin American immigration, often citing economic, cultural, or even racial concerns. However, public perception and policy toward Latin American immigration has not always been this salient. Over the course of the twentieth century, huge shifts in origins of

immigrants in the United States occurred. At the beginning of the century, about eighty percent of immigrants were European, with relatively tiny amounts from Latin America. By the end of the century, Europeans made up only sixteen percent of immigrants in the U.S., and over half of all immigrants were Latin American (Timberlake and Williams 2012).

There exists a wealth of literature regarding public opinion of immigration, but the majority focuses on reasons for these and/or changes in these opinions, not their relationship to recent immigration legislation. Further, it is almost always discussed in a general sense, rather than focusing on Latin American immigration. I'm interested in how public perceptions of Latin American immigrants in particular have changed over time, and how this relates to the evolution of United States immigration policy.

To investigate this relationship, I will conduct case studies of three major pieces of immigration legislation enacted in the twentieth century: the Immigration Act of 1924, the Immigration and Nationality Act of 1965, and the Immigration Reform and Control Act of 1986 (IRCA). I chose these three because each reflects a different stage in the development of the United States' relationship to Latin American immigration. Leading up to the passage of the 1924 act, most Americans certainly saw Latin Americans as inferior, but most did not yet view them as a threat, and the legislation focused more on limiting southern and eastern European immigration. The purpose of the 1965 act was to dismantle the racist national origins quotas enacted in 1921. In the process, Latin American immigration was quantitatively limited for the first time, leading to an unintentional sharp increase in undocumented immigration. By 1986, the majority of Americans were deeply concerned about the number of undocumented Latin American immigrants in the country and demanded their representatives to do something about it. IRCA was their attempt to do so, but it wound up being largely ineffective.

Through this analysis, I hope to shed light on how public perceptions of Latin American immigrants can impact United States immigration policy, and likewise, how changes in United States immigration policy can alter how Americans view Latin American immigrants. My findings may provide some explanation for how we have arrived in the state we are in today, with a president who has pledged to build a wall between ourselves and our southern neighbor, even going so far as to declare a national emergency at the border; a deadlocked Congress unable to pass any sort of protections for Dreamers, despite bipartisan support; and with some people with so much hatred for Latin American immigrants that they would go so far as to drive across the country to murder them in a grocery store (Romero et al. 2019).

Literature Review

Influence of the Media

It likely goes without saying that the media's portrayal of immigrants can have a substantial effect on the public's opinion of them. For example, Nevins (2010) found that a rise in public discourse on undocumented immigration was correlated with an increase in national coverage regarding undocumented immigration and border control. According to his analysis, between 1970 and 1972, the *New York Times* only published about 8.5 articles per year discussing undocumented immigration. However, from 1973 to 1980, the average jumped to more than fifty-seven articles per year. Nevins's (2010) analysis also found that discussion of undocumented immigration from Mexico in particular grew substantially during this time. About fifteen percent of the articles that mentioned undocumented immigration during the 1970-1972 period focused on Mexico, while this proportion rose to thirty-six percent in the 1973-1980 period. Nevins (2010) also points out that most of the articles that discussed undocumented

immigration from Mexico also mentioned enforcement of border control. Therefore, these articles “contributed to a growing awareness of the boundary, thus making it (and alleged problems associated with the international divide) more meaningful in the collective mind of the U.S. public” (141).

Immigration can have both positive and negative influences on the American economy and society more broadly. However, politicians, activists, and the media tend to stress the negative. For example, according to Brader et al. (2008), news coverage during the decade from 1995 to 2005 was twice as likely to focus on the costs of immigration, as opposed to the benefits. During the same time period, more stories discussed Latin American immigrants in particular than immigrants from all other regions of the world combined (Brader et al. 2008). This combination of factors leads to an increasing segment of the public not only tending to see immigration as a bad thing, but also to see Latin American immigrants as the face of the costs of immigration.

Economic Influences

Perhaps the most common argument made for an aversion toward Latin American immigrants is their alleged negative impact on the economy. So often it is argued that immigrants – especially undocumented immigrants – flood the labor market, taking American jobs and causing wages to decline. However, some economists argue that this increase in workers is actually beneficial, as it lowers labor costs and the prices of goods and services (Buck et al. 2004), but this argument is rarely acknowledged by restrictionists. Regardless of the economic benefit or detriment caused by immigration, Fussell (2014) argues that just the perception of an economic threat is enough to shape attitudes toward immigration.

While negative personal assessments about the state of the national economy consistently relate to restrictionist opinions, the impact of actual personal economic circumstances on an individual's opinions regarding immigration is actually quite limited (Citrin et al. 1997, Newton 2008). Citrin et al. (1997) argue that this may be because people do not tend to blame their own economic situation on competition from immigrants. Scholars echo this sentiment, citing that the economic consequences of immigration in the short run tend to be rather moderate and limited in scope.

There have been several times in history in which the influence of the economy on the American public's opinion on immigration has been strikingly evident. For instance, during the Great Depression, undocumented Mexican immigrants living in the United States were accused of stealing American jobs and deported in droves (Bernard 2018). This restrictionist response is quite typical: when the United States economy suffers, there tends to be a surge in anti-immigrant sentiment, partly because immigrants, especially undocumented immigrants, are convenient scapegoats (Citrin et al. 1997). On the other hand, when the economy is strong, restrictionist sentiment tends to decline. During the second half of the 1990s while the economy was thriving, restrictionism plummeted and immigrant labor was in high demand (Chavez 2008).

Group Threat Theory, Ethnocentrism, and the "Latino Threat"

Group threat theory, first proposed by Blumer (1958), is the idea that "large groups of immigrants threaten the social position and control over valued resources of the native born" (Timberlake and Williams 2012, 870). According to this theory, when "out-group" members (in this context, immigrants) enter the country in large waves, those who belong to the dominant group may feel threatened that their access to jobs, housing, and political power will be taken

away. Therefore, when citizens live in areas with high concentrations of immigrants, they are more likely to feel threatened and hold negative stereotypes of immigrants (Timberlake and Williams 2012).

Historically, this threat has been most salient in the midst of large waves of immigration. For example, when immigration from China to the United States began to grow during the second half of the nineteenth century, the public and policymakers responded with the 1882 Chinese Exclusion Act, prohibiting Chinese immigration (Tirman 2015). While no law has been passed completely prohibiting Latin American immigration, there has certainly been an increase in negative attitudes toward Latin American immigrants since 1965, mirroring a sharp increase in their entry to the United States (Lapinski et al. 1997).

Numerous studies have demonstrated that Americans – in particular, white Americans (Valentino et al. 2013) – tend to view Latin American immigrants differently from those of a different origin. European immigrants have consistently been found to be perceived as the most beneficial to the country, while Latin American immigrants – often specifically those of Mexican origin – are viewed in a more negative light (Brader et al. 2008, Buck et al. 2004, Chavez 2008, Timberlake and Williams 2012, Valentino et al. 2013). Even when considering Americans' opinions of other immigrant groups that have also historically been seen more negatively than European immigrants, such as Asian and Middle Eastern immigrants, Latin American immigrants still tend to fare worse. For example, according to Buck et al. (2004), between 1984 and 1995, only about one-third of Americans thought that the number of immigrants entering from European countries was “too many.” Between forty-eight and sixty-two percent of Americans said the same of Asian immigrants. However, between fifty-three and sixty-nine percent of Americans thought that too many Latin American immigrants were entering the

country. Of course, this trend is probably at least somewhat connected to the fact that the majority of immigrants entering the country since 1960 have come from Latin America and the Caribbean, with nearly one-third coming from Mexico in particular (Buck et al. 2004), so Latin American immigrants tend to be at the forefront of Americans' minds.

These trends have been prevalent in more recent years as well. In Timberlake and Williams's (2012) study, they conduct polling to examine Ohioans' opinions regarding four different immigrant groups: Latin American, European, Asian, and Middle Eastern. They argue that Ohio is an excellent proxy to understand American public attitudes toward immigrants when they are relatively unaffected by actual immigration levels. Fewer than four percent of Ohioans are foreign-born, meaning that their attitudes are less likely to be influenced by actual immigration levels or their personal experiences with immigrants, and more likely to be influenced by the media's portrayal of immigration debates at the national-level. When judging an immigrant's tendency to assimilate, European immigrants were judged most positively, while Middle Eastern and Latin American immigrants were judged to tend to "stay separate." The judgments of Asian immigrants fell somewhere in the middle. When asked to consider the wealth of immigrants, there was no significant difference in the respondents' ratings of the wealth of European, Asian, or Middle Eastern immigrants, but Latin American immigrants were judged to be significantly poorer. Similarly, respondents judged Asian immigrants to be least likely to rely on government assistance and Latin American immigrants most likely, while judgements of European and Middle Eastern immigrants fell in between, but still most likely to be self-supporting. The authors' findings suggest that Americans who have little actual contact with immigrants tend to base their opinions of different immigrant groups on the salient political

rhetoric and media portrayals of them, which tend to focus on Mexican and Latin American immigrants, often citing them as the source of our immigration “problem.”

Even just the image of a Latin American immigrant can invoke a more restrictionist response. Brader et al. (2008) conducted an experiment in which they showed two groups of respondents news emphasizing the costs of immigration. In one group the news was accompanied with images of European immigrants, in the other with images of Latin American immigrants. They found that the anti-immigration response of the group shown images of Latin American immigrants was more than two times stronger than that of the group shown images of European immigrants.

One of the proposed explanations for restrictionist immigration sentiment and the perceived differences of Latin American immigrants is ethnocentrism, or the tendency to view your own culture as superior to others (Valentino et al. 2013). Therefore, when a shift in the ethnic or cultural makeup of the country seems imminent – such as in the nineteenth century when Chinese immigration was on the rise or today as the number of Latin American immigrants continues to climb – much of the public reacts sharply. This reaction can come in a variety of ways: marginalizing immigrants, degrading their contributions to the American economy and society in general, or detaining and deporting undocumented immigrants en masse (Tirman 2015). Even when Americans recognize the positive qualities that immigrants offer and are accepting of new groups of immigrants, that tends to be the extent of their warmth – accepting, rather than welcoming (Citrin et al. 1990).

Another reason restrictionists tend to view Latin American immigrants particularly harshly is that they see them as unassimilable. For example, in the March-April 2004 issue of *Foreign Policy*, political scientist Samuel P. Huntington complained that “unlike past immigrant

groups, Mexicans and other Latinos have not assimilated into mainstream U.S. culture, forming instead their own political and linguistic enclaves – from Los Angeles to Miami – and rejecting the Anglo-Protestant values that build the American dream” (Chavez 2008, 21). Huntington also perpetuated the “reconquista” narrative, or the idea that Mexican immigrants are gradually “taking back” the area of the southwest United States that they lost after the Mexican-American War, as well as the idea that Latina women have higher fertility rates and thus will soon outpace the white majority. Huntington and others who share his views see Latin American immigrants daring to maintain their own culture rather than conforming to “Anglo-Protestant” norms as a threat to American society as a whole.

Chavez (2008) coins this perceived difference and concern over Latin American immigration in particular as the “Latino Threat.” He claims that this narrative works as well as it does simply because many Americans accept the stereotypes of Latin American immigrants as fact: they refuse to learn English, they are uneducated, they have higher fertility rates, and they resist social and cultural change. According to the narrative, all of these factors work together to create an immigrant unable and unwilling to assimilate or contribute to society. In a survey conducted in two cities near Boston, the two things that respondents cited as most objectionable about immigrants were their illegality and their use of Spanish (Tirman 2015). This, however, can essentially be translated to the objectionability of Latin American immigrants. These attitudes do not have to do with economic or laboral consequences of immigration, but rather, are cultural and targeted in nature.

However, not all Americans express restrictionist sentiment. In fact, since the 1990s, the percentage of Americans expressing a desire to increase levels of immigration has quintupled from five percent to twenty-five percent (Fussell 2014). This certainly is not to suggest that

Americans as a whole would support an increase in immigration, but it does demonstrate that an increasing number of Americans do not perceive immigrants as a threat.

The “Illegal” Immigrant

The majority of the American public did not become overly concerned with the legal status of immigrants until relatively recently. For example, the Republican Party’s national platform did not mention the enforcement of immigration law until 1980, and the Democratic Party’s national platform did not mention illegal immigration until 1996 (Nevins 2010). The term “illegal” itself was barely used to describe immigration or immigrants until the 1950s; prior to then, terms like “illegitimate” or “ineligible” were preferred, taking the focus off of the legality (or lack thereof) of their immigration status (Nevins 2010). This concern regarding immigration status is especially pertinent to Latin American immigrants as Latin American immigrants, and Mexican immigrants in particular, are often seen as the face of illegal immigration.

It is true that more undocumented immigrants in the United States come from Mexico than any other country, but a significant portion also come from Asia, Europe, or other parts of Latin America (Espenshade and Hempstead 1996, Jaret 1999). However, most Americans overestimate the Mexican proportion, as well as the saliency of illegal immigration in general; according to Jaret (1999), over sixty percent of Americans incorrectly believe that a majority of immigrants entering the country do so illegally. Additionally, while most undocumented immigrants may be of Mexican origin, most Mexican immigrants are not undocumented (Newton 2008).

Politicians are often eager to use the public’s concerns over undocumented Mexican immigrants to their advantage. For example, during his run for reelection in 1994, California

governor Pete Wilson harnessed anxiety over the large numbers of Mexican immigrants entering the state by highlighting his support for Proposition 187, which would prohibit undocumented immigrants from utilizing many services, including public education and non-emergency healthcare (Fussell 2014). More recently, President Trump made his support for stronger border control the center of his campaign, leading chants of “Build the wall!” at campaign rallies and claiming that Mexico is sending “drugs,” “crime,” and “rapists” (Flores 2018). According to Fussell (2014), “[t]his scapegoating of unauthorized immigrants from Mexico and Central America by politicians” perpetuates the negative stereotypes of Latin Americans that many Americans already hold” (486).

Case Studies

In order to investigate the relationship between public perceptions of Latin American immigrants and United States immigration policy, I chose to conduct case studies of three major pieces immigration legislation introduced in the twentieth century: the Immigration Act of 1924, the Immigration and Nationality Act of 1965, and the Immigration Reform and Control Act of 1986 (IRCA). Public perceptions of Latin American immigrants were accounted for in the passage of each act. At the same time, however, each act had consequences (intentional or not) for Latin American immigration patterns, which then impacted public perceptions of Latin American immigrants. Thus, these three acts proved to be extremely useful case studies for my purposes.

Immigration Act of 1924

The Immigration Act of 1924 built upon and slightly altered the Immigration Act of 1921, also known as the Emergency Quota Act, which first introduced the idea of incorporating ethnic quotas to the United States' immigration policy. The 1921 quotas stated that no more than three percent of the population from any country living in the United States in 1910, according to the census of that year, could enter the country in the coming year. As intended, these quotas effectively limited immigration from southern and eastern Europe, cutting the numbers from about 685,000 immigrants entering during each of the years prior to its passage to about 175,000 immigrants entering the year following its passage (Porter, n.d.).

By 1912, as the national origins of immigrants entering the United States shifted from northern and western Europe to southern and eastern Europe, much of the public – as well as politicians, scholars, and other elites – was alarmed (Jaret 1999). Americans viewed these new immigrants as unassimilable, a threat to our country, and racially and culturally inferior to northern and western Europeans (Jaret 1999). Therefore, public opinion was in strong support of the national origins quotas implemented in the early 1920s (Jaret 1999). These views are largely in line with group threat theory. As a seemingly “different” group of immigrants began permeating the United States, those with power began to fight back.

Although only intended to be a temporary measure, the 1921 quotas were renewed and remained in effect until the passage of the Immigration Act of 1924. The 1924 legislation included the National Origins Act, which made the quotas permanent and in fact made them even stricter: the census year was pushed back to 1890, which was before many southern and eastern European immigrants had entered the country, the percentage of the population was limited to two percent, and the number of immigrants from any country included in the quota system

allowed to enter was capped at 150,000 (History, Art & Archives, n.d.; Nevins 2010). Another provision introduced in the 1924 act excluded immigration of anyone that would be ineligible for citizenship, which effectively barred all Asian and African immigration (Office of the Historian, n.d.; Massey and Pren 2012). These quotas remained in place largely unchanged until 1965, with the exception of revisions in 1943, when the Chinese Exclusion Laws that had been in place since 1882 were repealed (King 2000); in 1946, when the restrictions on immigration from India and the Philippines was relaxed (King 2000); and in 1952, when the ban on Japanese immigrants was lifted (History, Art & Archives, n.d.).

The debate surrounding Latin American immigration at this time was less straightforward. During the late nineteenth and early twentieth centuries, anti-immigrant sentiment focused more on Asian and southern and eastern European immigrants, while Latin American immigrants flew somewhat under the radar (Nevins 2010). Border patrol was not implemented until the passage of the 1924 act, so Mexicans and other Latin American immigrants were able to cross the border quite easily in order to work and live in the United States (Reimers 1998). However, those that did cross generally remained in the Southwest, working in agriculture or railroad labor camps, so concern about Latin American immigration that did exist was somewhat limited geographically (Nevins 2010). That is, until Latin American migrants began urbanizing and moving farther north. For instance, according to Nevins (2010), the Reader's Guide to Periodical Literature listed only nineteen articles focusing on the "Mexican Problem" published between 1910 and 1920, while fifty-one such articles were published the following decade, highlighting an increased concern regarding "Mexican delinquency, the poor state of housing, low wages, low rates of literacy, and disease" (131).

Despite these concerns, immigration from Latin America remained relatively modest, and those that did enter the country were somewhat accepted, as the low cost labor they provided was in high demand following a shortage due to World War I and the lack of European and Asian immigrants (King 2000, Reimers 1998). Therefore, many legislators feared negatively impacting the United States' relations with its Latin American neighbors (King 2000, Reimers 1998). Pan-Americanism, or the advocacy for cooperation among all the countries of North and South America (King 2000), eventually won out, and countries in the Western Hemisphere were exempt from the quotas. Pan-Americanism may seem like an exception to the racist tendencies that were so prevalent in American public discourse on immigration at the time. However, those that held this view tended to simply wish to maintain these good relations with our Latin American neighbors in order to be able to continue to exploit their labor for their own economic gain.

On the other side of the debate were those that saw Latin American immigrants, particularly Mexicans, as no better than Asian, African, or southern and eastern Europeans. Democratic Representative John Box of Texas described Mexicans as “illiterate, unclean, peon masses” (Reimers 1998, 22), and those that argued against the economic benefit of the cheap labor provided by Latin Americans claimed that “Mexican labor displaced Anglo native workers and kept wages low; the economic benefit derived from a cheap labor force was a short-term gain and long-term cost; and the Mexican nationality posed a social threat to the ‘white race’ because Mexicans were mestizos ... thus inferior” (Nevins 2010, 131). Even those supposedly defending Mexican immigration used racist arguments. Speaking before congress, a Californian doctor stated that “[t]he Mexican is a quiet inoffensive necessity in that he performs the big majority of our rough work, agriculture, building, and street labor. They have no effect on the

American standard of living because they are not much more than a group of fairly intelligent collie dogs” (Nevins 2010, 132). Others, frequently representatives of the agricultural industry, dismissed American concerns of being “overrun” by huge waves of Mexican immigrants, such as W. H. Knox of the Arizona Cotton Growers’ Association: “Have you ever heard, in the history of the United States, or in the history of the human race, of the white race being overrun by a class of people of the mentality of the Mexicans? I never have” (Nevins 2010, 132).

It is very difficult to interpret the Immigration Act of 1924 as anything other than an outcome of the racism that was so prevalent in society at the time. According to King (2000), the legislation was a “significant triumph” for those with the view that American culture and people should be “white and racially homogenous” (224). Even aside from the intentional limiting of southern and eastern European immigration that the quotas enforced, a 1929 revision to the system explicitly excluded any descendants of slaves from the computation of the U.S. population, effectively barring any African immigration, which was already in low supply (King 2000). Even the Ku Klux Klan supported the law’s passage (King 2000).

Another provision of the 1924 act was the establishment of Border Patrol. This new era of surveillance effectively created a new category of immigrants that we now know as “illegal aliens” – those that managed to bypass Border Patrol and enter the country without authorization (Chavez 2008, Newton 2008). It did not take long for Latin American immigrants, and Mexican immigrants in particular, to be associated with this new term, despite being exempt from the National Origins Quotas, as those that had been crossing the border periodically to work for decades were now considered to be breaking the law (Newton 2008). However, Mexicans did not fit neatly into any category. In addition to being exempt from the National Origins Quotas, they were also defined racially as “white” by the United States – a result of the Treaty of Guadalupe

Hidalgo at the end of the U.S.-Mexican War, which allowed the Mexicans who had been living in what had now become U.S. territory to become citizens (Chavez 2008). However, make no mistake: Mexicans certainly were not considered white from the viewpoint of the public. Most were even subject to Jim Crow laws (Chavez 2008). Therefore, even Mexican-American citizens that were born in the United States were viewed as foreigners, or at the very least, certainly as inferior to their white counterparts.

This discrimination was seen in the application of immigration policy as well. For instance, during this time period, hundreds of thousands of undocumented immigrants – mostly European – were granted a path to citizenship, as deportation of established immigrants that had not committed a crime was seen as inhumane. Mexican and Latin American immigrants did not receive these same privileges (Chavez 2008). Therefore, according to Chavez (2008), “[t]he historical lesson is that ‘illegality’ is socially, culturally, and politically constructed. As people move across ever porous national boundaries, their status is determined by policies in those nation-states, not by some essential quality inherent in the migrant’s genetic code or personal philosophy on life” (25). Keep in mind that Canadian immigrants were also entering the country in relatively large numbers at this time too, but they were rarely given the “illegal alien” label and certainly were not regarded as threatening to the American way of life in the same way that Latin American immigrants were (Newton 2008). Perceived whiteness granted immigrants certain privileges that black and brown immigrants were not subject to, regardless of their legal status.

Although the concern of the “Latino Threat” continued to grow throughout the mid-twentieth century, until the 1950s, few Mexican immigrants actually settled in the United States permanently. Instead, with the help of loose border control and the Bracero Program – an

agreement established in 1942 during World War II between the United States and Mexico allowing Mexican workers to provide seasonal labor for farmers that remained in existence until 1965 (Fussell 2014, Massey and Pren 2012) – many Mexicans came as seasonal migrant workers, but would return to Mexico when their labor was not in as high demand, creating a strong pattern of cyclical immigration while the levels of net immigration remained rather low (King 2000).

Immigration and Nationality Act of 1965

By the time discussion of dismantling the national origins system introduced by the Immigration Act of 1924 was underway in the 1950s and 60s, it had become largely ineffective anyway. From 1946 to 1965, only fifty-seven percent of immigrants entering the United States were European (King 2000). By the 1960s, that figure was even lower. Changes in refugee laws had allowed more southern and eastern Europeans to enter, but immigration from the Western Hemisphere was most dominant. Regardless of its efficacy, opponents of the system were most critical of its racist foundation.

After the Second World War, the American public began to express more liberal sentiment toward immigration, according to opinion surveys conducted at the time that demonstrated a decrease in responses indicating that they felt immigration levels should be zero, or at the very least reduced from current levels (Espenshade and Calhoun 1993). An increasing number of Americans were recognizing and accepting the United States' new role as a world superpower, and the responsibility to accept more refugees that came with that role. The economy was booming, and racial prejudice was beginning to decrease, especially among better-educated Americans (Espenshade and Calhoun 1993).

In 1952, President Harry S. Truman expressed concerns with the quotas, citing not only their similarity to the German Nazism that the United States had just recently fought against, but also the fact that they had allied with countries like Italy, Greece, and Turkey in their fight against communism – countries included in the so-called “less desirable” faction of southern and eastern European immigrants (King 2000). Addressing the Senate in 1963, Senator Philip Hart (D-MI), who would eventually become one of the main sponsors of the 1965 legislation, said that “our present quota system’s discriminatory provisions continue to generate skepticism relative to America’s practice of democracy. In these anxious times it is important that we bring our basic immigration law into line with our more tolerable practice, and with our traditions and ideals” (King 2000, 240). Of course, not all of Congress shared these sentiments. For instance, chairman of the House Judiciary’s Subcommittee on Immigration and Nationality, Congressman Francis E. Walter (D-PA) worked to block any and all efforts to revise the system between 1933 and 1963 (King 2000).

Further, it is not a coincidence that the passage of the 1965 Immigration Act coincided with the civil rights movement. An increasing number of Americans began to see the inconsistencies between the dismantling of racist systems present in American domestic politics while the national origins quotas were allowed to persist. For instance, in a speech on the Senate floor in 1963, Senator Hiram Fong (R-HI) highlighted the illogicality of the quotas and how they marred the United States’ status as a leading democracy:

[A]t home, we have wiped out racial barriers ... We are making significant progress in desegregating our public schools, housing, business, and public accommodations, and protecting the voting rights of all citizens. It is imperative that we, as a Nation, recognize this great upheaval in our Nation and throughout the world for equal status ... We have

erected racial barriers that deny equal dignity and respect to more than one-half of the world's population. These racial barriers are bad for America. They hurt America's image as the leader of the free world. For example, do Senators know that under present American immigration quotas for Asia and the Pacific areas more than 50 percent of the people who populate our newest State could be almost totally excluded from the United States? That Ireland, with a population of 2,815,000 has a larger quota than all Asia, with a population of nearly 1.5 billion? (King 2000, 244)

Senator Fong's remarks demonstrate the growing realization among the American public that if we were to begin the process of attempting to eradicate the systematic racism that existed within our own borders, we must apply the same logic to our international politics as well.

Debate over the dismantling of the national origins quota even took place on the highest of national levels. During his campaign for the presidency, John F. Kennedy, who had been a staunch critic of the system during his time in the Senate, pledged to end the national origins quotas (King 2000). Following Kennedy's assassination, President Lyndon B. Johnson took over the effort, and with the help of the predominantly Democratic Congress of the time and his deft congressional skills, he was able to add the Immigration Act of 1965 to his list of other accomplishments of the decade, including the Civil Rights Act of 1964 and the Voting Rights Act of 1965 (King 2000). The new legislation, technically an amendment to the Immigration and Nationality Act of 1952, included a three-year period to phase out the national origins quota system, an annual cap of 120,000 immigrants from the Western Hemisphere and 20,000 for each country outside of the Western Hemisphere, and implemented a preference system for highly-skilled immigrants and family reunification (Espenshade and Hempstead 1996, King 2000, McBride 1999). Whether or not it was intended to do so, the 1965 act sharply increased

immigration to the United States. According to King (2000), in the first twenty-five years following its enactment, 15.53 million immigrants were admitted to the country. In contrast, in the thirty-six years prior to its enactment, the national origins system allowed entrance to only 5.8 million immigrants.

While the 1965 act abolished the national origins quotas, this change was not intended to increase immigration to the country. Rather, it was simply intended to alter the basis of selection and end the inequities of the system (King 2000). Despite these intentions, immigration – both legal and illegal – most certainly increased after its enactment (Massey and Pren 2012). However, immigration did not increase from all regions of the world. Instead, the act effectively implemented a system that shifted immigration to the United States away from Europe and toward Asia and Latin America (Massey and Pren 2012). While this shift was beneficial for Asian immigrants, it actually forced more Latin American immigrants to enter the country illegally. Remember that prior to the 1965 act, Latin American countries were not affected by the national origins quotas, but rather were only subject to the blanket of qualitative restrictions detailed by our immigration policy (Massey and Pren 2012). At the same time, the Bracero Program established a strong demand for the cheap labor provided by Mexican immigrants, while loose border control allowed them to return home when their services were not required. Therefore, the combination of the termination of the Bracero Program and the 1965 act's implementation of numerical caps that affected the region resulted in a surge of immigrants, who were often forced to enter illegally.

Liberal immigration reformers saw the Bracero Program as exploitative, and thus Congress voted to end the program in 1964, despite objections from Mexico (Massey and Pren 2012). It was phased out between 1965 and 1967, and the number of workers utilizing the

Program was eliminated in 1968, the same year that the cap on Western Hemisphere immigration took effect (Massey and Pren 2012). Despite legal entry suddenly becoming severely hindered, Mexican migrants continued to come fulfill the demands of the industries they had been supporting for decades, simply without authorization. In fact, according to Massey and Pren (2012), the end of the Bracero Program corresponds exactly with a sharp uptick in illegal immigration. After the passage of the 1965 act, the numerical caps were implemented without the addition of stricter enforcement of border control (Tirman 2015), allowing this influx of undocumented immigration.

With this bump in immigration, another wave of perceived group threat took place, only this time the subjects were Latin American immigrants, rather than southern and eastern Europeans (Massey and Pren 2012). Due to the increase in undocumented immigration in particular, the threat was perceived to be especially grave, and the common economic fears – that undocumented immigrants steal American jobs, that cheap labor provided by undocumented immigrants drives down wages, etc. – became mainstream. For instance, in an analysis of articles published between 1965 and 1977 in the *New York Times*, *Washington Post*, *Wall Street Journal*, and *Los Angeles Times*, the country's four leading newspapers, Massey and Pren (2012) found that the use of negative metaphors such as “flood,” “crisis,” or “invasion” paired with “Mexico” or “Mexican immigrants” was virtually nonexistent in 1965, but began rising thereafter. The correlation between the annual number of immigrants entering the country illegally and the usage of these metaphors is 0.911, suggesting that Americans were deeply concerned with the number of undocumented immigrants in the United States. Massey and Pren (2012) further explain that the unintended consequence of increased undocumented immigration from Latin America to the United States gave immigration restrictionists and conservative political activists

an easy way to point to Latin American immigration as a threat to the wellbeing of the country. Restrictionists were able to paint what had once been a group of highly yearned workers who remained largely invisible to most Americans as a group of “hostile aliens who were increasingly framed as invaders and criminals” (Massey and Pren 2012, 8). While American public opinion was undergoing a rightward shift in regard to many issues of the time, the shift was even more stark when it came to immigration: “The relentless propagandizing that accompanied the shift had a pervasive effect on public opinion, turning it decidedly more conservative on issues of immigration even as it was turning more conservative with respect to social issues more generally” (Massey and Pren 2012, 8).

The goal of the Immigration and Nationality Act of 1965 was to eliminate ethnic and racial quotas, but in the process, it essentially just allowed for Asian and Latin American immigrants to dominate the flows of immigration: by the 1980s, five out of every six immigrants to the United States were of either Latin American or Asian origin, and only one out of every ten was European (Espenshade and Hempstead 1996). It was not until the 1980s that legislators decided to attempt to address this dominance and bring it down to levels that would be deemed acceptable by the American public.

Immigration Reform and Control Act of 1986 (IRCA)

While public opinion toward immigration was in the process of liberalizing prior to the passage of the Immigration and Nationality Act of 1965, neo-restrictionism was on the rise in the years leading up to the Immigration Reform and Control Act of 1986. According to a 1981 NBC survey and a 1982 Roper poll, two-thirds of respondents wanted legal immigration levels reduced; only one-third of respondents said the same in a 1965 Gallup survey (Harwood 1986).

An even greater proportion of the public was worried about illegal immigration in particular, as demonstrated by a 1982 poll conducted by the Merit survey that found that eighty-four percent of respondents were concerned about the number of undocumented immigrants in the country (Harwood 1986). Aligning with Timberlake and Williams' (2012) findings regarding the different perceptions Americans have of immigrants depending on their origins, a 1984 Gallup poll found slightly more than half of respondents felt there were too many Latin American immigrants, while only about a quarter of respondents said the same of European immigrants (Harwood 1986). Similarly, according to Jaret (1999), surveys conducted throughout the 1980s tend to demonstrate that Americans believed Europeans to be "good" for the country, while those that were deemed to be "bad" for the country tended to be Latin American or Asian, including Cubans, Haitians, Puerto Ricans, Vietnamese, Koreans, and Mexicans.

While there may have been several reasons for this new wave of neo-restrictionism, such as economic insecurity or ethnocentrism, one of the largest factors was most certainly anxiety caused by illegal immigration: "Illegal immigrants are convenient scapegoats for a wide variety of societal ills. Politicians wonder whether undocumented migrants will perpetuate their 'private cultures' thereby threatening mainstream American culture, and the general public worries that a new wave of illegal immigration will lead to more crime in the streets" (Espenshade and Calhoun 1993, 191). The Immigration Reform and Control Act of 1986, also known as IRCA, was the congressional response to the public's outcry for immigration reform to deal with what they saw as an illegal immigration problem. IRCA consisted of four main provisions (Newton 2008, Tichenor 1994). First, it implemented sanctions on employers that knowingly hired undocumented immigrants, thus becoming the first time that employers would be held responsible on a federal level for "their role in encouraging illegal immigration" (Newton 2008,

5). It also allocated additional resources to the Immigration and Nationality Service (INS) and Border Patrol, increasing its budget by fifty percent. At the same time, it provided the first potential path to citizenship for over three million undocumented immigrants who met a series of thresholds, including having lived in the country continuously since at least before 1982, not being guilty of any crime, as well as minimal knowledge of U.S. history, its governmental system, and the English language. Finally, it also gave certain immigrant agricultural workers a special protected status (after some fierce lobbying efforts on behalf of the agricultural industry). Together, these provisions were meant to work together to curb the inflow of undocumented immigrants to the country (Espenshade and Calhoun 1993, Newton 2008).

Once Congress chose to take on this task the public had delegated to them, the path to enactment was anything but smooth. Newton (2008) describes several narrative tactics that were used in an effort to advance a variety of agendas. First, she describes what she calls the “government-off-our-backs” narrative, which argues that employers and the agricultural industry are already forced to comply with too many regulations. Several senators argued that employer sanctions would put the burden of enforcing our country’s immigration law on employers. Some took the argument even further when defending the agricultural industry, such as Senator Lawton Chiles (D-FL), who predicted that if farmers had to adhere to the new regulations, they would “have to decide between hiring undocumented, and probably illegal workers, or losing their crops” (Newton 2008, 72). That the blame of lawlessness tends to fall on the undocumented workers, rather than the employers hiring them for their own economic gain (Newton 2008) should not be a surprise. Very similar arguments were used around the time of the Immigration Act of 1924’s passage. Industries like agriculture, who also enjoy influential lobbying power, reap huge economic benefits by taking advantage of the cheap labor provided by Latin American

immigrants, yet the immigrants are the ones blamed despite simply fulfilling the market's demands.

In the “family farmer” narrative, senators and other legislators shifted the focus of the debate from large, corporate agribusiness to small, family farms (Newton 2008). On the other hand, the “corrupt agriculturalists” narrative countered the “family farmer” narrative and other arguments defending the agricultural sector. Defenders of this argument pointed to agriculturalists' repeated exploitative labor practices and special treatment, arguing that they should be required to adhere to the same regulations and market forces as other industries.

The “anti-discrimination” narrative discussed fears that the employer sanctions would unintentionally result in discrimination against American citizens or authorized immigrants (Newton 2008). If the penalties were too harsh, they argued, employers might be deterred from hiring any foreigners or Americans of Hispanic or Asian descent. However, this narrative focused on more than just the immigrants or other people of color that might be unduly targeted by the policy; some were concerned that farmers' Fourth Amendment search-and-seizure rights could be infringed upon if a law enforcement officer had any suspicion that they were employing undocumented immigrants, as they did not need a warrant to search fields at the time. Despite the latter discrimination of concern being of a much different flavor than the former, proponents of this narrative utilized familiar phrases typically associated with Civil Rights, such as “without having probable cause,” and “arbitrary and discriminatory” (Newton 2008, 84).

When it came to the amnesty component of the proposed legislation, two primary narratives arose: the “undeserving illegal” narrative, and the “deserving illegal” counter-narrative (Newton 2008). Opponents of amnesty argued that under no circumstances should a policy be put in place that rewards those who had broken the law, as it would be unfair to those who had

abided by the United States' immigration policies and be a disgrace to the value of American citizenship. Proponents of the “undeserving illegal” narrative also utilized metaphors that by then had become familiar, comparing undocumented immigration to a “flood” or an “invasion.” On the other hand, the “deserving illegal” counter-narrative argued that the only alternative to deal with the large numbers of undocumented immigrants in the country – deportation – was inhumane and even un-American. Proponents argued that undocumented immigrants had made sizeable contributions to the economy and other aspects of U.S. society and humanized their experiences. At the same time, others made a much more straight-forward argument: providing undocumented immigrants with a path to citizenship would ensure that they pay their fair share in taxes. Some legislators even expressed hope that amnesty could protect Latin American immigrants from discrimination. While the “undeserving illegal” narrative painted undocumented immigrants as criminals or “economically disruptive” (Newton 2008, 97), the “deserving illegal” narrative argued that they were the ones who had been victims of crime and exploitation.

Public support for the provisions of IRCA was mixed. Support for employer sanctions was rather high, with nearly three-quarters (seventy-two percent) of respondents to a 1977 Gallup poll expressing support for the provision; this proportion was even greater when the debates over the legislation were in full swing, to seventy-nine percent in 1983 (Harwood 1986). However, according to a 1983 Gallup poll, only forty-one percent of respondents supported providing permanent residence status to undocumented immigrants who had been in the United States for at least six years, while slightly more than half (fifty-two percent) were outright opposed (Harwood 1986). At the same time, three-quarters of respondents to a 1982 survey of Californian residents conducted by the Field Institute supported deporting undocumented

immigrants and imposing employer sanctions, but nearly the same amount (seventh-three percent) also supported providing amnesty to undocumented immigrants who had been in the country for at least five years (Harwood 1986). This inconsistency in support for amnesty versus deportation is perhaps a demonstration of the schism that exists between the public's ideas of immigration, versus the immigrants themselves. Favoring deporting someone for immigrating illegally seems straightforward enough, but when asked to consider whether those that had established a life here for many years, some of whom may even be your neighbors and friends, the question seems trickier.

Another important aspect of public opinion to consider is Americans' perception of the cultural impacts immigrants may have on the country. Again, remaining in line with Chavez's (2008) "Latino Threat" narrative, Latin American immigrants, and to a lesser extent Asian immigrants, were seen as the most threatening. According to Espenshade and Hempstead (1996), a 1986 survey found that negative cultural or personal traits was cited as the "biggest problem" with immigrants and immigration. Further, approximately sixty percent of respondents of the same survey cited Latin American immigrants as having negative characteristics, and nearly half said the same of Asian immigrants. Respondents specifically mentioned things like crime, drugs, disease, unwillingness to assimilate or learn English, and lack of education as the negative characteristics that immigrants bring to the country.

Despite IRCA supposedly being legislation that was meant to curb undocumented immigration, it was largely ineffective. While it is true that IRCA implemented penalties for employers that knowingly hired undocumented immigrants in an effort to hold them accountable for their role in the rise of illegal immigration, it provided insufficient oversight to actually enforce these penalties. Therefore, employers were largely able to continue their same hiring

practices with little more than a slap on the wrist for noncompliance (Reimers 1998). With the fifty percent budget increase provided to the INS and Border Patrol, the INS was meant to be the agency responsible for implementing both the employer sanctions and the amnesty program (Newton 2008). However, most of the new funding went to Border Patrol and the amnesty program, with the expectation that employers would not need to be policed and would simply regulate themselves. Further, the law required employers to ask potential employees for documentation, but did not require them to verify its authenticity, allowing undocumented workers to get away with utilizing fake papers to attain employment (Newton 2008).

While the employer sanctions provision of IRCA was largely unsuccessful, the legalization program certainly achieved its goal of allowing long-term undocumented residents to legalize their immigration status. Nearly three million immigrants utilized the program, and those that did tended to experience improvements in their daily lived experiences, as they could apply for credit and bank accounts, their employment options opened up, and they had greater mobility (Newton 2008). It is possible that this new status for so many Latin American immigrants may have actually contributed even more to the Latino Threat narrative. Latin American immigrants with a newly legal status were now able to step out of the shadows and live a more visible life. More Latin Americans contributing to society meant greater threat to the Anglo-Protestant majority stronghold on American culture.

Another important reason that the restrictive elements of IRCA wound up being ineffective is that border control became much stricter. This may seem counterintuitive: how could stricter border control result in the number of undocumented immigrants in the country continuing to increase? Remember, the Bracero Program of the 1940s, 50s, and 60s had established a cyclical pattern of Mexican immigration: seasonal migrant workers would come to

the United States when their services were in high demand, then return home to Mexico for the other parts of the year. Despite the termination of the program around the same time as the enactment of the Immigration and Nationality Act of 1965, border patrol remained lax, so the pattern persisted. However, with IRCA's implementation of stricter border enforcement, returning to Latin America became much more difficult, so many opted instead to permanently settle in the United States (Newton 2008). Therefore, while the gross inflow of undocumented immigrants may not have increased drastically, the outflow was curtailed, accelerating the net inflow (Massey and Pren 2012).

All of these factors produce a chain of effect which Massey and Pren (2012) call "policy feedback," resulting in a rightward shift in public opinion regarding immigration. According to this hypothesis, improved border patrol results in more apprehensions of undocumented immigrants attempting to cross the border. These apprehensions are then able to be used as a talking point by conservative politicians and media to demonstrate how these undocumented Latin Americans are a threat to our wellbeing, which then generates increased restrictionist sentiment among the public. When the public puts enough pressure on legislators to increase the scope of the Border Patrol, the result is more apprehensions, which begins the cycle again. Therefore, this rightward shift in public opinion may actually occur independently of the actual number of immigrants entering the country without authorization, and instead depend more on the strength of border control and the number of apprehensions (Massey and Pren 2012). Massey and Pren (2012) also point out that variation in the total number of apprehensions at the border is also closely related to an increase in the presence of the "Latino Threat" narrative in the media. Between the years of 1965 and 1995, the correlation between the frequency of newspapers comparing Latin American immigration to a "flood," "crisis," or "invasion" and the total number

of apprehensions in 0.956 (Massey and Pren 2012). Polling data also suggests support for this hypothesis: according to Gallup polling, in 1965, thirty-three percent of respondents thought that immigration should be decreased from its present level. That percentage increased to forty-two percent in 1977, and forty-nine percent in 1986. However, an even steeper jump occurred in the mid 1990s, when sixty-five percent of respondents expressed that sentiment (Gallup 1965, 1977, 1986, 1993, 1995).

Conclusion

When I began this project, I was interested in investigating how public perceptions of Latin American immigrants affect the passage of immigration legislation in the United States. At the same time, I also wanted to see how the consequences of those immigration policies might then impact how Americans view Latin American immigrants. Throughout my analysis, I found two main themes tended to come up repeatedly and most prominently. First and foremost, throughout the last century or so, many Americans have tended to view large numbers of Latin American immigrants as a threat to their wellbeing, especially when the immigrants entered the country illegally. In the years following the passage of the Immigration Act of 1924, Latin American immigrants who had originally come to work in southwestern industry and agriculture began to disperse throughout the entire country, as they enjoyed relatively relaxed regulation due to the lack of border enforcement, the Bracero Program, and their uncapped numbers. Many Americans saw these supposedly inferior immigrants as damaging to the economy and society as a whole, and at times fought back against their infiltration, such as during “Operation Wetback” of the 1950s, which saw the deportation of over one million Mexican immigrants (Immigration History, n.d.). The Immigration and Nationality Act of 1965 may have seemed like a more

liberal approach to Latin American immigration, but its implementation of a numerical cap on Latin American immigration in coordination with the end of the Bracero Program actually just resulted in a sharp increase in undocumented immigration. As the number of undocumented Latin American immigrants rose, so did the prevalence of restrictionism, and by the 1980s Congress was forced to confront this perceived problem. They responded with the passage of the Immigration Reform and Control Act of 1986 (IRCA), which had intentions of reigning in undocumented immigration, primarily by granting amnesty to the undocumented immigrants who by then had already become well established in the country in combination with allocating more resources to border enforcement efforts and implementing penalties for employers that knowingly hired undocumented immigrants. However, these provisions proved to be ineffective, as the employer sanctions lacked adequate enforcement and the strengthened border control made it increasingly difficult for temporary migrant workers to return home to Latin America, effectively ending the pattern of cyclical migration that had persisted for decades, instead forcing immigrants to settle permanently in the United States. Americans responded negatively to this inefficacy, culminating in the mid-1990s as the proportion of Americans desiring a decrease in immigration levels peaked. These findings are consistent with prior research on group threat theory (Timberlake and Williams 2012) and the Latino Threat (Chavez 2008).

Another persistent finding was the influence of the economy on debates surrounding Latin American Immigration. In the 1920s, those defending the lack of including Latin American immigrants in the National Origins Quotas did so through the lens of the economy. Latin Americans provided cheap labor that industries were able to exploit, and at that time, Latin Americans were considered so inferior to the white majority that were not yet viewed as a threat to American culture. By the 1960s, the Latino Threat narrative had taken hold, but the demand

for Latin American labor had become so ingrained in the U.S. economy that attempts to cap the inflow of Latin American immigrants only forced many of the laborers to enter the country illicitly. Even when many Americans viewed Latin American immigration as undesirable, the economic benefits they provided and the interests of those that reaped these benefits tended to win out, often resulting in legislation that proved to be ineffective in its enforcement efforts. For instance, the debate surrounding IRCA in the 1980s was largely focused on whether or not employers should be held accountable for the role they played in undocumented immigration. Fierce lobbying from the agricultural industry eventually subdued the employer sanctions and even resulted in a special protected status for some workers. Those on the other side of the debate argued that as long as employers were able to hire and exploit undocumented immigrants with little to no repercussions, Latin Americans would continue to take these positions.

My analysis comes with some limitations. Considering my analysis was conducted on the United States and Latin American immigration in particular, my conclusions should not be generalized to any other country or other group of immigrants, although it is possible some similarities could be found. Further, quality polling prior to the 1960s is extremely limited. Therefore, it is difficult to gauge public opinion in the country prior to this time, so other methods must be relied upon, such as analyzing newspaper articles. While a decent proxy, it is not the same as having more tangible figures and trends to investigate.

In the future, additional research could be done to take a more in-depth look at the relationship between immigration policy and public perceptions of Latin American immigrants in the United States. For instance, I analyzed only a handful of immigration acts that exist in the history of United States legislation. Therefore, the relationship between public perceptions of Latin American immigrants and U.S. immigration policy should be considered with regard to

more recent legislation – such as the Illegal Reform and Immigrant Responsibility Act of 1996 (IIRIRA), the Homeland Security Act of 2002, or DACA. Further, a more focused analysis could be done regarding how the media, the economy, and prominent political figures in particular impact the relationship.

Through this project, I sought to investigate the relationship between United States immigration policy and how the American public perceives Latin American immigrants. I found that the three pieces of legislation that I have analyzed had a variety of consequences on immigration patterns, often unintended. These new patterns – usually an increase in undocumented Latin American immigration – resulted in altered public opinion, often restrictionist in nature. While this restrictionism was often cultural in nature, economic anxiety was usually pushed to the forefront of the national debate. These findings provide a historical narrative that explain at least part of the reason for the polarizing nature of Latin American immigration that exists in the United States today and demonstrate the value of peering into the past in search of an explanation for the present.

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