

Week Two

The History of (Im)migration in the U.S.

Goals

- To encourage participants to see the immigration issue from perspectives other than from the legacy of colonialism
- To think about what it means to be considered "American"

Learning Objectives

- Understand the history of migration to what is now called the United States
- Understanding how immigration policy has been tied to race/ethnicity

Handouts for Week Two

- 2.1 A Native American Perspective On Immigration
- 2.2 Story from the Tohono Odham Nation
- 2.3 A Very Brief Primer on U.S.-Mexican History
- 2.4 Ten Anti-Immigrant Quotes That Sound...Familiar
- 2.5 White By Law—Requirement for Becoming "American"

Workshop-at-a-Glance

1. 5" Chalice Lighting and Opening Reading
2. 10" Check-in
3. 20" Activity 1: U.S. History: Through Whose Eyes?
4. 20" Activity 2: Immigration and Ethnicity Timeline
5. 20" Activity 3: Becoming "American"
6. 10" Debrief
7. 5" Closing

Chalice Lighting and Opening Reading

Not like the brazen giant of Greek fame,
With conquering limbs astride from land to land;
Here at our sea-washed, sunset gates shall stand
A mighty woman with a torch, whose flame
Is the imprisoned lightning, and her name
Mother of Exiles. From her beacon-hand
Glow world-wide welcome; her mild eyes command
The air-bridged harbor that twin cities frame.
"Keep ancient lands, your storied pomp!" cries she
With silent lips. "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-tost to me,
I lift my lamp beside the golden door!"

- Emma Lazarus, *The New Colossus*

Check-in

Participants are invited to share where they are spiritually/emotionally with respect to the class.

Activity 1: U.S. History: Through Whose Eyes?

Discussion to be held with the group as a whole: In handout 2.1, the author talks about a television commercial that starts with "an image of white people, then it moved on to African Americans, Latinos and finally Asians." In many ways, the ad mirrors the narrative that is taught in our U.S. history classes. What are the assumptions underlying this version of history? From whose perspective is it being told? How might a Native American tell the story? An African American? A Latino/a American? What would the commercial look like that tried to balance different points of view?

Activity 2: Immigration and Race Timeline

Workshop facilitator(s) choose(s) dates from the links below to create a timeline, written on poster paper and put up in the room. (Create the timeline beforehand.) Pay special attention to the relationship between race and immigration policy. A quick way to add dates is to copy them from the websites into a Word file, print and cut them out, and paste them onto the wall. Add dates about the history of your church. Leave space for members of your congregation to write when they or their fore-parents entered the United States, and post photos if they have them.

- [Immigration Timeline from the University of North Carolina](http://bit.ly/oL8N1m) (<http://bit.ly/oL8N1m>)
- [Immigration Timeline by The Flow of History](http://bit.ly/fd9y9I) (<http://bit.ly/fd9y9I>)

Invite participants to share "How long has their family been in the U.S.? From where? Why did they come?"

Activity 3: Becoming "American"

Discussion to be held with the group as a whole: Every generation of immigrants to the U.S. has faced resistance from those who were already here. Historically speaking, these groups have eventually come to be accepted as "American." Who are the groups who are facing resistance in the U.S. now? It used to be law that one had to be recognized as "white" to be "American." Since that is no longer the case, what does it mean to be "American"? What are the attributes?

Debrief

Participants are invited to share anything that strongly moved them during the session.

Closing Reading and Extinguishing the Chalice

If you
Want to show
Your love
For America
Love
Americans
Smile
When you see
One
Flowerlike
His
Turban
Rosepink.

Rejoice
At the
Eagle feather

In a grandfather's
Braid.

If a sister
Bus rider's hair
Is
Especially
Nappy
A miracle
In itself
Praise it.

How can there be
Homeless
In a land
So crammed
With houses

&
Young children
Sold
As sex snacks
Causing our thoughts
To flinch &
Snag?

Love your country
By loving
Americans.

Love Americans.

Salute the soul
& the body
Of who we
Spectacularly &
Sometimes
Pitifully are.
Love us. We are
The flag.

- Alice Walker, *Patriot*

Handouts for Week Three

- 3.1 Shop Til You Drop on a Mexican Wage
(Note: This is a worksheet to be filled out while visiting an interactive website)
- 3.2 NAFTA and Immigration
- 3.3 Effects on Working Conditions
- 3.4 Stories of Farm Workers
- 3.5 Immigration Myths and Facts, from the ACLU

Further Study

To explore the topics covered in this session, as well as related topics, see the resources listed in [section II.B \(PDF, 11 pages\)](#) of the study guide.

Handout 2.1 - A Native American Perspective on Immigration

Listen to the Native Americans on Immigration

Immigration policy must include the voices, experiences and concerns of America's indigenous people

New America Media, Commentary, Marta Donayre, Oct 19, 2006

SAN FRANCISCO--I lowered my head and shook it from side to side when I saw the television ad.

It started with an image of white people, then it moved on to African Americans, Latinos and finally Asians. As each group was mentioned, people filled the image and their respective population percentage was announced.

As usual, Native Americans were completely excluded.

But we cannot afford to omit the Native American perspective in the immigration debate, and not for the obvious reasons.

Yes, European undocumented immigrants devastated the way of life of Native Americans. First Nation peoples, from Alaska to Tierra del Fuego, had their lands, dignity and history stolen by the newcomers. One would assume Native Americans know something about the consequences of immigration.

Many of today's immigrants are Indigenous people who are trying to escape starvation. They don't speak Spanish, only their original pre-Hispanic language. Some don't even identify with their country of origin.

To them the chant, "We didn't cross the border, the border crossed us" couldn't be any more real.

In Latin American countries, Indigenous people bear the brunt of poverty. Like their North American counterparts, they had their land stolen and they were relegated to second-class status simply because of who they are. As a result, many are uprooting themselves from their ancestral lands to find work in the United States.

First Nations people in the United States are also being affected by immigration policy. Fortunately, they are speaking up about it.

Between Aug. 29 and Oct. 1, Native Americans from the northern and southern borders met at the first Border Summit of the Americas.

They expressed solidarity with immigrants, took a stance against the projected wall between the United States and Mexico and demanded a halt to the militarization of the border and for the United States to respect the sovereignty of Native American nations.

Many people don't know that there are over 20 tribes that live in the border area who are suffering the consequences of the immigration crackdown.

Federal agents violate tribal land without any regard to the rule of law set by treaties. When on tribal lands, agents invade homes at gunpoint, and demand papers.

In addition, the proposed border wall would cross through tribal territory, including sacred burial grounds, also in violation of the treaties. Migrating animals would be drastically affected by the wall as well.

"We are directed under our law to go to the aid of others and not just sit back and watch the devastation," said Mohawk Mark Maracle, representing the Women Title Holders. Maracle added that the proposed border fence would upset nature. "If this fence goes up, this nation will see natural disasters like it has not seen before. It will disrupt the natural order."

Bill Means, a member of the Indian Treaty Council went farther and called the proposed fence another "Berlin Wall" that would violate federal laws such as the Native American Grave Protection and Repatriation Act and American Indian Religious Freedom Act.

The current proposal for a wall, as well as the need for Indigenous people to migrate to the United States, have one thing in common: they result from the continuous disregard and disrespect of Natives since the European colonization.

Policy is never ever drafted with Native people's interests in mind and favors only the interests of the colonizers.

Free trade agreement policies benefit large corporations to the detriment of small and subsistence farmers. In Latin America these farmers are all Indigenous campesinos, people of the fields. Many still live the way their ancestors did prior to the arrival of the Europeans.

Proponents of the wall don't even think about the needs of border tribes, just like the needs of the Indigenous campesinos aren't taken into account in official policymaking.

I know that I have Inca blood in me, and I know how poorly the descendants of the Incas are treated back home. I also know how poorly the descendants of the First Nations of North America are treated here.

Nothing can be done to restore their lands, their dignity or their history. Many traditions have been lost to colonialism. But we still have the capacity to find new solutions that rely on inclusion and respect. A great place to start is by including First Nation people's perspectives and needs in the economic and immigration policy debates.

Marta Donayre is co-founder of Love Sees No Borders and a member of the Leadership Council of the Bay Area Immigrant Rights Coalition. IMMIGRATION MATTERS regularly features the views of the nation's leading immigrant rights advocates.

http://www.imdiversity.com/villages/native/politics_law/nam_native_immigration_1006.asp

Handout 2.2 – Story from the Tohono O'odham Nation

New Travel Rules Leave Native Americans in Limbo

By Tim Gaynor
Lukeville, AZ | Dec 11, 2007

(Reuters) - The U.S. border inspector at this lonely desert crossing with [Mexico](#) fingers the tribal enrollment card decorated with a wooden staff and eagle feathers, and glances at the holder's photograph.

Tohono O'odham elder Ofelia Rivas, 51, has used the document to cross between the tribe's ceremonial sites in Mexico and her home in Arizona for years, but the inspector tells her that it will soon no longer be valid for international travel.

The U.S. Western Hemisphere Travel Initiative in January will require U.S. citizens to present government photo ID, such as a driver's license, plus proof of citizenship, such as a birth certificate, when they enter the United States by land or sea.

The measure, which is to be followed by requirements for a passport by June 2009, is causing confusion and anxiety among some Native American tribes that straddle the United States' borders with Mexico and Canada.

According to the National Congress of American Indians, there are around 40 U.S. tribes whose members cross regularly over the northern and southwestern borders, some to work and visit kin, others to attend ceremonies at traditional sites.

With implementation of the new travel rules looming in just a few weeks, some tribal members say it is still unclear whether enrollment documents issued by their own tribal governments will be acceptable at the borders, and are unsure if they can meet the new travel ID requirements if they are obliged to comply.

"We were all born at home with a midwife, and nobody at the time recorded our births," said Rivas, explaining the difficulty for her and other members of her family who cross frequently to and from Mexico using their tribal enrollment cards.

"I have no birth certificate so how am I supposed to get a passport?"

CONFUSION

The U.S. travel initiative kicked off in January this year, when all people traveling between the United States and Canada by air were required to present a passport to enter or re-enter the United States.

The second phase for land and sea travel comes into effect on January 31 2008. It will be followed by tougher rules requiring all U.S. citizens to hold passports or new "passport cards," created for limited cross-border travel, by June 1 2009.

The impending changes will affect traditional nations including the Confederated Colville Tribes, the Blackfeet and the Mohawks, who cross back and forth across the northern border with Canada, as well as several tribes who travel between Alaska and British Columbia and the Yukon Territory.

Southwest border tribes affected include the Tohono O'odham, in Arizona and Sonora, the Campo Band of the Kumeyaay Nation who have members in California and in Baja California in northwest Mexico, and the Kickapoo Band of Texas and Tribe of Oklahoma, who have ties to kin in Coahuila, Mexico.

The new passport rules make exceptions for some travelers including cruise ship passengers embarking from and returning to U.S. ports as well as U.S. and Canadian children traveling in designated groups, who will not be required to show passports for travel.

But so far, the Kickapoo are the only tribe authorized to cross over the border using their American Indian Cards instead of a passport, under a special law that was passed in the early 1980s.

Several border tribes are in talks with the U.S. Department of Homeland Security individually to discuss the status of tribal enrollment cards, yet it remains unclear what arrangement they might reach.

"It's very confusing. Nobody except for the DHS staff who are writing it right now knows what the final law is going to look like," said Heather Dawn Thompson, the Director of Government Affairs at the National Congress of American Indians.

LINGERING UNCERTAINTY

The U.S. government recognizes several hundred Native American nations whose members lived on the land for centuries before the United States, Canada and Mexico existed, speaking their own languages and following beliefs centered on the natural world.

A spokeswoman for U.S. Customs and Border Protection told Reuters that Native Americans will be able to continue presenting tribal enrollment cards if they are affixed with a photo ID during the transition period from the end of January.

Kelly Klundt said the challenge remains in ensuring that all tribal enrollment documents have adequate security features to comply with the new requirements, and that tribes can demonstrate that the issuing process is secure.

"We are working with the tribes to see what solutions we can come up with that will meet the security requirements while recognizing their cultural and historical needs," Klundt said.

"It is very high on our radar, and we are very cognizant of their specific concerns," she added.

But despite assurances that tribal ID documents will continue to be valid for travel, the situation on the southwest border is confused.

While crossing north from Mexico through Lukeville with this correspondent late last month, Rivas was told by a CBP inspector she would need a passport to cross from January.

Rivas said that the lingering uncertainty over Tohono O'odham members' ability to visit family and carry out sacred ceremonies at Quitovac in Mexico haunts her and other traditionalists in the tribe.

"The elders are distraught that they might not be able to go and conduct a ceremony that we have carried out since Creation," she said. "It is devastating. I can't imagine not going."

(Reporting by Tim Gaynor; Editing by Eddie Evans)

<http://www.reuters.com/article/idUSN1163473120071212>

Handout 2.3 - A Very Brief Primer on U.S.-Mexican History

By Kat Liu

Adapted from a blogpost that appeared on Inspired Faith, Effective Action, August 9th, 2010 (<http://bit.ly/b2iRmY>)

In the early 1800s, U.S.Americans started settling into a territory of Mexico known as Texas. Alarmed by the fact that the immigration rate was so high that U.S. settlers were starting to outnumber Mexicans, Mexico closed the territory to further legal immigration. But U.S. settlers continued to pour in illegally. Rather than attempting to learn the language and culture of the country to which they had immigrated, U.S.American immigrants in Texas declared independence from Mexico in 1836. (One has to wonder what the Mexican families who had already been living on the land thought about that.)

In 1845, the Republic of Texas was annexed as the 28th state, and President Polk was eyeing Mexico's territories west of TX, all the way to the Pacific Ocean. The annexation of Texas, which Mexico continued to think of as a rebellious territory, caused Mexico to break diplomatic ties with the U.S., but it did not declare war. Polk needed Mexico to be the first to engage in hostilities so that he could frame his expansionist intentions as defensive. He sent Gen. Zachary Taylor to Texas to push its southern boundary from the Nueces river (the border that Mexico recognized) 150 miles southward to the Rio Grande (the border that the U.S. wanted). The ploy worked; in April of 1846, a Mexican detachment attacked a U.S. patrol in the disputed area, killing 16 U.S. soldiers. The U.S.-Mexican War was on.

In the meantime, Polk had sent word to U.S.Americans in California, also a Mexico-owned territory, that the U.S. would support any efforts of "independence" against the Mexican government. When word of the U.S.-Mexico war reached California, U.S. settlers there played "the Texas game" and declared revolution. (Again, one has to wonder what the Mexican families who had already been living in California thought about that.)

Weak from internal instability, the Mexican government was no match for the U.S. military. By September 1847, U.S. forces occupied Mexico City. Mexico had no choice but to accede to whatever the U.S. demanded. The U.S. secured its hold on Texas, established the border at the Rio Grande, and received land that would become all or parts of the states of California, Nevada, Utah, Colorado, Arizona, New Mexico, and Wyoming. (At the risk of repeating ourselves, there were Mexican families who had lived on these lands for generations before they suddenly became part of the U.S.)

All of the events above are well-known to anyone who has studied U.S. history. But there is something that is not as widely known – which is that while U.S. forces occupied Mexico City, the Senate debated whether or not to annex ALL of

Mexico. To be clear, there were moral voices against the war and its subsequent land expansion, including but not limited to a then young Rep. Abraham Lincoln of Illinois and former President then Rep. John Quincy Adams of Massachusetts. But overall, the country was in the grips of “Manifest Destiny” fever, and we might well have annexed Mexico if not for the persuasive argument made by Sen. John C. Calhoun of South Carolina:

“...it is without example or precedent, wither to hold Mexico as a province, or to incorporate her into our Union. No example of such a line of policy can be found. We have conquered many of the neighboring tribes of Indians, but we have never thought of holding them in subjection—never of incorporating them into our Union. They have either been left as an independent people amongst us, or been driven into the forests.

I know further, sir, that we have never dreamt of incorporating into our Union any but the Caucasian race—the free white race. To incorporate Mexico, would be the very first instance of the kind of incorporating an Indian race; for more than half of the Mexicans are Indians, and the other is composed chiefly of mixed tribes. I protest against such a union as that! Ours, sir, is the Government of a white race. The greatest misfortunes of Spanish America are to be traced to the fatal error of placing these colored races on an equality with the white race. That error destroyed the social arrangement which formed the basis of society. The Portuguese and ourselves have escaped—the Portuguese at least to some extent—and we are the only people on this continent which have made revolutions without being followed by anarchy. And yet it is professed and talked about to erect these Mexicans into a Territorial Government, and place them on an equality with the people of the United States. I protest utterly against such a project.

Sir, it is a remarkable fact, that in the whole history of man, as far as my knowledge extends, there is no instance whatever of any civilized colored races being found equal to the establishment of free popular government, although by far the largest portion of the human family is composed of these races. And even in the savage state we scarcely find them anywhere with such government, except it be our noble savages—for noble I will call them. They, for the most part, had free institutions, but they are easily sustained among a savage people. Are we to overlook this fact? Are we to associate with ourselves as equals, companions, and fellow-citizens, the Indians and mixed race of Mexico? Sir, I should consider such a thing as fatal to our institutions.”

Sen. Calhoun convinced the U.S. Senate to let Mexico remain an independent nation, not because it was morally wrong to annex countries by conquest, but because Mexicans are Indians and the U.S. could not have Indians as U.S. citizens, as equals to “the free white race.” (I am sorry to say that John C.

Calhoun was a Unitarian, a member of my beloved All Souls Church, in DC. But I am proud to say, so was John Quincy Adams.)

There are three conclusions that we can draw from this event. One, Mexicans have lived on the land that we know as the Southwest long before it was called the U.S. When the U.S. forcibly annexed the land it split extended families apart, making them citizens of two different countries. Two, while they may be referred to by separate labels today, we once recognized the commonality between Mexicans and Indians, and there are Native people who still recognize that commonality today. Some of the most vocal protestors of SB1070 are Native Americans, who object to the exclusion of their sisters and brothers down south, and who themselves are the targets of racial profiling. And three, from very early on there has been a significant and powerful segment of the U.S. who views the United States as a “white” nation and has fought to keep it that way.

Whenever the point is raised about the U.S. having taken land from Mexico, the objection is raised that since Mexico was also a colony (of Spain), it is just as much founded on stolen land as the U.S. Why should we care about taking land from people who had themselves taken it from others? There is arguably some truth to that argument. However, one could just as easily use that observation to call into question the legitimacy of borders altogether. The conquests of the past are of the past; but the injustices perpetuated in the present are our responsibility.

Handout 2.4 10 Historical Anti-Immigrant Quotes That Sound ... Familiar

By Gabriela Garcia on Change.org under Immigrant Rights, posted August 15, 2010, with emphasis added.

(http://immigration.change.org/blog/view/10_historical_anti-immigrant_quotes_that_sound_familiar)

In our young history as a nation, we've always held a complicated relationship with immigration. We've gone from open border policies, to semi-open border policies (only white people!), to exclusionary laws, to our current jumbled up mix of craziness that makes legal entry near-impossible for most. In between all of that, we've blamed immigrants, from a variety of countries, for ... well, the same things. Over and over again.

Want some concrete proof? I present to you (drumroll, please) quotes from nativists past that are pretty much saying *the exact same thing* as nativists present.

1. Few of their children in the country learn English ... The signs in our streets have inscriptions in both languages ... Unless the stream of their importation could be turned they will soon so outnumber us that all the advantages we have will not be able to preserve our language, and even our government will become precarious. - *Benjamin Franklin, Founding Father, on **German** immigration to Pennsylvania, 1750s*
2. We should build a wall of brass around the country. - *John Jay, first chief justice of Supreme Court, regarding "**Catholic** alien invaders," 1750s*
3. What means the paying of the passage and emptying out upon our shores such floods of pauper emigrants — the contents of the poor house and the sweepings of the streets? — multiplying tumults and violence, filling our prisons, and crowding our poor-houses, and quadrupling our taxation, and sending annually accumulating thousands to the poll to lay their inexperienced hand upon the helm of our power? - *Lyman Beecher, Leader of the Second Great Awakening, on **English** immigrants, 1834*
4. The enormous influx of **alien foreigners** will in the end prove ruinous to American workingmen, by REDUCING THE WAGES OF LABOR to a standard that will drive them from the farms and workshops altogether. - *Opinion article in the Philadelphia Sun, 1854*
5. Standing behind them are Christian employers of this land, who would rather import heathen willing to work for barely enough to sustain life than retain a brother Christian at a wage sufficient to live as becomes a Christian. We do not want Opium or the **Chinese** who grow it. - *Terence Powderly, Irish-American labor leader, 1892*

6. We demand the change of the national naturalization laws by the repeal of the act authorizing the naturalization of minors...We demand for the protection of our citizen laborers, the prohibition of the importation of **pauper labor**, and the restriction of immigration...We protest against the gross negligence and laxity with which the Judiciary of our land administer the present naturalization laws, and against the practice of naturalizing aliens. - *statement of principles of the American Protective Association, 1894*

7. Not a day passes but families are ruthlessly turned out to make room for **foreign invaders**. The rates are burdened with the education of thousands of foreign children. - *William Evans Gordon, British nativist, 1905*

8. The people of this country are too tolerant. There's no other country in the world where they'd allow it... After all we built up this country and then we allow a lot of foreigners, the scum of Europe, the offscourings of **Polish** ghettos to come and run it for us. - *John Dos Passos, early 20th century novelist, on U.S. immigration policy*

9. They are coming in such numbers and we are unable adequately to take care of them...It simply amounts to unrestricted and indiscriminate dumping into this country of people of every character and description...If there were in existence a ship that could hold three million human beings, then three million **Jews of Poland** would board to escape to America. - *Congressional hearing, 1920*

10. Now, what do we find in all our large cities? Entire sections containing a population incapable of understanding our institutions, with no comprehension of our national ideals, and for the most part incapable of speaking the English language. Foreign language information service gives evidence that many **southern Europeans** resent as an unjust discrimination the quota laws and represent America as showing race hatred and unmindful of its mission to the world. The reverse is true. America's first duty is to those already within her own shores. - *Representative Grant Hudson, 1924*

Conclusion: Anti-immigration, selective immigration, screaming at people with no documents? We've been there, done that for centuries, mostly in times of economic hardship and almost always followed by cries about immigrants taking jobs from "real" Americans, spreading crime, and refusing to assimilate. All of our fears and predictions proved un-founded. The nation didn't collapse "overrun by foreign invaders." In fact, our nation was founded on immigration, and immigration has always strengthened, enriched, and shaped our identity. How ironic then that the very descendants whose ancestors were targets of demonization are now the leaders of anti-immigrant movements. Perhaps the most timeless quote of all is "Those who do not learn from history are doomed to repeat it."

Handout 2.5 - White by Law

By Ian Lopez Haney

excerpted from *White by Law*, pages 1, 3, 203–208 (New York University Press, 1996)

In its first words on the subject of citizenship, Congress in 1790 restricted naturalization to "white persons." Though the requirements for naturalization changed frequently thereafter, this racial prerequisite to citizenship endured for over a century and a half, remaining in force until 1952. From the earliest years of this country until just a generation ago, being a "white person" was a condition for acquiring citizenship.

Whether one was "white," however, was often no easy question. As immigration reached record highs at the turn of this century, countless people found themselves arguing their racial identity in order to naturalize. From 1907, when the federal government began collecting data on naturalization, until 1920, over one million people gained citizenship under the racially restrictive naturalization laws. Many more sought to naturalize and were rejected. Naturalization rarely involved formal court proceedings and therefore usually generated few if any written records beyond the simple decision. However, a number of cases construing the "white person" prerequisite reached the highest state and federal judicial circles, and two were argued before the U.S. Supreme Court in the early 1920s. These cases produced illuminating published decisions that document the efforts of would-be citizens from around the world to establish their Whiteness at law. Applicants from Hawaii, China, Japan, Burma, and the Philippines, as well as all mixed-race applicants, failed in their arguments. Conversely, courts ruled that applicants from Mexico and Armenia were "white," but vacillated over the Whiteness of petitioners from Syria, India, and Arabia. Seen as a taxonomy of Whiteness, these cases are instructive because they reveal the imprecisions and contradictions inherent in the establishment of racial lines between White and non-Whites. . . .

. . . Although now largely forgotten, the prerequisite cases were at the center of racial debates in the United States for the fifty years following the Civil War, when immigration and nativism were both running high. Naturalization laws figured prominently in the furor over the appropriate status of the newcomers and were heatedly discussed not only by the most respected public figures of the day, but also in the swirl of popular politics. Debates about racial prerequisites to citizenship arose at the end of the Civil War when Senator Charles Sumner sought to expunge Dred Scott, the Supreme Court decision which had held that Blacks were not citizens, by striking any reference to race from the naturalization statute. His efforts failed because of racial animosity in much of Congress toward Asians and Native Americans. The persistence of anti-Asian agitation through the early 1900s kept the prerequisite laws at the forefront of national and even international attention. Efforts in San Francisco to segregate Japanese schoolchildren, for example, led to a crisis in relations with Japan that prompted President Theodore Roosevelt to propose legislation granting Japanese immigrants the right to naturalize. Controversy over the prerequisite laws also found voice in popular politics. Anti-immigrant groups such as the Asiatic Exclusion League formulated arguments for restrictive interpretations of the "white person" prerequisite, for example claiming in 1910 that Asian Indians were not "white," but an "effeminate, caste-ridden, and degraded" race who did not deserve citizenship. For their part, immigrants also participated in the debates on naturalization, organizing civic groups around the issue of citizenship, writing in the immigrant press, and lobbying local, state, and federal governments.

The principal locus of the debate, however, was in the courts. From the first prerequisite case in 1878 until racial restrictions were removed in 1952, fifty-two racial prerequisite cases were reported, including two heard by the U.S. Supreme Court. Framing fundamental questions about who could join the citizenry in terms of who was White, these cases attracted some of the most renowned jurists of the times. . . .

Though the courts offered many different rationales to justify the various racial divisions they advanced, two predominated: common knowledge and scientific evidence. . . . "Common knowledge" rationales appealed to popular, widely held conceptions of races and racial divisions. . . . Under a common knowledge approach, courts justified the assignment of petitioners to one race or another by reference to common beliefs about race.

The common knowledge rationale contrasts with reasoning based on supposedly objective, technical, and specialized knowledge. Such "scientific evidence" rationales justified racial divisions by reference to the naturalistic studies of humankind. . . . These rationales, one appealing to common knowledge and the other to scientific evidence, were the two core approaches used by courts to explain their determinations of whether individuals belonged to the "white" race. . . .

The first reported racial prerequisite decision was handed down in 1878. From then until the end of racial restrictions on naturalization in 1952, courts decided fifty-one more prerequisite cases. These decisions were rendered in jurisdictions across the nation, from state courts in California to the U.S. Supreme Court in Washington, D.C., and concerned applicants from a variety of countries, including Canada, Mexico, Japan, the Philippines, India, and Syria. all but one of these cases presented claims of White racial identity.