FEATURE ARTICLE

THE ACCEPTANCE OF IMMIGRANTS: LESSONS FROM THE PAST AND QUESTIONS FOR THE FUTURE

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Thirty-five million Europeans immigrated to the United States from 1840 to 1920. Their successful integration provides much hope that the United States and Europe can successfully meet the challenges presented by the modern large-scale migrations of Mexicans to the United States and Muslims to Europe. Such success, however, is not inevitable. Each of these immigrant groups presents numerous integration challenges. Some of the challenges echo issues that arose a century ago in the great European migrations to the United States. Others may be considered new, however, such as those that arise from certain developments in technology, globalization, and the welfare state. For example, how does the availability of the internet and cable television, which make it easier for migrants to remain informed about personal and public developments in their home countries, impact integration? Does the provision of welfare benefits to migrants impede successful integration? And what are the immigration and integration implications of the possible evolution of the nation-state to what has been termed the "market-state"? This article discusses these and similar questions relevant to immigrant integration today, while drawing lessons from past successes and suggesting areas for future research.

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1. Introduction

Articles in this journal often attempt to supply solutions to some pressing problems of our time. They also tend to utilize terminology that, at least among specialists, is well-established. This article differs on both counts.

Our focus here is on the acceptance of immigrants in the United States and Europe. By acceptance of immigrants, we refer both to a receiving society's acceptance of immigrants and their cultures, and to immigrants' acceptance of the receiving society's people and culture, with the dual processes of acceptance tending toward the development of a mutual belonging.

Rather than "acceptance," we might have used the terms "integration" or "assimilation," or employed the related "multiculturalism." But even advocates of these terms admit, in the words of one supporter, that there is "some truth" to the "widely said" criticism that the terms represent "vague, confused concept[s] whose different meaning to different people render sensible debate and policy orientation difficult" (Modood, 2). To illustrate the extent of the confusion, consider that assimilation and integration are employed interchangeably by some persons, but as near opposites by others. Consider also widespread efforts made to salvage disfavored terms by distinguishing assimilation (as a process and, in this context, a presumably good one) from artificial assimilation (a presumably bad process) or assimilation (bad as a term) from segmented assimilation (good as a term), or similar efforts regarding multiculturalism versus a pluralistic culture. Consider that governments quite routinely expressly profess to adopt policies of integration, and that the same policies are commonly attacked for actually implementing assimilationist or disintegrative policies.

Indeed, in the public square, the utilization of any of the noted words is taken by some as code for policies that most speakers would disavow; thus, expressing a preference for assimilation is attacked as equivalent to expressing a preference for the elimination of immigrant cultures while favoring integration is regarded as code for a multiculturalism, with multiculturalism in turn considered code for separatism. To the extent integration has emerged as the least controversial word, it has done so by being drained of specific content – it is defined negatively, as meaning something somewhere in between the other two. The choice of vocabulary between

putatively offensive or extreme words and a cipher is not much of a choice, and no matter how one tries to define the terms, one will find that *many* others use the same words more broadly, or more narrowly. In sum, all the terms are subject to great misunderstanding or distortion, and – notwithstanding the tremendous efforts of some – the field plainly awaits a clarifying and widely-accepted terminology.

We make no claim that our use of "acceptance" even begins the necessary clarification; we simply think that our use, for the most part, of an alternative terminology does not confuse or make more cumbersome our intended message and is the best way to ensure that unintended meanings do not cloud the intended ones. Buttressing our position is our belief that none of the usual terms are likely to gain more clarity in the near future; indeed, we expect the opposite to occur. The trend of large-scale migration to the United States and Europe has been building for decades and is very likely to continue – or even accelerate[1] – and thus the issue of immigrant acceptance is likely to remain highly charged. In such an environment, the terms we reject for usage here are increasingly bound to find use as mere labels in high-profile political disputes, i.e., they will be used to generate heat about, rather than to shed light upon, the many complexities of the immigrant experience.[2]

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[1] Reflecting the current consensus view among migration scholars, Peter Stalker has written that: Even given the most optimistic assumptions, there is little doubt that as development proceeds, migration pressure will rise in the decades ahead. This additional flow of emigrants might represent a temporary hump – as history would suggest. But there is no guarantee that history will repeat itself. Posterity may have other ideas. The poorest developing countries are trying to industrialize in a fiercely competitive environment. In a world of winners and losers, the losers do not simply disappear, they seek somewhere else to go. What could be a temporary hump could develop instead into a steep and relentless ascent.
Peter Stalker, *Workers Without Frontiers: The Impact of Globalization on International Migration* 140 (Lynne Rienner Pubs. 2000).

[2] For example, as noted by Mona Sahlin, the Swedish Minister for Democracy and Integration issues, the term "multicultural society" has degenerated to the point that it "represent[s] almost a slogan, not only between and within political parties, but also in the debate in society and between different groups of society"). Mona Sahlin, *A Europe of Diversity*, Speech at the St. Anthony's-Princeton Conference on Muslims in Europe post 9/11 (April 25, 2003).

Accordingly, we think that the utility of the terms will continue to be degraded.

Perhaps not coincidentally, as the terminology is uncertain, so too is the process the terminology is meant to describe. Most successful assimilations, most successful integrations – and most unsuccessful ones as well – have been lost to history. From the few we know about in detail we might draw certain lessons about these matters, but like the generals who are said to always learn the lessons of the last war to the detriment of the current one, it is easy to draw the wrong lessons. A little knowledge can be a dangerous thing, and no one should rest easy that we know more than a little about the acceptance of immigrants. The subject is a puzzle with a million pieces, and although we may know more pieces of the puzzle than ever before, we are still far from seeing the entire picture. A primary aim of this article is to highlight some of the missing pieces.

At the root of the problem with the competing terminologies, as well as at the root of uncertainties about the process of the acceptance of immigrants itself, is that identity and culture are fundamentally important, and yet flexible. Indeed, to a greater or lesser degree, from birth until death, identity and culture are always changing. Of the common culture our ancestors carried out of Africa ages ago, how much remains? If the answer were nothing, how should we feel? Ancestral cultures can be remote, even "foreign," to us, at no cost to our sense of identity. And cultures much closer in time can be more remote than we imagine. Recall Jonathan Swift's description of Captain Gulliver's visit to Luggnagg, and Gulliver's surprise upon learning the difficulties faced by the few immortal Luggnuggians, called Struldbrugs:

> *The language of this country being always upon the flux, the Struldbrugs of one age do not understand those of another, neither are they able after two hundred years to hold any conversation (farther than by a few general words) with their neighbours the mortals; and thus they lie under the disadvantage of living like foreigners in their own country.*[3]

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[3] Jonathan Swift, *Gulliver's Travels* 231, at Part III, ch. 10 (Penguin Books 1983).

Here, as elsewhere, Swift may exaggerate, but he hits the mark, too. Even language – that living repository of culture – evolves over time, eventually to something mutually unrecognizable even between generations of the same society. Other aspects of culture similarly evolve.

At the same time, while culture and identity are flexible, they are not infinitely so. The 20th century had the misfortune of seeing this truth ignored in an extreme way time and time again, with horrifying results. The creation of the "New Soviet Man," China's Cultural Revolution, and Pol Pot's attempt to start from scratch at the "Year Zero" are all examples of a complete and awful rejection of the idea that identity and culture are fixed. In fact, neither is forever fixed, but they are not infinitely and immediately malleable, either.

Those at the margins of the debate tend to forget each of these lessons. As permanence is the illusion of every age, both extremes of the debate exaggerate the permanence of the contemporary version of their own or other cultures, and their likely importance to distant descendants. Further, as such persons encourage resistance by some to change and highlight resentment at having to change, they likewise exaggerate the ability of certain other people to change.

What is needed is a sense of proportion about what is necessary and what is possible. History can provide some clues; for this reason, we begin by exploring some large-scale migrations of the early 20th century and before. Of the peaceful examples of large-scale, successful migrations in this time-period, the best documented and most studied is the European migration to the United States from 1840 to 1920. In Part II, we provide a brief overview of parts of this migration.

One question that the great European migration to the United States definitively answers is whether large-scale, largely peaceful assimilation/integration/acceptance – call it what you will – of immigrants is possible. It is. But what is possible is not necessarily inevitable, and thus, in this new era of large-scale migration, it is important to understand how conditions that affected the processes of acceptance in 19th and early 20th century America may have changed. Accordingly, in Part III, we identify some general reasons why this new era of migration may differ from prior eras. In particular, we highlight differences that collectively raise the

question of whether the acceptance of immigrants is a more difficult problem now than it historically has been in the United States. While only more research and the passage of time can authoritatively answer this question, we briefly discuss the range of approaches different governments might take in response to the new obstacles that our era poses to immigrant acceptance.

In Part IV, we turn our attention to the issues of Mexican immigration to the United States and Muslim immigration to Europe. We focus again on identifying matters that heighten the challenge of immigration acceptance. Here, however, we emphasize distinctive characteristics and beliefs of the migrating populations, and distinctive elements of their lives in receiving countries, rather than new developments outside the immigrant groups themselves.

Part V examines whether the changes and characteristics identified in Parts III and IV, respectively, make immigrant acceptance a more difficult task now than it was in the United States a century or more ago. The difficulty of the question resists any definitive answer. Unfortunately, there is much we do not know about the complicated, messy, to-and-fro that characterizes the process of immigrant acceptance. The importance of immigrant acceptance, however, demands that effective solutions be sought, even though muddling through now seems the only feasible approach. Under these circumstances, our conclusion (and constant refrain) that more research is needed may appear as mere common sense, in which case we need additionally note only that it is uncommonly urgent that we act now in accordance with our sense.

2. The Great European Migrations

Most migrants were and are driven by some combination of desperation and hope. The bulk of the Europeans who migrated to the United States from 1840 to 1920 were no exception.[4]

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[4] The immigration history outlined in this section is drawn principally from the following: Oscar Handlin, *The Uprooted* (Little, Brown and Co. 1951); *The Harvard Encyclopedia of American Ethnic Groups* (Stephan Thernstrom et al. eds.) (Harvard Univ. Press 1980); Adam Cohen & Elizabeth Taylor, *American Pharaoh: Mayor Richard J. Daley – His Battle for Chicago and the Nation* (Little, Brown and Co.

Famine, oppression, poverty, and fundamental social, political and economic disruptions fueled the desire and the need to leave,[5] while reports of economic prosperity and religious and political freedom motivated many of the discontented – by 1920 more than 35,000,000 – to leave for the United States.

In the eight-decade period of 1840-1920, immigrants from every part of Europe came to America. They did not come proportionately from each European nation; the small countries of Ireland and Sweden, for example, sent many more immigrants than the much larger France. (Almost one million French Canadians, however, migrated to the United States in this period). And from year-to-year, decade-to-decade, as conditions in Europe changed, the ethnic mix of immigrants from Europe changed as well.

These immigrants gave birth to the famous melting pot theory of assimilation. Whatever the merits of this theory as a basis for policy, as a descriptive matter it is much more accurate than not regarding the European migrations of the 19th and early 20th centuries.[6]

But just as there was no single pathway to the United States for immigrants originating in many different places, so too there was no single path to becoming "American."

2000); *Migration, Transnationalization, & Race in a Changing New York* (Héctor R. Cordero-Guzmán, Robert C. Smith & Ramón Grosfoguel, eds.) (Temple Univ. Press 2001); Howard M. Sachar, *A History of the Jews in America* (Alfred A. Knopf 1992); Charles R. Morris, *American Catholic* (Times Books 1997); and Russell A. Kazal, *Becoming Old Stock: The Paradox of German-American Identity* (Princeton University Press 2004).

[5] "Mass emigration from Europe to North America and Australia from the mid-nineteenth century onwards can be fairly closely correlated with social and economic transformations – changes in agricultural productivity, a growth in rural population, and the onset in each country of the Industrial Revolution." Peter Stalker, *Workers Without Frontiers: The Impact of Globalization on International Migration* 93 (Lynne Rienner Pubs. 2000).

[6] "The problem [with the assimilationist paradigm] was not so much that their schemes did not describe social reality – they often did – but that they did so uncritically." Robert C. Smith, Héctor R. Cordero-Guzmán & Ramón Grosfoguel, *Introduction*, in *Migration, Transnationalization, & Race in a Changing New York* 1-32, at 12 (Héctor R. Cordero-Guzmán, Robert C. Smith & Ramón Grosfoguel, eds.) (Temple Univ. Press 2001).

In many respects, the Irish led the way; indeed, it is said by some that the Irish were "the first immigrants." This is not literally true, of course, but the Irish were the face of American immigration when the phenomenon of mass immigration first arose as a controversial issue. "Who does not know," editorialized a major American newspaper at the time, "that the most depraved, debased, worthless, and irredeemable drunkards and sots which curse the community are Irish Catholics?"[7]

In a certain sense, the "problem" of immigration in America was born with the Irish exodus.

There were several reasons Irish immigration was particularly unsettling to many Americans. First, the numbers were massive and unprecedented, and in some ways still never equaled. From 1847 to 1865 more Irish immigrated to the United States than the total number of immigrants from all sources in the seventy years before. In the seven years after the potato famine struck, immigration added to the U.S. population at a rate well over three times today's rate. By 1854, the Irish were ten percent of the American population. All together, from a nation that had a population of approximately six and a half million after the ravages of the potato famine took their toll, four and a half million people from Ireland left for America by the end of the century.

Second, the Irish were Roman Catholics, and rather committed ones at that. This was perceived as a problem by a significant percentage of the Protestant majority, who in 1840 constituted more than 95 percent of the population. The problem of "Papism" was exacerbated by immigration from Germany. Previously largely Protestant, the new German immigrants were Catholic in great numbers. The resulting surge of anti-Catholic (and related anti-immigrant) sentiment was so strong that a major – albeit short-lived – political party was founded upon it. That party, the American Party – more commonly known as the Know-Nothings – succeeded in electing eight state governors (at a time when there were only 31 states), mayors in several large cities, scores of

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[7] Adam Cohen & Elizabeth Taylor, *American Pharaoh: Mayor Richard J. Daley – His Battle for Chicago and the Nation* 20 (Little, Brown and Co. 2000) (quoting the Chicago Tribune in 1855).

Congressmen, and various other government officials before the even more contentious issues of slavery and civil war split its base of support and precipitated its collapse.

Third, the Irish overwhelmingly came from rural backgrounds, but overwhelmingly settled in the nation's largest cities. New York became the largest "Irish" city in the world, as it later became the largest Italian and the largest Jewish city. Because the Irish were so numerous, contact with them was frequent, unavoidable, and apparently deeply disconcerting for many natives. Indeed, the ways of the rural Irish seemed not only strange to experienced city-dwellers – "in mid-19th-century America the inalterable otherness of the Irish was for many a given" (Quinn, 92) – but less than human. Illustrators, for example, commonly portrayed the Irish with ape or monkey-like features.

Fourth, even compared to other immigrants, the Irish were extremely poor. In the first years after the potato famine, after all, many were escaping not mere poverty but starvation.[8]

One of the reasons rural Irish settled mostly along the major port cities of America's east coast, in fact, was that they were simply too destitute to travel more deeply into the country.

Fifth, the Irish were mostly unskilled and illiterate; the majority worked as unskilled laborers. It was as understood then as it is now that such workers are, on average, less productive economically than skilled workers. The immigration of millions of Irish thus seemed to promise economic stagnation or worse.

Finally, the combination of lenient naturalization rules and the concentrated and clannish nature of the Irish population meant that – despite their lack of skills, their poverty, their disfavored religion, and their general unruliness – despite it all, these Irish were destined to rule over the nation's largest cities and perhaps more. Indeed, an unmistakable signal to that effect was sent little more than a decade after the potato famine, when the cornerstone of St. Patrick's Cathedral – still America's largest decorated Gothic-style

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[8] "From Liverpool to Boston, contemporary observers remarked on the utter destitution of the Irish who poured out onto their streets, many of them ill and emaciated . . .." Peter A. Quinn, *Closets Full of Bones*, in *Immigration* 87-93, at 91 (H.W. Wilson 1996) (Robert Emmet Long, ed.).

cathedral – was laid on the most prestigious avenue in New York. For elite insiders unsettled by Irish immigration, it was an unmistakable sign that times had changed and that more unsettling changes were to come.[9]

After two decades of building, St. Patrick's Cathedral was dedicated. Many Irish worked on its construction; construction jobs were one of the fields open to the unskilled Irish, along with housekeeping, factory work, and every type of physically arduous labor. The Irish were fortunate that a growing economy demanded bigger buildings, new railroads, and the development of a public infrastructure, including subway tunnels, bridges, canals and roads. Although these low-paying jobs were often dangerous – it was said of one railroad that there was an Irishman buried under every tie – they were a necessary way station on the road to better things. That is to say, they kept the Irish alive and fed while numbers, naturalization, an increasing familiarity with America, and a latent talent for organization laid the groundwork that enabled succeeding generations to enter safer, more lucrative, more secure or more prestigious professions.

The talent for organization was demonstrated in union work, but most spectacularly in politics. The machine politics perfected by the Irish – *"[i]t is one of the great puzzles of American political life that almost all of the great political bosses . . . have been Irish"* (Cohen & Taylor, 38) – provided jobs, government contracts and government services in exchange for loyalty at the ballot box and elsewhere. Thus, by the time St. Patrick's was dedicated in 1878, the police and fire departments of New York were dominated by Irishmen, and the Irish were amply represented in other government positions as well. Two years later, the first Irish mayor of New York was elected, followed shortly by the election of Irish

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[9] Indeed, as Charles R. Morris notes in his perceptive history of Catholicism in the United States, St. Patrick's Cathedral not only was received as but also was intended "as an announcement . . . of a great gravitational shift in the land. It enunciated a vision of Catholicism as a new power center, a major moral and political force in its own right – militant, expansionist, ethically grounded, unapologetically separatist whenever its interests or teachings diverged from the rest of society." Charles R. Morris, *American Catholic* 25 (Times Books 1997).

mayors in other large cities, including eventually the Boston mayorship of President John F. Kennedy's maternal grandfather. Success at the top reflected success below – by the turn of the century, only one in five Irish worked as traditional laborers, and the Irish were well on their way to the economic parity they achieved later in the 20th century.

At about the same time as Irish immigration peaked, so did German immigration hit a new peak in the aftermath of the failed revolution of 1848. German immigration to North America was an old story by then. In the late 1600s, the Germantown section of Philadelphia was founded. In the 1700s, William Penn recruited from German lands tens of thousands of Quakers, Mennonites and Amish to settle in Pennsylvania, and members of these groups eventually spread out in the American midwest and elsewhere. Many other Germans, mostly Lutherans, joined them in the mid-Atlantic colonies/states of Pennsylvania, New York, and New Jersey, while some Catholic Germans settled, among other places, in the Catholic refuge of Maryland. As compared with most later-arriving immigrant groups, the early German immigrants included an unusually high number of skilled workers.

Indeed, German immigration always has been among the most skilled.[10]

Even the mass migration of Germans that began in the late 1840s included a significant number of intellectuals and other educated or skilled persons who migrated not out of economic desperation but for political reasons, some of whom might be considered political refugees in the terminology of today. Compared to previous generations of German immigrants, however, German immigrants toward the end of the 19th century were less-skilled than their predecessors.

The unusually literate German immigrant base provided the readership for the unusually active and influential German-

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[10] "Unlike the Irish, most Germans arrived in the United States with marketable skills and were able to acquire decently paying jobs as carpenters, bakers, shoemakers, tailors, brewers, etc." Jay P. Dolan, *The American Catholic Experience: A History from Colonial Times to the Present* 145 (Doubleday & Co. 1985).

language press in America. The continued use of German also was promoted through the usage and teaching of German in schools and in various activities of German civic associations, as well as by German-language religious services. The use of German remained widespread into the first decades of the 20th century.

Five million German immigrants settled in the United States during the 19th century. Given that large number, the established cities of the east coast certainly received substantial influxes of German immigrants. Most German immigrants, however, settled elsewhere, especially in emerging midwestern cities such as Cincinnati and St. Louis, the new state of Texas, and relatively unpopulated northern states or territories such as Wisconsin, Nebraska, Iowa, Michigan, and North and South Dakota. Many of the German immigrants were drawn to these areas by the Homestead Act, which provided ownership of 160 acres of undeveloped land to anyone who would improve the property for five years.[11]

With Germans already long-established in America, and given the continuing high-quality work of their artisans, the success of 19th century German immigrants in turning wilderness into productive farmland, and their development of popular industries such as beer brewing and piano manufacturing, Germans rarely were viewed as an economic detriment. Their sustained cultural attachments to Germany and the German language, on the other hand, were worrisome to some commentators and even alarming to a few. But the level of unease was generally subdued. To some extent, older German communities were immunized from criticism by their deep (pre-Revolutionary War) roots. Newer communities similarly escaped scrutiny by their locations in rural farmlands and in small towns. Further, as is often the case in America and around the world, economic success and productivity covered a multitude of "sins," such as teaching students primarily in German.

However, a latent threat existed to German culture and language

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[11] President Abraham Lincoln signed the Homestead Act into law in 1862. Homestead Act of 1862, ch. 75, 12 Stat. 392 (repealed 1976). The Homestead Act made available public land in 30 states. Eventually, 270 million acres were claimed and settled under the Act.

in the United States. World War I created a sense of alarm about the potentially divided loyalties of Americans. Thus, for example, President Woodrow Wilson "pressured his party in 1918 to condemn ethnic associations as subversive, and went so far as to state that 'any man who carries a hyphen about him carries a dagger which he is ready to plunge into the vitals of the Republic'" (Alcoff, 21). German-Americans were the main target of such rhetoric; they were the nation's largest ethnic group and their ethnic associations the most established, and their suspected loyalties ran to America's primary war-time enemy, Germany. Moreover, ironically, the sense of being threatened by German-Americans was heightened by the very economic productivity that previously had helped to shield German communities from widespread criticism, for the very wealth and habits of hard work that formerly were regarded as unalloyed benefits to the United States could only be regarded as dangers if Germany enjoyed the greater loyalty even of a substantial minority of German-Americans.

In light of the concerns brought to the forefront by World War I, and then World War II, many German-Americans sublimated their ethnic identity. The previous high level of ethnic consciousness was replaced by a very low ethnic profile. The study and use of German declined precipitously. Germans in America began to define themselves more by what they were not – new immigrants – and less by their German background.

The German experience is unique among America's major immigrant groups. The Germans achieved economic success relatively quickly, but cultural change was comparatively slow – this pattern has been described as segmented assimilation (Smith, Cordero-Guzmán & Grosfoguel, 14). The Germans who for so long had resisted cultural assimilation then rather briskly became more completely "Americanized" than any other ethnic group.[12]

In other cases, economic success and cultural change occurred roughly in tandem, following the classical assimilation model (Smith, Cordero-Guzmán & Grosfoguel, 14).

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[12] For a thorough and insightful discussion of how this process developed, especially in Pennsylvania, see Russell A. Kazal, *Becoming Old Stock: The Paradox of German-American Identity* (Princeton University Press 2004).

They did so, for example, in the case of the Irish. The Italians re-enacted the Irish pattern. Indeed, in its major outlines, the Italian experience in America was quite similar to the Irish one. Between 1880 and 1920 approximately four million Italians migrated to the United States. Like the Irish, the Italian migrants came from rural areas, primarily from the southern regions of the country, and were fleeing conditions of severe poverty in their homelands. They also often arrived destitute and so settled overwhelmingly where they landed – mainly in and around the main ports of New York and Boston. Again like the Irish, most of the Italian migrants were unskilled and illiterate. They accordingly followed the Irish by working in construction and on the docks, and likewise supplied labor for public works projects. Further, as were the Irish, Italians were denigrated as belonging to a naturally inferior race. And though they didn't fit in easily to the Irish-dominated U.S. Catholic Church, the Italians' Catholicism too was perceived by some Protestants as a danger and a detriment.

Apart from the food, two major differences existed between the new Italian immigrants and the Irish of forty years before. First, whereas many of the Irish migrants spoke English, few Italians arrived with any English language skills. Second, once the Irish arrived in America, they tended to stay. Italians, however, were much more likely to migrate temporarily or even seasonally. Indeed, "Italians called the United States 'the workshop'" (Foner, 40), implying, of course, it was not home.

The commuter mentality of Italian immigrants stemmed, in part, from two new developments. One was technological. The ocean-crossing steamship was new at the time of the great Irish migration; fifty years later, steamships were faster and cheaper than ever before, and a trip that would have taken more than two months on a sailing ship now took little more than two weeks. Thus, the first reason Italians commuted more than prior migrants is that it was feasible to do so. The second development was the enlightened attitude of the Italian government. In a policy anticipating the trend of today, and in pointed contrast to the suspicion and hostility that formerly prevailed among most governments (Stalker, 127-28), the Italian government looked upon its emigrants as a resource. In order to encourage and maximize the resource, the government subsidized social services and provided job information to emigrants in the United States; required shipping lines to offer sharply

reduced fairs to returnees; made it possible for Italians to deposit their American savings directly into an Italian bank while abroad; and granted Italian citizenship to children of emigrants born outside of Italy (Foner, 42).

Two old realities also contributed to the decision to return. First, the lack of acceptance that commonly plagues immigrants – and surely plagued the Italians – encouraged Italians who could return to do so. Second, more positively, the Italians missed home, especially given that Italian men who expected to return usually left their wives and children behind.

During the same period that Italian immigration was at its height, so too was Jewish immigration from Germany and Eastern Europe, including Russia. In the late 19th and early 20th centuries, one in three Eastern European Jews emigrated, and ninety percent of these migrants – approximately two million in all – came to the United States. The same social and economic dislocations that inspired Italian and German migration, as well as extensive non-Jewish migration from Eastern Europe, also partly motivated Jewish migration. But Jewish migration also was motivated by more sinister events, such as expulsions and other discriminatory laws targeted against Jews, as well as mob violence often encouraged or even orchestrated by the government.

Given the violence of the Russian pogroms and the then unfortunately common and virulent anti-Semitism of Eastern Europe, it is unsurprising that the Jewish immigration of 100 years ago was generally permanent migration. In contrast to the Italian migration, it was common for entire Jewish families to migrate together – only among the Irish was the immigration of women and children more common. This migration, too, settled mainly in the large cities of the American east coast, especially in New York.[13] Being made up largely of extremely poor "individuals of no particular marketable skill" (Sachar, 124), the post-1880 Jewish

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[13] By 1920, 50 percent of Jews in America resided in New York City, and 70 percent lived in or between the east coast cities of Boston and Baltimore. New York City's Jewish population of 1.6 million "outnumbered by five to one [that] of Warsaw, the world's second-largest Jewish community." Howard M. Sachar, *A History of the Jews in America* 140-41, 174 (Alfred A. Knopf 1992).

migration also was received much like the contemporaneous Italian and the earlier Irish migrations, that is, with suspicion and fear.

As with the Italians and Irish, membership in a suspect religion was one reason for this response. The suspicion and fear was heightened by the fact that the Eastern European immigration changed the profile of Jews in the United States. The prior migrations of German and other Jews had been much smaller, and the earlier Jewish migrants were less distinguishable from their new countrymen than the Jews of Eastern Europe, *"[w]ith [the latter's] outlandish garb and exotic Yiddish patois, [and] their often fundamentalist version of religious Orthodoxy"* (Sachar, 125). Even some American Jews were less than enthusiastic about the arrival of these newcomers, for fear that their presence would trigger anti-Semitism and a loss of social status. But while there certainly was anti-Semitism, this group of immigrants from Europe established themselves relatively quickly in the garment industry and various retail businesses, and then later in the field of teaching and various other professional occupations.

3. The Uncertainty of Immigrant Acceptance in a New Era of Migration

Our brief survey of some of the successful migrations to the United States and Europe provides some cause for hope for both places and for the future prospects of their new immigrants. But it does not yield a definitive answer as to whether history will happily repeat itself. In many important respects, conditions have changed, perhaps decisively. This section addresses some of these changes, and the questions raised by them.

Perhaps the most fundamental change is the one identified by Philip Bobbitt in his book *The Shield of Achilles*. Bobbitt posits that the world is currently undergoing a change from an era dominated by the form of the nation-state to that of the market-state. The nation-state, according to Bobbitt, came into existence with the emergence of a re-united United States after the American Civil War and a unified Germany soon afterward. Both states were forged in wars that proved the advantage of mass conscription and the total mobilization of a state's resources. In the era before, referred to by Bobbitt as the era of the state-nation, the size of an army was limited by logistical factors, such as how to supply and

communicate with a massive number of troops. Technological developments such as the railroad and the telegraph had reduced the saliency of these logistical problems at the advent of the nation-state era. The size of an army in the previous era also was limited by political factors, such as the reluctance of the elite to arm the peasantry, for fear of what it might do when armed.

This political problem required a political solution, which the nation-state provided. Bobbitt states the issue well:

> *The railways, telegraph, and standardization of machined tools that industrialization made possible allowed for dizzying increases in the speed and mobility of military dispositions. During the Civil War, the Union Army shifted 25,000 troops, with artillery and baggage, over 1,100 miles of rail lines . . . in less than ten days. An entire society could be mobilized for war, replenishing the front when necessary as the conflict progressed. But this was only possible if that entire society could be made a party to the war (Bobbitt, 203-04).*

How could the entire society be made a party to war? The political solution required the nation-state to do "*something unique in the history of the modern [i.e., post-1500] state: maintaining, nurturing, and improving the conditions of its citizens*" (Bobbitt, 177). Thus,

> "*[f]ar from being the paradoxical fact it is sometimes presented as, Bismarck's championing of the first state welfare systems in modern Europe, including the first social security program, was crucial to the perception of the State as deliverer of the people's welfare*" (Bobbitt, 204).

By providing universal and free public education, by providing a universal franchise, by providing retirement pensions, the state won the loyalty of the nation.

The nation-state prevailed against its competitors, but now it is itself threatened by a new form that offers even more material rewards. Bobbitt calls this new form the market-state. Rather than providing directly for the welfare of the people,

> "*the market-state promises instead to maximize the opportunity of the people and thus tends to privatize many state activities and to make voting and* representative

> *government less influential and more responsive to the market*" (Bobbitt, 211).

So, for example, instead of providing a social security type state pension – that's what a nation-state would do – a market-state might tend to enhance the opportunity for people to secure their own retirements through mechanisms like tax-free retirement accounts. More generally, in a world dominated by market-states, capital will be less restricted, labor markets will be more flexible, trade will be freer, and welfare programs will face new scrutiny (Bobbitt, 667).

Bobbitt's account is intriguing and well-supported, as well as highly relevant to the questions raised by today's large-scale migrations. Certainly, if the nation-state does go the way of the Age of Princes, a new approach to immigration – one that better reflects the needs of the new state form – will be required. It thus is prudent to consider the following matters from the perspective of both a nation-state policymaker and a market-state policymaker.

3.1 Does the Welfare State Impede Immigrant Acceptance?

As the welfare state is a logical response to the strategic requirements of the nation-state, it is not surprising that modern western states are welfare states par excellence. Yet, the existence of an extensive network of government welfare agencies – the signature domestic innovation of the nation-state – may make the acceptance of immigrants more difficult.

When Europeans migrated to the United States during the 19th and early 20th centuries, the welfare state was essentially non-existent. Private charity existed, but it was unevenly available and rarely sufficient to meet more than the minimal needs of survival, if that, and even then, not for long. Consequently, one needed to work to live.

With survival at stake, the need to work had the effect of concentrating the mind and making palatable jobs that otherwise might be resisted. And, from two perspectives, work is a key to immigrant acceptance. First, by working, immigrants are likely to interact more with the majority population than someone whose involvement with his or her new society is limited to cashing a monthly unemployment check. As a result, working immigrants are more likely to learn the official or prevailing language; more

likely to learn about the business, legal, and social culture; and more likely to interact socially with persons outside their immigrant group. In sum, in general, welfare enables an isolation that work destroys. Whatever your end point – assimilation, integration, acceptance – it is unachievable in the absence of sustained interactions with the majority culture. Work is a historically proven method of providing the opportunity for such interactions.

Moreover, work not only tends to foster immigrants' acceptance of their new society, it also fosters the native population's acceptance of immigrants. It is churlish, to say the least, to regard a productive member of a society as unworthy of that society based on the happenstance of birthplace. Of course it happens, but more common reactions range from admiration and gratefulness to compassion and toleration. The development of such sympathies, which are a precursor to immigrant acceptance, may take time. Indeed, in the United States, many immigrant groups now thought of as especially hard-working were initially resisted in the United States based on their alleged antipathy to work.[14]

There is no evidence, however, that immigrants can be accepted in a society without having proven themselves through work.

This historical void raises a difficult and uncomfortable question. Western societies unquestionably are more generous today than was 19th century America, but does this generosity come at some cost to immigrant acceptance? In Malta, for example, where we recently lived for six months, undocumented migrants are first detained pending a determination of their status. After release, however, the Maltese government provides all the migrants – whether refugees, recipients of humanitarian protection or persons determined to be ineligible for any immigration status – with free food, medical care, education (for their children) and housing (albeit in somewhat segregated areas). And the benefit-period is currently unlimited.

These benefits show the generosity and humanitarian sympathies of the Maltese toward migrants to their country. However, despite the provision of welfare benefits, there is no question that

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[14] Thus, for example, in the 19th century, "popular imagery portrayed the Chinese as lazy opium addicts." James M. Jasper, *Restless Nation: Starting Over in America* 9 (Univ. of Chicago Press 2000).

immigrants are less accepted in Malta than in the United States, which provides far fewer benefits. A question is raised as to whether such benefits reduce both the incentive for immigrants to find jobs and to interact with the Maltese, and the incentive for Maltese society to provide jobs for immigrants and otherwise help them find acceptance within the larger Maltese society. Similar concerns have been raised regarding apparently generous policies of other European states (Turton & González, 2000, 19-21).

If the welfare state impedes immigrant acceptance, nation-states (in Bobbitt's sense of the term) face an acute dilemma. It is now widely accepted that low birth rates in an aging society make the continued viability of the welfare state untenable absent the injection of new workers from immigration – the welfare state needs immigrants, in other words, to assure its survival. If the welfare state simultaneously makes it unnecessary or otherwise difficult for immigrants to work, however, the promise of solving the demographic problem through immigration evaporates. Further, no other solution readily appears.

A nation-state might respond, for example, by instituting a generally applicable reduction in benefits. To do this at more than a non-trivial level, however, is essentially to save the welfare state by destroying it.[15]

Equally problematic is a reduction in benefits specifically aimed at immigrants. First, such action again undercuts one of the principal tenets of the welfare state: the principle of equal treatment of all residents. Second, singling out immigrants in an apparently punitive way can have the effect of undercutting the goal of incorporating immigrants into the mainstream of society.

Thus, for example, in 1994, a ballot initiative called Proposition 187 was voted on in a referendum in California. Proposition 187 would have eliminated the provision of many public services for illegal immigrants in health care, education, and other social services. This attempted reduction in the welfare state was

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[15] Indeed, David Goodhart provoked a controversy in Great Britain by suggesting that high levels of immigration were incompatible with maintenance of the welfare state. David Goodhart, *Discomfort of Strangers*, Guardian (U.K.), Feb. 24, 2004.

approved by voters, but was never implemented due to various lawsuits. However, in the aftermath, evidence suggests that the Proposition 187 effort itself led to a reaction among the mainly Mexican immigrants in measures such as an attachment to the Spanish language, whether they wanted to become U.S. citizens, and what they considered themselves – i.e., Americans, Mexican-Americans, or Mexicans (Aleinikoff & Rumbaut, 6-7). A similar reaction occurred in North African communities in the Maghreb and in Europe when, among other things, new visa requirements were introduced by European governments in the 1990s as a response to unwanted immigration.[16] These results suggest that efforts to "get tough" with immigrants can backfire, by fostering the development of a reactive ethnic consciousness that leads immigrants to resist the dominant culture.

The nation-state also might try to create more job opportunities for immigrants by deregulating the labor market. Here again, however, the logic of the nation-state resists reform. As the spring 2006 student and union riots in France demonstrated, protection from the vicissitudes of the job market is regarded as another entitlement of the nation-state and, thus, even minor cutbacks in existing regulations are likely to be strongly opposed as a betrayal of the state's promise and duty.[17]

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[16] Sarah Collinson, *Migration and Security in the Mediterranean: a Complex Relationship*, in *Eldorado or Fortress? Migration in Southern Europe* 301-20, 309-10 (Russell King et al. eds, Palgrave Macmillian 2000). The same dynamic has been seen with respect to the treatment of indigenous peoples within a state. Thus, Norway's attempt to "Norwegionise" the Saami, a national indigenous minority of about 30,000, by prohibiting the Saami religion and the use of the Saami language in school, appears to have had "an exactly opposite effect, by raising levels of ethnic consciousness." David Turton & Julia González, *Introduction*, in *Ethnic Diversity in Europe: Challenges to the Nation State* 11-25, at 15 (HumanitarianNet 2000) (David Turton & Julia González eds.). *See* Ada Engebrigtsen, *Relations between the State and ethnic minorities in Norway*, in *Cultural Identities and Ethnic Minorities in Europe* 43-49, at 43-45 (HumanitarianNet 1999) (David Turton & Julia González eds.).

[17] The student and union riots followed the passage of a law that restricted worker protections by allowing employers to terminate without cause employees under the age of 26 during the first two years of employment. In the face of widespread opposition, the French government rescinded the law, which had been intended to encourage the employment of young workers.

Much research is needed as to what a nation-state might do to resolve the quandary it finds itself in, in which every solution seems to endanger the nation-state's rationale. A market-state, on the other hand, may be able to address the issue without creating the internal contradictions the nation-state apparently must. The market-state already tends toward a less regulated labor market, and additionally has less of an attachment to the welfare state. Indeed, some market-state advocates would prefer the withering away of the welfare state. Accordingly, by shrinking the welfare state to accelerate immigration acceptance, the market-state could affirm its status rather than undermine it. The main (and a substantial) problem for the market-state – which now exists only in incipient form – is not one of principle but of political viability.

3.2 Do Large Immigrant Populations Impede Immigrant Acceptance?

Research also is needed as to the correlation between immigrant acceptance and the size of the immigrant population. In particular, in these days of large migrations, a question arises whether the sheer numbers of immigrants can defeat the integrative abilities of even the best-intentioned receiving society. The American experience, which saw many millions of immigrants become American citizens, might seem to suggest that the size of the immigrant population is not crucially important, but not every country has the advantages that America has had. For example, America's acceptance of such a large number of immigrants from 1840 to 1920 was aided by the fact that, although many immigrants went to cities, many went to farm in undeveloped areas out west, which then meant most of the country. After 1850, German immigrants, for example, who make up the largest ethnic group in the United States, settled largely in the midwest and parts beyond. And there they slowly adapted to America, as America slowly adapted to them, all the time adding to the nation's productivity, aided by the apparent indifference of corn and wheat fields to the language of the farmers tending to them.[18]

[18] Until World War I, many Germans attended German-language schools, most Germans attended religious services held exclusively in German, and the German

But even in the United States the frontier in the American sense of a wide-open unexplored territory is essentially gone today, and of course the safety valve of a frontier does not exist in crowded Europe. The power of the American precedent may have to be discounted, then, in assessing how many immigrants are too many in the developed western nations.

Further discounting may be required by considering the size of contemporary immigration flows in conjunction with the size of immigrant populations. Today's great migration waves to the United States and Europe seem – and, many believe, for the foreseeable future, are – a permanent feature of the modern world.[19]

The great European migration to the United States, however, slowed with the onset of World War I. Immigration flows were then reduced considerably further by restrictive immigration legislation that was enacted in the early 1920's. This legislation was followed by the Great Depression and then World War II, both of which also discouraged immigration. Many scholars believe that America's immigration success was due in part to the generation-long slowdown in immigrant flows.[20] Absent a similar pause today, American history may provide a misleading example of how large a successful immigration can be.

Too much immigration – whatever that number might be – is by definition a problem for both the nation-state and the market-state. Distinctions may exist, however, as to the weight different factors are given in determining how many immigrants are "too many." The market-state, for example, may tend to give less weight to cultural differences, and more to incremental economic advantages – this is merely to say that it will favor the "market" more than the "nation." In any particular case, this could mean

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press, the largest, best-edited and most influential foreign-read press in the United States, was printed in German. *Harvard Encyclopedia of American Ethnic Groups* 417-20 (Stephan Thernstrom et al. eds., Harvard University Press 1980).

[19] *E.g.*, Peter Stalker, *Workers Without Frontiers: The Impact of Globalization on International Migration* 140 (Lynne Rienner Pubs. 2000).

[20] *See, e.g.*, Peter H. Schuck, *Alien Rumination Alien Nation: Common Sense About America's Immigration Disaster*, 105 Yale L.J. 1963-2012, 1974-77 (1996) (book review); Peter Brimelow, *Alien Nation* 216 (Random House 1995).

that the market-state would be more open or less open to immigration than the typical nation-state.

Most market-states are unlikely, however, to restrict immigration as much as those nation-states that tend to view immigration mainly through an ethno-cultural prism, e.g., Japan. A policy of exclusion based on ethnicity is less likely to allow for exceptions than a policy of exclusion based mainly on economic effects, for some subset of the pool of potential immigrants is always likely to be economically positive. For example, especially in this new information age driven by the invention and utilization of new technologies, highly-educated immigrants are likely to be economically beneficial. Given this, even under a policy that excluded most other potential immigrants, market-states could be expected to seek and admit the highly-educated.

3.3 Does Modern Communications Technology Impede Immigrant Acceptance?

Even at the end of the great European migration to the United States, communications technology remained in its infancy. The Internet, e-mail, fax machines, television, and cable and satellite services were, of course, entirely unknown, and even the humble radio and telephone were of limited availability and usefulness.[21] International travel was slow by today's standards and, for many people, prohibitively costly. In order to communicate with their families and relatives back home, migrants had to use often unreliable national postal systems to send and receive letters. As a consequence, during that time the physical distance between migrants and persons in their home communities made it extremely difficult for the two to maintain regular contact.

Today, however, e-mail, mobile phones, text messaging, digital photography and other technological advances allow immigrants to regularly interact in real time with people from their home communities. In addition, immigrants can also more frequently

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[21] Telephone calls across the Atlantic, for example, were 300 times more expensive in 1930 than they were in 1996. Peter Stalker, *Workers Without Frontiers: The Impact of Globalization on International Migration* 7 (Lynne Rienner Pubs. 2000).

travel to their home countries and visit friends, family, and colleagues in person. With these advances the globe has shrunk, to the point where almost anyone who wants to maintain ties with his home country can do so with little effort and at minimal cost.

The natural human tendency to maintain connections with the land of one's birth is enhanced today by the phenomenon of remittances. Remittances, payments sent from immigrants to their families and communities back home, have a long history but recently have increased exponentially in amount. Thus, from 1980 to 2002, remittances from the United States to Mexico and Central America grew more than fourteen times (Newland). Remittances worldwide, which far exceed the amount of foreign aid given to developing countries, are used to finance everything from houses to consumer goods to education to the start of small businesses. By sending money on a regular basis, immigrants living abroad maintain close connections to their relatives back home; more than this, though, the sending of remittances also provides immigrants an extra incentive to maintain a more general interest in developments back home, just as granting a large loan to somebody will give one an extra incentive to inquire about the debtor's health.

How does the improved ability of immigrants to maintain close ties and lines of communication with their home communities impact the likelihood that they will accept and be accepted by their receiving communities? Does the fact that migrants can talk regularly to their friends and families back home mean that they will be less likely to seek out relationships in their new communities? What will be the effect of the communication revolution's enabling of the "here-there" and "nationalism at a distance" phenomena? (Hoogveld, 109). More research is needed on how today's new technologies are affecting the process of immigrant acceptance.

Traditionally, the maintenance of more than minimal ties with one's homeland has been viewed with suspicion in receiving countries. Thus, in Germany, many of the *Aussiedler* immigrants from Poland do "not dare to live their Polish side openly in the public, for example, speak Polish in public places." Indeed, as Thomas Faist has written, many of the same immigrants "did not dare to install satellite dishes for fear of being accused of watching the channel 'T.V. Polonia.' They were the ones who greeted the advent of cable TV with great relief" (Faist, 215). In the United

States, calls for making English the official or national language stem from the same impulse, as do recent controversies involving the singing of the national anthem in Spanish[22] and the refusal of a Philadelphia sandwich shop owner to serve anyone who does not order in English.[23] Seemingly trivial matters of these sorts strike a deep chord because they represent in a concrete way a fundamental concern: are you one of us, or not?

In the nation-state, this concern resonates as it does because it goes to the core of the social compact between the state and its people: the state assumes responsibility for improving the welfare of the nation in return for the power to mobilize the entire society in the state's defense. When an immigrant takes advantage of the first half of this equation but cannot be bothered to learn the local language or appears not to care about the local culture – examples of an indifference made easier by new communications technologies – doubts are raised in the minds of many about the immigrant's commitment to the entire social compact. Adding to and exacerbating doubts about the depth of the immigrant's loyalty is a concern about a conflict of loyalties, as even someone generally loyal could have his loyalty overridden by a greater commitment to another nation.

The concern about a conflict of loyalties, of course, is the reason for the traditional international norm that "every person should have one – and only one – citizenship" (Aleinikoff, 4). But this norm has weakened in recent years, a trend that may be one of the signs of the ascendancy of the market-state.[24] The market-state tends to

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[22] Jim Rutenburg, *Bush Enters Anthem Fight on Language*, N.Y. Times, April 29, 2006, at A1.

[23] David Zucchino, *Cheesesteak Joint Places its Own Order: English Only*, L.A. Times, June 14, 2006, at A1.

[24] To be sure, the trend has been developing for a long time. One hundred years ago, in fact, an Italian immigrant to the United States named Gino Speranza noted how the combination of immigration, new technologies, and growing international ties could change the nature of citizenship:

The conception of citizenship itself is rapidly changing and we may have to recognize a sort of world or international citizenship as more logical than the present peripatetic kind, which makes a man an American while here, and an Italian while in Italy. International conferences are not so rare nowadays. Health, the apprehension or exclusion of criminals, financial standards, postage, telegraphs

be more ambivalent about immigrants' retention of the cultural and political preferences of the immigrants' homelands because those preferences could enhance the opportunity-maximization that is at the core of the market-state. The globalized economy places a premium on understanding other countries, and their cultures and people. In many respects, residents who are familiar with and remain current on the customs, cultures and languages of other countries – and maintain international contacts in those countries – can best help a market-state to function effectively in an age of globalization.

The notion that the best type of citizen might be one less exclusively committed to one nation turns the classical assimilation ideal on its head. Yet, the logic of globalization and the market-state suggest this possibility. As between the following second generation immigrants – a bilingual transnational holding dual citizenship and a completely assimilated monolingual speaker without dual citizenship – who is more likely to be able to identify and negotiate the cheap manufacturing centers the market-state (and its most characteristic organization, the multi-national corporation) seeks? Who is more likely to have credibility with and be able to influence other states regarding the trade and other imperatives of the market-state? Who is better suited to identify new markets around the world? Who is better suited to create new products for different places around the world? Who is better able to detect in a timely fashion political changes that may endanger capital investments around the world, or provide new investment opportunities?

It is at least a reasonable supposition that, in all these examples, the person less assimilated in nation-state terms may be ideally "assimilated" to the market-state. The market-state is unlikely to demand the same forsaking of one's previous identity called for by the nation-state. The market-state will demand fealty to its own imperatives, but these are likely to be less all-encompassing than

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and shipping are today, to a great extent, regulated by international action. . . . The old barriers are everywhere breaking down. We may even bring ourselves to the point of recognizing foreign "colonies" in our midst, on our own soil, as entitled to partake in the parliamentary life of their mother country (Foner, 35).

the demands of the nation-state, just as the requirement of religious conversion to the faith of one's ruler in the age of the princely state – the Peace of Augsburg's *cuius regio eius religio*[25] – evolved to the less religiously demanding and less religiously uniform modern nation-state.

4. Additional Challenges for Today's Great Migrations

The challenges to immigrant acceptance discussed in Part III arise from prominent and new features of the modern world: the welfare state, the lack of open space, and the revolution in communications technology. This Part discusses challenges arising from particular characteristics of the migrating populations. Part IV(A) focuses on Mexican immigrants to the United States; Part IV(B) focuses on Muslim migrants to Europe.

4.1 Mexican Migration to the United States

The population of the United States is approximately 300,000,000. More than 36,000,0000, or 12 percent of the population, are immigrants. The immigrants come from all over the world, but Mexican immigration is by far the most common. More than 12,000,000 Mexican immigrants live in the United States, more than half of them illegally. A recent article in the New York Times referred to "understandable anxiety, even among economists, about whether Mexicans will assimilate as rapidly as previous groups."[26]

Much of that anxiety arises from the size of the Mexican immigrant population, and its concentration in California, Texas,

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[25] *Cuius regio eius religio* "may be roughly translated as 'he who rules, his is the religion'" (Bobbitt, 487). The 1555 Peace of Augsburg settled a series of religiously-inspired conflicts in Europe on the basis that "rulers were to determine the religious denomination of their respective states . . .. According to this principle, the decisions of the ruler as to which sectarian preference to adopt were binding also upon his subjects with the concession that dissatisfied persons were welcome to emigrate to more congenial states" (Bobbitt, 105).

[26] Roger Lowenstein, *The Immigration Equation*, The New York Times Magazine, July 9, 2006, at 36, 70.

Arizona and New Mexico. When a large, concentrated immigrant population is from the same area, the ease of avoiding the majority culture heightens. Shops, the mass media, and places of worship all develop to cater to that populace, and members of it can partake of most day-to-day activities without even having to try to speak any language but their native one. For some members of the native population, the effect is destabilizing, making them feel like strangers in their own country.

In this context, a number of other factors relevant to immigrant acceptance gain an enhanced resonance. Some of these additional factors are discussed below.

a. The Legality of the Immigration

Most Americans are, or descend from, immigrants who arrived in the United States legally. Perhaps the primary reason for this is that the country allowed free immigration for most of its history. Except for the notorious Chinese Exclusion Act of 1882[27] and a series of late 19th and early 20th century laws that excluded potential immigrants based mainly on health and morals concerns – tubercular patients, the insane, polygamists, prostitutes and convicts were some of the excluded classes – there was no substantial legislative restriction on immigration until 1921.[28]

Relatively few Mexicans immigrated during the period of free immigration. Over the period that five million Germans, more than four million Irish, and four million Italians migrated to the United States, fewer than 750,000 Mexicans did (Stalker, 94). A guest

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[27] The Chinese Exclusion Act of 1882, ch. 126, 22 Stat. 58 (repealed 1943), suspended the immigration of Chinese laborers for ten years. Subsequent laws extended the bar.

[28] Legislation in 1921, the Johnson Quota Act, ch. 8, 42 Stat. 5 (1921), established an immigration quota of 350,000, and limited annual immigration from any country to three percent of the number of persons from that country living in the United States, as measured by 1910 Census figures. Three years later, immigration was restricted further still by the Immigration Act of 1924, 43 Stat. 153, 159, § 11(a). The 1924 legislation decreased the immigration quota to 300,000, and limited annual immigration to two percent of the number of persons from that country living in the United States, as measured by 1890 Census figures.

worker program for agricultural workers, instituted during the 1940s, allowed substantial seasonal migration from Mexico to the United States until it was terminated in 1964. Illegal immigration subsequently increased, especially during times of economic crisis in Mexico. Eventually, in a phenomenon common to earlier immigrant waves, a type of "catalytic effect" developed, whereby "so many Mexicans settled in the U.S. that it became easier for more Mexicans to follow."[29] Hence, today's Mexican population in the U.S. is more than ten times what it was four decades ago, and each year more than 300,000 illegal immigrants from Mexico add to the total.

There is express support for such immigration among various Mexican and Latino organizations, and at least tacit support from many businesses, which enjoy the economic benefits of an increased supply of labor. These sources of political support make mass illegal immigration possible. There is also substantial political opposition, as the very fact of illegality attests. Three consequences seriously detrimental to immigrant acceptance flow from this opposition and its reflection in the law.

First, the illegality of much of the Mexican immigration does serious damage to the goal of acceptance of Mexicans by American citizens. For many Americans, an illegal immigrant is an objectively undesirable immigrant. By definition, such immigrants are lawbreakers; by implication, it is felt, they are unacceptably likely to break the law again. The resulting climate of suspicion and wariness could hardly be less conducive to the fostering of immigrant acceptance.

Second, because of the necessarily indeterminate nature of their stay in the United States, illegal immigrants have less of an incentive than legal immigrants to make an investment in the dominant American culture and language.

Third, the legal consequences of undocumented or illegal status make it extremely difficult for even the most willing undocumented migrants to enter the American mainstream. Employment restrictions, enforced by penalties against the employer, keep such migrants in the underground economy. A fear of detection and

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[29] Roger Lowenstein, *The Immigration Equation*, The New York Times Magazine, July 9, 2006, at 36, 70.

deportation causes them to avoid contact with many government agencies; victims of crime, for example, may be reluctant to involve the police.

Reflecting the opposition to illegal immigrants and illustrating the significant hurdles faced by them is a recent law passed by a city council in Pennsylvania. The law not only makes it illegal to hire an illegal immigrant, it also makes it illegal to rent housing to them. Similar laws are under consideration in other localities.[30]

Such laws are of uncertain validity due to the general delegation of authority over immigration to the U.S. national government, but where they or the sentiment that engenders them exist, avoidance of mainstream American society becomes, for the immigrants, at least a matter of prudence and perhaps a matter of necessity.

Given the several ways in which a hard-line approach to current illegal immigrants can impede immigrant acceptance, opponents of that approach might be tempted to characterize the hard-line approach as self-defeating if not illogical. But that characterization would ignore the political nature of the debate, and the dynamic nature of the issue. When there already exists substantial public opinion that there is "too much" immigration, illegal immigration is an entirely logical focal point. It allows politicians, especially politicians looking for a middle ground, to side-step criticism for being anti-immigrant with bromides such as *"I'm not anti-immigrant, I'm pro-law enforcement,"* or *"I'm not against immigration, I'm against illegal immigration."* In that sense, it is the most politically opportune target of anti-immigrant forces.

Moreover, from the perspective of those forces, it is substantively logical, too. Most immigration opponents believe that immigrants are not adequately assimilating and have not been for some time, and that the large size of the immigrant population is a substantial cause of that failure. The first belief substantially insulates immigration opponents from the charge that their opposition significantly impedes

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[30] The first law of this kind was enacted in Hazelton, Pennsylvania. Similar laws are or were recently being considered in Riverside and Allentown, Pennsylvania, and in towns in Alabama, California, Florida, Massachusetts, and Washington State. Toni Callas & Gaiutra Bahadur, *A Tough Line on Immigrants*, Philadelphia Inquirer, July 26, 2006, at A1.

immigrant acceptance; the second belief makes it possible to argue that well-voiced opposition to illegal immigration actually makes immigrant acceptance more likely. The argument is that, if such opposition reduces the size of immigrant population by discouraging future migration and encouraging the return of current immigrants, acceptance could become more likely for the smaller population that remains. Further, immigration opponents could tenably believe that failure to loudly voice their opinion could implicitly send a message that would encourage even more illegal immigration. If one already believes one's society suffers from too much immigration, even implicit encouragement is a dangerous message to send to a source nation of more than 100,000,000 people with whom one's own nation shares almost a 2000-mile border.

In sum, immigration opponents who have raised the profile of the illegal immigration issue have substantial political and policy reasons for doing so. As long as the root cause of their opposition remains – the belief that the United States has more immigrants than it can effectively absorb – the issue is likely to remain a very contentious one.

b. The Educational Profile of the Migrants

For an unemployed computer programmer in California's Silicon Valley, the most problematic immigration might be Indian graduates of the highly competitive Indian Institute of Technology. For most of those who study the issue, however, the immigration of such graduates is, at least in economic terms, close to an unadorned good for the receiving country. Generally, highly educated immigrants raise productivity levels and do not rely heavily on public social services.

The economic impact of less educated and less productive migrants, however, is less positive. Some data suggests that such workers constitute a serious drain on public social services. For example, in California, the favorite destination state of Mexican immigrants, it has been estimated that immigrants cost each household $1,100 per year in additional taxes. The effect, again, is to raise the profile of, and opposition to, Mexican immigration, for Mexican immigrants are not only the most numerous immigrants to the United States, but also tend to be among its least educated, with more than 60 percent having failed to graduate secondary school.

The resonance of the negative economic impact is heightened by evidence suggesting that the native poor bear the brunt of it. Less educated Mexicans immigrants compete for work largely with similarly educated Americans, and thereby depress wages for the poor even as they lower the prices of goods and services for everyone. By thus exacerbating already sizable income disparities, Mexican immigration presents a threat to social cohesion beyond the cultural arena.

c. The Threat of Political Disintegration

The presence in the United States of millions of recently-arrived Mexican immigrants also raises to prominence fears of irredentism based on Mexico's historical control of all or part of several states, including California and Texas.[31]

Immigrant Mexican irredentists – who are called *reconquistas* by some – are a distinct minority, though one well-known American columnist has claimed that "the core concepts of reconquista (the 'conquest' of the Southwest by Mexico) have spread wide and deep."[32]

In either event, the issue obviously would be of no concern absent a large Mexican presence. Given that presence, however, the issue has substantial implications for the process of immigrant acceptance even if, as is likely, the fear of reconquista is ultimately judged wildly alarmist.

In several ways, the mere perception of the threat of reconquista represents a challenge to immigrant acceptance. The perception provides a basis for engaging in negative comparisons of Mexicans to other immigrant groups who have no irredentist claims. It

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[31] From the time of its defeat of Spain in 1821, Mexico possessed all or part of Texas, California, Nevada, Utah, New Mexico, Arizona, Colorado and Wyoming. Disputes with the United States about some of these lands led to war, which was settled in 1848 with the Treaty of Guadalupe Hidalgo. The terms of the treaty required Mexico to surrender claims to California and New Mexico, as well as the lands in between and to the north. Mexico also recognized the Rio Grande as the southern and western boundary of Texas, which had gained independence from Mexico in 1836 and was then subsequently annexed by the United States.

[32] Michelle Malkin, *Reconquista Is Real*, Wash. Times, May 7, 2006. For an example of the claims of Mexican irredentists, see http://www.aztlan.net/homeland.htm.

provides a possible reason for some to oppose Mexican-American aspirations for political power. The perception also is undoubtedly used to give cover to darker impulses of bias and prejudice. These actions, all of which demonstrate non-Mexican-Americans non-acceptance of Mexicans and Mexican-Americans, also may encourage the latter two groups to reject American culture and society, perhaps even to the point of joining irredentist groups. And that response, in turn, lands both sides in the type of vicious circle of ever-increasing distrust that is poisonous to a successful process of immigrant acceptance.

4.2 Muslim Migration to Europe

As Mexican immigration is to the United States, Muslim migration is to Europe. Fifteen to twenty million Muslims live in the 25 European Union countries, and the number is expected to double in twenty years. There is considerable anxiety within Europe as to whether the continent will succeed in integrating its Muslim population. And again, as is also the case in the United States, the most fundamental cause of that anxiety is the large size of the immigrant population.[33]

A large immigrant population bestows importance on matters that otherwise might be thought of as relatively insignificant. Some of these matters are identified and discussed below.

a. The Educational Profile of the Migrants

Muslim immigrants to Europe are, on average, substantially less educated than European natives, with the majority of immigrants having completed only a primary level of education.[34] They are, accordingly, disproportionately concentrated in lower skilled

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[33] Dim Drums Throbbing in the Hills Half Heard: Muslims in Western Europe, The Economist, 21-23, at 23, Aug. 10, 2002 ("The critical mass of the Muslim immigrant communities, which makes it easier for individuals to survive unintegrated, is a serious impediment, just as it is for Latinos in the United States").

[34] Rainer Munz, Hamburg Institute of International Economics, Migration, Labour Markets and Migrants' Integration in Europe: A Comparison, Table 5 (2004), available at http://ec.europa.eu/employment_social/employment_analysis/docs/migr_comparison6.pdf.

employment sectors and tend to have unemployment rates at least double the European average. In addition, the welfare dependency of immigrants in Europe has increased in recent years, both in absolute terms and relative to the native population.[35]

The major consequence is the same as that caused by Mexican immigrants' relative lack of education: an increase in the cost of social services and a decrease in average productivity. Indeed, because European welfare states are often more generous than that of the United States, the poor education and resultant unemployment of Muslim immigrants may impose more burdensome economic costs on European taxpayers than Mexican immigrants do on American taxpayers. The inevitable outcome is a decline in public support for immigration and for immigrants, and a concomitant weakening of the commitment to immigrant acceptance.

b. The Existence of Segregated Housing

Immigrants of the same background tend to want to live close together. Italians who came to the United States 100 or more years ago not only would head for the various Little Italys around the country but, in New York at least, would head for particular streets favored by Neapolitans, Sicilians, Calabrese, etc. The Jews of Eastern Europe made Manhattan's Lower East Side the most densely populated area in the United States. Although in some ways such clustering delays adaptation to a new country, the impulse is understandable. In a strange country, the familiar is comforting, and people of similar language, dress, culture and situation are most comforting of all.

Muslims immigrants in Europe feel this way, too, and large geographically dense Muslim communities are found throughout Europe. While similarly concentrated communities are historically common among many immigrant groups, some of the Muslim enclaves in Europe may constitute a particularly substantial obstacle to immigrant acceptance.

Consider, for example, the most well known of these enclaves,

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[35] Commission of the European Communities, First Annual Report on Migration and Integration 17 (2004), available at http://ec.europa.eu/employment_social/employment_analysis/docs/com_508_en.pdf.

the *banlieues* surrounding Paris. These impoverished suburban neighborhoods are the legacy of government subsidized housing projects built for immigrant workers and others during the mid-20th century. The *banlieues*, known also as *cités*, now "epitomize exclusion in French society."[36] Significantly, they also were the location of extensive rioting in late 2005.

The French government's substantial and direct role in creating the *banlieues*, and in utilizing them for the housing of Muslim immigrants, presents a more serious challenge for immigrant acceptance than if the same clustering came about with less government involvement. It appears, to a certain extent, reminiscent of the attempts made by numerous governments throughout history to segregate Jews, or of the severe isolation mandated for visitors by isolationist Chinese and Japanese governments of previous centuries, such as the Ming rulers' confinement of foreigners "like an infection" to "some peripheral point like Macao."[37] Intended or not, the received message cannot help but be that those residing in the *banlieues* are regarded by the government as not quite equal.

In the context of France, this message is particularly damaging to the cause of immigrant acceptance because the French model strongly emphasizes equality of treatment, and on that basis makes demands on immigrants to accept the French way of life. If equality of treatment comes to be regarded by immigrants as an empty promise, however, and it appears that immigrants are not accepted as equals, the motivation to satisfy the reciprocal obligation to accept a French identity is undercut. Similar although not identical situations and problems arise in other European countries, such as in Belgium and the Netherlands.

c. The Threat of Political Disintegration

The perceived threat of a Mexican reconquista has a parallel in Europe. Especially after the train bombings that struck Spain in

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[36] Yvonne Yazbeck Haddad & Michael J. Balz, *The October Riots in France: A Failed Immigration Policy or the Empire Strikes Back?*, 44 International Migration 23-34, 27 (2006).

[37] David S. Landes, *The Wealth and Poverty of Nations: Why Some Are So Rich and Some So Poor* 337, 351 (W.W. Norton & Company 1998).

2004, it was noted in the press that one aim of some radical Islamic groups is "reversing the reconquista of the Iberian peninsula."[38] A related aim of the same or similar organizations, such as Hizb-ut-Tahrir, is the establishment of an Islamic state, or caliphate, more generally in Europe. Additionally, numerous groups have the lesser aim of establishing Muslim control over the particular areas in which they live. Thus, Dr. Patrick Sookdheo, the director of England's Institute for the Study of Islam and Christianity, recently predicted that "in a decade, you will see parts of English cities which are controlled by Muslim clerics and which follow, not the common law, but aspects of Muslim sharia law."[39] Similar predictions have been made about other areas in Europe.

Although the predictions may be the product of alarmist exaggeration, they are gaining currency, due in part to the large population of Muslims in Europe. These predictions present an obstacle to the acceptance of Muslim immigrants for the same reasons that the popularization of the threat of a Mexican reconquista represents a challenge to acceptance of Mexican immigrants in the United States: they cause the native population to be wary of the motivations and ultimate goals of Muslim immigrants, to which immigrants respond in kind. An unvirtuous cycle of distrust is thereby created, whereas the process of immigrant acceptance requires the development of ever-increasing levels of trust.

5. Immigrant Acceptance in the Twenty-first Century

As the decision to migrate is motivated by some combination of desperation and hope, perceptions of necessity and possibility – by both immigrants and the receiving country – combine to bring about immigrant acceptance. In this section, we begin with a brief discussion of how the receiving nation's perceptions of necessity and possibility affect immigrant acceptance, and then continue with an

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[38] *See, e.g., Euro Isolationism is Triumphant*, Daily Telegraph (London), March 15, 2004, at 21.

[39] Alasdair Palmer, *The Day is Coming When British Muslims Form a State Within a State*, Daily Telegraph (London), February 19, 2006.

examination of how immigrants' perceptions of necessity and possibility affect the same process.

5.1 Receiving Nations' Acceptance of Immigrants

Theoretically, nations exercise complete sovereignty over their borders. That means – again as a theoretical matter – that they control the flow of persons across their borders, and can allow entry to millions of immigrants or none. In theory, all is permitted and nothing is required. As a practical matter, however, immigration can become necessary for a receiving country for several reasons. In this sense, the main "necessity" today is economic. That is why in the United States – and elsewhere – much of the immigration debate centers around how many and what types of jobs natives won't or can't do – how many jobs, in other words, it is necessary to fill with imported labor. "Necessity" also arises from the operation of international treaties or the application of domestic law. Asylum requirements are an example of immigration required by international treaty; Israel's law of return and Germany's acceptance of *Aussiedler* Germans are examples of immigration mandated by domestic laws.

The perception of necessity is the first step toward immigrant acceptance, but is insufficient by itself to ensure acceptance by the receiving nation. The Turkish workers who entered Germany four decades ago, for example, were perceived as economically necessary, but little sense of possibility beyond this has ever developed. Indeed, in some ways the process of acceptance has even reversed, as slow economic growth has lessened the necessity for Turkish workers. This stalled process of acceptance is entirely to be expected from a nation that, in the famous declaration of former Chancellor Helmut Kohl, is not a country of immigration, however many immigrants it has.

Other nations are and have been more successful in weaving immigrants into the fabric of the national story. The United States, for instance, is and sees itself as an immigrant nation, whose prevailing national myth is vindicated and enhanced by the full acceptance of immigrants as fellow Americans. Progress toward this goal is sporadic, uneven and to some degree dependent on chance events – the exploits of military heroes, the performances of sporting stars, the personalities of entertainers, the economic

achievements of individuals – that in a sense put a face on a people. Nonetheless, the idea of the United States continually re-creating itself as, in the poet Walt Whitman's words, "a Nation of nations," is one that is widely shared in America. It is one non-economic version of the "American dream," and that dream – that imagined possibility – allows large numbers of immigrants to be accepted in America in a way and to a degree that is simply unimaginable in Japan, Germany, and many other countries. Oscar Handlin began *The Uprooted* by stating that while he once "thought to write a history of the immigrants in America," he eventually "discovered that the immigrants *were* American history" (Handlin, 3). The living sense of this history makes a difference regarding the acceptance of immigrants. Many Americans believe that the full acceptance of immigrants – of whatever national origins – as citizens and co-creators of the American dream in a way makes America more American. The claim that the full acceptance of immigrants in Japan would make Japan more Japanese, in contrast, would rightly be greeted as an absurdity, and it is no coincidence that Japan's restrictive immigration laws and low levels of immigrant acceptance coincide with this view.

From the perspective of nations accepting immigrants, the first key to achieving immigrant acceptance in the 21st century is sustained economic growth. Such growth creates jobs and a perceived need for immigrants to fill them. It also inhibits the development of negative perceptions of immigrants that are antithetical to the formation of immigrant acceptance; for example, that "*they are stealing our jobs*" or that "*they are lazy because they have no jobs.*" People are generally quite willing to split an expanding economic pie, especially with those persons who helped to make it, but when the pie contracts, each stranger around the table seems to be an unnecessary and unacceptable burden, especially those strangers who are viewed as not having helped to make the pie.

The other key to immigrant acceptance is to find a way to convert those strangers into fellow citizens, or at least for the nation to create some sort of recognized bond. There are many models for accomplishing this end; the United States, France, Great Britain, Canada and Australia present some of the leading ones. The Netherlands also has a long history of immigration, and its model is one of the few in Europe

"aimed explicitly at encouraging minorities to express and develop their cultural identities, as a means of overcoming obstacles to their social and economic advancement" (Turton & González, 2000, p. 19).

The Netherlands model, however, is currently the subject of much internal criticism, as are several of the others.

Whether acceptance of immigrants by receiving nations will prove more of a challenge today than in the past depends in large part upon future economic growth. In both comparative and absolute terms, the United States grew tremendously during most of the 19th and early 20th centuries. If economic growth in the developed west lags behind people's expectations, immigrant acceptance will be difficult and almost certainly will lag in the 21st century. If growth is more robust, immigrant acceptance on the level of that experienced in earlier centuries in the United States will be possible even without a pause or lull in immigration comparable to that experienced after World War I, but will remain an extremely difficult challenge for those nations without a proven model for fully accepting immigrants. Such a model can be recognized by its results – where it exists, substantial numbers of immigrants do not merely survive but thrive, in a way that both the immigrants and the receiving society recognize as mutually beneficial.

5.2 Immigrants' Acceptance of Their Receiving Nations

Acceptance *by* immigrants also is dependent upon perceptions of necessity and possibility. Some current realities aid the cultivation of these perceptions in some ways, but discourage it in others. Modern communications technologies, for example, in one sense may make engagement with a receiving country's people and culture less necessary, by providing continued and easy access to the culture and people of an immigrant's country of origin. On the other hand, the same technology may make it less necessary for an immigrant to turn to these familiar comforts, because that technology can also be used by a prospective immigrant to familiarize himself or herself with a receiving country before he or she ever sets foot in it. Thanks to modern communications technology, in other words, the familiar comforts of home may already include the culture of the receiving country.

The current reality of the welfare state is also a mixed development for the prospect of immigrant acceptance. On the negative side, by reducing the urgency of work in some instances, it delays immigrants' engagement with various important aspects of their new cultures. To some degree, by de-linking work from survival, the welfare state makes immigrant acceptance of the receiving country both more difficult and less necessary. Moreover, as work often opens up new horizons and broader vistas, uncovers unexpected interests and reveals new talents, by reducing the necessity for work one also will tend to limit the understanding that accepting the new country can increase one's life possibilities.

All this is true, and yet it is easy to overestimate how much more difficult the welfare state might make immigrant acceptance. First, even with the availability of the welfare state, a substantial majority of immigrants usually work. Second, a realistic appraisal of the work available to immigrants must concede that it very often has closed off as many possibilities as it has opened. At the beginning of the 20th century, new horizons rarely appeared to the garment workers who sat with a hundred others from the same background in a closed room for 80 hours a week. Third, although work may be the surest avenue to immigrant acceptance, it is not the only way. Fourth, it is true that by decreasing immigrant employment the welfare state may increase native resentment toward immigrants, and thereby make immigrant acceptance more difficult. However, the much less wealthy past was not free of such resentments. Even in an era before unemployment payments, immigrants could cost taxpayers substantial sums. Thus, "[t]he severe shortfalls in sewage, water supply, police, and sanitary services that plagued [mid-19th century] cities could, without bigotry, be traced directly to the Irish" (Morris, 65). Finally, we do well to remember that the welfare state grew out of a need by the nation-state to win the loyalty of its citizens. There is no reason to think that, by the same means, a state cannot also win the loyalty of at least some of its immigrants.

Our final current reality is more unambiguously negative for the prospect of immigrant acceptance. It seems beyond dispute that large numbers of immigrants greatly complicate the process by which immigrants come to accept and be accepted in a new country. The more immigrants a nation has of one background, the less necessary it appears to them to accept portions of a new culture and to re-cast their thoughts of life's possibilities. Still, the numbers

of immigrants today are not, on a percentage basis, in excess of the numbers the United States successfully accepted in the 19th and early 20th centuries.

Moreover, none of the issues identified in Part IV as gaining increased relevance from today's large numbers of immigrants are unprecedented either. For example, the radical irredentist claims that some find so alarming today find a parallel in the desire of some German immigrants to create a German state in North America – indeed, by the 1850s, "the German element in Wisconsin was already so considerable that [some Germans] looked to the creation of a German state out of the commonwealth by concentrating their colonization" (Turner, 23). At the same time, "a group of German communities actually petitioned Congress to declare the United States a bilingual republic" (Sachar, 38), and religious services and schooling were commonly conducted in German.

Similarly, the mosque-centered lives led by so many Muslim immigrants, which seem to many observers separatist in inclination, find a very close parallel in the parish-centered lives of 19th century Irish immigrants. Indeed, one scholar has noted that the separate school systems established by the Irish-dominated Catholic Church in America were regarded by critics as "centers for brainwashing and intolerance, much as some Americans today see Islamic schools" (Jenkins, 30-31).

More general concerns about the primacy – and content – of religious belief in the Islamic community also echo concerns voiced during prior migrations. The Catholic Church in America, for example, has always been viewed as a problematic institution in some quarters, as in many ways it has "*seemed opposed to . . . the whole 'melting pot' theory*" of Americanization (Jenkins, 31).[40]

The Jewish immigrants of Eastern Europe also faced skepticism – even from their co-religionist predecessor immigrants – about the compatibility of their faith with modernity.

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[40] Indeed, even in recent years, a columnist in a major American newspaper derided the Church as "an un-American institution [with] views [that are] sharply at odds with those that inform the laws of American secular society." Philip Jenkins, *The New Anti-Catholicism: The Last Acceptable Prejudice* 47 (Oxford Univ. Press 2003) (quoting a 1990 article by David R. Boldt in the Philadelphia Inquirer).

Current concerns about immigrants' clannishness, unwillingness to learn or speak the majority language, and lack of education are also well-established staples of anti-immigrant rhetoric. But, as with other concerns expressed about today's immigrants, it is by no means clear that any of these matters are more deeply-rooted or will prove more damaging to the cause of immigrant acceptance than they were or did in the past. In light of this, from the perspective of one concerned with achieving immigrant acceptance and maintaining societal cohesion, it is difficult to declare with certainty that the Mexican and Muslim situations of today are more worrisome than prior migrations of similar magnitude, such as the German, Irish, Italian or Jewish examples of yesterday.[41]

To the contrary, in fact, the most appropriate lesson to draw from history might be one that we regard as relatively comforting, though others might disagree. Consider the following from Oscar Handlin's classic study (117) of American immigrants.

> *A man holds dear what little is left. When much is lost, there is no risking the remainder.*
>
> *As his stable place in a whole universe slipped away from him, the [immigrant] to America grasped compulsively at the familiar supports, pulled along with him the traditional bulwarks of his security. He did not learn until later that, wrenched out of context, these would no longer bear the weight of his needs.*

If Handlin is correct, what seems a matter of stubborn choice to the native might appear a matter of survival to the immigrant. But, for the immigrant or his children, it may not remain a matter of survival. Indeed, as time passes, "*[i]t is a good bet to assume that some formerly absolute loyalties, some previously differential features, will simply wither away,*" even as others "*may acquire renewed*

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[41] Even the issue of legality – which is new – can be changed with a stroke of the pen. In fact, two decades ago it was, when President Reagan signed legislation providing amnesty and a path to citizenship or legal permanent resident status for millions of immigrants who were illegal the day before. Immigration Reform and Control Act, Pub. L. No. 99-603, 100 Stat. 3359 (1986).

importance" (Arroyabe, 34). The younger German-speaking residents of the small Italian region of South Tirol no longer long for reincorporation into Austria, as did their grandparents not very long ago (Arroyabe, 32-33). When the Italians came to America, the rivalries that kept Italy disunited for so long faded away. When we lived in Malta, the World Cup assumed an importance in our lives that it never had before. Place changes people. And new people will make a place anew. Some will regret the changes and some will rejoice. But there should be no fear that immigrants will be particularly resistant to change. The thought is, in fact, something of a contradiction in terms, for every voluntary immigrant has by definition demonstrated an unusual capacity to embrace change.

6. Conclusion

Given all the potential obstacles to immigrant acceptance noted in Parts III and IV, it may well be that immigrant-receiving countries face a more difficult challenge today than the United States did in the past. But it is as dangerous to prematurely assume that this is the case as it is to make the opposite assumption. The immigration of the 19th and early 20th centuries proved itself to be a great boon to the United States. Had it not been a refuge for immigrants of that time, it would today be a much weaker and – in every sense of the word – a much poorer country. By assuming that immigrant acceptance is a more difficult task than it was before, and by then limiting immigration based on that assumption, immigrant-receiving countries could be foregoing their best opportunity to prosper in the 21st century. Indeed, even if immigrant acceptance *is* a more difficult task today, the policy implications are uncertain. Let us suppose that, per the popular view, "full" assimilation of the 19th century immigrants to America took three generations. Had it taken four generations, would the United States have been better off shutting the door to those immigrants? Few would venture so. Perhaps immigrant acceptance is a more difficult and a more lengthy process today, but it does not necessarily follow that greatly reducing immigration is thus a better policy.

Of course, success in either of the modern-day cases discussed herein is not inevitable. Immigrant acceptance is rarely easy for

immigrants or for the societies that house them, and will not be easy in the cases of Mexicans in the United States and Muslims in Europe. Given the expected high price of failure, however, it is imperative that every effort to succeed in these cases be made. And such efforts must include continued research and reflection. The lessons of history are often opaque, and demand constant reassessment in light of new events and conditions. This is especially true for a subject as complex as the acceptance of immigrants, tied up as it is in difficult issues of culture and identity, among other things. Immigration Pollyannas and congenital immigration pessimists alike may lie confident in the belief that they know all they need to know about immigrant acceptance but the rest of us should not, for such is the state of the field that it is their confidence and not their ignorance that distinguishes them from us.

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