

Jewish Involvement in Shaping U.S. Immigration Policy

Johnson, chairman of the Committee on Migration and Naturalization, devoted over four times as much space to the situation in Poland as it did to any other country. The report emphasized the activities of the Polish Jewish newspaper *Der Emigrant* in promoting emigration to the United States of Polish Jews, as well as the activities of the Hebrew Sheltering and Immigrant Society and wealthy private citizens from the United States in facilitating immigration by providing money and performing the paperwork. (There was indeed a large network of Jewish agents in Eastern Europe who, in violation of U.S. law, “did their best to drum up business by enticing as many emigrants as possible” [Nadell 1984, 56].) The report also described the condition of the prospective immigrants in negative terms: “At the present time it is only too obvious that they must be subnormal, and their normal state is of very low standard. Six years of war and confusion and famine and pestilence have racked their bodies and twisted their mentality. The elders have deteriorated to a marked degree. Minors have grown into adult years with the entire period lost in their rightful development and too frequently with the acquisition of perverted ideas which have flooded Europe since 1914 [presumably a reference to radical political ideas that were common in this group; see below]” (*Cong. Rec.*, April 20, 1921, 498).

The report also stated that articles in the Warsaw press had reported that “propaganda favoring unrestricted immigration” is being planned, including celebrations in New York aimed at showing the contributions of immigrants to the development of the United States. The reports for Belgium (whose emigrants originated in Poland and Czechoslovakia) and Romania also highlighted the importance of Jews as prospective immigrants. In response, Representative Isaac Siegel stated that the report was “edited and doctored by certain officials”; he commented that the report did not mention countries with larger numbers of immigrants than Poland. (For example, the report did not mention Italy.) Without explicitly saying so (“I leave it to every man in the House to make his own deductions and his own inferences therefrom” [*Cong. Rec.*, April 20, 1921, 504]), the implication was that the focus on Poland was prompted by anti-Semitism.

The House Majority Report (signed by 15 of its 17 members with only Reps. Dickstein and Sabath not signing) also emphasized the Jewish role in defining the intellectual battle in terms of Nordic superiority and “American ideals” rather than in the terms of an ethnic status quo actually favored by the committee:

The cry of discrimination is, the committee believes, manufactured and built up by special representatives of racial groups, aided by aliens actually living abroad. Members of the committee have taken notice of a report in the *Jewish Tribune*

(New York) February 8, 1924, of a farewell dinner to Mr. Israel Zangwill which says:

Mr. Zangwill spoke chiefly on the immigration question, declaring that if Jews persisted in a strenuous opposition to the restricted immigration there would be no restriction. "If you create enough fuss against this Nordic nonsense," he said, "you will defeat this legislation. You must make a fight against this bill; tell them they are destroying American ideals. Most fortifications are of cardboard, and if you press against them, they give way."

The Committee does not feel that the restriction aimed to be accomplished in this bill is directed at the Jews, for they can come within the quotas from any country in which they were born. The Committee has not dwelt on the desirability of a "Nordic" or any other particular type of immigrant, but has held steadfastly to the purpose of securing a heavy restriction, with the quota so divided that the countries from which the most came in the two decades ahead of the World War might be slowed down in order that the United States might restore its population balance. The continued charge that the Committee has built up a "Nordic" race and devoted its hearing to that end is part of a deliberately manufactured assault for as a matter of fact the committee has done nothing of the kind. (*House Rep. No. 350*, 1924, 16)

Indeed, one is struck in reading the 1924 congressional debates by the rarity with which the issue of Nordic racial superiority is raised by those in favor of the legislation, whereas virtually all the anti-restrictionists raised this issue.¹⁵⁹ After a particularly colorful comment in opposition to the theory of Nordic racial superiority, restrictionist leader Albert Johnson remarked, "I would like very much to say on behalf of the committee that through the strenuous times of the hearings this committee undertook not to discuss the Nordic proposition or racial matters" (*Cong. Rec.*, April 8, 1924, 5911). Earlier, during the hearings on the bill, Johnson remarked in response to the comments of Rabbi Stephen S. Wise representing the AJCongress, "I dislike to be placed continually in the attitude of assuming that there is a race prejudice, when the one thing I have tried to do for 11 years is to free myself from race prejudice, if I had it at all."¹⁶⁰ Several restrictionists explicitly denounced the theory of Nordic superiority, including Senators Bruce (p. 5955) and Jones (p. 6614) and Representatives Bacon (p. 5902), Byrnes (p. 5653), Johnson (p. 5648), McLoed (pp. 5675-5676),

Jewish Involvement in Shaping U.S. Immigration Policy

McReynolds (p. 5855), Michener (p. 5909), Miller (p. 5883), Newton (p. 6240), Rosenbloom (p. 5851), Vaile (p. 5922), Vincent (p. 6266), White, (p. 5898), and Wilson (p. 5671; all references to *Cong. Rec.*, April 1924).

Indeed, it is noteworthy that there are indications in the congressional debate that representatives from the far West were concerned about the competence and competitive threat presented by Japanese immigrants, and their rhetoric suggests they viewed the Japanese as racially equal or superior, not inferior. For example, Senator Jones stated, “We admit that [the Japanese] are as able as we are, that they are as progressive as we are, that they are as honest as we are, that they are as brainy as we are, and that they are equal in all that goes to make a great people and nation” (*Cong. Rec.*, April 18, 1924, 6614); Representative MacLafferty emphasized Japanese domination of certain agricultural markets (*Cong. Rec.*, April 5, 1924, p. 5681), and Representative Lea noted their ability to supplant “their American competitor” (*Cong. Rec.*, April 5, 1924, 5697). Representative Miller described the Japanese as “a relentless and unconquerable competitor of our people wherever he places himself” (*Cong. Rec.*, April 8, 1924, 5884); see also comments of Representatives Gilbert (*Cong. Rec.*, April 12, 1924, 6261), Raker (*Cong. Rec.*, April 8, 1924, 5892), and Free (*Cong. Rec.*, April 8, 1924, 5924ff).

Moreover, whereas the issue of Jewish-gentile resource competition was not raised during the congressional debates, quotas on Jewish admissions to Ivy League universities were a highly salient issue among Jews during this period. The quota issue was highly publicized in the Jewish media, which focused on activities of Jewish self-defense organizations such as the ADL (see, e.g., the ADL statement published in *The American Hebrew*, Sept. 29, 1922, 536). Jewish-gentile resource competition may therefore have been on the minds of some legislators. Indeed, President A. Lawrence Lowell of Harvard was the national vice-president of the Immigration Restriction League as well as a proponent of quotas on Jewish admission to Harvard (Symott 1986, 238), suggesting that resource competition with an intellectually superior Jewish group was an issue for at least some prominent restrictionists.

It is probable that anti-Jewish animosity related to resource competition issues was widespread. Higham (1984, 141) writes of “the urgent pressure which the Jews, as an exceptionally ambitious immigrant people, put upon some of the more crowded rungs of the social ladder” (Higham 1984, 141). Beginning in the nineteenth century there were fairly high levels of covert and overt anti-Semitism in patrician circles resulting from the very rapid upward mobility of Jews and their competitive drive. Prior to World War I, the reaction of the gentile power structure was to construct social registers and emphasize genealogy as mechanisms of exclusion—“criteria that could not be met my money alone”

(Higham 1984, 104ff, 127). During this period Edward A. Ross (1914, 164) described gentile resentment for “being obliged to engage in a humiliating and undignified scramble in order to keep his trade or his clients against the Jewish invader”—suggesting a rather broad-based concern with Jewish economic competition. Attempts at exclusion in a wide range of areas increased in the 1920s and reached their peak during the difficult economic situation of the Great Depression (Higham 1984, 131ff).

In the 1924 debates, however, the only Congressional comments suggesting a concern with Jewish-gentile resource competition (as well as a concern that Jewish immigrants were alienated from the cultural traditions of America and tended to have a destructive influence) that I have been able to find are the following from Representative Wefald:

I for one am not afraid of the radical ideas that some might bring with them. Ideas you cannot keep out anyway, but the leadership of our intellectual life in many of its phases has come into the hands of these clever newcomers who have no sympathy with our old-time American ideals nor with those of northern Europe, who detect our weaknesses and pander to them and get wealthy through the disservices they render us.

Our whole system of amusements has been taken over by men who came here on the crest of the south and east European immigration. They produce our horrible film stories, they compose and dish out to us our jazz music, they write many of the books we read, and edit our magazines and newspapers. (*Cong. Rec.*, April 12, 1924, 6272)

The immigration debate also occurred amid discussion in the Jewish media of Thorsten Veblen’s famous essay “The intellectual pre-eminence of Jews in modern Europe” (serialized in *The American Hebrew* beginning September 10, 1920). In an editorial of July 13, 1923 (p. 177), *The American Hebrew* noted that Jews were disproportionately represented among the gifted in Louis Terman’s study of gifted children and commented that “this fact must give rise to bitter, though futile, reflection among the so-called Nordics.” The editorial also noted that Jews were overrepresented among scholarship winners in competitions sponsored by the state of New York. The editorial pointedly noted that “perhaps the Nordics are too proud to try for these honors. In any event the list of names just announced by the State Department of Education at Albany as winners of these coveted scholarships is not in the least Nordic; it reads like a confirmation roster at a Temple.”

Jewish Involvement in Shaping U.S. Immigration Policy

There is, in fact, evidence that Jews, like East Asians, have higher IQ's than Caucasians (Lynn 1987; Rushton 1995; *PTSDA*, Ch. 7). Indeed, Terman had found that Chinese were equal in IQ to Caucasians—further indication that, as Carl Degler (1991, 52) notes, “their IQ scores could not have been an excuse for the discrimination” represented by the 1924 legislation. As indicated above, there is considerable evidence from the congressional debates that the exclusion of Asians was motivated at least partly by fears of competition with a highly talented, intelligent group rather than by feelings of racial superiority.

The most common argument made by those favoring the legislation, and the one reflected in the Majority Report, is the argument that in the interests of fairness to all ethnic groups, the quotas should reflect the relative ethnic composition of the entire country. Restrictionists noted that the census of 1890 was chosen because the percentages of the foreign born of different ethnic groups in that year approximated the general ethnic composition of the entire country in 1920. Senator Reed of Pennsylvania and Representative Rogers of Massachusetts proposed to achieve the same result by directly basing the quotas on the national origins of all people in the country as of the 1920 census, and this was eventually incorporated into law. Representative Rogers argued, “Gentlemen, you can not dissent from this principle because it is fair. It does not discriminate for anybody and it does not discriminate against anybody” (*Cong. Rec.*, April 8, 1924, 5847). Senator Reed noted, “The purpose, I think, of most of us in changing the quota basis is to cease from discriminating against the native born here and against the group of our citizens who come from northern and western Europe. I think the present system discriminates in favor of southeastern Europe” (*Cong. Rec.*, April. 16, 1924, 6457) (i.e., because 46 percent of the quotas under the 1921 law went to Eastern and Southern Europe when they constituted less than 12 percent of the population).

As an example illustrating the fundamental argument asserting a legitimate ethnic interest in maintaining an ethnic status quo without claiming racial superiority, consider the following statement from Representative William N. Vaile of Colorado, one of the most prominent restrictionists:

Let me emphasize here that the restrictionists of Congress do not claim that the “Nordic” race, or even the Anglo-Saxon race, is the best race in the world. Let us concede, in all fairness that the Czech is a more sturdy laborer, with a very low percentage of crime and insanity, that the Jew is the best businessman in the world, and that the Italian has a spiritual grasp and an artistic sense which have greatly enriched the world and which have, indeed, enriched us, a spiritual exaltation and an artistic creative

sense which the Nordic rarely attains. Nordics need not be vain about their own qualifications. It well behooves them to be humble. What we do claim is that the northern European, and particularly Anglo-Saxons made this country. Oh, yes; the others helped. But that is the full statement of the case. They came to this country because it was already made as an Anglo-Saxon commonwealth. They added to it, they often enriched it, but they did not make it, and they have not yet greatly changed it. We are determined that they shall not. It is a good country. It suits us. And what we assert is that we are not going to surrender it to somebody else or allow other people, no matter what their merits, to make it something different. If there is any changing to be done, we will do it ourselves. (*Cong. Rec.*, April 8, 1924, 5922)

The debate in the House also illustrated the highly salient role of Jewish legislators in combating restrictionism. Representative Robison singled out Representative Sabath as the leader of anti-restrictionist efforts; without mentioning any other opponent of restriction, he also focused on Representatives Jacobstein, Celler, and Perlman as being opposed to any restrictions on immigration (*Cong. Rec.*, April 5, 1924, 5666). Representative Blanton, complaining of the difficulty of getting restrictionist legislation through Congress, noted, "When at least 65 per cent of the sentiment of this House, in my judgment, is in favor of the exclusion of all foreigners for five years, why do we not put that into law? Has Brother Sabath such a tremendous influence over us that he holds us down on this proposition?" (*Cong. Rec.*, April 5, 1924, 5685). Representative Sabath responded, "There may be something to that." In addition, the following comments of Representative Leavitt clearly indicate the salience of Jewish congressmen to their opponents during the debate:

The instinct for national and race preservation is not one to be condemned, as has been intimated here. No one should be better able to understand the desire of Americans to keep America American than the gentleman from Illinois [Mr. Sabath], who is leading the attack on this measure, or the gentlemen from New York, Mr. Dickstein, Mr. Jacobstein, Mr. Celler, and Mr. Perlman. They are of the one great historic people who have maintained the identity of their race throughout the centuries because they believe sincerely that they are a chosen people, with certain ideals to maintain, and knowing that

Jewish Involvement in Shaping U.S. Immigration Policy

the loss of racial identity means a change of ideals. That fact should make it easy for them and the majority of the most active opponents of this measure in the spoken debate to recognize and sympathize with our viewpoint, which is not so extreme as that of their own race, but only demands that the admixture of other peoples shall be only of such kind and proportions and in such quantities as will not alter racial characteristics more rapidly than there can be assimilation as to ideas of government as well as of blood. (*Cong. Rec.*, April 12, 1924, 6265-6266)

The view that Jews had a strong tendency to oppose genetic assimilation with surrounding groups was expressed by other observers as well and was a component of contemporary anti-Semitism (see Singerman 1986, 110-111). Jewish avoidance of exogamy certainly had a basis in reality (*PTSDA*, Chs. 2-4), and it is worth recalling that there was powerful opposition to intermarriage even among the more liberal segments of early-twentieth-century American Judaism and certainly among the less liberal segments represented by the great majority of Orthodox immigrants from Eastern Europe who had come to constitute the great majority of American Jewry. The prominent nineteenth-century Reform leader David Einhorn, for example, was a lifelong opponent of mixed marriages and refused to officiate at such ceremonies, even when pressed to do so (Meyer 1989, 247). Einhorn was also a staunch opponent of conversion of gentiles to Judaism because of the effects on the “racial purity” of Judaism (Levenson 1989, 331). The influential Reform intellectual Kaufman Kohler was also an ardent opponent of mixed marriage. In a view that is highly compatible with Horace Kallen’s multiculturalism, Kohler concluded that Israel must remain separate and avoid intermarriage until it leads humankind to an era of universal peace and brotherhood among the races (Kohler 1918, 445-446). The negative attitude toward intermarriage was confirmed by survey results. A 1912 survey indicated that only seven of 100 Reform rabbis had officiated at a mixed marriage, and a 1909 resolution of the chief Reform group, the Central Council of American Rabbis, declared that “mixed marriages are contrary to the tradition of the Jewish religion and should be discouraged by the American Rabbinate” (Meyer 1988, 290). Gentile perceptions of Jewish attitudes on intermarriage, therefore, had a strong basis in reality.

Far more important than the Jewish tendency toward endogamy in engendering anti-Jewish animosity during the congressional debates of 1924 were two other prominent themes of this project: Jewish immigrants from Eastern Europe were widely perceived as unassimilable and as retaining a

separate culture (see *SAID*, Ch. 2); they were also thought to be disproportionately involved in radical political movements (see Ch. 3).

The perception of radicalism among Jewish immigrants was common in Jewish as well as gentile publications. *The American Hebrew* editorialized, “[W]e must not forget the immigrants from Russia and Austria will be coming from countries infested with Bolshevism, and it will require more than a superficial effort to make good citizens out of them” (in Neuringer 1971, 165). The fact that Jewish immigrants from Eastern Europe were viewed as “infected with Bolshevism... unpatriotic, alien, unassimilable” resulted in a wave of anti-Semitism in the 1920s and contributed to the restrictive immigration legislation of the period (Neuringer 1971, 165). In Sorin’s (1985, 46) study of immigrant Jewish radical activists, over half had been involved in radical politics in Europe before emigrating, and for those immigrating after 1900, the percentage rose to 69 percent. Jewish publications warned of the possibilities of anti-Semitism resulting from the leftism of Jewish immigrants, and the official Jewish community engaged in “a near-desperation... effort to portray the Jew as one hundred per cent American” by, for example, organizing patriotic pageants on national holidays and by attempting to get the immigrants to learn English (Neuringer, 1971, 167).¹⁶¹

From the standpoint of the immigration debates, it is important to note that in the 1920s a majority of the members of the Socialist Party were immigrants and that an “overwhelming” (Glazer 1961, 38, 40) percentage of the CPUSA consisted of recent immigrants, a substantial percentage of whom were Jews. As late as June 1933 the national organization of the CPUSA was still 70 percent foreign born (Lyons 1982, 72-73); in Philadelphia in 1929, fully 90 percent of Communist Party members were foreign born, and 72.2 percent of the CPUSA members in Philadelphia were the children of Jewish immigrants who had come to the United States in the late nineteenth and early twentieth century (Lyons 1982, 71).

Jewish Anti-Restrictionist Activity, 1924-1945

The saliency of Jewish involvement in U.S. immigration policy continued after the 1924 legislation. Particularly objectionable to Jewish groups was the national origins quota system. For example, a writer for the *Jewish Tribune* stated in 1927, “[W]e... regard all measures for regulating immigration according to nationality as illogical, unjust, and un-American” (in Neuringer 1971, 205). During the 1930s the most outspoken critic of further restrictions on immigration (motivated now mainly by the economic concerns that immigration would exacerbate the problems brought on by the Great Depression) was Representative

Jewish Involvement in Shaping U.S. Immigration Policy

Samuel Dickstein, and Dickstein's assumption of the chairmanship of the House Immigration Committee in 1931 marked the end of the ability of restrictionists to enact further reductions in quotas (Divine 1957, 79-88). Jewish groups were the primary opponents of restriction and the primary supporters of liberalized regulations during the 1930s; their opponents emphasized the economic consequences of immigration during a period of high unemployment (Divine 1957, 85-88). Between 1933 and 1938 Representative Dickstein introduced a number of bills aimed at increasing the number of refugees from Nazi Germany and supported mainly by Jewish organizations, but the restrictionists prevailed (Divine 1957, 93).

During the 1930s concerns about the radicalism and unassimilability of Jewish immigrants as well as the possibility of Nazi subversion were the main factors influencing the opposition to changing the immigration laws (Breitman & Kraut 1987). Moreover, "Charges that the Jews in America were more loyal to their tribe than to their country abounded in the United States in the 1930s" (Breitman & Kraut 1987, 87). There was a clear perception among all parties that the public opposed any changes in immigration policy and was particularly opposed to Jewish immigration. The 1939 hearings on the proposed legislation to admit 20,000 German refugee children therefore minimized Jewish interest in the legislation. The bill referred to people "of every race and creed suffering from conditions which compel them to seek refuge in other lands."¹⁶² The bill did not mention that Jews would be the main beneficiaries of the legislation, and witnesses in favor of the bill emphasized that only approximately 60 percent of the children would be Jewish. The only person identifying himself as "a member of the Jewish race" who testified in favor of the bill was "one-fourth Catholic and three-quarters Jewish," with Protestant and Catholic nieces and nephews, and from the South, a bastion of anti-immigration sentiment.¹⁶³

In contrast, opponents of the bill threatened to publicize the very large percentage of Jews already being admitted under the quota system—presumably an indication of the powerful force of a "virulent and pervasive" anti-Semitism among the American public (Breitman & Kraut 1987, 80). Opponents noted that the immigration permitted by the bill "would be for the most part of the Jewish race," and a witness testified "that the Jewish people will profit most by this legislation goes without saying" (in Divine 1957, 100). The restrictionists argued in economic terms, for example, by frequently citing President Roosevelt's statement in his second inaugural speech "one-third of a nation ill-housed, ill-clad, ill-nourished" and citing large numbers of needy children already in the United States. The main restrictionist concern, though, was that the bill was yet another in a long history of attempts by anti-restrictionists to develop precedents that would eventually undermine the 1924 law. For example, Francis Kinnecutt,

president of the Allied Patriotic Societies, emphasized that the 1924 law had been based on the idea of proportional representation based on the ethnic composition of the country. The legislation would be a precedent “for similar unscientific and favored-nation legislation in response to the pressure of foreign nationalistic or racial groups, rather than in accordance with the needs and desires of the American people.”¹⁶⁴

Wilbur S. Carr and other State Department officials were important in minimizing the entry of Jewish refugees from Germany during the 1930s. Undersecretary of State William Phillips was an anti-Semite with considerable influence on immigration policy from 1933 to 1936 (Breitman & Kraut 1987, 36). Throughout the period until the end of World War II attempts to foster Jewish immigration, even in the context of knowledge that the Nazis were persecuting Jews, were largely unsuccessful because of an unyielding Congress and the activities of bureaucrats, especially those in the State Department. Public discussion in periodicals such as *The Nation* (Nov. 19, 1938) and *The New Republic* (Nov. 23, 1938) charged that the restrictionism was motivated by anti-Semitism, whereas opponents of admitting large numbers of Jews argued that admission would result in an increase in anti-Semitism. Henry Pratt Fairchild (1939, 344), who was a restrictionist and was highly critical of Jews generally (see Fairchild 1947), emphasized the “powerful current of anti-foreignism and anti-Semitism that is running close to the surface of the American public mind, ready to burst out into violent eruption on relatively slight provocation.” Public opinion remained steadfast against increasing the quotas for European refugees: A 1939 poll in *Fortune* (April 1939) showed that 83 percent answered no to the following question: “If you were a member of Congress would you vote yes or no on a bill to open the doors of the United States to a larger number of European refugees than now admitted under our immigration quotas?” Less than 9 percent replied yes and the remainder had no opinion.

Jewish Anti-Restrictionist Activity, 1946-1952

Although Jewish interests were defeated by the 1924 legislation, “the discriminatory character of the Reed-Johnson Act continued to rankle all sectors of American Jewish opinion” (Neuringer 1971, 196). During this period, an article by Will Maslow (1950) in *Congress Weekly* reiterated the belief that the restrictive immigration laws intentionally targeted Jews: “Only one type of law, immigration legislation which relates to aliens outside the country, is not subject to constitutional guarantees, and even here hostility toward Jewish immigration

Jewish Involvement in Shaping U.S. Immigration Policy

has had to be disguised in an elaborate quota scheme in which eligibility was based on place of birth rather than religion.”

The Jewish concern to alter the ethnic balance of the United States is apparent in the debates over immigration legislation during the post-World War II era. In 1948 the AJCommittee submitted to a Senate subcommittee a statement simultaneously denying the importance of the material interests of the United States and affirming its commitment to immigration of all races: “Americanism is not to be measured by conformity to law, or zeal for education, or literacy, or any of these qualities in which immigrants may excel the native-born. Americanism is the spirit behind the welcome that America has traditionally extended to people of all races, all religions, all nationalities” (in Cohen 1972, 369).

In 1945 Representative Emanuel Celler introduced a bill ending Chinese exclusion by establishing token quotas for Chinese, and in 1948 the AJCommittee condemned racial quotas on Asians (Divine 1957, 155). In contrast, Jewish groups showed indifference or even hostility toward immigration of non-Jews from Europe (including Southern Europe) in the post-World War II era (Neuringer 1971, 356, 367-369, 383). Thus Jewish spokespersons did not testify at all during the first set of hearings on emergency legislation to allow immigration of a limited number of German, Italian, Greek, and Dutch immigrants, escapees from communism, and a small number of Poles, Asians, and Arabs. When Jewish spokespersons eventually testified (partly because a few of the escapees from communism were Jews), they took the opportunity to once again focus on their condemnation of the national origins provisions of the 1924 law.

Jewish involvement in opposing restrictions during this period was motivated partly by attempts to establish precedents in which the quota system was bypassed and partly by attempts to increase immigration of Jews from Eastern Europe. The Citizen’s Committee on Displaced Persons, which advocated legislation to admit 400,000 refugees as nonquota immigrants over a period of four years, maintained a staff of 65 people and was funded mainly by the AJCommittee and other Jewish contributors (see *Cong. Rec.*, Oct. 15, 1949, 14647-14654; Neuringer 1971, 393). Witnesses opposing the legislation complained that the bill was an attempt to subvert the ethnic balance of the United States established by the 1924 legislation (Divine 1957, 117). In the event, the bill that was reported out of the subcommittee did not satisfy Jewish interests because it established a cutoff date that excluded Jews who had migrated from Eastern Europe after World War II, including Jews fleeing Polish anti-Semitism. The Senate subcommittee “regarded the movement of Jews and other refugees from eastern Europe after 1945 as falling outside the scope of the

main problem and implied that this exodus was a planned migration organized by Jewish agencies in the United States and in Europe” (*Senate Rep. No. 950* [1948], 15-16).

Jewish representatives led the assault on the bill (Divine 1957, 127), Representative Emanuel Celler calling it “worse than no bill at all. All it does is exclude... Jews” (in Neuringer 1971, 298; see also Divine 1957, 127). In reluctantly signing the bill, President Truman noted that the 1945 cutoff date “discriminates in callous fashion against displaced persons of the Jewish faith” (*Interpreter Releases* 25 [July 21, 1948], 252-254). In contrast, Senator Chapman Revercomb stated that “there is no distinction, certainly no discrimination, intended between any persons because of their religion or their race, but there are differences drawn among those persons who are in fact displaced persons and have been in camp longest and have a preference” (*Cong. Rec.*, May 26, 1948, 6793). In his analysis, Divine (1957, 143) concludes that

the expressed motive of the restrictionists, to limit the program to those people displaced during the course of the war, appears to be a valid explanation for these provisions. The tendency of Jewish groups to attribute the exclusion of many of their coreligionists to anti-Semitic bias is understandable; however, the extreme charges of discrimination made during the 1948 presidential campaign lead one to suspect that the northern wing of the Democratic party was using this issue to attract votes from members of minority groups. Certainly Truman’s assertion that the 1948 law was anti-Catholic, made in the face of Catholic denials, indicates that political expediency had a great deal to do with the emphasis on the discrimination issue.

In the aftermath of this bill, the Citizens Committee on Displaced Persons released a report claiming the bill was characterized by “hate and racism” and Jewish organizations were unanimous in denouncing the law (Divine 1957, 131). After the 1948 elections resulted in a Democratic Congress and a sympathetic President Truman, Representative Celler introduced a bill without the 1945 cutoff date, but, after passing the House, the bill failed in the Senate because of the opposition of Senator Pat McCarran. McCarran noted that the Citizens Committee had spent over \$800,000 lobbying for the bill, with the result that “there has been disseminated over the length and breadth of this nation a campaign of misrepresentation and falsehood which has misled many public-spirited and well-meaning citizens and organizations” (*Cong. Rec.*, April 26, 1949, 5042-5043). After defeat, the Citizens Committee increased expenditures

Jewish Involvement in Shaping U.S. Immigration Policy

to over \$1,000,000 and succeeded in passing a bill, introduced by Representative Celler, with a 1949 cutoff date that did not discriminate against Jews but largely excluded ethnic Germans who had been expelled from Eastern Europe. In an odd twist in the debate, restrictionists now accused the anti-restrictionists of ethnic bias (e.g., Senator Eastland, *Cong. Rec.*, April 5, 1950, 2737; Senator McCarran, *Cong. Rec.*, April 5, 1950, 4743).

At a time when there were no outbreaks of anti-Semitism in other parts of the world creating an urgent need for Jewish immigration and with the presence of Israel as a safe haven for Jews, Jewish organizations still vigorously objected to the continuation of the national origins provisions of the 1924 law in the McCarran-Walter law of 1952 (Neuringer 1971, 337ff). Indeed, when U.S. District Court of Appeals Judge Simon H. Rifkind testified on behalf of a wide range of Jewish organizations against the McCarran-Walter bill he noted emphatically that because of the international situation and particularly the existence of Israel as a safe haven for Jews, Jewish views on immigration legislation were not predicated on the “plight of our co-religionists but rather the impact which immigration and naturalization laws have upon the temper and quality of American life here in the United States.”¹⁶⁵ The argument was couched in terms of “democratic principles and the cause of international amity” (Cohen 1972, 368)—the implicit theory being that the principles of democracy required ethnic diversity (a view promulgated by Jewish intellectual activists such as Sidney Hook [1948, 1949; see Ch. 6] at the time) and the theory that the good will of other countries depended on American willingness to accept their citizens as immigrants. “The enactment of [the McCarran-Walter bill] will gravely impair the national effort we are putting forth. For we are engaged in a war for the hearts and minds of men. The free nations of the world look to us for moral and spiritual reinforcement at a time when the faith which moves men is as important as the force they wield.”¹⁶⁶

The McCarran-Walter law explicitly included racial ancestry as a criterion in its provision that Orientals would be included in the token Oriental quotas no matter where they were born. Herbert Lehman, a senator from New York and the most prominent senatorial opponent of immigration restriction during the 1950s (Neuringer 1971, 351), argued during the debates over the McCarran-Walter bill that immigrants from Jamaica of African descent should be included in the quota for England and stated that the bill would cause resentment among Asians (Neuringer 1971, 346, 356). Representatives Celler and Javits, the leaders of the anti-restrictionists in the House, made similar arguments (*Cong. Rec.*, April 23, 1952, 4306, 4219). As was also apparent in the battles dating back to the nineteenth century, the opposition to the national origins legislation went beyond

its effects on Jewish immigration to advocate immigration of all the racial-ethnic groups of the world.

Reflecting a concern for maintaining the ethnic status quo as well as the salience of Jewish issues during the period, the report of the subcommittee considering the McCarran immigration law noted that “the population of the United States has increased three-fold since 1877, while the Jewish population has increased twenty-one fold during the same period” (*Senate Rep. No. 1515* [1950], 2-4). The bill also included a provision that naturalized citizens automatically lost citizenship if they resided abroad continuously for five years. This provision was viewed by Jewish organizations as motivated by anti-Zionist attitudes: “Testimony by Government officials at the hearings... made it clear that the provision stemmed from a desire to dissuade naturalized American Jews from subscribing to a deeply held ideal which some officials in contravention of American policy regarded as undesirable.”¹⁶⁷

Reaffirming the logic of the 1920s restrictionists, the subcommittee report emphasized that a purpose of the 1924 law was “the restriction of immigration from southern and eastern Europe in order to preserve a predominance of persons of northwestern European origin in the composition of our total population” but noted that this purpose did not imply “any theory of Nordic supremacy” (*Senate Rep. No. 1515* [1950], 442, 445-446). The argument was mainly phrased in terms of the “similarity of cultural background” of prospective immigrants, implying the rejection of theories of cultural pluralism (Bennett 1966, 133). As in 1924, theories of Nordic supremacy were rejected, but unlike 1924 there was no mention of the legitimate ethnic self-interest of the Northwestern European peoples, presumably a result of the effectiveness of the Boasian onslaught on this idea.

Without giving credence to any theory of Nordic superiority, the subcommittee believes that the adoption of the national origins formula was a rational and logical method of numerically restricting immigration in such a manner as to best preserve the sociological and cultural balance in the population of the United States. There is no doubt that it favored the peoples of the countries of northern and western Europe over those of southern and eastern Europe, but the subcommittee holds that the peoples who had made the greatest contribution to the development of this country were fully justified in determining that the country was no longer a field for further colonization and, henceforth, further immigration would not only be restricted but directed to admit immigrants considered to be more readily assimilable

Jewish Involvement in Shaping U.S. Immigration Policy

because of the similarity of their cultural background to those of the principal components of our population. (*Sen. Rep. No. 1515*, 81st Cong., 2nd Sess. 1950, 455)

It is important to note that Jewish spokespersons differed from other liberal groups in their motives for opposing restrictions on immigration during this period. In the following I emphasize the congressional testimony of Judge Simon H. Rifkind, who represented a very broad range of Jewish agencies in the hearings on the McCarran-Walter bill in 1951.¹⁶⁸

1. Immigration should come from all racial-ethnic groups:

We conceive of Americanism as the spirit behind the welcome that America has traditionally extended to people of different races, all religions, all nationalities. Americanism is a tolerant way of life that was devised by men who differed from one another vastly in religion, race background, education, and lineage, and who agreed to forget all these things and ask of a new neighbor not where he comes from but only what he can do and what is his spirit toward his fellow men. (p. 566)

2. The total number of immigrants should be maximized within very broad economic and political constraints: “The regulation [of immigration] is the regulation of an asset, not of a liability” (p. 567). Rifkind emphasized several times that unused quotas had the effect of restricting total numbers of immigrants, and he viewed this very negatively (e.g., p. 569).

3. Immigrants should not be viewed as economic assets and imported only to serve the present needs of the United States:

Looking at [selective immigration] from the point of view of the United States, never from the point of view of the immigrant, I say that we should, to some extent, allow for our temporary needs, but not to make our immigration problem an employment instrumentality. I do not think that we are buying economic commodities when we allow immigrants to come in. We are admitting human beings who will found families and raise children, whose children may reach the heights—at least so we hope and pray. For a small segment of the immigrant stream I think we are entitled to say, if we happen to be short of a particular talent, “Let us go out and look for them,” if necessary, but let us not make that the all-pervading thought. (p. 570)

The opposition to needed skills as the basis of immigration was consistent with the prolonged Jewish attempt to delay the passage of a literacy test as a criterion for immigration beginning in the late nineteenth century until a literacy test was passed in 1917.

Although Rifkind's testimony was free of the accusation that immigration policy was based on the theory of Nordic superiority, Nordic superiority continued to be a prominent theme of other Jewish groups, particularly the AJCongress, in advocating immigration from all ethnic groups. The statement of the AJCongress focused a great deal of attention on the importance of the theory of Nordic supremacy as motivating the 1924 legislation. Contrary to Rifkind's surprising assertion of the traditional American openness to all ethnic groups, it noted the long history of ethnic exclusion that existed before these theories were developed, including the Chinese Exclusion Act of 1882, the gentlemen's agreement with Japan of 1907 limiting immigration of Japanese workers, and the exclusion of other Asians in 1917. The statement noted that the 1924 legislation had succeeded in preserving the ethnic balance of the United States as of the 1920 census, but it commented that "the objective is valueless. There is nothing sacrosanct about the composition of the population in 1920. It would be foolish to believe that we reached the peak of ethnic perfection in that year."¹⁶⁹ Moreover, in an explicit statement of Horace Kallen's multicultural ideal, the AJCongress statement advocated "the thesis of cultural democracy which would guarantee to all groups 'majority and minority alike... the right to be different and the responsibility to make sure that their differences do not conflict with the welfare of the American people as a whole.'¹⁷⁰

During this period the *Congress Weekly*, the journal of the AJCongress, regularly denounced the national origins provisions as based on the "myth of the existence of superior and inferior racial stocks" (Oct. 17, 1955, p. 3) and advocated immigration on the basis of "need and other criteria unrelated to race or national origin" (May 4, 1953, p. 3). Particularly objectionable from the perspective of the AJCongress was the implication that there should be no change in the ethnic status quo prescribed by the 1924 legislation (e.g., Goldstein 1952a, 6). The national origins formula "is outrageous now... when our national experience has confirmed beyond a doubt that our very strength lies in the diversity of our peoples" (Goldstein 1952b, 5).

As indicated above, there is some evidence that the 1924 legislation and the restrictionism of the 1930s was motivated partly by anti-Semitic attitudes. Anti-Semitism and its linkage with anti-communism were also apparent in the immigration arguments during the 1950s preceding and following the passage of the McCarran-Walter Act. Restrictionists often pointed to evidence that over 90

Jewish Involvement in Shaping U.S. Immigration Policy

percent of American Communists had backgrounds linking them to Eastern Europe. A major thrust of restrictionist efforts was to prevent immigration from this area and to ease deportation procedures to prevent Communist subversion. Eastern Europe was also the origin of most Jewish immigration, and Jews were disproportionately represented among American Communists, with the result that these issues became linked, and the situation lent itself to broad anti-Semitic conspiracy theories about the role of Jews in U.S. politics (e.g., Beaty 1951). In Congress, Representative John Rankin, a notorious anti-Semite, without making explicit reference to Jews, stated:

They whine about discrimination. Do you know who is being discriminated against? The white Christian people of America, the ones who created this nation... I am talking about the white Christian people of the North as well as the South...

Communism is racial. A racial minority seized control in Russia and in all her satellite countries, such as Poland, Czechoslovakia, and many other countries I could name.

They have been run out of practically every country in Europe in the years gone by, and if they keep stirring race trouble in this country and trying to force their communistic program on the Christian people of America, there is no telling what will happen to them here. (*Cong. Rec.*, April 23, 1952, 4320)

During this period mainstream Jewish organizations were deeply concerned to eradicate the stereotype of communist-Jew and to develop an image of Jews as liberal anti-communists (Svonkin 1997). “The fight against the stereotype of Communist-Jew became a virtual obsession with Jewish leaders and opinion makers throughout America” (Liebman 1979, 515). (As an indication of the extent of this stereotype, when the gentile anthropologist Eleanor Leacock was being screened for security clearance by the FBI in 1944, in an effort to document her associations with political radicals her friends were asked whether she associated with Jews [Frank 1997, 738].) The AJCommittee engaged in intensive efforts to change opinion within the Jewish community by showing that Jewish interests were more compatible with advocating American democracy than Soviet communism (e.g., emphasizing Soviet anti-Semitism and support of nations opposed to Israel in the period after World War II) (Cohen 1972, 347ff).¹⁷¹ Although the AJCongress acknowledged that communism was a threat, the group adopted an “anti-anticommunist” position that condemned the infringement of civil liberties contained in the anti-communist legislation of the

period. It was therefore “at best a reluctant and unenthusiastic participant” (Svonkin 1997, 132) in the Jewish effort to develop a strong public image of anti-communism during this period—a position that reflected the sympathies of many among its predominantly second- and third-generation Eastern European immigrant membership.

This radical Jewish subculture and its ties to communism were much in evidence during riots in Peekskill, New York in 1949. Peekskill was a summer destination for approximately 30,000 predominantly Jewish professionals associated with socialist, anarchist, and communist colonies originally established in the 1930s. The immediate cause of rioting was a concert given by avowed communist Paul Robeson and sponsored by the Civil Rights Congress, a pro-communist group branded as subversive by the U.S. attorney general. Rioters made anti-Semitic statements at a time when the linkage between Jews and communism was highly salient. The result was an image-management effort on the part of the AJCommittee in which the anti-Semitic angle of the event was minimized—an example of the quarantine method of Jewish political strategizing (see SAID, Ch. 6 Note 14). This strategy conflicted with other groups, such as the AJCongress and the ACLU, who endorsed a report that attributed the violence to anti-Semitic prejudice and emphasized that the victims had been deprived of their civil liberties because of their communist sympathies.

Particularly worrisome to American Jewish leaders was the arrest and conviction of Julius and Ethel Rosenberg for spying. Leftist supporters of the Rosenbergs, many of whom were Jewish, attempted to portray the event as an instance of anti-Semitism, in the words of one prominent commentator, “The lynchings of these two innocent American Jews, unless stopped by the American people, will serve as a signal for a wave of Hitler-like genocidal attacks against the Jewish people throughout the United States” (in Svonkin 1997, 155). These leftist organizations actively sought to enlist mainstream Jewish opinion on the side of this interpretation (Dawidowicz 1952). However, in doing so they made the Jewish identities of these individuals and the connection between Judaism and communism even more salient. The official Jewish community went to great lengths to alter the public stereotype of Jewish subversion and disloyalty. Similarly, in its attempt to indict communism, the AJCommittee commented on the trial of Rudolph Slansky and his Jewish colleagues in Czechoslovakia. This trial was part of the anti-Semitic purges of Jewish communist elites in Eastern Europe after World War II, completely analogous to similar events in Poland recounted by Schatz (1991) and discussed in Chapter 3. The AJCommittee stated, “The trial of Rudolph Slansky, renegade Jew and his colleagues, who betrayed Judaism in serving the Communist cause, should awaken everyone to the fact that anti-Semitism has become an open instrument of Communist policy. It is

Jewish Involvement in Shaping U.S. Immigration Policy

ironical that these men who deserted Judaism, which is inimical to Communism, are now being used as an excuse for the Communist anti-Semitic campaign” (in Svonkin 1997, 282n114).

Jewish organizations cooperated fully with the House Un-American Activities Committee, and defenders of the Rosenbergs and other communists were hounded out of mainstream Jewish organizations where they had previously been welcome. Particularly salient was the 50,000-member Jewish Peoples Fraternal Order (JPFO), a subsidiary of the International Workers Order (IWO), which was listed as a subversive organization by the U.S. attorney general. The AJCommittee prevailed on local Jewish organizations to expel the JPFO, a move staunchly resisted by the JPFO, and the AJCongress dissolved the affiliate status of the JPFO as well as another communist-dominated organization, the American Jewish Labor Council. Similarly, mainstream Jewish organizations dissociated themselves from the Social Service Employees Union, a Jewish labor union for workers in Jewish organizations. This union had previously been expelled from the Congress of Industrial Organizations because of its Communist sympathies.

Jewish organizations successfully obtained a prominent role for Jews in the prosecution of the Rosenbergs, and, after the guilty verdicts, the AJCommittee and the American Civil Liberties Union were active in promoting public support for them (Ginsberg 1993, 121; Navasky 1980, 114ff). The periodical *Commentary*, published by the AJCommittee, “was rigorously edited to ensure that nothing that appeared within it could be in any way construed as favorable to Communism” (Liebman 1979, 516), and it even went out of its way to print extremely anti-Soviet articles.

Nevertheless, the position of mainstream Jewish organizations such as the AJCommittee, which opposed communism, often coincided with the position of the CPUSA on issues of immigration. For example, both the AJCommittee and the CPUSA condemned the McCarran-Walter act while, on the other hand, the AJCommittee had a major role in influencing the recommendations of President Truman’s Commission on Immigration and Naturalization (PCIN) for relaxing the security provisions of the McCarran-Walter Act, and these recommendations were warmly greeted by the CPUSA at a time when a prime goal of the security provisions was to exclude communists (Bennett 1963, 166). (Judge Julius Rifkind’s remarks at the Joint Hearings on the McCarran-Walter Act [see p. 278 above] also condemned the security provisions of the bill.) Jews were disproportionately represented on the PCIN as well as in the organizations viewed by Congress as communist front organizations involved in immigration issues. The chairman of the PCIN was Philip B. Perlman and the staff of the commission contained a high percentage of Jews, headed by Harry N. Rosenfield (Executive Director) and Elliot Shirk (Assistant to the Executive Director), and

its report was wholeheartedly endorsed by the AJCongress (see *Congress Weekly*, Jan. 12, 1952, 3). The proceedings were printed as the report *Whom We Shall Welcome* with the cooperation of Representative Emanuel Celler.

In Congress, Senator McCarran accused the PCIN of containing communist sympathizers, and the House Un-American Activities Committee (HUAC) released a report stating that “some two dozen Communists and many times that number with records of repeated affiliation with known Communist enterprises testified before the Commission or submitted statements for inclusion in the record of the hearings... Nowhere in either the record of the hearings or in the report is there a single reference to the true background of these persons” (*House Rep. No. 1182*, 85th Cong., 1st Session, 47). The report referred particularly to communists associated with the American Committee for the Protection of Foreign Born (ACFPB), headed by Abner Green. Green, who was Jewish, figured very prominently in these hearings, and Jews were generally disproportionately represented among those singled out as officers and sponsors of the ACPFB (pp. 13-21). HUAC provided evidence indicating that the ACPFB had close ties with the CPUSA and noted that 24 of the individuals associated with the ACPFB had signed statements incorporated into the printed record of the PCIN.

The AJCommittee was also heavily involved in the deliberations of the PCIN, including providing testimony and distributing data and other material to individuals and organizations testifying before the PCIN (Cohen 1972, 371). All its recommendations were incorporated into the final report (Cohen 1972, 371), including a deemphasis on economic skills as criteria for immigration, scrapping the national origins legislation, and opening immigration to all the peoples of the world on a “first come, first served basis,” the only exception being that the report recommended a lower total number of immigrants than recommended by the AJCommittee and other Jewish groups. The AJCommittee thus went beyond merely advocating the principle of immigration from all racial and ethnic groups (token quotas for Asians and Africans had already been included in the McCarran-Walter Act) to attempt to maximize the total number of immigrants from all parts of the world within the current political climate.

Indeed, the Commission (PCIN 1953, 106) pointedly noted that the 1924 legislation had succeeded in maintaining the racial status quo, and that the main barrier to changing the racial status quo was not the national origins system, because there were already high levels of nonquota immigrants and because the countries of Northern and Western Europe did not fill their quotas. Rather, the report noted that the main barrier to changing the racial status quo was the total number of immigrants. The Commission thus viewed changing the racial status quo of the United States as a desirable goal, and to that end made a major point

Jewish Involvement in Shaping U.S. Immigration Policy

of the desirability of increasing the total number of immigrants (PCIN 1953, 42). As Bennett (1963, 164) notes, in the eyes of the PCIN, the 1924 legislation reducing the total number of immigrants “was a very bad thing because of its finding that one race is just as good as another for American citizenship or any other purpose.”

Correspondingly, the defenders of the 1952 legislation conceptualized the issue as fundamentally one of ethnic warfare. Senator McCarran stated that subverting the national origins system “would, in the course of a generation or so, tend to change the ethnic and cultural composition of this nation” (in Bennett 1963, 185), and Richard Arens, a congressional staff member who had a prominent role in the hearings on the McCarran-Walter bill as well as in the activities of HUAC, stated, “These are the critics who do not like America as it is and has been. They think our people exist in unfair ethnic proportions. They prefer that we bear a greater resemblance or ethnic relationship to the foreign peoples whom they favor and for whom they are seeking disproportionately greater immigration privileges” (in Bennett 1963, 186). As Divine (1957, 188) notes, ethnic interests predominated on both sides. The restrictionists were implicitly advocating the ethnic status quo, while the anti-restrictionists were rather more explicit in their desire to alter the ethnic status quo in a manner that conformed to their ethnic interests, although the anti-restrictionist rhetoric was phrased in universalistic and moralistic terms.

The salience of Jewish involvement in immigration during this period is also apparent in several other incidents. In 1950 the representative of the AJCongress testified that the retention of the national origins system in any form would be “a political and moral catastrophe” (“Revision of Immigration Laws” *Joint Hearings*, 1950, 336-337). The national origins formula implies that “persons in quest of the opportunity to live in this land are to be judged according to breed like cattle at a country fair and not on the basis of their character fitness or capacity” (*Congress Weekly* 21, 1952, 3-4). Divine (1957, 173) characterizes the AJCongress as representing “the more militant wing” of the opposition because of its principled opposition to any form of the national origins formula, whereas other opponents merely wanted to be able to distribute unused quotas to Southern and Eastern Europe.

Representative Francis Walter noted the “propaganda drive that is being engaged in now by certain members of the American Jewish Congress opposed to the Immigration and Nationality Code” (*Cong. Rec.*, March 13, 1952, 2283), noting particularly the activities of Dr. Israel Goldstein, president of the AJCongress, who had been reported in the *New York Times* as having stated that the immigration and nationality law would place “a legislative seal of inferiority on all persons of other than Anglo-Saxon origin.” Representative Walter then

noted the special role that Jewish organizations had played in attempting to foster family reunion rather than special skills as the basis of U.S. immigration policy. After Representative Jacob Javits stated that opposition to the law was “not confined to the one group the gentleman mentioned” (*Cong. Rec.*, March 13, 1952, 2284), Walter responded as follows:

I might call your attention to the fact that Mr. Harry N. Rosenfield, Commissioner of the Displaced Persons Commission [and also the Executive Director of the PCIN; see above] and incidentally a brother-in-law of a lawyer who is stirring up all this agitation, in a speech recently said:

The proposed legislation is America’s Nuremberg trial.
It is “racious” and archaic, based on a theory that people with different styles of noses should be treated differently.

Representative Walter then noted that the only two organizations hostile to the entire bill were the AJCongress and the Association of Immigration and Nationality Lawyers, the latter “represented by an attorney who is also advising and counseling the American Jewish Congress.” (Goldstein [1952b] himself noted that “at the time of the Joint House-Senate hearings on the McCarran bill, the American Jewish Congress was the only civic group which dared flatly to oppose the national origins quota formula.”)

Representative Emanuel Celler replied that Walter “should not have overemphasized as he did the people of one particular faith who are opposing the bill” (p. 2285). Representative Walter agreed with Celler’s comments, noting that “there are other very fine Jewish groups who endorse the bill.” Nevertheless, the principle Jewish organizations, including the AJCongress, the AJCommittee, the ADL, the National Council of Jewish Women, and the Hebrew Immigrant Aid Society, did indeed oppose the bill (*Cong. Rec.*, April 23, 1952, 4247), and when Judge Simon Rifkind testified against the bill in the joint hearings, he emphasized that he represented a very wide range of Jewish groups, “the entire body of religious opinion and lay opinion within the Jewish group, religiously speaking, from the extreme right and extreme left” (p. 563).¹⁷² Rifkind represented a long list of national and local Jewish groups, including in addition to the above, the Synagogue Council of America, the Jewish Labor Committee, the Jewish War Veterans of the United States, and 27 local Jewish councils throughout the United States. Moreover, the fight against the bill was led by Jewish members of Congress, including especially Celler, Javits, and Lehman, all of whom, as indicated above, were prominent members of the ADL.

Jewish Involvement in Shaping U.S. Immigration Policy

Albeit by indirection, Representative Walter was clearly calling attention to the special Jewish role in the immigration conflict of 1952. The special role of the AJCongress in opposing the McCarran-Walter Act was a source of pride within the group: On the verge of victory in 1965, the *Congress bi-Weekly* editorialized that it was “a cause of pride” that AJCongress president Rabbi Israel Goldstein had been “singled out by Representative Walter for attack on the floor of the House of Representatives as the prime organizer of the campaign against the measures he co-sponsored” (Feb. 1, 1965, 3).

The perception that Jewish concerns were an important feature of the opposition to the McCarran-Walter Act can also be seen in the following exchange between Representative Celler and Representative Walter. Celler noted, “The national origin theory upon which our immigration law is based...[mocks] our protestations based on a question of equality of opportunity for all peoples, regardless of race, color, or creed.” Representative Walter replied, “a great menace to America lies in the fact that so many professionals, including professional Jews, are shedding crocodile tears for no reason whatsoever” (*Cong. Rec.*, Jan. 13, 1953, 372). And in a comment referring to the peculiarities of Jewish interests in immigration legislation, Richard Arens noted, “One of the curious things about those who most loudly claim that the 1952 act is ‘discriminatory’ and that it does not make allowance for a sufficient number of alleged refugees, is that they oppose admission of any of the approximately one million Arab refugees in camps where they are living in pitiful circumstances after having been driven out of Israel” (in Bennett 1963, 181).

The McCarran-Walter Act passed despite President Truman’s veto, and Truman’s “alleged partisanship to Jews was a favorite target of anti-Semites” (Cohen 1972, 377). Prior to the veto, Truman was intensively lobbied, “particularly [by] Jewish societies” opposed to the bill; government agencies, meanwhile, including the State Department (despite the anti-restrictionist argument that the bill would have catastrophic effects on U.S. foreign policy) urged Truman to sign the bill (Divine 1957, 184). Moreover, individuals with openly anti-Semitic attitudes, such as John Beaty (1951), often focused on Jewish involvement in the immigration battles during this period.

Jewish Anti-Restrictionist Activity, 1953-1965

During this period the *Congress Weekly* regularly noted the role of Jewish organizations as the vanguard of liberalized immigration laws: In its editorial of February 20, 1956 (p. 3), for example, it congratulated President Eisenhower for his “unequivocal opposition to the quota system which, more than any other

feature of our immigration policy, has excited the most widespread and most intense aversion among Americans. In advancing this proposal for ‘new guidelines and standards’ in determining admissions, President Eisenhower has courageously taken a stand in advance of even many advocates of a liberal immigration policy and embraced a position which had at first been urged by the American Jewish Congress and other Jewish agencies.”

The AJCommittee made a major effort to keep the immigration issue alive during a period of widespread apathy among the American public between the passage of the McCarran-Walter Act and the early 1960s. Jewish organizations intensified their effort during this time (Cohen 1972, 370-373; Neuringer 1971, 358), with the AJCommittee helping to establish the Joint Conference on Alien Legislation and the American Immigration Conference—both organizations representing pro-immigration forces—as well as providing most of the funding and performing most of the work of these groups. In 1955 the AJCommittee organized a group of influential citizens as the National Commission on Immigration and Citizenship “in order to give prestige to the campaign” (Cohen 1972, 373). “All these groups studied immigration laws, disseminated information to the public, presented testimony to Congress, and planned other appropriate activities... There were no immediate or dramatic results; but AJC’s dogged campaign in conjunction with like-minded organizations ultimately prodded the Kennedy and Johnson administrations to action” (Cohen 1972, 373).

An article by Oscar Handlin (1952), the prominent Harvard historian of immigration, is a fascinating microcosm of the Jewish approach to immigration during this period. Writing in *Commentary* (a publication of the AJCommittee) almost 30 years after the 1924 defeat and in the immediate aftermath of the McCarran-Walter Act, Handlin entitled his article “The immigration fight has only begun: Lessons of the McCarran-Walter setback.” The title is a remarkable indication of the tenacity and persistence of Jewish commitment to this issue. The message is not to be discouraged by the recent defeat, which occurred despite “all the effort toward securing the revision of our immigration laws” (p. 2).

Handlin attempts to cast the argument in universalist terms as benefiting all Americans and as conforming to American ideals that “all men, being brothers, are equally capable of being Americans” (p. 7). Current immigration law reflects “racist xenophobia” (p. 2) by its token quotas for Asians and its denial of the right of West Indian blacks to take advantage of British quotas. Handlin ascribes the restrictionist sentiments of Pat McCarran to “the hatred of foreigners that was all about him in his youth and by the dim, recalled fear that he himself might be counted among them” (p. 3)—a psychoanalytic identification-with-the-aggressor argument (McCarran was Catholic).

Jewish Involvement in Shaping U.S. Immigration Policy

In his article Handlin repeatedly uses the term “we”—as in “if we cannot beat McCarran and his cohorts with their own weapons, we can do much to destroy the efficacy of those weapons” (p. 4)—suggesting Handlin’s belief in a unified Jewish interest in liberal immigration policy and presaging a prolonged “chipping away” of the 1952 legislation in the ensuing years. Handlin’s anti-restrictionist strategy included altering the views of social scientists to the effect “that it was possible and necessary to distinguish among the ‘races’ of immigrants that clamored for admission to the United States” (p. 4). Handlin’s proposal to recruit social scientists in the immigration battles is congruent with the political agenda of the Boasian school of anthropology discussed above and in Chapter 2. As Higham (1984) notes, the ascendancy of such views was as an important component of the ultimate victory over restrictionism.

Handlin presented the following highly tendentious rendering of the logic of preserving the ethnic status quo that underlay the arguments for restriction from 1921 to 1952:

The laws are bad because they rest on the racist assumption that mankind is divided into fixed breeds, biologically and culturally separated from each other, and because, within that framework, they assume that Americans are Anglo-Saxons by origin and ought to remain so. To all other peoples, the laws say that the United States ranks them in terms of their racial proximity to our own ‘superior’ stock; and upon the many, many millions of Americans not descended from the Anglo-Saxons, the laws cast a distinct imputation of inferiority. (p. 5)

Handlin deplored the apathy of other “hyphenated Americans” to share the enthusiasm of the Jewish effort: “Many groups failed to see the relevance of the McCarran-Walter Bill to their own position.” He suggests that these groups ought to act as groups to assert their interests: “The Italian American has the right to be heard on these issues precisely *as* an Italian American” (p. 7; italics in text). The implicit assumption is that the United States ought to be composed of cohesive subgroups with a clear sense of their group interests in opposition to the peoples deriving from Northern and Western Europe or of the United States as a whole. Also, there is the implication that Italian Americans have an interest in furthering immigration of Africans and Asians and in creating such a multiracial and multicultural society.

Handlin developed this perspective further in a book, *Race and Nationality in American Life*, published in 1957.¹⁷³ This book is a compendium of psychoanalytic “explanations” of ethnic and class conflict deriving from *The*

Authoritarian Personality school combined with the Boasian theory that there are no biological differences between the races that influence behavior. There is also a strong strand of the belief that humans can be perfected by changing defective human institutions. Handlin advocates immigration from all areas of the world as a moral imperative. In his discussion of Israel in Chapter XII, however, there is no mention that Israel ought to be similarly inclined to view open immigration from throughout the world as a moral imperative or that Jews should not be concerned with maintaining political control of Israel. Instead the discussion focuses on the moral compatibility of dual loyalties for American Jews to both the United States and Israel. Handlin's moral blindness regarding Jewish issues can also be seen in Albert Lindemann's (1997, xx) comment that Handlin's book *Three Hundred Years of Jewish Life in America* failed to mention Jewish slave traders and slave owners "even while mentioning by name the 'great Jewish merchants' who made fortunes in the slave trade."

Shortly after Handlin's article, William Petersen (1955), also writing in *Commentary*, argued that pro-immigration forces should be explicit in their advocacy of a multicultural society and that the importance of this goal transcended the importance of achieving any self-interested goal of the United States, such as obtaining needed skills or improving foreign relations. In making his case he cited a group of predominantly Jewish social scientists whose works, beginning with Horace Kallen's plea for a multicultural, pluralistic society, "constitute the beginning of a scholarly legitimization of the different immigration policy that will perhaps one day become law" (p. 86), including, besides Kallen, Melville Herskovits (the Boasian anthropologist; see Ch. 2), Geoffrey Gorer, Samuel Lubell, David Riesman (a New York Intellectual; see Ch. 6), Thorsten Sellin, and Milton Konvitz.

These social scientists did indeed contribute to the immigration battles. For example, the following quotation from a scholarly book on immigration policy by Milton Konvitz of Cornell University (published by Cornell University Press) reflects the rejection of national interest as an element of U.S. immigration policy—a hallmark of the Jewish approach to immigration:

To place so much emphasis on technological and vocational qualifications is to remove every vestige of humanitarianism from our immigration policy. We deserve small thanks from those who come here if they are admitted because we find that they are "urgently" needed, by reason of their training and experience, to advance our national interests. This is hardly immigration; it is the importation of special skills or know-how, not greatly different from the importation of coffee or rubber. It

Jewish Involvement in Shaping U.S. Immigration Policy

is hardly in the spirit of American ideals to disregard a man's character and promise and to look only at his education and the vocational opportunities he had the good fortune to enjoy. (Konvitz 1953, 26)

Other prominent social scientists who represented the anti-restrictionist perspective in their writings were Richard Hofstadter and Max Lerner. Hofstadter, who did much to create the image of the populists of the West and South as irrational anti-Semites (see Ch. 5), also condemned the populists for their desire "to maintain a homogeneous Yankee civilization" (Hofstadter 1955, 34). He also linked populism to the immigration issue: In Hofstadter's view, populism was "in considerable part colored by the reaction to this immigrant stream among the native elements of the population" (1955, 11).

In his highly acclaimed *America as a Civilization*, Max Lerner provides an explicit link between much of the intellectual tradition covered in previous chapters and the immigration issue. Lerner finds the United States to be a tribalistic nation with a "passionate rejection of the 'outsider'" (1957, 502), and he asserts that "with the passing of the [1924 immigration] quota laws racism came of age in America" (p. 504). Lerner laments the fact that these "racist" laws are still in place because of popular sentiment, "whatever the intellectuals may think." This is clearly a complaint that when it came to immigration policy, Americans were not following the lead of the predominantly Jewish urbanized intellectual elite represented by Lerner. The comment reflects the anti-democratic, anti-populist element of Jewish intellectual activity discussed in Chapters 5 and 6.

Lerner cites the work of Horace Kallen as providing a model for a multicultural, pluralistic America (p. 93), saying, for example, that he (Lerner) approves of "the existence of ethnic communities within the larger American community, each of them trying to hold on to elements of group identity and in the process enriching the total culture pattern" (p. 506). Correspondingly, while acknowledging that Jews have actively resisted exogamy (p. 510), Lerner sees nothing but benign effects of immigration and interbreeding: "Although some cultural historians maintain that the dilution of native stock is followed by cultural decadence, the example of the Italian city-states, Spain, Holland, Britain, and now Russia and India as well as America indicates that the most vigorous phase may come at the height of the mingling of many stocks. The greater danger lies in closing the gates" (p. 82).

Lerner cites approvingly Franz Boas's work on the plasticity of skull size as a paradigm showing the pervasiveness of environmental influences (p. 83), and on this basis he asserts that intellectual and biological differences between ethnic

groups are entirely the result of environmental differences. Thus, “One can understand the fear of the more prolific birth rate of the minorities, but since they are largely the product of lower living standards the strategy of keeping the living standards low by enclosing the minorities in walls of caste would seem self-defeating” (p. 506). And finally, Lerner uses *The Authoritarian Personality* as an analytic tool in understanding ethnic conflict and anti-Semitism (p. 509).

Handlin wrote that the McCarran-Walter law was only a temporary setback, and he was right. Thirty years after the triumph of restrictionism, only Jewish groups remained as persistent and tenacious advocates of a multicultural America. Forty-one years after the 1924 triumph of restrictionism and the national origins provision and only 13 years after its reaffirmation with the McCarran-Walter Act of 1952, Jewish organizations successfully supported ending the geographically based national origins basis of immigration intended to result in an ethnic status quo in what was now a radically altered intellectual and political climate.

Particularly important is the provision in the Immigration Act of 1965 that expanded the number of nonquota immigrants. Beginning in their testimony on the 1924 law, Jewish spokespersons had been in the forefront in attempts to admit family members on a nonquota basis (Neuringer 1971, 191). During the House debates on immigration surrounding the McCarran-Walter Act, Representative Walter (*Cong. Rec.*, March 13, 1952, 2284) noted the special focus that Jewish organizations had on family reunion rather than on special skills. Responding to Representative Javits who had complained that under the bill 50 percent of the quota for blacks from the British West Indies colonies would be reserved for people with special skills, Walter noted, “I would like to call the gentleman’s attention to the fact that this is the principle of using 50 percent of the quota for people needed in the United States. But, if that entire 50 percent is not used in that category, then the unused numbers go down to the next category which replies to the objections that these Jewish organizations make much of, that families are being separated.”

Prior to the 1965 law, Bennett (1963, 244) commenting on the family unification aspects of the 1961 immigration legislation, noted that the “relationship by blood or marriage and the principle of uniting families have become the ‘open Sesame’ to the immigration gates.” Moreover, despite repeated denials by the anti-restrictionists that their proposals would affect the ethnic balance of the country, Bennett (1963, 256) commented that the “repeated, persistent extension of nonquota status to immigrants from countries with oversubscribed quotas and flatly discriminated against by [the McCarran-Walter Act] together with administrative waivers of inadmissibility, adjustment of status and private bills, is helping to speed and make apparently inevitable a change in

Jewish Involvement in Shaping U.S. Immigration Policy

the ethnic face of the nation” (p. 257)—a reference to the “chipping away” of the 1952 law recommended as a strategy in Handlin’s article. Indeed, a major argument apparent in the debate over the 1965 legislation was that the 1952 law had been so weakened that it had largely become irrelevant and there was a need to overhaul immigration legislation to legitimize a de facto situation.

Bennett also noted that “the stress on the immigration issue arises from insistence of those who regard quotas as ceilings, not floors [opponents of restriction often referred to unused quotas as “wasted” because they could be given to non-Europeans], who want to remake America in the image of small-quota countries and who do not like our basic ideology, cultural attitudes and heritage. They insist that it is the duty of the United States to accept immigrants irrespective of their assimilability or our own population problems. They insist on remaining hyphenated Americans” (1963, 295).

The family-based emphasis of the quota regulations of the 1965 law (e.g., the provision that at least 24 percent of the quota for each area be set aside for brothers and sisters of citizens) has resulted in a multiplier effect that ultimately subverted the quota system entirely by allowing for a “chaining” phenomenon in which endless chains of the close relatives of close relatives are admitted outside the quota system:

Imagine one immigrant, say an engineering student, who was studying in the United States during the 1960s. If he found a job after graduation, he could then bring over his wife [as the spouse of a resident alien], and six years later, after being naturalized, his brothers and sisters [as siblings of a citizen]. They, in turn, could bring their wives, husbands, and children. Within a dozen years, one immigrant entering as a skilled worker could easily generate 25 visas for in-laws, nieces, and nephews. (McConnell 1988b, 98)

The 1965 law also deemphasized the criterion that immigrants should have needed skills. (In 1986 less than four percent of immigrants were admitted on the basis of needed skills, whereas 74 percent were admitted on the basis of familial relatedness [see Brimelow 1995].) As indicated above, the rejection of a skill requirement or other tests of competence in favor of “humanitarian goals” and family unification had been an element of Jewish immigration policy at least since debate on the McCarran-Walter Act of the early 1950s and extending really to the long opposition to literacy tests dating from the end of the nineteenth century.

Senator Jacob Javits played a prominent role in the Senate hearings on the 1965 bill, and Emanuel Celler, who fought for unrestricted immigration for over 40 years in the House of Representatives, introduced similar legislation in that body. Jewish organizations (American Council for Judaism Philanthropic Fund, Council of Jewish Federations & Welfare Funds and B'nai B'rith Women) filed briefs in support of the measure before the Senate subcommittee, as did organizations such as the ACLU and the Americans for Democratic Action with a large Jewish membership (Goldberg 1996, 46).

Indeed, it is noteworthy that well before the ultimate triumph of the Jewish policy on immigration, Javits (1951) authored an article entitled "Let's open the gates" that proposed an immigration level of 500,000 per year for 20 years with no restrictions on national origin. In 1961 Javits proposed a bill that "sought to destroy the [national origins quota system] by a flank attack and to increase quota and nonquota immigration" (Bennett 1963, 250). In addition to provisions aimed at removing barriers due to race, ethnicity, and national origins, included in this bill was a provision that brothers, sisters, and married sons or daughters of U.S. citizens and their spouses and children who had become eligible under the quota system in legislation of 1957 be included as nonquota immigrants—an even more radical version of the provision whose incorporation in the 1965 law facilitated non-European immigration into the United States. Although this provision of Javits's bill was not approved at the time, the bill's proposals for softening previous restrictions on Asian and black immigration as well as removing racial classification from visa documents (thus allowing unlimited nonquota immigration of Asians and blacks born in the Western Hemisphere) were approved.

It is also interesting that the main victory of the restrictionists in 1965 was that Western Hemisphere nations were included in the new quota system, thus ending the possibility of unrestricted immigration from those regions. In speeches before the Senate, Senator Javits (*Cong. Rec.*, 111, 1965, 24469) bitterly opposed this extension of the quota system, arguing that placing any limits on immigration of all of the people of the Western Hemisphere would have severely negative effects on U.S. foreign policy. In a highly revealing discussion of the bill before the Senate, Senator Sam Ervin (*Cong. Rec.*, 89th Cong., 1st Sess., 1965, 24446-51) noted that "those who disagree with me express no shock that Britain, in the future, can send us 10,000 fewer immigrants than she has sent on an annual average in the past. They are only shocked that British Guyana cannot send us every single citizen of that country who wishes to come." Clearly the forces of liberal immigration really wanted unlimited immigration into the United States.

Jewish Involvement in Shaping U.S. Immigration Policy

The pro-immigrationists in 1965 also failed to prevent a requirement that the secretary of labor certify that there are insufficient Americans able and willing to perform the labor that the aliens intend to perform and that the employment of such aliens will not adversely affect the wages and working conditions of American workers. Writing in the *American Jewish Year Book*, Liskofsky (1966, 174) noted that pro-immigration groups opposed these regulations but agreed to them in order to get a bill that ended the national origins provisions. After passage “they became intensely concerned. They voiced publicly the fear that the new, administratively cumbersome procedure might easily result in paralyzing most immigration of skilled and unskilled workers as well as of non-preference immigrants.” Reflecting the long Jewish opposition to the idea that immigration policy should be in the national interest, the economic welfare of American citizens was viewed as irrelevant; securing high levels of immigration had become an end in itself.

The 1965 law is having the effect that it seems reasonable to suppose had been intended by its Jewish advocates all along: The Census Bureau projects that by the year 2050, European-derived peoples will no longer be a majority of the population of the United States. Moreover, multiculturalism has already become a powerful ideological and political reality. Although the proponents of the 1965 legislation continued to insist that the bill would not affect the ethnic balance of the United States or even impact its culture, it is difficult to believe that at least some proponents were unaware of the eventual implications. Opponents, certainly, quite clearly believed the legislation would indeed affect the ethnic balance of the United States. Given their intense involvement in the fine details of immigration legislation, their very negative attitudes toward the Northwestern European bias of pre-1965 U.S. immigration policy, and their very negative attitudes toward the idea of an ethnic status quo embodied, for example, in the PCIN document *Whom We Shall Welcome*, it appears unlikely to suppose that organizations like the AJCommittee and the AJCongress were unaware of the inaccuracy of the projections of the effects of this legislation that were made by its supporters. Given the clearly articulated interests in ending the ethnic status quo evident in the arguments of anti-restrictionists from 1924 through 1965, the 1965 law would not have been perceived by its proponents as a victory unless they viewed it as ultimately changing the ethnic status quo. As noted, immediately after passage of the law, there was anxiety among immigration advocates to blunt the restrictive effects of administrative procedures on the number of immigrants. Revealingly, the anti-restrictionists viewed the 1965 law as a victory. After regularly condemning U.S. immigration law and championing the eradication of the national origins formula precisely because it had produced