

# 2018–19 National High School Debate Topic

## Immigration: Overview

### Introduction

Immigration has shaped the character of the United States since its inception and through the centuries has been a topic of intense national debate, from the formation of the anti-immigrant Know-Nothing movement in the mid-nineteenth century to political wrangling over President Donald Trump's promise to build a wall at the US-Mexico border in the late 2010s. Some Americans see immigrants as a potentially malevolent force to be strictly limited and controlled; others identify immigrants as vital to the economy and work to lessen restrictions on immigration. Immigration has been a thorny issue in American life, and policy-makers have had to grapple with issues of national security, humanitarian crises, economics, and public attitudes toward new immigrants.

*"Are we going to continue to be a nation that practices 'e pluribus unum' and welcomes people from around the world to make this country better? Or are we going to shut the door?"*

—Frank Sharry, Founder & Executive Director of America's Voice



In the twenty-first century, Congress has been deadlocked and unable to pass comprehensive immigration reform, "effectively moving some major policy decisions into the executive and judicial branches of government and fueling debate in the halls of state and municipal governments," according to the Council on Foreign Relations. Immigration was one of the key issues in the 2016 presidential campaign, with Trump tapping into a deep strain of voter sentiment by pledging to build a border wall with Mexico and curb immigration from predominantly Muslim countries. Since taking office in 2017, he has attempted to enact these policies, with varying degrees of success.

Despite hostile rhetoric and open disdain for some immigrant groups at the highest level of government, studies show that the American people as a whole are becoming more welcoming to foreigners, and the United States continues to be the destination of choice of potential immigrants from around the world. A 2018 Gallup poll found that 75 percent of Americans see immigration as a benefit to the country, up from 66 percent in 2012. Most economists argue that immigration is vital to a thriving economy, providing a benefit not only to the economy overall but to the wages and standard of living of native workers. There are very few who would argue for either a total ban on immigration or the lifting of all restrictions on immigration, leaving a wide spectrum of opinion in the middle about how immigration decisions should be made, and just how restrictive the rules should be.

### Understanding the Discussion

**Alien and Sedition Acts:** A collection of four laws passed in 1798 by the Federalist Congress with the support of President John Adams. These laws made it easier to deport foreigners and lengthened the residency requirement for naturalization from five to fourteen years, making it more difficult to become a US citizen.

**Deferred Action for Childhood Arrivals (DACA):** Introduced as an executive branch memorandum in 2012, an American immigration policy that allows some protection from deportation and the ability to work for those who were brought into the United States illegally before the age of sixteen and have lived here for at least five years; it mimics provisions in some versions of the DREAM Act.

**Development, Relief, and Education of Alien Minors (DREAM) Act:** A bill first introduced in Congress in 2001, attempting to create a path to permanent legal residency for minor children living illegally in the United States.

**National origins quota system:** Introduced in the Immigration Act of 1924, a system that limited the number of immigrants allowed into the United States based on their country of origin. This was intended primarily to keep the ethnic mix in the United States as of the 1890 census unchanged and allow for family reunification.

**Sanctuary city:** A municipality that chooses to limit local cooperation with federal immigration law enforcement.

## History

The first European settlers in North America were immigrants with many of the same motivations claimed by all generations of immigrants—opportunity, freedom to practice their religious beliefs (though often to the exclusion of others), financial and social mobility. From the first settlement in Virginia through the first colonial century, a defining feature of life in the British colonies of North America was a critical labor shortage. Raw material extraction and large-scale agriculture required labor, and so immigration was heavily promoted. Many people arrived in the colonies as indentured servants, an arrangement where they traded their passage and living expenses for a term of servitude, or as enslaved people, brought en masse from Africa.

Following the American Revolution, the Naturalization Act of 1790 first defined eligibility for naturalization as a US citizen. Any “free white person” who had been in the United States for two years, had demonstrated good moral character, and swore allegiance to the Constitution could become a citizen, along with their children. Eight years later, the Alien and Sedition Acts revealed a deep distrust of immigrants and foreigners in a time of international conflict. Under threat from the French, the United States enacted laws that allowed for deportation of foreigners and changed the residency requirement for naturalization, which had been extended to five years in 1795, still further to fourteen years. Congressman Harrison Grey Otis of the Federalist Party railed against untaxed immigration in a speech to Congress, arguing that it encourages “the turbulent and disorderly of all parts of the world, to come here with a view to disturb our tranquility.” Perhaps unsurprisingly, the opposition Democratic-Republican Party had far greater support among non-English immigrants.

Over the nineteenth century, national sentiment and policies around immigration flipped from eager recruitment in times of labor shortage or when settlers were needed to hold newly acquired territory to often racist and xenophobic anti-immigration movements following economic downturns and times of international conflict. The Know-Nothing movement, established around 1849 and formalized in 1854 as the American Party, capitalized on the backlash against increasing Irish and German immigration, as well as anti-Catholic sentiment. The Know-Nothings fizzled amid the national strife over slavery, but following the Civil War, the immigration issue returned. In 1882, the Chinese Exclusion Act became first law to place broad immigration restrictions on a particular national group; it was a reaction to Chinese laborers arriving on the West Coast in increasing numbers to work in mines and on large-scale transportation projects like the transcontinental railroad. That same year, the Immigration Act of 1882 was the first comprehensive immigration law passed by Congress, establishing categories of “undesirable” immigrants and giving the secretary of the Treasury broad authority to enforce immigration laws. Included among the undesirables was “any person unable to take care of him or herself without becoming a public charge”; this public charge doctrine, as it came to be known, allowed the exclusion of the disabled, the sick, or the very poor. Less than a decade later, Congress added exclusions

and established the Office of the Superintendent of Immigration, later the Bureau of Immigration and Naturalization, thereby consolidating federal control over immigration. According to the 1890 census, the foreign-born population of the United States that year reached an all-time high of nearly 15 percent.

Early twentieth-century immigration policy increasingly targeted national origin as the primary reason for exclusion. In 1917, 1921, and 1924, laws added restrictions and quotas based on national origin, with various formulas limiting the number of immigrants each year from a given country to, for example, 2 percent of the number of people from that country already living in the United States. During and after World War II, laws were passed to allow temporary Mexican workers, war brides, and those made stateless by Nazi persecution to immigrate. The national quota system remained in place until 1965, when the Immigration and Nationality Act overhauled the entire system, basing immigration preference on a system that favored family reunification and skilled immigration. As a result of restrictive immigration policies, the proportion of the US foreign-born population (immigrants) reached an all-time low of 4.7 percent in 1970 and has trended upward since then.

## Immigration Today

In 2016, according to the US Census Bureau, immigrants accounted for 13.5 percent of the US population, over 43 million. Add their American-born children, and the proportion rises to around 27 percent. Of these, around 11 million are undocumented, more than half of those have been in the country for over a decade, and about one-third have American-born children, according to the Pew Research Center. The majority of unauthorized immigrants overstay a legal visa, with a smaller number crossing the border illegally. The United States workforce is made up of around 17 percent immigrants, concentrated in certain industries such as agriculture and domestic employment. Many economists have argued that their contribution to the economy goes beyond what they earn and spend, boosting US workers’ earnings overall, while some scholars have countered that immigrant labor, particularly that of unauthorized migrants, depresses wages for low-skilled native-born Americans.

Since 1986, when the Simpson-Mazzoli Act granted amnesty to over 3 million immigrants living in the United States illegally, immigration policy and how to treat undocumented immigrants and their children has been a political hot potato, with both parties failing to enact meaningful reform. In 2001, the bipartisan Development, Relief, and Education of Alien Minors (DREAM) Act was proposed. Various versions were introduced thereafter, all providing some kind of path to legal residency for young people brought into the country illegally by their parents; now known as “Dreamers,” after the name of the proposed law, these young people are characterized by their advocates as “Americans in every way but on paper.” Nonetheless, no version of the bill has ever passed both houses of Congress, though in 2012 President Barack Obama attempted to enact some of its provisions temporarily with his Deferred Action for Childhood

Arrivals (DACA) policy, which provides temporary protection from deportation for some qualifying Dreamers and allows them to work or go to school legally.

The 2016 presidential campaign and subsequent Trump administration brought the issue of immigration to the forefront of national debate once again, with Trump responding to a deep strain of anti-immigrant sentiment in the country by promising to reinforce southern border security and build a wall along the Mexican border. He also issued a series of executive orders attempting to enact a visa ban on travelers from several majority Muslim countries, which was eventually implemented after lengthy court challenges. His administration has also targeted legal immigration, with Trump stating that he supports eliminating birthright citizenship. Trump cut the annual number of refugees allowed to enter the United States by nearly three-quarters and made it more difficult for others to seek asylum. These policies, along with disparaging comments about migrants as potential rapists, drug smugglers, and criminals, have galvanized the national dialogue around how immigration should be regulated and regarding its relative merits and costs.

In such a polarized environment, it would seem that national sentiment may be shifting away from support of immigration. However, according to a 2017 Gallup poll, 71 percent of Americans considered immigration a “good thing” for the United States, while 84 percent favored some kind of pathway to citizenship for undocumented immigrants who meet certain conditions.

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## About the Author

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