The problems of the immigrant and the refugee in the United States

Belanger, Rita Pauline

Boston University
Boston University
College of Business Administration

THESIS
The Problems of the Immigrant
and
The Refugee in the United States

by

Rita Pauline Belanger
(B. of Ed. Plymouth Teachers College 1940)

submitted in partial fulfillment of
the requirements for the degree of

Master of Business Administration
1941
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>CHAPTER</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>INTRODUCTION</td>
<td>1</td>
</tr>
<tr>
<td>I CAUSES AND EXTENT OF MIGRATION</td>
<td>3</td>
</tr>
<tr>
<td>Introduction</td>
<td>3</td>
</tr>
<tr>
<td>Pushing Causes</td>
<td>4</td>
</tr>
<tr>
<td>Pulling Causes</td>
<td>5</td>
</tr>
<tr>
<td>Comparison of Standards of Living in Europe And in the United States</td>
<td>6</td>
</tr>
<tr>
<td>Decline of Immigration in the United States</td>
<td>7</td>
</tr>
<tr>
<td>The Emigration Problem of Europe</td>
<td>12</td>
</tr>
<tr>
<td>II SOCIAL PROBLEMS OF RECENT IMMIGRATION</td>
<td>16</td>
</tr>
<tr>
<td>Physically Defective Immigrants</td>
<td>16</td>
</tr>
<tr>
<td>Mentally Defective Immigrants</td>
<td>18</td>
</tr>
<tr>
<td>Family Life and Social Groups</td>
<td>19</td>
</tr>
<tr>
<td>Living Conditions</td>
<td>21</td>
</tr>
<tr>
<td>III POPULATION PROBLEMS</td>
<td>23</td>
</tr>
<tr>
<td>Birth and Death Rates</td>
<td>23</td>
</tr>
<tr>
<td>Population Growth</td>
<td>27</td>
</tr>
<tr>
<td>Population Quality in the United States</td>
<td>29</td>
</tr>
<tr>
<td>IV EFFECT OF IMMIGRATION ON CRIME</td>
<td>32</td>
</tr>
<tr>
<td>Introduction</td>
<td>32</td>
</tr>
<tr>
<td>The Problem</td>
<td>33</td>
</tr>
<tr>
<td>Racial Tendencies</td>
<td>34</td>
</tr>
<tr>
<td>Difficulty of Administration of Laws</td>
<td>36</td>
</tr>
<tr>
<td>Conclusion</td>
<td>38</td>
</tr>
<tr>
<td>V WHITE-SLAVE TRAFFIC IN IMMIGRATION</td>
<td>40</td>
</tr>
<tr>
<td>Motives</td>
<td>40</td>
</tr>
<tr>
<td>Method of Entry</td>
<td>42</td>
</tr>
<tr>
<td>Habitation</td>
<td>42</td>
</tr>
<tr>
<td>Races</td>
<td>44</td>
</tr>
<tr>
<td>Present Remedies</td>
<td>44</td>
</tr>
<tr>
<td>VI RESTRICTIVE LEGISLATION IN THE UNITED STATES</td>
<td>48</td>
</tr>
<tr>
<td>Early Conditions and Attitudes Which Brought Out the Need for Legislation</td>
<td>43</td>
</tr>
<tr>
<td>Exclusion</td>
<td>49</td>
</tr>
<tr>
<td>Selection</td>
<td>53</td>
</tr>
<tr>
<td>Restriction</td>
<td>54</td>
</tr>
<tr>
<td>The Quota System</td>
<td>56</td>
</tr>
<tr>
<td>Non-Quota Immigration</td>
<td>57</td>
</tr>
<tr>
<td>Social Consequences of This Policy</td>
<td>59</td>
</tr>
<tr>
<td>CHAPTER</td>
<td>PAGE</td>
</tr>
<tr>
<td>---------</td>
<td>------</td>
</tr>
<tr>
<td>VII</td>
<td></td>
</tr>
<tr>
<td></td>
<td>LOOPHOLES IN ADMINISTERING OUR MIGRATION LAWS 63</td>
</tr>
<tr>
<td></td>
<td>Introduction 63</td>
</tr>
<tr>
<td></td>
<td>Lack of Executive Initiative 65</td>
</tr>
<tr>
<td></td>
<td>Defects in Facilities and Procedure 67</td>
</tr>
<tr>
<td></td>
<td>Lack of State-Nation Cooperation 69</td>
</tr>
<tr>
<td></td>
<td>Lack of Adequate Border and Coast Guard Control 70</td>
</tr>
<tr>
<td>VIII</td>
<td>72</td>
</tr>
<tr>
<td></td>
<td>THE REFUGEE</td>
</tr>
<tr>
<td></td>
<td>Definition of a Refugee 72</td>
</tr>
<tr>
<td></td>
<td>The Refugee and the Immigration Laws 74</td>
</tr>
<tr>
<td>IX</td>
<td>79</td>
</tr>
<tr>
<td></td>
<td>THE REFUGEE PROBLEMS</td>
</tr>
<tr>
<td></td>
<td>Part of a Wider Question 79</td>
</tr>
<tr>
<td></td>
<td>Question of Deportation 80</td>
</tr>
<tr>
<td></td>
<td>Causes and Recent Trends in Deportation From the United States 84</td>
</tr>
<tr>
<td></td>
<td>Conclusion 85</td>
</tr>
<tr>
<td>X</td>
<td>87</td>
</tr>
<tr>
<td></td>
<td>REFUGEE GROUPS IN THE UNITED STATES</td>
</tr>
<tr>
<td></td>
<td>Russians 88</td>
</tr>
<tr>
<td></td>
<td>Germans 90</td>
</tr>
<tr>
<td></td>
<td>Greeks 96</td>
</tr>
<tr>
<td></td>
<td>Armenians 97</td>
</tr>
<tr>
<td></td>
<td>Present Refugee Groups 98</td>
</tr>
<tr>
<td></td>
<td>Children 99</td>
</tr>
<tr>
<td></td>
<td>CONCLUSION 101</td>
</tr>
<tr>
<td></td>
<td>BIBLIOGRAPHY iii</td>
</tr>
</tbody>
</table>

-ii-
INTRODUCTION

The purpose of this thesis is to consider the problems of immigration facing this country and their possible solutions. We have found these problems to be many and varied, each peculiar to the immigrant involved. They run from the individual's reason or reasons for entering this country to the problem of aiding that particular person once he has established residence here. By aiding the immigrant once he is here in the United States, we mean acquainting him with our laws and customs, thereby enabling him to better cope with his personal problem of orienting himself in a new land.

In this consideration of the problems of migration, we intend to show the causes that "push" or "pull" people into the act of changing their homelands. We have conducted a rather lengthy research of these causes and feel that the field will be covered quite thoroughly.

In our further considerations, we find that once the immigrant has settled here he is confronted with numberless social problems which are distinctly foreign to him. These are problems of living conditions as compared with those of his homeland. We propose to show the immensity of these problems as they must appear in the mind of the individual newcomer.

Further, we find that since the World War the immigration problem which confronts the United States has taken a
distinctly new turn. This, in a few words, we will term the Refugee Problem. We plan to show the effect this Refugee Problem has upon the attitude of the citizens of the United States.

In the conclusion of this thesis, we propose to set forth possible solutions to these problems which we will have shown to confront the immigration authorities of the United States.
CHAPTER I

CAUSES AND EXTENT OF MIGRATION

INTRODUCTION

Immigration is a natural sequence to opportunity and security; hence the causes and reasons for it are many. In the settlement of any country, immigration plays an important part in its development and growth. Ideas, architecture, and most phases of life are different in each nation. Therefore, a unit welded from a cross-section of the people of all these countries develops an individuality in a new nation by immigration. As witness, in the United States, the Indians were the original people and then through immigration we have the present day American. The German, English, Scot, Irish, Dutch, French Huguenot, and Spanish each settled in more or less definite regions. Although the country gained little by immigration during its first two wars, after 1816 conditions in England, Ireland, and Germany were bad and many from those countries were attracted by the better opportunities offered here.

The primary cause for people immigrating to a different nation may be divided into two groups. First, pushing causes which impel emigration and pulling causes which draw immigration. Illustrations of these two reasons is the vast movement which took place in the nineteenth century.

PUSHING CAUSES

Pushing causes fall into four main groups: religious,
social, political, and economic.

In the early migrations religion was the foremost cause, but it has steadily declined. There used to be restrictions placed on church members because of beliefs and practices. There was much persecution, and many left their homelands to escape it. Even now we have a problem of the persecution and expulsion of the Jews from Germany. Many of these Jews are now building a settlement in China, living on the money contributed by other Jews. They are setting up schools there so that they may learn to read and write English. Their intention is to eventually emigrate once more, this time to the United States.

The social causes had to do with the difficulty in rising from a lower class to an upper one. Many saw the uselessness of toiling day in and day out for very little money with no chance for advancement. This was an influence in all of the countries. Others left their home countries because of unsatisfactory attempts to secure or maintain political freedom, and because of office disqualifications. This has always been an excellent reason for emigration. Political idealists have found a freedom of speech here which has drawn them to this country.

Most of the emigration from Europe is attributable to economic causes, however. At times in the past, during the
years of famine in Ireland and depressions in Germany, actual want forced a choice between emigration and starvation, but the movement is mostly from a desire for better economic conditions rather than the necessity of escaping intolerable ones.

Prior to 1930 the immigrant was seeking a more favorable market in which to sell his labor. Naturally this was accompanied by a certain spirit of unrest and adventure and a more or less definite ambition for general social betterment, but primarily the movement was accounted for by the fact that the reward of labor is much greater in the United States than in Europe. The opportunity of escaping two or three years of compulsory military service is a primary motive for emigration, but on the whole it is unimportant. This pressure is usually answered by the stronger and more ambitious men, but the weaker ones are usually content to conserve their energy and remain where they are.¹

PULLING CAUSES

The converse of the forces which drove people out of their homelands drew them to this country. A man of average ability could rise to a higher class, enjoying the respect

of all. As naturalized citizens all were eligible to vote, to help make laws, and to hold any office except the one of the presidency. Because comparative religious freedom is enjoyed here and each is allowed to practice his religion and ideals, this country has been a magnet for dissatisfied peoples of other nations. There were plenty of chances open to those who desired to work and to make an honest and comfortable living. There were the factories in the East, mines to be developed, fertile acres of land awaiting cultivation, the gold rush, and the need for professional men. To these places, hundreds of thousands thronged from the four corners of the earth.

COMPARISON OF STANDARDS OF LIVING IN EUROPE AND IN THE UNITED STATES

The emigration from Ireland was mostly rural, and these people were accustomed to the hardships of the Irish land-tenure system. There was too much difficulty in acquiring land, and there was the oppression of the landlords to bear. They came here to settle on the fertile land in the West. If they did not have the necessary money to purchase the land, a year’s work in the East gave them the necessary amount. There were no heavy taxes to meet in the West in the early years, and with the help of the children, an honest and comfortable living was made. A bad crop in this country does not result in a famine, whereas, this has been the condition in European
countries.

The money wages of many Europeans were often one-third of what they could obtain here for the same work. With such low wages their homes, food, and clothing were of lower standards than ours.\(^1\) Many peasants lived in huts with earth floors, ate the simplest vegetables with meat only on feast days, and clothes were scant and coarse. Many came to this country to escape these conditions, often with the idea of bringing the family here after they had established a home in this country. They had the desire to give these opportunities, which they had been denied, to their children.

**DECLINE OF IMMIGRATION IN THE UNITED STATES**

Immigration slackened during the Civil War period, but it increased again until 1890. The financial crisis which followed checked immigration somewhat.

During the period of 1880-1910 there was an important change in the racial composition of the immigrants to the United States. Up to 1880 most of the people came from northern and western Europe, but after that year the immigrants began coming from southern and eastern Europe. This decline of emigrants from northern Europe and western Europe was due

to the commercial and industrial expansion taking place, and to the improved home conditions and opportunities offered by the colonies of these various countries. A large volume of immigrants were admitted without restrictions up to 1913 other than:

a. the exclusion under the Immigration Act of 1882 and subsequent legislation of certain undesirable classes such as criminals, paupers, and those with physical and mental defects.

b. those imposed by the Alien Contract Labor Law of 1885 forbidding the entry of any person under a contract previously to perform labor or service of any kind in the United States.

Before the World War the problem of assimilation, which was resulting from the conglomeration of peoples admitted into this country, was becoming a very important one. Restrictions along certain lines had been proposed several times, and it was proven a need by the report made by a commission appointed by President Theodore Roosevelt in 1910.

In 1917 an Act was passed expressing the attitudes, fears, and the policy of previous years in so far as it went, strengthened and partially codified the earlier laws which

attempted to exclude individuals considered undesirable.¹ This Act represented a distinct change in policy through its literacy test and to a less extent through its restriction of Asiatics on a geographical basis. The act excludes individuals who are physically defective, mentally defective, morally defective, politically defective, economically dangerous, children under sixteen years of age unless accompanied by or coming to parents (with certain exceptions), those racially undesirable, and the educationally defective. The act also included a provision strengthening the deportation laws, making it possible to deport specified convicts, public charges, prostitutes, and those entering contrary to law within five years of their entry. Those entering the wrong port could be deported within three years after entry.

Immediately following the War, two types of acts began to be passed: acts liberalizing existing legislation in the interest of aliens who had served in the Allied armies, and acts strengthening protection against the much feared "radicals." Radicalism was to be tested by what men advocated or taught, by their beliefs, by membership in organizations advocating radical measures, by their writings and publications,

and by their financial support of such organizations. This unthinking fear of radicalism, increased by the Russian Revolution, led to many abuses in the administration of our immigration laws. Sabotage was added to the existing list of acts which must not be advocated.¹

The large numbers of Europeans coming to this country made it necessary to put through an emergency bill which was passed and put into operation in 1921. This limited "the number of aliens of any nationality who may be admitted under the immigration laws to the United States in any fiscal year to three per centum of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census of 1910."² This act not only reduced the number of immigrants able to come into the United States, but it also served as a selector.

However, the purpose of the law was defeated in that the number of immigrants coming from Canada and Mexico was not limited. Any alien could enter from either of these places if he had established a residence there for one year. Later, the requirement for residence was changed to five years.

The above Act, the Act of 1921, was only for temporary purposes; and soon after the Immigration Act of 1924 was

¹Donald R. Taft, op. cit., p. 361.
²Encyclopedia Britannica, op. cit., p. 467.
passed, including the Act of 1921 in its provisions. This quota act of 1924 together with the Act of 1917 comprises our basic immigration legislation. In order still further to limit immigration from southern Europe, this new law went back to the census of 1890 for the population basis on which the percentages were figured. At present the census of 1920 is used as the basis. This plan provides that the quota for each nationality for each fiscal year shall be a number which bears the same ratio to 150,000 as the number of inhabitants in our continental United States in 1920 having that national origin bears to the total number of inhabitants in continental United States in 1920, but the minimum quota shall always be 100. This implies an attempt to determine the relative proportion of the population descended from a particular nationality--a figure which cannot be determined accurately.  

There were reasons for this restrictive legislation:  

a. to reduce the number of immigrants so as to afford an opportunity for assimilation  
b. to allow future immigration on a scale designed to preserve a reasonable degree of homogeneity in the population of the United States  

This Act of 1924 has a definite affect on the unskilled labor supply here. In the past this type of laborer had been drawn mostly from the new immigrants. The type of

---

2Ibid., p. 468.
immigrant we have received since then has not always been desirable to fill the industrial positions open. Many who have come from across the Mexican border have not been so desirable biologically.

Since the middle of the nineteenth century the Pacific Coast has had the problem of limiting Chinese immigration to contend with. However, Congress was mostly interested in suppressing the Chinese slave trade, and the first laws were passed in connection with this. Then a law was passed allowing Chinese immigration but denying naturalization. Later, immigration of Chinese laborers was suspended for specified periods of time, these periods being renewed every so often.¹

The question of Japanese immigration became acute in the Western States by 1906, and legislation was demanded similar to the acts passed on Chinese immigration. Japan and the United States came to an agreement, in 1907, which excluded immigration of all Japanese laborers to the United States. The Chinese and Japanese problems are discussed in more detail in a later chapter.

THE EMIGRATION PROBLEM OF EUROPE

In many ways emigration has had a bad effect on Europe. The different governments do not like to lose the military

service of the young emigrants. They have had the expense of raising them through the unproductive period of childhood and fitting them to become self-supporting wage-earners. If, at the period when they are just beginning to be productive, they decide to emigrate, the expense of their rearing is a total loss to the family. So, in most cases, whenever the emigrant returns even for a short visit, he is held responsible for having evaded his compulsory military training period.

Moreover, the removal of such a large labor force for long and indefinite periods of time is detrimental to a country as a whole. The emigration of the strongest and most enterprising wage-earners curtails the manufacturing and commercial power of a country.

The migrations in Europe itself are mainly seasonal and temporary compared to the migrations to the United States which are more or less for permanent settlement. The cause for this is that there is a scarcity of food and of work in Europe, and people move from country to country as the seasons change. For example, people migrate to Italy for the canning season, move northward to France for the agricultural season, and then to Germany, Poland, and Denmark as the harvest seasons move northward.

France has always depended on this large influx of people
for agricultural purposes. Since the World War migration from other countries became very essential to her. There was the work of reconstruction which was a long and difficult one both in France and in Belgium.

After the industrial expansion in Germany which absorbed most of her own workers, the seasonal migration of laborers from the various countries was depended upon during the harvest season. However, since the World War, Germany has had to restrict the entry of people from other countries; and she has had to seek outlets for her own people. This is because her various colonies were taken away from her at the Treaty of Versailles, and there was no place for her own people to expand to. The large number of people in the country made obtaining food a problem, and additional people would only add to this difficulty. Many Germans were induced to sail for America by the glowing letters sent from friends and from members of their families who were already here. They learned of the higher wages and of the better living conditions. These letters were often passed from hand to hand in the country villages, and all felt the lure of this land. Many of the letters contained remittances in the form of prepaid tickets, complete from some European center or port to a city here in America. This made their influence absolutely irresistible. On the other hand, depressions in
the United States were felt in the same manner, and the tide of emigration at such times recede.

This influx of workers into the various European countries has raised problems of hygiene, national security, and unity. These laborers have not any permanent homes and, consequently, they are apt to live in tents; or in similar habitations; or, overcrowded, in one tenement. Many treaties and agreements have been entered into by various European countries to try and rectify these conditions.

When the emigrant returns to his own country from the United States, usually his standards have been raised, and he returns with quite a lot of money. He is not satisfied in living as he did formerly, and directly has a beneficial influence on the people around him, and indirectly he helps to make his country progressive.
CHAPTER II
Social Problems of Recent Immigration

PHYSICALLY DEFECTIVE IMMIGRANTS

It is probable that we hear more about vice and immorality in these days, not because they are increasing, but because people's consciences have become more sensitive. Because of this, greater effort is made to suppress them. It is certain that the injurious effect of most contagious diseases has been very greatly lessened, and yet it is probable that we hear more regarding such diseases now than ever before. This is attributed to the fact that we have become more watchful.

It is generally accepted that up to the time of the visitation of the Pacific Islands by diseased sailors from Europe early in the nineteenth century, venereal diseases did not exist in those islands. Their introduction by only a few sailors was largely responsible for the ravages of these terrible diseases that swept away a large portion of the entire population in many cases. No one had the necessary medical knowledge to check this. ¹ Therefore, it is important that as careful consideration as possible be given to these questions, and that rigid measures be taken to check whatever evils may have arisen.

Our present law provides that in the case of aliens

who are barred for physical or mental reasons and whose disability might have been detected by the transportation company through a competent medical examination at the time of embarkation, the transportation company shall pay the sum of $200. In addition, the company pays a sum equal to that paid by such an alien for his transportation from the initial point of departure indicated on his ticket to the port of arrival. This sum is paid to the alien on whose account it is assessed. In consequence of these regulations, the transportation of diseased aliens has become very unprofitable. Now the steamship companies have provided the leading foreign ports with a medical inspection bureau similar to the one in the United States.\footnote{Immigration Laws, pp. 9-10. United States Dept. of Labor. Washington, D. C.: U. S. Government Printing Office, 1937.}

As a result of this inspection compelled by the rigid enforcement of our laws at our ports of entry, the number of persons debarred at American ports is relatively small. The fact that a large proportion of the immigrants arriving in the United States come from countries where contagious diseases are prevalent among the classes of the population from whom the immigrants come, shows how careful the steamship inspection is.

On the whole, this medical inspection of immigrants at
foreign ports seems to be reasonably satisfactory, while not absolutely effective. A considerable time must elapse between embarkation at European ports and arrival in the United States. Moreover, in spite of the best efforts that can be made, there will be occasionally an avoidance of inspection. However, taking all circumstances into account, the present control of immigrants as regard contagious diseases seems to be quite satisfactory.

MENTALLY DEFECTIVE IMMIGRANTS

It is much more difficult, in many instances, to detect the mentally defective than the physically defective. Often there is nothing to indicate a mental disease, and so the medical inspector does not discover this condition. Unless the immigrant can be kept under observation for a considerable period of time, or unless the history of the case is known, it is practically impossible to detect mental defects. It is invariably the custom to hold for observation any patient who shows any evidence whatever of a mental disorder. Despite this care quite a few cases are found of those who have developed insanity within a comparatively short period after landing. In some instances, this might have been anticipated if the history of the patient had been known, but otherwise there was no means of detection. The present law
on this point seems to be satisfactory, and its enforcement is generally very good even under these very difficult conditions. However, it would be desirable to have a larger force of experts to examine, and if practicable, to provide some better means for securing the history of arriving immigrants.¹

FAMILY LIFE AND SOCIAL GROUPS

After the arrival of the immigrant in this country, he is faced with our social problems. They consist of the family life and living conditions, and this seems to be a logical place to discuss this problem.

The family is the most important of the primary groups in all social organization, and it is an effective means of social control. Many of the immigrants who come here leave their families behind, living in camps, or as boarders until a family life is established here. Oftentimes this is accompanied by evil effects. If one member of the family has been here a considerable length of time before the rest of the members join him, he may be out of harmony with them when they do join him. He goes through a process of individualization and breeds independence, developing character, and a better type of citizen. Here the immigrant begins to count as an individual in a community, instead of as a member as he

¹Philip Davis, op. cit., pp. 281-282.
null
was in his native country.

There is an unequal rate of adaptation among parents and children, and a breakdown of family life is often the result. The parents may not speak English, and they may not have the opportunity or incentive to learn; whereas, the children learn in the schools and feel superior to their parents.

Among some of the immigrant groups, the wives and children are put to work as soon as possible for as long as possible in order to increase the family income.

Other social influences affect the immigrant's conduct here.\(^1\) The law, church, clubs, societies, customs, the prestige and example of important members of the community, the standards of morality, culture and freedom in the community, and the fear of social disapproval provide effective media of social control. In their own countries, immigrants are influenced by their own social groups in matters concerning morality, and in the prevention of anti-social acts. Migrating to this country usually breaks down these valuable social influences and a moral weakening often takes place. There is a freedom from restraint in America to which immigrants are

---

not accustomed and is a new experience to them.

LIVING CONDITIONS

There is a tendency among foreigners to settle in those sections of a city where their countrymen are and where their inability to speak English will not bar them from free social intercourse nor mark them as aliens. This retards Americanization, however, and ferments political patronage for political bosses who can deleur the foreign vote.

Congregating in national groups, patronizing their own shops, restaurants, and banks has its advantages as well as its disadvantages. It helps to moderate the break between life in the old world and that in the new. On the other hand, it taxes housing facilities and makes for overcrowding in certain sections of cities. There seems to always be that tendency of overcrowding, of keeping boarders and lodgers, and frequently of having several families living together in small quarters.

Immigrants show a higher average of persons per room and per sleeping room than do the native born. This fosters low-grade and unsanitary housing conditions and aids in maintaining slums.

A more significant fact is that there is a reaction on

---

1Research Report #58, op. cit., pp. 43-44.
the immigrant's mental attitude toward the United States. The home is the first real contact that is made in America, and the home environment tends to react strongly on the life and character as well as on the citizenship of the immigrant.

By this close contact with others of the same race, older dietary laws, costumes, and other living habits are continued and emphasize the contrast to the new environment. However, as their economic positions improve, immigrants tend to alter their living conditions to accord more with American standards, to seek better types of dwelling places, and to reduce overcrowding.

The question of housing and living conditions is of the utmost importance in considering the immigrant in his relation to the American community. Poor living conditions and bad housing are blamed on the immigrant, but oftentimes it is the fault of Americans because of prejudices they have toward the immigrants and to the economic status of the immigrant working class. However, by keeping the immigrant population in a fairly normal condition of health, they will go far towards solving the rest of their problems.
CHAPTER III
POPULATION PROBLEMS

BIRTH AND DEATH RATES

Among the more progressive peoples of the world, the improvements in culture on which countries pride themselves as proofs of their high standards of life would eventually lead to overpopulation if other things remained the same. This is particularly true of advances in the medical arts which have caused a sensational lowering of the death rate among the more advanced nations such as the United States. During the first part of this century up to the World War infant mortality had been reduced by an amount varying between a quarter and two-fifths. However, progress in medical science and public health has been counteracted by a simultaneous decline of the birth rate. Up to now, this decline of births has been slower than the reduction of deaths.

Special problems are raised by the fact that the rate of increase varies in the different social levels of the population and among different racial stocks. Statistics show that there is a high correlation between the birth rate and the conditions which indicate a lower social status. The higher the social status, the smaller number of children per family; and this difference in rate of increase is not counter-balanced by a difference in death rates.

There is a similar correlation between the birth rate and
the degree of education of the population groups. Studies show that the birth rate is declining among college-bred men and women much more rapidly than among people with less education.

The rate of increase in the alien racial groups of our population is twice as rapid as in the native stock. It is proved by the following statistics.¹ These statistics are based on the 1930 census.

<table>
<thead>
<tr>
<th></th>
<th>Length of Marriage</th>
<th>Number of Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Native White Women of Native Parentage</td>
<td>10-20 years</td>
<td>2.7</td>
</tr>
<tr>
<td>White Women of Foreign Parentage</td>
<td>10-20 years</td>
<td>4.4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Length of Marriage</th>
<th>Childless</th>
</tr>
</thead>
<tbody>
<tr>
<td>Native White Women of Native Parentage</td>
<td>10-20 years</td>
<td>13%</td>
</tr>
<tr>
<td>White Women of Foreign Parentage</td>
<td>10-20 years</td>
<td>5.7%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Length of Marriage</th>
<th>Five or More Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Native White Women of Native Parentage</td>
<td>10-20 years</td>
<td>10%</td>
</tr>
<tr>
<td>White Women of Foreign Parentage</td>
<td>10-20 years</td>
<td>33%</td>
</tr>
</tbody>
</table>

In the early decades of American history the population increased rapidly because of the large number of births. Large families were necessary to run farms, and consequently this kept the birth rate up. Later the vast number of immigrants together with the high birth rate expanded the population. By studying census reports it can be seen that during this period the rate of increase of the population through births was steadily decreasing, and now that immigration is not an important factor in population expansion the entire population is decreasing. It is estimated that if the birth rate is not increased considerably during the next twenty years, the population will have become a static one.

This reduction in the birth rate throughout the United States will have a serious effect on our educational system. It means that the number of children attending our schools will steadily decrease, and that a fewer number of buildings will be needed. In reducing the number of buildings used, a larger number of teachers will find themselves without jobs. What is to become of the large number of teachers graduating from the Teachers Colleges, Normal Schools, and Universities throughout the United States? This is a problem which will have to be faced in the very near future.

As has been said before, the people who have less education and a lower social status are the ones who will have the
larger number of children. There will be a decrease in the degree of intelligence and culture with which these children are endowed. There are evidences of this fact in our schools today. The rate of intelligence in a grade is declining.

We can still go a step farther. With this decrease in birth rates, there will naturally be a decrease in the number of adults in later years. This means that a small number of homes and apartment houses will be needed compared to the number now in demand. There will be a marked effect on the tax rate.

Both births and deaths are influenced by changing social and economic conditions, and also by changing individual and social population policies. Women are the bearers of children, and women generally have lower death rates than men. A study was made on the life-span of the two sexes, and starting with 100,000 of each sex at birth, it was shown that 26,677 women will survive to the age of seventy-five, and only 23,401 men will.¹ This difference is significant partly because migrants are usually predominantly males so that the rate of growth of population in both the country of emigration and that of immigration is affected by migration. Similarly, births will be reduced by the emigration of women if they are of child-bearing age.

There can be no doubt that the general decline of the birth rate has been due in large part to intentional control of births by married people of the higher social classes. At first this movement was universally condemned by governmental authority, but today information regarding any such contraceptive devices is legal in some states. Religion has consistently tried to prevent its spread, but has not succeeded. There are various motives for limiting the size of the family, and they range from noble reasons to the most selfish ones.¹

POPULATION GROWTH

The problem of migration calls for an understanding of the quantitative aspect of the population setting, for a number of reasons.² First, the growth of population, over-population, and the differential distribution of population over the earth have helped to cause migration.

Secondly, emigration and immigration are often said to have had important effects upon the quantity of population in the home country and in the country of adoption. These effects are sometimes conceived of as a direct result of migration, but sometimes as its indirect consequence through the effect

¹Fred Rogers Fairchild, etc., op. cit., pp. 480-481.
of immigration upon the natural increase of the native or resident population.

In the third place population facts and attitudes toward them affect migration policies in a number of ways. The right to migrate has oftentimes been insisted on as necessary to life in some quarters. However, countries eager for economic or political power object to the departure of citizens among whom there is often a large proportion of males of working and military age. It is believed that emigration weakens the military strength of a nation and upsets the population balance. On the other hand other nations have sought to relieve overpopulation through emigration, and they resent the fact that less densely populated countries refuse entry to their subjects. The overpopulated country oftentimes risks war to secure such outlets. Countries which normally attract immigrants and which believe themselves adequately populated or overpopulated naturally object to the entrance of aliens who of course will compete for jobs, already too few for the natives, and will aggravate the problem of overcrowding. Yet some countries of immigration, like France, always looked upon immigrants hopefully as sources of needed man-power for mine, farm, factory, or army. In such countries the higher birth rate of aliens is welcomed. However, in the United States it has constantly been a source of fear that the inferior foreign blood will
replace our ancient stock. In the latter case we have, of course, a problem of quality as well as a problem of quantity, and this phase of the problem will be discussed later on in this chapter.

That the population of the United States has had an exceedingly rapid growth is well known. Our increase was about one-third per decade prior to the Civil War. Since that time there has been a steady decrease in the decennial rate of increase. In 1920 the United States had a population 15.4% greater than in 1910, and a population increase in 1930 of 15% over the 1920's, and in 1940 an increase of 7% over 1930. Though a considerable increase, this represents a marked decline in the rate of increase over earlier decades. This change is of great significance for the future, yet current population attitudes are undoubtedly still much more influenced by the rapid growth of the slightly earlier period.¹

POPULATION QUALITY IN THE UNITED STATES

The question of quality in our population has begun to attract serious attention. It is obvious that the groups with the highest birth rates must tend to crowd out the other groups. If this expanding group is of the poorer class and possessing inferior characteristics of a sort transmissible by inheritance,

the result must be a gradual degradation of the quality of the population.

At present the United States is recruiting its numbers from the lower income groups, from the social classes with relatively little culture and education, from racial stocks which are alien to those which first peopled the country and established its institutions. Whether or not this means a lowering of the quality of the people depends on whether these children are less well endowed in natural abilities than the children of the well-to-do and cultivated classes. There are definitely great economic and cultural differences between the later immigration stocks and the older native population. To submerge the native stocks through excessive increases of these alien groups will certainly have an affect on the character of our institutional and cultural life, and perhaps it will be for the better.

Eugenics has given rise to an organized movement to improve the quality of population by selective breeding.1 There are the negative side and the positive side of the policies of eugenics. The positive side attempts to increase the birth rate of inferior family strains and in extreme cases to prevent these strains from coming out in the offsprings.

The positive side involves assumptions which are not

1Fred Rogers Fairchild, etc., op. cit., pp. 483-484.
always true. It includes assuming that the classes with the lowest birth rates are biologically best and that exceptional capacity is a family trait rather than an individual variation. There are the problems of discovering who are "fit" and for what we should breed. We do not know what characteristics we should want a population to possess, and it all simmers down to the fact that the present varieties of human beings are better.

Negative eugenics presents a more definite and practical program. The object is to decrease certain forms of biological unfitness, especially where the defect is due to heredity. Many of our states deny the right of marriage to certain classes of defectives, such as the feeble-minded, insane, and epileptic, while some have laws providing for the sterilization of such individuals. There are hospitals and institutions where such persons may be confined and treated. However, these laws are not adequately enforced and will not be until the states make an examination of the total population and a registration of all defective members. Many persons denounce these laws on sentimental and emotional grounds. However, from a national point of view there is little to be said against the laws, provided care is taken to apply them only to the biological—not the cultural—defectives, and then to do so only in extreme cases.
CHAPTER IV
EFFECT OF IMMIGRATION ON CRIME

INTRODUCTION

There is a widespread belief that more crimes are committed by the foreign-born than by the native-born in this country. This has been proven false several times. Many criminals have foreign-sounding names, but usually most of the names they use are aliases. The foreign-born approach the record of the native-born more closely in crimes involving personal violence than in crimes against property.

However, it is a different situation in the case of children born in this country with foreign-born parents. In this case the children do grow up to be criminals. There seems to be definite reasons for this.¹ The children go to American schools and mingle with American children. They want to dress, play, and act as much like Americans as possible, while the parents more or less cling to the ideas and habits to which they are accustomed. Conflict and misunderstanding result. If this home condition becomes serious enough, the child may express himself in delinquent behavior. The slum conditions in which many are reared also school them for crime.

THE PROBLEM

Our real problem does not lie in the amount of crime for which the immigrant is responsible, but rather in erasing the cause which develops criminal tendencies in the children. To determine what measures would tend to accomplish this or how those measures that have been generally accepted as promoting this end may be adapted to the needs of the immigrant population, it is necessary to know the kind of crime usually committed by the various national groups. An understanding of their social, environmental, and racial characteristics is also desirable.

The effort to make generalizations in the matter of crimes is complicated by the fact that it is necessary to take into account not only the number of crimes, but the nature and severity of the criminal act.¹ Tests of criminality, to be accurate, should include quality as well as quantity. This is very difficult to do, because we are accustomed to speak of one crime as being worse than another. Presumably crimes against the person are more serious than crimes against property. Misdemeanors are frequently committed by immigrants in complete ignorance of the law; many peasant customs which, innocent in a rural district, are dangerous in the city and

have been prohibited. Assistance in helping these people to adjust themselves to their new environment could prevent many of these crimes.

These conditions frequently result in an injustice to the immigrant. The police and court records of our great cities show an amazing proportion of crimes chargeable to the foreign population. For instance, out of 71,253 persons held for trial or summarily tried and convicted in the Magistrates' Courts of New York only 30,261 or less than half were born in the United States. But when these records are studied more closely, it becomes apparent that a large share of the offenses of the foreign-born are violations of the city-ordinances--offenses which are particularly trivial in themselves and do not indicate any special tendency toward criminality. In many cases these offenses are intimately associated with a low station in life. The moral character of alien groups may, in this way, be seriously misrepresented.

RACIAL TENDENCIES

Comparing the different races as regard to criminality, it appears that the Irish stand at the head as regard to the total number of offenses committed, and the Germans next. In respect to major offenses, however, the Germans stand first, while the Irish again take place in minor offenses. The

---

Germans are usually indited for crimes against property; the Irish and Scotch to drunkenness, Greeks and natives of Russia to violations of corporation ordinances, and immigrants from France, Russia, Poland, and Canada to crimes against chastity. The Italians are preeminent in crimes of violence or crimes against the person.¹

In respect to the nature of crime committed by the different races, there seems to be something in the racial character of some of our immigrants which predisposes them in a certain direction. There is also evidence that among some of the newer immigrants crime is largely a matter of economic position. This is well illustrated by the case of the Greeks. Among the members of this very recent immigrant group, there has been a noteworthy decline in the average of criminality, and the explanation seems to be that the crimes of the Greeks are such as correspond with a low economic situation—violations of corporation ordinances, or of the sanitary code. As a larger proportion of the individuals of this nationality rise above this lowly state in this country, the percentage of crime among them falls off correspondingly.² This emphasizes once more the responsibility of the United States for some of

¹Henry F. Fairchild, op. cit., 330-335.
²Ibid., pp. 335-341.
the evil conditions for which we habitually blame the immigrant.

Many crimes are committed when passion is inflamed by drink, personal insult, and housing conditions. The vast majority of immigrants from southeastern Europe are not criminals in the fatherland. There is more lawlessness in foreign colonies in Pennsylvania and more anarchy amongst the Poles in Chicago than there is in the native lands. The people dwelling in these cities make more money than was possible to be made in the homelands, and liquor becomes a temptation to a large number of them. However, many nationalities do not drink to excess, and so do not become a problem along that line. Of all the foreign-born in the United States, none is more peaceful and law-abiding than the Chinese.¹

DIFFICULTY OF ADMINISTRATION OF LAWS

Police, detectives, and constables have difficulty in bringing foreigners to justice.² The chief obstacle is the unwillingness of immigrants to reveal the hiding place of their countrymen or give the officers of the law such information as would lead to their arrest.

Arrests are frequently made either because a policeman fails to understand a man or because the man does not under-

¹Henry F. Fairchild, op. cit., pp. 335-341.

stand the officer, and so fails to obey orders. As there are no interpreters at the courts, so there are no interpreters at the police stations; and without any further examination the man is locked up. This lack of proper interpreters in courts often prevents the immigrant from securing justice. To know in advance the offense with which he is charged so that he may summon witnesses and employ counsel in his behalf, to be confronted with the witnesses against him, and to have an opportunity to relate his own story are the rights guaranteed all the accused. Yet, because of his ignorance of English and our laws these rights are often denied the immigrant.

The immigrant is, also, an easy victim for any form of police corruption or violence because of his friendliness and ignorance of English. This should be a matter of serious concern to the American public, because the foreigner does not understand that the American usually reasons that allowances must be made for the American police. So a dangerous disrespect for the American law is liable to result.

We have a saying that it is better to let one hundred guilty men escape than to punish one innocent man, but the police do not always hold to that theory. Sometimes, in effect, they take into their own hands the executing of laws, without the benefit of a fair court. The relationship between
such criminal conduct on the part of the police, and the
general increase of crime should be carefully considered.

The kind of prejudice against the stranger that means a
denial of justice is less frequently met with in the courts
in larger centers, where the population is cosmopolitan, than
in small cities and towns. Even in the great centers, however,
evidence is not lacking that judges and juries are sometimes
easily convinced that a foreigner, especially one from eastern
Europe, (because of prejudice) is probably guilty of any
crime with which he is charged. The indiscriminate and un-
founded generalization as to racial traits and differences,
which are often so thoughtlessly made, contribute to such
prejudices. Much more common is the belief that the foreigner
feels disgrace less keenly than the American or that his social
position is already too low, and he does not suffer much from
arrest or conviction. Because of this belief, he is often
committed on evidence on which an American would be dismissed.

CONCLUSION

Correction of many of these abuses and injustices has
been urged by those interested in the reform of our criminal
procedure. The usual helplessness of the immigrant, as well
as the especial importance of having his first conscious
contact with our legal machinery impress him with its justice
and efficiency, makes the adoption of these reforms particularly urgent.
CHAPTER V
WHITE-SLAVE TRAFFIC IN IMMIGRATION

MOTIVES

The white slave traffic is one particular form of crime which is closely associated with foreign groups in the United States. Whereas not all of the girls concerned in this business are immigrants, nor are all the persons who draw a revenue from it foreigners, yet the various investigations of the subject have demonstrated that the entire trade is fundamentally an affair of our foreign population. This traffic aroused tremendous public interest earlier in this century, and was thoroughly exploited in the daily and periodical press. Only the essential features brought to light in this exposé with a bearing on immigration will be discussed.¹

One surprising thing about this traffic is that essentially it is an economic phenomenon. Rather than from a sexual standpoint it is the desire for large and easy profits, and the lazy life that goes with these features which actuates the promoters of the traffic. As high as $2,000 is paid for a particularly attractive girl and the minimum is usually about $200. On the part of the alien women, it is frequently the desire for large earnings which brings them to our shores.²

²Ibid., pp. 158-161.
There are two classes of these alien girls who are brought over for this purpose. One consists of innocent girls who are brought here under false pretenses. The incentive is usually a false promise of employment or of marriage. Sometimes, false marriages and, occasionally, actual marriages are resorted to. With this class of subject the male importer is usually the more successful. Every kind of inducement is offered by the procurer, including an apparently sincere period of love-making. About the only inducements which female importers can offer to such girls are easier or more lucrative employment.

The other class, probably constituting a large majority, is women who have already been leading immoral lives in their native countries. They come to this country in the hope of bettering their prospects, although they recognize the power of the importer.

Alien women are particularly desirable to the promoters of white slavery, because of their lack of connections in this country and their ignorance of our language and customs. This naturally makes it more difficult for them to escape or to make trouble for their controllers than in the case of native girls.

---

METHOD OF ENTRY

These women and girls are usually brought over second class, and every conceivable artifice is employed to deceive the immigration inspectors. A number of these women are detected at the port of entry and returned, and a good many are later deported. However, this is a practice very difficult to detect, and it is not easy to get at the facts in regard to its extent in this country. It is certain that the class of abandoned women in this country is largely recruited in this manner.

In 1908 an estimation was made that there were 100,000 such women along the western coast and in Mexico who had entered the country through New York. Over a period of four months in New York city there were 2,093 cases of women soliciting on the streets and being inmates of disorderly houses brought in. Of these 581 were of alien birth.¹

No evidence was ever found to justify the suspicion that there was an organization controlling this traffic in this country. But those engaged in the trade naturally are acquainted with each other, and they are always ready to help each other against detection.

HABITATION

When a girl has been safely introduced into this

¹Frederic Haskin, op. cit., p. 158.
country, she is completely in the power of the person who operates the establishment she is placed in. The supposition is that the operator furnishes care and protection to the girl in return for her earnings. She is sometimes kept in a disorderly house, oftentimes in a hotel or other resort, but always where the operator can keep control of her. She is thoroughly frightened, and every device is employed to keep her from communicating with any outside source of relief or escape. These girls are often deprived of street clothing, so as to make escape impossible. She is kept heavily in debt, so that there may be a legal claim over her. Only a very small part of her earnings is given to her, and she is charged outrageous prices for all the supplies which are furnished her. Her life is one of hopeless and terrible degradation, and she has nothing to look forward to except a wretched and continually descending scale of living and an early death.¹

In addition to the terrible wrongs wrought upon the women themselves, this practice has resulted in an increase in the number of prostitutes in the United States in the introduction and dissemination of dangerous diseases, and in the introduction of various forms of unnatural vice,² more

degrading and terrible than even prostitution itself in its ordinary form.

RACES

The great majority of the alien women found by the Immigration Commission engaged in these pursuits, as well as the men who promote the traffic are French and Hebrews. Belgians are largely engaged in it, Germans are numerous, and there are a few Irish and Italians, with a scattering of individuals of other races, of course.1

PRESENT REMEDIES

It has been proved that this traffic is slavery in more than name, as girls are sometimes sold directly by one person to another. The present federal laws are designed to put a check to all practices of this sort by making it illegal to transport women or girls from one state to another for immoral purposes. The efforts of the Immigration Commission and other governmental agencies have resulted in accomplishing a great deal in breaking up some of the resorts, and deporting or imprisoning the culprits. But while the traffic did receive a serious setback, it was by no means killed. This is emphatically one of the things where eternal vigilance is the price of safety. Nothing short of a sweeping

---

1Henry Pratt Fairchild, op. cit., p. 335.
change in public opinion and practice will ever put it out of the way beyond the possibility of resurrection.¹

Of most value in filing statistics and decreasing the white slave traffic has been the advisory committee formed by the League of Nations.² Its findings are startling, but have enabled us to thwart much of the organized importations of women and children for immoral purposes. In 1922 the Council of the League of Nations formed an advisory committee on the traffic, which in 1924 was reconstituted under the title of Advisory Commission for the Protection and Welfare of Children and Young People. This Commission is now divided into two sections: the Committee on Traffic in Women and Children, and the Child Welfare Committee. This Committee keeps its figurative fingers on the pulse of the trends controlled by the laws and conditions respecting the traffic in the different countries; and through employed experts conducts research into the different aspects of the traffic itself. In this connection we also find that the Committee sends questionnaires to governments seeking information regarding the traffic as applicable to each nation. As a third duty, the Committee has sponsored two comprehensive investigations into the traffic itself as well as studies of laws and penalties relating to souteneurs and to the

¹Henry Pratt Fairchild, op. cit., p. 338.
white slave traffic itself.

As a result of these various activities of the Committee we find the following conclusions that are of chief interest to students of migration:¹

1. That a traffic of considerable dimensions existed.
2. That very young girls were at times involved.
3. That not all of the girls and women had been prostitutes in their own country, though the majority probably had been.
4. That nearly always they were controlled by traffickers.
5. That many, even of the prostitutes, could not have known of the nature of the life to which they were going.
6. That in some countries as high as 70 per cent of the prostitutes were foreign.
7. That the excess of males in some countries or localities, brought about by troop movements, labor migration, ship movements, and tourist travel largely accounted for the demand for these women.
8. That foreign girls were in especial demand, because they satisfied the desire of patrons for variety and because they were more helpless and so more easily exploited.
9. That traffic routes existed between Europe--particularly Austria, France, Germany, Greece, Hungary, Italy, Poland, Roumania, Spain, Turkey--and South and Central America--particularly Argentine, Brazil, Mexico, Panama, and Uruguay--and Egypt and other places in North Africa.

10. That all sorts of methods were "adopted to evade troublesome enquiries or official regulations. Among these are traveling by indirect routes or by separate stages and securing entry to a country by means of smuggling or other clandestine method. False documents of various kinds, including birth certificates and passports, are commonly used. The pretense of marriage is a frequent subterfuge . . . but many cases are recorded where a legal marriage is entered into to avoid suspicion or to prevent any risk of deportation. The evidence shows that many girls are led into the toils of traffickers by bogus offers of employment abroad. On the other hand the role of an entertainer in foreign cabarets, which appeals so strongly to the stage-struck girl, offers at first sight prospects of an alluring career, but too often leads to the ranks of prostitution."

11. That attempts at suppression by a single nation often simply drove the traffickers to operate in another country.

In addition to measures to be taken locally the report urged:

1. The strengthening of existing regulations.

2. The furnishing of information to migrants as to the nature and terms of the employment which they were going to.

3. Increased exclusion and deportation of foreign prostitutes and procurers.

4. Prosecution of souteneurs.

5. By implication they opposed the licensing of brothels as centers for the traffic.

6. They urged that prostitution be regarded as a public evil to be kept within the narrowest bounds possible, because unless public opinion demands its suppression it is difficult to suppress the international traffic in women and children.
CHAPTER VI
RESTRICTIVE LEGISLATION IN THE UNITED STATES

EARLY CONDITIONS AND ATTITUDES WHICH BROUGHT OUT THE NEED FOR LEGISLATION

Before discussing legislation, brief mention of some of the effects and tendencies of modern migration will be made to show why restrictive legislation was necessary.¹ Only a fifth or a sixth of the immigrants were professional men or skilled laborers; hence, they naturally gravitated toward the basic industries where the demand for unskilled labor was greatest. Although the foreign-born now make up a small portion of our total population, approximately one-eighth, they long have furnished about one-quarter of those engaged in domestic service and transportation, one-third of those employed in manufactures, and one-half of those busied in mining. Because less money was required to live by their lower standards, they have tended to eliminate the native-born from the occupations which required unskilled labor.

For years the majority of the immigrants have been males, and a discrepancy in the proportion of the sexes never has a good effect. It has been claimed that immigration has restricted the native birth rate, for the native whites try to maintain their standards of living rather than the size of their families. This is upheld by the fact that the

southern whites, since the Civil War practically unassisted by immigration, have increased as rapidly as the northern white people assisted by immigration.

Washington, John Adams, and other statesmen were opposed to the uncontrolled influx of immigrants, as proved by the qualifications for naturalization prescribed for membership in the House and Senate and the Presidency; however, the opposition was not a major problem of the time, and it did not crystallize.

The early laws of the eighteenth century showed dislike for aliens by increasing the length of time required to make a foreigner a citizen from five to fourteen years, and by giving the President power to deport all aliens he considered dangerous.

During the first part of the nineteenth century there was a need for more people to help develop this country, so Congress passed laws to encourage immigration. This was done by providing greater comfort and convenience for steerage passengers on their way to this country, and another time the laws provided that the foreign laborers might be pledged wages in advance to pay transportation charges. Both of these laws were repealed later.

EXCLUSION

Our principle of exclusion, which is the banning of any
particular people for any specified period of time, came about from our trouble with the Chinese, and so this problem will be dealt with as a background to show the reasons why exclusion laws were passed.

The first great migration of Chinese laborers to this country dated from the time of the great rush to California, in search of gold. Before the end of the eighteen sixties, because of the absence of unskilled jobs, the Chinese immigrant had gone into various other occupations. At first they were regarded without aversion by the other immigrants in California, and this drew many more of them to that section. However, agitation against them began shortly after their coming into California in large numbers.¹

A popular feeling against the Chinaman soon expressed itself in state legislation and in city ordinances directed specifically or indirectly at him. The intrusion was felt mostly in California, but no matter what the state ruled, the Federal Courts opposed them in their decisions.²

Prior to 1868 our efforts had been directed towards compelling the Chinese to admit Americans to China for the pursuit of trade and commerce. In the Burlingame Treaty of 1868, the Chinese were allowed to enter this country and were

²Ibid., p. 196.
to be treated the same as citizens of the most favored nations but could not be eligible for naturalization. By this treaty we placed ourselves on the broad platform of the right of free migration and the duty of international intercourse. Shortly after this, the influx of Chinese into this country caused such inconvenience that we immediately turned our backs on the principle of freedom of migration, and passed laws excluding the Chinese as effectually as we had ever excluded foreigners.¹

In 1882 Congress restricted Chinese immigration for ten years, and two years later made the prohibition absolute. Such an outright refusal to admit people of a certain nation as immigrants to the country is known as the principle of exclusion. Its purpose is to protect our race from further dilution by dark-skinned peoples and to avoid aggravation of our already severe racial problems by admitting non-assimilable groups. This was the first general immigration law to receive a President's signature.

This final prohibition of the Chinese was caused by economic and social reasons in the 1870's. After the Civil War, American labor was striving to obtain better wages, shorter hours, and better working conditions. Conversely, the Chinese as well as the Japanese and the South European was willing to toil long hours and to live on rice or other

cheap food in order to amass a fortune which would allow the owner to retire to the home country and to live in peace and plenty for the rest of his life.¹ This cheap Chinese labor deprived white labor of employment, lowered wages, decreased the interest of white immigrants from coming to the States. Generalizing, their habits were loathsome, and the filth of the dwellings endangered the health of every city they settled in. They were vile in their morals, and spread prostitution, gambling, and opium habits. Neither did they assimilate with the whites and never could become an integral and homogeneous part of the population. They had no desire to become acquainted with our institutions and adopt our customs and habits of living. Instead, they remained isolated and constituted an alien element in our midst.²

During the 1870's the feeling against the Chinese came to a climax during a business depression in California. The laboring population demanded that they be protected from competition destructive to their standard of living. This led to the organization of labor-union sentiment against the admission of the Chinese and subsequently to the present-day agitation for restriction of all immigration.³

At Japan's request, the United States entered the so-called "gentlemen's agreement" in 1907. This was not a treaty submitted to, and approved by, the Senate of the United States. It was merely an executive agreement made by President Theodore Roosevelt in virtue of his power to control foreign affairs. This was a passport arrangement which provided that Japan would not, except under certain conditions, issue to laborers passports good for continental United States. The Immigration Act of 1924 terminated this informal arrangement and excluded the Japanese by name. Other races were excluded by the Immigration Act of 1917, which created the Asiatic barred zone from which no immigrants may come. This area includes all dark-skinned peoples, and includes many islands close to Asia. However, the exclusion of these people is restricted to only the laboring classes. Students, teachers, travelers, officials, and certain other exempt classes may still come.  

**SELECTION**

The principle of selection has been applied to European immigrants since 1882, when the first inclusive immigration law was passed by the Federal Government, prohibiting the

---

1 Roy L. Garis, op. cit., p. 322.
2 Ibid., pp. 331-340.
entry of convicts, idiots, lunatics, and persons likely to become public charges. It became obvious that America could not go on admitting all manner of persons without getting the riffraff of Europe. Indeed, many European nations seemed to be making a practice of using the United States as a dumping ground for criminals, paupers, and other undesirables. In self-defense, then, this country had to regulate immigration; the principle of selection, which imposes qualitative tests for admission, was adopted.

The Act of 1917 repealed all prior acts and consolidated all former provisions into one law, and in applying a test of physical, mental, moral, and educational fitness, is a selective law. Its purpose is to exclude from admission all aliens who upon examination at American ports are found to fall below the prescribed standards.¹

RESTRICTION

The selective policy places no necessary limitations upon the aggregate number of immigrants admitted to this country. Opinion in the country that something should be done to reduce the number of newcomers grew into a political demand for rigorous restriction. The opinion was supported by a variety of arguments. The huge influx of laborers with a low standard of living produced in the labor market a competitive struggle similar to that caused at an earlier date.

by the Asiatic immigration. It was feared the unrestricted immigration would eventually reduce the standard of living among the wage-earners to the lowest level of European countries that were permitted to send immigrants. Race feeling was aroused by the great diversity of foreign elements which composed the "new" immigration. Patriotic feelings aroused by the World War forced the problems to the foreground. It came as a shock to the people to learn that a very small number of the foreign-born could read, write, or speak our language; that over half the foreign-born whites of voting age were not citizens; and that some European governments were inducing their nationals in this country to retain their old allegiances. ¹

The demand for restriction found expression in the immigration act of 1921, which limited the number of aliens of any nationality admissible annually to three per cent of the number of persons of that nationality shown to be resident in this country by the census of 1910. This was a temporary act, expiring by limitation June 30, 1924. It has been replaced by the permanent quota limit act of that year, as explained below, which now forms the basis of the limitation policy.²

¹Roy L. Garis, op. cit., p. 141.
THE QUOTA SYSTEM

The Immigration Act of 1924 is an addition to and not a substitute for the earlier acts, and exclusion was made more severe.\footnote{Roy L. Garis, op. cit., pp. 169-202.} Canada, and Newfoundland, Mexico, Cuba, Haiti, the Dominican Republic, the Canal Zone, and the independent countries of South America are excluded from the operation of the quota system. Aside from the barred zone and these exempted areas, immigration from each country of the world is given a maximum annual figure determined by that nation's quota. Furthermore, the act provided that after 1927 the total immigration from all sources covered by the quota system shall not exceed 150,000 a year.

Between 1924 and 1929, while permanent measures for determining the quotas were being worked out, temporary devices were used to fix the limits of each nation's contribution to the immigrant stock. They system put into effect in 1929 and still operative is known as the national origins basis of immigration. The total quota of 150,000 is apportioned among the countries to which the act applies according to their relative contribution to our population as enumerated in 1920, with the proviso that the minimum allotment of any country shall be 100. The determination of these quotas was a very difficult problem. In brief, the process
was as follows: first, to ascertain the total number of people in continental United States in 1920 whose origin by birth or ancestry was attributable to the countries included under the act; next, to determine what fraction of this number had been contributed by each country; finally, to apply this ratio to the total quota of 150,000, the result being each nation's annual allotment.

It will be seen that this system not only reduced the total immigration to small dimensions, but placed the national ratios on a basis quite different from that which was true of recent experience. The old immigration has been favored relatively as compared with the new. This is true, because the survey of national origins which formed that basis of the computations included our entire history. For most of this time the immigration was drawn chiefly from the British Isles, Scandinavia, and Germany; and these nationals, having been here longer, had made cumulative contributions through the birth rate to the population as of 1920.

NON-QUOTA IMMIGRATION

To avoid misunderstanding, it may be well to repeat that immigration from many countries has not been subjected to this restrictive system. Moreover, that act specifically provides that certain types of people are to be admitted from the areas covered by quota restrictions without being
chargeable to the quotas of their respective countries. These non-quota immigrants, whose numbers are not restricted, included the following group of people:¹

1. An immigrant who is the unmarried child under twenty-one years of age or the wife of a resident citizen of the United States who files a petition stating that he is able to and will support the immigrant if necessary to prevent such immigrant from becoming a public charge.

2. An immigrant previously lawfully admitted to the United States, who is returning from a temporary visit abroad.

3. An immigrant who was born in the Dominion of Canada or in any one of the other countries of the New World mentioned above and his wife and his unmarried children under eighteen years of age, if accompanying him or following to join him.

4. An immigrant who seeks to enter the United States solely for the purpose of carrying on the vocation of minister of any religious denomination or professor of an institution of learning and his wife and his unmarried children under eighteen years of age, if accompanying him or following to join him.

5. An immigrant who is a bona fide student at least fifteen years of age and who seeks to enter the United States solely for the purpose of study at an accredited educational institution.

All immigrants must be in possession of an immigration visa issued by a United States consul before they can be admitted to the United States, while the annual and monthly

limitation under the various quotas is controllable through limiting the number of quota immigration visas issued in any month or year. In other words, the quotas are counted or controlled in American consulates, usually in the country where the applicant resides, rather than on arrival at a United States port, thus obviating the necessity of excluding would-be immigrants after arrival here. This method of administration provides easy means of regulating the flow of immigration and also makes possible a certain amount of selection through the preference shown to some applicants.

SOCIAL CONSEQUENCES OF THIS POLICY

A consideration of the various proposals for numerical limitation of immigration shows that there is general agreement that the limitation of numbers should have a selective character as well.¹ In some cases it has been felt that a numerical limitation could be dispensed with if a thorough-going selective restriction system were developed.

The quota law is based on a false principle--to change the sources of immigration. It selects by quantity rather than by quality. It selects by races and not be individuals, and constitutes a gross discrimination against the races of

southern and eastern Europe. This implies that all immigrants from this region are inferior to all who come from the most favored nations. Opponents of the quota law are loath to admit that any restriction is necessary, though they are more apt to today than several years ago. If there must be restriction, it should be based on individual tests.

However, the new attitude toward immigration is sound. Now that the frontier has disappeared and the natural resources are appropriated by private owners, mere increase in numbers offers slight economic advantages to the country. It is much more important to improve the quality of the population than to increase its size. The tendency of all peoples to expand their numbers by natural increase under favorable conditions can be relied upon to cause growth commensurate with economic opportunity. Increase through the birth rate produces a more homogeneous people and obviates many of the social-political problems which are created by the process of expansion through immigration of aliens.¹

Many important consequences will flow from the policy of restriction, if this policy is applied for any considerable period of time. Of chief importance perhaps will be its effect upon different labor groups in the country and upon

¹Fred Rogers Fairchild, etc., op. cit., pp. 493, 495.
relative wage rates. Native-born Americans rarely become unskilled laborers. A drastic reduction of the relative supply of workmen in this group must result from the new immigration policy. This will raise the lowest rates of wages in the country and tend to reduce existing differences in wage rates. Restriction of immigration will also promote transference among the different groups of workers by allowing the system of free education through trade schools, night schools, and the like to reach almost the entire laboring population. Formerly, the workmen of an alien birth—an important fraction of the whole—were but little influenced by the educational system. This, too, will promote mobility of labor and work toward greater uniformity of earnings.

The restrictive policy, furthermore, will have its effect on the organized labor movement. One great obstacle to the spread of this movement heretofore has been the heterogeneity of the population. The native-born skilled craftsmen have shown little tolerance for or sympathy with the immigrant workers; they have made no sincere effort to bring the latter within the existing unions or to aid them in forming unions of their own. As a result, trade unions have flourished almost exclusively among the skilled and have shown the narrowness of outlook and selfishness of purpose to be expected from a movement thus limited in its membership. These con-
Conditions will change as the laboring population grows more homogeneous in language, customs, and economic prosperity with the decline of immigration. The probable effect will be to strengthen the labor movement and profoundly to affect its policy in the direction of a broader and more constructive outlook. The changed conditions will be more noticeable in those branches of industry which employ unskilled workers and which in the past have been able to rely upon an abundant supply of this type of labor. The increased bargaining power which results from relative scarcity of supply will be reflected not only in the wage rate but in many other phases of the relationship of the workers with their employers.
CHAPTER VII

LOOPHOLES IN ADMINISTERING OUR MIGRATION LAWS

INTRODUCTION

The last chapter dealt with the laws that have been passed to restrict immigration, and this chapter will give reasons why the American immigration policy is not enforced. These loopholes should be pointed out and stopped if immigration is to be regulated primarily in the long-time interests of the American people. Some are found in the laws, some in administrative procedure, and some in executive initiative. This regulation can be effectively accomplished when ordinary business principles are applied to the situation.

The theoretical standards of adequacy and behavior to which the alien must conform in order to legally enter the country as an immigrant and to remain here are generally agreed to, but in practice these standards are not generally met. Many thousands of aliens who under such standards should not be in the United States are actually found here. These include aliens who made illegal entries, and those who entered legally enough but who later displayed defects in constitution, in character, or in conduct which demonstrated that their entry was an error, and which fact made them deportable.

Economic forces operate strongly to furnish the motives for international migration. This means that at certain
times and under certain conditions, immigration control by a
great receiving nation like the United States is more diffi-
cult than at others. It means also that at times emphasis
must be placed on exclusion and selection, and at still other
times, on deportation. In hard times, when high wages in the
United States are not to be found for the asking, and when
economic life is easier in the country districts and in small
villages than in great industrial centers, and when the cost
of steamship passage is prohibitive, even when it is absolute-
ly low, there is a tendency for economic forces to send
migrants from the industrial centers and the great cities,
countryward within their own nations, and back to the countries
of origin in international migration. The deporting of the
aliens who are here illegally plus a few who are here legally
would achieve much in the direction of abolishing hard-times
that we have at different intervals. However, at the present
time Attorney-General Jackson says we cannot deport such aliens,
because there are no ships to take them back to their native
lands.

During the past ten years the United States had a chance
to reorganize its immigration enforcement policy, to codify
its laws, to reorganize its procedure, to reestablish its
standards and be ready for the present influx of refugees
which has come about as a result of the European War. Nothing
much was done, and now that we are in the midst of this present situation, it is more difficult to bring about changes because of public opinion.

Several principal loopholes and gaps in the immigration policy and procedure will be discussed.

LACK OF EXECUTIVE INITIATIVE

The executive job of the United States Government is so tremendous that there is a tendency to concentrate on "vital problems" of present political issue, and to let those which are not considered pressing drift.\(^1\) Immigration-control is a long-time proposition. While immigration vitally concerns the future life of the nation, its most immediate economic effect is its influence on wages. In the future people will point out that in 1924 the United States definitely left the policy of controlling immigration primarily on the short sighted, immediate, wage-influence basis, and placed it on the long-time basis of recruiting to the human stock of the future population. Incidentally, it has been demonstrated that the long-time policy of admitting immigrants no faster than they can be distributed evenly geographically, and assimilated without the formation of alien-blocs, has resulted most favorably in the stabilization of American economic life.

A very favorable sign of executive activity was the order in 1934 which united the immigration and deportation bureaus into a single United States Immigration Service.\(^1\) Further development, unification, and simplification are needed both by the executive and by the legislative departments of the government. The executive has to show initiative in enforcing the laws, and his experiences should point out specifically to the legislative branch wherein honest and competent effort to enforce the evident policy of the country in the matter of immigration could be made much more effective by legislative amendment. In no field of administrative work, more definitely than in immigration control, does the executive need protection against political influence. Such influence begs him to make exceptions as "special cases" contrary to the plain intent of the law.

Executive initiative and good common sense are of great use in deportation practice. Experience has shown that in many cases the vigorous immigration official, on locating a deportable alien can advise him of his deportability. This, in a great percentage of cases results in the deportable alien, if he is not inherently a criminal, leaving on his own account without having to be arrested and deported by force. However, too often it means simply that the United States Government gives the alien a free steamship ticket home. It is up to

\(^1\)Harry H. Laughlin, op. cit., p. 34.
Congress to provide still better border and coast policing so that the same fellow cannot come in again and again, and each time get a free ticket home. This is definitely a loophole which must be amended.

DEFECTS IN FACILITIES AND PROCEDURE

The greatest advance in procedure which has been made in recent years in American immigration-control consisted in the order of examination overseas of would-be immigrants.\(^1\) This is done in the American consulates only in cases of individuals who have applied for immigration visas. It is perfectly consistent with all international law to let the consul remain in the consulate, and, instead of signing the immigrant-passport on the dotted line, to demand all information which the United States may desire before signing or finally refusing to sign the immigrant-passport.

It would be wise to have the standards for admission high, and to give these American consuls abroad considerable discretion in granting a visa to those who have passports. Such discretion is particularly needed in order to insure immigrants coming up in character and personality-standards to the level formerly required by physical and intellectual standards.

On the other hand, at the border and within the United

States, there should be very little chance for executive discretion. It has been shown by experience that such discretion results in laxity. This is particularly true in cases of deportation where too much leeway is permitted executive officers. It has resulted in serious damage to law enforcement in this field. The many thousands of aliens in custodial institutions, compared with the few thousands deported each year for all causes, shows the lack of balance in immigration-control, and unsuccessful adjustment which deportation is supposed to correct. There is an excellent example of this in the county homes in Wisconsin. Under the Social Security Act, state assistance has been granted to many such inmates. But under the Wisconsin laws assistance to aliens is prohibited, and it was found that 26% of the inmates of the county homes are aliens, and so they have to remain in the homes. 1

Other defects in procedures consist of the various places along the coast and border where immigrants can be bootlegged into the United States; a better system of border and coast police would prevent this possibility. There are matters of personal identification which registration would take care of. There is a lack of cooperation between states and the nation,

1 "The Social Front," Survey (June, 1940)
which must be corrected. There is also a lack of cooperation by border police for the immigration, customs, and the quarantine services.

In the deportation-procedure there is also too much left to chance that cases will be forced upon the attention of the federal government, instead of the federal government constantly surveying the foreign-born population with a view to deporting those whom the statutes say shall be deported. It is the business of the Immigration Service of the United States to keep in contact with all aliens, to give them the protection which the law grants them, to see that they conform to our own laws for the conduct of aliens, and at any time that they are here to arrest and deport that particular foreign-born person if his condition or conduct warrants it. The law should see to it that no gaps or defects are found in the facilities and procedure which check upon the immigrant all along the way.

LACK OF STATE-NATION COOPERATION

In the United States the control of foreign immigration and the responsibility for deportation are federal functions, whereas handling most of the cases of criminal and anti-social conduct and most of the cases of individual inadequacy such as pauperism, feeble-mindedness, insanity, is a function of the several individual states.¹

¹Harry H. Laughlin, op. cit., p. 36.
Those states which have the greatest number of aliens are those which are the greatest industrial and commercial centers. Naturally, these same states have the greatest problems concerning the social inadequacy of aliens. They, on their own initiative, should maintain the closest cooperative contacts with the Federal Immigration Service in order to expedite the return of proven inadequates to their countries of origin. The statutes should support the executives who try to enforce the law, and they should protest against undue political pressure to make "exceptional cases."

LACK OF ADEQUATE BORDER AND COAST GUARD CONTROL

Not only in law and policy but also in actual policing do we find a major physical loophole or gap in the enforcement of our immigration statutes at the coast and border.¹ It is a common joke that the Chinese in the United States never grow old; that we have the same number at the same age all the time. Registration of all aliens was completed in December, 1940, and this should remedy such situations generally, but the other major thing needed in the field is a continuous and effective police guard around the entire physical territory of the United States. A United States Border Patrol, well organized as a land and air force and coordinated still more effectively

¹Donald Taft, op. cit., pp. 382-383.
with a strengthened Coast Guard, would render greater service in the enforcement of immigration, quarantine, and the customs laws.

The Labor Department forbids immigration officials to hold suspicious characters found near the border, pending proof of their right to be in the United States. It is necessary that the police-authority must first make sure that the particular person suspected is, in fact, an alien illegally in the country. Common-sense evidence or responsible information that the suspected person has entered or intends to enter the United States illegally should constitute a case wherein the immigration official should have ample authority to demand identification. It is not an invasion of civil rights for the police to require identification of any one. The police at the border should have more authority to exercise ordinary police discretion, to hold all suspicious characters for identification.
CHAPTER VIII
THE REFUGEE

DEFINITION OF A REFUGEE

Since the end of the World War in 1918, several million people have been compelled to leave their homes by political pressure. A whole nation of people, although they come from several nations, wanders through the world, homeless except for refuges which may any moment prove temporary. These men and women are often without passports, and if they had the money, still they could not get one. This migration, set loose by the War, the revolutions which followed, and the upheaval which resulted, includes people of the various classes and of every race, every trade, and every profession.

The admission of these refugees to the United States since the close of the War has constituted no unusual problem for our immigration authorities because, under American law, these persons are received solely as immigrants. As refugees they are subject to the laws, statutes, and regulations affecting all other aliens. There is no special procedure distinguishing refugees from immigrants. For this reason their problems are interwoven. The refugee is not accorded special privileges or procedure, except as an occasional deviation from the general practice. If he comes here for permanent residence, he enjoys the same rights of freedom, of privilege to work, and of political attitudes accorded any alien coming from a foreign country. For this reason it is impossible statistically
to separate the refugee and the immigrant entering this country.

Persons emigrating from countries where, and when, religious or political persecutions are being carried on are presumed to be refugees of such circumstances, but as a valid basis for sound conclusions such an assumption is unreliable. For example, the application of the term refugee to all Jews who have been admitted into the United States as immigrants from Germany since Hitler came into power might be correct, but until recently this has not been substantiated by the Jews, because they insisted they were not forced to leave. The immigrant officials have no authority to demand the cause of the immigrant's departure from his native land, and so there is no reliable statistical information found here on this.¹

The League of Nations gives a more technical definition which is used in administrative and legal purposes. It defines a refugee as any person who does not enjoy, or no longer enjoys the protection of the Government of the country in which he was born, and who has not acquired another nationality.²

This excludes all those who have acquired another nationality

during the last twenty years, but who, nonetheless, left home under political pressure and are still refugees under a wider, political sense. However, the essential quality of a refugee is that he has sought refuge in a territory other than that in which he was formerly a resident as a result of political events which render his continued residence in his former territory impossible or intolerable. He must have left his former territory either in the sense of having departed or in the sense of being, when already outside it, unable or unwilling to return to it, as a direct consequence of the political conditions existing there. The distinguishing feature between a migrant or alien and a refugee is that the latter left his former territory because of economic conditions or because of the economic attractions of another territory.

The identity, status, and problems of the immigrant are well known to the social welfare workers. These agents have been able to make reliable observations, and this information has furnished a pattern of the life that they live here. The general public is inclined to put the refugee in the same mold as the immigrant, and slightly tints its attitude toward them. For this reason, the problem of the refugee becomes more difficult.

THE REFUGEE AND THE IMMIGRATION LAWS

The status of the refugee entering the United States is
that of an immigrant. He applies for entrance in the same manner as an immigrant, goes through the same examinations, his entrance has to be approved by the same three divisions of the government—the Department of States, the Department of Labor, and the Department of the Treasury, and he must come within the prescribed quota set up in the Act of 1924. One important point is that it must be proved to the consul that the person will not become a public charge. This rests upon the refugee's ability to show that he will have sufficient funds of his own when he reaches here to assure self-support, or is able to come here for work not in conflict with the contract labor laws. No sum is specified as being a minimum needed for a person's self-support, but it is left to the discretion of the consul. Reliable relatives here in the United States can guarantee that the person will not become a public charge. However, this method is very involved, including many personal questions, and the securing of various documents.¹

There is a provision in the Immigration Law for non-immigrant groups who are admitted for temporary periods, from a few weeks to a year. They are not asked to prove their ability to support themselves because of their non-permanent status, but they may be asked to furnish a bond

¹Harold Fields, op. cit., pp. 7-9.
to guarantee their return. In this group are aliens coming for a limited period of time for purposes of travel, visit, or business. These people are never considered as legal permanent entrants, but their stay may be extended when conclusive proof is shown to prove the validity of the request. The only way in which these people may become permanent residents here is by first leaving the country and applying for re-entry as a permanent citizen at any port where there is an American consulate.¹

A Refugee Registration Act was passed in 1934 which provided for the legalization of refugees who come to the United States before July 1, 1933, but for whom there is not a record of admission for permanent residence.² This law was in operation for only two years and has now expired. The law had been so amended that it only applied to the Russian Whites, and a little later on to Armenians, and to a small group of Jews born in Poland.

One general requirement of the Immigration Laws which affects the refugee is the provision that visas will be issued only after passports have been obtained. These documents are difficult, and often impossible for some to secure. Under these circumstances a document showing the bearer's

¹Harold Fields, op. cit., p. 13.
²Ibid., p. 17.
identity and nationality and issued by a duly authorized agent is accepted by the consul if the bearer submits a full and satisfactory reason why a passport or official document in the nature of a passport from the government to which he owes allegiance was not obtained. These documents present a sufficient basis for the issuance of a visa to the United States if the other provisions of the immigration law have been complied with. This type of identity paper was created in 1922 by Dr. Nansen, the High Commissioner for Refugees in the League of Nations from 1921 until his death in 1930. This "Nansen certificate" was valid for sending back the person to the country issuing the certificate. This made the countries reluctant about letting people in who could not go back where they came from. So in 1933 a Convention provided that the Nansen passport should authorize the return of its holder to the country from which it was issued and that it could be extended for a period of six months.

With the admission of such large numbers of refugees since 1933, more women and more married persons have come in. There is also proof that these people have possessed buying and self-supporting power in advance of their arrival. Up to 1921, the amount of money known to be brought to this

1 "Consular Regulations of the United States Depart. of State," Note 192, Section VII, Supplement A.
2 Dorothy Thompson, op. cit., pp. 27-29.
country by each immigrant averaged $25. Comparing this amount with the per capita averages for 1934-1937 proves this point.¹

<table>
<thead>
<tr>
<th>Years</th>
<th>Per Capita Averages</th>
</tr>
</thead>
<tbody>
<tr>
<td>1934</td>
<td>$229.67</td>
</tr>
<tr>
<td>1935</td>
<td>175.11</td>
</tr>
<tr>
<td>1936</td>
<td>200.42</td>
</tr>
<tr>
<td>1937</td>
<td>214.54</td>
</tr>
</tbody>
</table>

¹Harold Fields, op. cit., p. 22.
PART OF A WIDER QUESTION

The Refugee Problem, both in its present form and in its potential one is clearly a world responsibility demanding international action by governments. It is a world problem in the sense that the existence of refugees is a symptom of the disappearance of economic and political liberalism. Refugees are the by-products of an economic isolationism which has practically stopped free migration. They are the products of the population pressures in Europe which result in part from the paralysis of international trade and the restriction of markets, and symbolize in a most tragic way the development of political authoritarianism. The basic real solution of the refugee problem, real or potential, is necessarily related to the solution of the great problems of economic and political adjustment in the contemporary world.  

The fundamental difficulty in the present situation arises not from the existing refugee movements but from the imminent danger of new ones. This adds urgency to the need to solve the relatively small existing problems in order that the potential problem can be faced by an international effort directed to prevent its coming about. It is impossible to

---

anticipate all refugee movements, and it would be useless to try to do so.

QUESTION OF DEPORTATION

However, the point is, is the United States to be considered as a haven for refugees in the future as it has been in the past? It is obvious from what has gone before that the American attitude toward the refugees has been confused because of the legal indistinguishability of the refugee and the immigrant; such refugees as have come to the United States have been admitted, with some few exceptions and special considerations, only as immigrants conforming with the law. The possibility of an increase in the numbers permitted to enter is negligible because of the restrictive character of the existing law and practice. As the forerunners of the more cultured and wealthier elements leave their homelands as refugees, the possibility of the less financially secure to gain admittance here will decrease because of their inability to support themselves. Those who have come here have found a definite pattern of assimilative forces applying to them individually which were set in a wider design of restrictive and discriminating practices, and the possibility of forging ahead is better for the individual refugee than for the individual immigrant. These are the
major features of the refugee scene in the United States as far as they have developed.

On the other side is found one condition that causes an immigrant much uneasiness. That is the fact that until he has become naturalized, he is always subject to the laws and regulations of deportation. The refugee must recognize that, as an alien, his is not the right to remain in the United States but rather the privilege so long as he complies with the law. For that reason his progress in the United States is more than a matter merely of personal success; it is a premium against possible return. In considering the question of deportation it must be recognized that a government has the right to improve any conditions it will, to affect the deportation of an alien.¹

Every immigrant and refugee entering the United States is subject to deportation for becoming a public charge within five years after entry for a cause not affirmatively shown to have arisen subsequent to landing; for crime involving moral turpitude committed before entry or if after entry resulting in a sentence of one year or more within the first five years of residence or in more than one such sentence in any period during residence as an alien. If a person coming within the

excludable class, according to the immigration law is found within five years of landing in the United States and was subject to exclusion as the time of entry, he may be deported if proceedings are instituted against him within the first five years.¹ Under the 1918 statute an alien was deportable if he was affiliated with a group advocating the overthrow of the Government by violence. However, in the 1940 Alien Registration Act this was altered and made an alien deportable if he has at any time in the past been affiliated with a subversive organization. Attorney-General Jackson has since asked Congress to make it a deportable offense to be a member of the Communist Party.²

In affecting the deportation of a public charge, the Federal Government arranges for the transportation of the alien members of his immediate family if they desire to accompany him. However, the refugee is more concerned in whether or not he will be deported to the country from which he fled. In the last resort, the refugee may be deported to his country of origin in spite of the danger to his life and liberty, but in practice a deported refugee is allowed to go

²"U. S. vs. Bridges," Newsweek (March 31, 1941)
to another country. However, this is only done providing it is not contiguous to the United States, and he has secured permission to enter. The Federal Government does not desire to deport any person where such action would place his life in jeopardy, but such a desire is limited by the compulsory provisions of the deportation law. In the cases of stateless persons and persons of indeterminate nationality, an attempt is made to effect their deportation to their last place of permanent residence. If it is impossible to obtain passports or other travel documents, it is necessary to allow such refugees to remain in the country. ¹

Refugees in the United States who come here for temporary periods enjoy the right to remain here during the period for which they have been admitted and may have that right extended. But when the time element finally expires, they have no legal claim to protest their return to their native land. Even the lack of a passport, which they are required to possess, is no safeguard if it has expired. Such an excuse, if it is offered as proof of the fact that they have no right of readmission to their native land, is not accepted. In such cases the authorities request the foreign consulate to extend it and, as a matter of reciprocal courtesy, the extension is usually granted

¹Harold Fields, op. cit., p. 198.
where it has been denied to the individual. However, no deportation can be made unless the foreign Government grants permission to do so. Where such consent is denied, deportation cannot take place. Thus the Soviet Government will not issue any passports for Russian exiles, with the result that, regardless of the nature of the deportation charge brought against them, such exiles cannot be sent out of the country.¹ As Attorney-General Jackson now points out, it is practically impossible to deport aliens because of the shortage of ships to transport them in.

CAUSES AND RECENT TRENDS IN DEPORTATION FROM THE UNITED STATES

The reasons for the marked increase in deportations from the United States up to 1934 were first, the numerous foreigners entering this country under false pretenses after the Quota Act of 1924. A second reason was the unusually serious economic situation within the United States during the years 1929-1933. With millions of our citizens walking the streets, it seemed important to reduce the inflow to a minimum, to return those entering illegally, and to seek out every possible alien worker or dependent whose banishment might be conceived of as creating a job or sustenance for a hungry American. A

¹Sir John Hope Simpson, op. cit., p. 165.
third reason has been the outcome of the war hysteria and the most lasting anti-alien attitudes which have stimulated the popular demand for and applause of increased expulsions.\(^\text{1}\)

The reasons for the considerable decline in deportations since 1934 have been first, because fewer aliens are available for deportation now with reduced immigration, as fewer have resided in the country less than five years. Secondly, there have been fewer illegal entries. A third reason is that several thousand deportations have been stayed in the hope that Congress would act so as to permit them to remain. Fourthly, probably somewhat fewer deportations are to be expected under the relatively socially-minded leadership in the Immigration and Naturalization Service of today.

CONCLUSION

There can be no disagreement as to the desirability of having governments the world over act as havens for the oppressed. The philosophy of the right of asylum is built upon concepts of humanity, justice, charity, and love—all of them high in ethical content.\(^\text{2}\) In their abstract and absolute form, these concepts are to be sought for. But the problem of today, with regard to migrations of humans and the right of

---

\(^{1}\)Donald R. Taft, op. cit., pp. 390-391.

asylum is necessarily tied up with economic questions and population movements. These cannot be disregarded for, often-times, they offset principles of human rights. Overpopulation brought about by technological improvements, has developed new attitudes which were neither contemplated nor foreseen by the founders of this government but which have changed the entire philosophy toward the right of asylum and has become the basis for one of our major problems.
CHAPTER X
REFUGEE GROUPS IN THE UNITED STATES

RUSSIANS

What has happened in the various groups of refugees can only be understood by observing the stories of their arrival here. The first group that we will discuss is the so-called White Russian group. The existing Russian refugee problem had its origin in the revolutions of 1917, the collapse of the anti-Bolshevik armies in 1919-1920 in European Russia, the famine on the Volga and in South Russia in 1921, and the final collapse of the anti-Bolshevik front in Asiatic Russia in 1922. A vast number of Russian refugees entered this country because of these crises. Their entrance was negotiated legally or through temporary passports or hoax of different natures. Upon discovery and attempted deportation the government is stalemated by international law which demands the agreement of the refugees' home country to allow deportation. Russia refuses to allow these refugees to return. To a great extent this movement consisted of the flight of defeated armies, sweeping with it large sections of displaced civilian population. The conspicuousness of the aristocratic and intellectual elements has obscured the fact that numerically the soldier and the peasant and working-class refugee composed the majority of the emigration.

Inasmuch as we generally characterize immigrants into one of three classes—colored, white, and Jewish; Russian immigrants have really been bisected into only two classes: pure Slavs or mixed Slavic origin, and Russian Jews. Whether they were soldiers, peasants, professionals, aristocrats, or paupers they are more or less generalized into one of the two groups. Although the Slavs and the Russian Jews have developed individual characteristics in their behavior in the United States, they have retained their common identity through knowledge of the Russian language and by the common appreciation of their past culture. In their contributions to American progress, the Slavic group has shown talents in the fields of science and engineering, whereas those of Jewish origin have enriched the arts, finance, and commerce.¹

These refugees have also been distinguished from one another by their political philosophy. Americans look upon those who were associated with Kerensky as progressives, whereas those whose background was the Court and who represented the royal family and military class are, in general, conservatives. There is a wide and bitter gap between both groups in their pursuits and interests. The political differences of their native land still keep them apart in America insofar as

their opinions and castes are concerned.

Russian refugees entered the United States through San Francisco and, to a lesser degree, through Seattle. These were the emigrants who in their escape from Russia had traveled eastward to Siberia. After leaving Siberia, and after a short stay in Japan, China, or the Phillipine Islands, they moved to the United States. They represent approximately 35% of the total Russian refugee group here. The larger part of those escaping persecution moved southward from Russia to Turkey. While some of these left for various parts of Europe, the majority of them proceeded directly from Turkey to the United States, chiefly through the help of the American Red Cross. This second group represented approximately 45% of the Russian refugees in the United States. The balance of 20% of the refugees arrived from Czechoslovakia, the Balkan States, France, Poland, Germany, Italy, Great Britain, Canada, and countries bordering on Russia. The refugees who come from Turkey came in the years of 1922, 1923, and 1924. Those who entered through San Francisco and Seattle arrived approximately during the same years. The others came individually and not in large groups, and the dates of their arrival in this country is impossible to trace.¹

Before 1925, there was a widespread conviction that the new regime in Russia was inevitably temporary and that the refugees would shortly return to Russia. Plans were made by the refugees, and by the governments in the confident expectation of an early large-scale repatriation. Some repatriation did occur, but even if the Soviet estimate of the total being 181,000 is accepted, the return movement was insufficient to create any important alteration in the structure of the emigration. From 1924 on, the practical possibility of the Russians ever being able to return became remote.¹ The refugees themselves, even among those of the younger generations, still persistently believe that they will return and without this faith would find their position intolerable. In the early years the expectation of return made it possible for governments to accept large groups of refugees whom they would have refused in many cases had they expected to become liable to shelter them indefinitely. And in this very point lies the international Russian refugee problem. Regardless of what these Russians ever do in a criminal sense, they must be harbored by the country in which they now reside.

GERMANS

The German refugee problem began with the assumption of

power by the National Socialists on January 30, 1933 in Germany. The cruel persecution of the Jews and of all political opposers was gradually developed in Germany, driving out 150,000 people. In the early months of 1933 a first flood of refugees from Germany sought homes in neighboring countries, and though disorganized emigration has continued, the movement of refugees has since been increasingly planned by relief organizations outside.¹

The by-word of the National Socialist Part in 1920 contained the following paragraph:

None but members of the nation may be citizens of the State. None but those of German blood, whatever their creed, may be members of the nation. No Jew, therefore, may be a member of the nation.²

This provided the major cause of the refugee emigration. Another reason was the ruthless suppression of political opposition and criticism from 1933 on. So, at the first of that year, and on a small scale since, there has been a departure as refugees of persons who were victims of the oppression and believed their moral and cultural standards destroyed by the new regime.

The adult group entering the United States has been divided among those who had been financially successful in

²Ibid., p. 59-60.
Germany but whose fortunes and property were confiscated, those representing the middle class, and those who are dependent members of families. Members of the first group have been able to provide for themselves in many cases, either by being able to import sufficient sums with which to support themselves, or by calling upon Americans they have long known and who have indicated their willingness to aid them at this time. Among those who have sponsored the admission of the first group of refugees have been wealthy relatives, life-long friends, and close business associates. These have given their personal assurance that the German applicant would not become a public charge.

The second group has turned to relatives as the chief source of assurance that visas would be issued to them. Because many of them, coming from the middle class, have turned to the middle class here for supporting affidavits, American consuls have been exacting in their examination of affidavits to make certain that the assurances of aid are well supported by the incomes of the individuals concerned. This has led to long delays in many cases.

The third group has been required to produce certain proof that the members can be supported here. The American

---

consul is aware that careful consideration must be given all these requests since frequently they involve immediate members of families. In these cases the desire to unite the family must be tempered with economic considerations here. Frequently the affidavits submitted for the admission of one person are later asked to be extended to other relatives. From the standpoint of the consul, the value of wealth claimed varies for any given sum if it represents cash in the bank, or the purchase price or assessed value of a house, or the market value of securities, or the capital stock one may possess in one's business.

Many of those who are coming here are able to speak the English language, and are graduates of, or were students at, gymnasia. A not inconsiderable number are leaving the small villages that dot the German landscape, and many from Berlin. In the years before this, more of them came from the less important cities.

Since the German laws forbid the export of money, some refugees have brought to the United States the machinery and photographic and scientific instruments which they were permitted to purchase in Germany with their money. By selling these products they were able to accumulate some reserve and thus start anew in America with some capital. Germany encouraged this for a while as a means of introducing her goods
abroad and overcoming the anti-dumping provisions of our tariff law. These goods were sold for whatever price they could bring. They found a ready market among those who rationalized their evasion of a German boycott by the fact that they were thus helping the refugee to start over again. In recent months, permission to export such items has been denied the refugee by Germany, and this means of self-support has died out.¹

Many of these refugees have had excellent cultural and educational backgrounds. This higher level of education, its degree of assimilation, and its intimate relationship to groups already here have formed the basis for a growing respect for the German refugee.

Not too distantly related to this German Refugee problem is the problem of combating the Nazi slave-spy system which is at present growing in this country. This scheme is not related alone to the German immigrants, but to all immigrants from the countries which are not Nazi dominated.²

Evidence of this latest scheme of dictator nations to create a spy system in the United States has been secured by


Federal agents, American foreign attaches, and British Intelligence Officers. It has been gathered also from secret complaints of aliens and foreign-born citizens, though fear has kept most victims silent.

Through terroristic methods, the Nazis have organized a network of unwilling spies and saboteurs among even non-Germans. These include such a cross-section of immigrants as the Dutchman in New York City, the Norwegian whaler in San Francisco, the Polish worker in an American industrial city, the French embassy employee in Washington, and countless others, all of whom have been coerced into joining the Nazi network by threats to relatives in German-subjugated countries.

How effectively this scheme works is shown by the case of still another non-German born refugee. A French chef in a New York hotel, upon learning of the pro-Nazi manager's attempt to build a spy system among the hotel personnel, tried to organize the French waiters to block the plan. Shortly after this France fell. The chef, whose mother was living in Paris, was forced into silence. Later he received word that his mother had died. He redoubled his efforts against the pro-Nazi employees, and was immediately discharged. He obtained another job, at a restaurant run by a Dutch-American. The Nazis traced him there, put pressure on the proprietor, who had connections in Holland, and the chef was fired again. He is now black-
listed from any hotel or cafe directly or indirectly under Axis influence.

The slave-spy system is directed in Germany by a special council including the heads of Trojan Horse groups who helped undermine the victimized countries of occupied Europe. Among these are Otto Abetz, Baron Von Hahn, and Frederick Sieburg. Each man had a great deal to do with the underground work in the already Nazi-conquered countries.

The greatest danger of the slave-spy system, aside from adding to the active ranks of spies and saboteurs, lies in the subtle, disrupting effect it might have on the people of the United States in their relations with one another. If care is not taken in meeting this menace, we will become suspicious of our neighbors, not knowing whom to trust. We shall need to use the utmost sympathy and consideration in investigating the aliens within our borders. Every diplomatic system must be coldly scrutinized.

And finally, the slave-spy—unfortunate victim though he may be—must be considered as poisonous as the most willing member of the Nazi Gestapo. If leniency is shown, the self-styled "Master" who sent him here will know he has found a way to double and triple his spy system almost overnight.

GREEKS

The collapse of the Greek army in Anatolia in 1922 was
accompanied by the flight of the entire Greek population of the greater part of Western Asia Minor. Many of these also came to the United States.\footnote{Sir John Hope Simpson, op. cit., pp. 7-12.} They spread themselves throughout the United States after they landed here, a greater number establishing residences in Chicago where they went upon arrival in America. Many others made their homes in the large cities throughout the United States. One group even went to Florida to join other Greek immigrants, and there they engaged in the business of sponge fishing. Wherever these Greeks went, they became more and more assimilated with their neighbors and avoided the usual pursuits of ownership of restaurants, florist shops, bootblack stands, and hat cleaning establishments which have characterized so many of the Greek immigrants. The fusion of this refugee element with its American setting has made this group distinct from the other Greeks in this country to such a degree that the Greek press and agencies profess to know very little about them.

**ARMENIANS**

In their attempt to escape the rigors of Turkish rule during the World War and after, the Armenians fled to the United States in as large numbers as were permitted. The sole check lay in the quota provision for issuance of visas.
It is impossible to estimate the number which was admitted here, but they may be regarded as absorbed or at least as not constituting a refugee problem.¹

By temperament the Armenian refugee chooses to own his business, even though it be small, in preference to a steady job and a steady income. This is due to his individualistic nature and his desire to be responsible only to himself for his acts. This trait is natural in a people who have felt the whip of tyranny for a long time and who crave the opportunity to guide their own destiny. These establishments give work to both the Armenians and the Americans and for this reason have made a great contribution to the United States.

The Armenian has made the important contribution of manufacturing a domestic oriental rug in the United States. This has been a popular product among the buying public, and its sales are very large.

PRESENT REFUGEE GROUPS

The United States is now seeing a kind of immigrant never before dreamed on. They arrive in clippers and on luxury liners. Now the United States has actually become an asylum for political refugees en masse. These immigrants are bringing, not seeking, their fortunes, and this is definitely something new. These people have been named the 'Rich Refugees.' Traditionally it was depressed Europeans who sought shelter in the
United States. The answer is that unlike the first World War, this war is not only a total war but may foreshadow total social revolution; not only an economic war but also a war of ideologies.\(^2\)

However, the important rich refugees are the ones of whom society columnists have probably never heard. They stepped off the Clippers behind royal families and went away unnoticed to claim the wealth previously placed in American banks, to found a business or renew important industrial connections. Or else, the fugitive members of a very select society, not known to even candid cameramen, preferred to be known by the historic name of émigré.

Rich refugees may be divided into three groups: Society (here merely for safety and sometimes for comfort), those here for political reasons, and businessmen and families (to make a living or live on previous wealth).

CHILDREN

A large number of children have been sent over here from Europe to remain here until the end of the War. The International Education Council have placed more than three hundred of them in American schools and colleges. Arrangements have been made with over five hundred schools to admit these children.

---

2 "Rich Refugees," Fortune (February, 1941)
children, many of whom are without means of supporting themselves. Private schools have met the situation generously, often waiving all expenses other than carrying charges. The State Department requires that every child have an American sponsor who will guarantee that he will not become a public charge. The Council also endeavors to place mothers who come here with the children as teachers or house-mothers in American schools.¹

¹ "International Education Council Place Refugee Children in Schools," School & Society (January 4, 1941)
CONCLUSION

In reviewing the problems of immigration that confront the United States, we first have to face the fact that the population of this country is composed mainly of immigrants. In fact a very small percentage of our population are descendants of the original inhabitants of this continent. The Indians, as Columbus named the people he found here in 1492, are believed to have migrated from Asia into Alaska and thence southward.

Those who followed Columbus came from countries that were politically, culturally, and religiously similar. So the period between 1620 and 1850 contains very few immigration problems. That is easy to understand as we advance farther into the subject.

As the new nation began to move westward and needed additional unskilled labor for the movement, the Northwestern European nations ceased to have extreme pushing causes. England, for instance, had improved living conditions at home and offered opportunities in her own colonies: Canada, Australia, and South Africa. On the other hand the countries of Southern and Eastern Europe were feeling the problems of over-population--high taxation, poverty, and religious persecution. We must not omit the advertisements, inducements, and letters from friends here that pulled people to this newly founded country. Once these immigrants arrived here, they encountered entirely foreign ideals and customs.
Thus we can conclude that most of the American problems in immigration has been due to the mixing of the races of the Northern and Western countries—English, Scots, Germans, Irish, French, Dutch, Swiss, and Swedes—and those of the Southern and Eastern Countries—Austrians, Italians, and Russians—of Europe.

Specifically, these problems have been mainly problems of culture—social, crime, and population.

First, let us summarize the population problems. From the research made, statistics show that there is a high correlation between birthrate and the conditions which indicate a lower social status. We have only to make a comparison between college-bred couples and those lacking this educational privilege. The intelligence quotient of the children of the former is much higher, but the latter appear more frequently, and are gradually decreasing the average quotient. A solution for this problem of quality versus quantity has been attempted, but so far has shown little success. A possible corrective which might be introduced would be to raise sufficiently the purchasing power of the college-bred to allow them the opportunity and the income to have children, thus raising the intelligence quality of the American population.

Under the broad title of social problems is the question of housing and living conditions of the newcomer to our
shores. This is a question of the utmost importance as his relationship to the American community depends upon an equitable solution. It is not entirely the fault of the newcomer that our slums are so prominent. It would be of great advantage to our government's future to attempt a solution by furthering our better housing programs.

As stated before, the real problem in regard to crime among the foreign-born portion of our population lies in erasing the cause which develops criminal tendencies in their children. More benefit could be derived from our serious study of the slum conditions if the American public could be sufficiently aroused to look at this problem without bias. An improvement of the immigrants' living conditions would at least erase the bad record made by the first generation born of foreign parents. So we should look definitely to a clearance of our slum conditions to oblivate the crimes as well as the social problems.

Courses in Americanization should not be confined only to the large cities on the East Coast. If these future citizens were educated to the American ideals and customs early after their arrival to these shores, many would escape the prejudiced clutch of the law. Many writers feel that this problem could at least be reduced by a more democratic approach of the problem by those in charge of the administration of the laws.
Along with this criminal question is still another that should be placed squarely before the American opinion. Should white-slave traffic exist in the United States as it does at present? Certainly, the efforts of the Immigration Commission and other government agencies here in the United States, and also the efforts of the Council of the League of Nations have greatly reduced the number of these offenders. Aroused public opinion could increase this partial success to a more complete solution.

In considering our methods of regulating entry into these United States, we find that here is one way we could minimize the preceding problems. Our standards of admission should be even higher than at present. Our ports of entry should attempt to discover more promptly those who are deportable. Therefore, these people will not be eligible for deportation if they have not entered. The prompt procedure on the part of those authorities would save the American people money and the trouble of deporting these persons later. It is felt by many that with our present system many of our labor problems will be increased by the resultant decrease of our source of unskilled labor. Consequently, legislation should be given further consideration along a course which would promote a more selective basis.

Probably the problem of the refugee is at present closer
and more vital to the American people than ever before in our history. Our sympathies have been aroused to the point where we are apt to forget our past experiences with similar problems. Our typically American "open heartedness" may prompt us to offer our shores as a haven for those who are being persecuted in other parts of the world. In spite of our individual sympathies these people are immigrants in the eyes of our immigration laws, and they must prove their desire to remain here by conforming with our laws and with our customs. There are a few who we are forced to keep, as previously stated in this thesis, but this is a negligible number. Our high ideals of justice, humanity, and charity must not blind us to the gravity of the immensity of the problem. It is a problem that will require international economic, and political adjustment. Consequently, with the entire world facing an unprecedented upheaval this newest of our immigration problems must await the world's return to national sanity and a more logical distribution of economic wealth.
BIBLIOGRAPHY


"Consular Regulations of the United States Department of State," Note 192, Section VII, Supplement A.


Keyhoe, Donald E.; and Daly, John Jay. "Hitler's Slave Spies in America," The American Magazine (April, 1941) pp. 14-15; 120-121.


"International Education Council Place Refugee Children in Schools," School and Society (January, 4, 1941)


"Passports to Nowhere," Nation (February 1, 1941)

"Rich Refugees," Fortune (February, 1941)


"Social Front," Survey (June, 1940)


"United States vs. Bridges," Newsweek (March 31, 1941)

"When the Children Come" Survey Graphic (January, 1941)
The problems of the immigrant
and the refugee in the U.S.