



Our Irrational Nationality Quotas

JUDITH LAIKIN

IT SEEMS that there were very few Australians living in the United States in 1920. So if your sweetheart was born in Australia you will have to leave the United States to marry her. Single, it would take her ten years to get a quota immigration visa. But you could bring your British fiancée to the States with no more than six weeks notice.

We may as well face it: Our immigration law is downright silly. As President Eisenhower put it in his Message to Congress on January 31: ". . . the practical application of that law [the Immigration and Nationality Act] has demonstrated certain provisions which operate inequitably and others which are outmoded in the world of today." Mr. Eisenhower recommended that Congress re-examine the national-origins quota system on which the law is based, and that meanwhile the system be brought up to date and expanded.

WHY PICK on the national-origins quota system?

First, because it sets an arbitrary and static limit to the number of people we can admit annually. This number bears no relation to our capacity to absorb them, to our desire to bring certain individuals here, or to the number of persons who want to come in.

Second, because it pretends that the pattern of migration of peoples is immutable; that they come like

seals from certain breeding grounds, far away from the forces of war and peace, and that there is no need for us to reconsider the distribution of visas with changing times.

Third, because as between prospective immigrants, the quota system discriminates on grounds that pretend to be—but are not—relevant to the American scene.

Fourth, because Congress is aware that the national-origins quota system does not work. It has frequently licensed special classes of people to enter the United States above and beyond the quotas set. G.I. brides, Free Poles, Japanese wives, Basque shepherds, escapees from Communism, displaced Germans, orphans under fourteen, and now fifteen thousand Hungarians—all these people owe their status to *ad hoc* legislation. But laws often lag behind the need; and the lack of a flexible law on the books prevents us from planning in advance. Though these measures serve a humanitarian purpose in the short run, they are no adequate substitute for a rational immigration policy.

The Numbers Game

The quota system makes our immigration law anything but rational. In practice, we choose our immigrants by lot.

An immigrant with a lucky number (for example, one who was born in Eire, Sweden, or the island of Tonga) can get a visa immediately

on applying. If his number isn't so good (say he was born in France, Denmark, or Norway), he may wait around for a year before being invited to follow up his application. If he was born in Italy, Russia, or the Union of South Africa, he may never live to see his number come up.

What is a quota number, and who needs one? To clear the decks somewhat, let me answer the second question first. All immigrants need a quota number for their visas except:

¶ The alien wife, husband, or child of a U.S. citizen.

¶ A person born in an independent country of the Western Hemisphere.

¶ Ministers of religion; long-term employees of the American government abroad; aliens who make their home in the United States and are returning from a visit abroad; and certain persons who lost their American citizenship through inadvertence.

¶ Certain refugees as exempted from time to time.

THESE persons are *nonquota* immigrants and receive their visas above and beyond the number provided for by law. All other immigrants need quota numbers.

The Immigration and Nationality Act, better known as the McCarran-Walter Act, became effective in December, 1952. It embodies the national-origins quota system which was concocted for our second restrictive immigration law in 1924. At that time, the 1920 census was broken down to omit Negroes, American Indians, and other non-white persons. The total number of immigrants to be legally admitted each year was set at one-sixth of one per cent of the white population.

The resultant total of 154,277 became our ceiling on immigrants. This was divided proportionally into separate quotas representing the various countries of the world from which our population originated. Thus, Great Britain got forty-three per cent of the total. Although two-thirds of this quota goes unused each year, these numbers cannot be allocated to anyone else, and they simply lapse. The Spanish, who didn't emigrate earlier but would

like to do so now, have a quota of 250 annually, and a waiting list decades long.

ONE OF President Eisenhower's proposals is to pool the unused quota numbers and make them available to preferred immigrants born in the same continent where the lapsed numbers occur, without regard to the specific country of birth. This would not expand the total number of persons permitted to immigrate, but would only ensure that all the numbers were used.

An increase of sixty-five thousand quota numbers was also recommended by the President—a figure arrived at by basing the quota system on the 1950 census. The Administration believes that our economy has expanded sufficiently to absorb the added number of immigrants, and proposes that the new numbers should be allocated to those quota areas from which persons actually emigrated to the United States between 1924 and 1955.

For the second year running, the President proposed canceling the iniquitous mortgages that were placed on some national quotas in order to pry loose additional quota numbers for refugees right after the war. Half the Latvian quota is mortgaged until the year 2274.

The most spectacular aspect of the Administration's program was to request standing authority to admit each year sixty-seven thousand escapees from Communism—a direct outgrowth of the Hungarian emergency.

Congressional authority of this type would knock national origins into a cocked hat. There is no predicting in what corner of the world the next group of escapees will appear, and little likelihood that the quota categories will ever suit the political situation.

The obvious question, then, is whether the quota system is worth retaining despite its defects. What does it set out to do, and does it succeed?

Does It Work?

The idea behind the national-origins quota system is to preserve the American way of life as it evolved over the years of unrestricted immigration. It is intended to retain the

mixture as before, to protect the culture and complexion of Americans from radical change.

That the system is not an efficient cultural sieve is clearly shown by comparing the annual quotas allotted to countries of similar tradition. The law is supposed to favor immigrants of Anglo-Saxon descent. But Australia and New Zealand, countries settled almost exclusively by persons of British descent, have only the minimum quota of one hundred annually.

Among German-speaking peoples, those who were born in Germany have 25,814 quota numbers a year; those born in Austria have only 1,405. The German quota is current; the Austrian quota waiting list is seven years long.

The quota for Spain is 250, that for Portugal 438; yet people who speak Spanish and Portuguese can (and do) enter the United States without limit if they were born in the Western Hemisphere.

A second anomaly in the national-origins system arises from the automatic classification of individuals according to place of birth. This is particularly ridiculous if the applicant is a child or if he migrated as a child to another country. The son of Russians who took refuge in Venezuela can come to the United States without a quota number; the son of Russians who took refuge in China can have his choice of two equally discouraging waiting lists—the Chinese or the Russian. The Karachi-born Hindu who decided to go to India after partition can get a quota number with slight delay, while the Delhi-born Moslem who fled to Pakistan need not even bother to register; his number won't come up during his lifetime. The Indian quota is heavily oversubscribed.

THE QUOTA system is most efficient in excluding immigrants on racial grounds. An Asian is an Asian regardless of where he was born, and a Chinese of whatever nationality is charged to an annual quota of 105. Moreover, the definition of Chinese is a much wider net than most other such definitions—two out of four grandparents will suffice.

The system imposes great hardship on certain individuals. An American may secure preferential

treatment for his alien brother. But when the brother gets his visa, he is not permitted to bring his family to the United States with him. An Englishman can bring his Dutch wife to the United States under the favorable quota for Great Britain; but his wife mustn't be Asian. An American citizen can get a nonquota visa for his alien wife, but not for her child if the child is not his. A Polish family accepted for immigration cannot get a quota number for an aged grandmother, who is not considered a member of the family unit. A childless American couple cannot bring their orphaned nephew to the United States because the boy was born in Austria.

Preference Categories

We accept people who were born in the proper place and who are not criminal, Communist, or diseased; but the law provides little scope for making a positive selection of those we would wish to become citizens.

The 1952 Act made a start toward encouraging the immigration of skilled persons by setting up a first-preference category for aliens whose services the Attorney General declares to be urgently needed in the United States. Fifty per cent of each quota is reserved to such persons who immigrate at the request of an American institution or firm wishing to hire them.

This provision has enabled us to admit Australian nuclear physicists, Jamaican nurses, and Bulgarian ventriloquists. But even the first preference is oversubscribed for those quota areas in which there is the heaviest demand for immigration; and there is no organized program for recruiting specially skilled immigrants according to our national needs. It is left wholly to chance—and to national origins.

Family ties of would-be immigrants are recognized by three other preference categories: one for the parents of citizens; another for families of aliens already admitted for permanent residence; and the last for brothers, sisters, and children over twenty-one of U.S. citizens. Those who are not specially skilled and not closely related to American citizens or permanent residents are considered to be "nonpreference" and have to wait for their quota

numbers in chronological order.

In addition to skills and family relationships, various criteria have been suggested to aid us in selecting immigrants. Most of these—such as relating immigration to our reciprocal trade agreements or to our military alliances—have something to recommend them but nevertheless bypass the main point: that any immigration policy will be unrealistic if it is connected to the quota system.

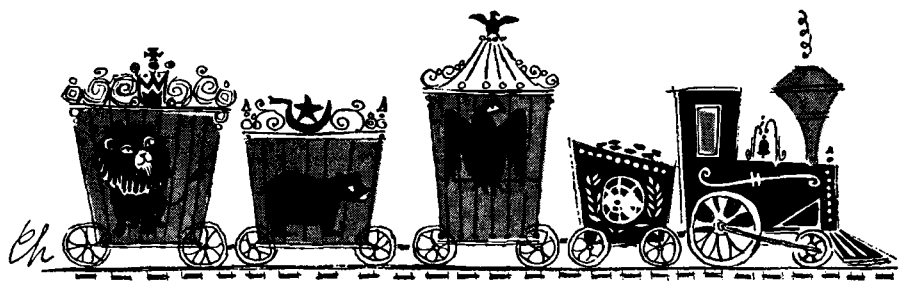
DURING 1955, we admitted a total of 237,970 immigrants, whose origins (on account of the Refugee Relief and other Acts) were certainly not in conformity with the quota system. Taken all in all, the President's recent recommendations would mean an annual increase of about 190,000 immigrants—half in and half out of the quota system. Surely it would be worth knowing how far we should go in this direction, and how fast.

This could be done by authorizing a technical inquiry to ascertain what our absorptive capacity is. Is it static (as the law intimates) or elastic (as any other market is)? Should we relate immigration to the need for certain types of worker in certain industries? Ought we to consider the social consequences of admission of large homogeneous groups? Should we use immigration to conciliate allies or to gain trade concessions?

Our annual intake need not be a fixed number. On the contrary, it should be flexible enough to vary in accordance with American conditions and the movement of people abroad. We should be free to take advantage of changing conditions in order to bring in suitable immigrants when and where they are available, unfettered by the census of 1920—or by any census at all.

The President's plan to pool unused quota numbers and to admit large numbers of refugees tends toward the breakdown of the artificial limits heretofore set on our immigration.

Let us hope that Congress will have the courage to handle the Hungarian newcomers not only as unfortunate human beings for whom an exception must be made, but as sure proof that immigration policy should be entirely reconstructed.



The U.N. Is Not A World Government

REINHOLD NIEBUHR

EVIDENCE multiplies that the Administration, and for that matter the American people in general, seriously misconceives the character and possibilities of the United Nations. The multitudes who daily visit the imposing New York headquarters of the United Nations, prompted by piety or school principals or women's clubs, seem to regard it as a kind of supergovernment that can guarantee peace if only our devotion to it is absolute. Even Harry Truman thought it necessary to insist that loyalty to the United Nations must be the cornerstone of American foreign policy. The present Administration never loses an occasion, even in announcing the Eisenhower Doctrine, to assure the world of our continued devotion to the U.N.

These liturgical observances would be harmless if they merely expressed the conviction that the United Nations is an indispensable instrument for a coming world community, and that if it perished a similar instrument would have to be invented. But usually the expressions of devotion express more than that—the conviction that loyalty to the United Nations can be the totality of our foreign policy. They do not suggest, as they reasonably should, that the organization offers the opportunity for a creative foreign policy but cannot guarantee one in itself.

The United Nations is not a supergovernment awaiting only a few constitutional changes, such as aboli-

tion of the veto in the Security Council, to be a perfect instrument of peace. It is an international arrangement accurately mirroring the power realities at the end of the Second World War, and the needs of a nascent world community that still had to be integrated. The Security Council is the organ of the great powers, though it does not now reflect the diminution of strength in British and French power. Furthermore, the inclusion of China among its permanent members was a mistake, prompted by American optimism and the conviction that China would become a power center in the postwar world. The revolution in China has aggravated this error, for it makes the admission of the new Communist China into the United Nations tantamount to its election to the Security Council. We could probably circumvent this embarrassment by assigning a permanent seat to India, which has certainly gained very much international prestige since its birth as a free nation.

THE real trouble, of course, is that there is a deep rift between the major powers, between Russia and America particularly, that causes difficulty in making the Security Council an instrument of international action, though it still serves a useful purpose as a bridge between totalitarianism and the so-called free world. This rift invalidates all the schemes for putting this or that part