

CHAPTER TWO

Naturalization and Nationality

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Born in the caldron of revolution, being "American" must be understood as a product of political ideology, a manifestation of national identity and a pragmatic response to the demands of building a new country. Immigration played and continues to play a crucial role in defining Americans. Society and policy makers must decide whether to include outsiders and, if included, in what manner foreigners gain access to citizenship and nationality. Understanding such choices, and their fluctuation over time, illuminates the dynamics of immigrant incorporation and American nation-building.

In this chapter we examine naturalization and nationality. Through the process of naturalization, foreign-born individuals without direct kinship ties to the United States become American citizens. Because American citizenship knits together legal status with an affective identity, naturalization has provided immigrants with a path to national membership. Much of the early scholarship on nationality and citizenship, conducted by legal scholars or political scientists, focused on the laws and regulations by which foreigners became American. More recent research by historians and sociologists places policy decisions within a broader socio-cultural framework. We show how immigration and naturalization laws were used to create, restrict, and expand the boundaries of the nation. Although US naturalization laws are generous compared to many other countries, restrictions enacted at many points in American history denied citizenship to various groups.

We also analyze the factors that influence individuals' propensity to naturalize. How do those who naturalize differ from immigrants who fail to seek American citizenship? Interest in, and concern about, this question is long-standing. In the early twentieth century, negative judgments over southern Europeans' inclination and ability to become citizens fueled immigration restrictions. With the development of sophisticated statistical techniques and the availability of new historical naturalization data, we attempt to provide a more accurate analysis by looking at citizenship acquisition in the early twentieth century.

Finally, we consider some of the cultural understandings of immigrant-related diversity and citizenship in American history, a growing area of study. Cultural analysts examine views of citizenship held by the receiving society, or segments of

that society, and students of immigration increasingly explore the ways that immigrants internalize citizenship ideals, even when they do not possess legal citizenship. We thus delve into legal history, cultural studies, and an investigation of naturalization statistics to provide a multi-layered look at naturalization and nationality in the United States.

Boundary Control: Naturalization Laws, Nationality and Becoming American

Among the grievances outlined in the US Declaration of Independence, the colonists charged that King George III "has endeavoured to prevent the Population of these States; for that Purpose obstructing the Laws for Naturalization of Foreigners. . . ." The right to naturalize, recognized in the US Constitution, represented a conscious repudiation of feudal subjectship. Under the feudal model individuals were indissolubly bound, without their express consent, to sovereign overlords and the states they ruled. Naturalization, as a manifestation of voluntary political allegiance and expatriation, was a corollary to Enlightenment theories of republican citizenship. The ideals of the American Revolution thus required that the boundaries of American nationality be cast broadly.

Initially, Article IV of the Articles of Confederation left citizenship to the individual states, but this arrangement proved unworkable. In the words of Madison, it was "a fault in our system . . . laying a foundation for intricate and delicate questions" (Hamilton, Madison, and Jay 1961, p. 269) because it was not clear that someone naturalized in one colony possessed reciprocal rights in another. The US Constitution of 1787 consequently empowered the federal government to "establish a uniform Rule of Naturalization" (Article 1, Section 8). This grant of authority was designed to produce a national standard that would be consistent with the Constitution's "comity clause," continuing the principle of reciprocal interstate citizenship. The federal government's power was construed as essentially negative, as the authority to set a rule for the removal of the disabilities of alienage or foreign birth.

The ideology of voluntarism expressed itself in the rhetoric of the oath of allegiance, required of all would-be adult citizens. The oath vigorously announced the naturalizing alien's free choice and power to establish political allegiances.¹ Through consensual allegiance, immigrants transferred to themselves the republican civic tradition, gaining possession of it and making it a part of their lives. Citizens, either by birthright or by naturalization, possessed the capacity to participate in public life through the exercise of free and rational will (Kettner 1978).

Yet American citizenship also contained important limits to its inclusive vision of universal voluntarism. In passing the first federal naturalization law in 1790, Congress specified that eligibility was restricted to any "free white person" who had resided for two years "within the limits and under the jurisdiction of the United States." American nationhood and citizenship brought together ideals of liberalism and republicanism, but they were also, according to Rogers Smith (1997), imbued with a strong belief in "ascriptive Americanism." Legal statutes, judicial decisions and legislative debates reveal "passionate beliefs that America was by rights a white nation, a Protestant nation, a nation in which true Americans were native-born men with Anglo-Saxon ancestors" (Smith 1997, p. 2). Slaves, indentured white servants,

and non-whites born outside of the country could not gain political and national membership.

Even white migrants faced recurrent nativism. Nativist policy makers believed that collective cultures, especially as they were shaped by religion or race – the latter conceived to include racial divisions among whites – impaired the capacity of foreigners to adopt American nationality. Such doubts overlapped with cruder political maneuverings. Federalists, who feared immigrants' support of Jeffersonian Republicans, passed congressional legislation in 1798 that raised the residency requirement for naturalization to 14 years. A new law in 1802 restored the minimum wait period to five years, where it has remained to the present. The arrival of Catholic immigrants from Ireland and Germany in the decades before the Civil War caused native Protestants to reconsider the nation's capacity to assimilate newcomers. Anti-Catholic nativists, who organized the powerful Know Nothing Party of the early 1850s, promoted long residency requirements for naturalization – as much as 21 years – to discourage Catholic newcomers. The radical fringe of the Know Nothings even endorsed the repeal of all naturalization laws to make it impossible for any immigrant to become an American citizen (Anbinder 1992, pp. 121–2).

The original 1790 naturalization statute was amended several times over the next 35 years, but by the 1820s a legal consensus emerged that would define naturalization policy and procedure for the remainder of the nineteenth century. This consensus stipulated that applicants had to be free white persons and declare their intention to become citizens at least three years preceding the award of citizenship. They had to be resident in the United States for five years and one year in the state in which they applied, a residency requirement similar to that of many other settler countries of the nineteenth century.² Would-be citizens had to swear an oath to uphold the Constitution and renounce allegiance to any foreign sovereign. Applications for citizenship could be filed with “any common law court of record in any one of the states.” In 1824, Congress shortened the minimum time between the application for citizenship (the “declaration of intention”) and the final award of citizenship papers to two years; a person who had resided in the country as a minor for three years preceding his majority was allowed to take out both sets of papers at once. For a married male applicant, his wife and minor children (under 21 years) became citizens with his naturalization. America's simple and short naturalization process became a cornerstone of an immigration policy designed to recruit newcomers.

The arrival of large numbers of newcomers – a policy “success” in many regards – nevertheless reignited debates over membership. Nativism and ascriptive Americanism intensified in the period following the Civil War. The federal state sought to centralize and articulate a unified American national identity at a time when the number of immigrants arriving in the country continued to rise and, most importantly, diversify. By the standards of the early nineteenth century, the stream of newcomers entering after Reconstruction grew to flood proportions (Goldin 1993). In the 1880s, 5,200,000 immigrants entered a country that, according to the 1880 census, barely counted 50 million people. In the first decade of the twentieth century, almost 8,800,000 foreigners arrived in the United States (US Immigration and Naturalization Service 2002). As immigrants from southern and eastern Europe began to outnumber immigrants from northern and western Europe, it was believed that the foreign masses were becoming less assimilable (Higham 1988).

Policy-makers used two tools to shape the ethno-racial contours of the American nation: they progressively restricted immigration laws to control who could enter the country, and they passed exclusionary naturalization regulations to limit access to citizenship. The crucial naturalization measure adopted was the designation of Asian immigrants as “aliens ineligible for citizenship,” disqualifying them from naturalization. This exclusion first appeared as a provision in the Chinese Exclusion Act of 1882 barring the entry of laborers from China. Through an intellectually inconsistent series of judicial decisions in local and federal courts that variously referenced the “scientific” classification of races, Congressional intent, the racial classification used by the “average man,” and geographic origins, all other immigrants from East Asia and South Asia were excluded from naturalized citizenship on racial grounds (Gualtieri 2001; López 1996; Ngai 2004). Essentialist views of the cultural and racial qualifications of civic membership, and of the collective capabilities or disabilities of immigrants, led to an abandonment of the universalistic potential of republican citizenship by the end of the nineteenth century.

In contrast to Asian immigrants, judicial interpretations of the statutory requirement that an applicant be a “free white person” made aliens from southern and eastern Europe and the Middle East – including Jews, Armenians, Syrians, Palestinians, Turks, and Arabs – officially “white” with respect to naturalization policy, and thus equal to migrants from northern and western Europe (Hooglund 1987, p. 44). The sphere of homogenized white civic identity provided the rights, opportunities, and duties that opened access to processes of assimilation.

Ironically, illiberal provision within American citizenship – that is, those provisions that undermine the ideology of volitional adherence – served to protect the US-born children of immigrants from the more repressive features of American nativism. Volitional citizenship, as embodied in the Constitution and naturalization laws, coexists in US law with ascriptive and passive birthright citizenship (Schuck and Smith 1985). Originating in common law and feudal theory, birthright citizenship means that individuals are American merely due to birth within the territorial jurisdiction of the United States (the principle of *jus soli*) or from birth to parents who are already members of the national community (the principle of *jus sanguinis*), not because of their stated desire to be American. These provisions protected native-born Catholics and Asians against attempts to exclude them from the political and national community. In 1898, the United States Supreme Court decided in the case of *U.S. v. Wong Kim Ark* that a child of Chinese immigrants was entitled to American citizenship under the *jus soli* clause of the Fourteenth Amendment.³ This decision set a crucial precedent (Schuck and Smith 1985, pp. 75–9). Even in Asian ethnic communities where the immigrant generation was deprived of citizenship, their descendants would be incorporated in the political community.

At the same time that Asians were being systematically excluded through immigration and naturalization policy, the sphere of American citizenship widened to include new ethno-racial groups, peoples absorbed in the course of territorial and national expansion. The treaty ending the Mexican War of 1846 incorporated the inhabitants of conquered Mexican territories as American citizens. In 1868 the Fourteenth Amendment provided that any person born in the United States, regardless of ancestral origin, became a citizen of the United States. In 1870, Congress

extended the naturalization law to include "aliens of African nativity and to persons of African descent." Congress made Hawaiians eligible for citizenship in 1900, Puerto Ricans in 1917, American Indians in 1924, inhabitants of the Virgin Islands in 1927, and indigenous inhabitants of the Western Hemisphere in 1940. Asian exclusions began to fall during the rigors of war: Chinese immigrants gained access to citizenship in 1943, Filipinos and Asian Indians in 1946. In 1952, the McCarran-Walter Act established general eligibility for American citizenship and nationality for all, without regard to racial categorization.

Access to citizenship also varied by gender and marital status. Although white foreign-born women had access to US citizenship, those who were married progressively lost control over their status starting in 1855. By federal law, an immigrant woman automatically became a citizen upon her husband's naturalization, or, if he were a US citizen prior to marriage, upon their marriage, regardless of her wishes. The 1907 Expatriation Act extended the logic linking a woman's citizenship to her marital status and the status of her spouse. Under the act, a naturalized or US-born American citizen lost her US citizenship after marriage to an alien; she could regain it only if her husband naturalized. Only as women's suffrage appeared imminent – and concern built that thousands of immigrant women would have the right to vote without proving their suitability for citizenship – did politicians and the public push for a gender-neutral naturalization law. The 1922 Cable Act gave most women control of their nationality, ushering in the current practice that men and women must apply for citizenship independently, regardless of marital status (Sapiro 1984). Asian-born women remained legally barred from citizenship, and non-Asians who married foreign-born Asian men unable to naturalize continued to lose their US citizenship until 1931 (Bredbenner 1998).

The early twentieth century also brought new regulations linking naturalization to immigrants' skills and knowledge: foreigners had to prove their worthiness for American citizenship. The Naturalization Act of 1906 sought to centralize administrative oversight of naturalization and standardize naturalization procedures, replacing the nineteenth-century tradition of lax local naturalization with a systematic national test for membership. The act initiated procedures for stricter verification of the five-year residency requirement. It also raised the qualifications for naturalization by demanding a rudimentary knowledge of American history and civics, a basic ability to speak and understand English, and proof of moral worth. An alien seeking naturalization had to appear before a judge with two witnesses who would vouchsafe his character for American citizenship.

The 1905 United States Commission on Naturalization, which served as a clearinghouse for the bill that became the Naturalization Act of 1906, provides a window onto some of the thinking underlying these changes. The Commission and the new law reaffirmed liberal, republican ideas that transference of allegiance should be based on individual qualification and voluntary initiative. The five-year minimum residency period worked, in the eyes of policy-makers, as an adequate probationary period for applicants to establish the civic knowledge and linguistic qualifications for naturalization, especially since so many were poorly educated, spoke a non-English mother tongue, and came from undemocratic states. The rationale behind the new English requirement stemmed, according to the Commission, from the belief that:

The child of foreign parents, born in the United States, is by our fundamental law a citizen of the United States from the moment of his birth. If he grows up in the United States it rarely happens that he remains ignorant of the English language, and he is in fact as well as in law, an American. But an immigrant is in a different case, and if he does not know our language he does in effect remain a foreigner, although he may be able to satisfy the naturalization laws sufficiently to serve our citizenship. . . . The Commission is aware that some aliens who can not learn our language make good citizens. They are, however, exceptions, and the proposition is incontrovertible that no man is a desirable citizen of the United States who does not know the English language. (Wise 1906, p. 7)

At the same time, citizenship would not be tied to class or religion and, with the exception of Asian aliens, would not depend on race or ethnicity. Naturalization policy undermined the dividing line between "old immigrants" and "new immigrants" that figured prominently in immigrant admissions policy.

Nativists worried about the effect of new immigration on American citizenship, but an emerging public consensus, led by progressive reformers, held that foreigners could be integrated into democratic life through guided naturalization, civic education, and participation in reformed popular politics. "Good" citizenship sprung from immigrants' personal commitment to the country, based on rational will and ideological attachment. Educators throughout the decades of the early twentieth century sought to prepare immigrants for naturalization by imbuing their teaching of English, civics, and history with veneration for the nation-state and its historic traditions. These Americanizers believed that they could transmit a formalized civic culture, a unifying code of ideals and values of citizenship. The result was an achieved form of nationality: an individual could incorporate him or herself democratically into American nationality through the voluntary internalization of the civic code and patriotic actions, reinforcing the image of civic loyalty and public equality between sub-groups.

This path stood out particularly in times of war. During World War I, many young aliens were conscripted into the armed forces. Federal officials saw their wartime military service as a vehicle of Americanization and sought to reward alien soldiers with the granting of American citizenship. In May 1918, Congress passed a law that waived the probationary period to naturalization and provided for the immediate naturalization of alien soldiers in the armed forces. Wartime service also stimulated a new effort to re-evaluate the racial citizenship bar faced by Asian immigrants. Judges in federal districts in Massachusetts and California decided that Filipino veterans should receive naturalized citizenship because their military service was more important than the racial test for citizenship (*In re Mallari*, 239 F. 416 (D. Mass. 1916); *In re Bautista*, 245 F. 765 (N.D. Cal. 1917)). In 1935, President Roosevelt signed the Nye-Lea Act, providing for the naturalization of all Asian veterans by exempting them from the racial bar applied to foreign-born Asians. Today citizenship continues to be used as a reward and recognition of military service. President George W. Bush declared the period since September 11, 2001 an "authorized period of conflict," permitting any lawful permanent resident who has served in this period to apply immediately for citizenship, regardless of residency period or physical presence in the United States.⁴

In the post-World War II period, despite ideological and cultural changes moving from Americanization to multiculturalism, the procedural requirements for

naturalization have remained largely the same.⁵ The 1952 McCarran-Walter Act added a further hurdle to citizenship by requiring applicants to be able to read and write basic English, not just speak and understand it. Conversely, by the 1980s would-be citizens no longer needed to provide two character witnesses during their hearing. Today, someone wishing to become a US citizen must prove five years of residence as a legal immigrant, pay a fee of \$320, prove basic oral and written ability in English, and demonstrate knowledge of US government and history. A judge or the US Citizenship and Immigration Services (formerly the Immigration and Naturalization Service) can refuse to grant citizenship for a variety of reasons, including past criminal convictions, long visits outside the country, or a failure to demonstrate "good moral character." Immigrant children can derive citizenship when their parents naturalize, but all adults must apply for citizenship independently.⁶

Multiculturalism has also failed to significantly change the political and symbolic attachment to exclusive US citizenship, even though the legal status of single citizenship is questionable. US citizenship, and its attendant naturalization process, was originally conceived as an exclusive status; loyalties were indivisible. For this reason, when pledging the oath of allegiance during naturalization, aliens must disavow allegiance to their country of origin. Even when the US Citizenship and Immigration Service tried to update and modernize the oath of allegiance in 2003, it retained language renouncing prior national allegiances.⁷ US courts, however, have been willing to accept multiple nationality and citizenship. Supreme Court decisions in the 1960s and 1970s allow US-born citizens to take up other citizenships without risk of losing their American status. The US State Department and US Citizenship and Immigration Service no longer monitor whether new Americans hold multiple passports, in part because they cannot control decisions by sending countries extending citizenship to nationals overseas. In 2001, 10 Latin American countries and 10 countries in the Caribbean basin allowed their citizens to hold dual nationality (Jones-Correa 2001). The United States does not have a specific law permitting dual citizenship, but in practice many naturalized immigrants can access multiple nationality.

Who Naturalizes? Understanding Immigrants' Acquisition of US Citizenship

Citizenship acquisition can be measured as a *level* or a *rate*. To determine naturalization levels, we identify an immigrant group or cohort and count how many possess US citizenship on a certain date. For example, the 1920 census reports that of the just under 14 million foreign-born individuals living in the United States, 6.5 million were citizens, a naturalization level of 49.5 percent. In comparison, the 2000 US Census suggests that out of a foreign-born population of over 31 million, just over 12.5 million, or 40 percent, hold US citizenship. The bars in Figure 2.1 show the dramatic changes in naturalization from 1890 to 2000. In the first half of the twentieth century, citizenship levels increased steadily, peaking at 79 percent in 1950. By 1980, citizenship acquisition fell back to 1920 levels, and in the 1990s, it declined further, hitting a low of 35 percent in 1997, before rising to 40 percent in 2000.

Aggregate levels are deceptive, however, since they vary greatly with migration flows and immigrants' length of residence. A more accurate statistic is a naturalization rate, which measures the time elapsed between moving to the United States and

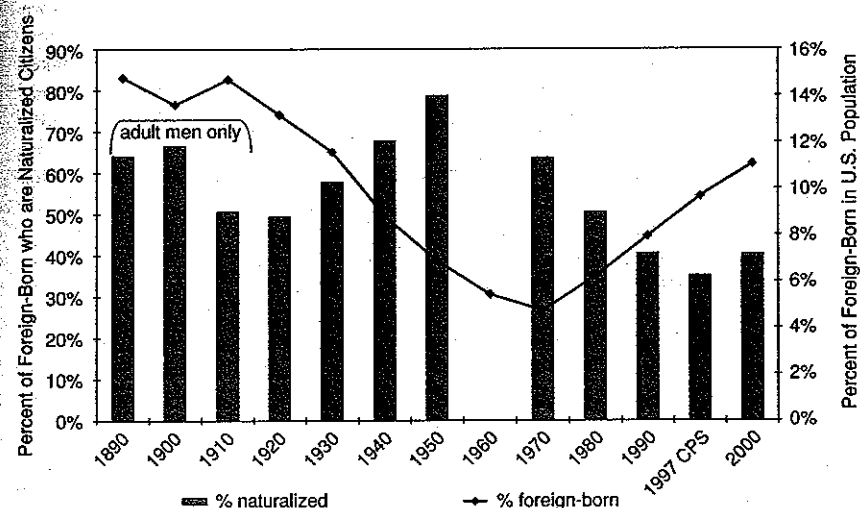


Figure 2.1 Percent of Foreign-born U.S. Residents Naturalized, 1890–2000

Source: Gibson and Lennon (1999); Schmidley and Gibson (1999), U.S. 2000 Census of Population and Housing

becoming a citizen. Census data from 1920 suggest that Irish immigrants were quicker to naturalize than French Canadians: on average, 9.7 years elapsed between migration and naturalization for adult Irish immigrants; French Canadians waited 13 years. The rate and level of naturalization are linked but not equivalent. An immigrant group that acquires citizenship slowly can have a high level of citizenship if the group has lived in the US for decades; a recent immigrant group might have a low level of citizenship, but be naturalizing quickly. Unfortunately, the census only recorded immigrants' year of naturalization in 1920 and the INS/USCIS release very little public data on naturalization levels.

The Impact of Length of Residence and Country of Origin

The difference between level and rate of naturalization is important because time spent in the United States is one of the strongest and most consistent predictors of naturalization. Federal law requires that immigrants meet a minimum residence requirement before applying for citizenship. The residence requirement affects aggregate naturalization levels most dramatically during sudden upswings in immigration. Figure 2.1 also includes a trend line tracking the percentage of the US population that is foreign-born at each census enumeration. During rapid influxes of immigrants, such as between 1880 and 1920 or since the mid-1960s, the aggregate naturalization level falls. New migrants increase the number of foreign-born individuals living in the United States – the denominator for calculations – but their presence drives down aggregate naturalization levels because they cannot become citizens immediately.

In addition, the more years an immigrant lives in his or her new home, the more likely he or she is to naturalize (Bernard 1936; Evans 1988; Liang 1994). Researchers debate why time is important: perhaps it reduces the costs of citizenship and makes the benefits more apparent (Jasso and Rosenzweig 1986; Yang 1994), or it may mark assimilation and growing attachment to the receiving society (Evans 1988; Liang 1994). Regardless of the reason, when few new immigrants arrive in the United States, naturalization levels rise as average length of residence increases. This trend is evident in the figures from 1920 to 1950. Immigration quotas introduced in 1921 and strengthened in 1924 cut off most migration to the United States. The doors only reopened in 1965. The striking difference in the trend of naturalization before and after 1965 arises in part from immigration policy, not migrants' desire for citizenship.

Failure to take into account length of residence can produce misleading analyses of immigrants' interest in citizenship. The 1907 Immigration (or Dillingham) Commission established clear differences in the naturalization of "new" immigrants from eastern and central Europe compared to "old" immigrants from western and northern Europe, bolstering the empirical case for immigration restrictions in the 1920s. Citizenship levels provided powerful proof that old immigrants assimilated better than the newer migrants: 92 percent of Swedes and 86 percent of Germans were American citizens, according to the report, compared to 30 percent of southern Italians and 28 percent of Russians. Immigration quotas subsequently made it difficult for "unassimilable" groups to enter the United States.

The statistics presented by the Dillingham Commission fail, however, to account adequately for length of residence. The Commission distinguishes between those with less than 10 years of residence and those with more, but as Gavit argues,

those of the "older" races had been in the United States *considerably* longer than ten years, while those of the "newer" races had been here only *slightly* longer than ten years. . . . This means, of course, that the immigrants of the "older" races had had on average a much longer time than those of the "newer" to acquire "civic interest" and seek naturalization. (1922, pp. 209–10, emphasis in original)⁸

Such an omission makes it much easier to single out "bad" immigrant groups from the "good."

We can reanalyze the conclusions of the Dillingham Commission using microfile data from the 1900 census (Ruggles and Sobek 1997). At the aggregate level, we find clear variation. Among a sample of all foreign-born males 21 years and older, only 30 percent of Italians and 39 percent of Russians were naturalized citizens in 1900, while 84 percent of the Irish and 79 percent of German immigrants had become American citizens.⁹ However, if we take into account how long these men had lived in the United States, we find much less variation. Figure 2.2 plots the level of naturalization for six cohorts of immigrants from seven countries of birth; it shows the percentage of those in each migrant cohort who are naturalized American citizens.¹⁰ Most striking is the lack of a clear pattern of difference between the supposed culturally distant groups (i.e. the Italians or Russians) and the more culturally familiar ones. The Russian and Italian trend lines are slightly under those of most other groups, but not out-of-line with the general pattern. The Irish trend line

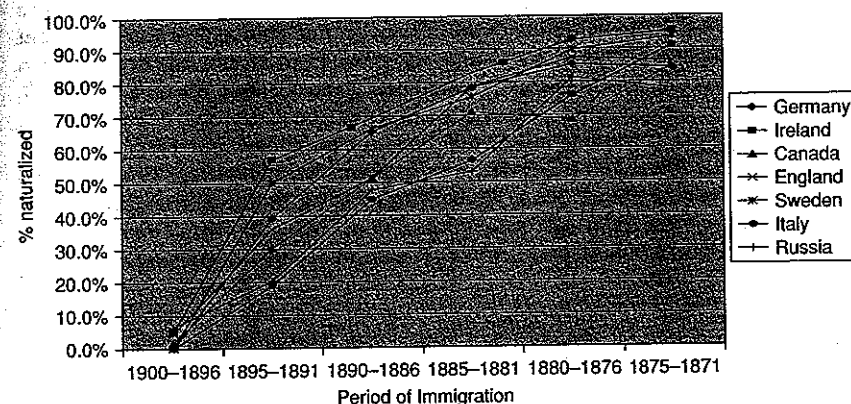


Figure 2.2 Naturalization Levels of Selected Birthplace Groups, by Migration Cohort, 1900 IPUMS Sample

is consistently above those of other groups, but not that far from the Swedes and Germans. Considering those with 10 to 14 years of residence in the United States at the time of the 1900 census, we find that 45 percent of Italians and 48 percent of Russians were American citizens, compared to 69 percent of Irish and 66 percent of Swedes. At 20 to 25 years of residence, the naturalization laggards become Canadians, of whom only 69 percent had become American, compared to 76 percent of Italians, 81 percent of Russians, 87 percent of those born in England, and 93 percent of Irish. The high Irish naturalization is not surprising given research on Irish immigrants' involvement in politics and urban machines (Clark 1975; Erie 1988), but more importantly the data clearly show that naturalization among *all* groups increased uniformly across migration cohorts, and that this increase tended to be quite rapid.

In the contemporary period, Latinos – and especially Mexicans – are frequently singled out as slow to naturalize and, by implication, to be lacking in civic spirit or loyalty to the United States. Yet public scrutiny is selective in identifying such groups. Data collected by the Immigration and Naturalization Service reveal that although some Latino groups do naturalize slowly, they are not the biggest laggards. Based on an immigrant cohort that entered the United States in 1977, INS figures show that by 1995 *all* 10 groups with the lowest naturalization levels came from developed industrial countries. On average, 46 percent of immigrants entering the United States in 1977 were citizens by 1995. Australian immigrants, at 9 percent, were least likely to be citizens, while the most rapid naturalizers came from Taiwan.¹¹ Ironically, the "assimilable" groups of 1907 are those with the lowest naturalization rates: only 14 percent of Swedes and 17 percent of Germans had taken out citizenship in 1995. Others in the "bottom 10" include immigrants from Norway, Denmark, Japan, Finland, Austria, Canada, and the Netherlands. Asians – those excluded from citizenship prior to World War II – tend to be among the

quickest to acquire American citizenship. In 1975, immigrants born in Asia or Africa had on average six years of residence when they became citizens, compared to eight years for European immigrants and nine for those from North America, a region which includes Canada, Mexico, the Caribbean, and Central America. By 2000, the delay between acquiring permanent residence and citizenship for Asians had increased to eight years, but it was still less than for those from North or South America, which stood at 11 and 10 years respectively (US Immigration and Naturalization Service 2002, p. 201). From 1976 to 1995 and then from 2001 to the present, more people from Asia took up American citizenship than from any other region of the world (US Department of Homeland Security 2004, p. 134).

Gender and Citizenship

Due to changes in citizenship laws for married women, it is hard to interpret women's levels of naturalization in the first half of the century, and almost impossible to compare with current figures. At first glance, data from the 1920 census suggest that women were more eager to take out citizenship than men: 55 percent of foreign-born women held US citizenship compared to 49 percent of men. However, foreign-born women marrying Americans automatically became US citizens or they acquired citizenship when their immigrant husbands naturalized. If we take into account marital status – separating those never married from women married at least once – a different picture emerges. Only 27 percent of single women had naturalized, compared to 35 percent of single men.¹² The reverse is true for those married: 58 percent of women reported American citizenship compared to 50 percent of men.¹³

The largest gender differences occurred in 1940 and 1950. In 1940, 73 percent of immigrant men, but only 63 percent of immigrant women, reported US citizenship. One possible explanation of the gap is that women, now free – or forced – to naturalize on their own, were slower to do so than men. In addition, World War II most likely had an uneven effect on the sexes. While the United States had not entered the war in 1940, threat of imminent hostilities probably encouraged naturalization, or at least the reporting of American citizenship on the 1940 census. For example, the 1940 Smith Act required all aliens to be registered and fingerprinted, and it widened the grounds of deportation, something citizenship could prevent (Ueda 1996). Those who served in the US military – overwhelmingly men – were encouraged to become citizens and benefited from less stringent naturalization regulations.

Only slight gender differences appear in census data from 1970 to the present. Today researchers find that gender is either an insignificant predictor of naturalization or it correlates weakly with citizenship status (Liang 1994; Yang 1994). Whereas sex had a critical impact in the early 1900s due to naturalization laws, by the century's close it did not appear to affect naturalization greatly.

The Role of Residence on Naturalization

Even though the Constitution assigns jurisdiction over naturalization to the federal Congress, in the nineteenth and early twentieth centuries the process and benefits of naturalization varied widely by state. Most accounts of naturalization focus on length of residence or country of origin as the key factors determining immigrants' propensity

to acquire US citizenship. Yet local considerations – driven by the relative costs or benefits of citizenship in any particular US state, variation in judges' attitudes toward applicants, or the presence of local urban machines – played an equally important role in naturalization outcomes.

After the War of Independence, the former colonies' practice of granting local citizenship persisted and states continued to regulate areas such as property rights, professional licenses, and suffrage based on diverse citizenship restrictions. Hoping to encourage settlement, some states granted aliens the franchise once an immigrant declared his intention to seek US citizenship (by filing "first papers") rather than upon the actual acquisition of citizenship. Other states adopted an anti-immigrant stance, reserving certain rights and benefits exclusively for citizens. Surprisingly, states that limited benefits to citizens often had lower levels of naturalization than states with more liberal statutes, suggesting that the "carrot" of a friendly environment might drive naturalization more than the "stick" of restrictive laws (Bloemraad 2000a).

The relative ease of naturalization also depended on locality. Federal or local courts could bestow citizenship, and judges enjoyed great latitude. After surveying 423 judges and examining more than 23,000 petitions for citizenship filed between July 1, 1913 and June 30, 1914, Gavit concludes:

When we speak of the "personal equation" as an important factor in the adoption or rejection of an applicant for citizenship, we are likely to be thinking chiefly of the personality of the petitioner. . . . But this is only part. . . . For while it is true in one sense that the applicant does pass into the maw of a machine, constructed "of law rather than of men" . . . the fact is that there is hardly any other legal process in our governmental system in which personality – individual ideas, prejudices, idiosyncrasies – play so large a part. In no other activity of the courts is the individual petitioner so entirely at the mercy of the court, so completely without recourse in the event of a decision against him. (1922, p. 143)

In some cases, judges' antagonism toward newcomers made naturalization difficult. In others, judges facilitated citizenship acquisition, especially when they had a close relationship to local political party machines (Schneider 2001, pp. 53–5).

Progressives' concern over urban political machines largely fueled citizenship reform with the Naturalization Act of 1906. This act – which established the future INS – sought to standardize naturalization across the country. Progressives attacked machines' use of graft and corruption in courting and securing the immigrant vote. In its report to President Roosevelt, the Commission on Naturalization, charged with drafting a new citizenship law, argued for reform since:

No motive to naturalization has been so productive of fraud as the desire to vote. . . . These aliens are sought out by unscrupulous political agents and are paid for the votes they are expected to cast, the payment being either in addition to the payment of the naturalization fees or the payment of the naturalization fees alone. In perpetrating this crime there are three conspirators – the political committee which employs the agent, the agent who bribes the alien, and the alien who accepts the bribe. The crime of bribery is always committed and the crime of false naturalization and perjury are often committed. . . . (US Commission on Naturalization 1905, p. 11)

According to Eric (1988), in 1844 the New York City machine known as Tammany Hall naturalized 11,000 foreigners, four years after opening its "Naturalization Bureau." By 1868, the system was perfected so that "Immigrants fresh off the boat were given red tickets, allowing them to get their citizenship papers free. Tammany paid the required court fees and provided false witnesses to testify that the immigrants had been in the country for the necessary five years" (Eric 1988, p. 51). Eric contends that by 1886, almost 80 percent of New York's Irish, German, and other western European immigrants had naturalized through the machine (1988, p. 53).

Yet machines' impact on aggregate US naturalization should not be exaggerated. The 1905 Commission on Naturalization took pains not to brand all politically interested immigrants as criminals:

but not all of the naturalizations conferred immediately before an election are sought for unlawful or even improper reasons. When an important political contest is in progress many aliens who have not yet become citizens and are entitled to do so, having their interest aroused and desiring to have a voice in the election, apply for citizenship for praiseworthy reasons. . . . (US Commission on Naturalization 1905, p. 11)

In a similar vein, observer Hattie Williams found that despite the new, stricter citizenship law, local political actors mobilized immigrants in Nebraska to naturalize in 1908 and 1910 by highlighting the importance of the vote for defeating, among other issues, anti-alcohol initiatives (Williams 1912).

The idea that political participation encourages naturalization has strong roots in American history, as manifested in widespread alien suffrage laws (Keyssar). From the eighteenth century to 1926, many states allowed non-citizens the vote in state elections.¹⁴ Since state electoral laws determined federal suffrage rights, immigrants in these states could also vote in federal elections.

Three distinct patterns of alien suffrage characterized nineteenth-century America. First, the constitutions of early Union members often granted suffrage to the "inhabitants" of the state. Local customs and legal decisions determined that in some cases (e.g. Ohio and Illinois) "inhabitants" included non-citizen immigrants, while in other states (e.g. Massachusetts) judges ruled that the term "inhabitants" was synonymous with US citizenship. Those allowing foreign male inhabitants to vote did so, as one Illinois judge put it, on the basis that

to extend the right of suffrage to those who, having by habitation and residence identified their interests and feelings with the citizen, are upon the just principles of reciprocity between the governed and governing, entitled to a voice in the choice of the officers of the government, although they may be neither native nor adopted citizens. (Cited in Raskin 1993, p. 1405)

A second pattern characterized many midwestern states and territories, which granted suffrage to immigrants who had declared their intention to naturalize ("taken out first papers"). Starting with Wisconsin in 1848, lawmakers hoped that such overtures would entice newcomers to settle in their state. These rules were often enshrined in the state constitution, usually accompanied by an implicit assimilatory principle. By granting declarants the vote, "It now became, much more clearly, a pathway to citizenship rather than a possible substitute for it: *noncitizen* voting became *pre-citizen* voting" (Raskin 1993, p. 1407, emphasis in original). A third wave

of alien franchise followed Reconstruction as southern states' constitutions were rewritten. Since immigrants generally proved themselves staunch opponents of slavery, it was hoped that attracting more immigrants would change the demographic makeup of former members of the Confederacy (Rosberg 1977; Raskin 1993).

Although naturalization fraud did occur in the latter half of the nineteenth century, it generally involved only a few cities, benefited only a few immigrant groups, and did not begin to absorb the massive immigrant influx of 1880–1920. Eric (1988) convincingly argues that machines only encouraged naturalization in competitive two-party systems, and that they often failed to welcome new immigrants into politics. Because of limited resources, political machines could not provide benefits to an ever-expanding immigrant electoral base. Early immigrants, such as the Irish, benefited from machines' ability to effect rapid naturalization, but few later migrants received assistance.

Given local variation in the rights, benefits, and process of citizenship, we should expect to find interstate or regional differences in naturalization. Indeed, statistical modeling of individual-level census data shows that in 1900 an immigrant's place of residence influenced naturalization more than birthplace, ability to speak English, or literacy (Bloemraad 2000a). By 1920, however, interstate differences were decreasing, likely a function of the centralization and standardization attendant on the naturalization reforms of 1906. By century's end, we find little difference in naturalization among states, once we hold constant variation in immigrants' country of origin, demographic characteristics, and socio-economic status (Bloemraad 2000b). Interstate differences in the benefits associated with citizenship have become negligible (Plascencia, Freeman and Setzler 2003), alien suffrage is found in only a few exceptional cases (Harper-Ho 2000), and the administration of naturalization is strongly centralized, formerly under the Immigration and Naturalization Service and, since March 1, 2003, under the US Citizenship and Immigration Services of the Department of Homeland Security.

Today, besides country of origin and length of residence, the strongest and most consistent predictors of naturalization are level of education and English ability. It is not surprising that those with greater English ability are more likely to be citizens since English skills are a requirement for US citizenship. Those with more education are generally also more likely to be US citizens, probably because the process of citizenship acquisition is less formidable to someone with more schooling. There is some indication, however, that at the very highest levels of education, beyond a college degree, immigrants are reluctant to acquire citizenship and are less likely to naturalize (Yang 1994). Other potential influences on citizenship, such as income or home ownership, appear, at best, to have only a marginal effect in increasing immigrants' inclination or ability to naturalize.

Diversity, Culture and American Nationhood

The assimilation of immigrants played and continues to play a critical role in state-building and the formation of American nationality. Indeed, despite periods of strong "ascriptive Americanism," it informs the very idea of American nationhood. At America's founding, various commentators announced that the nation's wellsprings lay in a multinational exodus. Although lawmakers used citizenship as a form of exclusion for some racialized populations, they also saw a popular naturalization

process as a way to fuse immigrants into one nationality. Throughout the nineteenth and twentieth centuries, politicians, officials, and opinion makers continually referred to the United States as a polyglot republic of many peoples. This vision attracted celebrants like Booker T. Washington who hailed "a teeming nation of nations," and it repelled detractors like Henry Adams and Henry James who shuddered at a country of "multiplicity." Numerous presidents – among them, Abraham Lincoln, Theodore Roosevelt, Woodrow Wilson, Franklin D. Roosevelt, John F. Kennedy, and Ronald Reagan – invoked the United States as a nation of immigrants united by the twin enterprises of building democracy and rebuilding lives. Roosevelt perhaps spoke most succinctly for them all when he told a convention of the Daughters of the American Revolution, "Remember, remember always, that all of us, and you and I especially, are descended from immigrants and revolutionists."

Writers and opinion-makers spoke of immigrant elements transmuted by the social flux into a finer material, a process of metamorphosis often described in terms of alchemy. Crevecoeur (1981 [1782]) described how the average American gained a transformed social and familial life, "a new mode of living, a new social system," in which "individuals of all nations" were "melted" into "a new race of men." A half-century later, the transcendentalist philosopher Ralph Waldo Emerson predicted,

As in the old burning of the Temple at Corinth, by the melting and intermixture of silver and gold and other metals a new compound more precious than any, called the Corinthian brass, was formed, so in this continent, – asylum of all nations – the energy of Irish, Germans, Swedes, Poles, and Cossacks, and all the European tribes – of the Africans and of the Polynesians will construct a new race, a new religion, a new state, a new literature. . . .

An English Jewish writer, Israel Zangwill, crafted the most memorable formulation of transmutation in his play of ethnic intermarriage in New York City, *The Melting Pot* (1908). The play's title became the evocative symbol of ethnic metamorphosis in the twentieth century. In the final scene of the play, the hero, David Quixano, exclaims, "East and West, and North and South, the palm and the pine, the pole and the equator, the crescent and the cross – how the great Alchemist melts and fuses them with his purging flame!" It was a grand vision of how immigrant diversity created a new nationality.

The conception of American nationality as ethnic transmutation was shaped not just by ideology but also by patterns of multiple ancestry in place well before the American Revolution. The first federal census of 1790 showed that more than two out of five whites in the United States were of non-English background and that the English were a minority population in all the colonies south of New England (McDonald and McDonald 1980). Colonial America did not possess a single culture, but an array of regional cultures transplanted from localities in Great Britain, Ireland, and various parts of the European continent (Fischer 1989). The archetypal formulation of ancestral mixing came in 1782 from a French immigrant and author, Hector St. Jean de Crevecoeur, who boasted, "I could point to you a family whose grandfather was an Englishman, whose wife was Dutch, whose son married a French woman, and whose present four sons have now four wives of different nations" (1981, pp. 69–70).

If America's colonial past suggested an immigrant nation, the practicality of nation-building required multi-ethnic inclusion. In the course of westward expansion and the industrial revolution, immigrants from a host of countries scattered across the nation's farming districts, small towns, and industrial cities. Each nineteenth-century decennial census became a referendum on the vitality of towns, cities, states, and territories; this vitality, usually measured by population growth, depended heavily on immigration (Anderson 1988). The image of ethnic eclecticism became omnipresent and highly colorful. When the historian Frederick Jackson Turner reminisced about his hometown of Portage, Wisconsin after the Civil War, he recalled,

a mixture . . . of Irishmen . . . of Pomeranian immigrants . . . in old country garbs, of Scotch with Caledonia nearby; of Welsh with Cambria adjacent; of Germans some of them university trained . . . of Yankees . . . of Southerners . . . a few Negroes; many Norwegians and Swiss, some Englishmen, one or two Italians, who all got on together in this forming society. (Saveth 1948, p. 123)

Immigration turned the American social landscape into a vivid multi-ethnic tapestry.

In the twentieth century, nation-building, and especially American state-building, prompted even greater attention to the link between diversity and the American collective self-image. The New Deal promoted inclusion of ethnic and racial minorities in nationalist economic programs. The need for unity during war inspired public exhibitions demonstrating how a multitude of groups built the country, and therefore how the country belonged to all. Such projects initially borrowed from established metaphors of the melting pot and liberal citizenship, then in the post-World War II period moved to more explicit celebrations of multicultural diversity over cultural fusion.

American Counterpoint, a picture book by Alexander Alland published in 1943, vividly expressed some of these cultural impulses. Beginning with the declaration, "This is a family album . . . an album of the American family," *American Counterpoint* consisted of photo portraits of ordinary ethnic Americans. The pictured individuals represented over 50 different ethnic and national ancestries, illustrating America's fugue-like polyphony, the blending and coexistence of the numerous ethnic parts. In her introduction to the volume, Pearl S. Buck described this concept of harmonious group life, "America is not a nation, not a people, America is an idea." The essence of this idea was "that persons of many kinds can live together on a piece of the earth's surface, under a piece of the same sky," and through sharing a belief in "freedom" they can become "a united people." According to Buck, America was formed from "various races and nations" who came to "a land where they are free to be themselves." In other words, the "American Counterpoint" was made possible by the democratic principles of tolerance for diversity and coexistence.

Other wartime publications expressed similar sentiments. In *We Who Are America*, the Presbyterian missionary Kenneth D. Miller described American culture as a product of joint ethnic collaboration. "American Indians, Anglo-Saxon colonists, Negroes, German, Irish and Scandinavian immigrants, Orientals, newcomers from across the northern and southern borders, and later arrivals from Southeastern Europe," all played important parts in the grand saga of nation-building (1943, p. 7). Similarly, in *Nation of Nations* (1944), the Slovenian-American writer Louis

Adamic hailed the United States as a "new civilization" that owed its success not only to its Anglo-Saxon stock but to "a blend of cultures" that was "woven of threads from many corners of the world." Miller and Adamic presented the American public with a vision of America's diversity as reinforcing, rather than undermining, national unity, because it was based on shared and free participation in national life. All peoples were partners in a great national project, neither superior nor inferior. In essence, American liberty was the enabling condition for ethnic diversity and it was the glue that held the country together, rather than blood or ancestry.

Ironically, the integration of successive immigrant-origin generations – through social mobility, politics, education, and incorporation into modal patterns of national popular culture – led to the reawakening of ethnicity in the 1960s (Glazer and Moynihan 1963). The children and grandchildren of European immigrants worried that their ethnic heritage would disappear into the American melting pot. Assimilationist fears were further fed by a reaction to growing black nationalism and the cultural assertion of non-European groups, producing a cultural revival among many American ethnic communities. Intellectuals, opinion makers, and group leaders began to advocate cultural pluralism which, by the 1970s, they labeled "multiculturalism." The new model eschewed assimilation and revolved around a public ethos in which groups, often defined as distinctive quasi-subnationalities, sought to preserve their unique identities: "people of color," "Euro-Americans," "Latinos," "African Americans," "Native Americans," and "Asian-Pacific Americans."

Accelerating globalization makes it easier for immigrants to retain ties to the homeland, and thus to practice cultural retention. Cheap and easy transportation and communication make it possible as never before to remain in touch with family outside the United States and to be aware of developments in the sending country (Basch, Glick Schiller, and Szanton Blanc 1994; Levitt 2001; Portes, Guarnizo, and Landolt 1999). Yet this very internationalization – for some, transnationalism – also encourages cosmopolitan cultural selection. An individual can adopt practices from a variety of cultures and countries, and he or she can expect a certain acceptance of hybridity. Meanings of multiculturalism are thus open to interpretation. Early definitions implied a single and exclusive in-group cultural identity, combined with external integration into American economic and political institutions. Yet acculturation, mobility, and social integration – especially intermarriage – make exclusive cultural preservation difficult if not impossible, despite attempts to sensitize public institutions to multicultural realities (Alba and Nee 2003; Bean and Stevens 2003).¹⁵ The dawn of the twenty-first century thus brings a new multiculturalism not only within the United States, but also relative to the rest of the world. American nationality has moved from an institution reflecting assimilation and homogenization in a single nation-state to one accommodating an unprecedented degree of internal group differentiation and external international ties. The broad and vociferous rebuttals to occasional calls for a return to Anglo-Protestant Americanization (Huntington 2004) merely underline how much American cultural conceptions of the nation have changed.

Conclusion

Citizenship is a legal status with attendant rights and, in countries such as the United States, it also carries a collective identity of "American" civic and social culture.

Understanding the dynamics of naturalization elucidates patterns of immigrant incorporation by showing how laws enable some to access citizenship while others are shut out, and by pointing to the factors that make certain individuals more or less likely to acquire citizenship. The study of naturalization also reveals the ebb and flow of national boundary maintenance as elites and ordinary people seek to expand, contract, or transmute conceptions of the American nation. Studying immigrants' inclusion and exclusion consequently provides a lens into the heart of American nation-building.

As this chapter should have made clear, the study of naturalization and nationality requires a diversity of evidence and methods, and even multiple conceptual approaches. Historians, social scientists, and political theorists have thus far privileged legal histories of naturalization and nationality, carefully examining laws, administrative regulations, and the ideologies that spawned such legal structures (Bredbenner 1998; Schuck and Smith 1985; Smith 1997; Ueda 1982, 1996). Various political scientists and sociologists have more recently begun to probe patterns of naturalization through statistical analysis, but such endeavors center almost exclusively on contemporary migrant groups (Bloemraad 2002; DeSipio 2001; Jones-Correa 2001; Liang 1994; Yang 1994). As we have hinted here, much can be gained from using such techniques on historic data, including census files, naturalization petitions, and other local data sources.

The challenge for future scholars will be to link the insights gleaned from careful analysis of individual data, such as naturalization petitions, to larger societal or political dynamics. We would suggest that one important avenue for making such connections will be the investigation of organizations and institutions that mediated between the lives of ordinary immigrants and the wider socio-political system. The most obvious, and best studied, are the political machines. Yet it is probable that many immigrants had limited or sporadic contact with political parties. In comparison, religious institutions, unions, neighborhood organizations, and informal ethnic associations might have taught immigrants as much, if not more, about the meaning of citizenship, the process by which a foreigner could naturalize, and the immigrant's place in the American nation. Parallel institutions frequented by the native-born will have similarly transferred knowledge and beliefs about the newcomers arriving in the country, thereby shaping native Americans' attitudes about immigrants' place in their evolving society. Of particular interest are those institutions where the native-born and foreigners might have intermingled: schools and workplaces, churches, and neighborhood associations. Understanding how such organizations facilitated – or hindered – immigrants' entry to the American nation will add an important perspective to our understanding of citizenship and nationality, and it will help link the individual immigrant's decision to acquire citizenship with the evolution of American nationhood and democracy.

NOTES

- 1 Today the oath reads, "I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which I have heretofore been a subject or citizen; that I will support

- and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by the law; that I will perform noncombatant service in the Armed Forces of the United States when required by the law; that I will perform work of national importance under civilian direction when required by the law; and that I take this obligation freely without any mental reservation or purpose of evasion; so help me God."
- 2 The threshold in the United States equaled the probationary period for naturalization in New South Wales, Australia, but exceeded the requirement in countries such as Canada, South Africa, Mexico, Argentina, and Brazil which stood at two or three years (US Congress 1905, p. 10; Flournoy and Hudson 1929). See also Cockburn (1869) for concise comparisons of naturalization laws in various countries.
 - 3 U.S. v. Wong Kim Ark, 169 US 649 (1898).
 - 4 In addition, as of October 1, 2004 all naturalization filing fees are waived for those in service or who have served since September 11, 2001.
 - 5 Other societies that have eschewed redefining themselves as "immigration countries" maintain laws and regulations that are far more restrictive. In Japan, Korean migrants have retained their status as non-nationals and non-citizens over the course of three generations. Up to 2000, German citizenship law was similarly restrictive. These countries embrace the *jus sanguinis* tradition of citizenship – citizenship by ancestry – and reject the *jus soli* principle of gaining citizenship through territorial birth (Brubaker 1992).
 - 6 A number of special provisions can modify these requirements. The most important are a reduced three-year residency requirement for the spouses of US citizens and provisions that allow long-time elderly residents to prove knowledge of US laws and history in their own language. The fee is current as of January 1, 2005 and does not include a \$70 charge for biometrics.
 - 7 In late summer of 2003 USCIS was set to announce a new oath of allegiance, effective from September 17 of that year. The bureau came under heavy criticism, however, for failing to allow adequate public debate over the proposed changes and, according to some, diluting the language by which new citizens swear to defend the United States. Importantly, the proposed new language kept the spirit of exclusivity characterizing the old oath, by asking would-be citizens to "Solemnly, freely, and without any mental reservation . . . renounce under oath all allegiances to any foreign state."
 - 8 See also Bernard (1936).
 - 9 We exclude those under the age of 21, since the law only allowed adults 21 years of age and older to naturalize independently, and women, since many had no independent control over their naturalization. The enumerator instructions for the 1900 census explicitly tell census-takers, "The question of naturalization (column 18) applies only to foreign-born males 21 years of age and over" (Graham 1980, p. 22). The resultant sample contains 6,798 cases.
 - 10 The graph does not include immigrants who came to the United States in 1870 and earlier because there are too few Russian and Italian cases. Naturalization levels for these long-time residents tend to be over 90 percent.
 - 11 The statistics on the 1977 cohort come from the 1995 INS Fact Sheet. Last accessed September 20, 2001 at <http://www.ins.usdoj.gov/graphics/aboutins/statistics/299.htm>
 - 12 These numbers are calculated from the IPUMS 1920 Census sample microfiles.
 - 13 Examining citizenship rates rather than levels, we find virtually no gender gap for those married at least once: men have an average wait time of 20.9 years and a median of 20 years between arrival and naturalization, while for women the numbers were 19.6 years and 19 years respectively. Among those never married, a category comprising only 10 percent of all adult women, women took longer than men to acquire citizenship:

on average they waited 16.1 years (a median of 12 years) compared to 12.8 for men (a median of 9 years).

- 14 Aylsworth (1931) reports that in the nineteenth century, at least 22 states and territories granted alien suffrage; our own count puts the number higher, at 28.
- 15 Space limitations prevent a discussion of the character of immigrant assimilation. Historically, commentators and academics assumed that immigrants would – and should – integrate into the white American middle class. Today, various researchers identify multiple integration trajectories that depend on race and socio-economic class (Gans 1992; Portes and Zhou 1993; Waters 1999; Zhou and Bankston III 1998).

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