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Immigration Forum Comment: Foreign Relations and Migration

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In the fall of 2015, a great debate began taking shape internationally and in the United States over how to reconcile foreign-policy interests, national security concerns, and a response to a profound refugee crisis emerging in Europe as a result of the conflict in Syria. World leaders vacillated, demagogues pontificated, and social media memes employed bad historical analogies to shame fellow citizens into action. Despite the sudden urgency, the arguments blasting from twenty-four-hour news stations and ill-drawn cartoons depicting seventeenth-century pilgrims as forlorn refugees given safe harbor by Native Americans at Plymouth Rock did not represent a new line of thinking in the longer history of international migration management.[1] The public is once again debating how to balance humanitarianism against fear, and which sentiment should play the greater role in governing the decision to admit new migrants. As the papers in this forum ably show, policies, procedures, and perspectives on migration have always had an international-relations component that can trump the local concerns that often dominate domestic debates.

Together, these papers suggest several patterns for how foreign-relations concerns and migration-policy applications intersect. First, US migration policy has always been and remains the product of a debate between foreign-policy interests and national security needs. At times in US history one has clearly triumphed over the other, but one does not consistently win out all the time. The broader international context, the United States' place in the world, and ongoing conflicts therefore all become important elements in shaping new or changing policies. Second, the United States develops its

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[1] Long (in social media terms) after the meme had circulated, President Obama invoked it himself in his weekly address. Barack Obama, "This Thanksgiving, Recognizing the Greatness of American Generosity," 25 Nov. 2015, at www.whitehouse.gov/the-press-office/2015/11/26/weekly-address-thanksgiving-recognizing-greatness-american-generosity, accessed 16 Dec. 2015.

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own migration policies, including restrictions on entry, but these decisions not only are influenced by the international situation, but have an impact on it as well. Third, visa policy and variations in its application may serve the public interest in shaping who makes up communities, but they also operate as useful tools for achieving public diplomacy goals. In all three scenarios, migration policy is not simply a means of controlling one's own borders, but also an element in managing diplomacy and international conflict.

Since the dawn of border controls, there has always been a trade-off between reaping the benefits of liberal admissions and embracing the safety of increased restrictions. As Alexander Noonan demonstrates, this trade-off came to the forefront during American debates over the Anarchist Exclusion Act. The arguments undertaken in that context are almost eerily prescient of contemporary questions (including the infamous call to ban Muslim immigration from the spokesman of Donald Trump's presidential campaign).[2] Noonan cites an article from *The Nation* in 1906 that lamented the difficulty of identifying anarchists upon arrival, as "If anarchists were all of one race; if they looked alike and had a distinctive dress or loudly proclaimed their tenets and their plots, it would be easy enough to hold them in check. But murder in the heart cannot be read on the face." As the fear of terrorists arriving stateside in the guise of refugees' clothing swelled in December 2015, policymakers faced a similar dilemma. To give in to national fears would mean to embrace an illiberal, perhaps unconstitutional, act of religious policing that would ostracize the United States diplomatically and set back relations with even its allies in the Islamic world. To fail to heed the calls for greater screening and scrutiny, however, would mean to ignore the threats from which citizens expect their government to protect them. In Noonan's study, the experience of failure in the Anarchist Exclusion Act does not offer a path forward, except as a cautionary tale that the limitations of policing ideology as a prerequisite to immigration require the universal cooperation of migrants, an impossibility given the variances between migrants' interests and those of the state.

Throughout the twentieth century, major developments in US immigration law hinged on the foreign policy/security trade-off. Both the Emergency Quota Act and the National Origins Quota Act (1921 and 1924) represented means of limiting threats, both economic and political, by restricting migrants. During the Cold War, the 1952 Immigration and Nationality Act (the McCarran-Walter Act) demonstrated the triumph of national security over foreign policy by embracing continued limits on migrations from countries

[2] Russell Berman, "Donald Trump's Call to Ban Muslim Immigrants," *The Atlantic*, 7 Dec. 2015, available at www.theatlantic.com/politics/archive/2015/12/donald-trumps-call-to-ban-muslim-immigrants/419298, accessed 16 Dec. 2015.

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now behind the Iron Curtain and from the decolonizing Third World, and fortifying measures intended to protect the nation from communist infiltration or destabilization from migrants' actions or ideas. Refugee provisions (both formal legislation and major instances of the US Attorney General exercising his "parole power") in 1948, 1953, 1957, and 1962 reflect the perceived necessity of Cold War public diplomacy triumphs more than any great eagerness for humanitarian aid or additional immigrants.[3]

The Hart-Celler Act in 1965 represented a shift in ideology that privileged foreign relations and the embrace of the myth of broad American immigration acceptance over security concerns, something Maria Lauret identifies in her discussion of the trope of the "nation of immigrants" and its evolution in the twentieth century. The rhetoric surrounding the contemporary immigration debates she cites is pitched as much for the international audience as it is for the national one, just as the construction of a distinctly American citizen was vital to creating an identity apart from Britain in the early years after the Revolution. The contest between security and international image has become, if anything, more profound as technology speeds up the pace at which such discussions are reported. And, of course, because no US immigration policy aligns with its intentions in application, the debate is constantly renewed.

The unintended consequences of US immigration policy have by no means been limited to domestic concerns or even to US foreign-policy complications. Given the perennial appeal of American shores as a migrant destination, changes in US approaches to migrant control reverberate throughout the international system. Certainly the enactment of one of the United States' first immigration restriction measures, the Chinese Exclusion Act, created a model for other migrant destinations to restrict new migrants from Asia.[4] David Atkinson's study of Australia's response to the US creation of National Origins Quotas offers a potent reminder of this issue, showing the ripple effect as closed doors to the United States led to shifting strategies for immigration restriction abroad. In the process, he offers a reminder that both the creation and the implementation of immigration controls are collaborative diplomatic projects. One of Australia's responses to the influx of Italian migrants newly cut off from American shores was to negotiate with the Italian government to limit departures. That was a tactic used in US–Japanese relations to prevent formal legal exclusion of Japanese immigrants in 1907–8, as well as by the Republic of China during the Cold War to cultivate politically

[3] See Aristide Zolberg, *A Nation by Design: Immigration Policy in the Fashioning of America* (Cambridge, MA: Harvard University Press, 2008).

[4] See Adam McKeown, *Melancholy Order: Asian Migration and the Globalization of Borders* (New York: Columbia University Press, 2011).

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useful Chinese American communities, admittedly with somewhat limited success.[5] One little-mentioned aspect of Congressional committee debates over new legislation is the arrival of appeals from other countries around the world concerned with how proposed measures might lead to ripple effects given the international relevance of migration laws.[6]

Unexpected consequences are the rule not only on the policy level, but also on the personal level as well. The "visa diplomacy" outlined by Anne Blaschke suggests that individual visa decisions can be part of a larger foreign-policy strategy, in this case the cultural diplomacy of the Eisenhower administration, as well as revealing the weaknesses of the host society. Though Blaschke perhaps assigns too much importance to this single case, extrapolating much larger conclusions about both Dulles's and Eisenhower's views on gender, sports, and heteronormativity from the humble migration of Olympic athlete Olga Fikotova, she is quite right to highlight the importance of individual visa decisions. During the Cold War, when prominent people applied for a visa, the politics behind the case often loomed large and the media response overdetermined the importance of the decision. The terms of the visa (anything from temporary visitor to permanent resident) mattered less than the individual making the application, as American officials discovered during the visit of Burmese Nationalist U Nu or the US hospitalization of the shah of Iran.[7] More recently, issuing a visitor visa to the Dalai Lama carries with it some risk of protest from the People's Republic of China, and offering asylum to Edward Snowden the scorn and dismay of American officials.[8] Individual visa decisions signal foreign-policy choices and affect bilateral relations.

[5] This is something I have discussed at length in my own work. See Meredith Oyen, *The Diplomacy of Migration: Transnational Lives and the Making of U.S.–Chinese Relations in the Cold War* (Ithaca, NY: Cornell University Press, 2015); see also Charlotte Brooks, *Between Mao and McCarthy: Chinese American Politics in the Cold War Years* (Chicago: The University of Chicago Press, 2015).

[6] For example, note the Japanese protests over Japan's planned inclusion in Asian restriction under the Johnson-Reed of 1924. See "Restriction of Japanese Immigration by Act of Congress, and the Abrogation of the Gentlemen's Agreement," *Foreign Relations of the United States, 1924*, Volume II, *Japan* (Washington, DC: US Government Printing Office, 1924), 333–421.

[7] The contested visits of both U Nu and subsequent Burmese leader Ne Win are both discussed in Kenton Clymer, *A Delicate Relationship: The United States and Burma/Myanmar since 1945* (Ithaca, NY: Cornell University Press, 2015), 218–33; William J. Daugherty, "Jimmy Carter and the 1979 Decision to Admit the Shah into the United States," *American Diplomacy: Foreign Service Despatches and Periodic Reports on U. S. Foreign Policy*, April 2003, at www.unc.edu/depts/diplomat/archives_roll/2003_01-03/dauherty_shah/dauherty_shah.html, accessed 16 Dec. 2015.

[8] For example, Edward Wong, "Dalai Lama Said to Be Denied South African Visa," *New York Times*, 5 Sept. 2014; Michael Birnbaum, "Russia Grants Edward Snowden Residency for Three More Years," *Washington Post*, 7 Aug. 2014.

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More broadly, however, visa diplomacy means even more when it is viewed as a part of a larger body of visa decisions. Patterns of visa issuance and denial cross over into matters of policy, and with it the reminder that travel and migration are often not the provenance of either just an individual decision or one nation's willingness to issue a visa. Passport issuance, exit permits, temporary asylum permits, and transit visas all play a role in determining who migrates from one place to the next. In the case of Olga Fikotova and her American husband Hal Connolly, Czech officials all the way up to President Antonin Zapotocky maintained the ability to approve or prevent Fikotova's emigration, and with it her marriage. Noonan, meanwhile, reminds us that excluding and investigating anarchists required cooperation from the European states producing them, just as Atkinson's Australia turns to bilateral agreements to achieve what they were politically proscribed from doing as a part of the British Commonwealth. Sending, receiving, and transit countries must work in concert to facilitate or prevent new migrations, something that historians in many fields too often overlook.

Though all three patterns of top-down interaction between migration policy and foreign relations exist in these papers, taken together they also reveal something important about the injection of migration studies into foreign-relations history: that diplomatic relations are sometimes shaped by the everyday actors on the bottom. Noonan uses the story of Natale Maresca's attempted migration to the United States as a framing device that highlights the importance of anarchist exclusion, but it is also an example of how private citizen Pedretti, the newspaper editor with a private dispute against Maresca, manipulated state security fears for his own purposes. As Blaschke notes, "Olga Fikotova Connolly … turned out to be an imperfect cultural diplomat because, as an American, she publicly criticized conditions in both sport and society that she considered undemocratic." In Atkinson's paper, Italian journalist Filippo Sacchi became a diasporic link between Italians in the homeland, in the United States, and in Australia, uniting them against the prejudices that take over one country and limit outlets to others. These examples are not unique, either. During the Chinese exclusion era in the United States, communities would collude to agree on false names and identities to bypass immigration controls, and they proved successful at it.[9] In the Cold War, the United States recruited Jade Snow Wong as an example of immigrant success, but could not prevent her from voicing a harsh critique of American racism during her publicity tour abroad.[10] Migration

[9] Erika Lee, *At America's Gates: Chinese Immigration during the Exclusion Era, 1882–1943* (Chapel Hill: University of North Carolina Press, 2003), 111–46.

[10] Ellen D. Wu, *The Color of Success: Asian Americans and the Origins of the Model Minority* (Princeton, NJ: Princeton University Press, 2013), 126–34.

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governance requires international cooperation on the state-to-state level, but what cannot be overlooked is the extent to which it requires cooperation from migrants as well. Individuals on the move do not simply evade immigration laws or follow them; they shape them and determine their efficacy.

As this forum demonstrates, scholars are thinking in newer and deeper ways about the means through which transnational migrations and foreign policy intersect. With a world population increasingly on the move, the core issues at stake at the turn of the twentieth century remain points of concern in the twenty-first. As Americans once again turn to debating whether or how dangerous ideas can be kept from her shores, these historical lessons on the uncontrollability of human migrations seem particularly resonant. That it is not possible to guard against every danger or maintain unscathed the mythology of this "nation of immigrants" should not detract from the search for solutions that balance humanity, sovereignty, security, and diversity.

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