

S2E05 Transcript

How has the United States used the category of citizenship to target people for mistreatment and exclusion?



Emily Tran: From the University of Wisconsin–Madison, this is *Ask a Historian*. I'm Emily Tran.

Today on the show: How has the United States used the category of citizenship to target people for mistreatment and exclusion?

I'll talk to Professor Marla A. Ramírez about the origins of the concept of citizenship; how race, class and gender have historically defined who could be an American; and how the U.S. government used citizenship as a mechanism for exclusion in the 20th century.

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The question we're taking to historian today comes from our listener Jeelani, who's from Madison.

Jeelani: My question is about history of using citizenship as an official entity. When do countries come up with the idea of citizenship? And then, the idea of using citizenship as a tool to target a group within the country to like you know, strip them or take their citizenship away, for various reasons.

Emily Tran: To answer Jeelani's question, I spoke to Professor Marla Ramírez, who is writing a book on the history and generational repercussions of banishment during the Great Depression, when the U.S. government unconstitutionally targeted and forcibly removed U.S. citizens of Mexican descent from the United States.

Marla is Assistant Professor of History with a joint appointment in the Chicana/Chicano Latina/Latino Studies Program here at the University of Wisconsin–Madison.

Marla, welcome to *Ask a Historian*. Thank you so much for being here today.

Marla Ramírez: Hi, Emily. Thank you so much for inviting me to the History Club podcast. I'm really happy to be here.

Emily Tran: We have you on the show today to answer a question that was submitted by one of our listeners, Jeelani, who was wondering where the idea of citizenship came from and how nations have used citizenship to target people for exclusion or mistreatment.

So, let's start with the origins of the idea of citizenship. In western history, when and where did the concept of citizenship emerge?

Marla Ramírez: The modern concept of citizenship was established in the French Revolution around the 18th century.

But in the United States, the modern concept of citizenship was built or established in tandem with the establishment of the United States as a nation. So, from the very beginning, in the process of nation-building, the United States had to define its people as citizens of this new nation, away from the relationship and alliance to the king, right, and the Crown.

And it was developed as this idea, a concept, that if you were a citizen of the United States in this instance, then you were entitled to specific rights and privileges. And it was limited to very small group of people, specifically to white males.

You may be asking then, how did women were able to access that right of citizenship in the United States? That was determined by the citizenship of their fathers or husbands. In other words, if their fathers were U.S. citizens, then the white women could then have a claim to U.S. citizenship. But if white women who were born as U.S. citizens because of their fathers, but then later married immigrants ineligible for citizenship, then they would automatically lose the rights and protections of citizenship in the United States.

So, this concept of citizenship was created across racial and gender lines in the United States, and then evolved over time and continues to change in recent times.

Emily Tran: So, from the very beginning, it's a constrained and limited concept that is defined by race and gender.

So, let's talk about some of the ways that the U.S. has historically used the category of citizenship as a mechanism for exclusion, which you alluded to there where women's—white women's—citizenship was sort of contingent.

But let's begin with people outside of the country. How did these ideas about who could be an American shape policy on who could immigrate to the United States?

Marla Ramírez: At the beginning of the establishment of the United States as a nation, there was a need for labor. And it's no coincidence that slavery was an integral part of nation-building, right, because of the need of developing a nation, establishing the country, goes hand-in-hand with labor. And slavery was common. It's not, obviously, exclusive to the United States and its history; it was a common practice in many other countries, obviously.

But then after a slavery is abolished, then there's a question of how do we obtain not free labor, but cheap labor? And so then that shift then allowed for new trends of immigration to emerge—not forced movement as was the case with slavery, but more influenced by labor opportunities in the United States.

So, different ethnic and racial groups were recruited heavily to work in different labor industries ranging from agriculture to, you know, the railroad system and other areas when they were, was needed. And so, in different periods, there's recruitment of different groups, including Chinese workers, Filipino workers, Puerto Rican workers, Mexican, Japanese, right? Depending on the

industry that needed the cheap labor and the time period, we as a nation looked to different countries to recruit heavily, usually men, for labor needs.

But that also meant that the idea was that these groups of immigrants who come to the United States were here for a period of time or however long they were needed, and then essentially, the idea was that they will go back to their home countries instead of establishing themselves in the United States and forming families here and becoming part of the nation state. That was not a desired outcome.

The ideal situation was temporary labor that was cheap and disposable, that they could be returned to their home country. And so, because that was the basis of how we understood this labor relationship with other countries, then we created this idea of temporary labor recruitment.

But obviously, men who were recruited oftentimes established themselves in the United States and formed their own families or sent back for their families. And then we see cases of mass deportation taking place, or exclusion of a specific immigrant group altogether, as was the case with this, the Chinese Exclusion Act.

Emily Tran: Right, because the immigration policy was not about immigrants who become citizens but just cheap labor.

Marla Ramírez: Exactly.

Emily Tran: Because these laborers lacked citizenship, how did that put them in a precarious position when they were in the United States?

Marla Ramírez: The concept of citizenship grants specific rights and protections under the government and the Constitution, right, and, and not having citizenship means that there's specific rights that are not extended to you. Immigrants today still are protected under the Constitution and most—and they're entitled to most rights under the Constitution because they are residing in the boundaries or the borders of the United States.

But there's exceptions. The most common is deportation, removal. That if you're here undocumented in the United States or don't have access to U.S. citizenship for a route to obtain citizenship—

Oftentimes people might think that undocumented immigrants are deciding to put themselves in danger by their refusal to adjust their immigration status, that they could simply go and apply for U.S. citizenship, pass a test, and then become U.S. citizens. But that is not a straightforward process. Many racial and ethnic groups do not have a line or process in place for them to be able to apply for U.S. citizenship. There's specific criteria that a person must meet in order to qualify for U.S. citizenship. So, if you don't have somebody to petition you—for instance, a family member or an employer—an immediate family member, that is—or if you don't qualify for political asylum, then you really don't have many other options to open an immigration case and adjust your status.

So, it's not that a person is putting themselves in the position of being undocumented with everything that that entails, including the probability of deportation. Instead, it's that people don't have an avenue to, to adjust to legal status.

And so, people who have been living here in the United States and are working and contributing their labor and also making the United States their home, might at any point, if they're undocumented, be deported. And oftentimes, it's hard for them to prove that they are worthy—for lack of a better word, but that's what they had to prove before an immigration judge, that they are worthy—of staying in the United States. And they will be uprooted of everything they have built and established here in the United States as a new home. And then sent to start anew in their home country.

And it's not a matter of being sent to a country that they don't know. It's not an injustice in that way as much as it is an injustice that people have really worked really hard to establish themselves and create some sense of belonging, but also their own resources in the communities they establish themselves as immigrants [in], and then removing them abruptly and expecting them to start anew.

It takes a toll on people and it takes a long time for people to be able to establish themselves again and find those resources needed to survive and to be economically stable when a sudden change like deportation happens. So, I think that is [what] the biggest threat would be for undocumented [people].

Emily Tran: Because you said, in the early 20th century, immigration was focused on temporary laborers who had come to the United States and then—ideally, in the eyes of the U.S. government—would leave and not become citizens, were there times when changing economic fortunes would lead to deportation and the expulsion of these temporary workers?

Marla Ramírez: Yes. So, every time we have an economic crisis, we tend to see an increase in deportation cases because there is economic instability at the national level or at the state level, even.

Oftentimes, immigrants tend to be scapegoated for draining public assistance resources and for, quote unquote, stealing jobs from Americans, right? So, this is a narrative that is, has been recycled over time that is also blaming immigrants for any economic ills of the nation that oftentimes have other roots.

For instance, in the area that I study, during the Great Depression there were about one million people who were deported from the United States and repatriated and also banished, right? So, there's three things happen simultaneously. So, there's people who are undocumented, and they are placed in deportation proceedings, so they're deported.

There's other people who are either coerced to, to leave the United States because they're not being employed, they're not given any public assistance if they're unemployed or, you know, destitute folks without any income. So, they don't qualify for any food assistance or any other programs and without being employed, then it's not that they're *choosing* to leave or voluntary repatriated, but they're being pushed to do so, right, they're being coerced.

And then this other group, obviously, that also decided to leave on their own account when they saw the discrimination and xenophobia was on the rise during the Great Depression, and that they were not willing to remain in a country that was blaming them as Mexican immigrants for the economic ills of the nation and, and not willing to employ them or extend a friendly hand in this time of need. So, some people also voluntarily left.

But then there's also, when I'm specializing on, you know, in my ongoing book project is the experience of U.S. citizen children and wives of Mexican immigrants who were neither deported or repatriated during this time period of the Great Depression. And as U.S. citizens, they couldn't be deported because they're not undocumented immigrants. And they couldn't be repatriated because their home country is the United States. But they still were coerced to leave and follow their fathers or husbands. So, I refer to this experience as banishment because it was U.S. citizens unconstitutionally being removed from their home country, or their citizenship was invalidated or ignored or not valued equally as other U.S. citizens during the time.

Emily Tran: So, we're talking about U.S. citizens who were forcibly removed from their homeland, which is the United States, which they have every right to be in. What logic did U.S. officials use to defend the fact that they were banishing U.S. citizen women and children from their own homeland? Did these officials know that members of these families were U.S. citizens?

Marla Ramírez: Right, so there's records in the National Archives that document people being removed by nationality, age, gender and name.

And so, always the father or the husband or the head of the household, at least at first, that's typically the person who is being removed, either deported or repatriated. And all the heads of the households are always Mexican nationals, right, so they're either here undocumented or with temporary permits or visas. And so, they are being removed because they either violated an immigration law, but most commonly during the 1930s and early 1940s, because they became unemployed and asked a public assistance. And that asking for public assistance automatically placed Mexican immigrants into repatriation. They will be negated public assistance and instead asked to meet on a certain date, a certain time for a train or a boat or truck, even, taking people from the United States into Mexico for repatriation.

And obviously, in the records, they would ask if they had any family members. And so, when the person reported that they were married or had children or even grandchildren or daughters-in-law and sons-in-law, the entire immediate or extended families would be listed for repatriation, even if they were U.S. citizens or even if they were not unemployed or violating any immigration law.

And so, the records are fuzzy, right, because the idea is that the person who is the head of the household and undocumented—a Mexican national—is the one being removed, and then the entire family decides to follow them and resettle in Mexico, in this case. But there's other accounts and letters where families are writing to their representatives in Congress and even to the President of the United States at the time and telling them that they have children who are U.S. citizens who were relocated to Mexico, and they want them to be able to come back to the States. These petitions were never honored.

Many were either enlisted for repatriation where they asked for assistance, or they were caught in immigration raids. So, immigration—INS, the Immigration and Naturalization Service office—would create and organize mass raids. So, they would go to public areas or job sectors where Mexicans concentrated in large numbers, and then would start asking for documentation to prove their legal residence or U.S. citizenship in the United States. And if people could not produce proof of citizenship or legal residence, they would be then put into trains or other modes of transportation

and removed, oftentimes without a deportation hearing, unable to prove their right to be in the United States if they indeed had a right to reside here.

And because it was such a sudden process where they were caught by surprise and removed, some repatriated and banished folks did not have a legal record to prove their citizenship in the United States or their legal right to be here—they were legal permanent residents or had other types of visas.

So, then, it took, for many of them, at least for the families that I interviewed, decades to be able to track those records, but also to save money and to find the social networks to be able to come back to the States, and restart anew.

Emily Tran: In your research and writing, you use the term "contested illegality" to explain the experiences of the descendants of those who were banished during the Great Depression. What does that phrase mean?

Marla Ramírez: I use "contested illegality" for two main reasons.

First, the Mexican Americans who obviously were U.S. citizens and caught up during the repatriation raids, and they were banished either by being coerced or by being tricked or forced to leave the United States. They were portrayed or understood or treated as undocumented immigrants, because even though they were U.S. citizens, in that sense their ethnicity, their racial background as Mexicans outweighed their citizenship as United States citizens. And so, they were understood and treated as immigrants and removed. When they eventually come back, for the families I interviewed, to the United States and re-established themselves here as U.S. citizens, they're contesting that imposed illegality that they experienced during the Great Depression period.

But it also extends to their grandchildren and their children, so two generations removed, right? When U.S. citizens of Mexican ancestry were banished, they, like I mentioned, it took decades for them to be able to find a way to prove their U.S. citizenship and get a hold of their U.S. citizenship documents—whether it be baptism records or birth certificates—so that they could legally come back to the United States. In those 20, 30, or 40, years that they remained in Mexico, they formed their own families there. They married, they had children. And so, their children were born in Mexico.

But the children of American citizens can inherit [inaudible] citizenship, so they can automatically be classified as citizens. But there's specific steps that parents have to take in order to pass on their citizenship to the children, including registering them in the U.S. consulate abroad, in this case in Mexico. And because many of them didn't know that that right is granted to them as U.S. citizens, even when living abroad, they did not register their children.

In the time that it took the parents or the grandparents who were banished—the Mexican Americans banished in the Great Depression—to come back, many of the children and grandchildren did make their way to the United States looking for labor opportunities or being recruited for different labor programs in the United States. And many of them entered the United States as undocumented immigrants, even when they had the right types of U.S. citizenship through their mothers or grandmothers.

And so, they are also contesting illegality because even though they entered the United States without documentation and they're living in the United States even to this day, some of them, as undocumented immigrants, they have a case for U.S. citizenship. But because of the delay in re-establishing themselves in the United States, or the inability for lack of knowledge of the parents or grandparents to register them in the U.S. consulate, then the class and the time period that they had this right to register themselves and gain U.S. citizenship has passed. And so then now, they're facing permanent inability to adjust their legal status, so they remain as undocumented immigrants.

Emily Tran: Just the scale of all of this, as you're describing it, is so overwhelming—that this one generation in the 1930s having been banished; that reverberates for years and years and years into the present. Do we know how many people are affected by this today, who are contesting their illegality because of the history of banishment that affected their families?

Marla Ramírez: No, unfortunately we don't. Even the number of people that were removed during the Great Depression varies, right? There's estimates that range from 500,000—or half a million, that is—to two million. So, that range is very broad. And what my research has found is that it depends on the time period that a specific historian is examining. The early histories of repatriation looked at the years 1929 to 1933. Those were the years that the economic depression were at its highest, and because the economic depression was so bad during that time period, that meant that a number of removals that led to deportation, repatriation, or banishment were also at its highest.

But the process of banishment and repatriation expanded from the 1920s to 1944, so the early 1940s. I have concluded that it was one million people, and 60% of them were U.S. citizens, the vast majority were Mexican Americans.

Emily Tran: Wow, and so it'd be all of their descendants.

Marla Ramírez: So, the descendants of these one million people, right, could be near one million. The children and grandchildren who didn't inherit the citizenship of their parents or grandparents automatically, will have come into the United States—if they decided to immigrate to the United States—as undocumented or with some temporary visas. When those visas expire and if they remain, then they also become undocumented.

But there's no process of checking. When people are entering the United States, right, they ask if you're entering with any legal permit, you know. You're not asked if you are a descendant of a banished person coming into the United States. And, obviously, if you entered without authorization, then there's no record-keeping of you unless you're detained and questioned or deported, then that enters the record. But even then, there's no reason why an immigration officer would ask if you're a descendant of a banished person trying to enter the United States.

And because that is the case, there's no record. We don't know how many people are actually undocumented but had direct ties to a banished U.S. citizen during the Great Depression.

My ongoing book project is the first one to examine these experiences, and I found, not because there's a record in any of the archives in the United States or Mexico, but because I did oral history interviews with surviving banished Mexican Americans and their children or grandchildren. And it was one of the findings in my research through the oral histories that I realized, when they're sharing their histories and their life experiences, that this was the case for many of the families in my study.

Emily Tran: Learning about banishment and these generational consequences, it seems like there's definitely not a— it's not a binary where you have a claim to citizenship or you don't. Everything seems much more shaded. Can you reflect on how this history of banishment speaks to our current moment? How does the history of banishment shed light on the immigration issues that we continue to debate today, particularly those centered on the U.S.-Mexico border?

Marla Ramírez: Yeah. So, there's two layers of similarities or two lines of connection.

First is that Mexicans, regardless of their legal status, have historically been imagined as undocumented in the United States. And because they have been imagined as documented, they're often pushed for mass removal or deportation or their rights are not respected, even if they're U.S. citizens. So, we see that now that we think of Mexicans as undocumented immigrants, but we also think of Mexicans as always draining the public system and taking jobs from Americans. That's this xenophobic racist discourse that continues to evolve over time and reappear over time.

We had come out of a recession in 2008 and we saw an increase in deportations at the time. Now, those deportations are being presented as deportations of people that have a criminal record, right? And so, then, we understand the criminality of people as a threat to U.S. society, which obviously makes sense. But when we look closer at those deportation records, we see people that have minor offenses—including jaywalking, for instance, or traffic violations—also being deported even if they're not serious crimes or a threat to our society. But because we understand criminality is a big threat, then that justifies the removal, even if they are not threatening, they're contributing members of society. Again, the, you know, understanding that allows us to justify those removals. So that's one thing that is happening.

But in the other hand, there is, again, this long line of exclusion against Mexicans, in this case, that has prevented or cut the process and ability of passing U.S. citizenship. With this, multiple waves of deportation and punishment, there is no linear inheritance of citizenship. Even if a person has a mother or a grandmother or father or grandfather who's a U.S. citizen doesn't mean that they automatically will qualify for U.S. citizenship or are U.S. citizens themselves. There's this creation of illegality that prevents them from establishing themselves as U.S. citizens or legal permanent residents of the United States.

To summarize, right, there's, there's two things. The inability of accessing the right to citizenship is one, and then even if they're U.S. citizens, they continue to be imagined as undocumented immigrants and then their removal or lack of protection is justified.

Emily Tran: So, how have racial, class-based, and gendered ideas about American citizenship continued to shape the legal definition of immigration and policies that determine who gets to immigrate in the US? So, thinking now more broadly about citizenship policy and immigration policy today.

Marla Ramírez: The racial question, right—how we determine who's eligible for a visa or legal permanent residency or citizenship—we think that now, we don't have any racial barriers, right? That anybody who applies should be able to submit an application as long as they're eligible.

But the reality is that many countries are known as immigrant-sending countries. So, there's a lot more people coming from specific countries to the United States. And then there's other countries where they're non-immigrant-sending countries, so they're either immigrants to other countries, not the United States, or they're not immigrating at all. They have the economic resources or opportunities they need in their home country, so there's no need for, for immigration, or the United States is not recruiting them heavily to come for the labor programs.

And so, when, when we see this divide, then there's an imbalance, right? That countries that are immigrant-sending countries have more petitions for visas or legal residency and eventually U.S. citizenship. And so, there's a delay created. Immigration officials can take anywhere from a year to 20 years, depending on the country. And obviously the non-immigrant-sending countries, if somebody from that country were to apply for a visa to come to United States, that wait will be minimal because there is no line, really.

So that's one of the impacts across race, and it is across race, because the United States has constantly been in relationship with specific countries in Asia and Latin America for labor programs, and because of that long relationship of temporary migrant laborers, then the recurrence of immigration for those countries is higher as compared to some European countries, for instance. So then there's that racial divide across labor lines and labor needs in the United States and relationships with specific countries.

But then the other aspect is class. Opening an immigration petition is expensive. And so, if people are working-class and making minimum wage to less than minimum wage in the United States— as is often the case for people who are undocumented in the United States, they don't even have access or are guaranteed the protection of minimum wage or the right of minimum wage. And if they're living day-to-day, check-to-check, then it's hard for, for them to be able to pay not only the immigration fees that are mandatory, but also the legal fees to hire an attorney.

And so, some people rely on services from notaries, for instance, who do not have the legal training of an attorney, that can yield any number of errors in their applications that can sometimes lead to deportation because the person is not trained in immigration law and is filing the paperwork erroneously, misrepresenting the applicant. And so, then, the class status of person can also prevent them from adjusting their legal status. If they do, but not through a trained, qualified attorney, then they can also face deportation.

In terms of gender, it is not as marked now as it was in the 20th— early 20th century and 19th century in the United States, where women's citizenship was determined by their fathers or husbands. But it's still a determining factor because U.S. immigration law still understands men as the head of household. That creates some limitations for how women can adjust their legal status or how much ways their own income or independency of men complicates application process.

And I'll give you an example. I'm originally from Mexico, and I adjusted my immigration status through my mother, my mother's petition—and even though it's not my father, right, this is an example of being a minor, for instance. When I opened my immigration status, I was understood to be the dependent of my mother for immigration petition. So then, even when I aged out and I was over 18 and independent and providing some of the financial income for my mom, I was still understood as a dependent of my mother for immigration purposes. So, that meant that I couldn't get married or I would lose my case because in immigration—

Emily Tran

What?!

Marla Ramírez

—documentation, I was a dependent of my mother, I was still under her case. So, if I were to be married, then I would become a dependent of my *husband*, even if I was the head of the household and the provider and if my husband didn't work.

For immigration purposes my gender determined my ability to remain in my mother's case, and inability to marry. So, still, gender is a very biased process for women in immigration law, even though as a nation we have progressed and make strides for gender equality in immigration law. Women are still understood as economic dependents of men.

Emily Tran: Given all this that you just laid out for us about the ways that race, class and gender still continue to constrain who can become an American citizen, do you think that historically, that category of American citizenship has been one that has expanded or one that has expanded a bit, but it always remains kind of constrained?

Marla Ramírez: It cannot be defined as a linear process of expansion.

Over time, instead of being a linear progression of expansion and more inclusivity as the years progresses, instead, we need to understand them as a circular process that sometimes opens up opportunities for inclusion across racial, class, and gender lines, and sometimes limits those rights across racial and class lines.

So, for instance, even though women, their citizenship now is not tied to the citizenship of their husbands or fathers—so they have their own rights to their own independent citizenship regardless of who they've married or who their fathers are—we still see these limitations across gender lines, that you're understood as an economic dependent of your husband even in your not.

But across racial lines, while U.S. citizenship was created as a right limited to white Europeans, right, or white people—and Mexicans, under the Treaty of Guadalupe Hidalgo, actually were classified as white in order to be eligible and then re-classified as Mexican—that now there is a new understanding of the racial lines, right? But beyond that, there's these exclusions of Chinese for instance, that their race determined their inability to become U.S. citizens or even immigrate to the United States. There's the Muslim ban, right? And so then across religious affiliations, then, we have all these limitations that, even though they were not part of the limitations for U.S. citizenship at the beginning of a conception of citizenship in the United States or even in the early periods of the nation, now they have become very strict limitations.

So, it goes back and forth. It's more circular, as part of a process, rather than the linear progression of inclusivity. So, it goes back and forth.

Emily Tran: There's not a narrative of progress but it kind of tracks with political anxieties and economic conditions and things like that in the United States.

Marla Ramírez: Yeah, exactly.

I invite people, listeners, to think of all the complicated narratives that we have discussed today, right, when we think about immigration, because it's easy to polarize immigration opinions by understanding immigrants as good or bad for the United States. But it's never black and white. There's always a bigger gray area. And understanding these complex experiences and, and laws and realities and histories of immigration, then we can better understand the immigration debate. That it's not as simple as right or wrong.

Emily Tran: Professor Marla Ramirez, thank you so much for speaking with me today.

Marla Ramírez: Thank you, Emily.

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Emily Tran: Listeners, do you have an idea for an episode? Send your question for historian to outreach@history.wisc.edu.

Today's episode of *Ask a Historian* was produced and edited by me, Emily Tran, with editorial consulting from Leonora Neville. Special thanks this episode to April Haynes.

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Thanks for listening, and take care.