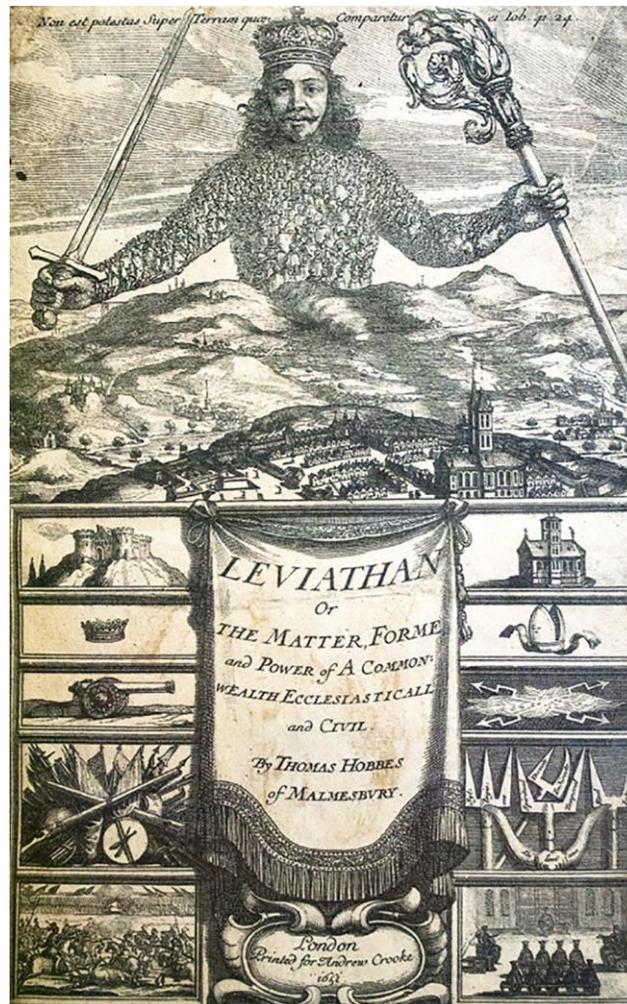


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*Notes and Suggestions from Chapter 5, Common Wealth,
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When I was in college, I'd read *Leviathan* by Thomas Hobbes, published in 1651. I was enthralled with the cover:



The great Leviathan, the sovereign of the commonwealth, was composed of the people he ruled, and thus he represented “the body politic.” Thomas Hobbes had witnessed the brutality of the English Civil War, and his book reflected upon the darker impulses of people under great stress

and conflict. Hobbes's book has remained among the most pessimistic works in political theory, and his conclusions were as disturbing for his contemporary readers (like me) as they were in 1651: when there's just a "state of nature," when society has fallen apart and there's simply a war of "all against all," free and rational people will consent to an absolute sovereign who commands all, a Mortal God that both represents and protects the people, and yet also demands obedience with sword and staff. It's so un-Christian, this view of the social contract, as though Hobbes did not see or experience God in the midst of all the death and killing in England when he was my age. In this world, we were on our own.¹

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Let's go back to the illustration. The "body politic," this metaphor of the state as the embodiment of the people, might be as influential as the social contract theory that Hobbes had proposed. It's had intuitive appeal: soldiers can imagine themselves the "arms" of the state, for example, and the "head of state," the head of the Leviathan, controls and directs the rest of the body. We still refer to the top political leader of any commonwealth as the "head of state." People who've supported republics, monarchies, and fascist states—they also refer to a "political body" because the idea captures how citizens and subjects are "members," coordinated to function as a single organism. Attack one part of me and the rest will come to my defense. Of course, some parts of the body are more important than the others—you will not die if you lose a finger—but this seems also to support the view that some people in a commonwealth seem more important and essential than the others, just like in any body.

The metaphor is otherwise appealing: for people who think of closed, cohesive, national systems as the most "natural" forms of political organization, the concept shows the obviousness of the right to self-defense or the right to self-sustenance. Each person knows instinctively that they have a right to defend and to care for themselves. Moreover, by joining with similar others, one can greatly enhance one's powers of care and protection. The illustration reflects the coming together of many to make the one—it's a picture of "e pluribus unum." And if it's true that the world is full of predators and other organized "bodies politic," it helps to be part of a powerful body rather than be alone and vulnerable in this cold, cruel world. Even a pinkie can expect more attention and protection if it's attached to a prince.

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In American history, particularly in immigration and in naturalization law, the illustration helps us consider how the majority of white Americans have often conceived themselves as "members" of the body politic, while considering racial others as external to it, either not a part of it, or not worth "incorporating." To incorporate something means to "make a part of the body." The Naturalization Act of 1790, one of the first pieces of federal law approved in Congress and signed by President George Washington, said that only "free white persons" shall

be allowed to pass in to American citizenship, to be thus incorporated as members of the United States. Congress repealed and amended the rule in separate laws in 1795, 1798, and 1802, but in all of these revisions, only “free white persons” of “good moral character” could pass into American citizenship.²

When Andrew Jackson was President of the United States, the Supreme Court issued a set of decisions that legalized the removal of Native Americans from the Southeastern states, most notably Georgia, Alabama, and Mississippi. The Court did this under the theory that the original constitution never incorporated Native Americans as American citizens—Native Americans had no rights under the American constitution. They were “Indians not Taxed,” not legally part of any state, nor citizens of the United States. Andrew Jackson referred to the Native Americans as “savages.” He said that they were not going to be incorporated into the American republic, and that this was their fault: “[The Indian] is unwilling to submit to the laws of the States and mingle with their population.” Jackson described as generous the plans to remove Native Americans from their ancestral lands. From the early 19th century into our present day, Native American reservations reflect the American experience of keeping apart—“unincorporating”—certain groups away from the American mainstream, even as (white) Americans were incorporating the ancestral lands of Native Americans.³

Two decades later, the Supreme Court reached the same conclusion with respect to persons of African descent—they were never, and could not be, citizens of the United States. Justice Roger Taney reasoned that when the constitution was framed and ratified, all white people, North and South, including the framers themselves, considered African Americans racially inferior, incapable of citizenship, and properly regarded as property, not persons. African Americans thus had “no rights which the white man was bound to respect.” Many white folks attempted to maintain this view, even after the Civil War and in spite of the new constitutional amendments following it; white supremacists waged a terrorist campaign in the occupied Southern states to ensure the survival of white supremacy. White supremacists exacted terrible costs that white progressives were unable and unwilling to bear. And it turned out, when the newly freed African Americans moved north and west to escape white supremacy in the South, white folks in the Midwest, the Far West, and the East Coast responded by approving rules to segregate them, and to impose their own local forms of white supremacy. Thus, well into the 20th century, white Americans behaved as though they would never incorporate African Americans as fellow citizens, as though they (still) regarded African Americans as less than they were.⁴

In light of these trends, is it any wonder that new immigrants from Europe tended to embrace prevailing notions of “whiteness,” rather than fold themselves into African American or Native American communities? Native Americans were removed and isolated on reservations, African Americans were segregated away from mainstream American institutions, and so if you were Irish, German, Polish, or Jewish, and if you saw these self-evident patterns unfolding as you arrived here, what might you do? The great author Toni Morrison pointed this out: many white ethnics became American citizens by incorporating themselves into whiteness, into white

communities, describing themselves as “whites,” and thus as eligible for citizenship, passing into the group of people who might benefit from segregation and from other prevailing practices of white supremacy rather than being on the butt end of it. For much of the 19th and for the first half of the 20th century, “whiteness” remained the commonly understood prerequisite for American citizenship, reinforced by the common political practices among many different varieties of European immigrants.⁵

When I was a younger student of Asian exclusion within the federal immigration law, I was struck by the number and variety of white ethnics who participated in anti-Asian violence and hostility in the 19th century. In California, where hundreds of thousands of “suspect whites” and newer European immigrants were coming to the state after the Gold Rush, the Asians seemed to bring the white folks together. That is, in 1855, many of the European immigrants in California didn’t speak English, they were Catholic, they were quite poor, and they suffered discrimination on the East Coast as “foreigners,” and yet no matter how diverse they might have been among themselves, they insisted that they were not like the Chinese. They became white by distancing themselves from the Chinese. When white workers said, “The Chinese Must Go!” they had thick Irish, Italian, Sicilian, and Portuguese accents, and when, together, they drove away the Chinese from commercial fishing, railroad construction, and manufacturing, the white ethnics took their jobs and made the most out of these economic opportunities. In California, the Chinese were once the “arms” of the state, building and mining and engaging in other productive activities, and yet other members of the republic—many just as new to this country—moved them into the bowels of the economy, using whiteness as the key measure of membership and belonging.⁶

The process unfolded again, and perhaps continues to unfold into our own time. Senator Pat McCarran of Nevada was of Irish and Catholic ancestry, for example, and yet he seems to have missed the irony of positioning himself as the standard-bearer for Western civilization. In 1952, as if to prove his loyalties to the United States, Senator McCarran referred to Jewish immigrants as “kikes,” examples of the “unassimilable blocks of aliens with foreign ideologies,” especially communism, besetting his beloved country. McCarran was a rabid anti-Semite, nor did he care for Southern and Eastern Europeans or Asians. McCarran sponsored the Immigration Act of 1952, among the most restrictive immigration rules by race and by political ideology. He described some immigrants as “indigestible,” as “contaminants,” as existential threats to the body politic, whose admission into the United States made about as much sense as a person willfully drinking poison.

I think we’re seeing similar people, similar tendencies, in our own time. Stephen Miller is the Senior Advisor to the President, and one of the key architects of President Trump’s immigration policies, including the travel bans, the wall, the end of DACA, and the separation of children and parents at the Southern border. Like McCarran, Miller has conceived himself a defender of the republic, which is now beset by terrorists, Muslims, Mexicans, criminals, and refugees. He has insisted that Donald Trump is a “political genius.” Miller is from a Jewish family, though, they are from Santa Monica, California. Although he may have missed the irony

of being who he is, speaking as he does, the rest of his family has noticed. They've pointed out that Mr. Miller has been supportive of the very policies that would have excluded his own ancestors, when they were once refugees in the horrible decades before World War II.⁷

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If Americans have always been obsessed with whom to let in, or whom to incorporate, they've also fantasized about whom to expel, whom to cast out of the body politic. President Thomas Jefferson, for example, had once described slaves and other persons of African ancestry as people who existed within the "bowels of the Republic." That's a jarring metaphor: the bowels reference the intestines, especially the large intestine, and it's gross to consider what happens, regularly, to the contents of the large intestines. We know now that Jefferson did have intimate, long-term relationships with many African Americans, but this fact did not seem to detract from the President's desire to expel black folks from the United States. In his private journals, he imagined a country free of African Americans.⁸

In his metaphor, African American slaves represent a kind of "food" for the body politic—white folks had needed their labor, their energy, and yet once their "usefulness" was extracted from them, white folks imagined flushing them away. Like many Southerners, Jefferson never seriously considered incorporating African Americans as fellow citizens. Slavery began in Virginia in the 1620s, and so by the time of the Revolution, white folks had lived with and among slaves for several generations. Many white folks emancipated their slaves, often because they were the master's children, or because the masters regarded as least some of their slaves as persons, not as property. George Washington emancipated his slaves in his will. Because there were free African Americans, because these folks could have been regarded as American citizens, all of the states after the Revolution had to determine policies about whether such persons should or shouldn't be incorporated as citizens.

In nearly all of the states, the legislatures rejected the idea that persons of African ancestry should be American citizens. In some instances, in New England or in the Midwest, persons of African descent did attend elite schools, and on rare occasions, they voted in local elections, and yet at the state level, most of the states rejected the right of African Americans to vote, to run for public office, or to exercise other political and social rights, including the right to own significant parcels of property. Massachusetts was the rare exception, in that persons of African ancestry could exercise property and citizenship rights; New York, California, Ohio, and Oregon were more common, where persons of African ancestry were presumed to be runaway slaves, excludable as migrants, and otherwise conceived as possibly "free," but not as citizens.⁹

In the immigration law, "permanent residents" are persons who has the right to reside in the United States, and yet do not have the right to vote, to run for office, or to exercise other rights of American citizens. Free African Americans were like permanent residents—they could live in New York or in California, but they were not allowed to vote or to exercise political authority over white folks under any circumstances. Such rules had unexpected supporters:

many of the most ardent abolitionists thought that African American citizenship was undesirable—they railed against slavery, but they also favored “returning” persons of African ancestry to Africa, rather than accepting African Americans as fellow Americans.

The feelings were sometimes mutual. From the mid-19th century and into the 20th, many prominent persons of African ancestry didn’t want American citizenship—why join a club that doesn’t really want you as a member? Paul Cuffe, James Forten, Martin Delany, and Marcus Garvey were among the more prominent African Americans who promoted various schemes of “colonization.” Thomas Jefferson, James Monroe, and Abraham Lincoln were among the American Presidents willing to give money and support for those plans. Many Americans concluded that African Americans and white Americans should divorce, that Africans should “self-deport,” that white folks should pay for all or some of it.

Dozens of scholars have examined these efforts toward “colonization,” the “removal” of African persons back to Africa, either during the period of slavery or in its wake. Given the popularity and pervasiveness of white supremacy, in light of the viciousness of slavery and then segregation, it seemed obvious that leaving the United States could be attractive to a broad cross-section of African Americans. Yet, for most of American history, the vast majority of African Americans did not “return” to Africa, sometimes because they learned, as they tried to leave, that they were in fact Americans. Paul Cuffe was the son of a freed African slave and of a Native American mother; Cuffe was born in 1759 on an island in western Massachusetts. Cuffe taught himself to read, he owned a fleet of ships, he became a wealthy businessman in Westport. Because he was well-known, white folks asked him to lead several colonialization missions to Africa.

In time, though, Cuffe learned that colonization would be expensive, that it would take a long, long time, and that the white folks who supported it didn’t necessarily do it out of love for African Americans. In Sierra Leone, where Cuffe proposed his new “colony,” there was no infrastructure—no modern ports, no modern homes, and nothing like the economy and society of Westport or Boston. It would take years to build such things, and such a task would be harder because the native people already living Sierra Leone considered Cuffe and other African Americans as foreigners. They had a point: Cuffe spoke and wrote in English, he was a life-long Quaker, and his children had had a Native American mother. He may have looked African, at least to the white people who wished him away, but being in Africa reinforced the suspicion that he was actually an American.¹⁰

I wonder whether some of you can relate. I myself have never been mistaken for a Korean Korean person when I’ve been in Europe or in Asia. Perhaps, at first glance, someone in Tokyo or Seoul may have considered me Japanese or Korean, but once I start speaking, they’ve heard evidence of my hopeless American-ness. In Europe, no one has mistaken me for an Asian tourist—in dress and in manner, I must appear as an American, in my jeans, t-shirt, white socks, and sneakers. I suppose that I’m like Mr. Cuffe: I speak English, I dress like an American, and my mannerisms and habits are American. After decades of travel abroad, I’m coming to realize just how American I am, even though I myself cannot remember the moment that American-ness

was incorporated into me. And it's a strange thing, to be a member of a commonwealth where not all of the members will recognize my membership, but perhaps in that way, I'm just like Paul Cuffe.

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My own citizenship in the United States might be obvious to me, and I have the papers to prove it, but I know that many others still struggle with that citizenship. I, too, am of a racial and ethnic background considered “unassimilable” for most of American history, and so it would be naïve of me to think that all Americans would recognize me as a fellow citizen, fully incorporated. Even some of my foreign students struggle with my American-ness: once, about three years ago, a student from China switched out of my class, but not before telling me that she was going to take another class with an American professor. At the time, I thought her remarks were quite funny. If a young student from China has trouble thinking of me as an American professor, I can imagine how a hostile, meaner white supremacist would articulate the same basic idea.

History fills in where the imagination might fall short. In Nazi Germany, in 1933, the Nazis dismissed professors of Jewish ancestry from their positions. Even though these professors were German in every way, the Nazis focused on their ancestry to disqualify them, and to seize their positions in favor of persons who could prove pure German stock. The Nazis expelled schoolteachers, civil servants, doctors, and other professionals—they dismissed anyone whose job depended in part or fully on public finances, on the theory that public positions should be reserved only for full German citizens. Because, under the new Nazi laws, Jewish people could no longer be full German citizens, they lost their jobs.

The leading Nazis saw this is a kind of “purification” of German society, a move to rid Germany of all foreign elements and forms of “human pollution.” Here was the Nazi dream come true: all Jewish people would be forced to leave Germany, preferably to places outside of Europe; Germany would “grow” its boundaries to the East and to the West, to incorporate lands seized by France after World War I, and to expand into portions of Czechoslovakia, Poland, and the Soviet Union; and whatever foreigners remained in German lands would be reduced to slave labor, working for the benefit of German masters. On more than one occasion, the Germans cited the Americans as models and as examples: the Americans incorporated Native American lands; they practiced slavery and segregation; and they excluded immigrants and deported others with explicit, white supremacist criteria in mind. If the Americans could deport Native Americans in the 1670s to the West Indies, then perhaps the Nazis could deport Jewish people far away, too, to Madagascar. Hitler told his underlings to look into this option.¹¹

These hyper-nationalist, fascist Germans also drew from other parts of the American experience: they noted that when Woodrow Wilson became President of the United States, for example, he dismissed many African American civil servants and public officials, as Wilson didn't think that taxpayers should support the salaries of such persons when white folks were

available. One group of people were full citizens, the other was not—there was no question whom the state should support and prefer. Like the Americans, the Nazis said, the Nazis were nationalists first, and they were behaving to protect and to promote an Aryan Germany. Was it not self-evident, that the natural resources and that all economic opportunities within a country should go first to the citizens of that country? The Americans had approved of Alien Land Laws, disqualifying “aliens ineligible for citizenship” from owning or even leasing lands in places like California, and so if that liberal democracy could do those things, then perhaps the Nazis should do them, too. In some of their most racist policies, the Nazis were disturbing in their resemblance to the Americans.¹²

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Moreover, to purify this Aryan Germany even further, the Nazis moved to eliminate “imperfect” Germans. Here was where the Nazi state murdered its own citizens: if you were “imperfect,” defined as disabled mentally or physically, or just too old, or perhaps gay or lesbian, or “ideologically” defective, as a communist or as an opponent of Nazism itself, then you were “liquidated.” The list of Nazi victims was long and terrible, and yet there’s something especially chilling about the way the Nazis went about killing young children who were disabled, or elderly or infirm Germans who’d become “useless eaters.” If a commonwealth was a place where people shared resources and cared for one another, the Nazis eliminated from their Aryan utopia anyone who was too costly, who required too much care. When Jewish and political dissenters could no longer be deported or sent away, the Nazis decided that the number of people to be “liquidated” would cause “storage problems.” This way of talking about people—as though they were “unnecessary” human resources—facilitated various experiments in mass killing.

The Nazis tinkered with gas vans and with gas chambers for a number of reasons: they could kill many thousands of people per day; they could kill in remote locations; and they could protect “good German citizens” from having to do the killing. That is, like the Americans, the Nazis when “good German citizens” engaged in mass killings, day after day, with guns and in clinics, these “killers” became weird and deranged. In the East, when the holocaust began with bullets and mass shootings of entire villages and towns, German soldiers who shot these people, day after day, would become very strange indeed, even though their officers told these men that the people that they were murdering were not really people at all. In clinics, German nurses who gave fatal injections to children with muscular dystrophy or cerebral palsy—they behaved as though they were haunted by the fact that they were killing children, even though (again) their superiors had insisted that such people were “useless eaters.” When they supported the Nazis, did they imagine a nationalism, a commonwealth, that involved shooting people in open fields, or giving lethal injections to children to make them “sleep” forever? In the American West, when white soldiers shot and killed hundreds of Native Americans, including unarmed women and children, the most sane among them suffered similar forms of post-traumatic stress. They went crazy.

This history remains so disturbing because it gives us insights about how all modern states imagine utopias that can then turn into large-scale nightmares. There are psychic costs to dismembering a nation, to holding parts of it apart rather than choosing incorporation. How unimaginably horrible, to be associated with that part of the commonwealth that gets cut out and then assigned to be murdered. Long before he came into power, Adolf Hitler had described the Jewish minority in Germany as an “inner poison,” a “cancer” within the Germany body politic. In our own time, there are some politicians and members of civil society who’ve described immigrants and refugees and other people in such ways, both in the United States and abroad. It’s horrifying to hear this language (again). Some citizens may be tempted to think that they can, without reducing their moral position, exclude people they don’t want, or to cut them out. Some of our politicians say that we should take into ourselves only the most desirable and the most useful. Listen closely to anyone who proposes such things, though, and you’ll hear a monster, someone who doesn’t mind turning their own fellow citizens into wicked, crazy people.

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After 1945, mass social movements among people of color persuaded a majority of white Americans to distinguish themselves from the Nazis, and not because they began so differently. These Americans have, over their own painful and horrible history, chosen to incorporate their former slaves, the Native Americans that they’d dispossessed, and other people of color once regarded as unassimilable and excludable, including people like me. The Nazis had built gas vans for their disabled children; the Americans passed the Americans with Disabilities Act in 1990, a rule that prohibited discrimination based on “disability,” widely construed, so that persons with physical and mental challenges could live lives of dignity. It’s hard not to see the lessons of the holocaust ripple across this country. Until 1996, even lawful permanent residents in the United States had access to public services and to social welfare programs—after 1945, the United States Supreme Court had upheld such access, as it conceived of permanent residents as members of the United States. Again, these shifts reflected a distancing that the Americans pursued in the wake of the fascist regimes of the mid 20th century, where only citizens had once held everything and non-citizens had lost everything.

The United States may never have admitted refugees as robustly as it could have after World War II, but through 1990, Americans cared for refugees through a broad network of civil and government agencies, however imperfect that system may have been. Through family reunifications preferences in the immigration law, the Americans admitted poorer people from around the world, and for many decades, these persons has access to the enormous resources of this powerful commonwealth. When I received my first scholarship to study in college, to read Hobbes and Locke and Rousseau, I was not yet an American citizen, and yet without question, I was benefitting from public and private contributions that were making my education possible. It did occur to me, as I was finishing college, that I should write a thank you note to the citizens

of California, so generous they were to have helped finance through their taxes what was a magnificent education.

It seemed to me, even then, that the strength of this country was in its willingness to learn from its bitter past, to admit the error of its ways, even to account for them in its history and in its laws and its policies. Great is that nation that can incorporate so many different kinds of people, that provides a structure through which its members could care for one another, cutting out and dismembering no one. In the past three decades, all Americans have struggled with the strains of commitment, in the needs of poorer citizens and in the pleas of refugees, whose numbers and circumstances seem so overwhelming. It's not at all obvious, though, that the leaders and members of a noble commonwealth should threaten the most vulnerable with sword and staff, to exclude as many as possible, and to remove even more than ever before, all in the name of protecting the body politic. The United States has never been more diverse, and its ethos has once again come into question—what kind of commonwealth are we? How we confront the challenges of the least well-off—within our country and beyond its borders—defines that ethos.

Take a look at Hobbes's cover again and consider how leviathan is a synonym for monster. In a multi-racial democracy such as this one, those of us who are now members of the commonwealth control its character, and unlike those moments when some of us could not be full citizens because of our race, gender, or national origin, we now have no reason for allowing this leviathan to devolve into the monstrous.

Endnotes

¹ There are several excellent editions of this classic work; I would recommend the one edited by Richard Tuck. For a biography of Hobbes, I would recommend the one by A.P. Martinich. The idea of a “body politic” preceded Hobbes—he may have been inspired by a 15th century French political theorist, Christine de Pizan, whose book, *The Book of the Body Politic*, explored the proper roles of French nobles so that the state could function as a seamless whole.

² For a history of state and federal rules governing American citizenship, see James Kettner, *The Development of American Citizenship, 1608-1870* (1978).

³ For histories of Native American removal in the first half of the 19th century, I would recommend works by Robert Remini, Tim Alan Garrison, Theda Perdue, and Alfred Cave.

⁴ For histories of the Dred Scott case and its significance, I would recommend the books by Don Fehrenbacher, Lea VanderVelde, and Paul Finkelman. For histories of how the Great Black Migration after the Civil War changed the United States, I would recommend the books by Nicholas Lemann, James Gregory, and especially Isabel Wilkerson.

⁵ See, Toni Morrison, *Playing in the Dark* (1993).

⁶ My favorite historians of the Chinese Exclusion period include Ronald Takaki, Sucheng Chan, Erika Lee, Charles McClain, and Roger Daniels.

⁷ In August 2018, Stephen Miller’s uncle, David Glosser, published an interesting editorial online in Politico about his family, especially his nephew.

⁸ Jefferson’s thoughts about slaves and slavery are in Ronald Takaki’s classic, *Iron Cages* (1979).

⁹ See, Davison Douglas, *Jim Crow Moves North* (2005).

¹⁰ For histories about the various schemes for “colonization” among free African Americans, I would recommend books by Kenneth Barnes, Eric Burin, and Claude Clegg.

¹¹ For discussions of these policies within the Nazi state, I would recommend books by Saul Friedlander, Richard Evans, and Richard Weikart.

¹² See, for example, recent books by James Whitman and by Bradley Hart.