

The Immigration and Nationality Act of 1965: A Game Changer

The following is from a blog by Ken Walsh. Ken Walsh covers the White House and politics for U.S. News. He writes the daily blog "Ken Walsh's Washington," for usnews.com, and "The Presidency" column for the U.S. News Weekly. He is the author of the book "Celebrity in Chief: A History of the Presidents and the Culture of Stardom." He can be reached at kwalsh@usnews.com and followed on Facebook and Twitter.

One of the most far-reaching laws ever enacted in the country: **the Immigration and Nationality Act of 1965**. A review of that law and its impact provides many lessons for today, notably that substantial change can be a very lengthy process and "reform" can have huge, unforeseen consequences.

The Immigration Act, also known as the Hart-Celler Act, was signed by President Lyndon B. Johnson 50 years ago on Oct. 3 and took full effect three years later. It **ended a long-standing quota system based on national origin that heavily favored Western Europeans such as the English, Irish and Germans**. The law created a new approach aimed at **reuniting immigrant families and bringing skilled workers into the U.S.** And over time, this dramatically transformed the demographic makeup of the country, as immigrants came increasingly from Latin America, Asia and Africa, rather than from Europe.

"The Immigration Act was like a time-release capsule – year by year, it reshaped America into the America we know today," says political scientist Bill Galston of the Brookings Institution, a former White House adviser to President Bill Clinton.

The consequences have been immense. The U.S. Census Bureau notes that the non-Hispanic white population in the U.S. declined from 85 percent in 1965 to 62.2 percent in 2014, and the forecast is for the percentage of non-Hispanic whites to fall to 43.6 percent in 2060. Hispanics will increase from 17.4 to 28.6 percent, the Census Bureau estimates. African-Americans will go from 13.2 percent to 14.3. Asians will increase from 5.4 to 9.3.

In cultural and political terms, such dramatic changes could cause whites to grow increasingly insecure and resentful that their majority status is eroding and will soon end. There are already indications of such unsettled attitudes among many white Americans in the rise of presidential candidate Donald Trump, currently the front-runner for the Republican nomination. Trump has been harshly condemning the increase in illegal immigration, especially from Mexico, which he says is leading to more crime, a strain on social services and many other problems.

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Another result could be damaging the prospects of Republicans in presidential elections, where the turnout of minority voters is crucial. Many minority voters are reliably

Democratic, which could mean that the increase in those pro-Democratic populations will make it more difficult for the GOP to win the White House.

And there is an additional lesson for policymakers and the country at large: One never truly knows how a major change in national policy will turn out. Few policymakers 50 years ago thought the Immigration Act would have such profound consequences. In signing the bill into law, Johnson, who loved to claim big ideas and big programs as his stock in trade, said, "This bill we sign today is not a revolutionary bill. It does not affect the lives of millions. It will not restructure the shape of our daily lives."

LBJ was wrong.

"Though the act had the noble goals of eliminating racism and prejudice from the U.S. immigration system, it was enacted without a clear understanding of how and why people migrate to the United States from particular countries, or how the anticipated congressional action might affect those patterns," Princeton sociologist Douglas C. Massey writes for The Washington Post. "And so, one unintended consequence of the well-intentioned 1965 immigration reform was an unprecedented rise in illegal migration. This in turn set in motion a cycle of border enforcement that produced more, rather than fewer, undocumented migrants living north of the border – not to mention the toxic politics around the issue."

People from Latin America were simply following their long-standing practice of leaving home to find work in the U.S., researchers have found, and they continued to cross the border regardless of what the law said. Making their migration illegal discouraged many from moving back and forth across the border, and encouraged many to live in the shadows within the U.S. rather than risk arrest or deportation.

In August of this year, Karen Zeigler and Steven A. Camarota reported for the Center for Immigration Studies that there has been "significant growth in the nation's immigrant (legal and illegal) population since 2011."

"In the last two years, the growth in the immigrant population has been largely driven by immigrants from Mexico and the rest of Latin America," they write. "This suggests that illegal immigration has increased in recent years after having declined or grown little from 2009 to 2013. However, it must be remembered that legal immigrants significantly outnumber illegal immigrants. Of the more than 42 million immigrants living in the country in the second quarter of 2015, roughly three-quarters are in the country legally. While the impact of illegal immigration is often the subject of intense national debate, the much larger flow of legal immigrants has seen almost no discussion, even though its impact on American society is much larger."

This impact includes a greater demand for social services, a rise in non-English speaking households, an education gap between immigrants and U.S. citizens, and perhaps less assimilation.

A History of Immigration Reform

But the 1965 change in the law was a long time coming.

Before, the U.S. quota system had included a preference for immigrants from northwestern Europe, restricted immigration from southern and eastern Europe, and strongly restricted immigration from Asia, Africa and parts of the Caribbean that had once been European colonies.

"The shift away from ethnic selection in U.S. immigration policy was primarily a response to foreign policy pressures emanating from the growing number of independent Asian, African, and Latin American countries that sought to delegitimize racism through the United Nations and other, particularly Pan-American, multilateral institutions," immigration scholars David S. Fitzgerald and David Cook Martin write for the Migration Information Source journal. "World War II and Cold War national security concerns amplified the pressure on the United States to end the national-origins immigration system. The Allies in World War II and the West during the Cold War risked losing support from Third World countries whose peoples were excluded by openly racist immigration laws."

The scholars add: "In Latin America ... Populist policymakers and intellectuals decried a long history of U.S. occupation and gunboat diplomacy. Throughout the continent, Latin American elites resented the heavy-handedness of U.S. policymakers who treated Latin Americans as inferiors and threatened to include them in the U.S. national-origins quotas. Even though Latin American governments themselves discriminated against their own nonwhite populations, they began to promote the new concept of 'anti-racism' at home and abroad."

In 1952, President Harry Truman created the Commission on Immigration and Naturalization, and its report, "Whom We Shall Welcome," became the basis for the 1965 law. It urged Congress to end the national-origins quotas, especially what the report called "racist provisions" discriminating against Asians and Caribbean blacks. The report's arguments were based on the "democratic faith of our own Declaration of Independence in the equality of all men," and the conclusion that "the best scientific evidence available today" shows that "the basic racist assumption of the national origins system is invalid."

The Associated Press

So things indeed changed when Johnson signed the Immigration Act at the foot of the Statue of Liberty on Oct. 3, 1965.

The new law banned discrimination in the issuance of immigrant visas based on "race, sex, nationality, place of birth, or place of residence," with some major exceptions. It imposed an annual limit of 170,000 visas for immigrants from the Eastern Hemisphere, with no country in that hemisphere allowed more than 20,000 visas. It also imposed a new limit on immigrants from independent countries in the Western Hemisphere of

120,000 visas annually. But spouses, minor children and parents of adult U.S. citizens were exempted from the new limits.

The results were dramatic. The European and Canadian share of legal immigrants declined relatively quickly from 60 percent in the 1950s to 22 percent in the 1970s, according to the analysis by scholars FitzGerald and Martin. The Asian share of legal immigrants increased from 6 percent in the 1950s to 35 percent by the 1980s and 40 percent in 2013. "The demographic diversity of the U.S. population today in many ways is the direct result of the 1965 legislation," the analysis says. This includes projections that the U.S. population will no longer include a white, non-Latino majority by the middle of this century – which would be one of the most profound effects of any legislation in U.S. history.

It goes to show how difficult it is to predict the consequences of policy changes that are engineered in Washington. Some may be beneficial; some may do harm, but the impact is often unforeseen and unpredictable.

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