

# The Ideological Alchemy of Contemporary Nativism

*Revisiting the Origins of California's Proposition 187*

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This year marks the twentieth anniversary of the passage of California's Proposition 187. The 1994 ballot measure's far-reaching mandate—to make alleged violations of federal immigration law grounds for denying all public benefits, education, and health services and to require all public employees to report anyone suspected of such violations—immediately reordered the landscape for immigration policy debates nationally. Although the courts eventually ruled that most of the operating provisions of Proposition 187 were unlawful, key principles of the initiative found their way into the overhaul of federal welfare policies over the next two years. The measure fused together diverse political claims—demands for fiscal austerity, assertions of states' rights, racialized constructions of criminality, and coded appeals to white cultural nationalism—into a distinct ideological alchemy.<sup>1</sup>

The legacy of this powerful discourse was made evident in the debate surrounding the April 2010 passage of Arizona Senate Bill (SB) 1070, which gave police broad authority to detain anyone suspected of immigration violations. As Republican state senator Russell Pearce explained at the time: "Why did I propose SB 1070? I saw the enormous fiscal and social costs that illegal immigration was imposing on my state. I saw Americans out of work, hospitals and schools overflowed, and budgets strained. Most disturbingly, I saw my fellow citizens victimized by illegal alien criminals."<sup>2</sup> The narratives in plain sight here—allegations about the fiscal burdens of immigration, the distinction between a beleaguered citizenry and burdensome newcomers, and the explicit linkage between immigration and crime—were drawn directly from the Proposition 187 campaign. In both Arizona and California, these narratives have framed the positions of proponents as well as opponents, forcing immigrants' rights

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leaders into the defensive position of refuting and disproving charges that immigrants are onerous, predatory, and deserving of harsh punishment.

To be sure, there is a long history of framing immigration debates in similar terms, and productive comparisons can be made between the recent restriction efforts witnessed in California and Arizona and nativist projects targeting Chinese, Irish, and other immigrants in the late nineteenth and early twentieth centuries. Immigration scholars have long posited that economic downturns combined with a changing demography, a heightened awareness of social and cultural differences, and currents of political demagoguery produce predictable demands for exclusion and subjugation.<sup>3</sup>

At the same time, the specific dimensions and characteristics of the restrictionist politics ascendant in the decade and a half since Proposition 187 cannot be reduced to a simple recurrence of cyclical nativism. Politically, it may be rhetorically useful to critique current restrictionist efforts by linking them to earlier, ignominious episodes of xenophobia. But such a framework also risks misunderstanding some of the particular contours of these contemporary efforts, especially regarding their capacity to incorporate putatively liberal ideas about equality, citizenship, national identity, and environmental sustainability. That is, to paint all restrictionist efforts with an identical brush is to misapprehend the historically specific grounds on which restrictionists have come to set the terms of the current political debate. To be clear, contemporary restrictionist efforts continue to be animated by powerful visions of white supremacy and racial subordination. This article explores the tangled origins of Proposition 187 not to exonerate or legitimate the political objectives of its supporters, but to better grasp the specific assumptions and commitments undergirding contemporary restrictionist politics.

## Proposition 187 and Cycles of Nativism

The overwhelming approval of Proposition 187 in November 1994—it passed by more than 1.5 million votes—seems to reaffirm the dominant scholarly and popular understanding of the cyclical character of xenophobia and nativism. In the early 1990s, California lost more than one million jobs, fueled by the rapid decline of the aerospace and military technology sectors, and suffered its worst economic recession since the Great Depression. Housing values stagnated, the state faced annual budget deficits approaching \$15 billion, and vital services including public education, health care, and transportation seemed stressed to the brink of collapse. At both the state and national levels, an ascendant commitment to the shibboleths of neoliberalism—privatization, fiscal austerity, the rise of the carceral state, an upward redistribution of social and material resources—increasingly came to define the responses to myriad social crises.<sup>4</sup>

California's population had transformed rapidly during the previous decade,

growing by more than 25 percent to approach thirty million people by 1990. According to the US Census, “non-Hispanic white” persons went from 71 percent of the state population in 1980 to 59 percent in 1990, while both the Latino and Asian American populations doubled in size. Immigration fueled a large part of this population growth: in the 1980s more than 50 percent of the total number of undocumented immigrants in the nation resided in California, some two million people. As low-wage service and light industrial sectors assumed an increasingly large role in the state’s economy, income inequality soared.<sup>5</sup> Following the 1992 acquittal of the Los Angeles police officers accused of beating motorist Rodney King, the turmoil in Los Angeles from late April to early May sharpened the sense that divisions of race, class, and opportunity in California ran deep.<sup>6</sup>

At the same time, the California electorate remained overwhelmingly white. Exit polls suggested that white voters comprised 82 percent of the electorate in the November 1994 election. These voters approved Proposition 187 by a 61 to 39 margin. Latino voters, by contrast, comprised only 8 percent of the electorate and opposed Proposition 187 by 77 percent. Analyses of exit polls suggest that support for the measure was particularly high among voters who felt the greatest levels of economic insecurity and among white voters who lived in counties with significant populations of Latino and Asian immigrants.<sup>7</sup>

Attributing the passage of Proposition 187 to these conditions alone, however, obscures the tremendous political labor and ideological investments, particularly during the preceding two decades, that played a critical role in defining the terms and values on which the measure would be debated. That is, the struggle to define immigration as a particular kind of “problem,” to construct particular groups of immigrants as threatening and menacing, and to naturalize Proposition 187 as a particular “solution” to this problem, was a far more contingent and contested process than the prevailing consensus suggests. While a souring economy may have legitimated the resolutions offered by Proposition 187 in particular ways, these circumstances alone did not produce the measure. Nor did the initiative pass solely because of a reflexive and automatic reaction on the part of the white body politic. Specific political actors and institutions, armed with evolving and often contradictory ideas and political objectives, labored for many years to make immigration restriction the subject of popular debate. The trajectory and outcome of Proposition 187 cannot be understood without situating the measure in a wider set of conditions and circumstances: not every economic downturn or social crisis produces a Proposition 187, nor does every demographic shift lead to an effective demand for exclusion.<sup>8</sup>

Indeed, before Proposition 187, an immigration restriction measure had not appeared on the California ballot since 1920, when voters approved a measure to restrict “aliens ineligible to citizenship” from owning land, primarily targeting Japanese American farmers.<sup>9</sup> Though the number of both authorized and unauthorized immigrants in California grew dramatically during the late

1980s and early 1990s—including an estimated 42 percent jump in the number of unauthorized residents between 1988 and 1992 alone—public opinion polls consistently found that immigration ranked relatively low in comparison to other public policy concerns. In six statewide polls conducted between May 1991 and August 1993, for example, immigration was never cited by more than 5 percent of respondents as the most important problem facing the state, far below issues such as crime, education, and the economy. Even as the issue gained salience in late 1993 and early 1994, it never was identified as a leading concern by more than 16 percent of respondents.<sup>10</sup>

When the proponents of Proposition 187 converged in the fall of 1993 at an Orange County restaurant to draft the initiative, it represented less a spontaneous eruption of populist demands for stronger immigration control than the slow and uneven culmination of a loosely aligned set of forces with shared political objectives. These diverse forces engaged with a wide range of issues and narratives—environmental sustainability and “carrying capacity,” crime, fiscal austerity, national sovereignty, cultural authority and its decline, constructions of racialized and gendered deviance—brought together in the ubiquitous and omnipresent figure of the “illegal alien.” While the measure may indeed be situated within a longer pattern of nativism and xenophobia, Proposition 187 also reflected particular conditions unique to the landscape of immigration policy and discourse since 1965, when the nation’s immigration policies were significantly overhauled.

Three historical developments played particularly important roles in setting the stage for the emergence of Proposition 187 in 1994: (1) the 1965 Immigration Act and its contradictory legacies; (2) the emergence of immigration restriction among self-proclaimed “liberal” political actors, especially environmental and population control activists, since the late 1960s; and (3) the political construction of the US-Mexico border during the 1980s and early 1990s as a particular racial and fiscal boundary. Each of these developments shaped the seemingly spontaneous emergence of Proposition 187 in 1994.

## The Contradictory Legacies of the 1965 Immigration Act

Throughout much of the twentieth century, social and political movements did little to mask the nativist and racist commitments inherent in their supporters’ demands for the exclusion of immigrants, especially those from outside of northern Europe. In the aftermath of World War I, these groups mobilized to help pass the 1924 Immigration Act (the Johnson-Reed Act), which employed discriminatory national quotas in order to dramatically reduce immigration from southern and eastern Europe and to eliminate newcomers from Asia altogether. The legislative champions of the 1924 Act quoted eagerly from eugenicists such as Madison Grant, whose *Passing of the Great Race* (1916) called for “a

rigid system of selection through the elimination of those who are weak or unfit,” including a “widening circle of social discards” and “worthless race types.” Grant’s vision of a Nordic or Anglo-Saxon republic, in which the progressive destiny of the United States was dependent upon its capacity to exclude the “lesser races” of southern and eastern Europe, Asia, and Africa, guided the logics of the national origins system. Championed by organized labor and passed overwhelmingly by Congress, the Johnson-Reed Act made the prevailing white supremacist currents of the day the touchstone of national immigration policy.<sup>11</sup>

While eugenics theories became widely discredited after World War II, the revisions implemented through the next overhaul of the nation’s immigration laws in 1952 retained the national origins framework and restated a deep and explicit commitment to distinguishing between “desirable” and “undesirable” immigrants. It singled out “aliens afflicted with a psychopathic personality, epilepsy, or a mental defect,” as well as “homosexuals,” and adopted new restrictions against suspected communists and political subversives. Congress again passed the Act by a large margin (overriding President Truman’s veto), with the full-throated support of the American Federation of Labor and an array of veterans’ groups and patriotic societies, such as the Veterans of Foreign Wars and the American Legion.<sup>12</sup>

It was not until the 1965 Immigration Act (the Hart-Cellar Act), signed by President Johnson in the shadow of the Statue of Liberty in New York Harbor, that a significant break in the ideological consensus governing federal immigration policy would occur. The 1965 Act abandoned discriminatory national origins quotas, and instead provided all countries in the Eastern Hemisphere with an annual ceiling of 20,000 visas as part of a worldwide allocation of 290,000 visas, almost doubling the previous ceiling. Adopted amidst the zeitgeist of the southern-based Civil Rights movement, the Hart-Cellar Act tied the moral ideals animating Civil Rights legislation to immigration policy. Johnson declared that the Act would “repair a very deep and painful flaw in the fabric of American justice,” lamenting that “for over four decades the immigration policy of the United States has been twisted and has been distorted by the harsh injustice of the national origins quota system.” While Johnson suggested that the new law was not a “revolutionary bill” and that it would not fundamentally reshape the nation’s population, wealth, or power, he declared that the Act recommitted the country to “the principle that values and rewards each man on the basis of his merit as a man” and that the “twin barriers of prejudice and privilege” would no longer determine who joined the “American Nation.”<sup>13</sup>

The 1965 Act passed by significant majorities in the House and Senate, motivated in large part by a commitment to rectify the blatant discrimination faced by immigrants from Italy, Greece, and other southern European countries.<sup>14</sup> Organized labor, which had long been one of the most ardent and effective opponents of an expansive immigration policy, had reversed its position in

the early 1960s and championed the Hart-Cellar Act as well. Cultural and racial nationalists, who had formed the other major social and political base calling for stringent restrictions through much of the twentieth century, had limited influence on the 1965 debate. The American Coalition of Patriotic Societies' argument that national origins quotas should be retained to ensure that "immigration into the US conform[s] in composition to *our own people*" had limited resonance in this political climate.<sup>15</sup> A handful of southern lawmakers were left to fly the flag of race- and nation-based immigration restrictions, and while Hart-Cellar proponents did their best to mollify concerns over the impact the Act would have on the ethnic and racial makeup of the nation, the national policy framework was dramatically reoriented.

The 1965 Immigration Act is thus generally regarded as a "liberal" immigration policy, as it eliminated and renounced discriminatory national quotas and authorized the arrival of millions of newcomers from outside of northern Europe. It also made public criticism of immigrants themselves much less politically acceptable. Just as the Civil Rights movement stigmatized and marginalized any explicit defense of Jim Crow segregation within mainstream public discourse, so too did the 1965 Immigration Act delegitimize any pronouncements or political movements that were perceived as intentionally nativist or racist.

This transformation would frustrate devoted immigration restrictionists for the next two decades. They grumbled endlessly that their pleas for greater restrictions met with what they called the "Statue of Liberty defense": their opponents simply referenced the nation's immigrant heritage and the ideals animating Emma Lazarus's poem at the base of the Statue—"Give me your tired, your poor, / Your huddled masses yearning to breathe free"—to dismiss their claims.<sup>16</sup>

Restrictionist organizations were acutely aware that the ghost of Madison Grant would constantly haunt their cause; they also knew that they would have to make their case within the logics of the 1965 framework. That is, while the 1965 Immigration Act indeed delegitimized certain types of demands for explicitly race- or nation-based restrictions, it did not disavow the ideals of restriction altogether. As Senator Ted Kennedy, a forceful champion of the 1965 law explained, "Favoritism based on neutrality will disappear. Favoritism based on individual worth and qualifications will take its place." In fact, nearly all of the proponents of the 1965 Act were eager to distinguish the particular types of newcomers that would be welcomed; namely, those whose presence could be justified as beneficial to the nation. As President Johnson made clear in a 1964 address: "A nation that was built by the immigrants of all lands can ask those who now seek admission: 'What can you do for our country?' But we should not be asking: 'In what country were you born?'" Senator John Pastore, an Italian American from Rhode Island, similarly invoked President Kennedy's famous call for greater civic commitment in asserting that "[it] makes no difference

what the race is, it makes no difference what the nationality is, it makes no difference what the place of birth is. What counts is the contribution that a person can make to this great America of ours.”<sup>17</sup> Senator Ted Kennedy specifically assured his colleagues “that the people who comprise the new immigration—the type which this bill would give preference to—are relatively well educated and well-to-do. . . . They share our ideals.”<sup>18</sup> Republican Representative Arch Moore declared that newcomers must continue to satisfy “strict moral, mental, health, economic, and national security requirements.” He explained that rigorous qualification standards would “insure that those aliens admitted are of good character, healthy, will not be a burden on our economy, and will not endanger our form of government and way of life.”<sup>19</sup> And even the most liberal advocates of the Act insisted that the new policies would not “fundamentally alter the ethnic composition” of the United States. That is, even as immigration policy was formally *deracialized*—in that decisions based on entry or restriction could not be made on the basis of race—even liberal proponents suggested that the racial and ethnic constitution of the country and a racialized national identity were still valid and legitimate criteria by which to evaluate immigration policy.

In the near term, the shift from race- and nation-based standards for admissions to those focusing on economic, fiscal, and social criteria certainly stymied groups advocating for greater restrictions, as it prevented them from making blanket demands for exclusion in the tradition of Madison Grant. This discourse over federal immigration policy marginalized those who would call for explicit race-based limitations or who would declare the United States to be a “white nation.” But in the long term, it had more contradictory effects. In the wake of the 1965 Act, pro-immigration advocates still had to frame their claims within the Act’s logics and framework of individual contribution and worthiness. Immigrants (or their advocates) had to be prepared to justify and explain how their presence benefited the nation culturally, politically, and economically. Those who could not, presumably, failed to meet the test set by the 1965 Act, and their exclusion from the nation was warranted. This distinction, between worthy and unworthy immigrant subjects, proved crucial to authorizing the demands eventually made by the proponents of Proposition 187. The 1965 framework eventually would also hamstring the opponents of Proposition 187, as they proved unable to respond to some fundamental questions posed by restrictionists: What about the new arrivals who allegedly do not meet “the test”? What is the nation to do about them? On what grounds can their presence be justified?

The distinction between good versus bad or innocent versus guilty immigrants embedded in the 1965 Act became centrally incorporated within the Proposition 187 campaign. It played a critical role in permitting the initiative’s advocates—and eventually many voters—to disavow any nativist or xenophobic intentions. Governor Pete Wilson, for example, had long been considered a

political moderate who had championed generous immigration policies beneficial to agribusiness while serving in the US Senate in the late 1980s. He justified his support of Proposition 187 by drawing on the distinction between allegedly worthy and unworthy immigrants. A television ad Wilson released in late October 1994, which ran extensively during the two weeks before the election, opened with a nighttime view of the Statue of Liberty before cutting to a proud sea of faces at a citizenship ceremony. The warmhearted narration began, “It’s how most of us got here. It’s how this country was built. American citizenship is a treasure beyond measure.” The ad then cut to footage of what appears to be a stampede across a border checkpoint. Turning more stern and alarmist, the narrator intoned, “But now the rules are being broken.” Alternating between these two images—proud new citizens affirming their loyalty and shadowy figures streaming across the border—the narration concluded, “There’s a right way, and there’s a wrong way. To reward the wrong way, is not the American way.”<sup>20</sup> Disavowing any racist or xenophobic intent, proponents claimed the measure had nothing to do with race; it was illegal behavior, rather than people, they sought to address.

Political scientist Robin Dale Jacobson has argued that the majority of Proposition 187 supporters also firmly believed that the measure adhered to the basic principles of fairness, tolerance, and racial liberalism as they understood them.<sup>21</sup> From their perspective, such claims were not a cover or apology for a deeper racial antipathy, nor a co-optation of political rhetoric. Instead, Proposition 187 demonstrated that the liberal framework that had governed immigration politics since 1965 could accommodate multiple and competing political claims. While this played a central role in discrediting the explicitly racist national origins framework that had preceded it, Proposition 187 sustained the belief that admissions decisions could and should be based on the alleged qualities, character, and potential contributions of those seeking entry. The core premise of Proposition 187 was that a population of “illegal aliens” fundamentally failed this test, and that justice, progress, and fairness mandated their exclusion. To be sure, longstanding racialized and gendered narratives of alleged degeneracy, criminality, and cultural incompatibility served to construct and naturalize the very category of the “illegal alien.” The argument here is not that “race did not matter” within Proposition 187, but rather that to its adherents, the measure was completely compatible with the broad tenets of racial liberalism as they understood and inhabited them. Proposition 187 could never have passed if it explicitly invoked a politics of unreconstructed nativism; even self-identified conservative white voters imagined themselves to be fair, tolerant, and compassionate. Proposition 187 cast a broad net of support largely because for many voters, the measure expressed and articulated, rather than violated or contradicted, their ideas of justice and progress. From their perspective, heavy-handed restrictions on

unauthorized immigrants could not be regarded as racist because unauthorized immigrants remained legally outside of the nation's protections and were not recognized as rights-bearing subjects.

This construction worked on the terms and terrain of a liberal national political imagination encapsulated in the 1965 framework. As legal scholar Linda Bosniak has perceptively argued, even progressive critics of Proposition 187 had difficulty establishing the normative grounds on which the measure could be opposed. For such progressives, the nation-state still functioned as the arbiter of rights for disenfranchised or subordinated groups. Because a nationally defined conception of political community seemed by definition to exclude unauthorized persons from its protections, progressives lacked a political vocabulary and imagination to summon a bold defense of the rights of the unauthorized. As a result, Bosniak argues, even progressive critics of the measure primarily emphasized the collateral damage the measure would cause—such as violations of the rights of US-born Latinos through racial profiling—rather than defending the rights of the undocumented as such.<sup>22</sup>

## **The Environmental Roots of Immigration Restriction**

The 1965 Immigration Act disorganized the forces that had traditionally demanded stern limits on immigration from outside of northern Europe. While groups such as the American Legion would still sound the restrictionist alarm in the aftermath of the Act's passage, and some labor unions would continue to call for crackdowns on employers who hired undocumented workers, neither of these groups would serve as the seedbed for the restrictionist movement that brought Proposition 187 to the ballot.<sup>23</sup> It was instead an emerging constellation of organizations focused on the more "liberal" issues of environmental conservation, family planning, and population control that would germinate this effort.

From its beginning in 1979, the Federation for American Immigration Reform (FAIR), the most influential restrictionist group of the late twentieth century, set out to make a case for immigration control that would not be dismissed as xenophobic and racist, a challenge its leaders obsessed over for many years. Part of this aspiration reflected their own identity as self-proclaimed environmentalists. Before founding FAIR, Michigan ophthalmologist John Tanton held leadership positions in local chapters of Planned Parenthood and the Sierra Club. He was appointed to the Michigan Natural Areas Council and identified strongly as a conservationist. Most of FAIR's early leadership came from the same milieu of environmental and reproductive rights organizations. At the first Earth Day celebration in Washington, DC, in 1970, Tanton met Garrett Hardin, a professor of human ecology at the University of California, Santa Barbara, whose influential 1968 essay "The Tragedy of the Commons" provided an intellectual foundation for the political effort to link environmental conser-

vation to stiff immigration restrictions. Hardin argued that such restrictions were necessary to ensure that the natural “carrying capacity” of the environment would not be violated. He would become a key leader within FAIR and an associate of Tanton for the next three decades. At the same event, Tanton also met William Paddock, a founder of The Environmental Fund, a group that similarly justified its calls for immigration restriction in the language of environmental sustainability.<sup>24</sup> Gerda Bikales, who would play prominent leadership roles in FAIR and US English in the 1980s and 1990s, began focusing on immigration restriction while working for the National Parks and Conservation Association in Washington, DC, in the 1970s.

In the view of these political actors, a rapidly expanding population posed the greatest danger to the environment and its natural resources. Even if the United States succeeded in limiting its own population growth through birth control and family planning practices, rising levels of immigration from Mexico and other “underdeveloped” nations would deplete natural resources and undermine all other conservation efforts. Bikales explained in *National Parks and Conservation* magazine in 1977 why environmentalists should take immigration restriction seriously:

The continued degradation of the environment, a growing national awareness of the adverse effects of increased population pressures upon our natural resources and of the ensuing decline of the quality of life, the swelling stream of immigrants landing on our shores and crossing our borders, and an immigration policy incapable of coping with this invasion have changed our perspective during the past decade.<sup>25</sup>

Tanton and many of his colleagues were drawn to the emerging “population control” movement and its foundational text, Stanford biologist Paul Ehrlich’s best-selling *The Population Bomb* (1968). Ehrlich described dystopic life in “Third World cities” as teetering on the brink of self-destruction, obliterated by a population reproducing at unsustainable levels, leading to starvation, epidemics, and a broader degradation of human civilization. Ehrlich soon established the organization Zero Population Growth (ZPG), which aspired to end population growth in the United States by 1980 and across the globe by 1990.<sup>26</sup> Tanton became active in ZPG, joining the national board and eventually becoming national president in 1975. During this time, Tanton struggled with some ZPG leaders who did not believe that immigration control should be made a central issue; they wanted to focus exclusively on increasing access to birth control, abortion, comprehensive sex education, and adequate child care, as well as on pursuing the passage of the Equal Rights Amendment and anti-discrimination laws protecting women.<sup>27</sup>

Though Tanton supported all of these issues, he pressed ZPG to take on im-

migration restriction more explicitly, arguing that efforts aimed at limiting population growth in the United States were being outpaced by unbridled immigration, particularly from Mexico. As sociologist Elena Gutiérrez has contended, Tanton and many leaders within ZPG and the Sierra Club became fixated on Mexican-origin women in particular as allegedly rogue reproducers and deviants whose presence threatened the ecological and cultural stability of the nation. For example, Elaine Stansfield, who helped found a Los Angeles chapter of ZPG in 1979, explained to a White House Hearing on Families the same year that “Mexican illegals” needed to be “better control[led]” at the border because “of the enormous addition to our already stretched population” and “because of [their] different orientation towards large families.”<sup>28</sup> Stansfield, who was also active in the Sierra Club and Ecology Center of Southern California, declared that Californians were on the frontlines of contending with “Mexican immigrants with a baby-producing culture that won’t quit.”<sup>29</sup> ZPG Los Angeles’ first newsletter asserted, “We know the 500,000 illegals per year often manage not only to stay, but eventually to bring with them their babies and families.”<sup>30</sup> Tanton, for his part, asserted in a letter to an ABC News producer that “illegals probably have a higher fertility than their Americanized counterparts” and referenced a recent television sitcom episode that highlighted what he claimed was a “common phenomenon—the pregnant Mexican girl who comes to the U.S. to deliver, conferring U.S. citizenship on the child . . . and making her an immediate relative of a U.S. citizen. Wild!”<sup>31</sup> Much of the restrictionist language developed by environmentalists would operate in a similar register—professing unswerving commitment to the environment, remaining almost entirely silent on the gross imbalance between resources consumed in the United States as compared to the rest of the world, and rehearsing long-standing white nationalist claims that the reproductive lives of Mexican-descent women must be regulated in the name of national well-being.

At the national level, Tanton established FAIR as a separate entity from ZPG in 1979 in order to have more political space to address immigration restriction directly, though ZPG continued to provide the fledgling group with administrative support and individual donors and supporters.<sup>32</sup> In California, the group Californians for Population Stabilization (CAPS) spun off from ZPG for the same reason in 1986, though Stansfield and the Los Angeles ZPG chapter continued to call for aggressive restrictions, even suggesting a statewide ballot measure to limit immigration. While the national ZPG would further distance itself from immigration by the early 1990s and would eventually oppose Proposition 187, ZPG played an important incubating role during the 1970s and 1980s by linking criticisms of immigration to environmental concerns and the alleged “carrying capacity” of the nation.<sup>33</sup> That is, the political language evident in Proposition 187, which disavowed racist intent and insisted on being concerned only for the rule of law and the stability of the nation and

its resources and people, was developed primarily through the work of environmental and “population control” organizations during this period.

Indeed, during this time, very little discussion about immigration or its alleged impacts on the environment could be found in conservative political circles. In 1979, Immigration and Naturalization Service (INS) Commissioner Leonel Castillo suggested in an interview that the “liberals are more restrictionist than conservatives. They just don’t think that there’s enough to go around in this country. They’ve bought this limits on growth and limits of wealth and limits of everything and are arguing it so completely that they’ve become limited.”<sup>34</sup> It was the non-profit Environmental Fund, for example, that asserted in a 1982 report amidst a congressional debate over immigration reform that up to “800,000 illegal immigrants coming here yearly have begun to overwhelm the U.S. economy’s ability to create sufficient employment” and were costing the federal government between \$8 and \$18 billion per year in meeting the needs of displaced workers through unemployment assistance, food stamps, and other programs.<sup>35</sup> During Jerry Brown’s tenure as governor of California in the late 1970s and early 1980s, Secretary of Resources (and environmentalist) Huey Johnson was an outspoken advocate for stronger immigration restriction and population control policies, calling population growth “the ultimate gun barrel at the head of society.”<sup>36</sup> Perhaps the leading national advocate for immigration restriction outside of Washington, DC, during the late 1970s and early 1980s was Colorado’s Democratic Governor Richard Lamm. A pro-choice environmentalist, Lamm co-wrote the sensationalist *Immigration Time Bomb: The Fragmenting of America* (1985) while in office; in it, he referred to the troublesome “breeding practices” of undocumented immigrants.<sup>37</sup>

The call for immigration reform rooted in environmental defense continued to prove influential in the early 1990s. Congressman Anthony Beilenson, a longtime Democrat representing a coastal region north of Los Angeles and a noted champion of environmental causes, told Sierra Club members at their annual dinner in March 1993 that “as shortages of jobs and living space in our urban areas, and resources such as water, agricultural land, and new places to dispose our waste grow even more acute, we simply will have to face up to the immigration issue and address it.”<sup>38</sup> In 1992, Beilenson similarly told attendees at the “National Carrying Capacity Issues Conference” at Georgetown University that those advocating harsh restrictions in immigration levels and public benefits should not be “chase[d] away” by accusations of racism. Indeed, he argued, “It makes it even more necessary for really good people to get involved so it isn’t left just to the racists.” The self-proclaimed “liberal Democrat” insisted that it was a commitment to the quality of life and social justice for those already in the United States that drove his support of such restrictions. Beilenson joined representatives from the Audubon Society and the Wilderness Society, including Gaylord Nelson, the former Democratic senator from Wisconsin

who founded Earth Day in 1970, in endorsing the “carrying capacity” rationale for immigration restriction.<sup>39</sup>

By comparison, well into the 1990s, immigration restrictionists voiced frustration at conservatives in particular for their refusal to take the issue seriously. Peter Brimelow, a senior editor at *Forbes* who would later write an influential book criticizing immigration on economic and cultural grounds, wrote a June 1992 article in the *National Review* charging that a “conspiracy of silence” existed across the political spectrum regarding immigration policy. Brimelow charged conservatives in particular with neglecting the issue out of “sheer ignorance” and contended that conservatives had embraced notions of “cultural pluralism” to their detriment, revealing “an utter innocence about the reality of ethnic and cultural differences, let alone about little things like tradition and history—in short, the greater part of the conservative vision.”<sup>40</sup> In the same conservative magazine earlier in the year, Lawrence Auster’s article on immigration and multiculturalism, titled “The Forbidden Topic,” similarly excoriated conservatives for treating immigration as a “taboo” issue.<sup>41</sup> In conservative circles, immigration reform received sustained attention only in the far-right *Chronicles of Culture*, published by the Illinois-based Rockford Institute.<sup>42</sup> While FAIR’s John Tanton hoped that this recent coverage augured a new phase in their nearly two-decade effort to make immigration a legitimate subject of “rational” debate, at that point, the group had little impact on any specific policies.<sup>43</sup> The most recent bipartisan reform to federal immigration policy up to that point, the 1990 Immigration Act signed by President Bush, actually raised the annual ceiling on visas by 40 percent.

The principle of environmental “carrying capacity” resonated powerfully in arguments in favor of Proposition 187. While the environmental organizations mentioned above did not play a direct role in authoring the ballot measure, it is important to understand that the lines of argument that would be frequently rehearsed by supporters of Proposition 187 could be found openly circulating within mainstream environmental groups well before the initiative reached the ballot. These developments and dynamics are not simply about what some observers describe as the “greening of hate,” in which hard-core immigration restrictionists co-opt environmental organizations and rhetoric. Instead, there were deep resonances between the ideas animating Proposition 187 and long-standing currents within US environmental thought, which help explain why the initiative became embraced by a wide range of the electorate.<sup>44</sup>

During the Proposition 187 campaign, claims about the environmental and fiscal carrying capacity of the state—the regrettable but inevitable limits imposed by nature itself—as well as the distinction between worthy and unworthy immigrants, effectively refuted charges of extremism. Proponent Barbara Coe frequently invoked the carrying capacity logic, declaring: “If we had the money and the wherewithal, we’d happily educate the children [of illegal immigrants]

and medicate the children and put them in beautiful homes. But we don't have the money."<sup>45</sup> Republican Congressman Dana Rohrabacher similarly held that "people with love in their hearts and good intentions know we can't afford to take care of everybody that comes here."<sup>46</sup>

## The Politicization and Racialization of the US-Mexico Border

A third critical antecedent to Proposition 187 was the political labor spent by various actors to represent and signify the US-Mexico border as a racial frontier, a besieged and vulnerable bulwark whose collapse threatened the cultural and economic future of the nation. The border became an object of intense ideological and political labor in part because other sites of immigration policy-making during this time continued to be hostile to strident restrictionist groups such as FAIR. In Congress, as political scientist Daniel Tichenor has explained, "the political processes favoring a decidedly pro-immigration policy regime were overwhelming."<sup>47</sup> Political pressure from agribusiness and manufacturing interests in the West and Southwest and from Civil Rights activists nationally—including a growing Latino advocacy community—rebuffed any attempts to lower aggregate immigration levels. While there was certainly national media coverage focused on "illegal aliens" as a political, cultural, and economic threat, and prominent figures inside and outside Washington calling for greater restriction, these efforts failed to exercise much political influence inside the Beltway. At the local level as well, cities such as Los Angeles and San Francisco, responding to local organizing pressure, declared themselves to be "sanctuary cities" that would not collaborate with federal immigration agents, and continued to make a number of public benefits available to undocumented immigrants. For example, in the midst of a budget crisis in 1979, both the Los Angeles County Board of Supervisors and the Los Angeles Grand Jury endorsed a proposal to continue providing health care services without regard to citizenship status. As County Supervisor Ken Hahn explained, "It's the American way and the right way to provide health care to the poor, to the citizen and the stranger in our midst."<sup>48</sup> Hundreds of community members mobilized in favor of the proposal.<sup>49</sup> At the same time, Governor Jerry Brown's secretary of Health and Human Services repeatedly called for some version of an "open border" between the United States and Mexico, a proposal echoed by Republican Lieutenant Governor Mike Curb and English-Only proponent S. I. Hayakawa.<sup>50</sup> The Los Angeles Police Department even operated a storefront office in East Los Angeles, with the support of Police Chief Daryl Gates, dedicated to protecting undocumented immigrants who were victims of crime or who faced unscrupulous employers. The lead detective of the bilingual office explained, "If it wasn't for our storefront station, most crimes against illegal aliens would go unnoticed. Here we are working very hard to change that."<sup>51</sup>

In the 1980s, then, the policy-making framework governing immigration

still reflected the ideological spirit animating the 1965 Immigration Act—namely, that immigration provided a net benefit to the country and that the majority of immigrants were “worthy” subjects entitled to at least some civic recognition and rights. The culmination of a decade-long effort to overhaul the nation’s immigration laws and restrict the hiring of undocumented workers, the 1986 Immigration Reform and Control Act (IRCA) implemented a limited (and ultimately ineffective) battery of sanctions targeting employers who failed to verify the legal status of their workforce, while providing amnesty to more than two million undocumented persons already in the country. In signing the bill, President Reagan praised the amnesty provisions for their promise “to improve the lives of a class of individuals who now must hide in the shadows, without access to many of the benefits of a free and open society.” Echoing the spirit of President Johnson’s comments at the Statue of Liberty two decades earlier, Reagan declared: “Very soon, many of these men and women will be able to step into the sunlight and, ultimately, if they choose, they may become Americans.”<sup>52</sup>

Facing dim prospects for reform in state, federal, and local policy-making arenas, much of the political energy and labor on the part of restrictionist forces became channeled to the INS and Border Patrol in general and their enforcement activities along the US-Mexico border in particular. When Ronald Reagan appointed future Proposition 187 proponent Alan Nelson to head the INS in 1982, the agency held a relatively low profile within the Department of Justice; the post had been vacant for three years.

During Nelson’s tenure at the INS from 1982 until his ouster by President Bush in 1989, the agency’s profile and capacity grew significantly. The Border Patrol nearly doubled in size, growing sections of the border became militarized and further fortified, and the border region increasingly came to be represented within political discourse as a racialized frontier: a vulnerable boundary separating an advanced and civilized industrial democracy from a degraded, overpopulated, and undeveloped nation.<sup>53</sup>

To be sure, the historical antecedents for such a discourse ran deep. One of the central themes in Southern California’s development from statehood in 1850 until World War II was the steady effort to construct what Tomás Almaguer describes as the “racial fault lines” separating Anglo settlers and residents from a polyglot and diverse Mexican-origin population. A central development in this process was the establishment of the Border Patrol in 1924, which is indicative of the nation’s determination to regulate and discipline migration flows across what had historically been a socially, economically, and culturally interconnected region. It also led to the categorization of some portion of the population as “legal” and another as “illegal” for the first time. Thus, as historian Mae Ngai explains, for this newly constructed figure of the “illegal alien,” “inclusion in the nation was at once a social reality and a legal impossibility. . . . Illegal status became constitutive of a racialized Mexican identity and of Mexi-

cans' exclusion from the national community and polity." Citizenship status expressed and constructed particular divisions of "social desirability and inclusion in the nation."<sup>54</sup>

These divisions were actually sharpened by the 1965 Immigration Act, which for the first time imposed specific quotas on entrants from the Western Hemisphere. Migration flows across the US-Mexico border were certainly regulated before this time, but they primarily reflected the labor needs of agricultural and industrial employers in the Southwest, and the broader social, economic, and political conditions of the region. These new quotas, which were set at sixty thousand per year in the late 1960s but reduced to twenty thousand per year in a 1976 revision, guaranteed that some portion of the labor and social migration that took place across the region would be classified as "illegal" because the quotas did not reflect the rapidly expanding labor demand that migrants were fulfilling, nor the dense familial networks spanning the border that such migration spawned.<sup>55</sup> That is, the gap between migratory flows engendered by economic and social forces and the uniform quota imposed on entrants from Mexico (which was the same annual ceiling of every other nation in the world) produced the population that the state determined was "illegal." The INS Commissioner in the early 1970s, General Leonard Chapman, who headed the Marine Corps during the height of the Vietnam War, played an important role during this time in signifying those who had entered without authorization as criminal actors who were worsening the nation's recession by driving down wages and reaping taxpayer-funded services. The narrative of an "illegal alien" invasion also received significant attention from the national press during this period. As anthropologist Leo Chavez documents, a visual discourse of immigration, evident on the covers of magazines such as *Time*, *Newsweek*, and *U.S. News and World Report*, often represented Mexican immigration in apocalyptic terms—an endless and nameless "flood" of migrants and refugees who tested the nation's historic commitments towards inclusion.<sup>56</sup>

While these developments failed to produce the political support and alliances necessary to bring about a dramatic overhaul of federal immigration policies, they did further intensify the role of the INS and Border Patrol in the popular construction of the border as a racialized frontier, figuring Border Patrol agents as the "foot soldiers" seeking to repel the "invasion." Mass deportations of Mexican Americans began as early as the late 1920s, when more than 1.2 million US citizens were "repatriated" to Mexico during the Great Depression, and continued with the "Operation Wetback" sweeps of the mid-1950s. Border surveillance and apprehensions increased steadily in the 1960s and 1970s, but they did not command great public attention beyond the border region. In the 1970s, the Border Patrol began conducting detention and deportation sweeps in neighborhoods and workplaces further from the border, focusing on large Mexi-

can American communities, such as East Los Angeles.<sup>57</sup> The sweeps became the target of intense criticism later in the decade, as Latino Civil Rights activists and some politicians condemned the indiscriminate profiling and detentions that typically resulted.<sup>58</sup>

These developments were important precursors to the transformation of the INS in the 1980s under Alan Nelson, and to the subsequent development of a constellation of self-proclaimed citizens' organizations (often led by retired Border Patrol agents or officials) that would play a central role in qualifying Proposition 187. Nelson came to immigration policy issues relatively late in his career. Like his law school classmate (and future Attorney General) Edwin Meese, he joined Ronald Reagan's gubernatorial administration in the late 1960s as part of the fiscally conservative, business-oriented leadership brought to Sacramento to lower corporate taxes and reduce social services. After a stint as head of California's Department of Rehabilitation in the early 1970s, Nelson returned to the private sector as chief corporate counsel for the Pacific Telephone and Telegraph Company, where he continued to work until Meese and Reagan summoned him to Washington to run the INS in 1982. That Reagan appointed a corporate lawyer with no experience in immigration policy or law enforcement and who was also largely unknown outside of California reflects both the relatively low priority that the Reagan administration placed on immigration policy, as well as a more subtle and ongoing ideological shift in which fiscal issues would play a more prominent role in public debates on immigration. While organized business interests historically had sought to loosen immigration restrictions in order to fulfill their labor needs, Nelson approached immigration policy as a pro-corporate fiscal conservative who framed immigration restriction in part as an issue of "taxpayers' rights." Among the different policy prescriptions contemplated by the authors of Proposition 187, it was Nelson's emphasis on the elimination of public benefits—a core element of Reagan's brand of fiscal conservatism—that ultimately dominated the initiative.<sup>59</sup>

In 1983, Nelson selected future Proposition 187 proponent Harold Ezell to be western regional commissioner of the INS, placing him in charge of six thousand employees, a \$250 million budget, and the most active border-crossing region in the country.<sup>60</sup> Like Nelson, Ezell had no experience in immigration policy.<sup>61</sup> The son of a preacher, he grew up in working-class communities in Los Angeles and Orange Counties, and established a series of profitable real estate concerns before becoming an executive with the Der Wienerschnitzel hot dog franchise for fourteen years. He joined with other small business leaders in supporting Reagan's first gubernatorial bid in 1966, and eventually met both Meese and another future Attorney General, William French Smith, while becoming a reliable fundraiser for Reagan and other Republicans.<sup>62</sup>

Nelson selected Ezell for the position specifically because of his entrepre-

neurial background; he wanted someone with a public relations orientation who could help promote the INS and Border Patrol before the media, especially when the agency came under fire for heavy-handed tactics. Ezell did not disappoint; even his critics conceded he was “very personable, very charming, and had a very outgoing personality.”<sup>63</sup> From his first day on the job, he became known as an unapologetic champion of the Border Patrol’s enforcement mission who never met a television camera he did not like.<sup>64</sup> In 1986, he came under intense criticism from immigrants’ rights activists after ordering the Border Patrol to arrest six hundred suspected unauthorized immigrants and to huddle them up in a blacktop parking lot off of Interstate 5 near San Diego to serve as a backdrop for a press conference, a publicity stunt he repeated often. He invited reporters and high-ranking public officials to accompany him on Border Patrol sweeps in order to experience the “thrill” and “fun” of the chase; reports of agent abuse grew significantly under his watch.<sup>65</sup> Ezell infamously suggested in a *Time* magazine profile in 1985 that unauthorized entrants who were caught should be spared no mercy: “If you catch ‘em, you ought to clean ‘em and fry ‘em yourself.” He was also among the first public figures to unflinchingly describe immigration from Mexico as an “invasion” that if not repelled would result in the nation being “overwhelmed.” He declared: “We can’t take all the undeveloped countries. We’ll become one ourselves.”<sup>66</sup>

Again, this language, which operated powerfully within Proposition 187, took root at least a decade earlier through figures like Ezell, who explicitly used his position to politicize and publicize immigration restriction. He set out to be “an active spokesman” for the INS and Border Patrol, scanning the morning papers each day for stories affected by immigration, and then calling reporters to offer a quote in order to help “create the real picture that the borders are out of control” and “a serious problem to the future of America.”<sup>67</sup> He called on the public to “get mad at illegal immigrants,”<sup>68</sup> while adamantly proclaiming his own racial innocence, insisting that he was “anti-illegal-immigration, not anti-illegal-immigrant.”<sup>69</sup>

While at the INS, Ezell also embedded himself directly in the emerging network of citizen restrictionist organizations that supported the Border Patrol’s efforts and called on policymakers to redouble their enforcement commitments. He became a member of one such group, Americans for Border Control, which he joined in attacking the City of Los Angeles for passing its sanctuary policy.<sup>70</sup> His refusal to apologize for accusations of abuse committed by the Border Patrol made him a favorite of many agents. One INS employee described him as “a fresh breath” whose “aggressiveness is turning morale around.”<sup>71</sup> He developed important political relationships within the Border Patrol, including a close connection to Border Patrol Chief Bill King, who became a central organizer for the Southern California restrictionist groups that helped pass Proposition 187.

As Ezell was using his INS position as a bully pulpit to rail against the

“chaos” that would visit the country if the borders were not put under “control,” groups like FAIR and an even more zealous immigration restriction group, the Virginia-based Americans for Immigration Reform, continued to build a committed base of individual activists and voluntary grassroots organizations, mainly in segregated white communities in San Diego, Los Angeles, and Orange Counties. San Diego became a particularly powerful area of such activism, as these voluntary organizations, sometimes with FAIR’s assistance, began demanding responses from local public officials for the growing numbers of unauthorized migrants, many of whom were attempting to join family members who had recently qualified for amnesty through IRCA or were answering recruitment calls made by agricultural employers.<sup>72</sup> At a 1988 community meeting near San Diego, a member of the Poway Civic Association joined a FAIR representative in demanding that local officials respond to the “scores of illegal aliens bathing in the lake” near their neighborhood, asserting, “These people—many of whom are not inoculated—are defecating alongside the trails that skirt the lake.”<sup>73</sup> These groups, like FAIR, demanded a further fortification and militarization of the border, and backed Nelson’s 1989 call for a large ditch to be built along the San Diego section of the border to deter unauthorized entry.<sup>74</sup> In the early 1990s, “Light Up the Border” protests organized by activist Muriel Watson (whose late husband was a pilot for the Border Patrol) encouraged hundreds of people to line up their cars on the US side of the border and turn on their headlights to deter and intimidate unauthorized entrants. These events, during which flag-waving demonstrators shouted, “Go back to Mexico, you pigs,” also operated as social and meeting opportunities for activists to connect and expand their relationships. The rallies were described as having a “Middle America” feeling to them, with “dogs, children, [and] picnic coolers.” Conservative talk show hosts, such as Rodger Hedgecock, a former mayor of San Diego, championed these protests breathlessly.<sup>75</sup>

Again, these patterns and dynamics shaped the terrain on which the Proposition 187 campaign would unfold. When the initiative organizers first began collecting signatures to qualify the measure for the ballot in early 1994, they received minimal support from established donors, elected officials, or the Republican Party; Pete Wilson did not even endorse Proposition 187 until a month before the election. Instead, proponents relied on the growing network of grassroots restrictionist organizations formed during the previous ten years to contribute the countless volunteer hours necessary to gather hundreds of thousands of signatures across the state. It was the impact of these organizations, and their constant prodding of key Republican leaders, that persuaded the GOP to help qualify the initiative as the signature-gathering deadline approached.

In addition, the political rhetoric developed by Ezell and other restrictionist organizations during the late 1980s and early 1990s framed the way Republicans and Democrats alike would address border-related issues during the Proposition

187 campaign. Democratic leaders like Senator Diane Feinstein, fearing that Republican opponents would effectively portray her as “soft” on immigration and border security issues, incorporated much of Ezell’s political vocabulary when she entered the debate. Taking a page out of Ezell’s publicity playbook, Feinstein promoted her calls for tougher border security and enforcement by touring the San Ysidro border near San Diego with the media in order to dramatize the problem of unauthorized entry.<sup>76</sup> In her 1994 re-election campaign, Feinstein accused her Republican challenger, Congressman Michael Huffington, of failing to vote for additional border guards while proudly declaring that she had “led the fight to stop illegal immigration.” One of her campaign ads included footage of a shadowy mass of border crossers and a voice-over by Feinstein declaring that “3,000 illegal immigrants try to cross the border many nights.” Even when Feinstein came out against Proposition 187 in late October, she championed her alternative plan of 2,100 additional Border Patrol agents, a one-dollar-per-person border-crossing fee, and a tamper-proof work permit.<sup>77</sup> At a September press conference in Los Angeles, Attorney General Janet Reno announced the inauguration of “Operation Gatekeeper” to further fortify the San Diego sector of the Border Patrol with new agents and resources, fulfilling President Clinton’s promise that the nation would “not surrender our borders to those who wish to exploit our history of compassion and justice.”<sup>78</sup> In short, while leading Democrats did not endorse Proposition 187, they fully participated in constructing unauthorized immigration as a political and economic crisis that required uncompromising action, essentially affirming the rationale that fueled Proposition 187.

## The Legacies of Proposition 187

Though successful legal and political challenges ensured that the key provisions of Proposition 187 have never been enforced, the political discourse that animated the measure has come to dominate debates over immigration politics during the last twenty years.<sup>79</sup> All of these efforts—including Arizona’s SB 1070, Republican James Sensenbrenner’s 2006 restrictionist House bill (HR 4437), local efforts to link immigration status to housing access in Hazelton, Pennsylvania, and the hundreds of other bills proliferating in legislative bodies in all fifty states—have been shaped by the legacy of Proposition 187. While these restrictionist projects certainly bear traces of earlier nativist campaigns, their particular ideological alchemy, linking demands for fiscal austerity and heavy-handed law enforcement to warnings of cultural collapse and racial dystopia, were first melded in the cauldron of Proposition 187.<sup>80</sup> It was a political project decades in the making, effectively incorporating putatively liberal ideas about rights, autonomy, environmental stewardship, and national exceptionalism.

Contemporary immigrants’ rights leaders and organizers have faced significant difficulty in shaping public discourse and framing the terms of the policy

debate. This is precisely because restrictionist efforts have effectively incorporated claims about national identity and carrying capacity that have a long resonance with liberal ideals, while also continually racializing debates over border security and enforcement. If restrictionists have spent much of the post-1965 era refining and rearticulating their public language and policy goals, their opponents have largely drawn from a political discourse that has changed little since the 1920s. That is, there is a remarkable similarity in the political rhetoric used by many progressive advocates of immigration reform today and the rhetoric used by groups like the National Liberal Immigration League in the early twentieth century. In both cases, assertions of national exceptionalism and tolerance have done little to undermine the claims of those seeking greater restrictions.

The long-term effort to transform the terms of the public debate over immigration policy and undermine support for restrictionist demands must directly engage with the ideological alchemy of contemporary nativism. Since the passage of Proposition 187, a growing movement of scholars, organizing groups, and activists has broken new ground in this effort. Legal scholars such as Linda Bosniak, Kevin Johnson, Michelle McKinley, and Leti Volpp have developed robust critiques of a national paradigm of immigration regulation.<sup>81</sup> Grassroots organizations, including the Transnational Institute for Grassroots Research and Action, the National Network for Immigrant and Refugee Rights, and an array of groups brought together through the US Social Forum and World Social Forum, have emphasized transnational frameworks and experiences in order to disrupt nation-based models of immigration regulation (and to offer a critique of individual citizenship as the sole arbiter of rights).<sup>82</sup> Similarly, environmental justice organizations such as the Oakland-based Asian Pacific Environmental Network link issues of migrants' rights and environmental sustainability to counter the carrying-capacity framework.<sup>83</sup> A dynamic grouping of border justice organizations has emerged during the last ten years to challenge the further militarization and racialization of the US-Mexico border. The best hope for a humane, just, and equitable immigration policy lies in the full realization of their efforts.

## NOTES

1. Exemplary work on Proposition 187 that explores these ideological convergences includes Kitty Calavita, "The New Politics of Immigration: 'Balanced-Budget Conservatism' and the Symbolism of Proposition 187," *Social Problems* 43, no. 3 (1996): 284–305; Kent Ono and John Sloop, *Shifting Borders: Rhetoric, Immigration, and California's Proposition 187* (Philadelphia: Temple University Press, 2002); and Lisa Cacho, "The People of California Are Suffering," *Cultural Values* 4, no. 4 (2000): 389–418.

2. Ron Camunez, "Arizona's State Senator Russell Pearce and Author of SB 1070 Speaks Out," *The Las Cruces Connection*, accessed June 5, 2010, <http://roncamunez.com>.

3. This argument has been influentially articulated in John Higham, *Strangers in the Land: Patterns of American Nativism, 1860–1925* (New Brunswick, NJ: Rutgers University Press, 2002 [1955]).

4. See Lisa Duggan, *The Twilight of Equality? Neoliberalism, Cultural Politics, and the Attack on Democracy* (Boston: Beacon Press, 2003), and Calavita, “New Politics of Immigration.”

5. On income inequality trends in the early 1990s, see Deborah Reed, Melissa Glenn Haber, and Laura Mameesh, “The Distribution of Income in California” (San Francisco: Public Policy Institute of California, 1996). On specific occupations, see for example Edna Bonacich and Richard Appelbaum, *Behind the Label: Inequality in the Los Angeles Apparel Industry* (Berkeley: University of California Press, 2000), and Pierrette Hondagneu-Sotelo, *Doméstica: Immigrant Workers Cleaning and Caring in the Shadows of Affluence* (Berkeley: University of California Press, 2001).

6. David Wyatt, *Five Fires: Race, Catastrophe, and the Shaping of California* (Reading, MA: Perseus Books, 1997).

7. Karin MacDonald and Bruce Cain, “Nativism, Partisanship, and Immigration: An Analysis of Prop. 187,” in *Racial and Ethnic Politics in California*, ed. Michael Preston, Bruce Cain, and Sandra Bass, vol. 2 (Berkeley: Institute of Governmental Studies Press, 1998).

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9. See Higham, *Strangers in the Land*, and Glen Gendzel, “It Didn’t Start with Proposition 187: One Hundred Fifty Years of Nativist Legislation in California,” *Journal of the West* 48, no. 2 (2009): 76–85.

10. Andrew Wroe, “Learning from History,” in *The Republican Party and Immigration Politics: From Proposition 187 to George W. Bush* (New York: Palgrave Macmillan, 2008), chap. 2.

11. Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton, NJ: Princeton University Press, 2003).

12. Daniel J. Tichenor, *Dividing Lines: The Politics of Immigration Control in America* (Princeton, NJ: Princeton University Press, 2002), 191; Gabriel J. Chin, “The Civil Rights Revolution Comes to Immigration Law: A New Look at the Immigration and Nationality Act of 1965,” *North Carolina Law Review* 75 (1996): 273.

13. President Lyndon B. Johnson’s Remarks at the Signing of the Immigration Bill, Liberty Island, New York, October 3, 1965, accessed December 15, 2008, <http://www.lbjlib.utexas.edu/Johnson/archives.hom/speeches.hom/651003.asp>.

14. The Hart-Cellar Act, INS Act of 1965, Pub. L. 89-236 was approved by the Senate by a 76 to 18 margin and in the House by 326 to 69.

15. Desmond S. King, *Making Americans: Immigration, Race, and the Origins of the Diverse Democracy* (Cambridge, MA: Harvard University Press, 2000), 249. Emphasis added.

16. John Tanton, “Immigration Reform on the Newsstands,” *Social Contract* 3, no. 1 (1992): 1–2.

17. Chin, “Civil Rights Revolution,” 340.

18. *Ibid.*, 343.

19. *Ibid.*, 342.

20. Wroe, *The Republican Party and Immigration Politics*, 86.

21. Robin Dale Jacobson, *The New Nativism: Proposition 187 and the Debate over Immigration* (Minneapolis: University of Minnesota Press, 2008).

22. Linda S. Bosniak, “Opposing Prop. 187: Undocumented Immigrants and the National Imagination,” *Connecticut Law Review* 28, no. 3 (1996): 555–619.

23. See Joseph Nevins, *Operation Gatekeeper: The Rise of the “Illegal Alien” and the Making of the U.S.-Mexico Boundary* (New York: Routledge, 2002).

24. See pamphlet, “The Fair Way,” n.d., Zero Population Growth Papers, Urban Archives Collection, California State University, Northridge (hereafter ZPG), Series II, Box 3, Folder 41; David M. Reimers, *Unwelcome Strangers: American Identity and the Turn Against Immigration* (New York: Columbia University Press, 1998), 48–50.

25. Reimers, *Unwelcome Strangers*, 46.

26. Ehrlich also supported the emerging immigration control movement, signing on to a

1982 open letter to Congress: "It's Time to Do Something about Immigration," *Washington Post*, February 22, 1982.

27. Ray Ripton, "Fear for Environment Reaches Grass Roots," *Los Angeles Times*, February 15, 1970.

28. Stansfield testimony, December 18, 1979, ZPG, Series I, Box 3, Folder 1.

29. Elena R. Gutiérrez, *Fertile Matters: The Politics of Mexican-Origin Women's Reproduction* (Austin: University of Texas Press, 2008), 90.

30. ZPG news release, September 15, 1979, ZPG, Series I, Box 3, Folder 1. A 1986 editorial in the California chapter's newsletter unabashedly opposed bilingual education, endorsed English-Only measures, and even suggested limiting immigration through a statewide initiative: "Up to now, the illegals think we are fools to allow the invasion, so why not take advantage? Our protests must go on." *Zero Population Growth Newsletter*, Los Angeles Chapter, Fall 1986. Stansfield was eventually removed from her position as editor of the ZPG newsletter in 1989 by the national leadership, who by then sought to distance the organization from immigration-related issues. On CAPS founding, see "About CAPS: Background," *Californians for Population Stabilization*, accessed December 10, 2008, <http://www.capsweb.org>.

31. Gutiérrez, *Fertile Matters*, 89.

32. *Ibid.*, 92.

33. King, *Making Americans*, 50; Reimers, *Unwelcome Strangers*.

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37. Adrian Inada, *Targeting Immigrants: Government, Technology, and Ethics* (Malden: Blackwell, 2006), 99–100; Dorothy Nelkin and Mark Michaels, "Biological Categories and Border Controls: The Revival of Eugenics in Anti-immigration Rhetoric," *International Journal of Sociology and Social Policy* 18, no. 5/6 (1998): 35–63; Richard D. Lamm and Gary Imhoff, *The Immigration Time Bomb: The Fragmenting of America*, 1st ed. (New York: Truman Talley Books, 1985).

38. Speech quoted in *Zero Population Growth Newsletter*, Los Angeles Chapter, June 1993.

39. The conference was organized by the non-profit Carrying Capacity Network. A Tanton associate described the conference as "a fascinating model for what could happen" by "focusing environmentalists on the concepts of 'carrying capacity' and 'sustainable economy'" and engendering "frank talk about U.S. population growth and immigration policy" for the first time in decades. Roy Beck, "Issues of Carrying Capacity," *Social Contract* 3, no. 1 (1992): 39–41. Emphasis added.

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41. Lawrence Auster, "The Forbidden Topic," *National Review*, April 27, 1992.

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71. Magnuson, "Immigration's Happy Warrior."
72. "New Flood of Illegal Aliens," *San Francisco Chronicle*, July 10, 1987.
73. Bob Rowland, "Poway Control over Migrants Limited," *San Diego Union-Tribune*, May 27, 1988.
74. Greg Gross, "Lobbyists Back Border Ditch Plan," *San Diego Union-Tribune*, March 16, 1989.
75. "Border Protests Growing with Illegal Immigration," *Daily News of Los Angeles*, June 23, 1990.
76. Diane Feinstein, "Perspective on Illegal Immigration," *Los Angeles Times*, June 16, 1993; George Skelton, "Feinstein Takes Immigration Out of Closet," *Los Angeles Times*, July 12, 1993; Glenn F. Bunting and Alan C. Miller, "Feinstein Raises Immigration Profile," *Los Angeles Times*, July 18, 1993.

77. "Feinstein's TV Attack on Immigration," *Los Angeles Times*, July 10, 1994. See also "SOS Dominates California Campaign," *Migration News* 1, no. 10 (1994).

78. Nevins, *Operation Gatekeeper*, 1.

79. The only section of Proposition 187 that did become law concerned the criminal penalties tied to the use of fraudulent identification documents. See Wroe, *The Republican Party and Immigration Politics*, chap. 6.

80. According to the National Conference of State Legislatures, in the first half of 2009 alone, more than 1,400 immigration bills were considered in all fifty states, with at least 144 laws and 115 resolutions adopted. In 2005 by comparison, 300 bills were introduced and 38 were enacted. See National Conference of State Legislatures Immigrant Policy Project, "2009 Immigration-Related Bills and Resolutions in the States" (Washington, DC: National Conference of State Legislatures, 2009). On the proliferation of local restrictionist housing ordinances, see Paula Ioanide, "Post-Civil Rights Nativism: Anti-immigrant Housing Ordinances, Overpopulation Discourses, and the Centrality of Reproductive Politics" (Paper presented at the American Studies Association Annual Conference, Albuquerque, NM, 2008).

81. Linda Bosniak, *The Citizen and the Alien: Dilemmas of Contemporary Membership* (Princeton, NJ: Princeton University Press, 2006); Kevin R. Johnson, *Opening the Floodgates: Why America Needs to Rethink Its Borders and Immigration Laws* (New York: New York University Press, 2007); Michelle McKinley, "Conviviality, Cosmopolitan Citizenship, and Hospitality," *Unbound: Harvard Journal of the Legal Left* 5 (2009): 55–87; Leti Volpp, "Citizenship Undone," *Fordham Law Review* 75, no. 5 (2007): 2579–2586.

82. See <http://www.transnationalaction.org> and <http://www.nnir.org>. On the 2010 United States Social Forum, see <http://www.ussf2010.org>.

83. See <http://www.apen4ej.org>.

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