

WHEN IMMIGRATION BECAME FEDERAL

**ERIN SHELBY
HIST4726**

IMMIGRATION IN THE U.S.

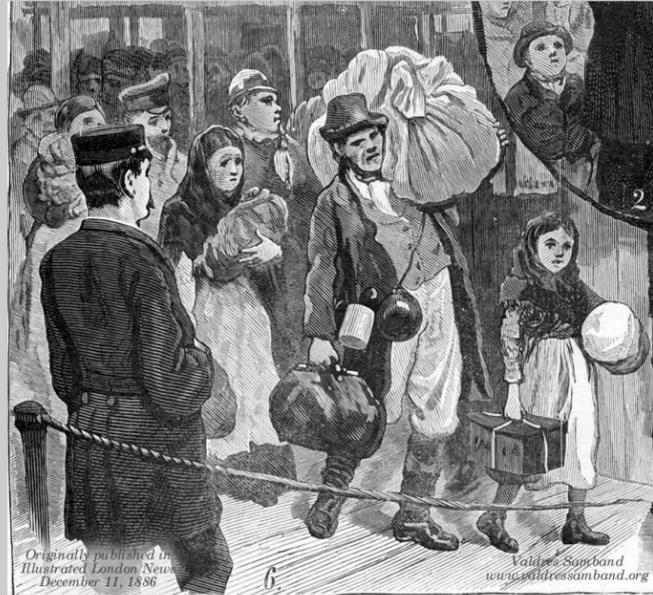
Immigrants have always, and will continue, to come to the United States from all around the world. Their journeys were never easy, but they were often successful and found happiness in America. Immigrants came in waves from various regions, each seen as less desirable than the group before and often used as scapegoats. This has been a pattern for most of American history and the mid-19th to 20th century was no different. As seen in the political cartoon to the right, some Americans saw the U.S. as an immigrant 'dumping ground' and even the Statue of Liberty wanted to leave. This was not the view of most Americans, but the rhetoric was loud and made its way into legislation at times, changing the way people would immigrate forever.



'Hearts and Minds' drawn by F. Victor Gillam-1890.

CASTLE GARDEN

1855-1890



Castle Garden was originally a fort built to protect against the British in the War of 1812 and at the time, was called "The Southwest Battery". In 1824, the site was recreated into a restaurant with lots of entertainment. This was also when it was renamed, "Castle Garden." At one point, it was even an opera house.



In 1855, Castle Garden became the New York immigration processing station until Ellis Island was implemented. New York was a huge immigrant destination and big port in general, so over 8 million immigrants passed through Castle Garden while it was open. Immigration was of no interest to the federal government and was left up to the states. With Castle Garden in place, it was a way for New York to protect immigrants from immigrant runners and corrupt politicians. The harassment of immigrants slowed down, but by no means did it stop.

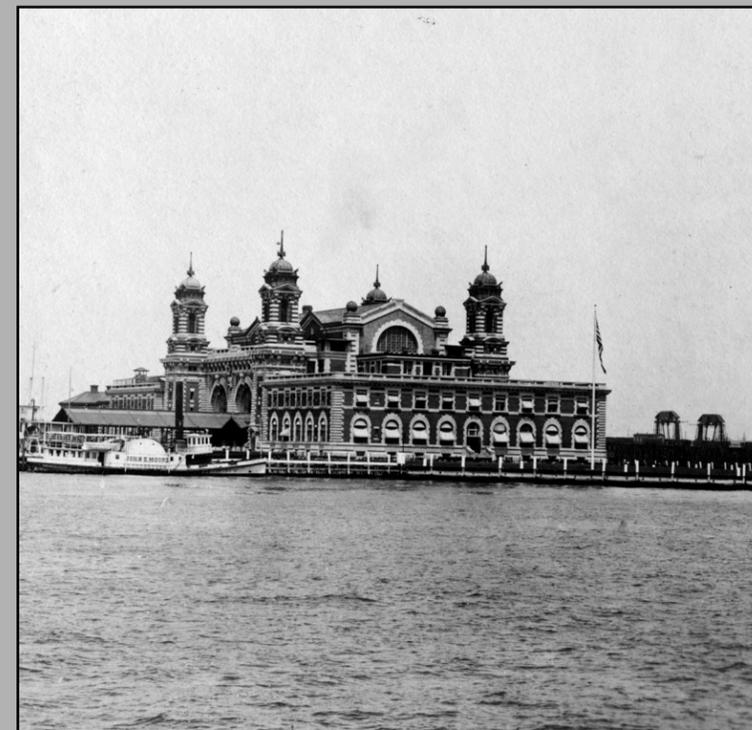
By 1888, Congress was upset because Castle Garden was constantly asking for money and becoming a political issue. They started an investigation, and Congress did not like mess they found. After this investigation, both the House of Representatives and the Senate created permanent immigration committees and became permanently intertwined with immigration; they were invested and not going away. Another investigation was held in 1889, resulting in Castle Garden closing.

ELLIS ISLAND

1892-1954

Ellis Island was originally a fort for the War of 1812, just like Castle Garden. It was federal land that eventually became an official U.S. immigration port. High rates of immigration and corruption, along with other factors, forced the federal government to intervene. While Ellis Island was in operation, over 12 million immigrants passed through to begin their American lives.

Immigrants that traveled in first and second class usually surpassed Ellis Island because it was assumed they were financially stable and healthy. For immigrants at Ellis Island, they would get a quick physical from a doctor and have their legal answers cross checked. 98% of immigrants that stopped at Ellis Island made it into America! Ellis Island started to evolve after WWI, when immigration processing began to change and the process was handled in the home country embassy. Ellis Island was used for a variety of different federal reasons before closing for good.



Ellis Island symbolizes a shift from a state handled to federally handled issue, but also a shift of priorities. Castle Garden was created to protect immigrants from immigrant runners, but Ellis Island was created to protect America from immigrants. Immigrating to the U.S. shifted from a right to a privilege, which changed the way immigrants were treated at Ellis Island. Ellis Island workers could treat them poorly because they were not yet Americans so they did not have their American rights. Ellis Island was a transition to federal power, but also to a system with more underlying nationalism and discrimination.

POLICY DURING TRANSITION

Henderson v. Mayor of New York in 1875: Immigration head taxes were found unconstitutional. The court decided states were using them in a way that infringed on Congress' "constitutional power to regulate immigration." At this point, the federal government was becoming more involved in immigration legislation, but not implementation afterwards.

Immigration Act of 1875: Banned prostitutes, criminals, and Chinese Laborers. The federal government relied on the states to enforce it, though.

Immigration Act of 1882: Reinstated a head tax on immigrants, but this time the money went to the federal government. This gave the U.S. government more funding to control immigration stations and the money made from it. This act also added convicts, lunatics, idiots, and people who might become a public charge to the list of people barred from coming to America.

Chinese Exclusion Act of 1882: Almost all Chinese immigrants were stopped from entering the U.S., even though Chinese immigrants were a small portion of immigrants. Racial fear made it's way into federal law, rather than just state law like it would have before federalization.

1891 Immigration Act: Expanded the list of unacceptable immigrants to people with diseases, felonies, or other criminal charges. It also banned polygamists. The 1891 Act also made it the responsibility of steamship companies to pay if an immigrant had to be sent back. This caused a more intensive vetting process at the port before leaving for America. The federal government had created a clear system for deportation for the entire nation.

Plenary Power Doctrine: If an immigrant wanted to challenge their deportation status, they could not bring the case to court, they had to bring it to the administration at the station. They were not Americans yet, so they did not have to be given the rights of one. The federal government asserted it's dominance and priority over immigrants.

National Quarantine Act of 1893: The President was given the power to control the speed of immigration into the United States. They could stop immigration completely if they wanted, but no president ever used this power. This put the entire immigration system not just into the hands of the federal government, but into the hands of one man within the federal government.

ALL THIS POLICY WORK MAKES IT CLEAR THAT THE FEDERAL GOVERNMENT WAS TAKING CONTROL OF THE IMMIGRATION SYSTEM. BY 1892, STATES WERE NO LONGER INVOLVED WITH IMMIGRATION.

WHY IS THIS TRANSITION A CASE STUDY OF FEDERALIZATION ?

Castle Garden was a place that offered immigrants a safer way to come to the United States and escape immigrant runners that wanted to take advantage of them. New York was operating it well, at the beginning. Over the course of several decades, the federal government became involved in immigration reform through written legislation and Supreme Court decisions. These policies made it impossible for Castle Garden to function and meet the requirements of the federal government because the demands were raised and the funding was reduced. This was all occurring post-Civil War, so the federal government was not too concerned about state's wants or needs at the time. They implemented these laws and expected the states to figure it out, and were still resistant to fixing the problem once it was clear the states could not handle it. The federal government was not interested in doing the dirty work and the processing themselves, but eventually there was no other choice. The official federalization of immigration could be marked as 1892, when they opened Ellis Island, but it had been happening over a long period of time. The transition from Castle Garden to Ellis Island was both symbolic and tangible in the strengthening of the federal government. The government did other things besides the transition to Ellis Island, but without it, the legislation and public opinion would not have had the effect it did.

SYSTEM EXPERIENCE

IMMIGRANTS FROM CASTLE GARDEN AND ELLIS ISLAND

Immigrants during the Castle Garden period were more protected than before, but were still not treated too well. After making the long journey to the United States, sometimes ships would arrive at a state, be denied entry, and then be forced to try to go to another state. This was a state's way of standing their ground, but could potentially affect an immigrant's ability to reunite with family and find their way to work and prosperity. Immigrants were not a priority, even though this period of state-run immigration systems was still a step up from no system. Once arriving at a state-run immigration station, immigrants were protected from immigrant runners, if they got in. Many immigrants, particularly Irish immigrants, would be deported without proper processing or treatment. These station workers were under a lot of pressure from nativists and the stress of the job, so they often took matters into their own hands to speed up the process and to please the nativist elites .

Once immigration was federalized, Ellis Island workers had less agency and freewill, but the system was more strict to begin with. As seen on page 6, increased legislation over the years led to many immigrants being marked off the list of acceptable immigrants into the country. Also, in the early 20th century, the government started doing more testing for intelligence on immigrants and, at times, deporting them because of the results. These immigrants were often chosen based off looks and who appeared like they were not intelligent. Most of these tests used translators to communicate, so there was no guarantee they were being translated correctly either. The results of these intelligence tests claimed that 83% of Jews, 80% of Hungarians, and 79% of Italians that they tested were feeble minded (250). These tests, along with an ever growing list of restrictions, made immigrating hard and scary for many different groups.

SYSTEM EXPERIENCE

NATIVISTS DURING CASTLE GARDEN AND ELLIS ISLAND

Nativist sentiment during the time of state-run immigration was when it hit its stride. In the 50s, nativism and the Know-Nothing Party peaked, at one point even beating out the Whig Party. During this decade, the economy took a hit and caused an increase in unemployment and food prices. These economic blows gave nativists the opportunity to use immigrants, half the New York population, as scapegoats, even though they were actually hit the hardest by these effects. With the numbers nativism had, it makes sense they would have a slight influence on workers at immigration stations. As discussed earlier, immigration workers at Castle Garden had ample agency at their jobs. Also, nativists played a part in pushing for the eventual restriction policies that pop up in the couple decades following the 50s, even though the Know Nothing party had lost its prominence by then. The party fell apart, but that nativist sentiment did not disappear nearly as quickly.

During the Ellis Island period, media played a strong role in this issue of immigration. White, wealthy, nativists often controlled newspapers, therefore having a strong hold on public opinion. These newspapers always grouped immigrants together and often wrote negatively about them and used fear tactics to do so. Elite members of New York society would read the same couple newspapers, so they were continuously being fed nativist rhetoric, which overtime created a larger, but still not huge, nativist population. The Immigration Restriction League played a large, nativist, role in Ellis Island restrictions and was not nearly as large as the Know Nothing party, but still gave nativists a place of community and identity at the time. They were involved with legislation and had the opportunity to tour Ellis Island multiple times and were still displeased with the amount of immigrants they found to be illiterate and therefore, undesirable.

A FEW FURTHER READINGS...

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