

**Settling down in a Foreign Country:
A Comparison between U.S. and German Immigration
Policies and Their Consequences**

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Qianqian Li

aus Peking

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Prof. Dr. Carmen Birkle

Prof. Dr. Martin Kuester

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1. Introduction

In the United States, President Barack Obama introduced an immigration reform which “would provide undocumented immigrants with a legal way to earn citizenship,” and make the “immigration system easier and more efficient” for “foreign entrepreneurs,” “promising foreign graduate students,” and family members of U.S. citizens or residents (“Comprehensive”). At the same time, this reform would also strengthen the U.S. borders and “stop businesses from exploiting the system by knowingly hiring undocumented workers” (“Comprehensive”). President Obama’s immigration reform seems quite liberal despite the proposal to reinforce border control.

On the contrary, Donald Trump, who was elected the forty-fifth president of the United States in November 2016, proposed another immigration reform during his campaign which would overrule Obama’s immigration reform. Trump claimed that “[t]he Obama Administration has released 76,000 aliens from its custody with criminal convictions since 2013 alone” (“Immigration Reform”). Therefore, he suggested that “[a]ll criminal aliens must be returned to their home countries, a process which can be aided by canceling any visas to foreign countries which will not accept their own criminals, and making it a separate and additional crime to commit an offense while here illegally” (“Immigration Reform”). Also, he proposed to cut off “federal grants to any city which refuses to cooperate with federal law enforcement [sanctuary cities]” on illegal immigration, and he even advocated to end birthright citizenship (“Immigration Reform”), which would completely alter the *jus soli* principle of the United States.

In Germany, the *jus sanguinis* principle, which had been embedded in the nation’s identity for a very long time, was changed to a *semi jus soli* principle in the twenty-first century, giving birthright citizenship to some foreign children born in Germany. This change in immigration policy is not the only issue about immigration in Germany. The world is currently facing a refugee crisis, and Germany finds itself in a dilemma. After several shipwreck incidents, German politicians still refused to open its gates to refugees in the first half of 2015. However, Chancellor Angela Merkel announced in September 2015 that Germany would admit approximately one million refugees “because it is part of the identity of this country to do great things” (Smale and Homola). Her decision was criticized by many politicians and even by

those in her own cabinet, and with this pressure, she promised three months later to “substantially reduce the number of migrants entering Germany” (Barkin). In addition to this promise, Chancellor Merkel also emphasized that refugees should learn to integrate, because “multiculturalism ‘leads to parallel societies’ rather than integration and is therefore ‘a sham’” (Smale and Homola).

The issues above all indicate that policies on immigration are still essential in politics and they more or less affect a nation’s economy, culture, and stability. Therefore, it is important to study immigration. I choose to compare the United States and Germany, because they are both democratic and federal states, but their immigration policies stem from two completely different models (heterogeneous vs. homogeneous, *jus soli* vs. *jus sanguinis*) due to different cognitions of national identity. Moreover, immigration policies in the two countries have become similar throughout the years for economic and political reasons, but policymaking still shows signs of the influences of different national identities. Through the comparison of immigration policies between the United States and Germany and their consequences, I intend to demonstrate that the national identity approach of immigration policy theory is the basis of policymaking in regard to immigration, and I expect to see if similar economic and political needs will result in similar immigration policies in the two countries, and if similar immigration policies have similar receptions in public or have similar impacts on societies which are based on different immigration policy models. I would like to categorize my research into cultural studies, because, for one thing, I study immigration based on the national identity approach of the immigration policy theory, which understands immigration from a cultural perspective (I will introduce this theory in the next chapter); and for another, I study the phenomenon of immigration through literature, statistics, public polls, etc., which add literary and sociological aspects to this seemingly political and legal topic, and these aspects are closely related to some main consequences of immigration such as assimilation of immigrants and paranoia of undocumented immigrants. Although some descriptions of immigration policies may have a touch of political science and law, the laws and acts of immigration I will use in this dissertation are only meant to provide a cultural background and to explain the cultural influences of the immigration situation at a specific time.

To better explain the function and necessity of literature in the study of immigration (since I will use literature to support my arguments), and to make the connection between

immigration and Cultural Studies clearer, I would like to briefly introduce the relation between literature and history through the (old) Historicism (as compared to the New Historicism) and new ways to understand literature and history through the New Historicism. Traditionally, the relation between literature and history is linear, and literature can be seen as a representation of history. It explains what happened in history, and readers learn history by understanding what events described in the narratives “tell [them] about history” (Brizee et al.). For example, a non-fictional narrative about the Second World War tells the history of this war, and readers learn this history through the narrative. A fictional narrative taking place in the Second World War would also be read as a representation of some kind of historical facts of the war, because it contains true historical events such as battles and bombings, although not necessarily accurate, and more importantly, the emotions and feelings of the people experiencing these events. However, “New Historicists argue that earlier literary historiographers tended to use totalizing or atomizing methods — a Tillyard might read one Shakespearean speech as exemplifying views embraced by every Elizabethan, a Lukács might read the demise of feudalism in the death of Hamlet” (Veeser xii). For New Historicists, texts and history are reciprocal, which is described by Stephen Greenblatt as “negotiation and exchange” (12–13) — “[n]ot only is history itself only accessible as text [literary or non-literary], the text itself is also the result of certain non-discursive forces (highly-material determinants such as printing, performance conditions, distribution, etc.)” (Colebrook 26). Therefore, the relation between literature and history becomes more complex, and interpretation is put to the center of the relation between literature and history. Even the author of a non-fictional history book is influenced by the historical background of that time, and he or she might use certain language as a result of history to describe history. Thus, this book is an interpretation of history, but not history itself. Moreover, readers make up their own interpretations as a result of the historical background of the readers’ time, and the understanding of history is, hence, an interpretation of an interpretation. In other words, as Allen Brizee et al. put it, “New historicists do not believe that we can look at history objectively, but rather that we interpret events as products of our time and culture and that ‘. . . we don’t have clear access to any but the most basic facts of history [,] . . . our understanding of what such facts mean . . . is . . . strictly a matter of interpretation, not fact.’”

I think readers need to be extremely careful when reading non-fictional literature, because they should not take it as historical facts based on the New Historicism, but rather interpretations of historical facts. However, most literary works I select to support my arguments in this dissertation are fictional, and thus the fictional nature of these works is already clear. Therefore, I do not want to choose sides to support either the (old) Historicism or the New Historicism, and my analysis of literary works has traces of both theories — I see literary works as a representation of historical facts (even though they cannot represent the whole truth), and since I cannot include every literary work on the same subject, I only analyze a few to exemplify the general impacts of immigration, knowing that this could be criticized as a totalizing method by New Historicists; and at the same time, I am aware that these works are interpretations of immigrant experiences, and that my analysis is also an interpretation of these interpretations. The function of literature in the study of immigration, based on either theory, is that it is one of the only few ways to access immigration history. It is necessary to look at literature when studying immigration history, especially because the interpretation of emotions, feelings, and thoughts in literary works is also one of the only few ways to understand the psychological, sociological, and cultural impacts of the immigration situation on people, or in other words, to understand the consequences of immigration policies.

There are many more studies of immigration of the United States than that of Germany, including studies on naturalization, assimilation, and illegal immigration, probably because Germany only becomes a country of immigration at the turn of the twenty-first century, whereas the United States has been a nation of immigrants since the nation's founding. Moreover, the official census of the United States includes more comprehensive statistics by race and ethnicity than that of Germany. One exception is the studies on guestworker programs. Many researchers of German immigration focus on guestworker programs, because they are of great significance to the German immigration history. The idea of comparing the United States with Germany is not new, because scholars often use the United States and Germany as typical examples (usually as two poles) to demonstrate the two types of immigration models — nations of immigrants and countries of immigration, or *jus soli* and *jus sanguinis*. However, these comparisons seldom consider the changes in the German immigration policy in the past twenty years. I want to add these changes to my research, and therefore, it will give a more comprehensive spectrum of the current immigration situation, and

the comparison becomes less black and white. Also, with the changes in German immigration policy, associated consequences such as effects of the changes on natives and immigrants can emerge. As a result, it is also necessary to include these associated consequences in the comparison.

Also different from many studies on immigration policies, this dissertation will focus on the cultural perspective of immigration, as the national identity approach suggests. I will use some legal texts to show the changes in immigration policies in history and explain how these policies affect both natives and immigrants. Since literature is a cultural representation or interpretation of real-life issues, as I explained earlier in this introduction, the analysis of literary works plays a large role in this dissertation as a means to demonstrate the impacts and consequences of such policies. The authors of these literary works all have an immigrant background except for the author of *Bracero*, Eugene Nelson. However, Nelson had worked on a farm with Mexican immigrants, and thus all of their works are written from an authentic point of view, most of which are from the immigrant's point of view. Besides literary works, I will also use newspaper articles, statistics, and public polls to support my arguments.

The basic structure of this dissertation is that I will discuss several aspects of the immigration situation in the United States and Germany separately, then I will compare the situations and reflect on the meanings of such similarities or differences. I will include the following aspects in the comparison of immigration policies.

First, as the basis of this research, I will introduce several theories of immigration policy. I consider the theories applicable in both the United States and Germany, because both countries are democratic federal nation-states, and these theories were developed universally rather than specifically in each country. Therefore, this chapter does not contain a comparison, but a general introduction of different theories. The main questions surrounding immigration policies are: Who formulates immigration policies? What influences policymaking? What are the problems in immigration? What may cause conflicts and what steers public attitudes toward immigration? Associated with these questions, there are different approaches to and models of immigration policy theory, and I choose to introduce the Marxist approach, the national identity approach, the domestic politics model, the institutional and bureaucratic politics model, and the realist and neorealist approaches, with an explanation of what circumstances I may apply these theories to in the following chapters.

Second, I will compare the notions and the formations of national identity between the United States and Germany, which can be seen as an in-depth explanation of the national identity approach. Since I want to demonstrate that the national identity approach is essential in the policymaking process, this chapter also serves as a support of this argument. The formations of national identity are very different between the United States and Germany, which results in the difference in immigration policy and the public's or the natives' reception of immigration policy.

Third, I will elaborate on legal immigration, which is the core of immigration policy. I will further divide this part into three sub-chapters, namely, guestworkers and guestworker programs, permanent residency, and citizenship and naturalization, because these three components of legal immigration are most likely to reflect the purpose of individual provisions of immigration policy and to affect a country's culture. Although immigration laws include provisions of temporary visit as well, I will not include this in my dissertation, because temporary visitors do not have a strong impact on the decisions in policymaking or natives' attitude toward immigrants. However, guestworkers are an exception. Although they should only be working in the receiving country temporarily, many stay permanently instead. Guestworkers may also be intertwined with illegal immigration, which I will discuss in the next chapter. An important element in legal immigration is assimilation, which is also a cultural aspect of one of the consequences of immigration. In this chapter I intend to see if assimilation is necessary and unavoidable in the two countries, if policies are made to require immigrants to assimilate, and if natives expect immigrants to assimilate.

Fourth, as I have already pointed out above, I will discuss illegal immigration. Illegal immigration is often deemed as a problem, but undocumented immigrants may contribute to the country economically. In this chapter, I will look through the citizens' attitude toward undocumented immigrants, the living conditions of undocumented immigrants, and how the United States and Germany deal with illegal immigration. Illegal immigration is still under heated discussion, as Trump proposed extreme solutions to control illegal immigration in the 2016 presidential campaign, and as the world is facing a refugee crisis due to war and persecution in some of the countries in the Middle East. Since it is still unknown whether or in how far Trump will implement his extreme immigration policies during his presidency and since the refugee crisis are still ongoing, I cannot include every aspect of the events, and

some decisions on illegal immigration or refugees may still change. Therefore, my study is based on the immigration situation before December 2016.

2. Immigration Policy: A Theoretical Approach

“If individuals move over long distances, leaving their families and communities behind and crossing national, ethnic, or cultural boundaries, then there must be some extraordinary forces compelling them to do this.”

— James F. Hollifield (“The Politics”)

Compared to the world’s population, the number of people living outside their country of origin (immigrants) is very small. However, immigration studies is not an unknown nor an unpopular field. James F. Hollifield explains that the contrast is because immigration “provokes a sense of political crisis” and “has been steadily increasing in the industrial democracies of Europe, North America, Asia, and Australia as a result of social and economic forces that seem to be beyond the control of states and communities” (“The Politics” 132). The Cold War resulted in an increase in east-to-west migration, “but *without* slowing or stopping south-to-north migration flows” (Cornelius, Martin, and Hollifield 7; emphasis in original). Therefore, the Cold War enlarged the range of migration movements. Consequently, “international migration has moved from the realm of ‘low politics’ (i.e., problems of domestic governance, especially labor market and demographic policies) to the realm of ‘high politics’ (i.e., problems affecting relations between states, including questions of war and peace)” (Cornelius, Martin, and Hollifield 7).

The topic of immigration is important in politics because it can cause problems and conflicts. Problems and conflicts caused by immigration are, for example, brain drain for the sending countries if immigrants are well-educated, and burden or resource scarcity for the receiving countries if immigrants are less educated (Hollifield, “The Politics” 132). It also poses “fundamental psychological threats to groups and individuals in societies. . . . These threats may be material, in terms of perceived challenges to one’s well-being, or symbolic, in terms of social identity” (Esses et al. 390). Material threat is associated with resource scarcity, where “perceived group competition for resources produces efforts to reduce the access of other groups to the resources” (Esses et al. 390), because “within a society, access to a desired resource is limited” (Esses et al. 394). In the case of immigration, the existence of immigrants produces a psychological threat that they will compete for economic, educational, and social resources with natives. Resource scarcity is one of the main reasons xenophobia occurs (as explained later in figure 2.2), which puts political pressure on the government.

Symbolic threat is related to one's social identity and the sense of belonging (Esses et al. 390), and the inclusion of immigrants may distort the original understanding of group or national identity. Immigration might also lead to overpopulation, which "can strain urban infrastructures and cause environmental damage" (Hollifield, "The Politics" 133). Furthermore, for the immigrants themselves, they face the difficulty of integration into the new society and questions of belonging and self-identification.

Rafaela M. Dancygier further divides immigrant conflict into two "theoretically and empirically distinct phenomena: immigrant-native and immigrant-state conflict" (21). Immigrant-native conflict refers to "*the sustained confrontation between members of the immigrant and the native populations in a given locality*" (Dancygier 21; emphasis in original), and it does not need to be violent (Dancygier 22). The "formation of social movements that campaign for anti-immigrant policies" (Dancygier 22) and the support of right-wing anti-immigrant parties are part of immigrant-native conflict. These non-violent acts can lead to violent acts such as xenophobic attacks. On the other hand, "*immigrant-state conflict involves the sustained confrontation between immigrant communities and state actors in a given locality*" (Dancygier 23; emphasis in original). Immigrant-state conflict includes, for instance, "the dissemination of views opposing the state's actions and expressing distrust in state institutions" and anti-state violence such as vandalism of public buildings by immigrant-origin residents (Dancygier 23).

Dancygier also points out "two key independent variables" of the cause of immigrant conflict, namely, "economic scarcity and immigrant political power" (21). Economic scarcity not only includes local goods, job, and social welfare scarcity, but also education, housing, and healthcare scarcity. Immigrant political power is related to whether immigrants have access to "participate in local elections or to naturalize as citizens of the destination country" (Dancygier 24). To give an overview of how immigrant conflict occurs, Dancygier summarizes the relationship between the two variables and immigrant conflict in figures 2.1 and 2.2, which show that economic scarcity is the main cause of immigrant conflict, because when economic scarcity is high, the only scenario in which immigrant conflict does not occur is when the economic need of immigrants is low. However, as immigrant population grows, it is unlikely that their economic need stays low.

Fig. 2.1. Immigrant Conflict: National Immigration Regimes and Local Political Economies

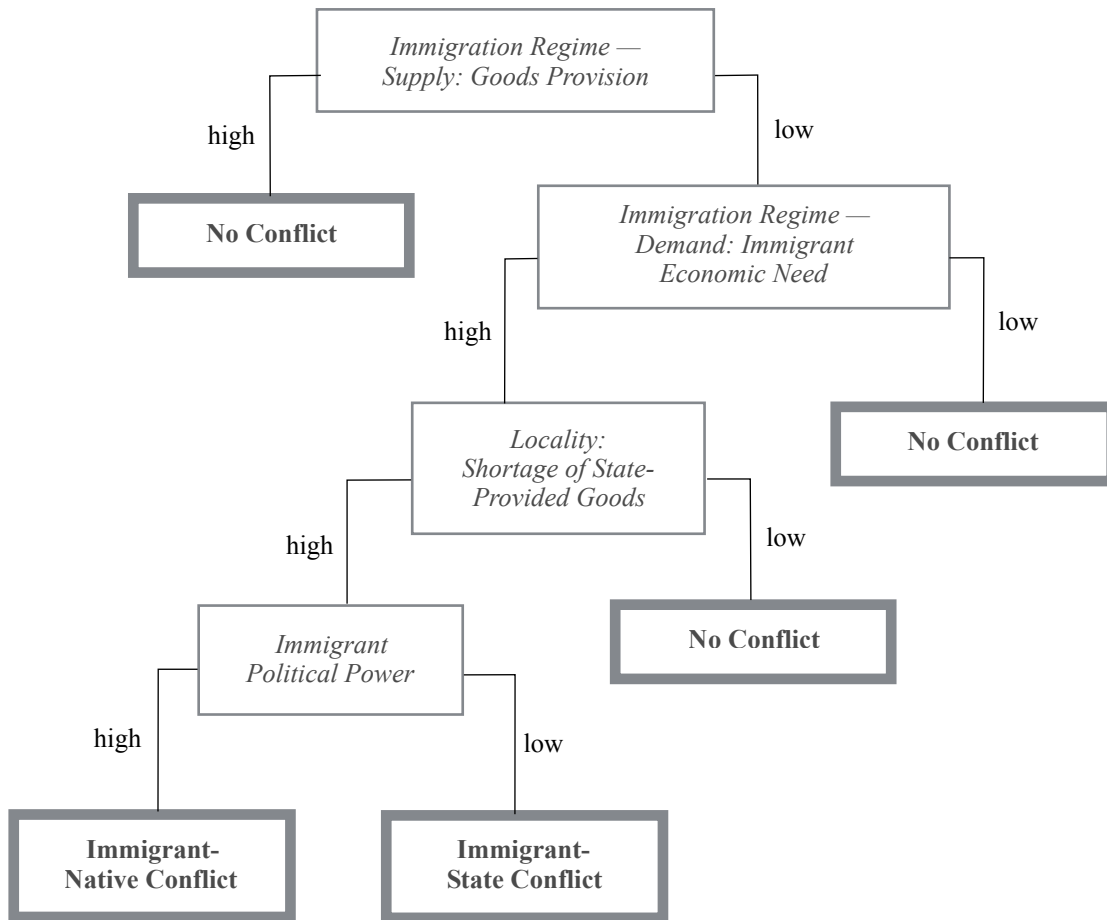


Fig. 2.1. Rafaela M. Dancygier, *Immigration and Conflict in Europe* (Cambridge: Cambridge UP, 2010; print; 41).

Fig. 2.2. Immigrant Conflict: The Local Level

		Immigrant Political Power	
		Low	High
Economic Scarcity	Low	No Conflict	Immigrant Mobilization; No Conflict
	High	Immigrant-State Conflict	Immigrant-Native Conflict

Fig. 2.2. Rafaela M. Dancygier, *Immigration and Conflict in Europe* (Cambridge: Cambridge UP, 2010; print; 41).

Because of the problems, it is essential for states, from their point of view, to put into practice an immigration policy that can minimize the threat and maximize economic benefits from immigration. According to Hollifield, “politics involves ‘control, influence, power, or authority’” (“The Politics” 133). Therefore, immigration policy determines the living conditions of immigrants and if there is a possibility to immigrate at all. The main concern in immigration policy is the question about whose interest matters more to policymakers. Scholars think that “the more liberal and democratic a state is, the greater the likelihood that immigration control will be an issue, and that there will be some level of ‘unwanted migration’” (Hollifield, “The Politics” 134). Therefore, apart from the national interest, democratic states may also have to consider the interest of immigrants, residents or citizens of the same society, and employers.

Due to the consideration of different beneficial groups — that is to say, whether the state, natives, or immigrants are the main concern or main beneficiary — immigration policy cannot be arbitrary, and there is usually a “gap between the *goals* of national immigration policy (laws, regulations, executive actions, etc.) and the actual results of policies in this area (*policy outcomes*),” which scholars refer to as the “*gap hypothesis*” (Cornelius, Martin, and Hollifield 3; emphasis in original). The analysis and explanation of this gap is significant, because the wider the gap is, the “greater public hostility toward immigrants in general (regardless of legal status)” it will provoke (Cornelius, Martin, and Hollifield 3). Equally important is to understand the costs and benefits of immigration, because from the “cost-benefit distributions” (Hollifield, “The Politics” 135), policymakers may be able to narrow down the gap between the goals and the outcomes.

Immigration policies never seem to be adequate. For example, the political definition of states regulates immigration policies. As Hollifield points out, “liberal states in particular must be attentive to the (human or civil) rights of migrants; if migrant rights are ignored or trampled upon, then the *liberal* state risks undermining its own legitimacy and *raison d’être*” (“The Politics” 151; emphasis in original). The rise of rights-based liberalism influences immigration policy, for rights-based liberalism “expand[s] rights for marginal and ethnic groups, including foreigners,” and their rights are secured “in legislative acts” and even “in judicial rulings” (Cornelius, Martin, and Hollifield 9).

Moreover, policymakers usually set up rules to let temporary guestworkers come to the country out of economic interest, but these guestworkers may decide to stay in the country for a longer term, bring their families to the new country, and become immigrants. Sending temporary workers back home is a challenge for policymakers, because “rights that accrue to migrants come from the legal and constitutional protections guaranteed to all ‘members’ of society. Thus if an individual migrant is able to establish some claim to residence on the territory of a liberal state, his or her chances of being able to remain and settle will increase” (Hollifield, “The Politics” 150). This phenomenon is also known as the economic push-pull factors. Western Europe’s guestworker programs and the United States Bracero Program suggest that economic growth in Europe and the United States in the 1950s and 1960s “stimulate[d] large-scale migrations from the poorer economies of the ‘periphery,’” which can be described as “demand-pull” (Cornelius, Martin, and Hollifield 7). At the same time, the increase in population in those periphery countries resulted in the “supply-push migration,” and “migration networks” further helped more people from periphery countries migrate (Cornelius, Martin, and Hollifield 8). The problem of illegal immigration will also occur with any legal immigration movement, and a nation’s immigration policy has relatively little control over illegal immigration, for “[e]ven though all states have the right to expel unauthorized migrants, deportation is not a very attractive policy instrument, and it is used sparingly and largely for its symbolic and deterrent effect” (Hollifield, “The Politics” 147). Wayne A. Cornelius, Philip L. Martin, and James F. Hollifield found in their study that “[d]espite significant increases in immigration control efforts . . . and the tightening of entry restrictions and monitoring of unauthorized immigrants already working in other countries . . . , [scholars] found less confidence today among officials that they could effectively regulate immigration flows and employment of unauthorized foreign workers than there was fifteen years ago” (4).

Although there are differences between the U.S. and European immigration policy concepts, factors that influence the policymaking process are similar, because both the United States and European immigrant-receiving countries have labor demands, economic needs, different political parties with different political positions, main labor-sending countries, etc., as mentioned in policy inputs in table 2.1. Gallya Lahav and Virginie Guiraudon mention several policymaking input factors and policy outcomes in European receiving countries (see

table 2.1), and most of these factors can apply to the United States as well (the exception is “shifting up to European level” in policy choices). Institutional filters (column 2) are features

Table 2.1
From Policy Inputs to Outcomes: Factors and Trends

Input factors and actors	Institutional filters (vary X-nationally)	Policy choices	Policy implementation constraints	Policy outcomes
Labour demands [business/labour actors]	Labour market institutions and industrial relations system	Labour recruitment away from public eye	Attractiveness of the economy	Rise of illegal migration
Public opinion [political parties, media]	Electoral and party systems, size of extreme right, government type	Shifting up to European level	Ties between migrants and destination countries	Rise of temporary labour migration and intra-company transfers
Liberal legal norms [courts, NGOs, immigration bureaucracies]	Protest culture, Judicial system	Externalisation of control to third parties	Capacity of local state agents Willingness of non-state agents to comply	Family reunion and asylum remain main legal categories with much cross-national variation

Source: Gallya Lahav and Virginie Guiraudon; “Actors and Venues in Immigration Control: Closing the Gap between Political Demands and Policy Outcomes”; *West European Politics* 29.2 (2006): 201–23; Web; 13 February 2014; table 1.

that have an impact on the effectiveness of input factors and actors. Policy choices (column 3) are government choices that intend to balance the pressures from different interest groups. Policy implementation constraints (column 4) show the “capacity and willingness” of agents to “perform in accordance with stated policy goals” (Lahav and Guiraudon 2009). The table shows the factors that cause the *gap* and “suggests that policy outcomes are a product of (a) the struggles between actors in different fields (economy, politics, law), (b) the trade-offs made by elected leaders that face varying pressures depending on the institutional characteristics of each field, and (c) implementation structures” (Lahav and Guiraudon 2009).

Generally, immigration policy includes immigration control policy and immigrant policy (Meyers 1246). “Immigration control policy concerns the admission and selection of permanent immigrants, temporary migrant workers and refugees, as well as attempts to restrict illegal immigration” (Meyers 1246). Therefore, immigration control policy, to a large extent, is formulated in the interest of the migration state. Through its immigration control policy, the state decides which types of immigrants or migrants could be beneficial to the state’s eco-

conomic situation and political beliefs. Immigrant policy, on the other hand, concerns “the conditions provided to resident immigrants” (Meyers 1246). Although policymakers also consider the interest of the state for economy and security reasons, they have to formulate and implement immigrant policy in the interest of immigrants primarily for humanitarian reasons and democratic ideology.

There are many immigration theories deriving from different perspectives. Caroline B. Brettell and James F. Hollifield summarize the major theories in table 2.2. Although every

Table 2.2
Migration Theories across Disciplines

Discipline	Research Question(s)	Levels/Units of Analysis	Dominant Theories	Sample Hypothesis
Anthropology	How does migration effect cultural change and affect ethnic identity?	Micro/individuals, households, groups	Relational or structuralist and transnational	Social networks help maintain cultural difference.
Demography	How does migration affect population change?	Macro/populations	Rationalist (borrows heavily from economics)	Migration has a major impact on size, but a small impact on age structure.
Economics	What explains the propensity to migrate and its effects?	Micro/individuals	Rationalist: cost-benefit and utility-maximizing behavior	Incorporation varies with the level of human capital of immigrants.
Geography	What explains the spatial patterns of migration?	Macro, meso, and micro/individuals, households, and groups	Relational, structural, and transnational	Incorporation depends on ethnic networks and residential patterns.
History	How do we understand the immigrant experience?	Micro/individuals and groups	Eschews theory and hypothesis testing	Not applicable
Law	How does the law influence migration?	Macro and micro/ the political and legal system	Institutionalist and rationalist (borrows from all the social sciences)	Rights create incentive structures for migration and incorporation.
Political Science	Why do states have difficulty controlling migration?	More macro/ political and international systems	Institutionalist and rationalist	States are often captured by pro-immigrant interests.
Sociology	What explains incorporation and exclusion?	Macro/ethnic groups and social class	Structuralist or institutionalist	Incorporation varies with social and human capital.

Source: Caroline B. Brettell and James F. Hollifield; “Introduction: Migration Theory: Talking across Disciplines”; *Migration Theory: Talking across Disciplines*; 2nd ed; ed. Caroline B. Brettell and James F. Hollifield; New York: Routledge, 2008; 1–29; print; table 1.1.

“discipline” listed in the table has an impact on the receiving state as well as the immigrants themselves, one discipline might seem more important than another to different interest groups. State officials tend to have more use for macro-perspectives, while the micro-perspective seems more attuned to the needs and rights of immigrants. For example, receiving states may be more concerned with economics and political science than history, while immigrants seem to be more involved in anthropology than demography, for they, for instance, often face problems of cultural change and identity, but are less worried about the change in population or ethnic demography in the country. However, different disciplines may have a common outcome. Brettell and Hollifield point out that for most disciplines (anthropology, economics, geography, history, and sociology), “one of the dominant paradigms in migration theory is the assimilation model” (16). They also point out that more recent studies introduce “new models that predict a range of outcomes,” which can be seen from “Portes and Rumbaut’s . . . complex model of incorporation” (16):

This model, formulated in relation to the United States, postulates outcomes for different groups according to contexts of reception that vary with reference to (1) U.S. government policy that passively accepts or actively supports; (2) labor market reception that is neutral, positive, or discriminatory; and (3) an ethnic community that is nonexistent, working class, or entrepreneurial/professional. (16)

Although the complex model of incorporation is based on the situation in the United States, it is suitable to explain the differences of immigration policy outcomes between the United States and Germany — for instance, different public receptions of immigrants lead to different integration levels of immigrants — which I will clarify in the following chapters. Moreover, assimilation according to the assimilation model, though embedding a negative connotation nowadays, still exists in the context of immigration. I will discuss assimilation in chapter four.

The leading economic theory concerning immigration is the Marxist approach, where labor market and “a class-based political process” (known as “the capitalists/bourgeoisie and the proletariat/working class”) influence immigration policies (Meyers 1247–48). Karl Marx’s example of the length of a working day points out that “[i]f one working hour be embodied in sixpence, and the value of a day’s labour-power be five shillings, the labourer must work 10 hours a day, in order to replace the value paid by capital for his labour-power, or to produce an equivalent for the value of his daily necessary means of subsistence” (*Capital*

270). Therefore, if employers lower “the wages of the labourer below the value of his labour-power,” they profit from the surplus value (Marx, *Capital* 271).

The Marxist theory on immigration is based on the win-win deal for both capitalists and guestworkers — it solves the problem of labor scarcity for the receiving states, capitalists “exert a downward pressure on wages” (Meyers 1247), and the guestworkers are likely to earn more than they do in their home countries. Moreover, Marx notes that “[c]apital by its nature drives beyond every spatial barrier. Thus, the creation of the physical conditions of exchange — of the means of communication and transport — the annihilation of space by time — becomes an extraordinary necessity for it” (*The Grundrisse*), and one result of the annihilation of space through time (*die Vernichtung des Raums durch die Zeit*) is the expansion of market or the development of new markets. Guestworkers are needed by capitalists, because “surpluses of capital and shortages of labor are fixed by the movement of capital to areas of labor surpluses and weak labor organization, or by importing cheap labor into centers of capitalist development” (Hernandez). The theory “argues that labor immigration is a structural part of capitalism and serves the capitalist ruling class” (Meyers 1248). Consequently, labor immigration largely depends on the economic situation — namely, immigration flow appears during a boom economy, while “[g]overnments halt or even reverse immigration during times of economic recessions” (Meyers 1248). Furthermore, Marxists believe that the capitalists are divided into “monopoly capital” and “capital invested in industries with lower rates of profit,” and the latter is likely to (secretly) encourage illegal immigration to further reduce the wages of undocumented immigrants (Meyers 1248). In fact, wage reduction is the key point of immigration according to the Marxist approach, for “immigrant labor enters the society at the lowest tier of the socioeconomic ladder” (Meyers 1249). However, this theory can only apply to low-skilled guestworkers such as those who work in the fields of agriculture and construction. In chapter four I will discuss guestworker programs based on this theory, but I will also deal with other means of employment-based immigration that cannot be explained by the Marxist approach.

Another important theory is the national identity approach. Jeannette Money notes in her book *Fences and Neighbors: The Political Geography of Immigration Control* that “[t]he national culture, the national economy, and the tensions between the economic benefits and cultural costs of immigration are the primary explanatory variables proposed by immigration

analysts to explain the level of openness to immigration” (21). Helga Leitner points out that “[d]ominant racial and national ideologies, defining who belongs and who does not belong to a national community, . . . influence who is admitted” (262). This ethnic homogeneity or heterogeneity is “measured as the proportion of *the population that shares racial (phenotypical), religious, or linguistic characteristics*” (Money 28; emphasis in original). Eytan Meyers argues that “national identity” explains how states formulate immigration policy (1251). He notes that “the unique history of each country, its conceptions of citizenship and nationality, as well as debates over national identity and social conflicts within it, shape its immigration policies” (1251).

A basic idea of the national identity approach is the understanding of “we,” those who are included in a community, and “they/the Other,” those who are excluded from a community, which brings out the term “nativism.” Nativists, who are very defensive of their own culture, fear that immigration may erase national identity, and this concern affects policymakers, pressuring them to consider what the fundamental factors of national identity are and how far migrants are allowed to influence the nation’s culture. Sometimes, nativists use extreme methods to protest against “the Other.” Therefore, nativism is very often considered to be equal to racism. However, John Higham distinguishes these two terms in his book *Strangers in the Land* and argue that

[r]acism and nativism were different things, though often closely allied. Racism, the older and more categorical of the two, divided the whole of creation into hierarchized types. It was more consistently concerned with horizontal distinctions between civilization and barbarism than it was with boundaries between nation-states. In contrast, nativism always divided insiders, who belonged to the nation, from outsiders who were in it but not of it. Although always a species of nationalism, nativism could incorporate racism because both were militantly defensive of a cherished heritage. Racism, however, sought not only to exclude alien races but also to enforce indelible differences of status within one’s own society, thereby preventing defilement by an allegedly inferior descent group. Nativism signalled danger; racism spelled degradation. Nativism could espouse assimilation. Racism could not. (333)

To some extent, the perception of national identity determines whom nativists protest against, although this representation of belonging is very extreme and radical.

Rogers Brubaker uses the terms “insiders” and “outsiders” to explain the “we” and “they/the Other,” and links them with citizenship. He notes,

[o]utsiders may be defined and identified residually, as nonmembers, or directly, as bearers of some disqualifying attribute. If insiders are defined positively — as members of a family, clan, association, organization, or state — outsiders are defined negatively and residually. They are excluded not because of what they are but because of what they are not — because they are not recognized or acknowledged as insiders. On the other hand, outsiders may be defined directly, and insiders residually. Shunning,

blacklisting, and quarantining are directed against directly defined outsiders. Ethnocultural closure may be structured either way: it may be exercised against ethnic or religious outsiders defined residually (non-European, nonwhite, non-Christian, non-Anglophone), or directly (Asian, Black, Jew, Spanish-speaking). The noncitizen is a residually defined outsider. Every modern state defines its citizens positively, in accordance with explicit, formally articulated criteria, and its noncitizens residually.

Insiders and outsiders may be defined formally or informally. Formal techniques include the elaboration of explicit and unambiguous criteria of insiderhood or outsiderhood (such as criteria for inclusion in Medicaid, or Food Stamp programs or criteria for exclusion on medical grounds from the armed forces); exhaustive enumerations of individual insiders or outsiders (guest lists, registers, rosters, membership rolls, blacklists); and formally administered identification routines in which a particular person is identified as an insider or outsider through the application of general criteria or through matching against enumerative lists. On the other hand, insiders and outsiders may be defined and identified informally through the use of tacit, uncodified, internalized classificatory schemes, the practical mastery of which is distributed among participants in an interaction rather than monopolized by specialized administrators.

Citizenship is an abstract formal construct. In principle it has nothing to do with ethnocultural nationality or with any other immediately interpretable markers and identifiers of everyday life. Yet formal closure against legal noncitizens may overlap in practice with informal closure against ethnocultural nonnationals. Enforcement of closure against the former may be biased against the latter. (*Citizenship* 29–30)

The understanding of national identity is the informal closure against “the Other,” regardless of legal citizenship, and this informal closure influences the formal closure of “the Other.” Brubaker also argues that “contextual features that will strengthen positive or negative ‘folkloric’ representations of immigrants and immigration” are not only linked “to the differing and deeply rooted historical experiences of immigration,” but also “to more particular and rapidly fluctuating historical moments reflecting both the particular stage in the immigration cycle and broader political and cultural ‘period effects’” (“Comments” 907). Therefore, the definition of “the Other” and public attitudes toward immigration and immigrants are related to history and culture, and they may change from time to time and differ from country to country.

Meyers points out three “different conceptions of national identity” — “1) between settler societies, which accept large-scale immigration, and ethnic states, which tend to reject such immigration; 2) between homogeneous and heterogeneous countries; and 3) between countries whose citizenship laws tend towards *jus sanguinis* [Latin for right of blood] and those countries whose citizenship laws tend towards *jus soli* [Latin for right of soil]” (1253–54). Settler societies, heterogeneous countries, and *jus soli* countries tend to be more tolerant of immigration than the opposite categories of states. For example, Australia, Canada, New Zealand, and the United States belong to “settler societies of primarily British origin,” and “[i]mmigration was integral to their founding and development as nations” (Freeman 887). As a result, these countries have formed an ethnically heterogeneous society and are familiar

with mass immigration. Even today, their immigration policies tend to include the encouragement of “mass immigration for permanent settlement” (Freeman 887). In contrast, many European states such as Great Britain, France, Germany, Belgium, Sweden, and Switzerland are regarded as ethnic states, because ethnicity is an important feature in their national identity, and mass immigration only “occurred when they were already fully developed national states” (Freeman 889). In addition, the migration “was narrowly economic and, for certain states, a largely unintended aftereffect of colonialism” (Freeman 889). National identity is also the main reason why the U.S. and German immigration policies are different. I will elaborate on the U.S. and German national identity in the next chapter.

My thesis is based on the national identity approach, although there are criticisms of this theory. One criticism is that it is not able to “explain the fact that various countries have adopted similar immigration policies at the same time” (Meyers 1255). This criticism is true, as the United States and Germany do have many similar immigration policies, although they are of different immigration models. However, in the case of the United States and Germany, this similarity is only gradually formed as a consequence of the countries’ economic or political needs, and the similar policies may be the result of a bargain or compromise after an evaluation of the cost-benefit distributions, which I will discuss in the following chapters.

Another criticism is that the national identity approach is vague “as regards identifying social conflicts and debates over national identity” (Meyers 1256). It means that there is sometimes no public consensus on what national identity is. For example, during the Civil War, the public could not agree on whether blacks should be insiders or outsiders of American society. This can be explained by Benedict Anderson’s theory of imagined community. He argues that community “is *imagined* because the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion” (6; emphasis in original). Also, “[c]ommunities are to be distinguished . . . by the style in which they are imagined” (Anderson 6). Based on this theory, it is evident that everyone’s understanding of nation cannot be the same, because a nation is also a community and thus imagined. I also note this deficiency, as the general understanding of national identity does not apply to everyone. Yet, there is usually a more popular and general understanding of national identity, and this understanding may change after some historical events. Accordingly, immigration policies may also change, and it is very

likely that there is a link between the general understanding of national identity and the policies. In the case of the Civil War, although Americans could not agree on whether being black should be part of their national identity, the voice that it should became stronger. With the victory of the Union (a historical event), the law changed (though not immigration law) to include blacks.

Scholars cannot agree on what role the state plays in the policymaking process. Some scholars such as Aristide R. Zolberg and James F. Hollifield believe in a domestic politics model that eliminates the state from decision-making in immigration policy, as Zolberg explains the interest of labor migration:

It is . . . rational, . . . , for the more fortunate countries to seek to preserve their favorable endowment by prohibiting or at least severely restricting entry. In practice, the self-interest of the core in obtaining labor has functioned to provide a break in what would otherwise be an extremely well protected wall; and labor migration has therefore been the major mechanism whereby individuals from deprived countries have gained access to desirable conditions. (26)

Hollifield points out the phenomena that “even in those states where public opposition to immigration has been high, . . . , immigration has continued to play an important role in society and the economy,” and “despite efforts to restrict illegal immigration [in the United States], undocumented aliens have continued to enter at historically high levels” (*Immigrants* 6). Supporters of the domestic politics model think that “[p]olicymaking is the result of bargaining as well as of compromises between [interest groups and parties], or sometimes it reflects the fact that one or more of these actors has succeeded in capturing the state” (Meyers 1257). In this sense, immigration policy is the product of compromises between “employers and ethnic groups, which tend to support immigration, and unions and nationalist groups, which tend to oppose it” (Meyers 1258). However, this theory seems too extreme. I would not refer to this theory when I compare the U.S. and German immigration policies, because I see interest groups and parties as influential factors in the decision-making process, but they are not decision-makers. In addition, it is impossible to separate the party in office from the state or to distinguish between immigration acts passed by different parties, and the state, as a political unity, should be considered as an active actor in the policymaking process. Moreover, citizenship, a very important component in the immigration policy, is negotiated and handled on the state level and should meet the need of the state.

Another theory is the institutional and bureaucratic politics model, where the state can be autonomous and can “remain unaffected by societal or interest group pressures,” or it “promote[s] certain societal interests” (Meyers 1261), but the focus of the theory is on “state-level interactions” (Meyers 1260). The state has its own concerns in making immigration policy such as “economic security” and “continued legitimacy” (Meyers 1261). Within the institutional and bureaucratic politics model, there is an important variant of the theory which even to some degree contradicts the autonomous state approach. This variant acknowledges the state as an actor in policymaking, but it also considers the influence of societal or interest group pressures. More precisely, it “differentiates between ‘strong’ states, where state institutions are relatively unaffected by social pressures and shape public policies according to the ‘national interest,’ and ‘weak’ states, where societal pressures successfully penetrate state institutions and influence public policies” (Meyers 1262). In this dissertation, I will compare the U.S. and German immigration policies based on this variant of institutional and bureaucratic politics model, because national security, economy, and continued legitimacy are interests of the state, and the state will certainly be an active actor in making immigration policies, but at the same time, it is injudicious to overlook the influence of other actors in democratic states, for table 2.1 demonstrates that they are all part of the decision-making process.

The realist and neorealist approaches of immigration policy lie on the macro level or in the realm of high politics, which focus on “international relations” and “actual or potential conflicts among states” (Meyers 1263). Paul R. Viotti and Mark V. Kauppi point out four prerequisites of this theory. “First, states are the principal or most important actors in an anarchical world lacking central legitimate governance,” and “[s]tates represent the key unit of analysis” (42). “Second, the state is viewed as a unitary actor,” and it “faces the outside world as an integrated unit” (42). Third, “the state is essentially a rational (or purposive) actor” (43). Fourth, “within the hierarchy of issues facing the state, national or international security usually tops the list” (43). This theory is suitable for analyzing immigration policy especially during a national security crisis. For example, two months after Japan’s attack on Pearl Harbor, President Franklin D. Roosevelt signed the Executive Order 9066, “authorizing the Secretary of War to prescribe military areas” in order to protect “against espionage and against sabotage to national-defense material, national-defense premises, and national-defense utilities” (“Executive” 1). “This order led to the assembly [,] . . . evacuation and relocation of

nearly 122,000 men, women, and children of Japanese ancestry on the west coast of the United States” (Relocation”). These people could take “only what they can carry” to “relocation centers,” which were infamously known as “relocation camps” or “concentration camps” (“Relocation”). This discriminating immigration policy against the Japanese set up by the United States during the Second World War can be explained as the desire to eliminate a “potential security crisis” based on the realist and neorealist approaches.

Once an immigration policy is passed, it becomes the law, and everyone is expected to obey it. Peter H. Schuck states that “[m]ost fundamentally, law defines individuals’ rights to property and economic activity, political participation, physical security, religious and cultural identity, and family relationships” (“Law” 241). The law builds up a certain societal atmosphere that shapes individuals’ decision whether to migrate or to which country to migrate. With the migration flow, the receiving states devote perhaps more time to immigration control policy than to immigrant policy. However, one should note that immigration control policy does not only intend to eliminate unwanted immigrants, but it is also a tool to select immigrants. As Schuck explains, “some states use the law to ‘compete’ for immigrants — at least for those who possess valuable skills, investment resources, and attractive political attributes” (“Law” 242). For example, the United States “still favors those fleeing certain countries for certain reasons (such as China’s one-child policy or Russia’s treatment of Jews and evangelical Christians),” even though the Refugee Act of 1980 forbids the bias (Schuck, “Law” 242).

Schuck further divides the understanding of law into three levels. The first two are brought to attention by Roscoe Pound and are named as “law on the books” and “law in action” (Schuck, “Law” 242). The “law on the books” is the law that is “formally enacted,” while the “law in action” is the law that is “actually implemented” (Schuck, “Law” 242). Schuck points out a third level, namely, the “law in their minds,” because “many groups of actors in the immigration system see different aspects of the system or see the same aspects differently” (“Law” 243). Therefore, contrary to the expectation of the accuracy of the law, immigration laws are sometimes “ambiguous and open-ended on many crucial points, leaving considerable room for interpretation and specialized judgment by the officials who administer the law in the first instance, and, in the event of appeal, by appellate administrative tribunals and federal judges” (Schuck, “Law” 244), because the states use immigration policy as a fil-

ter for desired immigrants, but at the same time, they should also consider other factors such as humanitarianism and liberal ideology.

The public's attitudes toward an immigration policy are another important aspect in immigration, because they may cause immigrant-native conflicts. These attitudes toward an immigration policy, together with all their related actions, are the consequences of that immigration policy. According to Thomas J. Espenshade and Katherine Hempstead, there are several theories on what might influence public attitudes toward immigration. The first theory is the "labor market competition" theory (541). This theory is generated from the complaint that immigrants "take jobs away from native workers, contribute to higher unemployment, and reduce the wages and working conditions in selected occupations," and this competition will mostly affect "low-skill and low-wage native workers" (Espenshade and Hempstead 541). Also according to this theory, people with different levels of income and education are likely to have different views on the acceptance of immigration.

The second theory is the "cultural affinity" theory (Espenshade and Hempstead 542). This theory points out that individuals "who have close cultural and ethnic ties to their home countries and who have relatives whom they would like to bring to [the receiving country]" are more likely to support a more tolerant immigration policy (Espenshade and Hempstead 542). This theory may be suitable for the United States, but it does not apply to Germany much, because the traditional understanding of native Germans has a strong ethnic sense. Therefore, I want to extend this theory to the requirements of assimilation of immigrants — we may also understand the cultural affinity theory in the way that people are more likely to accept immigration when immigrants have more cultural similarities to the natives or have a high level of integration. This can also be explained by Samuel P. Huntington's "clash of civilization" — he believes that "[t]he great divisions among humankind and the dominating source of conflict will be cultural" ("The Clash" 22), and "[t]he most important conflicts of the future will occur along the cultural fault lines separating [eight] civilizations from one another" due to different views of these civilizations, which "include Western, Confucian, Japanese, Islamic, Hindu, Slavic-Orthodox, Latin American [,] and . . . African civilization" ("The Clash" 25). Therefore, if immigrants fail to integrate, natives will be aware of the difference between the two civilizations, and if they can hardly accept the immigrants' civilization, conflicts may occur.

The third one is the “generalized cost-benefit considerations” theory (Espenshade and Hempstead 542). This theory is generated from the labor market competition theory, acknowledging that labor market competition, or the resulting unemployment, is a cost of immigration. However, at the same time, there is “a much broader set of material concerns” related to “cost-benefit calculations” (Espenshade and Hempstead 542), and it is more possible for those who benefit from immigration (for example, employers of low-wage migrant workers) to support a tolerant immigration policy.

The “health of the economy” theory points out that the acceptance of immigration is related to the country’s economy (Espenshade and Hempstead 543). It means that if the economy is good enough to provide abundant jobs, people are likely to accept immigration. From this point of view, those who “have the most optimistic assessments of the current and future state of . . . economy will also be the most receptive to current or even higher levels of immigration” (Espenshade and Hempstead 543), and public attitudes toward immigration may change from time to time in accordance with the state of economy.

The “social and political alienation” theory is related to the insecure feelings of individuals. These individuals are categorized as “the anxious class” who are on the margin of a society economically (Espenshade and Hemstead 543). Again based on the labor market competition theory, immigrants compete for jobs with native workers. Therefore, those who feel insecure about their “jobs and incomes” are likely to oppose immigration (Espenshade and Hempstead 543). It is important to note, however, that the feeling of insecurity is abstract. A person who feels insecure about his/her job will not necessarily lose his/her job, and thus immigration does not really affect his/her social status. Yet, this person needs to find a scapegoat for these feelings of insecurity and problems, and the blame on immigration seems to be the solution.

Finally, the “isolationism” theory suggests that individuals who see a country from a more global perspective are more likely to support a high level of immigration (Espenshade and Hempstead 543). In this perspective, a country is only a component of a whole, and thus it is responsible for the development of other countries. On the contrary, it is more possible for those who see a country as an isolated unit to oppose immigration.

Espenshade and Hempstead’s “empirical analysis has found support” for each of these theories (Espenshade and Hempstead 555). Therefore, influencing factors in each theory

function together, and public attitudes toward immigration are the result of every single influencing factor. Also, the behavior of immigrants may be an influencing factor that those theories above fail to include. For example, if some immigrants break the law and upset the public, voices of anti-immigration will rise even if those unlawful acts are only exceptional cases. In this dissertation, I will use some polls to show public attitudes toward immigration in the United States and Germany, and the change in attitudes after some specific events demonstrate the consequences of such events.

Besides public attitudes toward immigration, migrant literature also shows the consequences of immigration. Through migrant literature, people usually sense problems, hardships, and even discrimination that immigrants face, and Madelaine Hron defines these obstacles as “immigrant suffering.” Hron theorizes that “pain, and even socioeconomic hardships or racial discrimination, are structured as ‘languages,’ and as such, may be translated into the symbolic language of words” (xvi). Based on William Boelhower’s definition of the immigrant novel, Hron summarizes the generic immigrant narrative as follows:

“An immigrant protagonist(s), representing an ethnic world-view, comes to America [or a new country] with great expectation, and through a series of trials is led to reconsider them in terms of his final status.” The immigrant novel bears several key components: a hero, a journey, and a series of trials. Each of these informs our general understanding of the immigrant experience, in particular, the hardships of immigration. (15)

It is important to note that the protagonists in immigrant narratives should not be read as “individuals,” but as “representatives of a foreign ethnic collective,” as “the Other” (Hron 15). “A series of trials” usually refer to the encounter with “cultural differences” and the separation of “former values” (Hron 16). Therefore, all trials in immigrant narratives can be read as a clash between two different cultures, and the “final status” is often assimilation, estrangement from one’s ancestry, realized when an immigrant returns to his/her country of origin, or the protagonist’s loss of identity. In some cases, the protagonist may also rediscover a concealed identity.

Hron also points out that “[a]s a result of being a necessary part of the immigrant story, the hardships, difficulties, and sufferings of immigration risk being essentialized, banalized, or relativized” (17). This, on the one hand, emphasizes the obstacles that every immigrant may face and criticizes the existing hostility in the receiving country, but on the other hand, it cannot silence the arguments that “[i]t was their choice to come here” and “[i]f they don’t like

it here they can just go back were [sic] they came from” (Hron 18). “Immigrant suffering” in immigrant narratives, although missing some levels of reality, is a reflection of immigrants’ real life, and it includes “social suffering” such as “poverty,” “discrimination,” and “structural violence,” as immigrants “have little voice in the social sphere,” “immigration changes” such as “cultural disparity” and language barriers, and “traumatic memories” (Hron 28).

The immigrant narratives I select as examples in the following chapters all reflect some difficulties immigrants encounter, and these difficulties represent some consequences of immigration policies. Also, protagonists in these examples are not all poorly educated or at the bottom of a society, as the stereotypes of a low-skilled immigrant would suggest. On the contrary, many of them are smart and well-educated. Therefore, the difficulties described in these immigrant narratives are obstacles a middle-class immigrant may face, and they are not firmly related to the immigrants’ level of education.

One thing to note in regard to migrant literature is that it is not written by immigrants alone (Fateme and Abdolali 687). On the contrary, “a writer can be accounted as a migrant artist in his own homeland, because what distinguishes the migrant writers from the non-migrant is not the geographical borders and places, but the hybrid nature of their works” (Fateme and Abdolali 687). Therefore, “even nonimmigrant writers who portray characters crossing the geographical boundaries and cultures, and who demonstrate the formation of a hybrid selfhood from the heart of cultural conflicts, could be producers of immigrant fiction” (Fateme and Abdolali 687). The literary works I select for this research belong to migrant literature in this sense, and I do not distinguish migrant literature by immigrants from that by non-immigrants.

3. The “Born” Identity: The Formation of National Identity

“Are we a ‘we,’ one people or several? If we are a ‘we,’ what distinguishes us from the ‘thems’ who are not us? Race, religion, ethnicity, values, culture, wealth, politics, or what?”

— Samuel P. Huntington in *Who Are We?*

The title is derived from the 2002 action film *The Bourne Identity* (directed by Doug Li-man). The film tells the story of a wounded man who is saved by fishermen. The man has no memory of who he is and what has happened, and he begins to try to recollect his memory and identity based on clues around him. With a little wordplay, I use this title to imply the formation of a country’s national identity and a person’s gaining of this identity.

According to the national identity approach I introduced in the previous chapter, the perception of national identity strongly influences immigration policy. Considering the differences between the formations of the U.S. and the German national identities, it is easy to understand why the U.S. and German immigration policies, especially their citizenship and naturalization laws, belong to two different models. To a great extent, the national identity approach explains the reasons for the differences in the U.S. and German immigration policies.

National identity may be determined by different factors such as ascriptive, cultural, territorial, political, economic, and social factors (Huntington, *Who* 27). The ascriptive factor means a person’s physical description including age, gender, race, and ethnicity. The cultural factor represents a person’s lifestyle and is related to language and religion. The territorial factor defines a person’s identity geographically. This geographical area can be as large as a continent or as small as a neighborhood. The political factor differentiates people based on their political beliefs, ideologies, factions, etc. The economic factor is associated with a person’s occupation, employment, salary, and even class. The social factor is connected to a person’s social circle — friends, colleagues, and status (Huntington, *Who* 27).

3.1. National Identity in the United States

Books on U.S. history usually start with Christopher Columbus’s discovery of the American continent in 1492, even though evidence shows that the land had been touched by other

settlers such as the Vikings long before Columbus's time. Moreover, this starting point of U.S. history also undermines the fact that Native Americans, possibly settlers from Asia, had been living on the continent from the beginning. Therefore, the Americas, or the New World, is the European sense of the American continent, and the settlement history of the New World is more or less told from a European perspective. However, notwithstanding the acknowledgement of such flaws, I will still use mainstream history to explain U.S. national identity in this chapter, because 1) rewriting history from a broader perspective itself could probably result in a completely different research which has nothing to do with immigration policies; 2) the mainstream is more effective in influencing the decisions of policymakers; and 3) most of the policymakers belong to mainstream society, so the policies are based on mainstream thinking.

Columbus's men did not stay in the New World. The first successful European settlement was established in Jamestown in 1607 by the British. Between 1607 and 1776, settlers, mainly from England, were beginning to form their American identity. During this period, the Anglo-Protestant culture dominated America, despite the fact that settlers from other parts of Europe made an effort to maintain theirs. For example, German settlers in Pennsylvania, also known as the Pennsylvania Dutch, failed to make German an equal language to English (Huntington, *Who* 60), which symbolizes the expansion of the Anglo culture. However, although their culture had been highly influenced by the English culture, settlers in America started to distinguish themselves from the British. American newspapers "contained far more words such as 'American', 'continental' and 'united colonies' — than symbols implying membership of the Empire" (Bonwick 47–48). The formation of this American identity, which is to a large extent known as the American Creed, reached its climax when Thomas Jefferson drafted the Declaration of Independence.

The American Creed, as Gunnar Myrdal notes, "is the cement in the structure of this great and disparate nation" (3). It embodies "a social *ethos* [and] a political creed" that "Americans of all national origins, classes, regions, creeds, and colors" share (Myrdal 3). In other words, the American Creed represents Americans' "commitment to the political principles of liberty, equality, democracy, individualism, human rights, the rule of law, and private property" (Huntington, *Who* 46). As it states in the Declaration of Independence, "[w]e hold these truths to be self-evident, that all men are created equal, that they are endowed by their

Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.” The “we” in this sentence refers to Americans, which not only separates Americans from the British, but also serves as the first written principle that only those who believe in the same values can be Americans. The accusations against the British Empire in the later part of the Declaration of Independence further emphasize how the King of Great Britain violates American values, and, therefore, “the good People of [the] Colonies” should absolve “from all Allegiance to the British Crown” and fight for their own rights. The American Creed, sublimed in the Declaration of Independence, functioned “as a political convenience and a device of strategy during the long struggle with the English Crown, the London Parliament and the various British powerholders in the colonies” (Myrdal 7). It also “served as the rallying center for the growing national unity that was needed . . . [, and] was a necessary device for building up a national morale in order to enlist and sustain the people in the Revolutionary War” (Myrdal 7). Although criticism argues that the notion of the American Creed as the American identity is only from the European point of view, it is undeniable that the dominance of European culture in America, especially before the United States was founded, made the American Creed mainstream and placed it at the center of American identity.

When Congress adopted the Declaration of Independence on July 4, 1776, this date became the landmark to separate America as a colonized continent from the sovereign United States of America. Therefore, the United States has a clearcut starting point as a sovereign state. Adopting Independence Day as the starting point of the United States implies that the founding of the United States was rather political than cultural, because even though the Anglo culture dominated America, it was the colonists’ common political will, or the American Creed, that united the colonies and reached for independence. Also for this reason, American identity is more political than cultural.

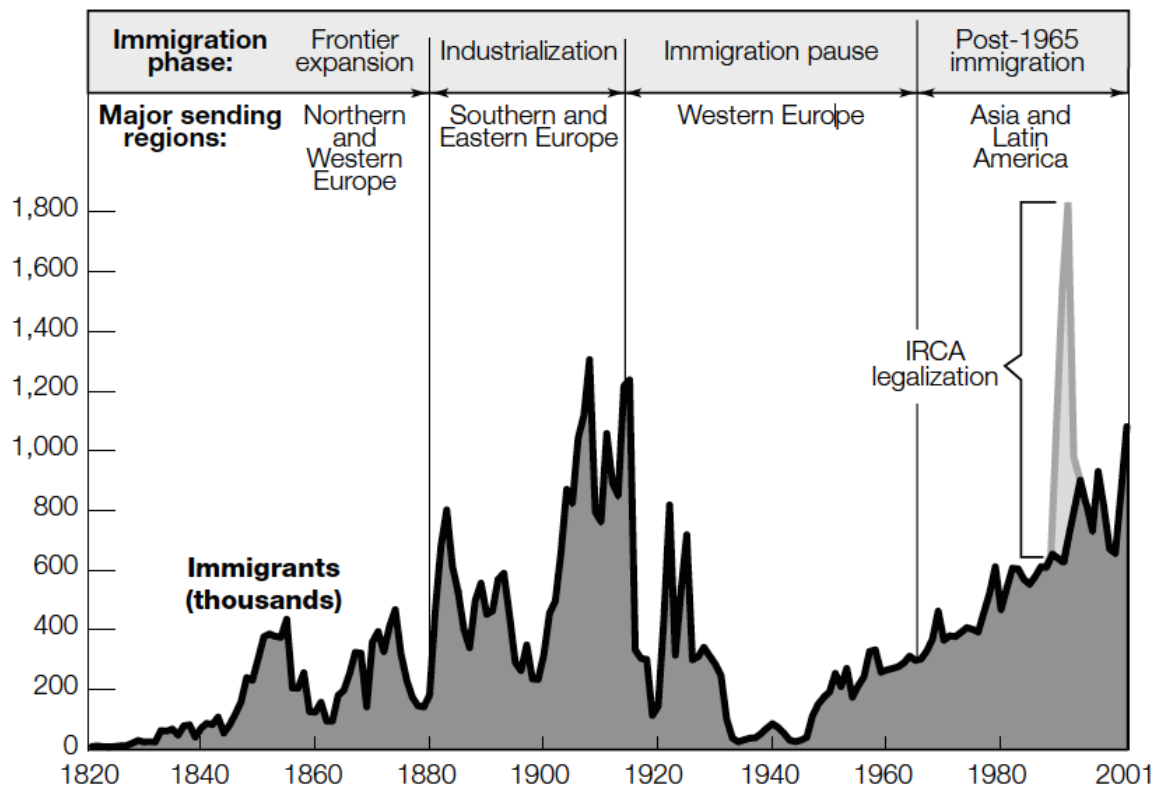
Besides the American Creed, another characteristic of American identity is that it has “no attachment to place” (Huntington, *Who* 50). Americans, again considering the mainstream, have a non-American ancestry. As Samuel P. Huntington notes, in contrast to natives of other nations who are united by culture or territory, “Americans have been settlers, immigrants, and their descendants, all of whose forefathers ultimately came from elsewhere, and hence, however patriotic they may be, they have not called America their fatherland or motherland” (*Who* 51). Even within the United States, Americans constantly move from one

place to another, more frequently than any other nation in the world (Huntington, *Who* 50). The Westward Movement was the epitome of this lack of territorial attachment. Frederick Jackson Turner also gives credit to the Westward Movement, as he believes that it shaped American characteristics, adding “coarseness and strength,” “acuteness and inquisitiveness,” practicality, inventiveness, “dominant individualism,” and “freedom” to the American identity (37). Similarly, the lack of attachment to place also makes American identity less cultural or territorial, reinforcing the political sense of one’s national identity.

People today would like to categorize the United States as a nation of immigrants. However, cultural and racial diversities were not part of the intentions of the founding of the United States, because for one thing, “America was a highly homogeneous society in terms of race [white], national origin [80 percent British], and religion [Protestant]” in the second half of the eighteenth century (Huntington, *Who* 44), and for another, Native Americans and African slaves were not considered to be Americans or to be part of American society. Moreover, in a technical sense, although the settlers were from another continent, they were not considered immigrants, because these two terms have a fundamentally different meaning. Huntington distinguishes settlement from immigration, saying, “[s]ettlers leave an existing society, usually in a group, in order to create a new community, a city upon a hill, in a new and often distant territory” (*Who* 39–40), while immigrants “move from one society to a different society . . . [,] because they [want] to become part of the society the settlers [have] created” (*Who* 40). In this sense, colonial America was not yet an immigration society, even if people take Native Americans out of the picture.

Although the word “immigrant” already came into the English language in the 1780s to distinguish later arrivals from the founding settlers (Huntington, *Who* 40), it was not until the 1820s that immigration became part of American identity. In 1820, the number of immigrants to the United States began to increase, and, therefore, the United States started to form its status of what people call “a nation of immigrants” in the 1820s. Figure 3.1 shows the immigrant population from 1820 to 2001. At first, at least until 1880, most immigrants came from Northern and Western Europe, and assimilation was not considered to be a problem. As Huntington notes, those immigrants “were partially assimilated and their children and grandchildren almost totally assimilated into American society and culture” (*Who* 181). Because of this high assimilation rate and level and their identical race to Anglo-Americans (white), the

Fig. 3.1. Immigration to the United States, 1820 to 2001



Note: IRCA refers to the amnesty provisions of the Immigration Reform and Control Act of 1986, under which 2.7 million unauthorized foreign residents obtained legal immigrant status.

Fig. 3.1. Philip Martin and Elizabeth Midgley, "Immigration: Shaping and Reshaping America" (*Population Bulletin* 58.2 [2003]; Web; 12; PDF file).

American Creed was not challenged. In this sense, although the number of immigrants increased between 1820 and 1880, American identity remained unchanged, and the Anglo culture kept dominating the United States.

In contrast to immigrants before 1880, immigrants to the United States between 1880 and 1914, right before the First World War started, were mainly from Southern and Eastern Europe. These immigrants shared the same race with Anglo Americans, but their cultures and religions (Catholic, Orthodox, Jewish) were somewhat different. However, despite the cultural and religious differences, they were deemed to be assimilable, and therefore, the United States, though reluctantly, accepted these immigrants. At the same time, immigrants from Asia also came to the United States as laborers. These people were considered to be so different from Anglo-Americans that assimilation was not possible. Consequently, they could by no means naturalize to become American citizens.

The flow of immigration from countries whose cultures were very different from the Anglo culture threatened the dominance of Anglo culture in the United States. Therefore, Congress passed various laws to maximize Anglo dominance. For example, the two Quota Acts of 1921 and 1924 were meant to expand the population advantage of people with Western European ancestry. More extremely, the 1882 Chinese Exclusion Act demonstrates America's intolerance to accept a completely different culture. Yet, since people born in the United States have the birthright to gain American citizenship, Asian was still part of the American racial composition. From this point of view, racial and cultural diversity started to grow in the United States after 1880, but only those who accepted or were considered to be capable of accepting American values could become Americans. This phenomenon still exists today, which I will discuss in detail in chapter 4.2.1.

Possibly because of America's intention to convert every immigrant to the Anglo culture, the United States was and still is very well aware of immigrants' "difference," either cultural, religious, or racial. Despite the government's effort to make every immigrant adopt Anglo-American values and culture, difference could not be fully eliminated. The new immigrants, those from Southern and Eastern Europe, "are . . . responsible for the fact that even recent community surveys, undertaken decades after the end of the mass immigration, give a picture of American class stratification which closely corresponds to the differentiation in national groups" (Myrdal 52). In other words, since the new immigration, the United States have been collecting statistics and analyzing American society based on national and cultural differences and race. Also, the new immigration considerably led to the formation of the United States as a heterogeneous country in every sense, and it is inevitable that the United States gradually tolerated racial diversity in the country, and, though to a limited degree, the coexistence of different cultures. Consequently, cultural and racial diversities truly became part of American identity following the new immigration. These diversities make American identity even more political, because since then, Americans do not share the same culture anymore, and the only thing they may have in common is their political beliefs — liberty and equality of opportunity — which are noted as the American Creed.

In the nineteenth century, American nationhood, although formed, was still not deemed to be ideally strong. Robert Wiebe still sees the United States as "a society without a core" (qtd. in Higham, *Send* 183), and Henry James considers it as

[n]o State, in the European sense of the word, and indeed barely a specific national name. No sovereign, no court, no personal loyalty, no aristocracy, no church, no clergy, no army, no diplomatic service, no country gentlemen, no palaces, no castles, nor manors, nor old country houses, nor parsonages, nor thatched cottages, nor ivied ruins; no cathedrals, nor abbeys, nor little Norman churches; no great universities nor public schools — no Oxford, nor Eton, nor Harrow; no literature, no novels, no museums, no pictures, no political society. . . . (qtd. in Higham, *Send* 183)

Yet, however loose American nationhood was, the American people were held together by a common ideology, as John Higham points out,

this almost disembodied state lived as an idea — resonant, compelling, and universally espoused. . . . Although nationalism everywhere in the nineteenth century acquired an ideological thrust, it seems unlikely that any other country defined itself so preeminently as a community of belief, a nation gathered around a creed. . . . A national ideology enabled Americans to do without — and even told them why they did not need — the unitary state, the imposing monuments, and the dense social fabric that James observed in Europe. (*Send* 184)

Because of this mass immigration, nativist voices rapidly increased in the nineteenth century in the United States with the fear that other cultures would take over the Anglo-Saxon culture. In response to this mass immigration, the country set up legislative barriers to limit or even stop “unwanted” immigration. Nativists believed that the Anglo-Saxon race was superior to any other races, and they even cited Charles Darwin’s *On the Origin of Species* (1859) to justify and demonstrate that the United States would always be Anglo-Saxon (Schrag 48). The rapid growth of nativism indicated that the formation of a heterogeneous nation and the establishment of multiculturalism were not in the principles of the American nation, contradicting the connotation nowadays that the United States is associated with multiculturalism.

The abolition of slavery also plays a large role in the racial diversity of the United States. Although Africans came to America as early as in the seventeenth century, either as free men, indentured servants, or slaves, they did not have the chance to pose a danger to the Anglo culture, for slavery eliminated human rights of many black slaves and negatively affected free blacks. Also due to slavery, the American Creed did not apply to African Americans, because many of them did not come to America by free will but by force. After the Civil War, the Thirteenth Amendment (1865) was ratified to officially outlaw slavery throughout the United States, and the Fifteenth Amendment (1870) finally gave male African Americans the right to vote. The abolition of slavery made black slaves citizens of the United States and considerably changed the ratio of black to white Americans. Also because of the newly gained political rights of African Americans, the Anglo culture, or the white culture in a broader sense, could be challenged. Therefore, the white population’s discrimination against blacks and the

racial segregation carried out after the abolition of slavery demonstrate white Americans' fear that the acceptance of a completely different race into American society might overturn white supremacy, and thus white Americans tried to suppress black Americans to maintain their supremacy. From this viewpoint, African Americans only gained their national status politically after 1865, which makes their national identity political, because they had nothing in common with white Americans other than the same nationality.

Like African Americans, Native Americans have no attachment to the American Creed either. They are the only racial group that is rooted in America, and thus one criticism on the United States being a "nation of immigrants" is that the claim overlooks Native Americans. However, ever since their defeat by Europeans and Europeans' deadly diseases, Native Americans have been a minority in American society, and for a long time, the United States had not acknowledged them as citizens. In 1817, "300 Cherokees (Heads of families) . . . made an election to become American citizens," which became "one of the first efforts to test the federal government's 'civilization program,' started in 1789 under President Washington" (McLoughlin 3). But it was not until the Indian Citizenship Act of 1924 that all Native Americans born within the United States and its jurisdictions were granted citizenship. Very often, the government only granted citizenship to Native Americans who were "civilized" from the European perspective, and citizenship was a tool to "separate the acculturated from the unacculturated" (McLoughlin 4). For example, the Dawes Act of 1887 (or the General Allotment Act) encouraged Native Americans to separate from their tribes and live individually. In exchange of their acceptance of allotments and separation from the tribes, Native Americans were allowed to gain citizenship. The Burke Act (or the Forced Fee Patenting Act) in 1906 amended the Dawes Act, allowing government to break up communal land of the tribes and distribute the lands to individual tribe members. Also, it established a probationary period to examine whether Native American individuals were competent to become U.S. citizens. In this way, the law restricted citizenship only to those Native Americans who were seen fit to assimilate into Anglo-Saxon culture. Therefore, historically, the American identity of Native Americans was only possible when they gave in to Anglo-Saxon culture, and this new national identity was recognized politically, which reinforces the political factor of American identity.

The act that finally ended barriers to immigration based on ethnicity or national origin is the Immigration and Nationality Act (INA) of 1965. It is very possible that the enactment of this act was driven by the condemnation of racism caused by the Second World War, and racial inequity became a very sensitive topic and was deemed to be politically incorrect. The INA of 1965 offers “visa preferences with a commitment to family reunification,” leading to “an unanticipated explosion of immigration, most of it from Asia and Latin America” (Citrin and Sears 11). Therefore, it was only after 1965 that the United States reached racial heterogeneity. Figure 3.2 shows the ethnic change in the United States from 1980 to 2010. The continuous decline in the white population and the radical increase in the Latino population demonstrate the formation of a heterogenous nation in the sense of ethnicity.

Fig. 3.2. Ethnic Change in the United States from 1980 to 2010

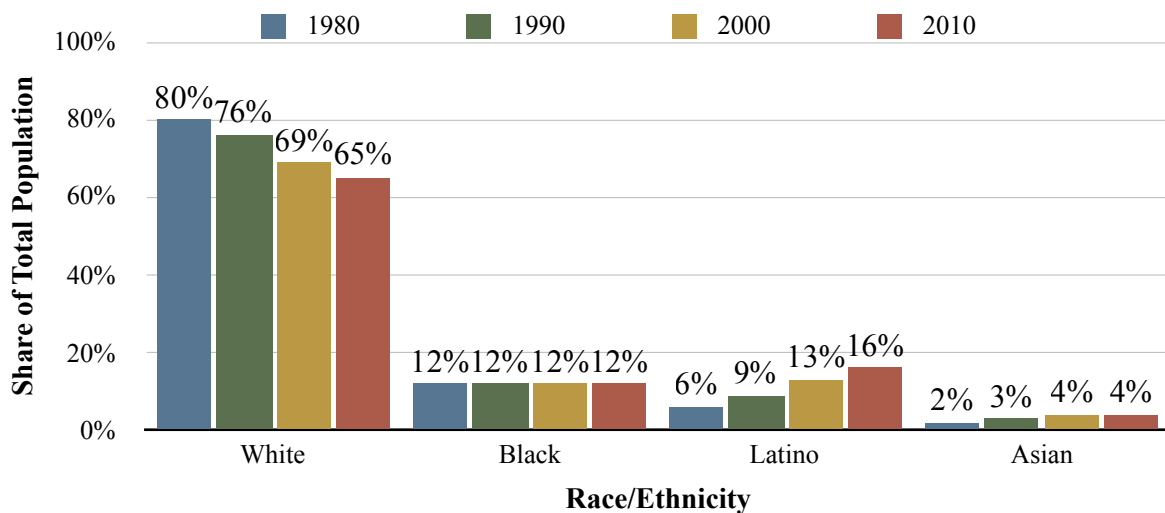


Fig. 3.2. Jack Citrin and David O. Sears, *American Identity and the Politics of Multiculturalism* (New York: Cambridge UP, 2014; print; 14).

A 2000 census map (fig. 3.3) shows Americans’ largest ancestry by county. It demonstrates that the United States has achieved ethnic diversity, although European countries still have a dominating proportion. It is also to note that the category “American,” marked in bright yellow, indicates that for these people, national origin is concealed by American identity, and the notion of ancestry is either unimportant or forgotten.

However, a nation of immigrants and racial heterogeneity does not necessarily mean multiculturalism. Multi-culture in the United States is more a consequence of immigration rather than a political intention. In the national motto *e pluribus unum* (Latin for “out of many,

Fig. 3.3. Largest Ancestry 2000, by County

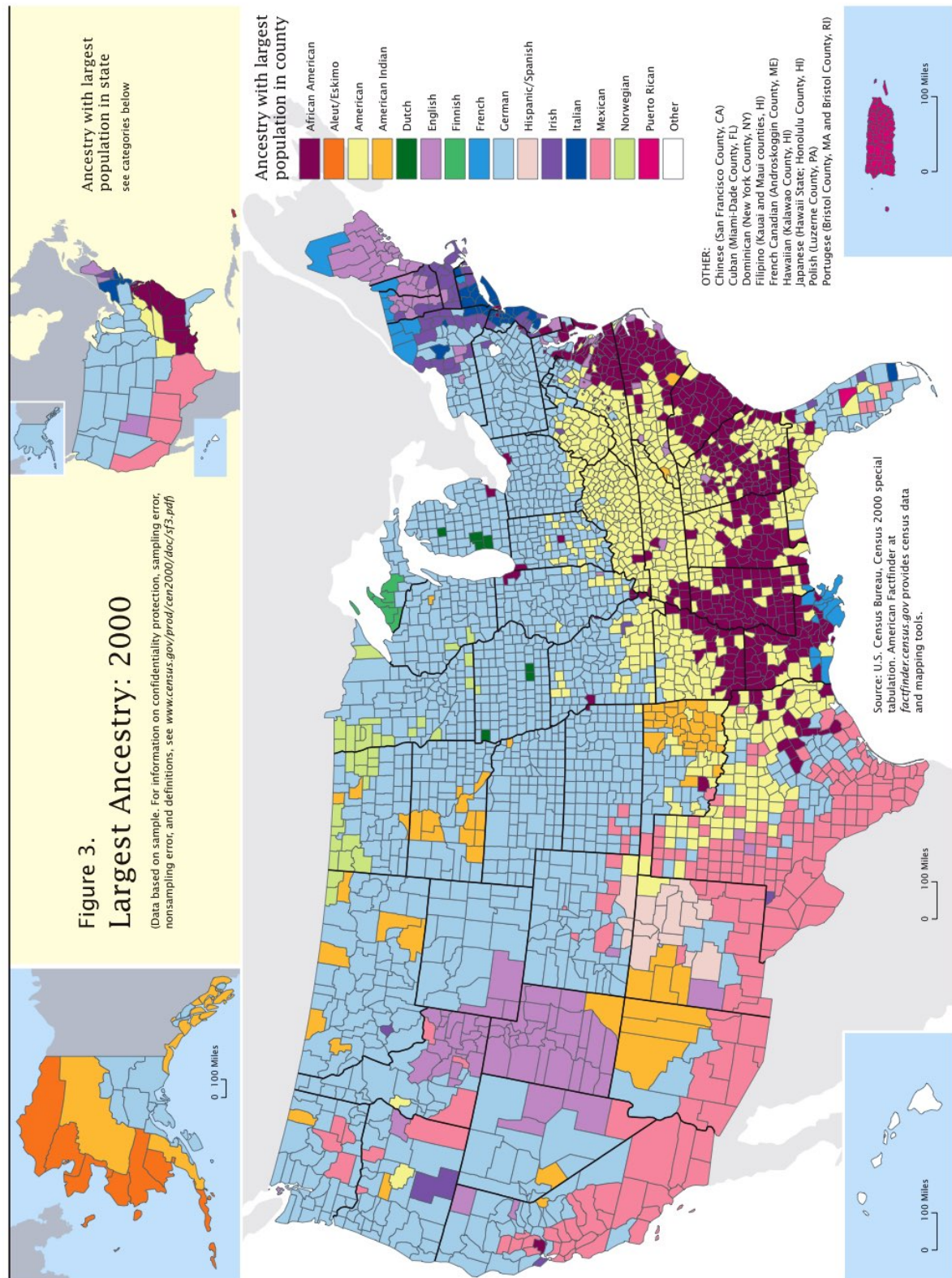


Fig. 3.3. Angela Brittingham and G. Patricia de la Cruz, *Ancestry: 2000: Census 2000 Brief* (census.gov; U.S. Census Bureau, Jun. 2004; Web; 8; 9 Dec. 2015; PDF file).

one”), *unum* — one — is what the United States intends to emphasize. According to Jack Citrin and David O. Sears, the “conceptions of nationhood are crafted by elites rather than springing forth spontaneously from mass publics” (27). Therefore, the United States makes efforts to forge a single common national identity in the ethnically heterogeneous country. Through history, a common national identity was

forged in the crucible of the War of Independence and then remade in the wake of crises such as the Civil War and World War II. Reinforced by socialization at home and in school, and buttressed by the repeated performance of civic rituals like the Pledge of Allegiance, honoring the flag, and singing the national anthem. (Citrin and Sears 27)

Fighting against a mutual enemy in various wars helps create a “we-feeling” of people with different national origins, and responding to a mutual crisis such as a natural disaster can also reinforce people’s national identity (Citrin and Sears 27). Even international sporting contests can help unite immigrants’ national loyalty (Citrin and Sears 40). Consequently, Americans, although having different countries of origin, formed a unified national identity through a top-down reinforcement. At the 2004 Democratic National Convention in Boston, Barack Obama, not yet President, delivered a speech that further highlighted the importance of *e pluribus unum*. He addressed the audience: “there is not a black America, and a white America, and a Latino America, and an Asian America; there is the United States of America” (“Transcript”). The positive reaction of the audience also symbolizes people’s consent and support of the *e pluribus unum* principle, indicating a strong American national identity.

In Edwidge Danticat’s story “Caroline’s Wedding,” there is a scene where a Haitian woman, Gracina Azile, becomes a naturalized citizen. This scene demonstrates how a person finds her belonging and identity through official papers. The story begins:

It was a cool September day when I walked out of a Brooklyn courtroom holding my naturalization certificate. As I stood on the courthouse steps, I wanted to run back to my mother’s house waving the paper like the head of an enemy rightfully conquered in battle.

. . .
[Gracina calls her mother.]
“I am a citizen, Ma,” I said.

. . .
“The paper they gave me, it looks nice,” I said. “It’s wide like a diploma and has a gold seal with an official-looking signature at the bottom. Maybe I will frame it.”

“The passport, weren’t you going to bring it to the post office to get a passport right away?” she asked in Creole.

“But I want you to see it, Ma.”

“Go ahead and get the passport. I can see it when you get it back,” she said. “A passport is truly what’s American. May it serve you well.”

At the post office on Flatbush Avenue, I had to temporarily trade in my naturalization certificate for a passport application. Without the certificate, I suddenly felt like unclaimed property. (Danticat 157–58)

The feeling of belonging with her naturalization certificate suggests that American identity is political, and the insecure feeling without the certificate further demonstrates that Gracina can feel American as long as she holds these papers. Here, the naturalization certificate and the American passport are symbols of American identity that have nothing to do with culture. When her passport arrives, Gracina finally feels secure living in America. Therefore, for Gracina, her American national identity is proven authentic through official papers politically, not culturally.

To conclude, America's national identity is mainly political, and it still largely embodies the American Creed principles established by the Anglo-Saxon colonists. In other words, American identity is based on Anglo-Saxon identity, but it is different from British identity because of the political values created in the New World. Due to America's immigration history and its racial and ethnic change, American identity is not limited to a certain racial and ethnic group or a single cultural background. However, strong common political and cultural values are essential to the American national identity, for the Anglo-Saxon, or better put, the Anglo-American, values are reinforced through a top-down system throughout history. According to Citrin and Sears, "the formation of modern nation-states included the triumph of a core ethnic group over peripheral minorities. The English incorporated the Scots, and the Spanish absorbed the Catalan" (26). In the case of the United States, despite racial and ethnic diversity, the Anglo-American culture marginalizes other cultures, and immigrants cannot be accepted to American society unless they show their ability to assimilate. Therefore, *e pluribus unum*, which is part of the seal of the United States, symbolizes a heterogeneous nation in the sense of race, ethnicity, and cultural background, and a homogenous nation in the sense of cultural and political values. As it states in the Ellis Island Immigration Museum,

[o]ver the centuries, the make-up of the United States' population has changed dramatically in terms of race, ethnicity, religion, and geographical distribution as people arrived here from every continent on Earth. This ever-evolving diversity challenges the idea of a single, dominant vision of the American identity, encouraging Americans to embrace inclusion and pluralism.

From the outset, the nation has struggled with a tremendous need for labor and a simultaneous reluctance to include anyone different or "alien" into American society. Yet it took many hands to till the land and feed the populace. Many strong backs to build America's cities, its infrastructure, and its industries. And many strands to weave what has become America's culture. At every stage of American

history, diverse groups have been involved in the on-going process of redefining the country and who is and who can be an American.¹

3.2. National Identity in Germany

Unlike the United States, which has a clearcut starting point as a sovereign nation, Germany contains a much more complex history, and thus it is very difficult to define from which point the feeling of being German started to appear. There was the Holy Roman Empire of the German Nation; there were the Greater Germany and the Lesser Germany derived from the German Question debate; there was the German Empire of the Bismarck era; there was the Greater German Reich of Naziism; there were the Federal Republic of Germany and the German Democratic Republic after the Second World War; and finally there is the unified Federal Republic of Germany (Weidenfeld 24). The German national identity in one era could be different from that in another, and there could also be common elements in this identity throughout all eras.

Because of Germany's complex history, German political identity is very confusing. In contrast to the United States, Germany did not only change geographically, but also politically. Therefore, Rudolf von Thadden notes that German identity does not apply to a certain territory, and it neither retrospectively reflects traditional values, nor does it project any future life forms (60). Consequently, there is a dilemma in the notion of German identity, for German identity does not require fixed contents to stay stable, but it does need contents to exist (Thadden 60).

Then what can be the contents of German identity? Peter Watson, a historian, sees that the essence of German identity lies in high culture, or *Kultur*, if using the German word. He quotes Wolf Lepenies to distinguish the German word *Kultur* from the English word culture, explaining that "the German concept of *Kultur* refers essentially to intellectual, artistic and religious facts, and has a tendency to draw a sharp dividing line between facts of this sort, on the one side, and political, economic and social facts, on the other" (qtd. in Watson 31). Therefore, German identity emerged from German literature, art, music, philosophy, and religion, rather than from the political idea of Germany as a nation state.

¹ Quoted from the exhibition board "Who Is an American" in the Ellis Island Immigration Museum. Date of visit: September 22, 2014.

There are two main reasons for Watson to make that claim. The first one is vernacular language. Watson argues that Germanness started with Pietism, which later led to the recognition of the German language. Pietism, “deeply influenced by English Puritanism,” “first appeared around 1670” (Watson 46). August Hermann Francke made a daring change in biblical thinking, believing that “Creation ‘could be improved upon’” “through practical acts of charity” (Watson 47). This new thinking added power to human beings, and therefore, resulted in the popularity of education in the hope that activism could be better conducted. “[I]n 1729 Friedrich Wilhelm decreed that all Lutheran pastors in his realm must have studied at the University of Halle for at least two years” (Watson 48), reinforcing the importance of intellectual development. Also as a result of the emphasis on education, there were many more universities in Germany than that in England in the eighteenth century, and with time and due to the efforts of Adolf von Münchhausen of the University of Göttingen, universities changed their focus from theology to “the ‘philosophical’ subjects — such as history, languages, and mathematics” (Watson 51), resulting in the liberation from the theological faculty’s censorship.

The use of the German language could be one of the most significant signs of the establishment of German awareness. By the late eighteenth century, pietism and the development of universities had changed the fact that “most educated Germans regarded French literary and artistic culture as superior to their own, and that British political freedoms and parliamentary practices were likewise to be envied” (Watson 55). The reading revolution, as part of the result of the removal of censorship (Watson 55), increased the proportion of German publications, while the number of Latin publications rapidly decreased. In the mid-eighteenth century, Christoph Gottsched “formed a German society devoted to linguistic integrity” and promoted the use of High German as well as the development of German novels and drama (Watson 57). Benedict Anderson notes that Latin publications unified people of different spoken languages, for they “became capable of comprehending one another via print and paper” (44). If so, the decline in Latin publications divided this unification into communities based on people’s vernacular languages. In this way, the widespread use of the German language in publications accelerated people’s realization of a common consciousness, namely, Germanness. Furthermore, Johann Gottfried Herder connected language with nation. Watson summarizes this idea, stating,

for Herder, language reflects the history and psychology of a distinctive social heritage, and this was by far his most influential argument — language identifies a *Volk* or nationality, and *this*, the historico-psychological entity of the common language, is for him “the most natural and organic basis for political organisation Without its own language a *Volk* is an absurdity (*Unding*). For neither blood and soil, nor conquest and political fiat can engender that unique consciousness which alone sustains the existence and continuity of a social entity.” Language, as well as *unifying* a community, also identifies that community’s consciousness of *difference* from those speaking other tongues. (124–25; emphasis in original)

In this sense, the establishment of a nation is more than just political. The thinking that a common language is a primary factor to identify a nation directs German identity to a cultural level.

Turkish-German author Zafer Şenocak, unrelated to Watson’s work, speaks from experience that the feeling for the German language is the key to Germanness. He notes that it is more than enough for educators if immigrants speak accent-free and correct German, but it is not enough for those who want to feel at *home* in Germany, because only when they feel the language can they be at home (*Deutschsein* 18). Therefore, language is an essential part of one’s identity.

The second reason is the understanding of knowledge in life. Although Natural Law was widely accepted during the *Aufklärung* (the German Enlightenment, but different from the French, English, and Scottish Enlightenments in time) as a reason for the development and perfection of societies, *Aufklärer* still deemed “the forces of the spirit” to be another important factor (Watson 73), and all creation, either artistic or scientific, was a representation of perfection. Therefore, knowledge was put on a very high level, and since “spiritual change” was random and has no realm, *Aufklärer* believed that “[a]rt as well as history had an infinite realm of future possibility” (qtd. in Watson 76). In other words, knowledge, largely represented in art, music, literature, etc., steadily drives societal development and perfection without limitations. Isaak Iselin even associated knowledge with freedom, a term that usually appears in politics in America. He “contributed to the German (as opposed, say, to the British or American) idea of freedom. For him, freedom was to be acquired through knowledge; it was an *internal* freedom that concerned him, in contrast to an outward — political — freedom” (Watson 76; emphasis in original). In this way, even a seemingly political idea is understood from a philosophical perspective.

Knowledge continued to be valued even after the *Aufklärung* ended. After Prussia was defeated in the Battle of Jena in 1806, the German philhellenism was changed extensively — “its anti-aristocratic aspects were transformed into probational sentiments, and a new form of

pedagogy, built on the notion of *Bildung*, made its peace with the state and the status quo” (qtd. in Watson 108). Wilhelm von Humboldt made some formality changes to the educational system and added more disciplines to it. For example, “[h]e introduced a requirement that all prospective university students pass a new examination, the *Abitur*, . . . [and] made the *Abitur* the sole prerogative of a particular type of classical school — known as the *Gymnasium*. Only these could prepare pupils for university” (Watson 109). Humboldt also designed the University of Berlin, where the “philosophical faculty (containing philology, philosophy proper, and the natural sciences)” was given more value than “the more ‘practical’ faculties of medicine, law, and theology” (Watson 109). The reason for this type of educational system lies in Humboldt’s understanding of *Bildung*. Similar to Iselin, Humboldt connected *Bildung* with a term that usually has a political sense in America, namely, citizenship. For him, *Bildung* is a process that transforms individuals “from a natural state of ignorance and immaturity to ‘self-willed citizenship’: a shared understanding of civic harmony and loyalty to the state, a belief that spiritual emancipation through education in the humanities was the true path to (inner) freedom and ‘willing citizenship’” (Watson 109). Again, Humboldt offered a philosophical explanation of the seemingly political term, which reinforced the cultural conception of German identity.

Like Watson, Rogers Brubaker also sees the importance of the concept of the German *Volk* (people) or culture and the weak political sense in the German national identity. He argues that

the German understanding [of nationhood] has been *Volk*-centered and differentialist. Since national feeling developed before the nation-state, the German idea of the nation was not originally political, nor was it linked to the abstract idea of citizenship. This prepolitical German nation, this nation in search of a state, was conceived not as the bearer of universal political values, but as an organic cultural, linguistic, or racial community — as an irreducibly particular *Volksgemeinschaft*. On this understanding, nationhood is an ethnocultural, not a political fact. (*Citizenship* 1)

Consequently, although the term “national identity” contains the connotation of nationality or citizenship, the concept of German national identity might have lost these connotations and become associated with ethnoculturalism.

Germanness would better be understood as the German *Volk*, not as the political sense of nation, also because the political identity of the German people has changed frequently throughout history. However, it is necessary to add a political frame before I compare immigration policies between the United States and Germany, because policies depend strongly on

a nation's political culture, and the study would only be valid if the changes in immigration policies are made under the same regime, for these changes reflect the changes in the nation state's attitude toward immigration and immigrants. Therefore, to compare the U.S. and German immigration policies, I will only consider Germany after the German reunification on October 3, 1990, since this date sets Germany in a frame of a valid and single nation state.

The contents of German identity after the reunification not only include the German *Kultur*, but also a more recent history, namely, the Nazi past. There had been a German victimhood ideology derived from "the legend of the 'clean *Wehrmacht*'" in post-war German politics (Weber), but this opinion was strongly challenged in the 1990s. In 1995, the Hamburg Institute for Social Research organized an exhibition named "War of Annihilation — Crimes of the *Wehrmacht* between 1941 and 1944" (*Vernichtungskrieg: Verbrechen der Wehrmacht 1941–1944*), which not only raised the German public's attention to their Nazi past, but also resulted in a heated discussion about the *Wehrmacht*. Accompanied by the book under the same name edited by Hannes Heer and Klaus Naumann, the exhibition sent a message that "the activities of the German *Wehrmacht* in the east were not as 'clean' as widely perceived in post-war Germany," and it questioned "the culpability of ordinary German soldiers" (Wittlinger 27). Similarly, Daniel Goldhagen published his book *Hitler's Willing Executioners: Ordinary Germans and the Holocaust* in 1996, challenging "the still very deep-seated and dearly held belief in Germany that Germans were the first victims of Hitler and that the crimes were not committed by the German people themselves but 'in their name'" (Wittlinger 27), and the book, again, led to a discussion about the *Wehrmacht*. These two events and the following discourses brought "more widespread awareness of the involvement and responsibility of ordinary Germans between 1933 and 1945" (Wittlinger 27), and thus reinforced the responsibility of ordinary Germans for the cruelty of the war.

Holocaust memory also strengthens the recognition of the Nazi past. According to Ruth Wittlinger, "[t]he 1990s also saw an increasing institutionalisation of Holocaust memory partly caused by the gradual disappearance of the eyewitnesses or what has been described as the transition from 'communicative memory' to 'cultural memory'" (30). Furthermore, Holocaust memory had been globalized in the 1990s. National Holocaust Memorial Day was introduced in Germany in 1996 (Wittlinger 30), and Holocaust education was promoted by Sweden, Great Britain, and the United States in 1998 (Wittlinger 31). Although the globalization of

Holocaust memory more or less demonstrates that the Nazi past is a lesson “not just for Germany but for the world” (Wittlinger 140), Germany is still responsible for this history. To some degrees, Holocaust memory has become an ideology rather than just a memory, and promoting this memory symbolizes Germans’ acceptance of the Nazi past. Angela Merkel sees Germany’s Nazi past as an irrevocable “part of German memory and identity and . . . it is only through a full acceptance of this past that the future can be shaped” (Wittlinger 40). Therefore, Germans have come out of the shadows of the Nazi past and the Holocaust memory without eliminating them from their national identity.

If a shared *Kultur* and past can be seen as a bond of German identity, then the German division posed a challenge to it. “[D]uring the 1950s and 1960s [,] West German public debate was preoccupied with the *Alleinvertretungsanspruch* — with the question of which (if either) of the two separate states could legitimately claim to be *the* German nation state” (Halfmann 260; emphasis in original). Also, the identities of “*Auslandsdeutsche* (Germans abroad),” “*Vertriebene* (the expellees from the former German territories),” “*Aussiedler* (the settlers of German origin in the former Soviet Union),” and “*Übersiedler* (those Germans who crossed the border between the two German states)” became blurred and complicated (Halfmann 260). In the 1970s, the words “German” and “Germany” almost disappeared “from official terminology” (Wittlinger 49). Instead, abbreviations for West Germany and East Germany, FRG and GDR, were frequently used. The de-Germanization was especially obvious in the GDR, for the description of the GDR in the constitution was changed from “a socialist state of the German nation” in 1968 to “a socialist state of workers and peasants” in 1974 (Wittlinger 49). In this way, German identity was blurred after the division.

The revival of the German national identity emerged after the Wall fell. Helmut Kohl believed that the German nation was still united despite the division, saying “[t]here is no capitalist nation, there is no socialist nation, there is only one German nation, committed to peace and freedom” (qtd. in Wittlinger 59). Furthermore, protesters chanted “we are ONE people” and “Germany — united Fatherland” during the demonstrations in Leipzig on November 27, 1989 (Wittlinger 59). Although voices of unification reached their climax after the Wall fell, the fall of the Wall was not the cause for the climax but a result. The willingness to unify and the hope for democracy were the main reasons for the unification, as Kohl saw the mass escape and emigration from the GDR as people’s choice for freedom, a “vote with their

feet” (Wittlinger 58). Also, Germans had long suffered from the Nazi dictatorship, and thus the choice for democracy seems to be a natural progress. The reunification again eliminated the complexity of German identity, as the two German states became one again, and *Aussiedler* gradually migrated back to Germany.

To conclude, German national identity is more culture-bound than politically concerned, because Germany as a nation-state did not only change geographically throughout history, but also politically. The German *Kultur* is the primary cause of the formation of Germanness, and all components of the *Kultur* — e.g., religion, music, and literature — reinforce the public’s awareness of German identity. German identity, when considered under a single sovereignty, becomes German national identity. However, since German sovereignty frequently altered in history, the feeling of “national” has never been stable. Therefore, German identity is based on *Kultur*, and since *Kultur* is connected to the foundation of German awareness, one could say that *Kultur* also results in the notion of German blood.

To overcome the unstable national awareness in German national identity and make my comparison of immigration policies possible, I will focus on German immigration policies after the German unification to strengthen the political sense of German national identity. After the German unification, there are at least two factors to influence German identity besides *Kultur*, namely, the Nazi past and the German division. The Nazi past becomes a content of German identity, and it also leads to Germans’ sensitivity to the word “race.” Therefore, while “race” is a neutral word in English, “*Rasse*” (the German word for race) often has a negative connotation in German. This negative connotation is likely to have strongly affected the formulation of immigration policy, avoiding “race,” which is in stark contrast to the U.S. immigration policy. The German division has weakened German national identity, as the word “German” gradually disappeared from official terminology, but the longing for democracy again strengthens national identity.

3.3. Comparison and Reflection

The main difference between the U.S. and German national identities is that the U.S. national identity is more political than cultural, while the German national identity is the other

way around. This notion of national identity influences immigration policies, especially citizenship and naturalization laws, resulting in two different models of policy. Although the United States is not a heterogenous country from the beginning, and Anglo-American culture is still predominant in the country, the strong political sense of national identity allows people to feel American when they accept American values. The United States citizenship law follows the *jus soli* principle, probably because it is confident that people born in the United States will accept American values through education and thus possess American national identity. As a result, the United States has become a heterogenous country in race and ethnicity. In contrast, the strong sense of German culture in the German national identity largely hinders immigrants from feeling German. The concept of *Volk* behind the cultural sense of German national identity strengthens the blood-based Germanness, for “[t]he *Volk* [is] considered as a genetic, biological entity, so it was only logical that membership of it could only be transferred via the blood, and not simply via birth in the country” (Green, “Beyond” 108). The *jus sanguinis* principle of the German citizenship law might reflect the concern that only people who share the same culture, or in this context German blood, can possess German national identity. Consequently, Germany is a rather homogenous country in culture, race, and ethnicity. Although Germany’s *jus sanguinis* principle is gradually changing, its model of immigration policy is based on this principle.

More specifically, language requirements play a large role in both countries’ national identities. In the United States, the ability to speak English is a symbol for a person’s integration. However, English as the *de facto* official language in the United States is only a result of the predominance of Anglo-American culture, for many people have their own original languages. To some extent, English is forced on every American as an attachment of the American identity, not a substance. On the contrary, German national identity is partly derived from the German language. Therefore, language is a more basic factor in national identity in Germany than in the United States.

The differences in the nature of national identities (political or cultural) in the two nation states are very likely to be an important cause for their differences in immigration policies. The political nature of national identity makes it easier for the United States to accept immigrants and become a nation of immigrants as well as a country of immigration, while the cultural nature of national identity keeps Germany homogeneous, which is by no means a nation

of immigrants and refused to be a country of immigration until at least the twenty-first century after a series of changes in the German naturalization law. Şenocak notes that after thirty years of the Turkish *Gastarbeiterprogramm* (guestworker program) Germany is still not tired of emphasizing that Germany is not a country of immigration (*Atlas* 65). Moreover, despite the acknowledgement of the importance of multiculturalism in Germany, chief thinker of foreign policies at the time Eckart Schiffer wrote in 1991 that other lifestyles can be freely practiced in an individual manner, but this does not mean that they can be taken as equals to the collective culture of the *Volk*.

Furthermore, the different natures of national identities also may result in the differences in assimilation degrees in the two countries and immigrants' feeling of belonging, because it is easier to integrate into or be accepted to a society politically than culturally. Basically, the assimilation degrees of the first-generation immigrants in the two countries are similar. However, second-generation immigrants in the United States show a higher degree of assimilation and tend to identify themselves as Americans rather than descendants of their land of origin, while second- or even third-generation immigrants in Germany tend to embrace their double identity of being German and descendants of their land of origin. I will explain and compare the differences in detail in chapter 4.3.

The importance of the national identity approach is that it emphasizes the cultural and social perspective of immigration policies, for the understanding of national identity, which shapes the policymaking process, is beyond the legal and political perspectives. Although the U.S. national identity is more political than cultural, the understanding of national identity and the impact of such identity on policymaking are not political. Therefore, the comparison of immigration policies is beyond the comparison of legal provisions and political actions, but it also includes cultural response to the immigration situation such as literary works on immigration and immigrants. This type of literature aims to "illustrate various narratives of the social, cultural, economic and political aspects of the migrant's lives in their alien conditions of the host societies" (Fateme and Abdolali 681), and "[t]he protagonist of the migrant work endlessly recreates itself through its encounters with cultural complexities and discriminating experience of being a minority" (Fateme and Abdolali 686). Therefore, literature on immigration mirrors how immigration and immigrants are perceived, which is the reason why I use some novels in the following chapters to support my arguments on the consequences of

certain immigration policies. Although in some cases difficulties and discrimination immigrants encounter may be criticized to be clichés and stereotypes, the reason for them to become clichés is that they occur very often in reality.

4. “I’m a Legal Alien”: Legal Immigration

“I don’t drink coffee I take tea my dear / I like my toast done on one side / And you can hear it in my accent when I talk / I’m an Englishman in New York. / See me walking down Fifth Avenue / A walking cane here at my side / I take it everywhere I walk / I’m an Englishman in New York. / I’m an alien I’m a legal alien / I’m an Englishman in New York / I’m an alien I’m a legal alien / I’m an Englishman in New York.” These are the first three verses in Sting’s song “Englishman in New York,” and they illustrate the cultural differences a foreigner experiences. The term “alien” in the song has no negative connotations, and it is a common legal term, for it is used in laws such as the Immigration and Nationality Act. Also, the United States Citizenship and Immigration Services (USCIS) uses the term “permanent resident alien” to refer to “a *lawful* permanent resident” (“Permanent Resident,” my italics). However, the term “alien,” together with “illegal” as a noun and “illegal immigrant,” became offensive in the past few years,² and the Supreme Court started to omit these terms “except when quoting other sources,” which is considered “groundbreaking” (Garcia). Instead, the terms “foreign resident,” “foreigner,” and “undocumented immigrant” are used to describe such populations, because they are thought to be more politically correct. Therefore, I will not use the terms “alien” or “illegal immigrants” unless in quotes to avoid unintended discrimination.

People emigrate from their home country to live in a new one for different reasons. Some only intend to stay in the new country temporarily, but may decide to live there permanently later; some, on the other hand, settle down in the new country and will live there permanently. I will focus on three types of immigration. The first one is temporary immigration. In this part, I will only elaborate on guestworker and guestworker programs, although there are other means of temporary immigration such as education, because guestworker programs result in immigrant flows, and many of these guestworkers end up living in the receiving country permanently. Foreign students fully become part of the immigrant society when they start looking for jobs in the receiving country after graduation, because, as students, their participation in work-related fields is very limited, so natives do not often see them as competitors on the job market. Therefore, I will discuss immigration through education in the second part — which is about the second type of immigration, permanent residency — as one of the

² I will elaborate on these terms more in chapter five.

pathways to permanent residency. I will also examine immigration policies through history in this part. The third type of immigration is naturalization, which in some way symbolizes the end of immigration, because immigrants change their status to citizens.

4.1. Guestworkers and Guestworker Programs

“Because of you –”
 “Because of all of you –”
 “– you dirty foreigners. . . .”
 “You do overtime, overtime, there you have it.
 And we celebrate Christmas this time without cash,
 next week the short-term work will be over.”
 — Aras Ören (qtd. in Chin 72)

Guestworker programs are usually created for low-skilled workers to fill in the country’s workforce shortage in agriculture, construction, and industry. According to Marxist theory (see chapter two), guestworker programs are based on the win-win deal between capitalists (in this case, employers) and laborers (guestworkers), which can lead to a win-win-win situation — “migrant workers win by earning higher wages abroad, migrant-receiving countries win with additional workers who expand employment and economic output, and migrant-sending countries win via greater remittances and the return of workers who gained skills abroad” (Ruhs and Martin 249). However, apart from the advantages guestworker programs can provide, they may also have unexpected side effects. As Vernon M. Briggs points out,

[t]he heart of the problem is that guest worker programs seek to reconcile two sharply conflicting goals: the need to protect citizen workers from the competition of foreign workers who are willing to work for wages and in conditions that few citizens would tolerate versus the wishes of some employers who rely on labor intensive production and service techniques to secure a plentiful supply of low cost workers. (qtd. in Smith 70)

The quote at the beginning of this chapter is taken from Aras Ören’s poem “Was will Niyazi auf der Naunynstraße” (“What Is Niyazi Doing on Naunyn Street”), and it depicts the conflict between native and foreign workers or temporary guestworkers,³ and perfectly mirrors what Briggs means by “the heart of the problem.” Therefore, guestworker programs are also likely to be one of the main causes of immigrant-native conflict.

³ I will analyze this poem later in this chapter.

4.1.1. Guestworkers and Guestworker Programs in the United States

Guestworkers have contributed to the development of the U.S. economy throughout history, although these guestworker activities were either defined as immigration or not federally organized enough to be called guestworker programs. For example, legislations throughout the nineteenth century were designed to encourage immigration from Europe in order to “increase the size of the work force” (Calavita 4). Although the employment of European laborers was similar to today’s guestworker programs, legislature did not emphasize these workers’ return. Also, employers hired a large amount of Chinese laborers in the nineteenth century for their cheap labor on the transcontinental railroad or in the mining industry. Although Chinese laborers were doing the most dangerous jobs, they were discriminated by the white public. In 1882, Congress finally passed the Chinese Exclusion Act which prohibited immigration from China. The Immigration Act of 1917 further banned workers from Asian countries, and at the same time, Mexican guestworkers started to replace Asian workers, for “the 1917 guest worker program carefully classified Mexican nationals as ‘white’ and paved the way for an average of 162,000 workers from Mexico to enter annually” (Chien 18).

A main guestworker program in U.S. history is the Bracero Program. The Bracero Program was introduced during the Second World War (in 1942) in the United States as “a wartime emergency program” to import Mexican workers “to fill the declared labor shortage in agriculture” (Calavita 1). The term “bracero” is derived from the Spanish word “brazo” (arm) and is “translated loosely in this context as ‘farmhand’” (Calavita 1), which suggests that these Mexican workers were a great help to the U.S. agricultural economy. “The bracero work force was concentrated in cotton, sugar beets, fruits, and vegetables, and in some areas comprised the bulk of the unskilled labor for these crops” (Calavita 22). However, the term also implies a negative connotation, for, as Kitty Calavita points out, Mexican workers were referred to as helping arms rather than human beings (1).

The implementation of the Bracero Program avoided “congressional legislation or public debate” (Calavita 2), and it was a product of the Immigration Service, Departments of State, Labor, and Agriculture, the War Manpower Commission, together with Mexico’s agreement (Calavita 2). Congress did not oppose the idea, and the public was unaware of the launch of the program. In 1947, Congress saw no necessity to continue the Bracero Program as the war

was long gone (Calavita 2), and Public Law 40 stated that the Bracero Program “may be continued up to and including December 31, 1947, and thereafter *shall be liquidated within thirty days*” (qtd. in Calavita 26; emphasis in original). However, employers benefited from bracero workers’ cheap labor and their flexibility — “[t]o be ready to go to work when needed; to be gone when not needed” (Calavita 22). Many agricultural employers petitioned “to extend the stay of their braceros and to allow for additional admissions” (Calavita 26). At the same time, employers complained that it was “expensive and time-consuming” to recruit workers from Mexico. As a solution, the Immigration and Naturalization Services (INS) devised an arrangement to legalize undocumented Mexican farm workers found in the United States (Calavita 2), and the Bracero Program remained despite of PL 40. Because of this, “the government-to-government contracts . . . were replaced by direct grower-bracero work agreements” (Calavita 29) against the will of the Mexican government. “By 1950, the number of Mexicans ‘legalized’ and ‘paroled’ to growers as braceros was five times higher than the number actually recruited from Mexico” (Calavita 2). In 1951, the Truman administration pointed out some brutal facts about the Bracero Program such as abuses by employers and exploitation (Calavita 2). Yet, “the Korean War escalated and growers’ allies in Congress warned of new labor shortages” (Calavita 3). PL 78 was passed in 1951, and it secured the Bracero Program, “[authorizing] the importation of contract labor for agriculture, officially voiding the prohibition against foreign contract labor that had been on the books since 1885” (Calavita 46). However, probably as a solution to the problems caused by the direct grower-bracero work agreements and also “in response to Mexican pressures” (Calavita 46), PL 78 “reestablished the role of the state as farm labor contractor par excellence” (Calavita 49), making “the U.S. government itself . . . the official contractor of Mexican labor, and hence technically the guarantor of the terms of the contracts” (Calavita 46). The Bracero Program continued until 1964.

Although the bracero contract contained the terms and conditions of the bracero work and guaranteed bracero workers their rights, many bracero workers did not understand the contract, since the “vast majority of braceros . . . came from the least developed, poorest, and most remote areas of Mexico” (Calavita 21) and were poorly educated. All they could understand was that “they were going to work in the United States” (Calavita 21). After the government-to-government bracero contracts were replaced by direct grower-bracero work

agreements, “the already lax enforcement of contract provisions” became even looser, because “the U.S. government was not held directly accountable” (Calavita 30). Many bracero workers were mistreated with “insufficient and substandard food and housing, inadequate wages, deplorable working conditions, and insufficient work during the contract period. Growers sometimes kept braceros unemployed for several hours a day or for weeks at a time due to weather conditions, a late harvest, or over-contracting” (Calavita 45). Moreover, bracero workers were not free agents in the labor market but contract workers. Therefore, they were bound to their employers and had no rights to “leave whenever [they desire] and seek more lucrative employment elsewhere” (Calavita 60). This means that bracero workers could face exploitation and terrible working or living conditions without being able to fight against them if they wanted to keep working in the United States. The situation became even more severe during the Cold War, because McCarthyist paranoia linked representatives who brought bracero workers’ complaints to employers to communist sympathizers (Calavita 86), and it happened that spokesmen selected by bracero workers were deported as “‘troublemakers,’ ‘Reds,’ and ‘agitators’” (qtd. in Calavita 86). The fear of deportation kept the majority of bracero workers from fighting for their rights and forced them to accept any situation they were in. Therefore, the Bracero Program can be seen as a system of legalized slavery (Bauer and Stewart).

Besides the mistreatment of bracero workers, another problem caused by the Bracero Program was the rise of illegal immigration, especially from Mexico. One reason is that Mexican workers in Mexico were informed by returning bracero workers of “employment opportunities in the United States” (Calavita 34). However, due to limited numbers of “official slots” for bracero workers, many Mexican workers “bypass[ed] the contract system . . . [and] took matters into their own hands, crossing the border illegally” (Calavita 34). A more important reason for the connection between the Bracero Program and illegal immigration is the encouragement of undocumented work by “INS enforcement policies” (Calavita 34). “The Border Patrol was notoriously reluctant to apprehend and deport illegal farm workers during the harvest season or at other times of peak labor demand” (Calavita 34), and the INS halted the search for undocumented workers “while harvest work was being done” and “until such times as there [was] not a shortage of farm workers” (Calavita 34). In this way, “undocumented workers provided growers with an inviting alternative to the Bracero

Program” (Calavita 40), and these workers’ illegal status further enhanced the power of employers and minimized the rights of workers. The INS’s decision to ignore illegal immigration shows an economic-bound immigration policy, for the growers’ profit would lead to economic growth of the country. Furthermore, even if the INS wanted to deport undocumented workers, deportation was hindered by growers as they protested against the INS action. Their main argument was that “the saving of food crops” was “more important” than “punctilious execution of immigration regulations” (Calavita 36). When “the Border Patrol increased their monthly apprehensions [of undocumented workers] by 30%” in 1950, growers compared the Border Patrol to Gestapos (Calavita 37). However, this outrage of growers was caused by the concern for their own profit, not by the concern for their employees’ rights. The reluctance to apprehend undocumented workers and the pressure on the INS whenever the INS became harsh on undocumented workers during peak seasons further encouraged more workers to cross the border illegally.

After PL 78 was passed, the United States started to see illegal immigration caused by the Bracero Program as a problem. In 1954, Commissioner Joseph Swing initiated Operation Wetback to eliminate undocumented workers. The term “wetback” was invented to refer to Mexican undocumented workers who swam across the Rio Grande River to enter the United States illegally, but today it could be considered an ethnic slur (“Dwight”). Swing “conducted a massive roundup in California and Arizona agricultural areas,” and then “[t]he drive . . . spread to Northern California, and then the rest of the Southwest” (Calavita 58). Moreover, the Border Patrol also conducted “‘mop-up operations’ of illegal workers in industrial jobs in the interior of the United States” (Calavita 58). The removal of undocumented workers was supported by many employers, because Swing promised that he would replace undocumented workers with braceros (Calavita 59). As a result, Operation Wetback reinforced the Bracero Program. The elimination of undocumented workers, at the same time, eliminated the advantage of employers who used illegal labor supply instead of bracero supply (Calavita 64), and thus Operation Wetback was welcomed by “[e]mployers using legally contracted Mexicans” (Calavita 64). A grower even claimed that “bracero labor was cheaper than illegal labor because the contract worker was confined to one employer. ‘The biggest trouble with the wetbacks . . . was that [employers] could not demand a day’s work for a day’s pay because if [they] did, the wetback would leave and go to work for someone else’” (Calavita 64–

65). Ironically, this grower stated the fact that sometimes bracero workers were treated even worse than undocumented workers. Swing declared that Operation Wetback was a success, but “[t]here were widespread reports of abuses by the Border Patrol and charges that legal residents and in some cases American citizens had been deported, harassed and/or beaten” (Calavita 58). In this sense, anyone who looked Mexican might become a victim of Operation Wetback. Therefore, this operation carried the infamy of being abusive, discriminatory, and racist.

Abuses did not only happen to bracero workers in the United States, but also often in Mexico during the bracero selection process. Eugene Nelson’s novel *Bracero* shows the hopelessness of bracero workers when they try to come to work in the United States. Nelson was the son of an orange and grape grower. Although he was not a bracero himself, he had worked alongside bracero workers and “wetbacks.” Therefore, he had many inside stories of braceros and thus his novel about bracero workers can be regarded as being authentic.

The protagonist, Nacho, lives in a town called Esperanza (meaning hope) in Mexico. He works in a cane field for only forty-eight cents a day (Nelson 17), and half of his wages goes to pay back the money he borrows in the winter when there is no work. As a result, he and his family have to suffer from hunger every day. When he finally has the courage to ask the patrón to pay him more, he gets fired. When Nacho feels desperate, he meets Paco, who just returns to Mexico from the United States, and Paco gives him new hope:

“Go to the United States as a bracero like I did. Why rot here when you can make good money up north? Look at me:” — he made an elaborate downward gesture indicating his expensive clothes — “three years ago I went to the United States in rags, now I’m sitting pretty. With what I saved I can buy fifty or sixty hectares of land, build me a little house, and watch the money roll in. Don’t be a fool — get your papers fixed and go as a bracero!” (Nelson 33)

Paco also tells Nacho that it costs nothing to go as a bracero. What Paco describes is the ideal situation that every bracero hopes for. In the whole novel, this ideal bracero work can only be heard in Esperanza, a town named hope, and with this hope, Nacho begins to picture his dreams — “good food, clothes, a sewing machine for China [Nacho’s wife], toys for Josefina [Nacho’s daughter], perhaps even a little land” (Nelson 40). When Nacho signs for bracero at the presidente’s office, he puts a dollar sign “\$” on the paper as his mark, for he does not know how to write, and the dollar sign is what he often sees “on the papers [his family light] the fire with” (Nelson 79). The dollar sign represents on the one hand his illiteracy, which

foreshadows his unfortunate experience later on, because he does not know his legal rights as a bracero, and on the other hand his hope to get rich, which is ironically the opposite of reality.

However, when Nacho is finally on his way to the bracero installation station in Empalme, he begins to come across different stories of bracero experiences. He hears someone singing “I went to the United States in huaraches . . . And I came back barefoot” (Nelson 101), and he is told by a trucker that some contracts are bad, because the work is rough and the people (Americans, Mexicans, and “Negroes”) hate each other, but if braceros are lucky, they can get good contracts and save a lot of money. Nacho realizes that whether a man can get rich through bracero contracts is “purely a matter of luck,” and the work sounds “promising” and at the same time “risky” (Nelson 113).

In Empalme (meaning crossroads), Nacho meets a man who claims that he can get Nacho out to the United States as a bracero the next day for two hundred pesos. When Nacho tells him that he already has the right papers, the man explains:

“You don’t think that because it says the ninth of June on there that is really the day you’re getting out of here, do you? Why, sometimes they keep you waiting two months here if those are the only papers you have. You have to pay a little . . . sweetener, if you want to get out right away.” (Nelson 133)

Although the man might be a fraud, what he says about the situation is true. Bracero applicants who do not pay extra money have to wait for several weeks before they can actually go to the United States. In a conversation among bracero applicants, one says that he had to “borrow twelve hundred pesos at home to go up to the States six months ago. In six months [he had] only been able to save fifty dollars” (Nelson 144). Another says that “[t]he first time he came through [Empalme he] had to pay a hundred and fifty pesos. Next time it was two hundred and fifty” (Nelson 147). Nacho experiences this situation on the ninth of June, the date he thinks he is supposed to go to the United States, but it turns out that he is not on the list to go up north. After days of waiting, the official who is in charge of the workers from Esperanza tells them:

“. . . the patrón said the quota for today was not large enough to include us,” “However,” he went on unsteadily, his gruff voice sinking even lower as if in ill-disguised shame, “the patrón said that a few more men are needed on a special list of men to go out today if some of you want to volunteer for that. The patrón said there would be a charge of three hundred pesos per man for special processing fees. . . .”

. . .

“The patrón said that those who did not go on the special list might have to wait three, four, five days, maybe a week, maybe longer — it all depends on the number of men needed in the fields of the north,” the old man said unconvincingly, folding up the battered lista and shoving it in his shirt pocket with a look of sadness tinged with disgust on his weathered face. (Nelson 199)

The “special list” is a tool for the authorities to profit from bracero applicants, and for the majority of bracero workers who cannot pay the fee, the waiting time is very long, and they do not earn any money during this time.

Since many bracero applicants are very poor, the waiting time is difficult to survive. Many of them have to compete for thrown-away lunch bags, and those who fail to get thrown-away food are left starving. Because of this, some bracero applicants even die from hunger. Once, a dead man is found under a tree, and autopsy shows that there is “nothing but paper in his stomach,” because he “had been eating paper to try to stay alive” (Nelson 218–19). Another time, some soldiers on patrol find a dead man, and autopsy shows that there is “nothing but two banana skins in [his] stomach” (Nelson 243). Therefore, Empalme, as its name suggests, is really a crossroad, because some may become rich by getting a good contract, and some have to suffer from hunger and even die while waiting, and when they finally get a contract, it may be a bad contract which will never pay off, and they suffer more. For the poor bracero applicants, the process of going to the United States to work is “the Way of the Cross,” as a bracero applicant explains:

“You know, like in the Bible — the Way of the Cross was the journey of Christ from the place he was sentenced to the hill of Calvary where they nailed the poor misled bastard up on the cross. And we’re being nailed up just like Him — by the lousy enganchadores and the farmer bastards in the United States.” (Nelson 155)

The suffering makes bracero applicants gradually lose hope, and some of them start to recall bad experiences as a bracero in the United States such as exploitation:

“And do you know why they will not let you cook your own food? Because the labor contractor cabrones who run the camps make a fat profit off the food, that is why. They are supposed to charge us just what it costs for the food, and it is not supposed to be over \$1.75 a day, but I have yet to be in a camp where they did not charge the full \$1.75, no matter what kind of crap they serve you.”

“When I was up in Arizona last winter the cotton was so bad you were lucky to clear a dollar a day after they took out for your board. I had planned to return to my family in Nayarit for the spring planting, but I did not even come out with enough money for the trip home.” (Nelson 187–88)

From the conversation, it is clear that every authority tries to profit from bracero workers, and bracero workers are exploited, because they do not have guarantee of work or wages. Another man tells about the poor housing condition:

“What I did not like the damned country was the filthy pigsties we had to live in,” “When it rained more water would come inside than it was raining outside. And there was not even any drinking water. All there was was this coke machine so that you had to pay a dime every time you wanted a drink. . . .” (Nelson 188)

However, although many are complaining, they are still eager to be on the list to go north, and despite that their hope disappears gradually, even the slightest work possibility would bring their hope back. Nacho, now informed with the downside of being a bracero, has a mixed feeling of becoming one, because the fortune of a bracero is still a mystery to him, and he “[wonders] with a disturbed perplexed feeling why they [are] returning to the north then, if they [complain] so much about the conditions there. He [guesses] that it must be because, being this far away from their homes, it [is] easier than returning home” (Nelson 189).

Nacho has waited for twenty-seven days in Empalme before he is finally on the list to go to the United States. However, this only means that he is allowed to proceed to thorough controls and examinations of whether he is qualified for becoming a bracero. Nacho overhears that a man who has lost his military permit gets rejected in the examination process in spite of his weeks of waiting, and a man who has participated in a strike for a decent wage is also rejected and taken away as a Communist. Apart from the possibility that bracero applicants might be stripped off their chances of going to the United States any time, they have to face humiliation. They are required to take off all their clothes and stand in line for health inspection, and the doctors treat them rudely. Bracero applicants are afraid to act against the humiliation, and they feel relieved when the inspection is over:

“Chihuahua,” groaned the man next to Nacho, dressing himself with fantastic speed. “If I had known you had to go through this I never would have come here. It takes away your amor propio.”
 “Sí, they rob you of your self-respect,” complained another, dressing himself with equal haste, a look of pained outrage on his face. “They seem to get pleasure out of humiliating you.” (Nelson 253)

When Nacho is finally through, he gets on a bus to Benjamín Hill, and from there all qualified bracero applicants take a train to Mexicali, the border, and then another bus takes them onto the American soil. The train ride is also a suffering, for they are riding in freight cars, and the officials put 118 people in Nacho’s car. Someone complains: “The government of the Estados Unidos pays for first class transportation — and this is what we get! Somebody’s making money!” (Nelson 263) During the ride, bracero applicants can hardly move, and the urine makes the car smell badly. Nacho feels like he is “being packed into a furnace-like coffin without air or movement,” and this feeling is even worse than hunger (Nelson 267). Be-

cause the car is too crowded, someone even falls out. Although many people shout helplessly with the hope that the driver might stop the train, the train “rumble[s] on” (Nelson 269), and they are told by a very peaceful voice that accidents like this one are very normal — “[w]e lose a man or two this way almost every trip” (Nelson 270), and the man himself should take the blame, because it will happen “if a man is fool enough to hang out the door” (Nelson 270). The train ride demonstrates that bracero workers are not treated as human beings, and authorities do not want to take responsibility for their lives.

In the United States, bracero applicants have to go through another thorough health inspection before they can get their contracts. Like the officials in Mexico, Americans are also rude to them. The photographer who takes pictures of bracero workers “[grabs] Nacho’s hair with both hands and [bangs] his head furiously against the wall” (Nelson 291), because Nacho does not understand how to hold his head. This is the first time Nacho is treated badly by an American, and he is suddenly “possessed by simultaneous sensations of shock, violent outrage and terror” (Nelson 291) and starts to believe what everyone in his town has been telling him — that Americans are bad people — but he does not have the courage to express his anger out of the concern that he may lose the opportunity to earn money for his family. Just as Nacho thinks he is finally through and will get a contract, he is called back by the doctors, because they have diagnosed him with tuberculosis, and Nacho is asked to “rest for a few months and eat well [, and] [t]hen come back” (Nelson 293). Before Nacho could say anything, he is taken out of the inspection building. Since Nacho does not have any money, it is impossible for him to rest and eat well, and it is almost certain that without rest, food, or medicine, his tuberculosis will not be cured. Therefore, despite all the suffering, Nacho cannot and will never become a bracero, and readers cannot be sure if Nacho and his family will survive in the end. Without any delay or trouble, which is the opposite of the way Nacho enters the United States, Nacho is sent back to Empalme. Seeing the town which “he [has] so recently left,” Nacho feels like he is “seeing some horrible movie in reverse” (Nelson 299). On the way back to Esperanza, “one of his huaraches to his foot [is] broken, and the crude sandal [will] no longer stay on his foot,” and the scene suddenly reminds him of the lyrics he heard on his way to Empalme — “I went to the United States in huaraches — I came back barefoot” (Nelson 306). For Nacho, Empalme, the crossroad, does not take him to fortune but to misery.

The misery that bracero applicants have to experience is too unbearable so that many decide to go to the United States as wetbacks. For these people, going as a wetback is a way of survival, and probably going as a wetback is less risky than waiting, because there are people who die from hunger while waiting. Nacho constantly (over)hears people talking about going to the United States as a wetback, because they cannot wait any longer. When Nacho is waiting in Empalme, a bracero applicant says: “The first time I came up here two years ago I paid a hundred pesos to some cabrón who said he was going to get me on the list the next day and I didn’t get on any list and I never saw the bastard again. I nearly starved for two months trying to get on a list and then finally I went as a wetback” (Nelson 146–47). Two bracero applicants in Nacho’s group have also made “the desperate decision to go north as wetbacks” (Nelson 213) because waiting means starving. When Nacho is rejected in the United States and is sent to take the train back to Benjamín Hill, he overhears a conversation in the bush that two men decide to cross the border illegally that night. In order not to get caught, they decide to walk ninety miles in the desert to avoid patrol, with no food or water. These decisions of Mexican workers suggest that although these workers do not mean to break the law and become undocumented immigrants, the miserable bracero selection process forces them to follow their instinct of survival and go as wetbacks. In addition, when the United States tried to end the Bracero Program in 1947, the U.S. government was not eager to deport undocumented laborers, because growers complained about labor shortage and extra expenses, which further reduced the risk of wetbacks. As a bracero says in the novel:

“I came in first in 1943. I stayed four years that time. Then the Mexican government objected to the bad treatment up there and wouldn’t send any more workers for a while, so I went in as a wetback. Pues, remember, pues? The United States government legalized the wetbacks during that time in spite of the objections of our own government. I went as a wetback seven times between ’47 and ’50. Then in ’50 when the ban was lifted I started going as a bracero again.” (Nelson 144–45)

Therefore, the Bracero System was responsible for the wetback situation in the United States, and to a great extent, both the U.S. and Mexican governments were to blame for the influx of undocumented immigrants to the United States. Undocumented workers themselves were usually the victims of such system, because the waiting period was too long and miserable, sometimes they were rejected for some diseases caused by their poverty, and being an undocumented worker might be the only way to survive.

Besides the Bracero Program, the United States launched another guestworker program in the 1950s. The INA of 1952 “enumerates categories of aliens, known as nonimmigrants, who are admitted to the United States for a temporary period of time and a specific purpose” (Bruno 2). According to this law, low-skilled foreign workers are allowed to work in the United States temporarily under two temporary worker visas: the H-2A visa for agricultural workers and the H-2B visa for nonagricultural workers (Bruno 2). Therefore, this guestworker program can be referred as the H-2 program. The H-2 program started in the 1950s and lasts until today.

According to the USCIS, in order to hire guestworkers under the H-2A visa, employers must “[o]ffer a job that is of a temporary or seasonal nature,” “[d]emonstrate that there are not sufficient U.S. workers who are able, willing, qualified, and available to do the temporary work,” and “[s]how that the employment of H-2A workers will not adversely affect the wages and working conditions of similarly employed U.S. workers” (“H-2A”). Instead of demonstrating the job is of a temporary or seasonal nature, employers who intend to hire guestworkers under the H-2B visa must clarify which of the four types of job the employment is in nature — “one-time occurrence,” “seasonal need,” “peakload need,” or “intermittent need” (“H-2B”). There is also a limitation of guestworkers’ nationality — only nationals of 68 countries (January 18, 2015)⁴ are eligible to participate in the H-2 program (“H-2A” and “H-2B”), possibly because the United States intends to control immigrant ratios among different nationalities. These requirements demonstrate that the United States tries to ensure that temporary workers do not take away jobs from citizens and do not drag wages down. Furthermore, it indicates that guestworkers usually work in fields where citizen workers are not willing to work.

An H-2A worker can enjoy the following rights:

- Receive at least three-fourths of the total hours promised in the contract, which states the period of employment promised (the “three-quarters guarantee”);
- Receive free housing in good condition and meals or access to a cooking facility for the period of the contract;

⁴ These countries are: Argentina, Australia, Austria, Barbados, Belize, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Fiji, Grenada, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kiribati, Latvia, Lithuania, Macedonia, Madagascar, Mexico, Moldova, Montenegro, Nauru, the Netherlands, Nicaragua, New Zealand, Norway, Panama, Papua New Guinea, Peru, the Philippines, Poland, Portugal, Romania, Samoa, Serbia, Slovakia, Slovenia, Solomon Islands, South Africa, South Korea, Spain, Sweden, Switzerland, Thailand, Tonga, Turkey, Tuvalu, Ukraine, United Kingdom, Uruguay, and Vanuatu.

- Receive workers' compensation benefits for medical costs and payment for lost time from work and for any permanent injury;
- Be reimbursed for the cost of travel from the worker's home to the job as soon as the worker finishes 50% of the contract period. The expenses include the cost of an airline or bus ticket and food during the trip. If the guestworker stays on the job until the end of the contract or is terminated without cause, the employer must pay transportation and subsistence costs for returning home;
- Be protected by the same health and safety regulations as other workers; and
- Be eligible for federally funded legal services for matters related to their employment as H-2A workers. (Bauer and Stewart)

However, sometimes these rights exist only on paper, because guestworkers are highly dependent on their employers. The H-2 program “permit[s] the guestworker to work only for the employer who petitioned the Department of Labor (DOL) for his or her services. If the work situation is abusive or not what was promised, the worker has little or no recourse other than to go home” (Bauer and Stewart). Therefore, “guestworkers do not enjoy the most fundamental protection of a competitive labor market — the ability to change jobs if they are mistreated. Instead, they are bound to the employers who ‘import’ them. If guestworkers complain about abuses, they face deportation, blacklisting or other retaliation” (Bauer and Stewart). Moreover, the opportunity for guestworkers to return for subsequent temporary work “depends entirely on an employer’s willingness to submit a request to the U.S. government” (Bauer and Stewart). As a result, if guestworkers complain about their employers, their chance to return in the following season is very slim. Besides, “[g]overnment enforcement of guestworker rights is historically very weak. Private attorneys typically won’t take up their cause” (Bauer and Stewart). The situation for H-2B workers is even worse, for “non-agricultural workers in the program are not eligible for federally funded legal services” (Bauer and Stewart). There were even “incidents where employers destroyed passports or visas in order to take away [guest]workers’ proof of legal status,” so that the police are “more likely to take action against complaining workers than against the employer” (Bauer and Stewart).

Because of this dependence on employers, Bauer and Stewart criticize that guestworkers are often mistreated — they are “[c]heated out of wages,” “[f]orced to mortgage their futures to obtain low-wage, temporary jobs,” “[h]eld virtually captive by employers or labor brokers who seize their documents,” “[s]ubjected to human trafficking and debt servitude,” “[f]orced to live in squalid conditions,” and “[d]enied medical benefits for on-the-job injuries.” This mistreatment of guestworkers gives employers economic benefits, and thus employers prefer guestworkers to citizen workers, even though they need to demonstrate that there are not enough citizen workers available in their H-2 petition (Bauer and Stewart). Employers some-

times discourage citizen workers by “requiring them to demonstrate their ability to run around carrying a 50-pound bag, scheduling interviews before 7 a.m., and requiring drug testing prior to interviews” (Bauer and Stewart). In this way, the win-win attempt becomes a lose-lose situation for both guest and citizen workers.

Guestworkers are not only mistreated by employers, but also exploited by recruiters, for “U.S. employers almost universally rely on private individuals or agencies to find and recruit guestworkers in their home countries” (Bauer and Stewart). Guestworkers have to pay their recruiters a large amount of money, “including [travel and visa costs and] profit for the recruiters” (Bauer and Stewart), before coming to the United States. Since guestworkers are usually not in a prosperous condition, they sometimes have to “obtain high-interest loans” or “leave collateral” (Bauer and Stewart). In the case of *David, et al. v. Signal International, LLC, et al.*, about 500 Indian guestworkers were trafficked to the United States by Signal in the aftermath of Hurricane Katrina to work as pipe fitters and welders with dishonest assurances of “good jobs” and “permanent U.S. residency” (Bryant). However, these guestworkers were forced “to live in ‘man camps’ on ‘the reservation,’ with up to two dozen workers in a trailer with one bathroom; and deducted \$1,050 monthly from their pay to do so” (Bryant). Signal even locked the workers who wanted to take action in a trailer and terminated the contract of the leaders who organized the movement, so that they can get deported (Bryant). Finally, “[t]he jury found Signal had engaged in labor trafficking, fraud, racketeering and discrimination” (Bryant), and Signal was ordered to pay \$14 million to the trial plaintiffs, which was “the largest amount ever awarded by a jury in a labor trafficking case” (“David”).

Although guestworkers should only stay in the United States temporarily, many of them have no intention to leave, and “[p]ast experience has shown . . . that these guest workers often manage to escape the program’s constraints and find ways to settle down” (Martin and Teitelbaum). Therefore, there is a tight relation between guestworker programs and illegal immigration. Philip L. Martin and Michael S. Teitelbaum point out that “virtually no low-wage ‘temporary worker’ program in a high-wage liberal democracy has ever turned out to be genuinely temporary,” because employer and guestworkers have become codependent — “[e]mployers naturally grow to depend on the supply of low-wage and compliant labor, relaxing their domestic recruitment efforts and adjusting their production methods to take advantage of the cheap labor,” and guestworkers can “earn much more than they could at home.

For instance, laborers in U.S. fruit and vegetable agriculture make between \$5 and \$7 an hour, as opposed to 50 cents an hour in Mexico” (Martin and Teitelbaum).

In 2004, President George W. Bush proposed a guestworker program reform. In this proposal, undocumented immigrants were allowed to apply for a temporary working visa if they could prove they were employed, and their temporary working visa should be renewable (“President Bush”). However, gaining a temporary legal status does not equal amnesty, because the legal status granted “will have an end” (“President Bush”). This reform indicates the United States’ attempt to control illegal immigration and its concern about the country’s economy without the contribution of undocumented immigrants. The attempt to reform the guestworker program failed in the end, because the Senate and the House had a grave difference in the bills they passed — the Senate bill included provisions to “allow 200,000 people to fill empty non-agricultural jobs with visas that could be renewed for three years before they would become eligible to apply for permanent residence,” to “allow 1.5 million agricultural workers to be eligible for permanent legal residence in the U.S. if they could prove that they worked in agriculture in the U.S. before the bill was enacted and continued to work in agriculture for another three to five years,” and to give “illegal immigrants who had been in the U.S. since 2001 and had worked for three years the chance to apply to a path to legal status,” while the House bill contained none of these provisions (Harper 9–10).

The difference also mirrors the general debate about whether guestworker programs should be continued. Proponents of the program argue that apart from the financial and economic win-win situation between employers and guestworkers, it is also a good way to reduce irregular entry to the United States, because many immigrants enter the country illegally with the hope of finding a job. Therefore, if the United States offers them an opportunity to work there legally, many would choose to enter the United States in a legal way, and they would be under U.S. government’s control (Martin and Teitelbaum). Opponents of the program worry about the slavery-like life of guestworkers and employers’ discrimination against citizen workers (Bauer and Stewart).

4.1.2. Guestworkers and Guestworker Programs in Germany

Starting in the 1950s, Germany “signed a series of bilateral recruitment agreements” with Italy, Spain, Greece, Turkey, Portugal, and Yugoslavia to solve the labor shortage problem emerged with economic recovery (Oezcan). The recruitment agreements were made based on a mutual benefit that Germany would have cheap laborers to fill its labor shortage, and the sending countries would have trained and experienced workers when those guestworkers returned home. These recruitments resulted in the influx of immigration of non-ethnic Germans. Most of these guestworkers (*Gastarbeiter*) were low-skilled workers who were allowed to work in Germany for one to two years; then they were required to return home and were replaced by other guestworkers (Oezcan). This “rotation principle” was made to prevent guestworkers from settling down in Germany (Oezcan). By 1973 when the guestworker program was halted due to the oil crisis,⁵ foreigners’ “share of the population [had] reached 6.7 percent of Germany’s total population,” with Turkey being the primary sending country, followed by Yugoslavia, Italy, Greece, and Spain.

Similar to the case in the United States, guestworkers were not treated like guests. Since guestworkers planned to earn as much as possible during their temporary stay in Germany, they prepared themselves for over-time work, and employers took advantage of it. With an agreed monthly working hour of 184 hours, thirty-six percent of the guestworkers worked more than 200 hours, and twenty percent of them worked more than 220 hours (Höhne et al. 9). Moreover, guestworkers lived in very crowded dormitories. Although there were rules regulating the minimum living area per person in a dormitory and the maximum number of persons in a dormitory, many employers did not follow these rules (Höhne et al. 11). For example, in 1971, forty-six percent of the inspected dormitories in North Rhine-Westphalia did not reach the regulated standard (Höhne et al. 11). Besides living in dormitories, some guestworkers rented accommodations from the housing market. Some of these accommodations were attics or basements, and even though they had poor qualities, guestworkers had to pay a rent above the average rental price (Höhne et al. 11–12).

⁵ The Organization of Arab Petroleum Exporting Countries (OAPEC) proclaimed an oil embargo in 1973 as a response to American involvement in the Yom Kippur War, and the price of oil rose rapidly. This oil crisis shook the world’s economy.

During the guestworker program (*Gastarbeiterprogramm*), many guestworkers “acquired residence permits of a longer or permanent duration,” as opposed to the rotation principle (Oezcan). The “rotation principle” was scratched out from the German-Turkish agreement in 1964, because it “was too expensive and time consuming to constantly hire and train replacements” (Prevezanos), and “the Turkish immigrants had proven to be reliable workers who made fewer demands than their German counterparts but were no less productive” (Bartsch, Brandt, and Steinvorth). This motive of eliminating the “rotation principle” was also a cause for the immigrant-native conflict, as employers preferred guestworkers to low-skilled German workers. Family members of these remaining “long-term” guestworkers immigrated to Germany due to family reunification (Oezcan). Children born to these immigrants are considered to be second-generation immigrants, and they further increased the population of people without German blood, which in a way changed Germany’s ethnic demography and challenged its racial and ethnic homogeneity. The elimination of the “rotation principle” transforms guestworkers into immigrants (Bartsch, Brandt, and Steinvorth), and although it was still unlikely for these immigrants (including second-generation immigrants) to naturalize to become citizens, their existence makes Germany a country of immigration.

As the number of guestworkers grew, many of them moved out of factory dormitories and into cheap apartments near their factories (Bartsch, Brandt, and Steinvorth). Eventually, these nearby neighborhoods became immigrant neighborhoods as Germans “gradually vacated” (Bartsch, Brandt, and Steinvorth). Turkish guestworkers dominated the number of inhabitants in these neighborhoods, and a former Turkish guestworker recalls that he “mixed with people from other cultures, but none of them could speak German and that was a problem” (Mekhennet). This shows that Germany “did little to integrate the workers,” because “the guest workers had been expected to leave Germany eventually” (Mekhennet). This expectation isolated immigrants from citizens for a long time, which resulted in a barrier between immigrants and citizens for several generations. This barrier, together with the growth of the number of non-German residents, led Germany to reevaluate the importance of integration of foreigners in the country and reconsider its citizenship laws. In other words, the

guestworker program in Germany in the 1960s and 1970s resulted in the change in Germany's citizenship laws⁶ to a great extent.

The flow of guestworkers resulted in the emergence of the so-called *Gastarbeiterdeutsch* (guestworker German), a product which more or less shakes German culture, for the German language is a substance of German national identity. A study by Volker Hinnenkamp in 1984 shows that German interlocutors tend to speak German with a reduced structure and reduced vocabulary with guestworkers to make the language easier to understand. For example, they say "*Türkisch Mann, Du?*" ("Turkish man, you?" with the informal form of "you") instead of "*Sind Sie ein türkischer Mann?*" ("Are you a Turkish man?" with the formal form of "you") (Holm 619). This type of German is not only sometimes grammatically wrong, but it is also in a wrong form, because the informal "you" "is never used with strangers unless they are children" (Holm 619). Although this reduced structure makes German easier for guestworkers to understand, it "clearly increases social distance and in the long run it may have helped to make *Gastarbeiterdeutsch* a socially constrained phenomenon rather than simply individuals' various stages in the acquisition of a second language" (Holm 619). As a result, guestworkers were alienated by language, and at the same time, as the immigrant population continued to grow, *Gastarbeiterdeutsch* might have an impact on spoken German.

Besides *Gastarbeiterdeutsch*, another form of cultural product emerged due to the growth of the immigrant population, namely, guestworker literature (*Gastarbeiterliteratur*). In the 1950s, there were already random poems, letters, novels, and stories written by immigrants, but it was not until the 1970s that literature written by immigrants was recognized as a cultural phenomenon and series of anthologies about immigrant life and guestworkers were published (Photong-Wollmann 26). This delay of recognition can be understood as a slow process of German citizens' acceptance of immigration. Guestworker literature is usually written in German by immigrant authors, which opens guestworkers' life to the German audience. It is a representation of the life of guestworkers in Germany, and it also mirrors the relations between citizen workers and guestworkers and their mental activity. Guestworker literature can appear in different forms (e.g., poems, plays, novels), and with different themes or issues. Usually the themes aim at four different integration problems, which are identity problems, conflicts in interpersonal relations, especially within a family, re-integration problems

⁶ I will discuss this change in chapter 4.3.2.

when returning home, and conflict with German citizens' idea of integration (Ackermann 24). Very often, guestworker literature raises public discussions about immigration and the immigrant situation. Therefore, it usually has a political function.

Although guestworker literature can be seen as part of German literature, it is different from the traditional German literature. Narratives in guestworker literature tend to be simpler and more practical; therefore, this kind of literature does not “[attack] the bastions of affluent German society [much] with the literary means of critical realism, but instead *naively or cunningly smuggles itself in*” (qtd. in Teraoka 98; emphasis in original). The usage of the word “smuggle” also implies, as Arlene Akiko Teraoka argues, that “non-Germans in a German society, and non-German authors of German literature, are illegal aliens who have been smuggled in” (98), which not only alienates guestworker literature from German literature, but also questions the quality of guestworker literature or at least the quality of language in guestworker literature.

The label “guestworker literature” can also be problematic, because these literary works were not written by guestworkers themselves (Tantow), but by immigrant authors who are better educated and in a higher position than guestworkers. For example, although Franco Biondi, the German-language author from Italy, worked at a factory for some time, he pursued a degree in psychology later and became a psychiatrist. Rafik Schami, the Syrian-born author, studied chemistry, mathematics, and physics, and obtained a doctorate before he became a full-time author. Yüksel Pazarkaya, the Turkish-German author, has a diploma in chemistry and a doctorate in literature, and he has worked as author, translator, and broadcasting editor.

One of the first literary works which can be categorized as guestworker literature is “Was will Niyazi in der Naunynstraße” (1973, “What Is Niyazi Doing on Naunyn Street”), which I quoted at the beginning of chapter 4.1. “Was will Niyazi” is written by the Turkish author Aras Ören in Turkish, and thus it has to rely on the German translation to raise public attention. “Was will Niyazi” is the first poem in his Berlin-trilogy, the other two being “Der kurze Traum aus Kagithane” (1974, “The Short Dream from Kagithane”) and “Die Fremde ist auch ein Haus” (1980, “Abroad Is Also a House”). Ören is an author, journalist, and actor. However, “Was will Niyazi” is written in an aesthetically plain language, as if the poem was a work of a real guestworker. The German translation of this poem even contains sentences that are

grammatically wrong (as in footnote 12), which indicates that guestworkers are usually poorly educated and do not speak German well. The poem depicts the life of guestworkers in Germany, the motives for their migration, and immigrant-native conflict, all of which are quite typical in guestworker literature. Therefore, I choose it as an example for guestworker literature.

One primary driven motive for guestworkers to come to Germany is their hope to become wealthy. As the poem shows,

When it came to Germany,
I said to myself,
was like everyone else, me too:
Germany is a little America.
If you go over there, Niyazi,
you live there like a rich man from Bebek.
Because the poor
could only live like an American in America – or in Germany
or in another Western country. While
that is only a thing of the wealthy in our countries.
And only when a person lives like an American
can the person say, I have lived.⁷ (Ören 25, my translation)

Germany, like the United States, is a symbol of opportunity and good life for the poorer people in the guestworker-sending countries. These people imagine a dream life — for instance, everyone has a car, there are modern apartments with a bath, and people wear suits and nylon shirts (Ören 25). However, not all guestworkers plan to stay in Germany permanently. Most of them (e.g., Halime and Ali) only want to change their living condition, earn as much money as they can to support their family (Chin 65), and return home to live a richer life. Some (e.g., Sabri San) want to open their own business with the money they have saved when working in Germany (Chin 65), so that they can be their own boss and have a shift in class position.

⁷ The German version of this verse is:
*Als das mit Deutschland aufkam
sagte ich mir,
so wie jedermann, ich auch:
Deutschland ist ein kleines Amerika.
Gehst du dorthin, Niyazi,
lebst du dort wie die Reichen von Bebek.
Denn die Armen
können nur in Amerika – oder in Deutschland
oder in einem anderen westlichen Land –
leben wie ein Amerikaner. Während
das in unseren Ländern
nur eine Sache der Reichen ist.
Und nur wenn man wie ein Amerikaner lebt
kann der Mensch sagen, ich habe gelebt.*

Because guestworkers usually have a clear mind about what they need to achieve, they work very hard, very often harder than native workers, as the case of Kazim shows:

All people work for nine hours.
 I do not speak of it, when I work for eleven hours.
 I am only interested in what I have in my pocket.
 No one pays attention to other people's pockets here.
 When you work, you get your money.
 Do not care about the Germans who
 are used to comfort,
 this abundance messes with their heads.
 Many consider themselves powerful.
 They stick their nose in the air,
 but they do not see what they step into.⁸ (Ören 32–33, my translation)

This shows guestworkers' willingness to work overtime, and thus they become a threat to "spoiled" native workers — employers prefer guestworkers who can bring more profit than native workers. Also, guestworkers take hard work for granted, and they do not seem to understand native workers' behavior. In a way, they may feel it being unfair that native workers, who are not as diligent as they are, are in a better position just because they are German citizens, and if native workers ever encounter trouble with their employment, it should be their own fault.

Native workers, on the other hand, usually think that guestworkers take away their jobs. Therefore, native workers sometimes are hostile to guestworkers. The case of Ali, as described in the quote at the beginning of chapter 4.1, shows this conflict:

"Because of you –"
 "Because of all of you –"
 "– you dirty foreigners. . . ."
 You do overtime, overtime, there you have it.
 And we celebrate Christmas this time without cash,

⁸ The German version of this verse is:

*Alle arbeiten neun Stunden.
 Ich rede nicht mal davon, wenn ich elf Stunden arbeite.
 Mich interessiert nur, was ich in der Tasche habe.
 Hier hat keiner die Augen auf anderer Leute Taschen.
 Wenn du arbeitest, kriegst du dein Geld.
 Scher dich nicht um diese Deutschen, die
 sind an Bequemlichkeit gewöhnt,
 dieser Überfluß verschmiert ihnen die Köpfe.
 Halten mächtig viel von sich selbst.
 Die Nasen tragen sie ganz hoch,
 aber sie sehen nicht, wo sie hintreten.*

next week the short-term work will be over [sic].”⁹ (qtd. in Chin 72)

Native workers blame guestworkers for the lack of opportunities for employment or their low income. This hostility is personal at first, as Ali’s German co-workers use the “singular form of ‘you’ (*deinetwegen*)” (Chin 72), but they quickly change the form to plural (*euretwegen*), “treating Ali as an ethnic representative” (Chin 72), and the personal resentment turns into collective xenophobia. “You dirty foreigners” explicitly demonstrates that immigrant-native conflict occurs because native workers lose jobs to guestworkers and are short of “cash.” This hostility is also to be found in another scene when a native worker beats a guestworker after some beer. He shouts:

“What are you doing standing around stupidly?
You can’t even speak correctly,
dirty foreigner, what do you want here?”¹⁰ (Ören 48, my translation)

Here, the conflict is not personal, because the guestworker who is beaten is random, and thus he is also a representative of all guestworkers or even all foreigners. Guestworkers’ incompetence to speak German becomes a marker of foreignness, and it can also be native workers’ argument that guestworkers should not be hired, although language incompetence does not necessarily affect low-skilled labor. “[W]hat do you want here” indicates that native workers blame guestworkers for taking their jobs.

However, it is not guestworkers’ fault that native workers lose jobs. One reason is that native workers are not as diligent as guestworkers, as it is shown above in Kazim’s case. Another reason is that employers prefer guestworkers because they are easy to exploit, because guestworkers want to earn as much money as possible, and they are afraid of deportation, so they would not act against their employers’ will. The poem explains:

⁹ The German version of this verse is:

“*Deinetwegen –* ”
“*Euretwegen –* ”
“– *ihr dreckigen Ausländer ...*
Überstunden macht ihr, Überstunden, da hast dus.
Und wir feiern Weihnachten diesmal ohne Pinke,
nächste Woche geht die Kurzarbeit los.”

The last line in this verse should be translated as “next week the short-term work will begin,” meaning that they will have reduced hours of work.

¹⁰ The German version of this verse is:

“*Was stehste hier so dämlich rum?*
Kannst ja noch nicht mal richtig quatschen,
dreckiger Ausländer, was willst’n hier überhaupt?”

Ali often worked overtime,
 because the master wanted him to.
 And the others, instead of telling him
 about short-term work and other harassment,
 stand up against him instead of
 against the bosses,
 who take advantage of the situation.¹¹ (Ören 51–52, my translation)

Employers are responsible for hiring guestworkers instead of native workers, because they can gain more profits by exploiting guestworkers. Guestworkers are victims of this labor system, but they are usually treated as the cause of employment problems in the eyes of native workers.

Discrimination against guestworkers is not only expressed among native workers. Naunyn Street in the title of the poem “is located in the heart of Berlin’s Kreuzberg district, a neighborhood historically inhabited by the working class. During the postwar labor recruitment, this district became a prime settlement area for Turks, one of the few places where guest workers found landlords willing to rent to them” (Chin 66). Therefore, guestworkers are separated from citizens not only because of their cultural difference and their incompetence to speak German properly, but also because they are discriminated against by landlords, so it is very difficult for them to find accommodation in areas where Germans live.

Moreover, guestworkers are discriminated against at job centers. At the end of the poem there are three letters written by guestworkers to try to regain their rights. The first letter mirrors their trouble finding an apartment as described above; the third one is a complaint about the hostile attitudes from their German co-workers, which I also discussed above. The second letter is written to the job center, and it reads:

“Dear
 Mr.
 Hofmann.
 Job Center II.
 Don’t always shout!
 Don’t always say no!
 I am not your servant.
 I am not a criminal.
 I am a worker.

¹¹ The German version of this verse is:
*Ali hat oft Überstunden gemacht,
 weil der Meister das so wollte.
 Und die anderen, statt ihm was zu sagen
 von Kurzarbeit und anderen Schikanen,
 stellten sich gegen ihn statt
 gegen die Chefs,
 die das ausnützen.*

Workers always work.
 Workers pay taxes.
 You please make
 My papers alright
 again.”¹² (Ören 68, my translation)

This letter indicates that guestworkers are not treated as equal citizen workers. The job center is unfriendly to guestworkers, and guestworkers are treated as servants or even criminals even though they contribute to the country’s economy.

“Was will Niyazi” reflects the hardship and unfair situation guestworkers face, and it criticizes the profit-oriented capitalism in the Bonn republic,¹³ for “the realization of economic inequity and exploitation leads to violence against foreigners” (Chin 76). Also, Germans’ hostility toward guestworkers and even all foreigners mirrors the existence of racism. Therefore, “Was will Niyazi,” as Rita Chin points out, links capitalism in the Bonn republic to fascism, suggesting that “the complacency and accommodation of the Bonn republic’s institutions and political culture” are related to “the Nazi regime” (76). However, “postwar society’s obsession with economic prosperity obscured a failure to deal with its fascist past” (Chin 76).

Another theme and issue addressed in guestworker literature is foreign workers’ feeling of alienation both in Germany and in their native country (Teraoka 81–82), which results in their loss of identity. Yüksel Pazarkaya is a representative of authors of guestworker literature who emphasize the “mutual understanding” or “recognition” of different cultures and “the desirability of integration ‘with mutual respect and the preservation of cultural identity and independence’” (Teraoka 86). Pazarkaya’s novel *Ich und die Rose* (2002, *Me and the Rose*) is a good example of this theme. This novel is originally written in German, and thus Pazarkaya

¹² The German version of this verse is:

*“Sehr Geherter
 Herr
 Hofmann.
 Arbeitsamt II.
 Nicht immer schrein!
 Nicht immer nein sagen!
 Ich bin nicht dein Dienner.
 Ich bin nicht verbrecher.
 Ich bin arbeiter.
 Arbeiter arbeiten immer.
 Arbeiter zahlen steuer.
 Du machen bitte
 Meine papier ordnung
 wieder.”*

This letter contains many typing errors and grammar mistakes, which indicate guestworkers’ incompetence to speak and write correct German and possibly also their poor education.

¹³ Rita Chin uses the term “Bonn republic” instead of “Germany” probably to identify that the setting of “Was will Niyazi” is West Germany.

intends to present his novel to the German audience. The novel focuses on the protagonist's loss of identity and his alienation in his native country (Turkey).

The protagonist Orhan Barut is an electronic engineer in Germany, and he is married to a German woman Maria and has settled down in Germany. After a ten-year residence in Germany, he finally has time to visit his hometown in Turkey with the hope of finding himself and understanding who he is. At first, he feels excited like a fish back in the ocean (Pazarkaya 16), but then he experiences some difficulty with his native language. When Orhan bumps into a stranger on the street, the stranger swears and keeps going, but Orhan cannot find the word to respond:

I wanted to apologize. Yet I could not find the word for it. He spoke his words with the highest confidence, without even pausing for a minute. I could only stare after him. Only long after I had lost him in the crowd did my tongue lisp:

“I’m sorry.”¹⁴ (Pazarkaya 17, my translation)

Right after this incident, a similar one happens again. When a stranger mistakes Orhan for someone else, he swears out of disappointment and goes away, but Orhan cannot respond right away:

I stood there stiffly. I wanted to apologize right away when he was disappointed because I was not Turan, but the word for it would not occur to me. My tongue was numb. Only after he disappeared into the crowd did the word run out of my mouth:

“I’m sorry.”¹⁵ (Pazarkaya 18, my translation)

Although Orhan regards himself as Turkish, for he compares his return to Turkey with a fish's return to the ocean, his problem with his mother tongue suggests that he is not as Turkish as he thinks he is, because language is a symbol of national identity. In a way, Orhan has lost some of his Turkish identity unconsciously.

¹⁴ The original text is as follows:

Ich wollte mich entschuldigen. Doch ich fand das Wort dafür nicht. Er sprach seine Worte mit größter Selbstverständlichkeit, ohne einen Augenblick zu verweilen. Ich konnte ihm nur noch nachstieren. Erst lange nachdem ich ihn in der Menge verloren hatte, lispelte meine Zunge:

“Entschuldigung.”

¹⁵ The original text is as follows:

Ich stand stocksteif da. Ich wollte mich gleich, als er enttäuscht war, weil ich nicht Turan war, entschuldigen, doch das Wort dafür fiel mir nicht ein. Meine Zunge war wie betäubt. Erst nachdem er in der Menge verschwunden war, gerann mir im Mund:

“Es tut mir Leid.”

Moreover, family friends in Turkey treat Orhan as a German. In a conversation, Turkish friends ask Orhan questions about Germany and discuss Orhan's accent when he speaks Turkish:

“Ee, what do you have in your countries?”
 “Is it true that people there don't like our people?”
 “They are supposed to despise our people and think low of us.”
 “Is it true what the newspapers write?”
 “Do you feel their contempt?”
 “Nonsense, who would despise Orhan?”
 “Of course he speaks their language very well.”
 “God, you see, he even speaks our language well.”
 “People can notice a foreign accent.”
 “Have you forgotten Turkish?”

...
 “From his words I can hear the accent of a European who learns Turkish.”¹⁶ (Pazarkaya 143–44, my translation)

“Your countries” and “our people” indicate that Orhan's Turkish family friends do not treat Orhan as one of their own, but as one of “them,” the “Other,” and the plural form of the word “country” suggests that they probably see all Western countries as a whole and do not distinguish Germany from any other Western countries. Moreover, although Orhan was born and raised in Turkey, one of his family friends is surprised that he can speak Turkish, his mother tongue, very well. Therefore, Turkish people do not consider him to be Turkish anymore, but rather, to be a European who knows Turkey very well. The claim that Germans despise Turks shows that Germans do not quite accept Turkish culture if the claim is true, and that there is a prejudice against Germans if it is not true. Either way, the conversation represents a lack of mutual understanding of different cultures.

The lack of cultural understanding is also shown when Turkish people act cautiously around Orhan, because he might be corrupted by European countries. A distant relative of Orhan's family warns Orhan's mother:

¹⁶ The original text is as follows:

“Ee, was gibt es denn dort in euren Ländern?”
 “Stimmt es, dass man dort unsere Menschen nicht mag?”
 “Sie sollen angeblich unsere Menschen verachten und gering schätzen.”
 “Stimmt es, was die Zeitungen schreiben?”
 “Spürst du auch ihre Verachtung?”
 “Nicht doch, wer wird denn Orhan verachten?”
 “Natürlich spricht er ihre Sprache sehr gut.”
 “Gott, sieh doch, selbst unsere Sprache spricht er gut.”
 “Man hört einen fremden Akzent.”
 “Hast du Türkisch verlernt?”
 ...
 “Aus seinen Worten höre ich den Akzent eines Europäers heraus, der Türkisch lernt.”

You don't know these European countries. People can become scholars there, but also criminals. These Christians have many ways. Some fly to the moon, some even defeat cancer; some can do all the work in the world on a computer; others dye their hair green and pink. Men wear women's clothes, women wear men's pants, young people inject heroin in the arm; little boys and girls become prostitutes ...¹⁷ (Pazarkaya 133, my translation)

The concern that Orhan might be influenced by all the negative elements in Europe demonstrates Turkish people's bias against Western culture. Also, things such as dyeing one's hair green and pink are not necessarily negative, they are only different from what people tend to accept in a more conservative culture, which indicates a lack of understanding or recognition of a different culture. Furthermore, Orhan encounters some trouble with authority in Turkey, and he is suspected of being an anarchist, because he has lived in Germany for ten years, and the Turkish authority assumes that he has potential to act against the government.

Orhan's friends' discussion about Western countries and Orhan's accent, his relative's concern, and the authority's suspicion all isolate Orhan from being one of their own, which makes Orhan's journey to find his identity even more difficult. Throughout the novel, Orhan is confused about who he is, thinking that he does not know himself. In a scene, a fortune teller tries to read Orhan's past, but she cannot:

"I have never seen anything like this," said she. "For the first time in my life I see something like this. I have even told fortune for babies and little children, but I have never seen anything like this. Should I say you haven't been born at all? I don't know. In forty years of fortune telling, I have never had such a dark background. I have never stood there powerless, not being able to read a person's past. But you just don't have a past. Where your past should be, there is a dark curtain, besides that nothing at all."¹⁸ (Pazarkaya 181-82, my translation)

Orhan's past should be an important element to define Orhan's identity, but the non-existence of his past, as the fortune teller shows, symbolizes that Orhan's Turkish past is concealed by his German life. This past is not lost, however, because it is only hidden behind the curtain. At one time, Orhan hears more than a thousand students singing the national anthem, and he cannot help singing along. Although Orhan does not know the lyrics, he has soundless syllable-

¹⁷ The original text is:

Du kennst aber diese europäischen Länder nicht. Man kann dort zum Gelehrten werden, aber auch zum Verbrecher. Diese Christen haben viele Wege. Manche fliegen zum Mond, manche besiegen selbst den Krebs, manche können die ganze Arbeit der Welt am Computer ausführen, andere färben ihre Haare grün und rosa, Männer ziehen sich Frauenkleider an, Frauen Männerhosen, Jugendliche spritzen sich Heroin in den Arm, kleine Jungen und Mädchen gehen auf den Strich ...

¹⁸ The original text is:

"So was hab ich noch nie gesehen", sprach sie. "Zum ersten Mal in meinem Leben seh ich so was. Auch für Babys und kleine Kinder hab ich wahrgesagt, aber so etwas noch nie gesehen. Soll ich sagen, du bist noch gar nicht geboren? Ich weiß nicht. Vierzig Jahre bin ich Wahrsagerin, so 'nen dunklen Hintergrund hab ich noch nie gehabt. Noch nie stand ich machtlos da, ohne die Vergangenheit des Menschen lesen zu können. Aber du hast einfach keine Vergangenheit. Wo deine Vergangenheit sein soll, dort ist ein dunkler Vorhang, sonst gar nichts."

bles in his head which match the rhythm, as if the rhythm was embedded in his subconscious before he was born (Pazarkaya 341). This demonstrates that Orhan's past is not lost but only concealed.

However, Orhan is not fully embracing his newly gained German identity. While in Turkey, Orhan meets a Turkish woman Gül (meaning rose) and falls in love with her. Gül is not a typical Turkish woman, because Gül has also lived in Germany and is influenced by German culture. Orhan's divorce from Maria, a German woman, symbolizes his farewell to a pure German life. He decides to be with Gül and live in Germany, which indicates that Orhan accepts a mixture of German and Turkish cultures. In a way, Orhan manages to find a compromise between two different cultures, and for him, the best way to live is to preserve two cultural identities.

Another theme of guestworker literature has little to do with politics or identity problems, but it emphasizes cultural diversity. For example, Rafik Schami's literary works barely contain any political issues such as the hardship immigrants face in Germany or xenophobia. Rather, the stories of his works usually take place in Damascus, Syria, and his works present people's lives in Syria to the German audience. Schami's novel *Erzähler der Nacht* (1989, translated into English with the title *Damascus Nights*) contains stories from seven different characters, some of which are not even realistic. This type of theme of guestworker literature does not have much political impact, but it shows some immigrant authors' intention to spread their own culture to a different audience without criticizing anything.

The guestworker program from the 1950s to 1973 changed German society demographically and resulted in two cultural products — guestworker German and literature. Germany started another guestworker program in the late 1980s as a result of the weakening and finally the fall of the Iron Curtain,¹⁹ and Germany focused on Central and Eastern European countries to be the sending countries (Oezcan). Similar to the earlier program, the new one was also based on the mutual benefits for both Germany and the sending countries. Guestworkers admitted to Germany included trainees, contract workers, and seasonal workers, many of whom came from Poland (Oezcan). Their work permits ranged from three months to two years (Oezcan).

¹⁹ The Iron Curtain was an ideological barrier between the west and the Soviet-controlled regions in Europe.

In 1986, Jörg Gfrörer and Günter Wallraff made a documentary film *Ganz Unten* (translated into English as *Lowest of the Low*) based on Wallraff's book with the same title. To make the documentary, Wallraff disguised himself as a Turkish worker, Ali Levent Sinirlioglu, and got a job at Thyssen Steel Mills in Duisburg. Gfrörer used a hidden camera and followed Wallraff to film how foreign workers were treated. The documentary shows that these workers are discriminated against and have to do the most dangerous and the dirtiest jobs. Once, Ali was required to give his protection shirt to a German colleague even though he owned the shirt. When he wanted to reject the order, his boss told him that he could either give his shirt to his German colleague or come to get his papers and leave. Similarly, when Ali was taken to clean metal dust, he asked if he could have a protection mask. His boss told him that there was no mask available and claimed that the dust was harmless to his health. However, German workers wore masks when doing similar jobs, because metal dust could stay in lungs forever and cause serious diseases. Another time, Ali and two other foreign workers were told to continue working when the warning signals in the mill were sent.

Ali's fellow foreign colleagues usually worked twelve to sixteen hours a day. However, their employer often registered shorter working hours on paper or even forgot to register or confirm several working days, so that they often received fewer wages than they were entitled to. One of the foreign workers found out that there were thirty hours missing in his registered working hours, so he went to the job agency to talk to the employer, Mr. Vogel, but Vogel denied that he knew about the missing thirty hours and said that the worker was lying. Vogel also became very impolite and impatient, and he shouted at the man as if it was his fault that thirty hours were not registered. Another foreign colleague told Ali that Vogel claimed that he had transferred his wages to his bank account, but he did not receive the money. Moreover, the employment of foreign workers was not completely legal. Vogel made an agreement with several of his foreign employees that he would only report half of their wages, so that they could evade some taxes. For example, Ali's income was ten marks an hour, but officially he only earned five marks an hour, and the other five marks were given to him unreported. Although this agreement might seem beneficial to foreign workers, because they could earn more money, it made it easier for the employer to refuse to pay them enough wages, and workers could not fight against it without exposing their illegal work.

The hidden camera makes it possible that *Ganz Unten* shows foreign workers' real life to the maximum extent. It demonstrates that they were treated much worse than their German peers, and the hostility makes it impossible for them to create a feeling of belonging in Germany. As a Turkish worker said in the documentary, he used to think Germany was his dream, but then he realized that Germany did not need them and that he was on the wrong road.

In 2004, some of the sending countries (e.g., Poland, Hungary, and the Czech Republic) joined the EU. However, although "citizens of European member states have the right to work in any other member state" (Oezcan), old member states of the EU (including Germany) postponed "freedom of movement for the workers of the [new member states] by seven years" (Palmer, "Guest") due to the fear of massive immigrant influx from these countries and their impact on the receiving countries' social welfare (Oezcan). Therefore, citizens of those European sending countries (Poland, Hungary, and Czech Republic) have only been allowed to work in Germany without a work permit since 2011 (Palmer, "Guest"). Similarly, Bulgaria and Romania, which are also guestworker-sending countries, joined the EU in 2007, and the free movement clause applied to citizens of these two new EU states in 2012 (Palmer, "Guest"). The admittance of these guestworker-sending countries to the EU altered Germany's guestworker program, because workers from these new EU member states do not count as guestworkers anymore.

4.1.3. Comparison and Reflection

In both countries, guestworker programs are designed to solve the country's labor shortage. The intention to have such programs is to achieve a win-win-win situation, where the receiving country gains working force, the sending country gains experienced workers when they return home, and guestworkers have better wages abroad. In other words, the same economic needs result in the same immigration policy in the two countries. However, guestworker programs do not usually go as they are planned, and the win-win-win situation may easily turn out to be a lose-lose-lose situation, where employers in the receiving country hire guestworkers instead of native workers, resulting in immigrant-native conflict, employers

hire guestworkers for a longer term, so that the sending country does not gain experienced workers as planned, and guestworkers are often abused or exploited. In this case, the same immigration policy has the same consequences in the two countries.

Guestworkers in both countries face hardships, because their residence permit is bound to employers, which puts the employer in a very powerful position. To be able to continue working abroad, guestworkers usually do not fight for their rights and tend to silently endure exploitation. Besides, they are usually poorly educated and do not quite understand their rights stated in the contract. Because guestworkers are easily exploited, employers prefer guestworkers to native workers in order to gain more profits, which makes guestworkers the cause of immigrant-native conflict, even though they are merely the victims in this equation.

In the United States, illegal immigration is often linked with guestworker programs, because many workers, especially from Mexico, cross the border illegally to seek job opportunities (or in many cases they are forced to cross the border illegally, because the procedure to become a guestworker is too long and they might die from hunger while waiting), and the U.S. government tends to loosen immigration regulations and ignore illegal immigration at times of labor shortage. Recent studies of U.S. public opinions toward guestworker policies are also related to opinions toward undocumented workers due to Bush's attempt of a guestworker program reform in 2004. In Shayerah Ilias et al.'s study "American Attitudes toward Guest Worker Policies," they also elaborate on American attitudes toward the current illegal immigration situation:

In the days and months following President Bush's call for a guest worker policy in January 2004, Americans were split in their attitudes toward temporary worker initiatives. Close to half supported the creation of a guest worker program for current illegal immigrants in 2004 surveys sponsored by the Chicago Council on Foreign Relations (52%) and by NPR/Kaiser/Harvard (44%). Since 2004, public opinion polls have reflected similar divisions in attitudes toward unauthorized immigrants and public support for temporary worker initiatives. For example, an AP/Ipsos Public Affairs poll from March 2006 found that 56% of Americans favor allowing currently unauthorized individuals working in the United States to apply for legal, temporary worker status. A *Los Angeles Times*/Bloomberg poll from June 2007 found that 49% of adults supported a guest worker program for "non-citizens" working in the US, while an NBC/*Wall Street Journal* poll conducted around the same time (June 2007) indicated slightly less support for a more specific proposal, with 31% endorsing "automatic work visas" for current illegal immigrants who pay a \$5,000 fine.

Although many Americans have somewhat favorable attitudes toward temporary worker programs, there is greater disagreement over how to address the unauthorized immigration problem. In the Pew Research Center/Pew Hispanic Center survey (2006), respondents were almost evenly divided in their support for three different policy options when given an explicitly comparative choice between them: to allow current unauthorized immigrants to remain in the US permanently (32%); to allow them to stay in this country under a guest worker program (32%); or to send them back to their home countries (27%). However, in another survey, regardless of party affiliation, a majority of Americans (61%) favored temporary worker and legalization policies over deportation as a means of reducing unauthorized

immigration (*Washington Post/ABC News*, 2005). A more recent *USA Today/Gallup* poll (July 2007) revealed a similar preference for temporary worker and legalization policies in a comparative question. (744–45)

Therefore, guestworker programs and illegal immigration are intertwined with each other, and the American public does not have a strong preference if guestworker programs are a solution to illegal immigration. Individuals who are highly educated are more likely to support the idea of a guestworker program, because they feel less threatened by guestworkers on the job market since they work in different fields (Ilias et al. 748).

Compared to the United States, Germany's guestworker programs do not have a strong connection with illegal immigration, although in some cases, the employment is only partially legal. This difference may suggest that the immigration policy in the United States is more flexible and profit-oriented and regulations can be bent in accordance with the economic situation, while Germany has been quite strict on immigration regardless of the economic situation, and although guestworker programs in Germany were also created to help the country's economy, illegal immigration was not tolerated for possible economic benefits. In this sense, the consequences of guestworker programs in the two countries are different due to different principles of immigration policy. However, although the connection between guestworker programs and illegal immigration in Germany is very weak, literature shows the hostility of native workers toward guestworkers, and thus it is also very possible that low-skilled workers will oppose such programs, regardless of its relation to illegal immigration, because for them, the risk of unemployment is the cause of this conflict.

Although guestworker programs in both countries are similar in terms of motivation, and guestworkers face similar problems, such programs are of different significance in regard to immigration policy in general in the two countries. To some extent, guestworker programs in Germany are of greater significance than in the United States, because the one from the 1950s to 1973 can be deemed as the beginning of the country's acceptance of immigration systematically, even though guestworkers were only designed to be in the country temporarily, whereas in the United States they are only one of the many means to help the country's economy. Germany's guestworker programs changed the ethnic demography in Germany, as many guestworkers stayed in the country and brought their families along. Therefore, Germany was obliged to adjust its immigration policy to this change. In a way, Ger-

many started to change its immigration policy gradually to strengthen its economy, and the consequences of these changes can result in more changes.

The development of guestworker literature in Germany further highlights the significance of such programs in Germany. Similarly to the definition of migrant literature I stated in chapter two, I categorize literature *about* guestworkers into guestworker literature, regardless of the author's national origin. Like their significance in German immigration policy, these programs also have a cultural significance, as guestworker literature in Germany can be deemed as the beginning of German migrant literature. The United States, on the other hand, does not have a category specifically for guestworker literature. Migrant literature in the United States is more of a product of mass immigration, and literature with guestworker elements is only a fraction of the whole.

4.2. Permanent Residency

“Current immigration trends are an outgrowth of world-wide population movements — rising and falling, shifting and changing over several centuries — that have been generated by the actions of states and economies and by demographic forces.”
— Reed Ueda

There are different motivations for people to emigrate to another country. Roughly, they can be divided into economic and non-economic motivations. Economic motivation includes seeking a better life or more job opportunities, and non-economic motivation includes, for example, seeking political protection. Better education is also a reason for people's residency abroad, but if the person will return home after education, then the person will not be considered to be an immigrant; if he or she, however, stays in the country after the completion of an educational process, usually having found a job, the person becomes an immigrant.

To some extent, permanent residency is a stage between foreigner and citizen, because one of the prerequisites of naturalization in both the United States and Germany is being a permanent resident. Excluding immigration by marriage or family reunion, foreigners must have had certain achievements or contributions (sometimes measured by salary or income tax) to gain the right of permanent residency, which means that they have proven themselves

worthy in the receiving country. In a way, permanent residency is a step in the selection process for naturalization.

Assimilation might occur alongside the immigration process, as the assimilation model I briefly mentioned in chapter two indicates. An early definition of this terminology is by Robert E. Park and Ernest W. Burgess. They point out that it “is a process of interpenetration and fusion in which persons and groups acquire the memories, sentiments, and attitudes of other persons or groups, and, by sharing their experience and history, are incorporated with them in a common cultural life” (360). Milton M. Gordon collects several other definitions of assimilation in his book *Assimilation in American Life*. One definition by Brewton Berry states that

[b]y assimilation we mean *the process whereby groups with different cultures come to have a common culture*. This means, of course, not merely such items of the culture as dress, knives and forks, language, food, sports, and automobiles, which are relatively easy to appreciate and acquire, but also those less tangible items such as values, memories, sentiments, ideas, and attitudes. Assimilation refers thus to the fusion of cultural heritages, and must be distinguished from *amalgamation*, which denotes the biological mixture of originally distinct racial strains. (qtd. in M. Gordon 65; emphasis in original)

In another definition by Joseph Fichter, assimilation is understood as

a social process through which two or more persons or groups accept and perform one another’s patterns of behavior. We commonly talk about a person, or a minority category, being assimilated into a group or a society, but here again this must not be interpreted as a “one-sided” process. It is a relation of interaction in which both parties behave reciprocally even though one may be much more affected than the other. (qtd. in M. Gordon 65)

Arnold Rose defines it as

the adoption by a person or group of the culture of another social group to such a complete extent that the person or group no longer has any characteristics identifying him with his former culture and no longer has any particular loyalties to his former culture. *Or*, the process leading to this adoption. (qtd. in M. Gordon 66; emphasis in original)

From these definitions, people note that this term can have different implications for different scholars or in different situations. Although all scholars admit the process of adopting a different culture, Fichter’s theory emphasizes a two-way process, whereas Rose’s definition highlights the loss of former culture, or in other words, a one-sided process. In a way, Rose’s theory is what makes assimilation gain a rather negative connotation or even become “intellectual sins” (Alba and Nee 827), because full abandonment of one’s culture is the only outcome. Yet, theories by Park, Burgess, and Berry do not contain the idea of full erasure of minority culture.

Gordon divides assimilation into different types or stages, as shown in table 4.1. Cultural or behavioral assimilation is the adoption of the culture of the host society, which may also be “the first of types of assimilation to occur when a minority group arrives on the scene” (M. Gordon 77). This type/stage is also known as acculturation. According to Robert Redfield, Ralph Linton, and Melville J. Herskovits, acculturation “comprehends those phenomena which result when groups of individuals having different cultures come into continuous first-hand contact, which subsequent changes in the original cultural patterns of either or both groups” (qtd. in M. Gordon 61). Similarly, Richard Alba and Victor Nee note, in the context of American society, that

[t]he influence of minority ethnic cultures can occur also by an expansion of the range of what is considered normative behavior within the mainstream; thus elements of minority cultures are absorbed alongside their Anglo-American equivalents or are fused with mainstream elements to create a hybrid cultural mix. (834)

Table 4.1
The Assimilation Variables

Subprocess or Condition	Type or Stage of Assimilation	Special Term
Change of cultural patterns to those of host society	Cultural or behavioral assimilation	Acculturation
Large-scale entrance into cliques, clubs, and institutions of host society, on primary group level	Structural assimilation	None
Large-scale intermarriage	Marital assimilation	Amalgamation
Development of sense of peoplehood based exclusively on host society	Identificational assimilation	None
Absence of prejudice	Attitude receptional assimilation	None
Absence of discrimination	Behavior receptional assimilation	None
Absence of value and power conflict	Civic assimilation	None

Source: Milton M. Gordon; *Assimilation in American Life: The Role of Race, Religion, and National Origins*; New York: Oxford UP, 1964; print; 71; table 5.

Therefore, acculturation can be a two-way process. Furthermore, Raymond H. C. Teske and Bardin H. Nelson define acculturation to be an “individual or group process” (351), where “the ability to function in another culture is *added to* [the immigrant’s] repertoire of skills *without* displacing [his or her] prior cultural identity” (Callan 471, my italics). In this sense,

acculturation does not erase cultural identity of minority groups. Although the definitions of acculturation above are not necessarily related to Gordon's theory of cultural or behavioral assimilation (they may also be introduced to replace the term "assimilation"), I still see this type of assimilation, like acculturation, as a two-way process, and it does not necessarily require the erasure of the original culture.

Structural assimilation includes, for example, people of different ethnicities or cultures joining the same college fraternity or sorority (M. Gordon 80), or they are representatives of the same political party. Marital assimilation means intermarriage between couples of different races or ethnicities. Identificational assimilation may take place together with marital assimilation, but it can also occur when children of a minority group are raised in a host society. Attitude and behavior receptional assimilation requires host society's acceptance of minority groups, which in a sense suggests a two-way process. Civic assimilation can be the result of all above listed types and stages of assimilation.

Alba and Nee add another type of assimilation besides Gordon's assimilation variables, namely, occupational mobility and economic assimilation (835). They point out that this type of assimilation is likely to happen when a person of minority culture seeks equal economic status in the host society (835), because in order to be economically equal, he or she needs to achieve what Gordon calls structural assimilation, and possibly, cultural or behavioral assimilation. Moreover, this person has to be accepted by the host society.

Because of the criticism of assimilation based on the notion that it requires full erasure of a minority culture, and because the abandonment of the term "assimilation" may result in a change in language, Alba and Nee redefine assimilation to be "the decline, and as its endpoint the disappearance, of an ethnic/racial distinction and the cultural and social differences that express it" (863). They go on to explain why this new definition is better as follows:

This definition does not assume that one of these groups must be the ethnic majority; assimilation can involve minority groups only, in which case the ethnic boundary between the majority and the merged minority groups presumably remains intact. . . . The definition stated above avoids a pitfall frequently stumbled upon by conventional definitions, which focus exclusively on the minority ethnic group, assuming implicitly that only it changes. By intent, our definition is agnostic about whether the changes wrought by assimilation are one-sided or more mutual. Indeed, there should be no definitional prescription on this point, for it is likely that the unilaterality of the changes depends upon the minority group, the era, and the aspect of group difference under consideration. (863–64)

To eliminate the negative connotation of assimilation (the erasure of a minority culture), the term "integration" is introduced. Integration "predominantly carries the implicit ideal of

(a minimum degree of) cultural homogeneity — especially referring to a language — as a prerequisite for social cohesion” (Schneider and Crul 1144). Very often, “successful integration” means a harmoniously interacting “parallel societies” or cultures (Schneider and Crul 1144). Therefore, if an immigrant accepts, understands, and feels comfortable with the culture of the host society and vice versa, and if he/she is able to interact with natives without cultural barriers when still holding on to his/her own culture, then this immigrant is successfully *integrated* into the host society. I will use the term “integration” instead of “assimilation” only when the minority culture or an immigrant’s characteristics identifying this culture is not or only slightly altered.

Also because of the criticism of assimilation, scholars such as Fernando Ortiz mean to replace the terms acculturation and assimilation with transculturation (Birkle 5). Nancy Morejón defines transculturation to be

the constant interaction, the transmutation between two or more cultural components with the unconscious goal of creating a third cultural entity — in other words, a culture — that is new and independent even though rooted in the preceding elements. Reciprocal influence is the determining factor here, for no single element superimposes itself on another; on the contrary, each one changes into the other so that both can be transformed into a third. (qtd. in Birkle 5)

If the definition of assimilation allows a two-way process, then assimilation and transculturation are very similar. The only difference of the two terms can be that in the sense of transculturation, a minority culture influences the mainstream culture to the same extent as the other way around, while in the sense of assimilation, the minority culture only slightly changes the mainstream. However, it is not explicitly defined in “assimilation” in how far a minority group will affect the host society. Therefore, assimilation and transculturation can still mean the same theoretically. If the two terms are this similar, then I prefer to use “assimilation,” because it can be used on the individual level to describe an individual’s change in social behavior. For example, I can say “a person is assimilated,” but not “he/she is transculturated.” With that said, I still want to use the term “assimilation” in the sense that cultural transformation happens to both minority and mainstream cultures; however, the impact of minority culture on the mainstream is much weaker than vice versa. Another reason why I insist on using the term “assimilation” although it may contain a negative connotation is that assimilation still exists in immigrant-receiving countries, especially among second-generation immigrants.

I do not encourage assimilation, but I think by eliminating the term, people will also overlook this existing phenomenon.

4.2.1. Permanent Residency in the United States

As chapter 3.1 explains, the United States can be seen as a nation of immigrants. There had been immigration flows from different parts of the world due to different reasons such as religious persecution, poverty and death in the home country, or war. Also, “the abolition of slavery in European empires reconfigured the international demand for settlers and laborers in New World societies” (Ueda 15) and “resulted in India and China becoming international suppliers of indentured labor to peripheral zones of economic development” (Ueda 15). For some of these immigrants, settling down in the United States was their goal, and for others, settling down abroad was unexpected, because they failed to return home.

At least until the mid-nineteenth century, the United States accepted most of the immigrants, but it does not mean discrimination did not exist. For example, the discrimination against the Irish was already formed in Great Britain before the mass Irish immigration, starting in the 1820s, and the discrimination against Irish Americans “was done publicly in highly humiliating fashion through signs that announced ‘Help Wanted: No Irish Need Apply’” (Jensen 405), although Richard Jensen argues that this sign is rather metaphoric than realistic, since historians have not located any photographs or drawings of the sign hung in the United States, and no ethnic group except Irish Catholics has reported seeing one (405). Real or not, Irish Americans were seen as the “Other” throughout the nineteenth century with a peak of anti-Irish sentiments in the mid-1850s, because they were blamed for being “responsible for public disorder and poverty,” were considered to be “premodern,” and were thought to embody “undermining republicanism” (Jensen 406). The Irish were compared to blacks:

During the mid-nineteenth century, anti-Irish stereotypes emphasized nature over nurture and descent over consent. The Irish were imaged as apelike and “a race of savages,” at the same level of intelligence as blacks. Pursuing the “lower” rather than the “higher” pleasures, seeking “vicious excitement” and “gratification merely animal,” the Irish were said to be “slaves” or “passions.” . . .

Like blacks, Irish workers were condemned for lacking the habits of punctuality and industry. They were dismissed from their jobs for laziness, gambling, drinking, and “other debaucheries,” as

well as for “levity” and “impudence.” . . . Irish children, moreover, were seen as “undisciplined” and “uninstructed,” “inheriting” the “stupidity of centuries of ignorant ancestors.” (Takaki 149–50)

The discrimination against Irish Americans was more practical than legal, because there was still no act which specifically discriminated against people of Irish descent.

As the number of immigrants grew in the course of the nineteenth century, the United States started to set barriers to immigration through policies. There are several acts in the U.S. immigration history that mirrors the selection process of the United States. The first significant law restricting immigration was the Chinese Exclusion Act of 1882 (“Chinese”). This law prohibited the immigration of Chinese workers out of the fear that Chinese workers would take away jobs from native-born Americans (“Chinese”). Although the Naturalization Act of 1790 limited naturalization to white people only, immigration of colored people was not restricted. In fact, the Chinaman was welcomed in the first few years of mass Chinese immigration to the United States (started roughly around 1850 as a result of the Gold Rush, and also a consequence of the Opium War and the Taiping Rebellion in China which devastated all industry and trade), because “in those days race antipathy was subordinated to industrial necessity, and in a heterogeneous community where every Caucasian expected to be a miner or a speculator, the reticent, industrious, adaptable Chinese could find room and something more than toleration,” and “[t]hey were highly valued as general laborers, carpenters and cooks” (Coolidge 21). However, as the Chinese population in the United States grew, Chinese workers became a threat to the white population for their cheap labor, and anti-Chinese sentiments began to grow. “White workers referred to the Chinese as ‘nagurs,’ and a magazine cartoon in California depicted the Chinese as a bloodsucking vampire with slanted eyes, a pigtail, dark skin, and thick lips. Like blacks, the Chinese were described as heathen, morally inferior, savage, childlike, and lustful” (Takaki 205). There had been failed attempts to restrict immigration of Chinese workers to the United States before 1882, but in 1882 the act was finally passed. The Chinese Exclusion Act suspended “the coming of Chinese laborers to the United States,” and the term “Chinese laborers” applied to “both skilled and unskilled laborers and Chinese employed in mining” (“Archives”). This act also banned naturalization for Chinese immigrants, stating that “no State court or court of the United States shall admit Chinese to citizenship; and all laws in conflict with this act are hereby repealed” (“Archives”). Therefore, the Chinese Exclusion Act was the first federal act that restricted immigration from a specific country. This act was first signed to be in effect for ten

years, and it was extended for another ten years through the Geary Act of 1892, and finally it became permanent in 1902 (“Chinese”). The Chinese Exclusion Act was repealed in 1943 by the Magnuson Act, because China became America’s war ally. However, this act still “allowed only 105 Chinese immigrants per year, reflecting persisting prejudice against the Chinese in American immigration policy” (“Chinese”).

The discrimination against Chinese immigrants is well depicted in Chinese American literature. The collection of Sui Sin Far’s short stories, *Mrs. Spring Fragrance*, was published in 1912, a time when the Chinese Exclusion Act was in effect. Therefore, these short stories mirror the life of Chinese immigrants in the United States during a time of discrimination and exclusion. In one of the short stories, ironically titled “In the Land of the Free,” the infant of a Chinese couple is detained by U.S. immigration, because there is no proof that the child is theirs. U.S. immigration officials promise that as soon as they hear from Washington, the child will be returned to the couple. However, months have passed, but there is still no word from Washington. The Chinese couple hires an American lawyer with the hope that he can get their son back, but the lawyer only asks for more and more money in return without accomplishing anything. After ten months, the Chinese couple can finally have their son back, but the child does not know his mother anymore and bids his mother go away. Here, “a Chinese child is stripped of his ethnic identity [by ‘the land of the free’] and a Chinese mother loses the freedom to keep her son” (qtd. in Birkle 137). The tragedy of the Chinese couple is the result of discrimination against Chinese immigrants, and although they are in the “land of the free,” Chinese immigrants are not free at all. “The particular irony,” as Carmen Birkle states,

lies in the fact that the Exclusion Act allowed merchants and their wives as well as their children entry into the United States as long as they had proper documents, but many court cases from the turn of the century showed that despite this right, many Chinese had to fight for it. Here, “the law of the land” which has to be complied with is contrasted with common sense, namely that “[t]here cannot be any law that would keep a child from its mother!” (136–37)

Besides the threat Americans felt toward Chinese laborers, another reason for this restriction is that Chinese were thought to be too different and unassimilable. Chinese American literature indeed shows the grave difference between Chinese and American customs, but it also shows that assimilation is not impossible for Chinese immigrants. For example, in Sui Sin Far’s short stories, both aspects are represented. In a story in this collection, “The Ameri-

canizing of Pau Tsu,” the young wife of a Chinese immigrant, Pau Tsu, came to the United States without the slightest knowledge of the English language, and she has brought her Chinese customs along. She decorates her American apartment with things she has brought from China and turns it into “an Oriental bower” (Far 83). Also, Pau Tsu is not eager to learn English, because both her husband and her maid speak Chinese; she does not want to wear American dresses, because it makes her look like her husband’s American friend, Miss Adah, from whose presence she suffers, for she does not seem to understand that a man and a woman can just be friends in the United States; and she feels ashamed to be examined by a male doctor. All her behavior and thinking demonstrate a grave difference between Chinese and American customs and thinking, and they suggest the difficulty for a Chinese immigrant to assimilate as the U.S. government expects. However, June Howard states that “Pau Tsu does ‘Americanize’ [in the end], as the title indicates — enough to step substantially out of bounds and ask her husband to divorce her, ‘as is the custom in America’” (152). In this sense, however difficult it is, Chinese immigrants can adjust to the American way of thinking.

In another short story, “Mrs. Spring Fragrance,” Far depicts a Chinese woman who has been Americanized fully. The eponymous heroine Mrs. Spring Fragrance came to the United States without knowing a single word of “the American language,” but in five years, “[t]here are no more American words for her learning” (Far 1). She reads American poetry and quotes American poems from time to time, and she understands the American way of love and marriage. As June Howard notes, the word “American” is frequently used in the story, as “Mrs. Spring Fragrance is not learning English but ‘the American language,’ understood in the next sentence by ‘American words’” (146). Moreover, Mrs. Spring Fragrance believes that marriage should be based on love as opposed to the Chinese traditional arranged marriage. Therefore, her Americanization is “not only a matter of learning how to talk, but also learning how to feel” (June Howard 148). Mrs. Spring Fragrance represents those Chinese immigrants who are Americanized and have integrated into American society. Americanization is a type of assimilation, because it requires a change in behavior, values, and attitudes. In this case, Mrs. Spring Fragrance has adopted the American language and values, which demonstrates Chinese immigrants’ ability to adjust, contrary to the claim that they are “unassimilable.”

The Chinese Exclusion Act foreshadowed more immigration-restriction acts. The 1917 Immigration Act, also known as the Asiatic Barred Zone Act,

restricted the immigration of “undesirables” from other countries, including “idiots, imbeciles, epileptics, alcoholics, poor, criminals, beggars, any person suffering attacks of insanity, those with tuberculosis, and those who have any form of dangerous contagious disease, aliens who have a physical disability that will restrict them from earning a living in the United States . . . , polygamists and anarchists, those who were against the organized government or those who advocated the unlawful destruction of property and those who advocated the unlawful assault of killing of any officer.” (Tucker and Creller)

The act also created a zone called the Asiatic Barred Zone, and “[a]ny country not owned by the U.S. adjacent to the continent of Asia’ along specified longitudes and latitudes were restricted from immigrating” (Tucker and Creller). With this act, not only the Chinese, but also most Asians were restricted from immigration. The Asiatic Barred Zone was abolished by the 1952 Walter-McCarran Act, which makes the official discrimination against Asians last for 35 years. Furthermore, the 1917 Immigration Act “implemented a literacy test that required immigrants over 16 years old to demonstrate basic reading comprehension” (“Milestones”), probably as a means to eliminate “idiots,” as the act formulated. Those undesirable criteria also made it easier and subjective to refuse any immigrant’s entrance. The 1917 Immigration Act was carried out at inspection stations. For example, Ellis Island served as one of America’s busiest inspection stations. Immigrants’ physical and mental health was checked there, and only those who were thought to be both physically and mentally healthy were allowed to enter the United States. On an exhibition board in the Ellis Island Immigration Museum, it states that

[f]or the vast majority of immigrants, Ellis Island meant three to five hours of waiting for a brief medical and legal examination prior to admittance. For others, it meant a longer stay with additional testing or a legal hearing. For an unfortunate 2%, it meant exclusion and a return trip to the homeland.²⁰

Immigrants who were thought to be unhealthy were marked with symbols,²¹ and this could look humiliating, because being chalk-marked made immigrants look like animals.

The Emergency Quota Act of 1921 expanded restriction worldwide. This act states that “the number of aliens of any nationality who may be admitted under the immigration laws to the United States in any fiscal year shall be limited to 3 per centum of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census of 1910” (5). This limitation did not apply to government officials, temporary visitors for pleasure or business, citizens of those countries which had bilateral agreements

²⁰ Quoted from the exhibition board “Through America’s Gate.” Date of visit: September 22, 2014.

²¹ These symbols are: X: suspected mental defect; X with a circle around it: definite signs of mental disease observed; B: back; C: conjunctivitis; CT: trachoma; E: eyes; F: face; Ft: feet; G: goiter; H: heart; K: hernia; L: lameness; N: neck; P: physical and lungs; Pg: pregnancy; Sc: scalp (favus); and S: senility.

with the United States, citizens of the Asiatic Barred Zone, and citizens of adjacent countries and islands. The 1921 Quota Act was followed by the 1924 Quota Act, or officially the Immigration Act of 1924, which reduced the quota percentage, stating that “[t]he annual quota of any nationality shall be 2 per centum of the number of foreign-born individuals of such nationality resident in continental United States as determined by the United States census of 1890, but the minimum quota of any nationality shall be 100” (159). The two quota acts demonstrate the United States’ attempt to reduce immigration, especially from Southern and Eastern Europe, because the change of denominator (from the 1910 census to the 1890 census) offered a much smaller quota to Eastern and Southern Europe (see tables 4.2 and 4.3). If we calculate the quotas based on the two quota acts, we see a great difference between the quotas given to Eastern (for Germany belongs to Central Europe, and its immigrant proportion was much larger in 1890 than in 1910) and Southern Europe (see table 4.3). In other

Table 4.2

Foreign-Born Population, by Country of Birth

Country of Birth	Number	
	1890	1910
Total Foreign-Born	9,249,560	13,515,886
<u>Europe</u>	<u>8,020,608</u>	<u>11,791,841</u>
Northwestern Europe	4,380,752	4,239,067
Central and Eastern Europe*	3,420,629	6,024,041
Southern Europe	206,648	1,525,875
Other Europe	12,579	2,858

* Germany belongs to this category, and the numbers for the German-born population were 2,784,894 in 1890 (81.4% of all foreign-born immigrants from Central and Eastern Europe) and 2,311,237 in 1910 (38.4%).

Source: *Statistical Abstract of the United States: 1929*; *census.gov*; United States Census Bureau, 27 Jul. 2015; Web; 33; PDF file; table 30.

words, the United States intended to maximize the dominance of immigrants from Northwestern Europe. The 1924 Quota Act also separated non-quota immigrants from quota immigrants — basically, residents of the Western Hemisphere and immigrants “who had spouses

Table 4.3

Quotas Based on Quota Acts of 1921 and 1924, by Country of Birth

Country of Birth	Quota Based on The Quota Act of ...	
	1921	1924
Northwestern Europe	127,172	87,615
Central and Eastern Europe*	180,721	68,413
*Germany	69,337 (38.4% of the quota for Central and Eastern Europe)	55,698 (81.4% of the quota for Central and Eastern Europe)
*Other	111,384	12,715
Southern Europe	45,776	4,133

or parents already in the United States” (Lee 14) belonged to non-quota immigrants, and therefore the 1924 Quota Act did not apply to them.

The period between 1920 and 1965 is sometimes known as “immigration pause” (as shown in figure 3.1 in chapter three). The two Quota Acts successfully reduced the immigrant population, especially in the second half of the 1920s, and throughout the 1930s when the Great Depression hit the United States, immigrants were not eager to come — “in some years more people left . . . than arrived” (Martin). The Great Depression also fueled anti-Semitism (Mintz), which probably affected the admission of Jewish refugees later. During the Second World War, the United States “did not pursue an organized and specific rescue policy for Jewish victims of Nazi Germany until early 1944” (“United”). In 1944, President Franklin D. Roosevelt finally established the War Refugee Board which “helped to rescue many thousands of Jews in Hungary, Romania, and elsewhere in Europe” (“United”). He “also directed that Fort Ontario, New York, become a free port for refugees. However, only a few thousand refugees were allowed there and they were from liberated areas, not from Nazi-occupied areas” (United). “Between 1933 and 1945 the United States took in only 132,000 Jewish refugees, only ten percent of the quota allowed by law” (Mintz). After the war, “veterans returned with European spouses and Europeans migrated,” and hence immigration started to rise again (Martin).

The Immigration and Nationality Act of 1965 erased restrictions based on race, gender, and national origin, and it replaced the quota system of the 1920s with “a preference system

that focused on immigrants' skills and family relationships with citizens or residents of the U.S." ("1965"). It also set numerical restrictions on visas to 170,000 per year, "not including immediate relatives of U.S. citizens, nor 'special immigrants' (including those born in 'independent' nations in the Western hemisphere; former citizens; ministers; employees of the U.S. government abroad)" ("1965"). The Immigration and Nationality Act of 1965 is considered to be a milestone in American history, because it officially eliminated racial and ethnic discrimination. Instead of formulating who cannot enter the United States (like the "undesirables" stated in the Immigration Act of 1917), this Immigration and Nationality Act formulated a preferred immigrant group (skilled immigrants), which not only functioned as a filter for the immigrant selection process, but also made the act sound more politically correct.

The immigration history of the United States creates what people call a "nation of immigrants." Hollifield notes that "immigration has long been a national political issue" in nations

Fig. 4.1. Foreign-Born Population by Region of Birth, 1850–2000

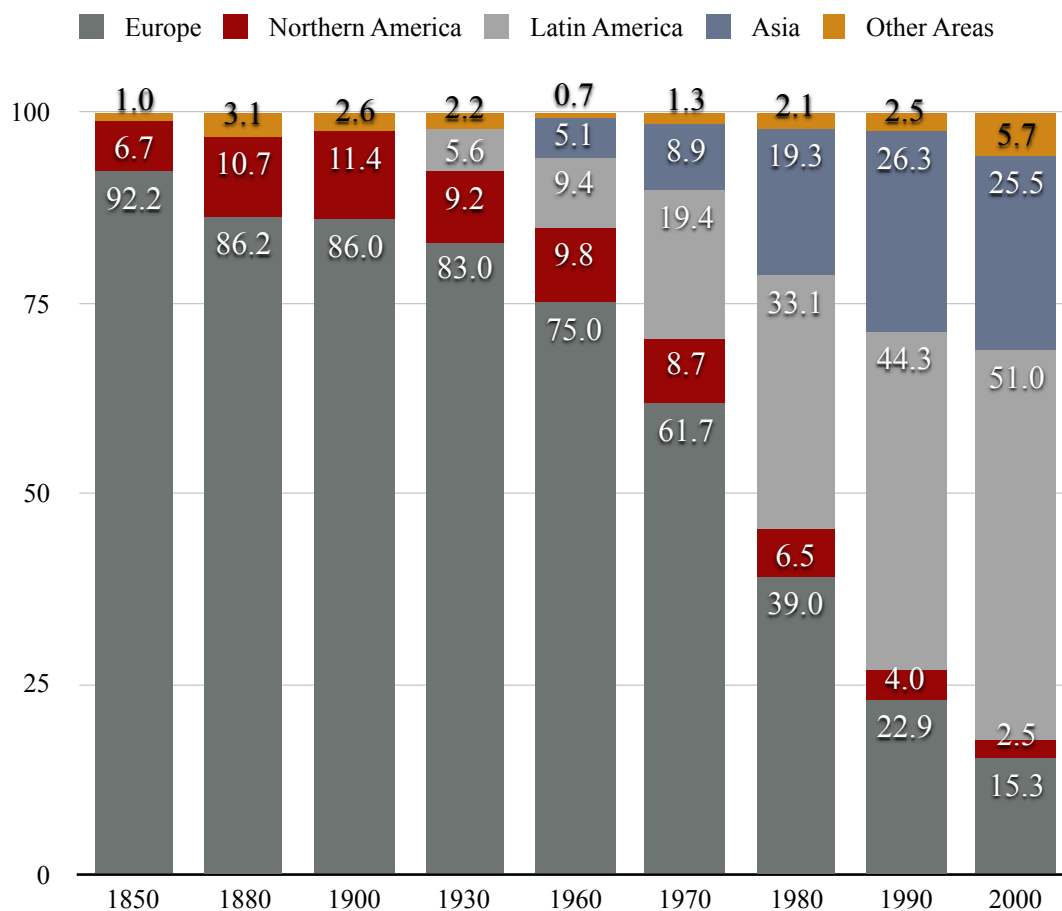


Fig. 4.1. Dianne Schmidley, *Profile of the Foreign-Born Population in the United States: 2000* (files.eric.ed.gov; U.S. Census Bureau, Dec. 2001; Web; 11; 1 Feb. 2016; PDF file).

of immigrants (“The Politics” 134). Figure 4.1 shows foreign-born population percentages by region of birth from 1850 to 2000. The dominant number of immigrants from Europe before 1970 indicates a strong preference for European immigrants instructed by the U.S. immigration policies at that time, and the rapid growth of the foreign-born population from Latin America and Asia after 1970 demonstrates that the Immigration and Nationality Act of 1965 had a strong effect on immigration, and this growth, together with the decrease in the foreign-born population from Europe and North America, continued to change U.S. demography. In addition, in a nation of immigrants, immigration is not only a political issue in the country, but also a part of the country’s national identity. The fact that the United States has statistics, polls, and analyses categorized by race, ethnicity, or country of birth demonstrates that the immigrant background is embedded in the national characteristics of the United States. It suggests that the United States is a nation of different ethnicities and races and sees cultural background as an influential factor in people’s behavior and thinking. Furthermore, the map in figure 3.3 in chapter three indicates that most Americans are aware of their immigrant backgrounds, which means that immigration is part of American national identity.

There are several ways to become a permanent resident, or a Green Card holder, in the United States. The first way is to obtain permanent residency through family. If a person is an immediate relative (parent, spouse, child, or sibling) of an American citizen or a family member (spouse or unmarried child) of a Green Card holder, the person can petition for permanent residency (“Green Card through Family”).

The second way is through a job. When an employer offers an immigrant permanent employment, the immigrant is eligible to become a permanent resident based on this offer (“Green Card through a Job”). In this case, the employer needs to “get a labor certification” (“Green Card through a Job”) from the Department of Labor (DOL), where the DOL “[certifies] to the USCIS that there are not sufficient U.S. workers able, willing, qualified and available to accept the job opportunity in the area of intended employment and that employment of the foreign worker will not adversely affect the wages and working conditions of similarly employed U.S. workers” (“Permanent Labor”). This process is similar to the United States guestworker programs. However, the difference is that in most cases of employment-based permanent residence, employers hire foreign workers not for possible cheap labor, but for their skills, and thus the employers benefit from their productivity rather than

low wages. Therefore, the Marxist approach which I discussed in chapter two does not explain this type of immigration. After employers have obtained a labor certification, they can “file a Form I-140, Immigrant Petition for Alien Worker” (“Green Card through a Job”). Immigrant workers can also file a petition for themselves if they are of “extraordinary ability in the sciences, arts, education, business or athletics” (“Green Card through Self Petition”). This means to obtain permanent residency further demonstrates the United States’ attempt to keep immigrants with extraordinary abilities and skills.

There are several job categories that are seen as “special,” and foreign workers whose past or current job belongs to these categories can apply for permanent residency. Some of the categories are Afghan/Iraqi translator, Afghan/Iraqi who assisted the U.S. government, armed forces member, broadcaster, and international organization employee (“Green Card through Special”). Many of these categories of jobs relate to political issues and help maintain and reinforce the United States’ political power in the world.

Immigrants who invest in “a commercial enterprise in the United States” and create full-time jobs may also be eligible for permanent residency. In order to gain permanent residency through investment, an immigrant needs to “invest \$1,000,000, or at least \$500,000 in a targeted employment area (high unemployment or rural area)” (“Green Card through Investment”). The United States offers foreigners this means to gain permanent residency, because these immigrants contribute to the U.S. economy and help the United States solve the problem of unemployment.

The third way to obtain permanent residency is through refugee or asylee status. This means of getting the desired status is based on humanitarian reasons. A refugee is “required by law to apply for permanent resident status 1 year after being admitted to the United States,” but an asylee is not required to do so,²² yet it might be beneficial to asylees themselves if they are Green Card holders (“Green Card through Refugee”). The United States has been very cautious in the current crisis of Syrian refugees caused by the Islamic State due to national security concerns, especially after the Islamic State terrorists attacked Paris on November 13, 2015, San Bernardino, CA on December 2, 2015, and Brussels on March 22, 2016. Although President Obama announced in September 2015 that the United States would

²² The difference between a refugee and an asylee is the location of the applicant. If an applicant is outside the United States, he/she may apply for refugee status, whereas an applicant who is already in the United States may apply for asylee status.

admit 10,000 Syrian refugees in the next year, the number is much lower than “the numbers being taken in by Canada, Germany and other close U.S. allies” (Zengerle). All refugees to the United States have to go through a background check by the Department of Homeland Security when they apply for refugee status, and this procedure usually takes eighteen months or more (Welsh). The current refugee program demonstrates that the United States is obliged to admit refugees for humanitarian reasons, but it is still reluctant to do so due to national security and economic (how much money refugees will cost the United States) concerns.

A rather unique way to gain permanent residency is through Green Card lottery, also known as the Diversity Immigrant Visa Program (DV Program). This program “makes up to 50,000 immigrant visas available annually, drawn from random selection among all entries to individuals who are from countries with low rates of immigration to the United States”²³ (“Green Card through the Diversity”). Applicants for the DV Program must have “at least a high school education or its equivalent,” or have, “within 5 years of the date of application for a [diversity immigrant visa], at least 2 years of work experience in an occupation which requires at least 2 years of training or experience” (INA of 1990, 4999). The DV Program is very likely to be a unique product of nations of immigrants, for it is designed to maintain diversity in the country. The requirements to have a certain level of education and work experience are to ensure that these immigrants will have the ability to work, and thus they will not be a burden to the United States.

Although there are many means to gain permanent residency, the most common means is through family ties. David Seminara of the Center for Immigration Studies summarizes the percentages of every preference category of gaining permanent residency status (LPR for legal permanent resident/residency) from 2006 to 2007 (fig. 4.2), and permanent residency through family ties (including spouses of American citizens, spouses and children of LPRs, children of American citizens, parents of American citizens, and brothers and sisters of American citizens) has an evident lead of 62% of the total number of permanent residents. This may suggest that permanent residency through family ties is the easiest way and has fewer requirements than any other means. This results in marriage fraud cases, as Seminara points out in his study. Some common types of marriage fraud include, “[c]ash-for-

²³ For DV-2016, natives of the following countries are NOT eligible to apply: Bangladesh, Brazil, Canada, China (mainland-born), Colombia, Dominican Republic, Ecuador, El Salvador, Haiti, India, Jamaica, Mexico, Nigeria, Pakistan, Peru, Philippines, South Korea, United Kingdom (except Northern Ireland) and its dependent territories, and Vietnam (Instructions).

Fig. 4.2. Foreign Citizens Gaining LPR Status by Preference Category, 2006–2007

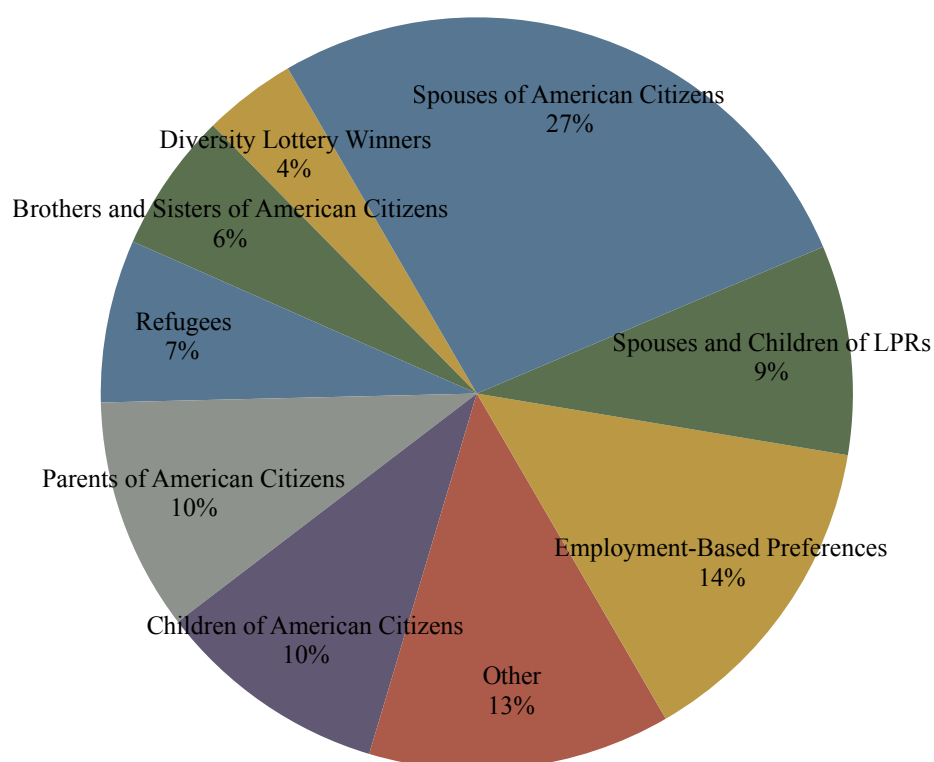


Fig. 4.2. David Seminara, “Hello, I Love You, Won’t You Tell Me Your Name: Inside the Green Card Marriage Phenomenon” (*cis.org*; Center for Immigration Studies, Nov. 2008; Web; 9 Jan. 2016).

vows weddings, where Americans are paid to wed,” “[f]riends-and-family plans, where someone pitches in to help get someone else’s spouse to the United States,” and “‘I do, I don’t, I do’ marriages, where foreign nationals divorce their spouses in their home countries, marry Americans, and get green cards two years later; then divorce the Americans, remarry their original spouses, and petition to bring them to the United States” (Seminara). Although most marriages are legitimate, marriage fraud can have a negative impact on the general process of gaining permanent resident status through marriage, because “bogus marriage petitions . . . bog down an already slow and cumbersome visa bureaucracy,” and “[s]cam marriages . . . can cast a shadow of illegitimacy over real marriages,” so “many legitimate couples may be forced to endure invasive and sometimes harsh interviews with United States Citizenship and Immigration Service (USCIS) and State Department personnel who are trying in good faith to screen out fake couples” (Seminara).

Fig. 4.3. Median Household Income by Household Type and Region of Birth: 2010

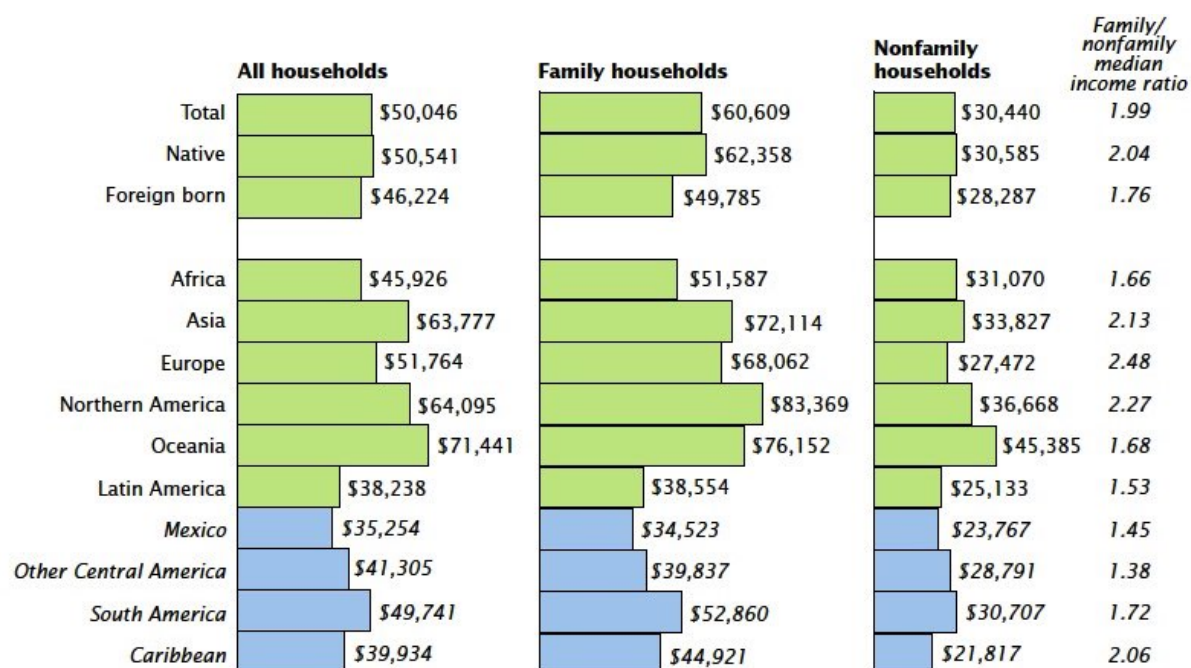


Fig. 4.3. Elizabeth M. Grieco, Yesenia D. Acosta, G. Patricia de la Cruz, Christine Gambino, Thomas Gryn, Luke J. Larsen, Edward N. Trevelyan, and Nathan P. Walters, *The Foreign-Born Population in the United States: 2010* (census.gov; United States Census Bureau, May 2012; Web; 19; 10 Feb. 2016; PDF file).

Second in line of the preference category in gaining LPR status is employment-based preferences, and the incomes of natives and foreign-born residents in general seem equal. Figure 4.3 shows the median household income by household type and region of birth. In the category of “all households,” there is no clear income disparity between natives and foreign-born residents; those born in Asia, Europe, Northern America, and Oceania even have higher median household income than natives, and only residents born in Latin America show a great disadvantage in household income. A possible explanation would be that residents from Latin America take over more low-skilled jobs in the United States, and these countries are the main sending countries of the H-2 program. There are slight differences in household income ranks by region of birth due to different household types, but household income of residents born in Latin America is the lowest in every household type, and the median household income gap between residents born in Latin America and all foreign-born residents is large.

Immigration reforms in the United States gradually eliminated discriminating policies against immigrants. However, nativism has always been a phenomenon in the country. In history, nativism developed in accordance with immigration flows and immigration policy. “Un-

Fig. 4.4. U.S. Views of Immigrants, by Party

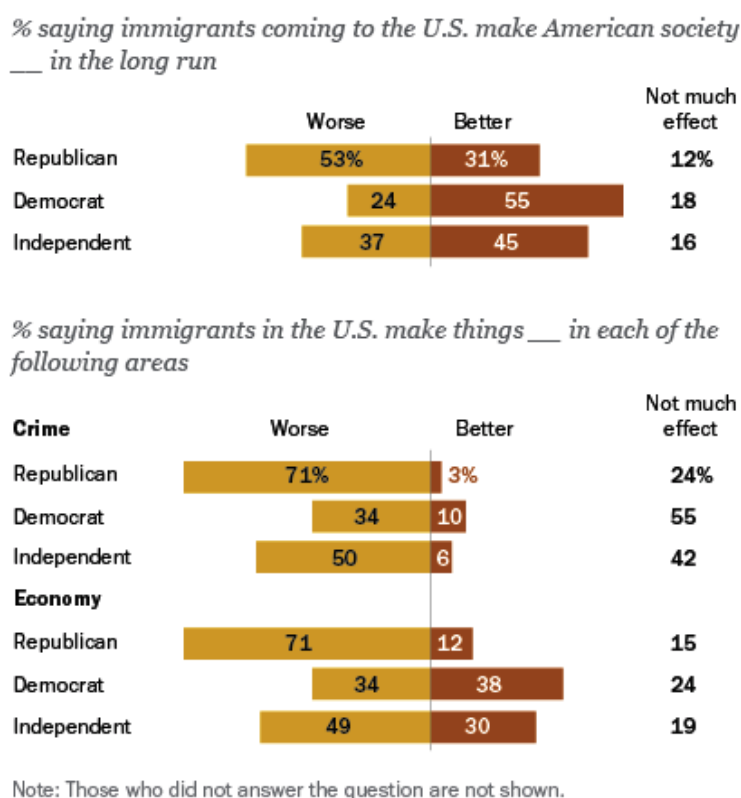


Fig. 4.4. Jens Manuel Krogstad, “On Views of Immigrants, Americans Largely Split along Party Lines” (*pewresearch.org*; Pew Research Center, 30 Sep. 2015; Web; 4 Mar. 2016).

til the mid-1880s,” when most immigrants came from Northern and Western Europe, “xenophobia appears to have remained relatively low” (Fetzer 29–30). “Starting around 1885, however, nativism flared up and continued rising until around 1896” (Fetzer 30). There were riots against the Chinese and Mexicans, because Chinese and Mexican workers took away jobs from white Americans; and anti-Italian violence occurred (Fetzer 30). The First World War resulted in a strong anti-German sentiment, and even German Americans were thought to be enemies. In 1920, “membership in the antiforeigner Ku Klux Klan skyrocketed,” and these nativists aimed at eliminating colored people (Fetzer 33). Probably because the Quota Acts restricted immigration, nativism “declined from 1925 to 1928” (Fetzer 35). “Yet perhaps because the Quota Acts did not exclude [Mexico], Mexican immigrants and their U.S.-born children suffered public hostility, government raids, and mass deportation around 1931” (Fetzer 35–6). The Second World War brought many “Jews, intellectuals, and other refugees from Hitler’s persecutions” to the United States, and this led to anti-Semitic violence (Fetzer 37).

Moreover, anti-Japanese sentiments began to grow. After 1946, “[m]ass nativism appears to have fallen steadily,” although anti-Mexican sentiment and discrimination against Jews and Asians still existed (Fetzer 39–40). Since Congress passed the 1965 Immigration and Nationality Act, “[n]early 59 million immigrants have come to the U.S.” (Krogstad, “On Views”). However, anti-immigrant sentiment continued, though not as strong. Violent acts still happened, for example, “[x]enophobes beat Chinese-American Vincent Chin to death in Detroit in 1982, and blue-collar whites rioted against Latinos in Massachusetts in 1984” (Fetzer 42).

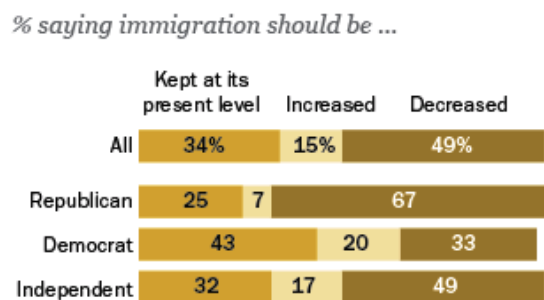
Even nowadays, the U.S. public does not show a very positive attitude toward immigration. Figure 4.4 shows the U.S. views on immigrants in 2014. Generally, Democrats have a more positive view of immigrants than Republicans, but the percentage of Democrats who think immigrants make U.S. society better in the long run (55%) is still not very high. Although slightly more than half the Democrats do not see a connection between immigrants and crimes, the number of respondents who believe that immigrants make crimes worse is larger than that of respondents who think they make the situation better, regardless of party. Also, while the majority of the Republicans believe that immigrants make the U.S. economy worse, only 34% of Democrats think the same. However, the number of Democrats who think that immigrants make the economy better is not much larger than those who think the opposite, with only 4% difference. Their attitudes toward different groups of immigrants also vary. The Pew Research Center finds out that

Americans on both sides of the partisan line have mostly positive or neutral views of Asian and European immigrants. But when it comes to those from Latin America, 58% of Republicans say these immigrants have had a mostly negative impact on society, compared with 23% of Democrats. There is a similar divide on views of Middle Eastern immigrants, with Republicans more than twice as likely as Democrats to view them negatively. (Krogstad, “On Views”)

A more general survey shows that very few Americans support an increase in immigration, and nearly half Americans think immigration should be decreased (fig. 4.5). Democrats, who are likely to hold a more tolerant view on immigration, have the tendency to think the United States should keep immigration at its present level, but not increase it.

In the 2016 presidential primaries, the GOP front-runner Donald Trump, later elected President, proposed to end birthright citizenship and advocated harsh immigration policies toward Mexicans and Muslims. He assured reporters that “he was not only serious about deporting every undocumented immigrant in the United States — at least 11 million people —

Fig. 4.5. U.S. Views on Immigration, by Party



Note: Those who did not answer the question are not shown.

Fig. 4.5. Jens Manuel Krogstad, “On Views of Immigrants, Americans Largely Split along Party Lines” (*pewresearch.org*; Pew Research Center, 30 Sep. 2015; Web; 4 Mar. 2016).

but sending their U.S.-born or U.S.-raised children or young adult progeny with them, too” (Ross). However, Trump considered his plan “humane,” as he explained, “[i]f they’ve done well, they’re going out and they’re coming back in legally” (qtd. in Ross). With regard to Mexican immigrants, Trump even used discriminating language to describe them, saying

[w]hen Mexico sends its people, they’re not sending the best. . . . [T]hey’re sending people that have lots of problems, and they’re bringing those problems. . . . They’re bringing drugs, they’re bringing crime. They’re rapists and some, I assume, are good people, but I speak to border guards and they’re telling us what we’re getting. (qtd. in Ross)

To solve these “problems,” he claimed that he would build a great wall along the U.S.-Mexico borderline and Mexico had to pay for it. As for Muslims, “Trump called for a ‘total and complete shutdown of Muslims entering the United States until our country’s representatives can figure out what is going on’” (Ross). The fact that Trump was elected President in November 2016 demonstrates that a considerable number of Americans agree with Trump’s claims, prejudice against Mexicans and Muslims, and support an (even far-right) restriction in immigration to hinder immigration of specific racial and ethnic groups.

4.2.2. Permanent Residency in Germany

The concept “third-country nationals” must be employed in the context of permanent residency in Germany due to the free movement of EU nationals. According to the free move-

ment agreement, EU nationals can work in another EU country without obtaining a work permit and reside in that country even after completion of employment (“Free Movement”). Therefore, EU nationals are treated differently from non-EU nationals in Germany, and regulations and requirements to obtain permanent residency in Germany mostly apply to non-EU nationals, also known as third-country nationals.

As chapter 2, part 1, section 9 of the current Residence Act (*AufenthG*) states, a foreigner can apply for permanent residency, or settlement permit (*Niederlassungserlaubnis*), if

1. he or she has held a residence permit for five years,
2. his or her subsistence is secure,
3. he or she has paid compulsory or voluntary contributions into the statutory pension scheme for at least 60 months or furnishes evidence of an entitlement to comparable benefits from an insurance or pension scheme or from an insurance company; time off for the purposes of child care or nursing at home shall be duly taken into account,
4. the granting of such a residence permit is not precluded by reasons of public safety or order, according due consideration to the severity or the nature of the breach of public safety or order or the danger emanating from the foreigner, with due regard to the duration of the foreigner’s stay to date and the existence of ties in the federal territory,
5. he or she is permitted to be in employment, if he or she is in employment,
6. he or she is in possession of the other permits which are required for the purpose of the permanent pursuit of his or her economic activity,
7. he or she has a sufficient command of the German language,
8. he or she possesses a basic knowledge of the legal and social system and the way of life in the federal territory and
9. he or she possesses sufficient living space for himself or herself and the members of his or her family forming part of his or her household. (Act on the Residence)

These requirements ensure that permanent residents will not be a burden on Germany’s economy, but on the contrary, permanent residents should be able to contribute to the country’s economy. In cases of highly educated or highly qualified foreigners, some requirements are modified to simplify their process to gain permanent residency. For example, for graduates from German universities, the time period in number 3 of section 9 is shortened to 24 months if they have “a job commensurate with [their] degree” (Act on the Residence). This demonstrates the preference of workers with special skills and knowledge.

Section 9 also describes an employment-based permanent residency, which is a very common method to gain permanent residence status. Similar to the Green Card through employment in the United States, where employers need to get a certification from the DOL to show that there are not sufficient U.S. workers available or qualified for the job, Germany also has a law to protect citizen workers. According to the *AufenthG*, “[t]he admission of foreign employees shall be geared to the requirements of the German economy, according due consideration to the labour market situation and the need to combat unemployment effec-

tively” (Act on the Residence). Therefore, employers need approval from “a statutory instrument” before hiring a foreign employee (Act on the Residence).

Apart from permanent residency through employment, there are only a few ways to gain this status, and one of which is residence for family reasons. A foreigner who is “spouse of a German,” “minor, unmarried child of a German,” or “parent of a minor, unmarried German for the purpose of care and custody” is eligible to gain residence permit, and this permit can become permanent after three years (Act of the Residence). The spouse of a permanent resident can only get a residence permit, but this kind of residency cannot become permanent unless the spouse fulfills the requirements in section 9. The same regulations also apply to other dependents of a permanent resident, with the exception of a child born in Germany to a permanent resident, who, in this case, is eligible for German citizenship.

Through humanitarian and political assistance, a foreigner can gain a limited residence permit at first, and the duration of such residence permit should not exceed a period of three years, although it is possible to extend this permit (Act of the Residence). This kind of residence permit includes a work permit, as it entitles “the holder to pursue an economic activity” (Act of the Residence). However, after three years, a foreigner may become a permanent resident if he or she is entitled to asylum and if “the conditions for revocation or withdrawal do not apply” (Act of the Residence). Moreover, any holder of this type of residence permit (not only refugees, but also victims of criminal offense, for instance) is entitled to permanent residency after seven years if he or she can fulfill the requirements in section 9. In this case, humanitarian-based residency is turned into employment-based permanent residency.

The possibility that these foreigners seeking for protection may become permanent residents and eventually citizens would put many citizens to unrest in any insecure situation. For example, Germany is facing a turn of public attitudes toward refugees in the temporary refugee crisis in Europe roughly starting in 2014. At first, Germans warmly welcomed refugees when Germany started admitting them to the country, “flocking to train stations with food and clothing” (Marcus), and the media reported in an entertaining manner that refugees were taking selfies with Chancellor Merkel to show their respect and gratitude. However, after some criminal offenses committed by refugees, the public began to doubt Chancellor Merkel’s decision to admit refugees in such a large number — the “positive stance [had] given way to increasing alarm and, occasionally, violence,” and Merkel’s job approval rating had

dropped (Marcus). This change demonstrates the vulnerability of German citizens' attitudes toward immigration. Since refugees are coming to Germany in large numbers and with a high rate, it is very likely that sending them back will become a problem, and many of them will permanently stay in the country in the future. Therefore, similar to Germany's guestworker programs, which resulted in unplanned or even unwanted permanent residency of foreigners, the flow of refugees may have the same result, and this challenges German culture.

Similar to the Green Card through investment in the United States, Germany also issues residence permits to foreigners who are self-employed. However, this permit is only issued if "an economic interest or a regional need applies," "the activity is expected to have positive effects on the economy," "and personal capital on the part of the foreigner or a loan undertaking is available to realise the business idea" (Act on the Residence). The residence permit is limited to three years, and if the activity is successful, as equivalent to what is described in section 9 (2), a settlement permit may be issued.

Table 4.4

Number of Households in Germany, by Household Income and Immigration Background: 2014

Household with a Household Net Income from ... to (Not Include) ... Euros per Month	Number of Households*, by Immigration Background, in 1,000		
	Total	Without Immigration Background	With Immigration Background
Total	40,223	33,799	6,424
Under 500	630 (1.57%)	495 (1.46%)	135 (2.10%)
500–900	3,669 (9.12%)	2,934 (8.68%)	735 (11.44%)
900–1,300	5,282 (13.13%)	4,326 (12.80%)	956 (14.88%)
1,300–1,500	2,865 (7.12%)	2,384 (7.05%)	482 (7.50%)
1,500–2,000	6,340 (15.76%)	5,340 (15.80%)	1,000 (15.57%)
2,000–2,600	5,988 (14.89%)	4,982 (14.74%)	1,006 (15.66%)
2,600–3,200	4,353 (10.82%)	3,633 (10.75%)	720 (11.21%)
3,200–4,500	5,629 (13.99%)	4,854 (14.36%)	776 (12.08%)
4,500 and More	4,305 (10.70%)	3,850 (11.39%)	456 (7.10%)

* Numbers in each income category do not add up to the total number due to rounding.

Source: *Bevölkerung und Erwerbstätigkeit: Bevölkerung mit Migrationshintergrund — Ergebnisse des Mikrozensus*; *destatis.de*; statistisches Bundesamt, 2015; Web; 338–40; PDF file; table 11.

To some degrees, immigrants' social status can be shown through income. The Federal Statistical Office collected statistics of the number of households in Germany by household income and immigration background. Table 4.4 shows an overview of the number of households in 2014, categorized by income and immigration background. To better analyze these numbers, I calculated the percentages of households in each income group and added them after each number. This means, for example, that 1.57% of all households have a monthly net income under 500 euros. If grouped by immigration background, 1.46% of the households which have no immigration background receive a monthly net income under 500 euros, while 2.10% of the households with immigration background are in this income group. Since the numbers of households in each category do not add up to the total number due to rounding, the percentages in each category also do not add up to 100%. From the percentages, we see that the percentage of households that have a low income (up to 1,300 euros per month) is evidently higher in households with immigration background than those without. On the contrary, the percentage of households that have a high income (3,200 euros per month and more) is much higher in household without immigration background.

More closely, table 4.5 shows only the numbers of households with immigration background categorized by income and region of origin. Similar to table 4.4, I also calculated the percentages of households in each income group. This means, for example, 1.80% of all households whose country of origin belongs to the European Union have a monthly net income under 500 euros, while 4.15% of all households whose origin is Africa are in this income group. Different from table 4.4, where the total number of each category is known, the total number of each immigration group in table 4.5 is not available. In addition, some numbers of households are not applicable (for example, the number of households with North American origin whose monthly net income is under 500 euros). Therefore, I only used the available numbers in my calculation and let the inapplicable numbers be zero. In this way, the percentages in each column should add up to 100% theoretically, but the sums are not accurate enough due to rounding. The percentages show that households originally from Africa, Asia, Australia, and Oceania have a lower monthly income, as a higher percentage of households are in the lower income categories (up to 1,300 euros per month), and a lower percentage in the higher income categories (3,200 euros per month and more). Households originally from America (including North, Central, and South America) show signs of both low income

Table 4.5

Number of Households in Germany with Immigration Background, by Household Income and Region of Origin: 2014

Household with a Household Net Income from ... to (Not Include) ... Euros per Month	Number of Households with Immigration Background, in 1,000					
	EU-28	Other European Countries	Africa	America (Including North, Central, and South America)	North America	Asia, Australia, and Oceania
Under 500	44 (1.80%)	38 (1.87%)	9 (4.15%)	N/A	N/A	33 (3.19%)
500–900	229 (9.35%)	237 (11.67%)	42 (19.35%)	20 (14.49%)	7 (10.77%)	163 (15.73%)
900–1,300	358 (14.62%)	304 (14.97%)	43 (19.82%)	22 (15.94%)	8 (12.31%)	168 (16.22%)
1,300–1,500	201 (8.21%)	146 (7.19%)	18 (8.29%)	10 (7.25%)	N/A	75 (7.24%)
1,500–2,000	409 (16.71%)	319 (15.71%)	35 (16.13%)	18 (13.04%)	8 (12.31%)	157 (15.15%)
2,000–2,600	380 (15.52%)	358 (17.63%)	31 (14.29%)	17 (12.32%)	9 (13.85%)	161 (15.54%)
2,600–3,200	274 (11.19%)	257 (12.65%)	18 (8.29%)	13 (9.42%)	8 (12.31%)	114 (11.00%)
3,200–4,500	323 (13.19%)	259 (12.75%)	15 (6.91%)	18 (13.04%)	11 (16.92%)	112 (10.81%)
4,500 and More	230 (9.40%)	113 (5.56%)	6 (2.76%)	20 (14.49%)	14 (21.54%)	53 (5.11%)

Note: Percentages do not add up to 100% due to rounding.

Source: *Bevölkerung und Erwerbstätigkeit: Bevölkerung mit Migrationshintergrund — Ergebnisse des Mikrozensus*; *destatis.de*; statistisches Bundesamt, 2015; Web; 340; PDF file; table 11.

and high income. However, since a very high percentage of households with the origin of North America are in the higher income category (3,200 euros per month and more), few households with the origin of Central and South America are in this category. In fact, if North America is excluded from the category “America,” only 9.59% of households originally from America are in the income category of 3,200–4,500 euros, and only 8.22% are in the income group of 4,500 euros and more.

Comparing these two tables, we do not find a clear disparity in the income categories from 1,300 to 3,200 euros. However, immigrants from Africa, Central and South America, Asia, Australia, and Oceania show disadvantages in high-income industries compared to native-born citizens, and a considerable number of immigrants from these regions work for

lower wages. Only immigrants from other EU countries and North America show a comparable income condition with native-born citizens in every income category.

As stated in chapter 3.2, German national identity is strongly related to culture and ethnicity. However, ever since the guestworker programs, the population of foreign residents has increased rapidly, and Germany has gradually become a “country of immigration,” which means that immigration is a phenomenon in the country, but it does not belong to the country’s national identity. To a great extent, it is a compromise to economic needs and immigrant-state conflict that Germany has adopted (but not necessarily admits to have adopted) the concept of being a country of immigration.

Before the 1990s, Germany denied to be a country of immigration. For decades, “governments did not bother to put into place many of the formal policy structures which are common in other countries where immigration has been more readily acknowledged; on the contrary, . . . residence and citizenship policies were defined on an exclusionary basis, rather than on the inclusionary basis” (Green, *The Politics* 6). In addition, for many years, “dependent migration (otherwise known as family reunification) and asylum seekers” were the main forms of “non-ethnic German immigration” (Green, *The Politics* 6). Together with the large amount of guestworkers who stayed in Germany permanently in contrast to Germany’s original plan, the foreign population in Germany became quite large. As I pointed out in chapter two, immigrant-state conflict will occur if the political power of immigrants is low. “[A]t the end of 2002,” when Germany had already begun a series of changes in its immigration policy, “the average residence period of the 7.3 million foreigners in Germany was 15.3 years; two-thirds had lived in Germany for eight or more years, and one-third for more than twenty years,” and these “figures do not reflect the fact that those foreign residents who were born in Germany (some 1.6 million persons or 21 per cent of the total in 2002) have lived in the country all their lives. Thus a four year-old non-national child born in Germany is statistically counted as having just four years’ residence” (Green, *The Politics* 6). Therefore, with such a large foreign population who seldom had any political power, it was inevitable that Germany had to deal with immigrant-state conflict. The requirements of obtaining permanent residence status in the current Residence Act and the prerequisites of gaining citizenship (on which I will elaborate in chapter 4.3.2) demonstrate that the German immigration policy has been

changed from the exclusionary to the inclusionary basis. Therefore, Germany has become a country of immigration.

Similar to the United States, nativism also exists in Germany even after the Second World War. When Germany received a huge amount of guestworkers, most of whom came from Turkey, Germans committed “hundreds of anti-Turkish hate crimes” and made “vicious ‘Turkish jokes’” (Fetzer 70). For example, a joke appears in Günter Wallraff’s book *Ganz Unten* (1985):

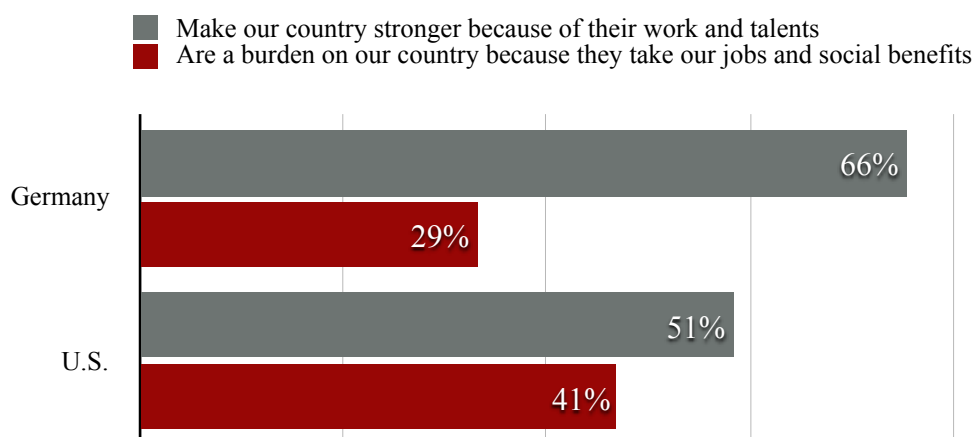
Udo to me (Ali): How many Turks will fit in a VW?
Me (Ali): Don’t know.
Udo: Twenty thousand. Don’t believe it?
Me (Ali): Whatever you say.
Udo: You wanna know, anyhow?
Me (Ali): I’d rather not.
Udo: Very simple. Two in the front, two in the back, the others in the ashtray. (qtd. in Fetzer 1)

This joke humiliates Turkish guestworkers, for they are considered to be trash in Germany. It also indicates that German citizens wanted the government to send back guestworkers. Besides anti-Turk sentiments, there were also “anti-Semitism [,] . . . Neo-Nazi vandalism,” and “hate crimes” against refugees and asylum-seekers (Fetzer 72).

Nativism is not as strong in Germany nowadays. The Pew Research Center conducted a survey on public views of immigrants in the United States and Europe in May 2015, and fig-

Fig. 4.6. Views of immigrants in Germany and the U.S.: 2015

% who say immigrants today ...



Note: Don’t know/refused and both/neither responses not shown.

Fig. 4.6. Jens Manuel Krogstad, “What Americans, Europeans Think of Immigrants” (pewresearch.org; Pew Research Center, 24 Sep. 2015; Web; 7 Mar. 2016).

ure 4.6 shows the results of the United States and Germany. Quite surprisingly, as a nation of immigrants, the United States shows less enthusiasm for immigrants than Germany. The public in Germany is quite optimistic about the economic influences that immigrants bring to the country. However, Germany's optimistic view on their economic influences is not equal to an acceptance of an increase in immigration. Another survey by the Pew Research Center in 2014 shows that 44% of Germans agree that their country should allow fewer immigrants, and 40% say that Germany should keep immigration at the same level ("A Fragile Rebound"). Moreover, more Germans (48%) think that immigrants are more to blame for crime compared to other groups than those who (45%) believe that immigrants are no more to blame for crime ("A Fragile Rebound").

4.2.3. Comparison and Reflection

The United States and Germany provide similar methods for immigrants to gain permanent residence status, for example, through family, through employment, through investment, and through refugee status, and permanent residency through family is the most common method in both countries. These methods are derived from similar economic, political, and humanitarian concerns of the two countries. Therefore, similar situations and concerns of the United States and Germany lead to similar immigration policies.

One exception is permanent residency through lottery, which is a way to obtain permanent residence status in the United States but not in Germany. This difference demonstrates two models of nation states in regard to immigration, and this difference can be explained with the understanding of national identity. As a nation of immigrants, where immigration is an element of people's national identity, the United States uses permanent residency through lottery to achieve racial diversity and balance the number of residents by country of origin. As a country of immigration, where immigration is only a phenomenon in the country but not part of its national identity, Germany has no intention to achieve racial diversity. On the contrary, Germany had long avoided to deal with the rapidly rising number of immigrants due to its belief in ethnocultural identity. Eventually, its immigration reforms in the past twenty years were largely made to solve potential immigrant-state conflict, because if the political

power of immigrants is very low and the number of immigrants is large, immigrant-state conflict is likely to occur.

Statistics of household income in the two countries do not show great income disparities between those who are native-born and immigrants in general, although employers need to explain the necessity to hire foreign workers instead of native workers.²⁴ This means that foreign workers may face more difficulties than native workers when seeking a job, but once they are employed, there is no obvious procedural discrimination against them. However, immigrants with different regions of origin show clear income disparities. The median household income of immigrants from Latin America and Africa is evidently lower than that of natives in both the United States and Germany, while the median household income of immigrants from North America and Europe is about the same with, if not higher than, that of natives. This difference among different immigrant groups can be related to immigrants' level of education, and their level of integration, for low education and low level of integration can be the reasons that these immigrants can only be low-skilled workers and work for low wages. Immigrants from Asia, Australia, and Oceania show a great advantage in household income compared to natives in the United States. However, the same ethnic group shows disadvantages in Germany. One possible explanation can be that people with different skills from these regions have different preferences of where they emigrate to, and more high-skilled workers emigrate to the United States. Yet, I still need more research and supporting statistics to find the actual and exact reasons for this income difference between the United States and Germany, which I am not able to do here.

Generally, Germans have a more positive view of immigrants' impact on economy than Americans, which is quite surprising, since the United States has the notion of being a nation of immigrants. Yet, the public in neither country is willing to accept an increase in immigration. Moreover, the public in both countries tends to agree that immigrants make crime worse, which indicates a prejudice against immigrants. Therefore, immigrants are still not treated as equal to natives, even though there is no discriminating policies against them. Similar public attitudes toward immigration in the United States and Germany also suggest that these attitudes are independent of immigration policy models, but they are more likely to be

²⁴ Here, by "immigrants" I also mean those who have been naturalized. Therefore, in the case of employment naturalized citizens are not treated as foreign workers; however, they do count as residents with immigration background in the income statistics.

related to the country's economic situation and public security. In this sense, immigration policy alone is not adequate to solve immigrant-native conflicts.

From the comparison, people can deduce that the situations in the United States and Germany are very similar. Although the two countries have two completely different immigration models (nation of immigrants and country of immigration), their immigration policies have become very similar in recent years out of economic, political, and humanitarian interests. Therefore, similar situations in the two countries result in similar immigration policies. These policies do not imply any discrimination against immigrants, but the public still holds prejudice against them and does not have a very liberal opinion on immigration. Although the majority believe that immigrants make economy stronger, a considerable number of people think that immigrants are a burden on society and believe that immigration is strongly related to crime. In addition, natives tend to reject to accept more immigrants.

4.3. Citizenship and Naturalization

“Citizenship requires a direct sense of community membership based on loyalty to a civilisation which is a common possession. It is a loyalty of free men endowed with rights and protected by a common law. Its growth is stimulated both by the struggle to win those rights and by their enjoyment when won.”

— T. H. Marshall

According to Ruth Lister, citizenship creates a tension between inclusion and exclusion (49), which means that citizenship draws a line between insiders (citizens) and outsiders (foreigners). This tension might not be apparent among native-born citizens, but it is evident in the context of naturalization. T. H. Marshall notes that

[c]itizenship is a status bestowed on those who are full members of a community. All who possess the status are equal with respect to the rights and duties with which the status is endowed. There is no universal principle that determines what those rights and duties shall be, but societies in which citizenship is a developing institution create an image of an ideal citizenship against which achievement can be measured and towards which aspiration can be directed. (149–50)

This “image of an ideal citizenship” could be the basis of an “inclusive citizenship” procedure for immigrants, where qualified immigrants become insiders. In this sense, citizenship

and naturalization policies reflect a state's concept of a fittest citizen, thus, studying citizenship and naturalization policies can help understand the state's ideology.

4.3.1. Citizenship and Naturalization in the United States

There are three ways to gain U.S. citizenship. The “most common way” is “citizenship by birth” within the United States jurisdictions, regardless of the nationality of the parents. This method “reflects the Anglo-American tradition of *jus soli*, a right protected by the Fourteenth Amendment's citizenship clause” (Schuck, “Citizenship” 44). During the 2016 presidential campaign, Donald Trump proposed to abolish birthright citizenship as a method to control illegal immigration, which in a way also means the repeal of part of the Fourteenth Amendment. If he succeeds, it would strongly shake the conception of American national identity. The second way is “through descent from one or more American parents” (Schuck, “Citizenship” 45), a method also known as *jus sanguinis*. There are some eligibility requirements in citizenship through parentage if the child was born overseas. As the citizenship law states, a person with married parents by the time of birth is an American citizen if the person

[is] born outside of the United States and its outlying possessions of parents both of whom are citizens of the United States and one of whom has had a residence in the United States or one of its outlying possessions, prior to the birth of such person; [and if the person] . . . born outside the geographical limits of the United States and its outlying possessions of parents one of whom is an alien, and the other a citizen of the United States who, prior to the birth of such person, was physically present in the United States or its outlying possessions for a period or periods totaling not less than five years, at least two of which were after attaining the age of fourteen years. (8 USC. Sec. 1401)

If a person was born out of wedlock and the mother is an American citizen, the person is a citizen “if the mother had the nationality of the United States at the time of such person's birth, and if the mother had previously been physically present in the United States or one of its outlying possessions for a continuous period of one year” (8 USC. Sec. 1409). If the father is an American citizen, the person born out of wedlock is a citizen only if

- (1) a blood relationship between the person and the father is established by clear and convincing evidence,
- (2) the father had the nationality of the United States at the time of the person's birth,
- (3) the father (unless deceased) has agreed in writing to provide financial support for the person until the person reaches the age of 18 years, and
- (4) while the person is under the age of 18 years —
 - (A) the person is legitimated under the law of the person's residence or domicile,

- (B) the father acknowledges paternity of the person in writing under oath, or
 (C) the paternity of the person is established by adjudication of a competent court. (8 USC. Sec. 1409)

The third way is through naturalization. The U.S. naturalization policy has gone through many reforms in the past centuries.

Plural citizenships are allowed in the United States. Although immigrants have to take the oath of allegiance in their naturalization ceremony, and this oath requires them to “renounce their prior allegiance” (Schuck, “Citizenship” 45), this action does not “terminate [their] foreign citizenship under the foreign state’s law,” and the renunciation has no “legal effect” (Schuck, “Citizenship” 45).

The Naturalization Act of 1790, passed by the First Congress, was the first act to regulate naturalization, and it states that only “a free white person, who shall have resided within the limits and under the jurisdictions of the United States for the term of two years, may be admitted to become a citizen” (“Acts of the First Congress” 103). Moreover, this person has to prove “satisfaction” to the court that “he is a person of good character,” and take “the oath or affirmation prescribed by law” (“Acts of the First Congress” 103). As I already introduced in chapter 4.2.1, two Quota Acts were enacted in 1921 and 1924, which limited annual admissions of immigrants and even denied “admission to all aliens who were ‘ineligible for citizenship’” (Lee 12). The current naturalization policy, which keeps the provisions in the Immigration and Nationality Act (INA) of 1965, allows a person to be naturalized regardless of ethnicity, country of origin, and gender. Lyndon B. Johnson emphasized the need for this change already in 1964 in his annual message to Congress on the State of the Union, saying “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?’” (9) The INA of 1965 finally symbolizes America’s open gates to the world, stating that “[n]o person shall receive any preference or priority or be discriminated against in the issuance of an immigrant visa because of his race, sex, nationality, place of birth, or place of residence” (911). If an immigrant wants to be naturalized to be an American citizen, he or she “must prove five years of residence as a legal immigrant, pay a fee of \$320, prove basic oral and written ability in English, . . . demonstrate knowledge of US government and history” (Bloemraad and Ueda 42), and show “good moral character.” After the person’s naturalization application is approved by the judge or the USCIS, the person is required “to take

the oath of allegiance in a ceremony to officially become an American. Comparing the situation of 1790 with now, it seems that the U.S. immigration policy has achieved a revolutionary reform” (Li 316).

Many scholars argue that assimilation does not exist in the United States anymore because of this revolutionary immigration reform and the fact that the United States has achieved ethnic and cultural heterogeneity. For example, David Hollinger states in his book *Postethnic America: Beyond Multiculturalism* that among “academic and popular political voices, . . . [t]he figure of the melting pot, encumbered with assimilationist connotations, lost favor to the salad bowl, the mosaic, and the garden of plants each with its own autochthonous roots” (64–65). He further notes that “[t]he United States came increasingly to be represented as a complex patchwork of distinctive communities” (65). “The melting pot” and “the salad bowl,” as Hollinger uses them, are two popular metaphors people encounter when studying multiculturalism in the United States. Milton Gordon defines “the melting pot” to be the idea that “envisaged a biological merger of the Anglo-Saxon peoples with other immigrant groups and a blending of their respective cultures into a new indigenous American type” (85). I want to extend this definition to a non-biological sense where cultural or behavioral assimilation is involved, but amalgamation is not a must. “The salad bowl,” on the other hand, does not contain the notion of assimilation — that is, different cultures do not merge, but coexist in society. Therefore, “the melting pot” contains the connotation of assimilation, whereas “the salad bowl” refers to integration (see definitions at the beginning of chapter 4.2). According to Michael Lind, multiculturalists believe that the United States “is a nation of nations, a federation of nationalities and cultures sharing little or nothing but a common government” (1). In this sense, assimilation gives way to multiculturalism, as he introduces the term “Multicultural America” in his book *The Next American Nation*, where he states that “Multicultural America” is “the de facto orthodoxy of the present American regime” formed in the late 1960s and the early 1970s (97).

Despite these opinions, John Higham does not think that the United States has reached the state multiculturalists suggest. He argues that

[i]f America [is] in fact a patchwork of ethnic subcultures, which [are] somehow distinct, equal, and at least potentially harmonious, scholars should be able to describe them and to specify their relations to one another. For the most part, efforts to demonstrate the persistence of ethnic subcultures [have] produced either trivial or negative conclusions. It [is] of course not difficult to show that people recently transplanted to America, or segregated within in, maintain some peculiarities of their own. A longer-

range approach, however, typically reveal[s] an erosion of distinctive customs and ways of life with each successive generation. (*Send* 225–26)

Higham further points out that cultural pluralism “itself [is] one of the products of the American melting pot,” because

[w]e may anticipate . . . that cultural pluralism would appeal to people who [are] already strongly enough positioned to imagine that permanent minority status might be advantageous. It [is] congenial to minority spokesmen confident enough to visualize themselves at the center rather than the periphery of American experience. Accordingly, cultural pluralism prove[s] most attractive to people who [are] already largely assimilated. (*Send* 213)

I believe that the naturalization process in the United States still shows evident signs of the government’s attempt to assimilate immigrants, and thus people should not overlook the existence of assimilation and acculturation even though multiculturalism has become increasingly popular among scholars. There are several reasons.

First, the naturalization oath of allegiance to the United States remains. “The naturalization oath of allegiance has been an indispensable step for applicants for naturalization to gain citizenship. It requires applicants to renounce all allegiance to any foreign sovereignty and support the Constitution” (Li 317). The USCIS notes that before 1906, “there were as many as 5,000 courts with naturalization jurisdiction,” and “[e]ach court could develop its own procedures” how applicants take the oath (“Naturalization Oath”). The Basic Naturalization Act of 1906 standardized the procedures, adding the oath of allegiance to either the applicants’ Declaration of Intention²⁵ form or their Petition for Naturalization²⁶ form, and the oath of allegiance should be performed live again in a formal naturalization ceremony before the U.S. citizenship is officially granted. “Every word in the oath of allegiance is mandatory in the naturalization ceremony except the last formula ‘so help me God’” (Li 317).

To better analyze the notion of assimilation in the naturalization process, I quote the current version of the oath of allegiance:

I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state or sovereignty, of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I

²⁵ Applicants for naturalization can file their Declaration of Intention after they meet the physical presence requirement (usually thirty months or eighteen months if the applicant is married to a U.S. citizen). The Declaration of Intention is also known as First Papers.

²⁶ After five years of permanent residency or three years if the applicant is married to a U.S. citizen, applicants are allowed to submit their Petition for Naturalization, also known as Second Papers or Final Papers. It usually takes six months for a judge or the USCIS to approve naturalization.

will bear arms on behalf of the United States when required by the law; that I will perform noncombatant service in the armed forces of the United States when required by the law; that I will perform work of national importance under civilian direction when required by the law; and that I take this obligation freely without any mental reservation or purpose of evasion; so help me God. (“Naturalization Oath”)

With the renunciation of allegiance to other countries, the United States requires applicants to “cut the bonds to their origins and fully integrate into the American nation” (Li 318). Although it is very difficult for first-generation immigrants to fully integrate, this oath suggests that “applicants have to surrender at least part of their original identity in order to gain American citizenship. Therefore, the process of naturalization functions more like a melting pot, not the salad bowl multiculturalists suggest” (Li 318).

Besides the aspect of renunciation of former allegiance, “modifications of the oath of allegiance only *added* mandates to the text” (Li 318). The earliest oath only requires applicants to “renounce allegiance to any foreign sovereignty and support the Constitution” (Li 318). The 1906 modification “implemented a text that requires applicants to defend the Constitution against all enemies,” and “[t]he Immigration Act of 1950 further introduced a requirement that ‘forced’ all applicants to serve in the military” (Li 318). Hence, the danger that immigrants may lose their original identity due to the renunciation of former allegiance remains unsolved. The change in the oath only means that applicants need to take more responsibilities. Moreover, serving in the military shows loyalty of (naturalized) citizens to the United States. For example, after the Pearl Harbor attacks, anti-Japanese sentiments increased, and thus Japanese Americans had to demonstrate their loyalty to the United States. As a result, “[d]uring the [Second World War], 33,000 Japanese Americans were in uniform. Several thousand of them were members of the Military Intelligence Service, functioning as interpreters and translators on the Pacific front” (Takaki 383). Because the United States and Japan were enemies in the war, Japanese Americans tried to prove their loyalty to the United States and “fight racism at home” by choosing the American side and going to war (Takaki 384), as a Japanese American soldier explained:

My friends and my family — they mean everything to me. They are the most important reason why I am giving up my education and my happiness to go to fight a war that we never asked for. But our Country is involved in it. Not only that. By virtue of the Japanese attack on our nation, we as American citizens of Japanese ancestry have been mercilessly flogged with criticism and accusations. But I’m not going to take it sitting down! I may not be able to come back. But that matters little. My family and friends — they are the ones who will be able to back their arguments with facts. They are the ones who will be proud. In fact, it is better that we are sent to the front and that a few of us do not return, for the testimony will be stronger in favor of the folks back home. (qtd. in Takaki 384–85)

The balance between one's original identity and the new citizenship can be seen as "rational-choice models," where the "decision [of applicants] to naturalize derives from weighing the benefits vs. the costs of becoming a citizen" (Van Hook et al. 646).

Second, "the main changes in the naturalization laws are usually caused by the U.S. political and economic necessities, not by the belief in multiculturalism" (Li 318). Since the Naturalization Act of 1790 regulated that only "free white persons" were allowed to be naturalized, the definition of "white" became essential in court decisions. However, the definition was often subjective and problematic. For example, as Peter Schrag notes,

[L]awsuits seeking to answer the racial question had begun in 1878, . . . — suits in which the courts ruled repeatedly that the Chinese weren't white, that the Japanese weren't white, that Hawaiians weren't white, that Filipinos weren't white, and that Burmese weren't white. There were also decisions that Armenians were white. . . . In 1919 two courts ruled that Asian Indians were white (one other court, in 1919, ruled they probably weren't). After 1923, the courts ruled that Asian Indians, sometimes "Hindoos," weren't white and (in 1925) that Punjabis weren't white. Four pre-1917 decisions had ruled that Syrians were white, and three that they weren't. Then came rulings that Koreans weren't white; that Afghanis weren't white, followed in 1945 by a decision that they were; and that "Arabians" weren't white, again followed by a Board of Immigration Appeals ruling (in 1941) that, because European civilization had originated in the Middle East, that they were white.

By the late 1930s, Mexicans were considered white for most official purposes. Court decisions going back to the turn of the century also held that persons who were half white, one-fourth Chinese, and one-fourth Japanese weren't white. Following what appeared the one-drop-of-blood standard, there were similar decisions for all mixed-race individuals, including one, as late as 1938, that ruled that a person who was three-fourths American Indian and one-fourth African was not African and thus not entitled to naturalization. (111)

These lawsuits indicate that there is no clear-cut boundary between "white" and other races, because different rulings on the same ethnic group happened constantly. Also, "courts have the ability to deny naturalization whenever they consider the applicant not fit for assimilation" (Li 319). Similar to the cases Schrag notes, there are two other cases which demonstrate the subjectivity of the definition of "white." In 1922, Takao Ozawa was denied citizenship because he was Japanese, and therefore, he was not a "white person." The Supreme Court's ruling was based on the science of ethnology, which indicates that "white" means the Caucasian race. However, in the following year, Bhagat Singh Thind, a high caste Indian, was also denied citizenship. Although Thind argued that he was Aryan and thus belonged to the Caucasian race scientifically, the Supreme Court ruled that "the Aryan theory, as a racial basis, seems to be discredited by most, if not all, modern writers on the subject of ethnology" (Vile 149). Therefore, Thind was not a white person. The inconsistency of the decisions demonstrates that the classification of whiteness is purely subjective, for persons who are supposed to be of the same race were categorized in different racial groups based on the

judges' perception of race, and the supposedly scientific basis of race was debatable in different situations. Therefore, the definition of "white" is constructed by the society's political and cultural values. Erika Lee states that the prerequisite of being white mirrors "Congress's confidence in the ability of European immigrants to assimilate and become worthy American citizens" (9). On the contrary, the concern about Asians' ability to assimilate resulted in the 1882 Chinese Exclusion Act and the Immigration Act of 1917 which I already introduced in chapter 4.2.1.

However, there were exceptions in times of war. Irene Bloemraad and Reed Ueda note that "[i]n 1935, President Roosevelt signed the Nye-Lea Act, providing for the naturalization of all Asian veterans by exempting them from the racial bar applied to foreign-born Asians" (41), because national security was jeopardized during such time. "Today's oath of allegiance also shows America's preparation for recruiting soldiers — a benefit the United States gains from naturalized citizens" (Li 320). In fact, the Second World War was what actually ended the exclusion of Chinese immigrants in 1943, "because the United States felt the urge to recruit China as a war ally" (Li 320). Similarly, as Lee notes, "Congress also . . . allowed for the naturalization of immigrants" from India and the Philippines in 1946 "to shore up support from Asian allies" (16). The Japanese, on the other hand, were excluded from naturalization because they were the enemy during the war, and even Japanese Americans "were summarily stripped of their rights, freedom, and property and shipped off to . . . 'war relocation camps'" (Schrag 153). Despite the discrimination against the Japanese, the Second World War "helped glorify the idea of America as a nation of immigrants, turned Ellis Island into a symbol of historic triumph and belonging, and made the whole idea of immigration less toxic" (Schrag 154).

The Immigration and Nationality Act of 1965, which abolished "all racial, gender, and nationality barriers to citizenship" (Lee 17), symbolizes America's open gates to the world. However, the preference stated in this act for immigrants with "exceptional ability in the sciences or the arts" and for "skilled laborers" (913) demonstrates the economic needs of the United States, as the act frankly points out, such immigrants "will substantially benefit prospectively the national economy, cultural interests, or welfare of the United States" (913). President Obama's immigration reform, which offers a pathway for the eleven million undocumented immigrants in the country to earn citizenship, is also out of economic interest,

because this reform will “encourage them to come out of the shadows so they can pay their taxes and play by the same rules as everyone else” (“Earned”). In other words, if undocumented immigrants “can play by the rules and earn their legal status, the United States will not only benefit from their contribution to the country such as in the fields of agriculture and construction, but it can also expect an increase in tax revenues” (Li 320–21). Through these examples, it is clear that the country’s economic and political needs play a large role in the change in the U.S. naturalization laws.

Third, “[e]ducation in the United States functions as a tool of Americanization” (Li 321). The United States shows great interest in educating immigrants. In 1907, New Jersey passed the first state legislation to support evening classes in English and civics for the foreign-born (Atzmon 75). Later, the interest escalated to the national level, for “[f]rom 1914 to 1920 the Bureau of Naturalization of the Immigration and Naturalization Services waged an intensive nationwide campaign to interest the public schools in establishing classes for English and the essentials of good citizenship to the foreign-born” (Atzmon 75–76). In addition, the Bureau of Education was founded in 1916, which “publicized the approved methods of instructing foreigners, continuing its support of the Americanization movement” (Atzmon 77). Bloemraad and Ueda point out that “[e]ducators throughout the decades of the early twentieth century sought to prepare immigrants for naturalization by imbuing their teaching of English, civics, and history with veneration for the nation-state and its historic traditions” (41). By doing so, “an individual could incorporate him or herself democratically into American nationality through the voluntary internalization of the civic code and patriotic actions, reinforcing the image of civic loyalty” (Bloemraad and Ueda 41). Applicants for naturalization also need this kind of education, because the Naturalization Act of 1906 “raised the qualifications for naturalization by demanding a rudimentary knowledge of American history and civics, a basic ability to speak and understand English, and proof of moral worth” (Bloemraad and Ueda 40).

Like assimilation, the process of Americanization is also debatable among scholars and thinkers, because many believe that “immigrants should maintain their cultural pluralism, and that the United States will benefit the most if it preserves ‘separate cultures side by side within its boundaries’” (Li 321), English and American civics are still required by the USCIS, and applicants for naturalization tend to rely on citizenship education programs to help them pass

the naturalization test. Since language, myths, symbols and rituals, a common history, and shared vernacular culture are the most significant aspects of national identity (Olneck 202), “naturalization tests on English and American civics are an effective method to accelerate the speed of Americanization” (Li 322).

To educate immigrants and help them prepare for the naturalization test, the USCIS offers study pamphlets which not only teach them American government, history, and integrated civics, but also tell them the reasons to be patriotic. These pamphlets contain words such as “strength,” “unity,” “determination,” “great ideals,” “equality,” and “fairness” (*Learn* 15), which embody the notion of American values. In this way, American values are added to the thinking of immigrants through education.

As pointed out above, language is an essential element of national identity. “Therefore, understanding English is fundamental to obtaining American identity” (Li 323). The House of Representatives of the 59th Congress reported in 1905 that

if [an immigrant] does not know our language he does in effect remain a foreigner, although he may be able to satisfy the naturalization laws sufficiently to secure our citizenship. . . . The Commission is aware that some aliens who can not learn our language make good citizens. They are, however, exceptions, and the proposition is incontrovertible that no man is a desirable citizen of the United States who does not know the English language. (11)

Language assimilation — that is, immigrants’ preference for English instead of the language of their country of origin when speaking — is obvious among second-generation immigrants. According to Michael Olneck, surveys show that “[t]oday’s immigrant parents, like those of the past, are encountering the refusal of their children to use their native language, and many report that their children speak primarily English among their friends” (212). This can be the result of education, for second-generation immigrants have been educated in the United States since they were born or very young.

Fourth, accepting American values is decisive in the naturalization process. For example, “[d]uring the naturalization process, applicants have to demonstrate to the USCIS that they have good moral character (GMC)” (Li 324). Volume 12, Part F of the *USCIS Policy Manual* specifically defines what GMC is, and it contains permanent bars (table 4.6) and conditional bars (table 4.7) to GMC. From the tables we see that “[s]ome of the permanent and conditional bars seem overlapping, and the overlap indicates the undesirableness of such immigrants to the United States” (Li 324). These bars represent *American* values, because,

Table 4.6
Permanent Bars to GMC

“Aggravated Felonies” in the Immigration Context	
Aggravated Felony	Citation
Murder, Rape, or Sexual Abuse of a Minor	INA 101(a)(43)(A)
Illicit Trafficking in Controlled Substance	INA 101(a)(43)(B)
Illicit Trafficking in Firearms or Destructive Devices	INA 101(a)(43)(C)
Money Laundering Offenses (over \$10,000)	INA 101(a)(43)(D)
Explosive Materials and Firearms Offenses	INA 101(a)(43)(E)(i)–(iii)
Crime of Violence (imprisonment term of at least 1 yr)	INA 101(a)(43)(F)
Theft Offense (imprisonment term of at least 1 yr)	INA 101(a)(43)(G)
Demand for or Receipt of Ransom	INA 101(a)(43)(H)
Child Pornography Offense	INA 101(a)(43)(I)
Racketeering, Gambling (imprisonment term of at least 1 yr)	INA 101(a)(43)(J)
Prostitution Offenses (managing, transporting, trafficking)	INA 101(a)(43)(K)(i)–(iii)
Gathering or Transmitting Classified Information	INA 101(a)(43)(L)(i)–(iii)
Fraud or Deceit Offenses or Tax Evasion (over \$10,000)	INA 101(a)(43)(M)(i), (ii)
Alien Smuggling	INA 101(a)(43)(N)
Illegal Entry or Reentry by Removed Aggravated Felon	INA 101(a)(43)(O)
Passport, Document Fraud (imprisonment term of at least 1 yr)	INA 101(a)(43)(P)
Failure to Appear Sentence (offense punishable by at least 5 yrs)	INA 101(a)(43)(Q)
Bribery, Counterfeiting, Forgery, or Trafficking in Vehicles	INA 101(a)(43)(R)
Obstruction of Justice, Perjury, Bribery of Witness	INA 101(a)(43)(S)
Failure to Appear to Court (offense punishable by at least 2 yrs)	INA 101(a)(43)(T)
Attempt or Conspiracy to Commit an Aggravated Felony	INA 101(a)(43)(U)

Source: “Chapter 4: Permanent Bars to GMC”; *USCIS Policy Manual*; U.S. Citizenship and Immigration Services; n.d.; Web; 13 Dec. 2013.

Table 4.7

Conditional Bars to GMC

Conditional Bars to GMC for Acts Committed in Statutory Period		
Offense	Citation	Description
One or More CIMTs	8 CFR 316.10(b)(2)(i), (iv) INA 101(f)(3)	Conviction or admission of one or more CIMTs (other than political offense), except for one petty offense
Aggregate Sentence of Five Yrs or More	8 CFR 316.10(b)(2)(ii), (iv) INA 101(f)(3)	Conviction of two or more offenses with combined sentence of five years or more (other than political offense)
Controlled Substance Violation	8 CFR 316.10(b)(2)(iii), (iv) INA 101(f)(3)	Violation of any law on controlled substances, except for simple possession of 30g or less of marijuana
Incarceration for 180 Days	8 CFR 316.10(b)(2)(v) INA 101(f)(7)	Incarceration for a total period of 180 days or more, except political offense and ensuing confinement abroad
False Testimony under Oath	8 CFR 316.10(b)(2)(vi) INA 101(f)(6)	False testimony for the purpose of obtaining any immigration benefit
Prostitution Offenses	8 CFR 316.10(b)(2)(vii) INA 101(f)(3)	Engaged in prostitution, attempted or procured to import prostitution, or received proceeds from prostitution
Smuggling of a Person	8 CFR 316.10(b)(2)(viii) INA 101(f)(3)	Involved in smuggling of a person to enter or try to enter the United States in violation of law
Polygamy	8 CFR 316.10(b)(2)(ix) INA 101(f)(3)	Practiced or is practicing polygamy (the custom of having more than one spouse at the same time)
Gambling Offenses	8 CFR 316.10(b)(2)(x)–(xi) INA 101(f)(4)–(5)	Two or more gambling offenses or derives income principally from illegal gambling activities
Habitual Drunkard	8 CFR 316.10(b)(2)(xii) INA 101(f)(1)	Is or was a habitual drunkard
Failure to Support Dependents	8 CFR 316.10(b)(3)(i) INA 101(f)	Willful failure or refusal to support dependents, unless extenuating circumstances are established
Adultery	8 CFR 316.10(b)(3)(ii) INA 101(f)	Extramarital affair tending to destroy existing marriage, unless extenuating circumstances are established
Unlawful Acts	8 CFR 316.10(b)(3)(iii) INA 101(f)	Unlawful act that adversely reflect upon GMC, unless extenuating circumstances are established

Note: CIMT stands for crimes involving moral turpitude.

Source: “Chapter 5: Conditional Bars for Acts in Statutory Period”; *USCIS Policy Manual*; U.S. Citizenship and Immigration Services; n.d.; Web; 13 Dec. 2013.

“[a]lthough felonies such as murder and violence are globally unacceptable, some bars to GMC are legal in some countries” (Li 324). For example, prostitution offenses are mentioned in both permanent and conditional bars. However, in some countries such as Germany and the Netherlands, prostitution is not an offense. Therefore, immigrants from these countries “may have been involved in prostitution without breaking the law in his or her original country, but is thus eliminated from GMC in the United States” (Li 325). In this sense, “GMC is the American ideal, and demonstrating GMC symbolizes immigrants’ acceptance of the American ideal and their determination of becoming a good citizen” (Li 325).

American civics, as stated above, is already important in the naturalization process, but morality and loyalty play even a larger role. Susan Gordon notes that

[w]hen the US government first developed educational materials to help immigrants prepare for that exam in the early twentieth century, the bureaucrats at the Bureau of Naturalization chose . . . to privilege morality and loyalty (attachment) over the requirement that immigrants demonstrate their knowledge of US history and government. In doing so, they designed an educational program that focused more on inculcating standards of proper American behavior than on civics and history. (368)

She further demonstrates the significance of morality and loyalty by giving an example of the court’s decision on the naturalization of Ricardo Rodriguez, a Mexican national. The court “dismissed [his] inability to explain the principles of the constitution,” but “[i]nstead, . . . relied on testimony by a white acquaintance of Rodriguez, who explained that [he] was hard working, honest, law-abiding, [and] peaceable” (S. Gordon 372). The emphasis on morality and loyalty, together with the “citizenship education” (S. Gordon 372), as Gordon points out, “has contributed to the social practice of becoming a citizen and, as such, to the manufacturing of ideas of ‘the good citizen’” (373). During national crisis, morality and loyalty tend to become more important. For example, “[i]n the aftermath of the 9/11 attacks, the US government finds it more necessary than ever before to ‘encourage immigrant attachment to the United States and immigrant adoption of “American values”’ through citizenship education” (Li 325). In this sense, the U.S. naturalization process functions as a selection process for the fittest citizens, “who accept American values and morality, and who will integrate fully into American society” (Li 325).

As I explained in chapter 3.1, American values and the idea of the American Creed were introduced by White Anglo-Saxon Protestants, and the United States is a homogeneous country in terms of cultural and political values. Therefore, “accepting American values more or

less equals assimilating into white society” (Li 326). John Tehranian points out in his article that

[s]uccessful litigants demonstrated evidence of whiteness in their character, religious practices and beliefs, class orientation, language, ability to intermarry, and a host of other traits that had nothing to do with intrinsic racial grouping. Thus, a dramaturgy of whiteness emerged, responsive to the interests of society as defined by the class in power — an “evolutionary functionalism” whereby courts played an instrumental role in limiting naturalization to those new immigrant groups whom judges saw as most fit to carry on the tradition of the “White Republic.” The courts thereby sent a clear message to immigrants: The rights enjoyed by white males could only be obtained through assimilatory behavior. (819)

Therefore, in a broader sense, when Americans say “whiteness,” they can mean more than one race, and it is more related to Americanism. In other words, immigrants, regardless of ethnicity or race, can become “white” through “assimilatory behavior.” Schrag notes that “[t]o be that special creature, the American, there always had to be the Other” (26). “In current American society, this ‘Other’ is most likely to be those who are un-American” (Li 326). In this sense, the U.S. government still tries to assimilate immigrants, because the naturalization requirements make applicants learn American values, memories, sentiments, ideas, and attitudes, which are the exact items of a culture that would be essential in the process of assimilation (see Berry’s theory at the beginning of chapter 4.2). Still in a broader sense, “even though today’s naturalization policy has no racial, gender, or nationality barriers, it still creates an ideal model of naturalized citizen which does not differ much from the model in 1790” (Li 326).

Because of these four reasons, one could say that “the main difference between the Naturalization Act of 1790 and today’s naturalization policy is that the basic requirement was . . . altered from being physically white to being innerly white” (Li 329). Peter Schrag sees the Second World War as the “biggest whitener” (152) and labels the changes in naturalization policy as “the Great Awhitening” (139). Nowadays, although naturalized citizens may be of different ethnicities, their cultural behavior should highly adapt to the Anglo-Saxon American norm. In other words, assimilation or integration (depending on whether or to what extent an immigrant’s original culture is affected) can be nonwhite immigrants’ pathway to become “white.”

Although assimilation is criticized by many scholars, it is still inevitable in American society and should not be overlooked. Assimilation can be measured by four factors, namely, socioeconomic status, spatial concentration, language assimilation, and intermarriage (Waters

and Jiménez 107–08). The U.S. naturalization process can more or less raise the level of immigrant assimilation. For example, socioeconomic status is largely shaped by “educational attainment” (Waters and Jiménez 107), “which the USCIS tries to reinforce through citizenship education” (Li 327). Studies show that many “1.5-generation (those who arrive before age 13) and second-generation children” even have better performance at school than their “native-born schoolmates” (Waters and Jiménez 108–09). In addition, socioeconomic assimilation can be achieved by immigrant minority’s “participation in institutions such as the labor market . . . on the basis of parity with native groups of similar backgrounds” (Alba and Nee 836), and immigrant minorities do not necessarily show disadvantages among such native groups. The English test in the naturalization process is also a method to encourage language assimilation. Studies suggest that there is “a strong association between a foreign-born person’s time in the United States and his or her ability to speak English well” (Waters and Jiménez 110), and while second-generation immigrants are usually bilingual, “the third generation speaks English only” (Waters and Jiménez 110).

Despite the efforts the U.S. government spends on immigrant integration or even assimilation, it is very difficult for first-generation immigrants to fully adapt to American culture. For example, some still show signs of low education and poverty (Waters and Jiménez 108), and many, though having made some progress, continue to prefer their native language to English (Waters and Jiménez 110). Furthermore, “spatial concentration (e.g., China Town and Little Italy) remains essential in the settlement of the immigrant generation” (Li 327). Therefore, there is a contradiction between the written policy where the U.S. government expects naturalized citizens to (fully) integrate and the reality that naturalized citizens, being the immigrant generation, cannot fully adopt American culture. Even those who score the highest in their naturalization tests preserve their original identity to some extent and may have difficulty living in a new culture (in this case, Anglo-American culture), “because the cultural and social impacts of their home country are embedded in their thinking” (Li 327).

Assimilation can be seen in many literary works, usually with the connotation that immigrants have (largely) adopted the culture in the host society, but at the same time are still holding on to some of their original culture. Jhumpa Lahiri’s novel *The Namesake* (2003) demonstrates the great contrast of assimilation levels between first-generation and second-generation immigrants. In the novel, Ashoke and Ashima Ganguli are Indian immigrants, and

their son, Gogol, and their daughter, Sonia, were born in Boston. Lahiri uses food to represent Indian and American cultures, and the eating habit of the family symbolizes the difference between first- and second-generation immigrants. While Ashoke and Ashima eat rice and curry chicken, Gogol and Sonia eat frozen waffles and pizzas. Finally, their children are so used to American food that Ashoke and Ashima have to give in:

[i]n the supermarket [Ashoke and Ashima] let Gogol fill the cart with items that he and Sonia, *but not they*, consume: individually wrapped slices of cheese, mayonnaise, tuna fish, hot dogs. For Gogol's lunches they stand at the deli to buy cold cuts, and in the mornings Ashima makes sandwiches with bologna or roast *beef*. At his insistence, she concedes and makes him an American dinner once a week as a *treat*, Shake 'n Bake chicken or Hamburger Helper prepared with ground lamb. (Lahiri 65; my italics)

The roast beef sandwich is a contradiction to Indian culture, which indicates that Gogol has already abandoned or has never had certain characteristics of Indian identity. His eager embrace of American dinners also shows signs of second-generation immigrants' assimilation into the American way of life.

Besides food, language is another symbol in the novel. While Ashoke and Ashima speak Bengali at home, Gogol's mother tongue is English. When Gogol is in the third grade, Ashoke and Ashima send him to learn the Bengali language and culture, and they find that Gogol "sound[s] just like [an American], expertly conversing in a language that still at times confounds them, in accents they are accustomed not to trust" (Lahiri 65). Interestingly, while Gogol sounds "foreign" in Bengali class, Ashoke and Ashima sound foreign outside the class, for Gogol "is aware, in stores, of cashiers smirking at his parents' accents, and of salesmen who prefer to direct their conversation to Gogol, as though his parents were either incompetent or deaf" (Lahiri 67–68). The preference and usage of language illustrate a grave contrast of assimilation levels between first- and second-generation immigrants.

The family's social circle also shows the contrast. Ashoke and Ashima's friends are primarily Indians. They celebrate Indian festivals together, and all the Indian immigrants in the neighborhood get together once in a while like a big family. Ashima even makes Gogol go to a panel discussion about Indian novels written in English against Gogol's will, because one of the presenters is Gogol's distant cousin. Although Gogol has never met him before, Ashima feels obliged that someone in the family should go greet him. Gogol, on the other hand, does not have any Indian friends. On the contrary, he avoids them on purpose, for he intends to

escape the way of life his parents choose to live. In that panel discussion, Gogol learns a new term ABCD:

Gogol has never heard the term ABCD. He eventually gathers that it stands for “American-born confused deshi.” In other words, him. He learns that the C could also stand for “conflicted.” He knows that *deshi*, a generic word for “countryman,” means “Indian,” knows that his parents and all their friends always refer to India simply as *desh*. But Gogol never thinks of India as *desh*. He thinks of it as Americans do, as India. (Lahiri 118)

Gogol thinks as the Americans do, goes to typical American college parties with his American friends, dates American girls, and feels more comfortable with his American girlfriend’s parents than with his own. Their choice of social circle illustrates how well they integrate into American society.

The family’s behavior in India reinforces the contrast. When Ashoke and Ashima decide to spend several months in India, Ashima becomes very excited, while Gogol and Sonia feel irritated and scared. Once they arrive in India,

[w]ithin minutes, before [Gogol and Sonia’s] eyes Ashoke and Ashima slip into bolder, less complicated versions of themselves, their voices louder, their smiles wider, revealing a confidence Gogol and Sonia never see on Pemberton Road. “I’m scared, Goggles [Gogol’s nickname],” Sonia whispers to her brother *in English*, seeking his hand and refusing to let go. (Lahiri 81–82; my italics)

It is indicated in the scene that to Ashoke and Ashima, India is home, but to Gogol and Sonia, India is only a strange land. Although living with relatives, Gogol feels lonely, because “[o]f all the people who surround [Gogol and Sonia] at practically all the times, Sonia is his only ally, the only person to speak and sit and see as he does” (Lahiri 84). They only feel comfortable with each other, and they cannot get used to anything in India — “the air, the rice, [and] the wind” (Lahiri 86). Contrary to the scene when the family arrives in India, the journey back to America creates a different atmosphere. Ashima “will sit silently, staring at the clouds But for Gogol, relief quickly replaces any lingering sadness” (Lahiri 86–87). The family’s feelings and behavior in India demonstrate that first-generation immigrants may still deem their original country as home, no matter how long they have been away, while second-generation immigrants do not feel attached to their original country at all.

However, Ashoke and Ashima’s attachment to India does not necessarily mean that they refuse to integrate. On the contrary, they have adopted many American traditions:

[T]he Gangulis, apart from the name on their mailbox, apart from the issues of *India Abroad* and *Sangbad Bichitra* that are delivered there, appear no different from their neighbors. Their garage, like every other, contains shovels and pruning shears and a sled. They purchase a barbecue for tandoori on the

porch in summer. . . . They learn to roast turkeys, albeit rubbed with garlic and cumin and cayenne, at Thanksgiving, to nail a wreath to their door in December, to wrap woolen scarves around snowmen, to color boiled eggs violet and pink at Easter and hide them around the house. . . .

There are other ways in which Ashoke and Ashima give in. Though Ashima continues to wear nothing but saris and sandals from Bata, Ashoke, accustomed to wearing tailor-made pants and shirts all his life, learns to buy ready-made. He trades in fountain pens for ballpoints, Wilkinson blades and his boar-bristled shaving brush for Bic razors bought six to a pack. (Lahiri 64–65)

Ashoke and Ashima's adoption of American culture indicates first-generation immigrants' willingness to integrate into the new culture, but their retention of original traditions only allows them to integrate partly.

Also, Gogol and Sonia's Americanization and assimilation do not mean that they have fully forgotten their Indian origin. Gogol's identification clash is shown in the two romantic relationships he had. His relationship with a true American did not work out in the end, and his marriage to an ABCD was disastrous. The two unsuccessful relationships symbolize Gogol's failure to find his real identity, and this failure results in his attempt to discover his traits, embodied in the book his father gave him a long time ago. In this sense, second-generation immigrants could also experience the confusion over identity, and the concealed origin is rediscovered under certain circumstances. In fact, Anju Bhatt sees Gogol's struggle with his name, as the title of the novel suggests, as his struggle with identity (39–40), although he may not yet realize the influence of his Indian identity. Gogol hates his name, because it is neither Indian nor American but Russian, which makes him feel insecure about his identity. When he decides to change his name to Nikhil, he establishes a doppelgänger and "finds it difficult to acknowledge that Gogol and Nikhil are both a part of his ownself and torn between this struggle he feels as '[i]f he's cast himself in a play acting the part of twins, indistinguishable to the naked eye yet fundamentally different'" (Bhatt 40). Therefore, no matter how deep Gogol feels like an American, his Indian identity does not escape from him. Finally, "Gogol's acceptance of his Indian-American identity is reflected in his gradual acceptance of his name and its history" (Macwan), which indicates that it is inevitable that second-generation immigrants have to live with dual identity.

Second-generation immigrants' confusion over identity is likely to be derived from the gap between identity seen by themselves and by people of the host society, and possibly also by people from their country of origin. For example, although Gogol was born and raised in the United States and identifies himself to be American (as he constantly tells people that he is from Boston), he has to answer all India-related questions, and white Americans (e.g., his

neighbor Pamela) still tend to think that he is from India. At the same time, when Gogol visits India with his parents, his Indian relatives tend to consider him to be American rather than Indian. Therefore, Gogol is torn between two identities, and the difference of identification reinforces Gogol's insecure feelings about his identity. Werner Sollors sees the identity of biracial individuals (in the context of black-white intermarriage) represented in literature as "neither black nor white yet both" (29), and this idea can be well transformed into the identity of second-generation immigrants — they are neither Indian/Chinese/Mexican (country of origin), nor American, yet both.

Gish Jen's novel *Typical American* (1991) shows a similar result. Although the Chinese were considered unassimilable in the United States for a long time, the novel demonstrates the opposite. The protagonist Ralph Chang comes to the United States as a student, and without the intention of staying there at the beginning, he ends up starting a family in the United States due to political reform in China. The Changs are all Chinese immigrants, and they are quite skeptical about American society and people at first. They use the phrase "typical American" to describe anything that may look strange or uncomfortable to their Chinese eyes, but later they became "typical Americans" themselves. As Richard Eder states, each of them "had been Americanizing slowly and cautiously." For example, Ralph gives up his tenure at the university to run a fried chicken restaurant business. This career change demonstrates that his American thinking has surpassed his Chinese thinking, for his high status in academia is what his father has hoped for, which symbolizes the Chinese tradition or thinking, while running a restaurant is a sign of his pursuit of the American dream (Zhang 1453). Furthermore, the restaurant does not offer Chinese cuisine. Instead, it is a typical American restaurant, because fried chicken can be seen as a symbol of American food. Therefore, Ralph's choice of restaurant implies that he chooses American culture over Chinese culture. Ralph's wife Helen and his sister Theresa also become the opposite of Chinese tradition. Helen is gradually "conquered by American consumer culture. She like[s] American magazines, newspapers, radio and so on. She secretly read[s] the magazines about ladies' clothing and [hides] the magazines on the mat. She [is] eager to purchase a house in the suburbs with a big dining room for the family" (Zhang 1453–54). Moreover, she has an affair with an American-born Chinese, Grover Ding. Similarly, Theresa has an intimate relationship with a married man, Old Chao, which results in Old Chao's divorce. These affairs, which might be criticized

as “typical American no-morals” (Jen 67) by themselves in the past, are in contradiction to their Chinese identity, because “*Chinese people don’t do such things*” (Jen 172; emphasis in original).

However, although the Changs have gradually assimilated into the American culture, they start to rediscover their Chinese identity after a family tragedy. Ralph goes back to teaching after the restaurant closes due to construction failure; Theresa moves back to live with the family again after Ralph and Helen are almost broke; and Helen stops seeing Grover. In this sense, they are regaining their Chinese identity, and it coexists with their newly gained American identity. Minglan Zhang even argues that the Changs are doomed to fail, because they were born and raised in China, and by abandoning Chinese culture, they are losing the “spiritual world,” which leads to “the disillusioned American dream” (1456).

In Danticat’s story “Caroline’s Wedding,” the two daughters, Gracina and Caroline, are Americanized. As children, they “[reject] symbols of Haitian culture” (Danticat 214–15). After their father passes away, they have to wear “nothing but black dresses” and red panties according to Haitian culture (Danticat 170), but they feel embarrassed, so they find “ways to make wearing black a fashion statement” (Danticat 170), and never wear red panties. The abandonment of Haitian culture is also shown in Caroline’s marriage to Eric. For one thing, Eric is not Haitian; and for another, they decide not to have a big formal wedding in a church as Haitians are supposed to do, but a small ceremony in Eric’s office.

In contrast, the mother (Ma) in the story is still traditional. She always makes bone soup, which is a symbol of Haitian culture, and which Gracina and Caroline are already tired of. The reason why Ma makes bone soup every night since Caroline has announced her engagement is that she “[attempts] to enforce the old ways upon the new — to take part in the generational and cultural clash that is particularly hard for her without her husband by her side” (Brotter). Moreover, she does not like Eric even though he is a nice person, solely because he is not Haitian and does not act like one either:

Ma wanted Eric to officially come and ask her permission to marry her daughter. She wanted him to bring his family to our house and have his father ask her blessing. She wanted Eric to kiss up to her, escort her around, buy her gifts, and shower her with compliments. Ma wanted a full-blown church wedding. She wanted Eric to be Haitian. (Danticat 169)

However, Eric has done nothing of what the mother imagines. Also because Eric is not Haitian, the mother is embarrassed to pronounce his name, Eric Abrahams. She wants to say the

name in the Haitian way, but the name is not Haitian, and this makes her ashamed. The mother's dissatisfaction with Eric symbolizes her rejection of other cultures and the difficulty for her to assimilate into American society.

Similar to the other immigrant narratives above, the daughter's Americanization does not fully bury their origin. Gracina dreams about her father, and when she wakes up, she writes down what she remembers of him, because, as she writes,

I had to remind myself, at least under my breath, that I did remember still. In the back of my mind, I could almost hear his voice saying these things to me, in the very same way that he had spoken over the years: "You have memory of walking in a mist at dawn in a banana jungle that no longer exists. You have lived this long in this strange world, so far from home, because you remember." (Danticat 177)

The dream indicates that Gracina's Haitian past only exists unconsciously, and her decision to write down her memory suggests that she is willing to remember her Haitian identity. When her mother shows Gracina her father's proposal letter and asks Gracina to destroy it after she dies, Gracina admits that she wants to "hold on to things when [she] dies" and "hold on to [her mother]" (Danticat 213). This scene shows that Gracina is starting to accept her Haitian identity. At the end of the story, Gracina asks her mother if she can drop one bone in the soup, which symbolizes her embracement of Haitian culture and her Haitian identity.

Because assimilation in the immigrant generation is never complete, scholars define the change in the cultural behaviors of these immigrants as acculturation. As I pointed out at the beginning of chapter 4.2, acculturation can be a type of assimilation, and it emphasizes a two-way process. This two-way process is probably the reason why many scholars suggest that assimilation is dead in the United States. As a consequence of acculturation, the foreign elements in the United States are not necessarily derived from abroad. For example, the well-known Chinese specialty "Chop-suey (based on the Cantonese word for miscellany) first saw light not in China but in San Francisco in the late 1800s," and the famous "fortune cookie was invented in Los Angeles" in the 1920s (Bryson 269–70). Therefore, America's multiculturalism might be a result of acculturation of immigrants, and the seemingly foreign elements in American culture indicate the two-way process of acculturation. Randolph S. Bourne defines this phenomenon as "Trans-national America," stating that in the United States there are "masses of people who are cultural half-breeds, neither assimilated Anglo-Saxons nor nationals of another culture." Because of this fusion of cultures, he sees America not as "a national-

ity but a trans-nationality,” and thus “it is spiritually impossible for [America] to pass into the orbit of any [nation].” Although Bourne’s article mainly aims to demonstrate that “it is impossible for Anglo-Saxon culture to fully assimilate other cultures in the United States, his view also indicates that non-Anglo-Saxon cultures have changed in the United States as immigrants have become ‘cultural half-breeds’” (Li 328).

4.3.2. Citizenship and Naturalization in Germany

Before the German reunification, the German citizenship law was based on the *jus sanguinis* principle, which means that the main possible way to gain German citizenship was through German descent. The German Imperial and State Citizenship Law²⁷ of 1913 (*Reichs- und Staatsangehörigkeitsgesetz*, or RuStAG-1913 for short) “introduced for the first time a common German nationality for all the nationals of the various states constituting the ‘German Reich’ of 1870” (Hailbronner 1), and it indicates that “German citizenship refers to a ‘community of descent’, with little regard for birthplace and residence” (Marc Howard 42). This citizenship law allows ethnic Germans who resides outside of Germany to be naturalized if they can prove their German ancestry. However, the *jus sanguinis* principle of the RuStAG-1913 did not close the door to naturalization for non-ethnic Germans, as opposed to the general understanding of *jus sanguinis*. Alongside “[b]y birth [to a German parent],” “[b]y legitimation,” “[b]y marriage,” and “[b]y assumption in the case of a German,” “[b]y naturalization in the case of a foreigner” is listed as a means of gaining German citizenship in the RuStAG-1913, and Article eight of this law explicitly states that

A foreigner who has taken up his residence in Germany may on application be naturalized by the State within whose territory his residence lies.

1. If he is legally competent in accordance with the laws of his former home or would be legally competent in accordance with the laws of Germany; or if the application is made by his legal representative or with the latter’s consent in accordance with the second sentence of paragraph 2 of § 7 [In the case of a person under parental tutelage or guardianship the application is made by his legal representative, if he has not completed his sixteenth year; if he has completed his sixteenth year, the application must have the consent of the legal representative];

2. If he has led a blameless life;

3. If he has in the place of his residence his own dwelling or lodging; and

4. If he is able there to support himself and his family. (“German Imperial” 218–19)

²⁷ “Citizenship Law” is also translated as “Nationality Act” in some texts or references. Despite the difference in terms, both translations are from the German word “*Staatsangehörigkeitsgesetz*” and refer to the same law.

Therefore, according to the Citizenship Law of 1913, Germany did not exclude non-ethnic Germans from naturalization theoretically.

What made the *jus sanguinis* principle extreme was when the Nazi Party took power. The Nazi regime “cancelled the naturalisations that had taken place in the Weimar period, revoked the German citizenship of those viewed as ‘having violated a duty of loyalty to the German Empire or the “German Nation”’, and withdrew the citizenship rights of German Jews” (Marc Howard 42). The extreme blood-based citizenship restriction in the Nazi period was shown in the *Reichsbürgergesetz* (Reich’s Citizenship Law) of 1935 that “[o]nly *Volk*-comrades can be citizens. And only persons of German blood, irrespective of confession, can be *Volk*-comrades. No Jew can be a *Volk*-comrade” (qtd. in Marc Howard 42).

After the fall of Naziism, Germany continued to use the RuStAG-1913, but notwithstanding the recognition of naturalization in the law, the *jus sanguinis* principle remained fundamental. The Alien Act (*Ausländergesetz*) was first introduced in 1965 (in the case of FRG) to “regulate the work and residence permit of guest workers” (Anil 454-55), but the act does not mention naturalization at all. Section 2.3 of the Naturalization Guidelines (*Einbürgerungsrichtlinien*, or EbRichtl for short) of 1977 states that “[t]he Federal Republic of Germany is not a country of immigration; it does not strive to increase the number of German citizens by way of naturalization.”²⁸

In 1990, Germany (still FRG at the time) modified the Alien Act of 1965, starting a series of revolutionary changes in its citizenship law. Naturalization was explicitly instructed, and the Alien Act of 1990 allows application for naturalization for “foreigners between 16 and 23 years of age with 8 or more years of residency” and six years of school attendance within German territory, of which at least four years in a general education school, and “foreigners above the age of 23 with a minimum of 15 years of residency” who file their application for naturalization before December 31, 1995 (Anil 455). In both cases the foreigner should not have been sentenced for any unlawful act. In 1993, the clause for naturalization was slightly modified, where the time limitation of application for foreigners above the age of 23 was scratched out. The change in 1999 standardized the minimum residency requirement to eight years and removed the age limitation.

²⁸ The original text is: *Die Bundesrepublik Deutschland ist kein Einwanderungsland; sie strebt nicht an, die Anzahl der deutschen Staatsangehörigen gezielt durch Einbürgerung zu vermehren.*

Due to these changes, “the naturalization rate of foreigners went up from 0.4 to 2.5%” from 1990 to 2000 (Anil 455). The increase in naturalization rate demonstrates that the changes in naturalization requirements have a practical impact on the state’s acceptance of foreigners to be citizens, and it also indicates the existing willingness of immigrants to become German citizens. However, compared to the naturalization rate in the United States, which was 56 percent in 2000 excluding undocumented immigrants (Passel), the naturalization rate in Germany was still extremely low.

The modification of the Alien Act in 1999 was not the only change in regard to citizenship and naturalization. The Citizenship Law of 1913 was also renewed in the same year, and it came into force on January 1, 2000. Many scholars consider the reform in the new law revolutionary and fundamental, because it breaches the *jus sanguinis* principle to some degree and brings in the *jus soli* principle. The Citizenship Law of 1999 allows children born in Germany to gain German citizenship automatically if one of the parents “has legally been normally resident in the domestic territory for eight years and possesses a right of residence or has possessed for three years a residence permit for an unlimited period” (Nationality Act [1913, As Amended 1999]). In 2005, this clause was amended by stating that the parent should have legally resided in the German territory for eight years and is a European Union citizen who is entitled to freedom of movement or a citizen of an EEA-state (European Economic Area) who has the same entitlement or possesses a residence permit of the EU or a right of residence in Germany.

The 2014 version and also the current Citizenship Law regulates German citizenship for German-born children to foreign parents and naturalization as follows:

Section 4
[Acquisition by birth]

- ...
- (3) A child of foreign parents shall acquire German citizenship by birth in Germany if one parent
1. has been legally ordinarily resident in Germany for eight years and
 2. has been granted a permanent right of residence or as a national of Switzerland or as a family member of a national of Switzerland possesses a residence permit on the basis of the Agreement of 21 June 1999 between the European Community and its Member States on the one hand and the Swiss Confederation on the other hand on the free movement of persons (Federal Law Gazette 2001 II p. 810).
- ...

Section 10

[Entitlement to naturalization; derivative naturalization of spouses and minor children]

- (1) A foreigner who has been legally ordinarily resident in Germany for eight years and possesses legal capacity pursuant to Section 80 of the Residence Act or has a legal representative shall be naturalized upon application if he or she

1. confirms his or her commitment to the free democratic constitutional system enshrined in the Basic Law of the Federal Republic of Germany and declares that he or she does not pursue or support and has never pursued or supported any activities
 - a) aimed at subverting the free democratic constitutional system, the existence or security of the Federation or a Land or
 - b) aimed at illegally impeding the constitutional bodies of the Federation or a Land or the members of said bodies in discharging their duties or
 - c) any activities which jeopardize foreign interests of the Federal Republic of Germany through the use of violence or preparatory actions for the use of violence, or credibly asserts that he or she has distanced himself or herself from the former pursuit or support of such activities,
 2. has been granted a permanent right of residence or as a national of Switzerland or as a family member of a national of Switzerland possesses a residence permit on the basis of the Agreement of 21 June 1999 between the European Community and its Member States on the one hand and the Swiss Confederation on the other hand on the free movement of persons or possesses an EU Blue Card or a residence permit for purposes other than those specified in Sections 16, 17, 20, 22, 23, sub-section 1, Section 23a, 24 and Section 25, sub-sections 3 to 5 of the Residence Act.
 3. is able to ensure his or her own subsistence and the subsistence of his or her dependents without recourse to benefits in accordance with Book Two or Book Twelve of the Social Code or recourse to such benefits is due to conditions beyond his or her control,
 4. gives up or loses his or her previous citizenship,
 5. has not been sentenced for an unlawful act and is not subject to any court order imposing a measure of reform and prevention due to a lack of criminal capacity,
 6. possesses an adequate knowledge of German and
 7. possesses knowledge of the legal system, society and living conditions in Germany.
- The conditions under sentence 1, numbers 1 and 7 do not apply to foreigners who do not have legal capacity pursuant to Section 80, sub-section 1 of the Residence Act [concerning minors above 16 years of age].
- (2) The foreigner's spouse and minor children may be naturalized together with the foreigner in accordance with sub-section (1), irrespective of whether they have been lawfully resident in Germany for eight years.
- (3) Upon a foreigner confirming successful attendance of an integration course by presenting a certificate issued by the Federal Office for Migration and Refugees (BMAF), the qualifying period stipulated in sub-section 1 shall be reduced to seven years. This qualifying period may be reduced to six years if the foreigner has made outstanding efforts at integration exceeding the requirements under sub-section 1, sentence 1, no. 6, especially if he or she can demonstrate his or her command of the German language. (Nationality Act 2–3 and 5–6)

Compared to the former version of the law, the *jus soli* principle becomes more restricted, for one of the parents has to have become a permanent resident before the newborn child gains German citizenship automatically, and approximately 55.7 percent of all non-EU residents in Germany possess a residence permit for an unlimited period in 2014 (Statistisches Bundesamt). Since the current Citizenship Law follows a principle between *jus sanguinis* and *jus soli*, I call it the *semi jus soli* principle.

The *semi jus soli* principle can indicate Germany's intent of relaxing the restrictions of its immigration policy on the one hand and its caution and concern about the consequences after the relaxation on the other hand. There are three main reasons for liberalizing citizenship regulation. One important reason is to "attract highly skilled workers" (Anil 460). As Merih Anil notes,

[w]hen the German government initiated a pilot program in 2000 to “hire” 20,000 highly qualified workers from abroad, but received only about 8000 applicants, the political elite began to argue that potential highly skilled immigrants were put off by Germany’s insistence on preserving its pure ethnic national identity. Compared to traditional immigrant-receiving countries, Germany’s exclusive citizenship policy was a disadvantage in the highly competitive international labor market for skilled workers. A government commission’s report predicted that without immigration, the labor force would decrease from 41 to 26 million by 2050 and recommended that 50,000 qualified workers be admitted on a yearly basis. Germany also needs immigrants to offset a shrinking and aging population. (460)

Therefore, the changes in Germany’s Citizenship Law were made to compete for skilled workers and fulfill the country’s economic needs.

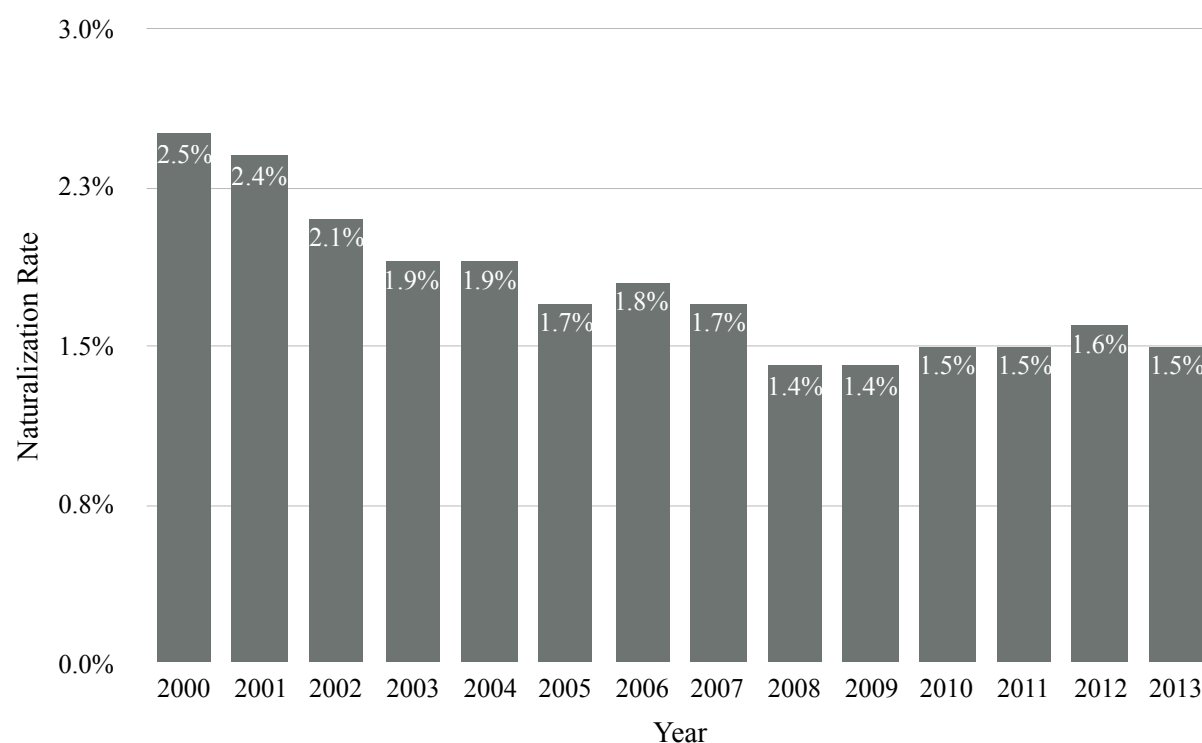
Another reason is that “Germany experienced significant domestic and international pressures to liberalise its citizenship policy,” and the domestic pressure had been extremely strong (Marc Howard 43). Marc M. Howard points out that the embedded impact of the Nazi past on Germans raised the guilt that if Germany did not establish a more tolerant policy on immigration, the Federal Republic of Germany would be compared to Nazi Germany by long-term residents (43–44). Also, “international bodies such as the Council of Europe, the European Court of Justice, and the European Court of Human Rights” pressured Germany by suggesting that “Germany’s law stood out as antiquated, inhumane, and in need of ‘modernisation’” (Marc Howard 44). Therefore, the relaxation of the Citizenship Law is also caused by political and moral pressures.

The third reason can be seen as a passive acceptance of immigration. Because of the large number of foreign population in the country, Germany was obliged to amend laws to avoid the possibility of immigrant-state conflict. As Halfmann notes, Germany needed to find a way to “accommodate the heritage of an ethno-cultural definition of nationhood with the modern need to define citizenship exclusively in legal and political terms,” because “[w]ithout such accommodation the gap between those residents who enjoy political and social inclusion in the state and those who are excluded from one or the other form of membership cannot be closed” (267).

However, the relaxation of citizenship policy does not make naturalization easier, largely due to the accommodation I pointed out above. On the one hand, Germany needs to naturalize foreigners out of economic and political interests; and on the other hand, Germany still has reservations about naturalization’s impact on the ethnocultural definition of nationhood. As I quoted Anil earlier in this chapter, the naturalization rate increased from 0.4 to 2.5 percent from 1990 to 2000. What Anil did not mention is that after 2000, the naturalization rate decreased again. Based on the naturalization statistics (*Einbürgerungsstatistik*) by the Federal

Ministry of the Interior (*das Bundesministerium des Innern*) and the population of foreigners each year (“Zahl”), I calculated the naturalization rates from 2000 to 2013, shown in figure 4.7. The bar chart shows a tendency of a decreasing naturalization rate from 2000 to 2008, and the naturalization rate remains around 1.5 percent from 2008 to 2013, which means that

Fig. 4.7. Naturalization Rate in Germany from 2000 to 2013



the naturalization rate has decreased by one-third since 2000. In stark contrast, the naturalization rate of the United States nearly reached 47 percent in 2013, and the other 53 percent “included lawful permanent residents, unauthorized immigrants, and legal residents on temporary visas, such as students and temporary workers” (Zong and Batalova). Based on these statistics, Germany has been very careful and selective in naturalization.

Section 10 of the Citizenship Law (concerning naturalization) demonstrates an indispensable requirement for integration. As the Federal Ministry of the Interior suggests, “[n]aturalization is a major step on the way to *successful integration* because it gives immigrants numerous possibilities to participate in society, from political engagement to equal status under the law” (“Naturalization”; my italics). For example, section 10.(1).1 requests all applicants to obey, accept, and commit to Germany’s democratic political system, which is a value that Germany holds dear after the Second World War as a consequence of Nazi Germany. In a

way, the commitment to Germany's democratic political system is also a commitment to German political values.

Section 10.(1).4 suggests that applicants have to renounce their previous citizenship if German citizenship is granted. The renunciation of a previous citizenship indicates that applicants need to cut the bond to their country of origin and also cease allegiance to it. Therefore, full allegiance to Germany is required for gaining German citizenship, and it symbolizes Germany's intent to ensure applicants' full integration. In 2007, Germany first introduced a naturalization ceremony, which contains speeches from newly naturalized citizens and administration officials, and in some cases also "an obligatory pledge of allegiance to the constitution" (Jakob 298).

Only under few circumstances are applicants allowed to maintain their previous citizenship. One circumstance is that the applicant's country of origin does not release him or her from citizenship, or the loss of previous citizenship will cause grave disadvantages beyond the loss of civic rights. Another circumstance is that if the applicant is a national of another EU state or Switzerland. Moreover, children who gained German citizenship according to section 4 of the Citizenship Law are allowed to hold dual citizenship, but between the ages of eighteen and twenty-three, they have to choose between German citizenship and their other non-German nationality. This option model can be seen as granting the child a democratic free will to choose his or her own nationality, and it also implies that long-term dual citizenship is not possible. From these examples of dual citizenship, one may conclude that dual citizenship is usually not possible, but under certain circumstances, it is acceptable due to moral reasons, and Germany treats EU and Swiss nationals somewhat differently due to their economic and political partnerships.

The ability to speak and write German is also a sign of integration. As shown in section 10.(1).6, applicants need to demonstrate adequate knowledge of the German language, which often means level B1 of the Common European Framework of Reference for Languages. The Federal Ministry of the Interior explains that "[t]he ability to speak German . . . is essential for social and economic integration" ("Becoming"), and Şenocak notes that homelessness begins when languages do not have a home. For example, the Turkish language is often homeless in Germany (*Deutschsein* 15). Therefore, the adoption of the German language by immigrants symbolizes immigrants' attempt to integrate into German society and gain Ger-

man identity. Şenocak also criticizes immigrants' integration process in Germany, saying that integration in Germany is a one-way street of assimilation, and there is no cultural exchange (*Atlas* 93). He points out that Turkish is the mother tongue of 1.7 million people in Germany (by 1992), which makes it the second most-spoken language in Germany. Yet Germany fears bilingualism, for there is no state-run program or concepts for the maintenance and development of the Turkish language in Germany (*Atlas* 91), only trifling Turkish courses in schools taught by native speakers (*Atlas* 92). The reluctance of promoting a second language indicates Germany's intent to assimilate immigrants, because the loss or "defamiliarization" of a language can result in the loss of the related identity.

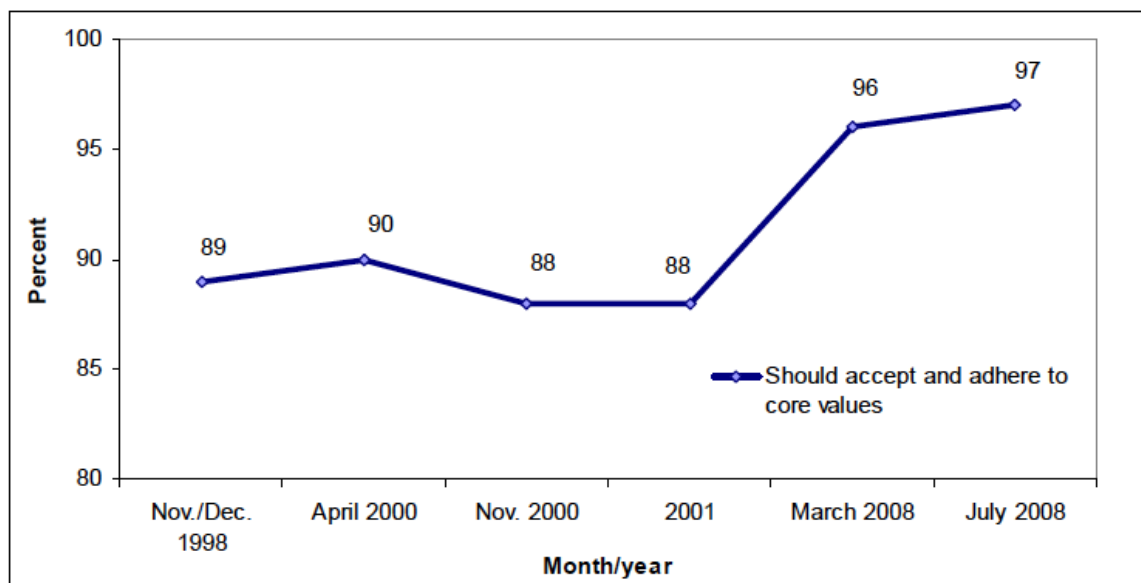
Possessing civic knowledge as section 10.(1).7 requires helps immigrants, or in this case, applicants for naturalization, integrate into German society. It is also a necessity, because once applicants are granted German citizenship, they are expected to participate in political activities such as voting. To assure that applicants have adequate civic knowledge, applicants need to pass a naturalization test. The test consists of thirty-three questions, from which thirty "relate to the subject areas of 'Living in a democracy', 'History and responsibility[,] and 'People and society,'" and three are "about the Federal *Land* [state] in which [applicants] are registered as having [their] main place of residence" ("Naturalisation Test"). Applicants have to answer at least seventeen questions correctly to pass the test.

The possibilities to reduce the length of residence before naturalization as section 10.(3) stipulates indicate that applicants can be rewarded for successful integration, which further emphasizes the importance of integration. The attempt to make every applicant for naturalization adopt German culture may also suggest that Germany is eager to maintain Germanness in the country, and as Şenocak observes, immigrants and their cultures are only tolerated as guests, they are condoned, but not accepted (*Atlas* 25).

Even the public thinks that long-term immigrants should accept and follow core German values (fig. 4.8). The percentage of respondents who support this kind of integration increased rapidly between 2001 and 2008, and in mid 2008, the percentage reached ninety-seven percent, which is to say, nearly everyone favored that immigrants should adhere to core German values.

However, Germany's attempt to make immigrants integrate has not been very successful. Şenocak explains that it is because people in Germany speak about integration when they

Fig. 4.8. Public Opinion on Whether Immigrants Should Adhere to and Accept Core German Values, 1998 to 2008



Note: Answers were in response to the following question: “If an immigrant who has been a long-term resident of Germany or who was born here wants to be naturalized, should he or she accept and adhere to the principles and core values of our society, or is that not necessary?”

Fig. 4.8. Oya S. Abali, “German Public Opinion on Immigration and Integration” (Migration Policy Institute, 2009; 7; Web; 23 Jul. 2015; PDF file).

mean assimilation. The consequence is that the integration result cannot be satisfactory (*Deutschsein* 121). Millions of immigrants who were born and raised in Germany and who are already German citizens are still deemed to be foreigners by ethnic Germans, and they become German on the one hand but stay foreign on the other (Şenocak, *Deutschsein* 117–18). For example, in a naturalization speech in Dresden, the speaker “tells the new citizens: ‘Maybe more people from your home countries will soon come to Saxony. Maybe you will have the chance to assist your fellow countrymen’” (Jakob 303). Here, it is implied that these naturalized citizens are not fellow Germans, because their “fellow countrymen” are “the citizens of the country they have emigrated from” (Jakob 303). In the naturalization of a boy who was born and raised in Germany, the boy was described as knowing his “home” from visiting (Jakob 304). In this case, although the boy was born and raised in Germany, might have the same education as natives, and knows Germany much better than his country of origin, his country of origin is still his “home” in the eyes of a native. Therefore, these speeches alienate naturalized citizens from natives, which suggests that Germany still has not fully accepted naturalized citizens as its own people. Also, the German sense of “native-born” is dif-

ferent from the American sense of “native-born,” because native-born Germans are ethnic Germans, while native-born Americans are citizens born in the United States. This alienation of naturalized citizens in Germany can be a cause of the identity problem of naturalized citizens. Lale Yalçın-Heckmann points out the “difficulty felt by . . . the [second-generation Turkish immigrants] in finding a single common name for their identity” — “[s]ome say they are Turks living in Germany, some say they are Turks who happen to live in Germany, some say they are Turks and Berliners and the like, but hardly any say they are Germans” (312). In addition, origin is still very important to them. As Yalçın-Heckmann notes,

[e]ven the second-generation Turks, born in Germany, when they meet someone perhaps older than themselves, asks ‘nerelisiniz?’ (‘where are you from?’) expecting the answer to be some town or region in Turkey. Nicknames with associations of *hemşeri* (‘compatriot’) and ethnic / regional ties, such as ‘Sivas’lı Ahmet’ (Ahmet from Sivas, a province in Turkey) or ‘Laz Mehmet’ (Mehmet of the ethnic group of Laz from the Black Sea region of Turkey) are used as frequently among the second generation as among the first. (313)

Moreover, even third-generation immigrants are considered to be immigrants by German society, and their ethnic and religious origin is put before their characters, their education, their ideology, and their lifestyle (Şenocak, *Deutschsein* 125). Therefore, immigrants remain foreign despite their willingness of integration or integration level (Şenocak, *Deutschsein* 133). In other words, however well immigrants have already integrated, they are treated as foreigners.

Similar phenomena are also shown in Franco Biondi’s novella *Abschied der zerschellten Jahre* (1984, *Farewell to the Shattered Years*). The protagonist, Mamo, is a second-generation immigrant in Germany, or even a 2.5-generation immigrant, for his parents have come to Germany at a young age. He is struggling with an identity problem, because he regards Germany as his home, but he is deemed to be a foreigner in the eyes of ethnic Germans and is required to leave Germany by the immigration office after he loses his job. Mamo does not want to think about his nationality or identity, but he is forced to do so, because he encounters such questions from ethnic Germans very often. Once he attempts to avoid a question about his nationality by answering that he is American “just because” (Biondi 26). But when he is asked again, he says that he is American, because Americans defend their freedom with guns (Biondi 26). This answer indicates Mamo’s resentment and frustration that he cannot make people see that he is German inside, and although he was born and raised in Germany, he cannot be German. Another time, Mamo is irritated by this question, because he speaks exact-

ly like ethnic Germans, but Germans still question his nationality just because he does not look German. He believes that they want to know his nationality, because in doing so, they can position clichés on him and alienate him (Biondi 82). This time, Mamo answers that it does not matter what his nationality is, but if people must know, he is German (Biondi 82–83). However, although Mamo seems to be sure that he is German, the questions from ethnic Germans make him doubt his identity gradually and affect his confidence. Mamo cannot stop thinking about his foreign identity, and there are nights when he dreams that he finds himself standing in front of a mirror and studies his face to be sure who he is (Biondi 46). Yet, his appearance can only confuse him more, for his look is probably the main reason why he is treated as a foreigner. At the end of the novella, Mamo shoots a German officer, because he “refuses to return to his parents’ country, a no man’s land to him” (Fachinger 25). Petra Fachinger notes that

[d]efending [Mamo’s] territory, he kills an official representative of the country that refuses to function as his “fatherland.” By denying renewal of a residence permit to Mamo, who was born and raised in Germany and does not speak any language other than German, the authorities also deny him the right to speak his mother tongue. Metaphorically, when Mamo takes aim at the heart of the police officer, he fires at the “heart” of the German language. (25)

If the German language is a representation of German identity, then Mamo also kills his German identity. Therefore, Mamo, a representative of second-generation immigrants, does not feel foreign at first, but he is forced to feel foreign by ethnic Germans, and consequently, loses his German identity.

This alienation may also result in the lack of willingness to naturalize, which is another reason for the low naturalization rate in Germany. When naturalization is not able to offer immigrants enough social, political, and legal advantages, or in other words, when immigrants do not see a benefit in the cost-benefit distribution, immigrants are unlikely to choose naturalization. For example, immigrants from the EU and the former Yugoslavia “see a possibility for steady upward mobility and social assimilation from generation to generation” (Diehl and Blohm 138), and being foreign does not hinder their economic pursuance. Therefore, these immigrants barely feel inferior to German citizens. As a result, “the possibility of changing formal group membership through naturalization is no longer appealing to [them]” (Diehl and Blohm 139).

As I pointed out in chapter 3.2, German national identity mainly consists of the German *Kultur* and *Volk*; thus it is possible that the intolerance to foreign cultures Şenocak observes is a result of protecting German identity. Consequently, hyphenated Germans are likely to have a double identity, because, on the one hand, they are born and raised in Germany, attend German schools, and know Germany better than their country of origin; but on the other hand, they are constantly reminded of their foreign origin, and continue to be considered as foreigners and labeled as immigrants. In Şenocak's essay "Dialog über die dritte Sprache: Deutsche, Türken und ihre Zukunft" ("Dialogue about the Third Language: Germans, Turks, and Their Future") in his book *Atlas des tropischen Deutschland* (1992, *Atlas of the Tropical Germany*), he tells a story about the struggle of a Turkish German's self-identification. A newspaper girl asks the protagonist, a Turkish German who travels in Turkey, if he is German or Turkish. As he hesitates, the girl answers for him that he is neither nor, but the protagonist corrects her that he can also be both (85). Then the girl asks him where his home (*Heimat*) is, which makes him hesitate again (85). Later the protagonist explains that depending on the "game plan," Turkish Germans are sometimes more German than the Germans, and some other time more Turkish than the Turks (89). This essay demonstrates a clear double identity, in which neither identity is stronger than the other. In a naturalization speech of a Zambia woman, the woman said: "Today, two hearts are beating in my chest. The Zambian one and the German one" (qtd. in Jakob 301). In another naturalization ceremony, the mayor of Berlin's Mitte acknowledged this double identity, stating:

Unfortunately, there is no plural for *Heimat* in German. *Heimat* only exists in the singular. Actually, this word doesn't describe the attitude towards life of many of our people. Because they generally have, many of those who immigrated, two "Heimate," if I may say so, however grammatically incorrect. (qtd. in Jakob 305)

The mayor's speech not only suggests that naturalized citizens often have a double identity, but also naturalization is still a very new concept in Germany, because the plural sense of home does not exist in the German language or German culture, as the German language is an essential part of German culture. Therefore, naturalization also challenges German culture to some extent.

However, other literary works do demonstrate a "neither/nor" self-identification. For example, in Terézia Mora's novel *Day In Day Out* (2007, original title *Alle Tage* [2004]), the protagonist Abel Nema, a Yugoslavian refugee in Germany, loses his identity completely in

the end. Although Abel is only a refugee, he falls into the categorization of permanent immigrant, for he is highly educated, and he has to stay in Germany permanently due to his country's disintegration. During his residence in Germany, Abel has not gained any German identity, and he has lost his Yugoslavian identity, for his former country does not exist anymore. Even Abel's name suggests that he has no home — "Nema, the mute, related etymologically to the modern Slav word for German, though originally for any non-Slav language or people, for the mute neighbors or, to put it differently, the barbarians" (Mora 10). Therefore, the protagonist's name can be read as "Abel the Barbarian," a person with no sense of belonging.

Abel's lifestyle in Germany also demonstrates that he has no identity. He seldom speaks, although he is a genius who masters ten or twelve languages. As the novel describes his language skills, "to such perfection that you'd never believe he'd acquired most of his knowledge in the language lab, from tapes That's why everything he says is so . . . *placeless*, so uniquely clear — no accent, no dialect, nothing: he speaks like a person who comes from nowhere" (Mora 10; emphasis in original). His lack of communication and connection with other people results in his almost non-existence: he has no friends (Kinga, probably the only person who sees Abel as a friend, commits suicide in the end), has no job (or freelanced, as he himself describes it), has moved five times, and is constantly lost in the city or has no destination of where he wants to go. In this sense, Abel lives in a vacuum where no one or nothing could result in his Germanization. Moreover, Abel does not have valid papers in Germany. His passport has expired and the country no longer exists, and his student visa for Germany has expired as well. As a result, there is no way to prove his existence. In his and Mercedes's first attempt to divorce, the judge decides that she cannot divorce a person who does not exist.

The only time Abel speaks much and acts "[p]olite," "friendly," "charming," and not "distant" (Mora 316) is when the police comes to investigate if the marriage between him and Mercedes is fictive. Since Abel in fact only marries Mercedes for the papers, he has to pretend and persuade the police that their marriage is real in order to stay legal. In the performance, Abel becomes a completely different person — he calls Mercedes darling, walks confidently, speaks in a nonchalant tone, and tells sweet details of their married life. Everything he does in the pretense gives Mercedes the impression that "something [is] *not quite right* about him," for "[h]e's plausible to the point of implausibility" (Mora 316; emphasis in origi-

nal). Abel's performance can be read as a demonstration that he has no identity of his own; thus he can only act out an identity in pretense. In other words, only in a performance does he know who he is.

At the end of the novel, Abel and Mercedes are finally divorced, which means Abel has no legal status in Germany anymore. In addition, Abel has lost his ten or twelve languages (probably the only thing he has ever had), and he has forgotten his own name. In a way, Abel has become nothing after years of residence in Germany — he is not a German or a Yugoslav (for there is no Yugoslavia); he has no job, no friends, and no abilities.

Although the interpretations of immigrants' identity are quite different in Şenocak and Mora's works ("both" and "neither/nor"), they have something in common, namely, that their newly gained German identity (if at all) does not prevail over their original identity. Also, immigrants show doubts about their identity. Therefore, absolute assimilation is not possible in Germany.

4.3.3. Comparison and Reflection

The main difference between the U.S. and German citizenship policies is that U.S. citizenship follows the *jus soli* principle, while German citizenship follows the *jus sanguinis* principle. Because of economic needs and both domestic and international pressures, Germany has gradually adopted a *semi jus soli* principle, which demonstrates Germany's attempt to relax its citizenship regulations but at the same time its concerns for the consequences, as Germany, regardless of the high immigrant ratio, is still not willing to be an immigration country.

Despite the difference in principle, the naturalization policies of the two countries are similar, with Germany being slightly stricter. Table 4.8 shows a comparison of the two countries' naturalization requirements for an adult foreign-born immigrant who is not the spouse of a national. From the table, the only visible differences are the length of residence before naturalization and the renunciation of former citizenship, which make the German naturalization policy only three years stricter in theory if the applicant is willing to renounce his or her former citizenship. However, the ratio of the naturalization rate in the United States to that in

Table 4.8

Comparison of Naturalization Requirements between the United States and Germany

	United States	Germany
Residence Length	5 years	8 years
Permanent Resident	Yes	Yes
Language Requirement	Yes	Yes
Naturalization Test	Yes	Yes
Law-Abidingness	Yes	Yes
Renunciation of Former Citizenship	Not specified (read as no)	Yes (with exceptions)

Germany in 2013 is 31.3 to 1 (47% to 1.5%), which demonstrates that naturalization in Germany is much more difficult in practice. This difference in naturalization rate demonstrates that although the United States and Germany have similar naturalization policies, different immigration policy models may lead to different results in practice.

Apart from the practical difficulty to naturalize in Germany, another possible reason for the grave contrast in naturalization rate is immigrants' willingness to be naturalized. Although both countries have the intention to make immigrants adopt the culture of the host society, which may lead to the process of assimilation, assimilation in the United States goes both ways (as in the sense of acculturation), while it is only one-way in Germany (as a consequence of Germany's ethnocultural concern). In other words, Anglo-American culture highly influences immigrants' lifestyles, but at the same time, foreign cultures have a strong impact on American society as well. In addition to a strong political sense in American national identity, immigrants in the United States are more likely to have a feeling of belonging and choose to be naturalized. In comparison, the strong cultural sense in German national identity makes the integration process only a one-way street to Germanization, which makes immigrants remain foreign regardless of the length of their residence, and this may weaken their willingness to be naturalized. The difference in assimilation outcomes between the United States and Germany suggests that even the same attempt of the country can have different outcomes in different societies, and in this particular case, the assimilation outcomes in the

United States and Germany are different because of the difference in the cognition of national identity between the two countries. Moreover, the acquiescence of keeping their former citizenship in the United States may also help immigrants decide to be naturalized.

Also because of the different perceptions of national identity, Americans and Germans have different perceptions of who “we” are and who “they” are. In other words, the term native-born Americans means those who were born in the United States, while the term native-born Germans has the connotation of having German origin or blood. As a result, second- and third-generation immigrants in the United States are starting to be regarded as Americans by native-born Americans, which accelerates their Americanization, whereas second- and third-generation immigrants in Germany are still considered to be foreigners, which creates their double identity or no identity at all.

First-generation immigrants of both countries show similar signs of double identity as literary works such as *The Namesake* (Lahiri), *Typical American* (Jen), “Caroline’s Wedding” (Danticat), *Atlas des tropischen Deutschland* (Şenocak), and *Deutschsein* (Being German, Şenocak, 2011) describe. They gradually adopt the new culture, but the culture of their country of origin remains. In other cases, as *Day In Day Out* (Mora) shows, the confusion over their identity overwhelms immigrants’ self-identification. Consequently, immigrants may lose their identity completely. However, second-generation immigrants in the two countries have different feelings of belonging, largely due to the identification by natives as I explained above. Second-generation immigrants in the United States demonstrate a strong sense of Americanization, for they are likely to identify themselves as Americans rather than descendants of their country of origin, notwithstanding what others identify them to be. Under certain circumstances, second-generation immigrants also show the potential to rediscover their other identity (identity of their country of origin). This means that although second-generation immigrants are almost fully assimilated and Americanized, identity of their country of origin is not lost but concealed. On the contrary, second- and even third-generation immigrants in Germany still tend to hold on to their foreign identity while gaining their German identity, and thus creating a double identity. These two identities coexist, and one identity is not stronger than the other. In this sense, second-generation immigrants in the United States are in a higher state of integration. This, again, may relate to the understanding of national identity among citizens with immigrant background and the acceptance of citizens with

immigrant background in the society based on the understanding of national identity, which suggests that the same immigrant situation has different consequences.

5. Return to Sender?: Illegal Immigration

“Everything we eat today is picked and created by undocumented immigrants, to a large extent. Every time we go and move into a building, a lot of those buildings are built by undocumented immigrants’ hands.”

— Arnold Schwarzenegger (qtd. in Schrag 186)

According to Frank D. Bean and B. Lindsay Lowell, the term “immigration” has a legal sense (70). Therefore, people should not be identified as immigrants if they enter a foreign country without the approval of the national government or if they overstay their visas in a foreign country. Rather, they are to be identified as “international migrant[s]” (Bean and Lowell 70). However, an international migrant can be regarded as an immigrant through “processes of settlement” (Bean and Lowell 70) even when the settlement is illegal. In this sense, the term “international migrant” can be replaced by the term “illegal immigrant.” Since “illegal” and “immigrant” seem to be contradictory, this term, to a large extent, highlights the ambivalence of the role of this population.

The term “illegal immigrant” also raised a terminology debate in the United States some years ago, especially among the Latino population. Jose Antonio Vargas, a Pulitzer Prize-winning journalist, restarted the debate in 2011 when he published an article in *The New York Times Magazine*, revealing his status as an undocumented immigrant. He “pushed for media to drop the term ‘illegal immigrant’ . . . arguing that the modifier is offensive and inaccurate because it criminalizes people rather than their actions” (Planas, “Jose”). Vargas asked *The New York Times* and *The Associated Press* to change their policies of using the term “illegal immigrant” (Planas, “Jose”). In response, Margret Sullivan, *The Times*’s public editor, wrote a blog and quoted Philip B. Corbett, the associate managing editor for standards at *The Times*, that

in referring in general terms to the issue of people living in the United States without legal papers, we do think the phrases “illegal immigrants” and “illegal immigration” are accurate, factual and as neutral as we can manage under the circumstances. It is, in fact, illegal to enter, live or work in this country without valid documents. Some people worry that we are labeling immigrants as “criminals” — but we’re not. “Illegal” is not a synonym for “criminal.” (One can even park “illegally,” though it’s not a criminal offense.)

Proposed alternatives like “undocumented” seem really to be euphemisms — as though this were just a bureaucratic mix-up that can easily be remedied. Often those phrases seem deliberately chosen to try to soften or minimize the significance of the lack of legal status. We avoid those euphemisms just as we avoid phrases that tend to cast a more pejorative light on immigrants. For example, we steer clear of the shorthand “illegals” and also the word “aliens,” both of which we think have needlessly negative connotations. (“Is ‘Illegal’”)

As for herself, Sullivan explained that “I’ve said I would be happy to hear him out. I should note that, as public editor, I don’t make Times policy on such things. However, I could, at some point, take a stand. At this point, I don’t know enough” (“Is ‘Illegal’”). However, after some weeks, she posted another blog and decided not to support Vargas’s stand. She wrote:

After all the buildup, my weighing in may seem anticlimactic, because I see no advantage for Times readers in a move away from the paper’s use of the phrase “illegal immigrant.”

It is clear and accurate; it gets its job done in two words that are easily understood. The same cannot be said of the most frequently suggested alternatives – “unauthorized,” “immigrants without legal status,” “undocumented.” Undocumented, as the immigration reporter Julia Preston noted in an interview with me, has “a new currency” because of a federal policy change involving immigrants who came here as children 15 and under, so the word may be useful in that context.

Just as “illegal tenant” in a real estate story (another phrase you could have seen in Times articles or headlines) is brief and descriptive, so is “illegal immigrant.” In neither case is there an implication that those described that way necessarily have committed a crime, although in some cases they may have. The Times rightly forbids the expressions “illegals” and “illegal aliens.” (“Readers”)

On the other hand, Lawrence Downes, who is also a member of *The New York Times* editorial board, empathized with Vargas. He wrote in his blog:

I use “illegal” somewhat interchangeably with “undocumented,” recognizing that both words are imperfect. I also use “unauthorized,” which is unfamiliar and a little clunky, but has a distinct advantage: while it acknowledges the unlawfulness of someone’s immigration status, it also recognizes that this status can be fixed.

This is where “illegal” causes the most trouble, and where I find myself empathizing with Mr. Vargas. What bothers both of us is the way “illegal” in “illegal immigrant” defines an entire person, not merely an unlawful act. It taints everything that person does, and suggests an irreparable offense. How do you legalize an illegal person?

...
And if immigrants are “illegal,” then it follows that they don’t deserve legal protections. You can do anything you want to them — abuse them, insult and berate them, arrest and detain them, split up their families — because their “illegality” severs them from any rights. That’s the argument used in Arizona and Alabama,²⁹ and it has the advantage of being easy to understand.

In addition, many media outlets have stopped using the term “illegal immigrant.” For example, *Huffington Post* standards editor Adam Rose notes that

HuffPost generally uses “undocumented immigrant” and hasn’t been using “illegal immigrant” since at least 2008, when we decided to avoid the term because it carried an unnecessary political charge. . . . Our editors realized that there are other good and concise phrases that describe the same group of people. In fact, “undocumented immigrant” is more concise than using what most people really mean: “alleged illegal immigrant.” It’s also more precise because it indicates the specific issue with their immigration status. We wouldn’t call an unlicensed driver an “illegal driver,” as that could mean any number of things. (qtd. in Costantini)

Director of public relations of CNN, Bridget Leininger, also states that “CNN has been discussing this matter for some time and we have been evolving our style. CNN generally

²⁹ I will elaborate on the two acts against illegal immigration introduced in Arizona and Alabama in 5.1.

prefers the term ‘undocumented immigrant’ when referring to a [sic] individual. The terms ‘illegal or illegals’ are not used as nouns. As a general term for the issue, however, illegal immigration is used” (qtd. in Costantini).

To reach Latino audiences, it is also necessary to avoid the term “illegal immigrant.” Cristina Costantini points out that

[i]n many newsrooms where Latinos have a seat at the table, the term “illegal immigrant” has been dropped. NBC, which started NBC Latino this year, dropped the term. ABC, which is part of our new partnership with Univision, dropped the term. CNN, after making recent Latino hires, announced that they prefer to use “undocumented.” The Miami Herald and the San Antonio Express-News, which both have a large Hispanic readership, have dropped the term. Even Fox News, a cable channel viewed by the public to be the most conservative network in a 2009 Pew survey, took a step in the same direction when it dropped illegal in favor of “undocumented” on their Fox News Latino site.

The demand for changing the term “illegal immigrant” into “undocumented immigrant” is also supported by Schuck’s theory. Schuck points out that illegal immigration “may reasonably be regarded by citizens as a socially efficient offense (i.e., one whose aggregate social benefits exceed its social costs) or even a Pareto-superior offense (i.e., one that makes at least some people better off and no one worse off)” (“Law” 250). Therefore, illegal immigration, to a large extent, is a “victimless offense” (Schuck, “Law” 251). Consequently, illegal immigration is ambiguous, because “[m]ost undocumented immigrants are . . . law-abiding, future-oriented individuals who work hard, attend church, raise strong families, surmount daunting obstacles, love their new country, and exemplify many of our cherished social ideals” (Schuck, “Law” 251), which makes “any punishment” or “strict enforcement” of immigration control policy “pointless, oppressive, [or] even inhumane” (Schuck, “Law” 251).

The use of the term “illegal immigrant” has even become a symbol to show that the person using it is against illegal immigration. During the 2012 presidential campaign, President Obama, who was promoting his immigration reform to offer a pathway to citizenship for the eleven million undocumented immigrants, avoided the term “illegal immigrant” and “referred to immigrants without legal residency as ‘undocumented workers’” (Planas, “Illegal”). In contrast, his opponent, Mitt Romney, who was strongly against illegal immigration, used the term “illegals” to refer to undocumented immigrants “as he defended the concept of ‘self-deportation’ [sic, self-deportation³⁰]” (Planas, “Illegal”).

³⁰ By self-deportation Romney meant that if undocumented immigrants could not obtain the benefits they thought they would in the United States, they would choose to leave and go somewhere else to pursue the benefits.

The debate over whether the term “illegal immigrant” is the proper term to describe this population, similar to Bean and Lowell’s argument, mirrors the ambivalence of illegal immigration. Also due to the possible ambiguity of the term, I will use the term “undocumented immigrant” to refer to this population. However, the references I use may include the term “illegal immigrant.” Authors of these articles or books do not necessarily intend to send a negative connotation unless otherwise specified.

Despite most undocumented immigrants’ law-abidingness, it is possible that some undocumented immigrants are related to crimes or terrorism. Since these people are undocumented, the government has no record of them. Consequently, they are difficult to detect and they pose a grave danger to the country’s security. In addition, undocumented immigrants are directly or indirectly responsible for crimes such as tax evasion of their employers, even though they are usually the victims in this equation.

Friedrich Heckmann summarizes three basic forms of illegal immigration (fig. 5.1). The first form (illegal crossing of a border) is the easiest for the police to detect, while the latter two forms are very hard to control.

Fig. 5.1. Basic Forms of Illegal Immigration

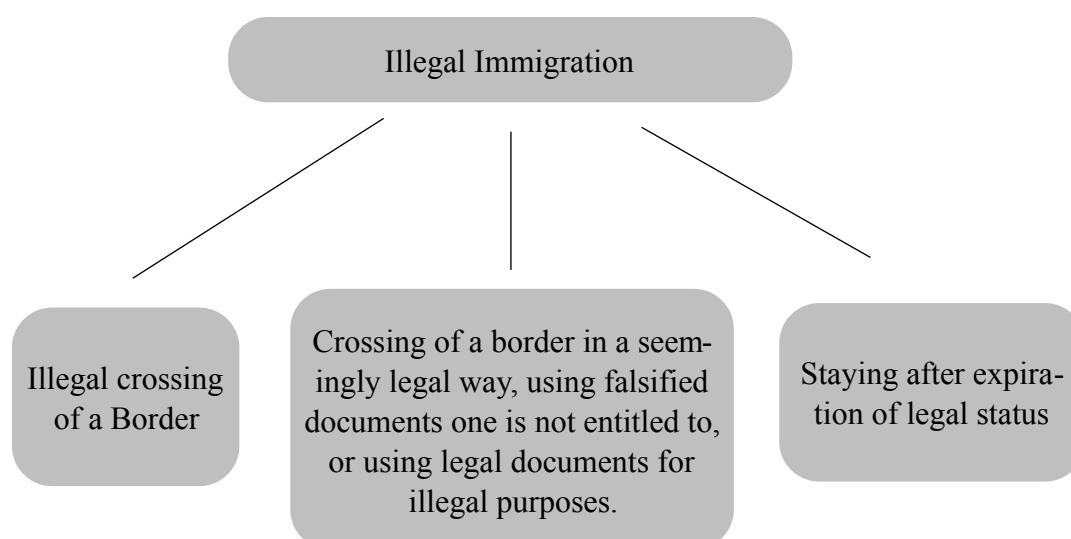


Fig. 5.1. Friedrich Heckmann, “Illegal Migration: What Can We Know and What Can We Explain? The Case of Germany”; *International Migration Review* 38.3 (2004; 1106; Web; 19 Nov. 2012; PDF file).

5.1. Illegal Immigration in the United States

The problem of illegal immigration in the United States is quite severe. An obvious conflict illegal immigration results in is the assumption that undocumented immigrants take over jobs that could have been given to U.S. citizens. However, this assumption might as well only be a stereotype or a right-wing argument. The Federation for American Immigration Reform (FAIR) points out that almost eight million jobs are offered to undocumented immigrants, because they are willing to receive lower wages due to their illegal status (“Illegal Aliens”). As a result, U.S. citizens lose a great number of jobs, many of which are wanted positions by U.S. citizens, because undocumented immigrants “are working in jobs in which U.S. workers are also employed — whether in construction, agricultural harvesting or service professions” (“Illegal Aliens”). Furthermore, FAIR states that “illegal immigrants are a significant fiscal burden on local communities” (“The Cost”), because they drag the wages of U.S. workers down, and their dependents, who do not contribute to the U.S. economy, also use public resources such as education, medical services, and incarceration.

FAIR is indeed a right-wing organization aiming at “[ending] illegal immigration” and “[setting] legal immigration at the lowest feasible levels consistent with the demographic, economic, social, and environmental realities” (Anti-Defamation League 2). The Anti-Defamation League (ADL) accuses FAIR of promoting nativism and xenophobia and being extremely hostile to immigrants (15). However, FAIR’s view is supported by some scholars. Peter Morici, economist at the University of Maryland claims that immigrants “have captured all of the nearly 9 million jobs created since 2000 [, and] [i]llegal immigrants hold many of these positions” (qtd. in Greenberg). In addition, the director of research at the Center for Immigration Studies, Steven A. Camarota, points out that the Bureau of Labor Statistics “shows that, as of November [2014], there were 1.5 million fewer native-born Americans working than in November 2007, while 2 million more immigrants (legal and illegal) were working. Thus, all net employment gains since November 2007 have gone to immigrants.”

There are also counterarguments to FAIR’s statements. Maria E. Enchautegui, senior research associate at the Urban Institute, argues that “larger employment gains don’t necessarily mean that immigrants are displacing U.S.-born workers,” because they might not compete for the same job. She further explains that “many of these immigrants are unauthorized and

do not speak English well. As such, they tend to work in different occupations than U.S.-born workers — often, occupations that require little interaction with the public, that do not require licensing, and that do not require supervisory skills.” The Center for American Progress even suggests that if undocumented immigrants are granted legal status, they can drive the economy and create jobs (Lynch and Oakford). A study by the Center for American Progress in 2013 sets up three reform scenarios (fig. 5.2) and concludes that the faster undocumented

Fig. 5.2. The Nature and Timing of Immigration Reform Matters

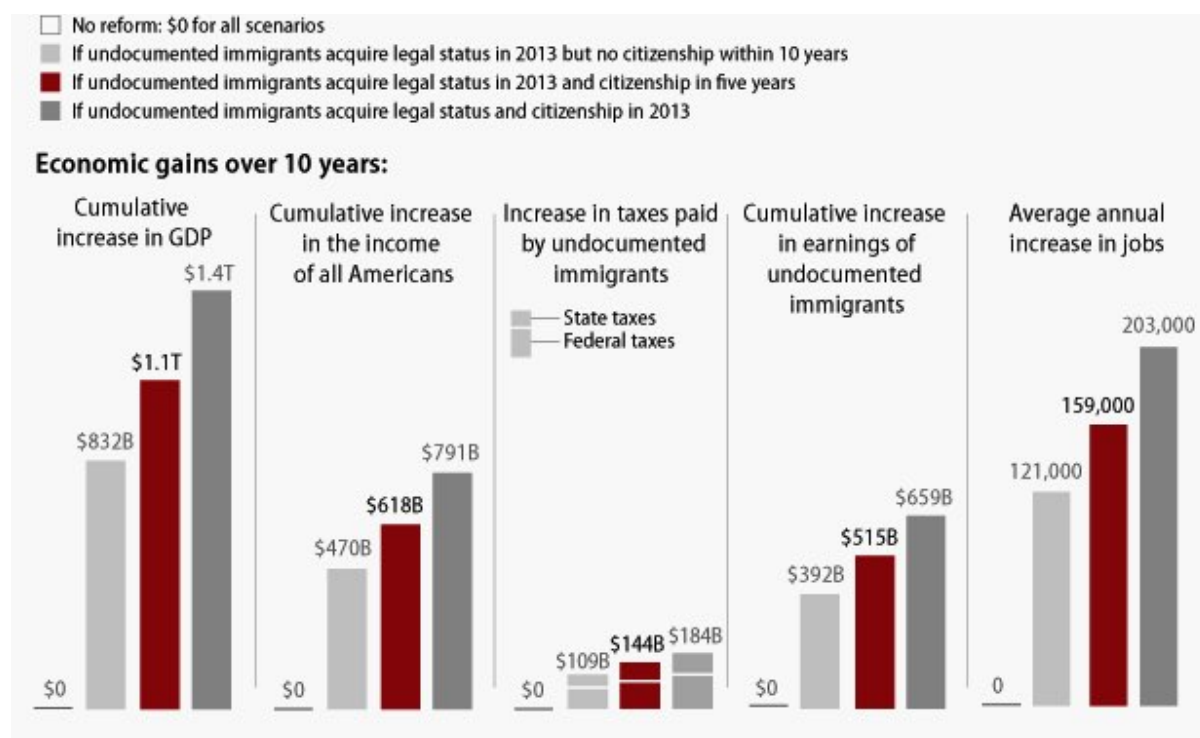


Fig. 5.2. Robert Lynch and Patrick Oakford, “The Economic Effects of Granting Legal Status and Citizenship to Undocumented Immigrants” (Center for American Progress, 20 Mar. 2013; Web; 20 Aug. 2015).

immigrants gain citizenship, the more the country will benefit. The reasons for this economic benefit can be that

[p]roviding a road map to citizenship to undocumented immigrants gives them legal protections that raise their wages. It also promotes investment in the education and training of immigrants that eventually pays off in the form of higher wages and output; grants access to a broader range of higher-paying jobs; encourages labor mobility which increases the returns on the labor skills of immigrants by improving the efficiency of the labor market such that the skillsets of immigrants more closely match the jobs that they perform; and makes it more possible for immigrants to start businesses and create jobs. (Lynch and Oakford)

The debates on whether undocumented immigrants are a burden and whether they take away jobs suggest that illegal immigration per se does not necessarily create a problem for

the country (for they might not be a burden and might not take away citizens' jobs), but it does result in a conflict between the two sides holding different opinions and a conflict between people who are against illegal immigration and undocumented immigrants themselves. Therefore, it is still valid to say that illegal immigration is a "problem" in the United States.

An estimate in 2011 shows that there are roughly 11.5 million undocumented immigrants in the United States (Hoefer et al. 1), most of whom entered the country from Mexico, and approximately 60 percent of all undocumented immigrants are Mexicans (Bean and Lowell 71). Therefore, the U.S.-Mexico border becomes the focus of the U.S. Border Patrol, and the word "Mexican" becomes almost a synonym of undocumented immigrant (Schrag 195), which is unfair to legal Mexican immigrants. The connection between "Mexican" and "illegal" negatively influences the life of Mexican immigrants, because the police often judge people's immigration status by the color of their skin, and they are likely to interrogate people who look Mexican. Also, Bean and Lowell criticize that "policymakers often focus on . . . unauthorized Mexican migration in particular but pay little heed to legal Mexican immigration" (72).

There was "a tremendous increase of illegal migration" ("Border") to the United States in the 1980s and 1990s, because industrialization gradually eroded "the economic viability of small-scale agriculture in Mexico" (Bean and Lowell 74). Moreover, despite an increase in the gross domestic product, "those who shared only marginally in the overall [Mexican] economic growth" had "inadequate opportunities" to change their poverty situation, for income distribution was highly inequitable since it favored "upper-income families" (Bean and Lowell 74). In response to this increase in illegal immigration, the U.S. Border Patrol continually increased "manpower and the implementation of modern technology" ("Border") — the "number of Border Patrol agents rose from 3,965 in September 1993 to 12,349 in September 2006" (Cornelius and Salehyan 142), and "[a]pproximately 70 miles of the border were fenced" (Cornelius and Salehyan 142), accompanied by "remote video surveillance systems, infrared monitors, [and] seismic sensors" (Cornelius and Salehyan 142). The United States also raised the annual budget for the Border Patrol at the U.S.-Mexico border — "it leapt from about \$250 million a year in the early 1990s to \$1.6 billion a year in the early 2000s" (Martell-Gámez). In 2006, the Bush administration tried to install a "virtual fence" which consists of surveillance technology along the 1,979-mile border (Aradas), but after

spending \$1 billion, which is only adequate to cover 53 miles of border (Aradas), the project was dropped.

Not all undocumented immigrants through irregular crossing of the U.S.-Mexico border are Mexican nationals. According to Robin Reineke and Daniel E. Martínez, “[f]rom 2000 till 2011, Mexican nationals accounted for 86 to 98 per cent of all Border Patrol apprehensions along the south-western [U.S.-Mexico] border. In 2012, however, 27 per cent of the Border Patrol’s apprehensions were non-Mexicans, and in 2013 that percentage rose to 36” (48). Figure 5.3 shows the migratory flows from Central America through Mexico to the United

Fig. 5.3. Migratory Flows from and through Mexico to the United States South-Western Border



Fig. 5.3. Robin Reineke and Daniel E. Martínez, “Migrant Deaths in the Americas (United States and Mexico)”; *Fatal Journeys: Tracking Lives Lost during Migration* (Geneva: International Organization for Migration, 2014; Web; 48; 21 Aug. 2015; PDF file).

States. Because of the clash between migratory flows and the United States’ enforcement of border patrol, irregular crossing of the U.S.-Mexico border has become extremely risky. Reineke and Martínez note that

[these migrants] suffocate in cargo compartments of commercial trucks; they drown in irrigation canals or rivers; they die in motor vehicle accidents or are struck by vehicles as they attempt to cross busy highways on foot; they fall to their deaths from mountain cliffs, and they freeze to death in the mountains of Arizona and California. Some are likely killed by human or drug smugglers A small but concerning number have died at the hands of the United States Border Patrol in isolated incidents The vast majority of migrants who have died on the US side of the border with Mexico perish from heat stroke and dehydration in the deserts of the south-west. (52)

Figure 5.4 shows the number of south-western apprehensions and the number of migrant deaths across the south-western border between 1998 and 2013. Although the number of apprehensions has the tendency to decrease, the number of deaths remains. Therefore, illegal immigration not only causes conflict in the receiving country, but the journey to illegal immigration can be fatal to migrants themselves.

Fig. 5.4. Migrant Deaths Recorded by the United States Border Patrol Relative to Apprehensions on the South-Western Border, Fiscal Year 1998–2013

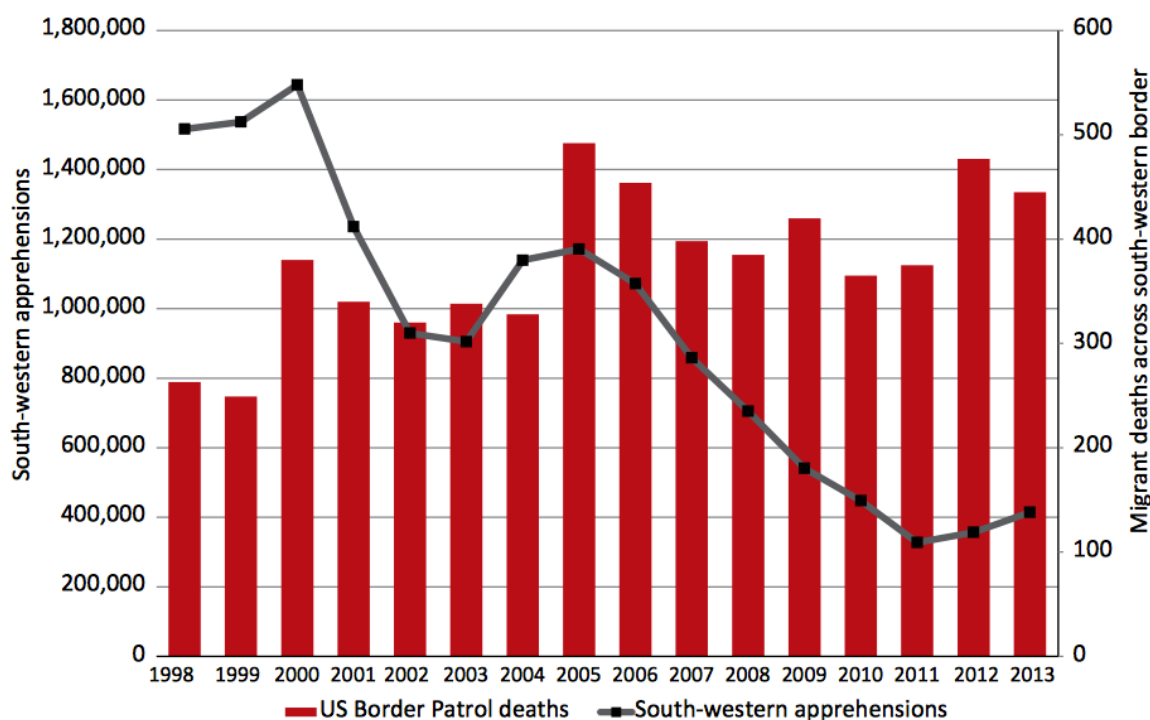


Fig. 5.4. Robin Reineke and Daniel E. Martínez, “Migrant Deaths in the Americas (United States and Mexico)”; *Fatal Journeys: Tracking Lives Lost during Migration* (Geneva: International Organization for Migration, 2014; Web; 54; 21 Aug. 2015; PDF file).

It is arguable whether the enforcement of border control is effective. The Center for Immigration Studies (CIS) once claimed that “a significant drop in apprehensions of illegal immigrants” has taken place since Operation Hold the Line in El Paso started in 1993 and Operation Gatekeeper in San Diego were introduced in 1994 (Clayton). However, statistics of ille-

gal immigration show that border enforcement seems to have failed to limit illegal immigration, because notwithstanding an increase in Border Patrol personnel and annual budget, the number of undocumented immigrants increased rapidly — from 2.5 million in 1990 to 11.1 million in 2005 (Bean and Lowell 71). Secretary of Homeland Security Janet Napolitano once described the problem of border control: “You show me a 50-foot wall and I’ll show you a 51-foot ladder at the border. That’s the way the border works” (qtd. in Lacey). Yet, Bean and Lowell argue that border enforcement might be effective, though people do not feel this way, because many of the undocumented immigrants entered the country “through legal means (subsequently overstaying their visas) or by using counterfeit document” (80).

Besides the U.S. government’s efforts spent on U.S.-Mexico border control, various acts against illegal immigration were also enacted. The Immigration Reform and Control Act of 1986 (IRCA), also known as the Simpson-Mazzoli Act, amended the Immigration and Nationality Act (INA), providing for “tighter border enforcement and criminal penalties for employers who knowingly hired undocumented workers” (Schrag 166). Section 1324a of the current INA states that “[i]t is unlawful for a person or other entity to hire, or to recruit or refer for a fee, for employment in the United States an alien knowing the alien is an unauthorized alien,” and it is also unlawful to “continue to employ the alien in the United States knowing the alien is (or has become) an unauthorized alien with respect to such employment” (8 USC. Sec. 1324a). The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) not only included stricter border patrol methods and “tougher deportation procedures” (Schrag 174), but it also prohibited “illegal aliens from getting in-state tuition breaks to state colleges and universities not also granted to legal residents of other states” (Schrag 174). After the 9/11 attacks, the Bush administration passed the REAL ID Act in 2005 out of fear of terrorism. Statute 313 prohibited states from issuing driver’s licenses, the *de facto* ID card of the United States, to undocumented immigrants (Schrag 175).

At the state level, California enacted Proposition 187 in 1994, which prohibited undocumented immigrants from receiving public social services and publicly funded health care, excluded them from public elementary and secondary schools and public postsecondary educational institutions, and reinforced deportation policies. This proposition was so conservative that it was criticized by journalists who held a more liberal view. *The Los Angeles Times* published an article titled “Kemp’s Prop. 187 Stance a Courageous ‘Act of Stupidity,’” and it

contains phrases such as “unfashionable,” “potentially embarrassing,” “fool,” “bad idea,” and “fundamentally flawed” to describe Proposition 187 (Parsons), and *The New York Times* also saw Proposition 187 negatively, publishing an article named “Why Proposition 187 Won’t Work” on November 20, 1994. In Oklahoma, the “Oklahoma Taxpayer and Citizen Protection Act of 2007 made it a felony to ‘harbor, transport, conceal or shelter unauthorized immigrants’ (Schrag 181). In Arizona, the state denied businesses the license of enterprise which employ undocumented immigrants (Schrag 181), and the harsh Arizona Senate Bill 1070 (Arizona SB 1070), enacted in 2010, “expanded the powers of state police officers to ask about the immigration status of anyone they stop, and to hold those suspected of being illegal immigrants” (“Arizona”). In addition, the law made it illegal to “not carry immigration papers” (“Arizona”). Alabama passed an even tougher act than the Arizona SB 1070. The Hammon-Beason Alabama Taxpayer and Citizen Protection Act (Alabama HB 56) included a similar provision to the one in the Arizona SB 1070, “authorizing state and local police officers to ask about the immigration status of anyone they stop based on a ‘reasonable suspicion’ the person is an illegal immigrant” (Preston, “In Alabama”). However, “reasonable suspicion” is not always reasonable. In other words, this law gives authorities the right to judge people by their skin colors and discriminate against anyone who looks Mexican. Moreover, “[i]t bar[red] illegal immigrants from enrolling in any public college after high school [, and] [i]t oblige[d] public schools to determine the immigration status of all students, requiring parents of foreign-born students to report the immigration status of their children” (Preston, “In Alabama”). *The New York Times* called the Alabama HB 56 “Alabama’s Shame” in its editorial on October 3, 2011, and *The Christian Science Monitor* questioned this act, asking whether it created a “humanitarian crisis” (Jonsson).

Despite a series of acts aiming at dealing with undocumented immigrants, the United States is still quite tolerant of illegal immigration. Because the United States is a *jus soli* country, U.S.-born children of undocumented immigrants automatically gain U.S. citizenship and become U.S. citizens. These children are referred to as “anchor babies”³¹ among people who are against illegal immigration, and they “may instantly qualify for welfare and other

³¹ The Latino population in the United States tends to reject the term “anchor baby,” because, like “illegal immigrant,” they think this term is not a description of the action, but rather a discrimination against these people. Donald Trump, 2016 Republican presidential campaign front-runner, used the term “anchor baby” and refused to drop the term when an ABC news reporter reminded him of its offensiveness. Trump was strongly against illegal immigration in the campaign, and he even intended to reject citizenship of children born in the United States to undocumented immigrants.

state and local benefit programs” (“Birthright”). In addition, “with the passage of the 1965 Immigration and Nationality Act, the child may sponsor other family members for entry into the United States when he or she reaches the age of twenty-one” (“Birthright”). Also, even children with illegal status in the United States have the possibility to acquire equal public services as U.S. children and foreign children with legal status. For example, in the case of *Plyler v. Doe*, the Supreme Court overruled a Texas statute which denies public educational funding for children who could not prove their legal status in the country and allows public school districts to charge them \$1,000 annual tuition fee, because, “the Court ruled, all residents of the United States were entitled to equal protection of the law” under the Fourteenth Amendment (Schrag 165). Furthermore, the IRCA of 1986 “extended amnesty . . . to illegal residents who could document that they had been working in the United States for at least five years, [and] pressure from agriculture opened amnesty to anyone who could show he or she had done ninety days of farm work in the year before May 1, 1986” (Schrag 166). In late 2011, the U.S. Court of Appeals for the Eleventh Circuit blocked portions of the Alabama HB 56 (Belczyk), and in 2012, the U.S. Supreme Court rejected most of the Arizona SB 1070 (“Arizona”). In 2013, Barack Obama proposed an immigration reform plan that offers a pathway for the eleven million undocumented immigrants to earn citizenship. This proposal, similar to the IRCA of 1986, gives an opportunity to those who have contributed to the country’s development to gain their legal status.

At the state level, California’s Proposition 187 is considered to be a discrimination against Mexican immigrants in particular, because the number of undocumented immigrants from Mexico in California is larger than that from any other country. Some scholars argue that “Proposition 187 turned persons who ‘look Mexican’ because of the color of their skin into potential victims of racial discrimination” (Bustamante 10). After some hearings, a court-approved mediation ended Proposition 187 (“CA’s”). Eleven states (Maryland, California, Illinois, Kansas, Nebraska, New Mexico, New York, Texas, Utah, Washington, and Wisconsin) enacted their own versions of the Development, Relief, and Education for Alien Minors Act, commonly known as the DREAM Act, which “would give students who grew up in the United States a chance to contribute to [the] country’s well-being by serving in the U.S. armed forces or pursuing a higher education” (Miranda). The target group also includes undocumented immigrants who were brought to the United States as little children. The differ-

ence between the DREAM Act and amnesty is that the DREAM Act requires undocumented immigrants to meet certain qualifications. *The New York Times* saw the DREAM Act enacted in California as “a sensible path” and considered it “humane” (“A Sensible”), and *The Los Angeles Times* explained that the California DREAM Act is not “a drain on the state’s coffers but an investment in its future” (“Yes”).

At the local level, about “fifty jurisdictions . . . declared themselves sanctuary cities or cities of refuge and/or ordered their employees not to cooperate with the feds in enforcing federal immigration laws” (Schrag 182); some cities “created ‘no-hassle’ zones for [undocumented] day laborers” (Schrag 182), and Detroit prevented the police and “other city employees from questioning people on the basis of a whole range of characteristics including immigration status” (Schrag 182). These rules can reduce the risks of undocumented immigrants searching for jobs or already employed. In New Haven, Connecticut, a new identification card, known as the Elm City Resident Card, was designed in 2007 to help “illegal immigrants open bank accounts and use city resources like the library, pools and beaches” (Holtz). Anyone residing in New Haven, whether legal or unauthorized, is eligible to apply for the card. In a way, the Elm City Resident Card offers undocumented immigrants legal status, because this identification card becomes their legal document in the United States.

There were other unsuccessful attempts to help undocumented immigrants gain access to public services. Despite the IIRIRA of 1996, ten states tried to pass laws “making illegal immigrants who graduated from their high schools and who had gone to in-state high schools during the prior three years eligible for in-state tuition in their public universities,” which even U.S. citizens from out-of-state do not receive (Schrag 184). In violation of the REAL ID Act, former governor of New York, Eliot Spitzer, “decided to allow illegal residents to get driver’s licenses” in 2007 (Schrag 183). Although the attempts failed in the end, it still indicates that some states quite tolerate undocumented immigrants, and they try to make it possible for undocumented immigrants to obtain the same public services and fundings as U.S. citizens and foreigners legally admitted to the United States do.

One of the many reasons for the toleration of undocumented immigrants in the United States is that the government wants to prevent undocumented immigrants from committing crimes by providing them with education and jobs. Many argue that this toleration lets undocumented immigrants who do not contribute to the country’s economy take away public

services from U.S. citizens and legal immigrants, and a great amount of taxpayer's money is wasted on undocumented immigrants. However, counterarguments suggest that many undocumented immigrants were brought to the United States by their parents at a very young age (Schrag 184), and they hardly know their home country. If the United States does not accept them, they would have no home at all, and they are likely to go on the streets and commit crimes. Policies that provide undocumented immigrants with education and job opportunities mean to guide them from the streets to schools and job markets, and thus crimes committed by undocumented immigrants can be reduced. However, there might be a counter-effect if the United States attempts to reduce the problems of illegal immigration through pardoning undocumented immigrants already in the United States, because more people would dare enter the country illegally when they do not see a severe negative consequence for being an undocumented immigrant. In addition, since the United States reinforces border control at the same time, more visa overstayers might emerge, because studies show that "higher enforcement may reduce the number of migrations while increasing their length" (Angelucci 3).

Another reason for the toleration of illegal immigration is that many undocumented immigrants have contributed to the economy of the United States. As the quotation at the beginning of this chapter indicates, undocumented immigrants have integrated into the U.S. labor market and filled labor shortage when the economy is growing, and states are able to benefit from the contribution of undocumented immigrants. For example, a study in Texas shows that undocumented immigrants "contribute some \$400 million a year more in revenues than they cost the state in services," and they "add roughly \$17.7 billion a year to the state's economy" (Schrag 209). Arizona, Florida, Nevada, and New York have similar findings (Schrag 209). More importantly, the United States has already spent billions of dollars on the education of undocumented immigrants, and it has come to a time when U.S. citizens of the baby boomer generation have retired or will soon retire and thus leave a vast vacancy on the labor market. Therefore, "deporting [undocumented immigrants] seems as self-defeating as it is cruel" (Schrag 187). *The New York Times* published an opinion suggesting that it would be proper if the United States makes a deal with undocumented immigrants — if the United States issues undocumented immigrants visas and requires, in return, that they "pay fines, learn English, . . . and . . . get back to work," the country could obtain enormous economic benefits ("So Much").

However, the relatively tolerant policies toward illegal immigration do not mean that undocumented immigrants are equally treated as legal immigrants. Undocumented immigrants will face difficulties in various fields in society. A study published by the *Harvard Educational Review* finds that over “five million children in the United States are ‘at risk of lower educational performance, economic stagnation, blocked mobility and ambiguous belonging’ because they are growing up in immigrant families affected by illegal status” (Preston, “Risks”). Even though children of undocumented immigrants have the same educational rights as those of U.S. citizens or legal immigrants, their “parents’ fear of deportation” usually prevents them from enrolling in public programs, even when the children are already U.S. citizens (Preston, “Risks”). Undocumented immigrants growing up in the United States are also affected psychologically by their illegal status. They start realizing their “legal limitations” when they “apply for jobs, driver’s licenses or financial aid for college and discover they are not legally qualified for any of them” (Preston, “Risks”), and they will feel that “their worlds turn completely upside down” (qtd. in Preston, “Risks”). Consequently, many of these people have to continue to work low-wage jobs like their parents (Preston, “Risks”). In addition, in states which intend to restrain illegal immigration by harsh bills, nonwhite residents, whether legal or undocumented, can be the targets of government’s investigation into their immigration status. For example, although most of the statutes of the Arizona SB 1070 were blocked by the Supreme Court, one “key provision,” which allows police officers to “check the immigration status of people they detain,” was left standing (“Arizona”). Despite the criticism of racism, people who look Mexican are still more likely to be detained because of the large number of undocumented Mexican immigrants.

Moreover, in the 2016 presidential primary, Donald Trump, at that time candidate in the GOP field, strongly proposed that the United States should control illegal immigration by tripling the number of U.S. Immigration and Customs Enforcement officers, deporting “all criminal aliens” (a very politically incorrect term, as I explained at the beginning of this chapter), defunding sanctuary cities, enhancing penalties for overstaying a visa, and even ending birthright citizenship (“Immigration Reform”). In addition, he advocated to make Mexico pay for the “wall,” where he accused Mexicans of committing “horrific crimes against Americans” (“Immigration Reform”). After the terrorist attacks in Paris in November 2015 and in San Bernardino, CA, in December 2015, Trump suggested a ban on *all* Muslims

from entering the United States “until we can figure out what’s going on” (Holpuch). Trump’s immigration reform proposal sounds very harsh, especially for immigrants of Mexican descent and Muslims, and ending birthright citizenship is even subversive to the *jus soli* principle which the United States has practiced since the founding of the nation. Although Trump’s immigration reform is criticized by many politicians and left-wing media, the fact that he was elected President in November 2016 suggests that his radical immigration reform proposal finds support in public.

As I noted in the first paragraph of this chapter, the role of undocumented immigrants in the United States is ambivalent. On the one hand, they contribute to the U.S. economy, and the government has implemented several policies to tolerate their illegal status; on the other hand, the government also wants to prevent further illegal immigration, so policymakers set legal limitations for undocumented immigrants to hinder their employment, education, and obtainment of public services. National polls validated the ambivalence: In 2007, while 69 percent of U.S. adults wanted a reduction in undocumented resident population and 75 percent believed that states should not issue driver’s licenses to undocumented immigrants, 55 percent thought that undocumented immigrants who have committed no crime should not be arrested, and 58 percent supported “a program giving illegal immigrants now living in the United States the right to live here legally if they pay a fine and meet other requirements” (Schrag 186).

The ambivalence of the Americans’ attitudes toward undocumented immigrants is well depicted in literature. Since literature can mirror some phenomena in reality, it can be deemed as a means to understand the consequences of immigration policies in society. Therefore, I have chosen a novel to show how illegal status affects the lives of undocumented immigrants and how Americans think of them. Francine Prose’s novel *My New American Life* (2012) tells the story of a former undocumented immigrant in the United States, intertwined with her encounter with Americans and other undocumented or former undocumented immigrants from her home country. Therefore, this novel is almost a precise reflection of what I introduced earlier in this chapter.

The protagonist is a well-educated twenty-six-year-old Albanian woman named Lula who travels to the United States with a tourist visa. She becomes undocumented from the moment she starts working at a restaurant. When her visa is about to expire, she finds a job at the Wall

Street white-collar worker Mister Stanley's house to look after his teenage son Zeke. This job opportunity changes her life, for Mister Stanley's good friend Don is an immigration lawyer, and he helps Lula become legal by successfully getting her a working visa, and he is then working on her Green Card application. Lula is aware that there are two voices among the Americans. On the one hand, "some Americans cheered every time INS agents raided factories and shoved dark little chicken-packagers into the backs of trucks. She'd seen the guys on Fox News calling for every immigrant except German supermodels and Japanese baseball players to be deported, no questions asked" (Prose 17). These people are the ones Lula should pay special attention to, because she might get into trouble if she does not act cautiously in front of them. On the other hand, there are some Americans who tend to support immigration. Mister Stanley and Don stand for those Americans who sympathize with undocumented immigrants. They believe that undocumented immigrants, especially those who are well-educated, do not mean to harm the United States, and they are the weak who should be protected. Moreover, for Americans like Mister Stanley and Don, undocumented immigrants show strong personalities such as bravery and resilience which the United States needs. As Prose writes,

others, like Mister Stanley and Don Settebello, acted as if coming from somewhere else was like having a handicap or surviving cancer. It meant you were brave and resilient. And being able to help you made them feel better about themselves and their melting-pot country. (17)

From this quote, Mister Stanley and Don may seem to have a stereotypical view toward the so-called Third World, thinking that people there only live to survive. However, this stereotype is likely to be the reason why they sympathize with undocumented immigrants.

The story of Lula's Albanian friend, Dunia, makes the process of becoming legal in the United States seem extremely easy. Dunia, like Lula, has been working illegally in the United States with a tourist visa. Right before Dunia's visa expires, she meets an American doctor, Steve, at the airport, and they spend the night together. Dunia marries Steve eventually, and because Steve is a rich American doctor, he knows people who are able to make Dunia legal. Therefore, even better than Lula's situation, Dunia will become an American citizen soon. The dramatic change in Dunia's status can be read as Prose's ironic way of showing how becoming legal is sometimes only a matter of luck.

However, *My New American Life* also shows that the immigration policy is not so friendly to undocumented immigrants in contrast to some Americans such as Mister Stanley, Don, and Steve. Undocumented immigrants, even after they have already gained their legal status, live in the shadow and suffer the fear that someday they might be deported. Lula is paranoid every time something slightly unusual happens, and she constantly fears that someone will report her to the INS even after she has received her working visa. In one scene, Lula suddenly feels scared when a college professor recognizes her as Zeke's Albanian friend. She makes up a story in her mind:

This was how it happened. They knew who you were. They were waiting for you. You thought it was a college tea, but it was an INS sting, the kind where they promised illegals anything from amnesty to a pair of free tickets to a baseball game. And when you showed up, they nabbed you. (Prose 248)

Lula's thoughts demonstrate her insecure feeling about her legal status and her doubt about the credibility of the United States in regard to its tolerance of illegal immigration. Moreover, even Don reminds Lula that she should be very careful. He tells her that "you can think anything you want. But just to be on the safe side, you should probably watch your mouth. Do I sound paranoid? I *am* paranoid. We'd be insane if we weren't" (Prose 71; emphasis in original). This reminder suggests that Don, portrayed as an expert in immigration laws, acknowledges the instability of an immigrant's status.

Furthermore, there are three bizarre deportation stories in the novel that illustrate the instability of the immigrants' status in the United States. The first one is a Salvadoran man who "just got his green card" (Prose 62). He gets deported because he "has no health insurance . . . [and] no facility will take him [when a driver injures his foot]" (Prose 63). The second story is about a Bangladeshi contractor who also has a Green Card. He gets deported because of "[i]llegal weapons possession [, to be precise,] [u]nregistered handgun" (Prose 120). However, according to Don, the area the Bangladeshi man lives in is so dangerous that everyone should have the right to possess a gun to protect his family, "permit or no permit" (Prose 120). The third story is about Alvo, an Albanian man whom Lula has a crush on. Alvo is arrested for a crime he did not commit. In court, Lula finds out that Alvo has dyed his red hair black, because "[h]is lawyer told him redheads always lose. Statistics. Hair color is everything. Natural blonds are the winners. After that comes gray" (Prose 267). Ironically, Alvo's friend Genti is delighted when the judge decides to deport Alvo, because he will not be

spending fifteen years in jail. This is a win-win situation for both Alvo and the state, as the story explains, “[deportation is] a better alternative to the American taxpayer housing and feeding a big strong Albanian boy for the next fifteen years. For the first time since [Lula had] been in this country, everyone was overjoyed about someone being deported” (Prose 299). All three stories seem bizarre and exaggerated, but they can be the literary representation of the double standard the United States has toward immigrants — on the one hand, the United States has a fairly tolerant policy on (illegal) immigration; on the other hand, even though there are several ways for immigrants to legally stay in the United States, any minor mistake can trigger a serious problem with their legal status. The incident of hair color in Alvo’s story may also imply that race still affects the judges’ decision whether an immigrant can stay in the United States.

The novel also suggests that the United States’ paranoid foreign policy is the cause that many immigrants lie, especially after the 9/11 attacks. Lula lies a lot, including the time that she lies to the immigration officer to convince him that she is only in the United States for pleasure. However, as the novel describes, “[s]he’d almost never lied at all until she’d applied for her U.S. tourist visa. But ever since she got [to the United States], she couldn’t seem to stop” (Prose 6). Lula thinks that “[e]veryone lied to the embassy. It didn’t count as a lie. Since 9/11 they made you lie, but that hadn’t stopped one Albanian girl or boy from wanting to come to New York” (Prose 8). The hostility of the United States to any “un-American” belief makes people who are connected to those “un-American” communities lie about their background. Therefore, the United States itself is to blame for these people’s continuous lies. As Prose writes in the novel,

[a]n Albanian without a family was a walking contradiction. Of course [Lula] hadn’t said this to the embassy officer in Tirana who’d approved her tourist visa. She’d brought in pictures of neighbor kids, whom she’d claimed were nephews and nieces she could hardly bear to leave for that last-thing vacation before she came home and married her childhood sweetheart. She said “Christmas wedding” a dozen times so the guy wouldn’t suspect she was half Muslim. Dad’s mom, her granny, was Christian. Wasn’t that enough? Anyway, Muslim meant nothing in Communist post-Communist Albania. An American wouldn’t know that. Muslim meant Muslim to him. (7)

Prose further criticizes the (sometimes unconscious) hostility of the United States to immigrants in the scene where Mister Stanley’s mentally ill wife, Ginger, sneaks into Lula’s room and points a knife at Lula and Alvo. Out of self-defense, Lula takes Alvo’s gun and shoots at Ginger. Although Ginger should be the one that poses danger to the family, Lula is

eventually blamed by Mister Stanley for bringing Alvo home, “endangering the welfare of the innocent boy [Zeke] he’d hired her and paid her generously to protect” (Prose 283), because Alvo is arrested later in the novel for a crime he did not commit. The scene implies that immigrants sometimes seem dangerous because of some necessary but unhelpful lies they tell to protect their legal status, but these lies are always enlarged and used as evidence of serious accusations against them. Americans have been blaming innocuous immigrants for their own problems, overlooking the real cause. As the novel unfolds,

she could confess. The gun was Alvo’s. Lula had lied when she’d said it was Ginger’s. She’d been afraid the truth might involve police and trouble with immigration. But Alvo wasn’t a killer. Zeke was never in danger. Ginger had been the danger, sneaking around the house. And Lula had been so forgiving after Mister Stanley’s wife had threatened them with a knife. How could Mister Stanley reduce Lula’s loving relationship with Zeke to the cheap materialism of a service he’d paid for? (Prose 284)

Lula and Alvo symbolize immigrants in the United States; the gun can be read as the immigrants’ trivial mistakes; Ginger embodies the real cause of the danger which is, ironically, domestic; and Mister Stanley can signify the American majority who blames immigrants instead of the real domestic cause of the danger. These Americans might be unaware that they sometimes act hostile to immigrants, because, like Mister Stanley, they might identify themselves as immigrant sympathizers and even help them at times. Moreover, in contrast to Mister Stanley’s former sympathy for Lula, he blames Lula when danger is present. Therefore, Americans’ trust of (undocumented) immigrants is vulnerable, and they are likely to change their mind and blame immigrants when a problem or danger occurs.

5.2. Illegal Immigration in Germany

There is no official record or estimate on the total number of undocumented immigrants in Germany, but Germany is certainly facing an illegal immigration crisis, for the German police “had arrested 57,000 illegal immigrants in 2014, an increase of 75 per cent compared to 2013,” which has reached its record high (Huggler). Admin Huhn, Chip Lockwood, and Kathleen Semanski conclude that there are mainly four types of illegal immigration in Germany:

(1) “over-stayers” who have entered legally on temporary visas and have not sought, or were not granted, a legal extension of stay; (2) persons, including many seasonal workers and commuters, who have permission to be in the country but are breaching their conditions of stay by working illegally; (3) asylum seekers whose applications and appeals for reconsideration have been rejected; and, finally, (4) persons who have not been granted permission to enter and have, therefore, entered clandestinely by evading inspection or using means of deception, such as false papers.

Germany “has taken an official zero-tolerance policy toward illegal immigration, emphasizing the need to deport current illegal residents and illegal workers as well as criminalizing aid to such illegal persons” (Huhn, Lockwood, and Semanski), and “Germany has not had and will most probably not have [amnesty] programs” (Heckmann 1106). Therefore, undocumented immigrants tend to stay in Germany only temporarily or have “a kind of pendulum movement” (Heckmann 1110), and they face serious problems in regard to their living conditions.

Some main problems are as follows. First, undocumented immigrants do not receive proper medical treatment. The reasons can be that undocumented immigrants do not have health insurance, and thus they cannot afford medical treatment. Moreover, they do not want to risk to be caught, for medical institutions have the responsibility to report undocumented immigrants to officials. In addition, doctors and medical personnel are uncertain if their medical treatment would fall into the category of assisting undocumented immigrants and if they themselves would also get punished for helping undocumented immigrants according to article 96, section 1, number 2 of the Residence Act (*Aufenthaltsgesetz*) even though their treatment is solely out of humanitarian interest (“Illegal aufhältige” 11). Even after undocumented immigrants gain their legal status, they still fear to be arrested (Schmidt). An example is that Frida, an African undocumented immigrant in Germany before she gained her residence permit by marrying a German citizen (one of the only two means to gain legal status, the other being having a child with a German), did not go see a doctor even though she felt grave pain in her stomach. One day she collapsed on the street and was sent to the hospital. Although doctors diagnosed her with cholelithiasis, she refused to have an operation. Finally, an aid organization arranged an operation for her, and doctors explained that “had she let any more time pass, she would have died” (Schmidt).

Second, children of undocumented immigrants usually do not have the chance to receive education. The reason is that the parents fear that their illegal status would be exposed, for educational institutions, like medical institutions, are also obliged to report illegal immigration to the police. In contrast to the United States, children of undocumented immigrants do

not have birthright citizenship, which means that even if an undocumented immigrant gives birth to a child in Germany, the child does not gain legal status. As a result, these children in Germany are more likely to miss public education than those in the United States. Apart from low education, not being able to attend school also affects these children's social behavior, because they lack contact with their peers ("Illegal aufhältige" 12). To guarantee education for these children, there is a demand for abolishing educational institutions' obligation to report illegal immigration ("Illegal aufhältige" 12).

Third, undocumented immigrants are often exploited at work. Employers are only attracted to undocumented labor because they can profit from it by "[saving] money on production" — undocumented immigrants are very likely to accept "wages below the standard market rate," so employers can "expand [their] workforce and increase [their] overall production" with the money saved on wages, and employers do not have to "pay social security" for undocumented immigrant laborers, "which in Germany could amount to as much as half of total wages" (Huhn, Lockwood, and Semanski). In a sense, these advantages by employing undocumented foreign laborers put employers "who do not use illegal labor . . . at a competitive disadvantage" (Huhn, Lockwood, and Semanski). Moreover, undocumented immigrant laborers cannot fight against exploitation without exposing their illegal status. Therefore, undocumented immigrants have no other way than working in the shadows for extremely low wages. Also due to undocumented immigrants' low profile, Holk Stöbbe claims that "undocumented migrants are just the opposite of what the term 'illegal alien' tries to imply — i.e. they are the most law abiding residents and try to become virtually invisible in order to evade detection by the authorities." Because of the advantages undocumented labor provides, some argue that undocumented immigrants are taking away jobs from German citizens (Huhn, Lockwood, and Semanski). However, Thomas Strobl, Christian Democratic Union member of the Bundestag, points out that undocumented immigrants usually work in poorly-paid fields where Germans do not wish to work (Huhn, Lockwood, and Semanski), which means that they are filling up the vacancy rather than taking away jobs. Therefore, high unemployment in Germany has little to do with illegal immigration. Thomas Straubhaar of the Hamburg Institute of International Economics admits that "Germany is dependent on illegal employment of foreign laborers" (Schmidt).

Fourth, undocumented immigrants face poor housing conditions. “Landlords are required to ensure that all their tenants are registered” at the local residence registration office (Stöbbe), and the registration assures that the tenants are legal. Due to this residence registration regulation, undocumented immigrants cannot buy or rent a house; thus, in order to have a place to live, they might use forged papers, live with relatives or acquaintances who are legal in Germany, share a small apartment with many other immigrants, or obtain housing from employers (Stöbbe). Either way, undocumented immigrants need to adapt to any uncomfortable condition, because they do not have many housing choices. If possible, undocumented immigrants tend to choose “areas with a dense immigrant population in order not to stand out” (Stöbbe).

If caught, undocumented immigrants will face deportation. Only deportation barriers can prolong their stay (Schmidt), but these barriers do not necessarily prevent them from being deported once the barriers are overcome. Legal deportation barriers include, for instance, “protection for internally displaced persons or asylum-seekers or protection from threats to immigrants’ lives, such as torture, should they face it in their home countries,” and illness or pregnancy, which makes it “inadvisable to deport that person due to health reasons” (Schmidt). Because of these barriers, the deportation process is very challenging. Huhn, Lockwood, and Semanski note that

[m]any illegal residents have destroyed their passports and ID cards, and even if their identity can be established, their countries of origin are not always willing to allow their readmission or repatriation. This is in addition to the numerous other legal obstacles to deportation, such as the threat of torture or the unlikelihood of receiving a fair trial in the home country.

Although Germany has a zero-tolerance policy on illegal immigration, illegal immigration is very difficult to control. Due to bilateral and international agreements, Germany’s borderline has been expanded beyond a national sense. For example, the bilateral agreements between Germany and Poland (before Poland became a Schengen country) allowed both countries to return unauthorized migrants and refugees. That is to say, “[a]ny undocumented migrant who apparently entered through Poland can be deported to there and vice versa” (Stöbbe). Moreover,

[t]he Polish government agreed to adopt a border surveillance program similar to that being carried out by the German Border Patrol. In return, the German government [provided] the money and training for the Polish Border Patrol. The Polish government also [allowed] German police forces to operate on the

Polish side of the border. And last but not least, . . . , citizens of both countries [were] allowed to travel to the other state as a tourist or businessperson without a visa. (Stöbbe)

According to these agreements, it was very easy for Polish citizens to enter Germany legally. However, if they started to work, they became undocumented workers. Huhn, Lockwood, and Semanski note that people who enter Germany without a visa due to bilateral agreements (especially Poles) “constitute a large percentage of the undocumented seasonal labor force.”

Similarly, the Schengen Agreement eliminates border control between two Schengen countries, which means that “Germany has no border controls on the internal borders within the Schengen area” (Palmer, “Citizenship”), and undocumented immigrants who enter from other Schengen countries can enter Germany without being checked. The Schengen Area is expanding, and currently (December 2016), it consists of twenty-six European countries, including every neighbor country of Germany. As a result, Germany “relies largely on the border controls exercised by the Schengen members having an external border. The only external borders for which Germany is responsible are the maritime border on the North Sea and the Baltic Sea, and international airports” (Palmer, “Citizenship”). In other words, Germany’s borders are beyond Germany’s control. According to the German police, “there are illegal migrants who are being saved by the Italian navy from small boats trying to cross the Mediterranean, ‘but are then found in Germany’” (Synon), and Germany accuses southern European countries such as Italy of “doing nothing to stop asylum-seekers using the Schengen border free area to travel on to Germany” (Huggler). Germany also blames Austria for not controlling asylum-seekers who travel on to Germany (Lohse, Staib, and Löwenstein). However, Austria claims that it is not true that Austria does not control them, but it is practically impossible, because the Schengen Agreement forbids strict border control (Lohse, Staib, and Löwenstein).

Human traffickers very often use sea routes to smuggle migrants. Figure 5.5 shows the number of migrants smuggled by sea to the EU from 1998 to 2014, and figure 5.6 shows the usual sea routes undocumented migrants or refugees take. According to these figures, southern European countries face serious problems to control illegal immigration, and Italy has become the most popular destination for undocumented immigrants and refugees to enter Europe. Germany, as a result of the Schengen Agreement, also faces problems of illegal immigration because it cannot keep undocumented immigrants who entered from southern European countries from traveling to Germany.

Fig. 5.5. Migrants Smuggled by Sea to the EU 1998–2004

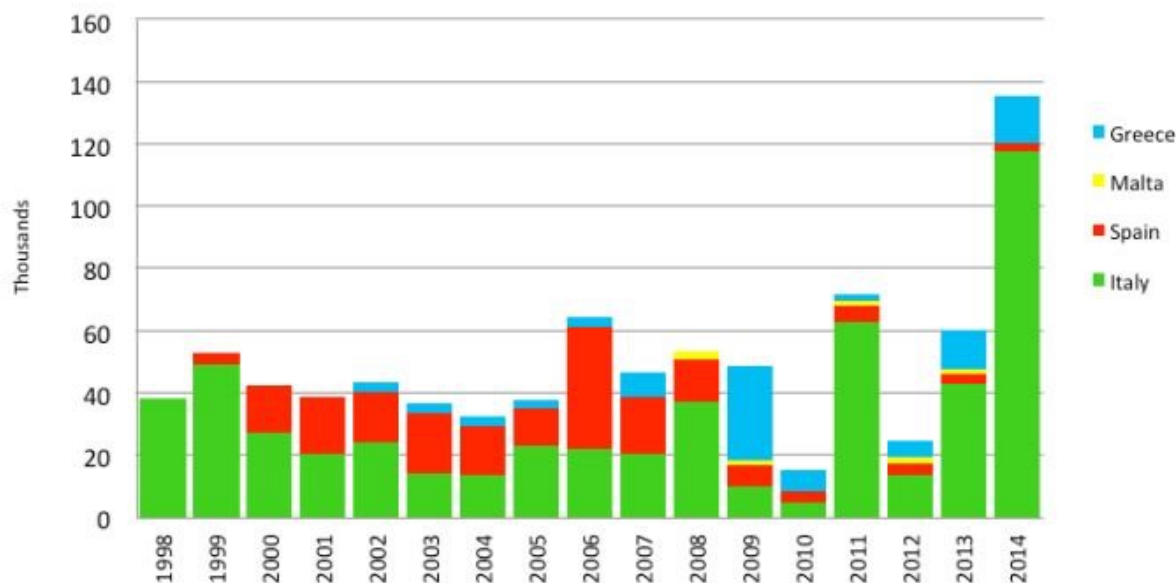


Fig. 5.5. Philippe Fargues and Sara Bonfanti, “When the Best Option Is A Leaky Boat: Why Migrants Risk Their Lives Crossing the Mediterranean and What Europe Is Doing about It” (Migration Policy Center, Oct. 2014; Web; 3; 21 Jul. 2015; PDF file).

These sea routes are dangerous for refugees and migrants. In April 2015 alone there were at least five refugee shipwreck incidents in the Mediterranean Sea with an estimate of 1,200 casualties. Although European countries claim that they will do their utmost to rescue the victims every time boats overloaded with refugees or undocumented immigrants capsize, they have been reluctant to participate in the search and rescue operation Mare Nostrum or even Operation Triton which focuses more on border protection than search and rescue, because these operations are costly and “[serve] as a safety net for the human traffickers” (Bershidsky). These shipwreck incidents caused a debate over Europe’s refugee policies. Human rights activists argue that these shipwreck tragedies were caused by Europe’s intolerant policy on refugees. Elias Bierdel, a human rights activist, claims that “[m]any, many people are dying because Europe offers them no legal way of getting here,” “people are turned away en masse at the borders,” and there is a necessity for refugees to enter Europe illegally, for “people seeking protection can only apply for asylum within the EU” (qtd. in Popp and Schindler). Therefore, Germany should be more tolerant toward refugees and asylum-seekers for humanitarian reasons. However, other politicians argue that Germany is already tolerant enough. Bavarian Interior Minister Joachim Herrmann points out that “[t]he legal framework for asylum-seekers in Germany is more generously worded than that of most other countries

Fig. 5.6. Sea Routes to Europe 1990s–2014

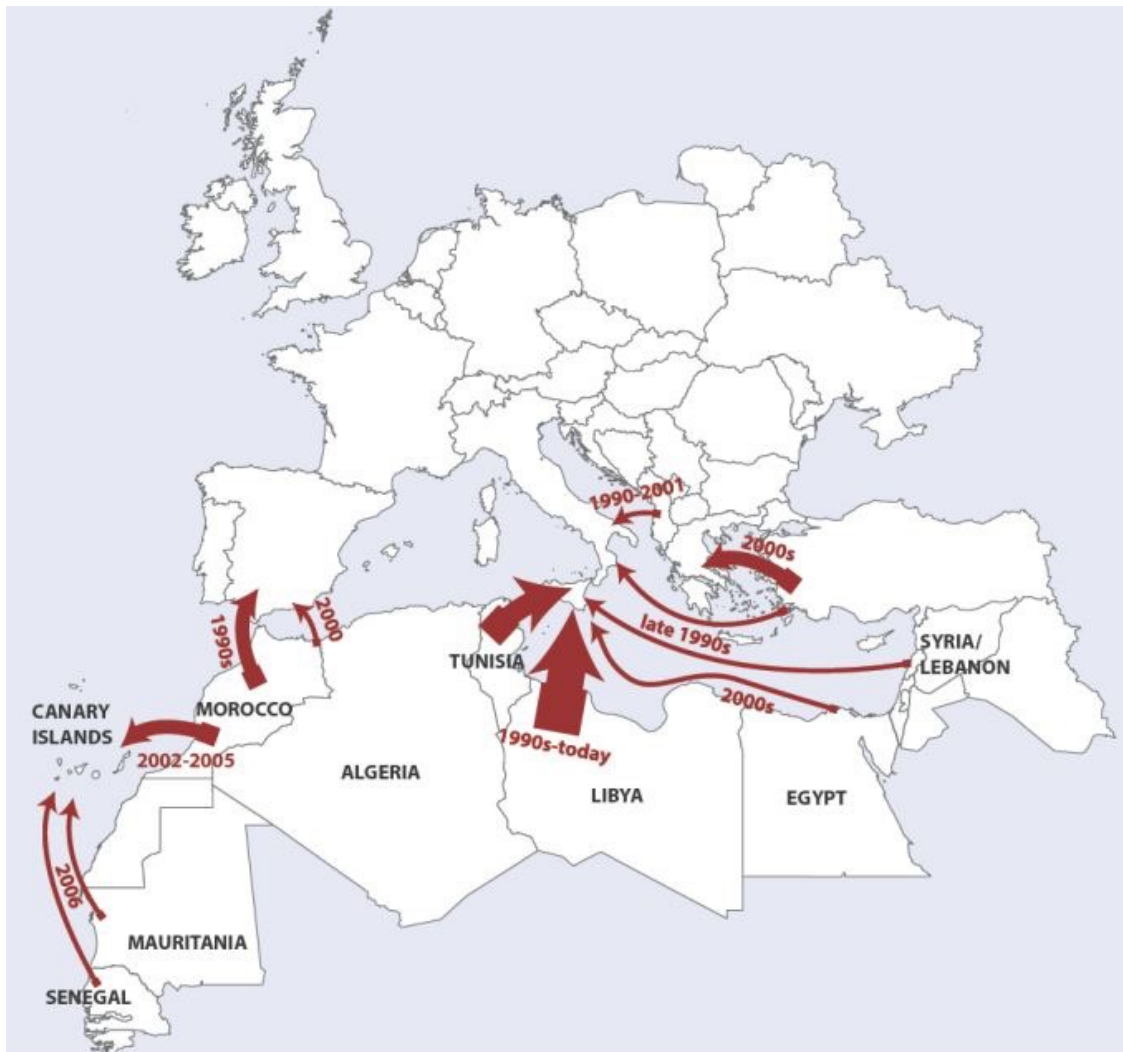


Fig. 5.6. Philippe Fargues and Sara Bonfanti, “When the Best Option Is A Leaky Boat: Why Migrants Risk Their Lives Crossing the Mediterranean and What Europe Is Doing about It” (Migration Policy Center, Oct. 2014; Web; 4; 21 Jul. 2015; PDF file).

in the world. And Germany takes in more asylum-seekers than any other EU member state” (qtd. in Popp and Schindler). Furthermore, Europe is not responsible for their shipwreck incidents, and it is human traffickers who are to blame. Also, asylum-seekers pose a danger to the nation’s security, for “Islamist terrorists could also be among [them]” (qtd. in Popp and Schindler). Although Bierdel and Herrmann have completely different opinions toward Germany’s political reaction to refugees and asylum-seekers after the shipwreck incidents, they both agree that borders should not be opened just because tragedies happen in the Mediterranean Sea (Popp and Schindler).

The shipwreck incidents are part of the refugee problem the EU is facing now. Since 2015, asylum has been a frequently debated topic in Europe, because a great number of people are seeking asylum in Europe, and many of the EU countries have announced that they cannot take any more refugees.³² Sea routes are a popular way to enter the EU, but they are not the only way. Figure 5.7 shows the main asylum routes into the EU. The border between Hungary and Serbia is on the western Balkan route. Therefore, to control the number of refugees and undocumented immigrants, Hungary is building a 175-kilometer long (“Wir”) and four-meter high (Kálnoky) razor wire fence on the Hungary-Serbia border. However, due to the lack of patrol personnel, eighteen migrants managed to cut the wire and enter Hungary in a single week at the beginning of August 2015 (“Wir”). A great number of the asylum-seekers who entered the EU through Hungary will travel further to Germany (“Wir”), because

Fig. 5.7. Main Asylum Routes into the EU

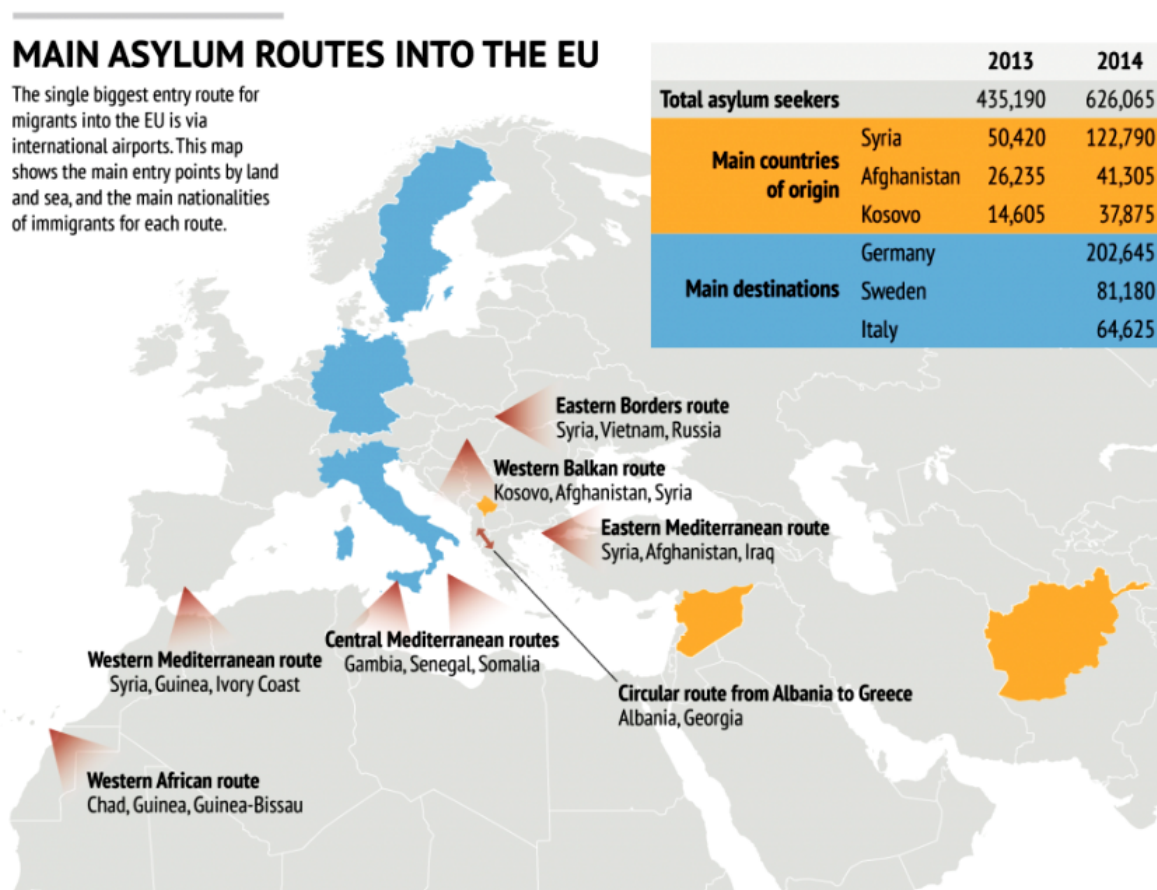


Fig. 5.7. Stratfor Global Intelligence, “Tracking and Reacting to Europe’s Asylum Seekers” (Stratfor Enterprises, LLC, 30 Apr. 2015; Web; 25 Aug. 2015).

³² Since the issue is still going on and the situation is changing, I cannot include every aspect, nor its end game.

as shown in figure 5.7, Germany is the number one destination for asylum-seekers. The Hungarian officials report that Germany, Austria, and other EU countries will return 16,000 asylum-seekers to Hungary as soon as possible (Kálnoky).

The public opinion on refugees has two poles. “The opinion poll conducted for ARD public television . . . found that 50 percent of the Germans questioned were in favor of the country accepting more refugees. Forty-four percent of those asked in the survey, conducted by the Infratest dimap polling company, said they were opposed to the idea” (“Survey”). Different parties also have different opinions on this issue. For example, a survey shows that seventy-four percent of the supporters of the Green Party are in favor of taking in more refugees, while eighty-two percent of the Alternative for Germany Party voters oppose this idea (“Survey”). These polls verify a very controversial situation of refuge in Germany.

Unlike the divergence in the topic of refuge, the public tends to agree that the term “illegal immigrant” is “closely linked with criminal activities” (Stöbbe). Consciously or unconsciously, citizens might have negative or even discriminative remarks against undocumented immigrants. This attitude toward undocumented immigrants is also embedded in literary works. I will clarify this attitude using the same novel I analyzed in chapter 4.3.2, because the protagonist in Mora’s novel *Day In Day Out* (2007), Abel, is an undocumented immigrant in Germany.

Day In Day Out demonstrates people’s suspicion of Abel even though he has done nothing illegal except for his illegal residency. For example, Abel does not finish his dissertation because Danko, a boy whom Abel used to like, steals his laptop and he has no backup file. However, Erik, a friend of Mercedes’s, expresses his doubt:

[T]here was that fishy story about a certain *work* with no backup on a stolen laptop. Well, I didn’t want to go on about it at the time, but *in a situation like that* (???) you can’t help wondering: How could it have happened? What is it? Hard luck, incompetence, fatalism, lies? What does experience tell us? Experience tells us that most texts which are not backed up never existed in the first place and disappear through outside intervention. Did anyone ever read a single line of the *work*? Was the laptop really stolen? Did he even own a laptop? Where did he buy it? How much did it cost? Does he actually know all those languages? Who can test him? . . . True, I can’t prove he didn’t write a dissertation on whatever topic it was. But he never got a degree, did he?

???

Triumphant: University Library, Dissertation Catalogue, Foreign Languages — nothing. (Mora 306; emphasis in original)

Erik's doubt indicates that citizens (here portrayed as Erik) tend to think that undocumented immigrants (portrayed as Abel) are not reliable. Although Abel himself is a victim of theft, he is suspicious in Erik's eyes, and his true story becomes "fishy."

As I already pointed out in chapter 4.3.2, Abel is a genius who masters ten or twelve languages. However, people do not seem to believe his ability, so experts have his brain tested. After the test is finished and experts have proven his language abilities, Abel gives his stepson, Omar, a colored printout of the result, and Omar falls asleep with it. To this, Miriam, Omar's maternal grandmother, reacts: "My grandson falls asleep under the gaze of his stepfather's brain I can't explain why, but there's something eerie about it" (Mora 307). Readers may notice nothing "eerie" about falling asleep with a brain result, and even Alegria, Omar's maternal grandfather, finds Miriam's reaction strange: "[e]erie? Really?" Therefore, Miriam's reaction represents her attitude toward Abel — she finds him strange and dangerous for no other reason than him being an undocumented immigrant. Furthermore, Miriam may not be aware of her negative impression of Abel, because she has never openly expressed her disapproval of Abel or his illegal status.

In contrast to Erik and Miriam's impression of Abel, Abel is in fact a very peaceable person. As Mercedes describes Abel when she first saw him — "[a] smooth, white face, sober, innocent, clear, aged twenty-four. Wouldn't hurt a fly, wouldn't upset the apple cart, butter wouldn't melt in his mouth" (Mora 309). Also, the school secretary discovers that the reason why she could not find Abel's file at first is that Abel was an auditor at the time, and "[t]he auditors are in a separate file" (Mora 308; emphasis in original). Being an auditor is also the reason why Abel cannot get a degree, because "[a]uditors don't get degrees" (Mora 308). Therefore, Abel should not be a fraud as Erik thinks he is. This contrast demonstrates that citizens have a negative impression of undocumented immigrants, and that they tend to relate undocumented immigrants to unlawful acts regardless of undocumented immigrants' behavior.

Citizens' impression of undocumented immigrants may also influence their impression of immigrants in general regardless of their legal status. This may also "lead to wide spread [sic] discrimination against anybody who looks different than what many Germans think a German should look like" (Stöbbe). Surveys show that fifty-seven percent of German citizens are against immigrants from non-EU countries (Tost), forty-four percent think that Germany

should allow fewer immigrants, and forty-eight percent agree that immigrants in Germany are more to blame for crime in the country than other groups (Poushter).

Also because of the immigrant resentment, racism occurs. An anti-Islam organization, PEGIDA (*Patriotische Europäer gegen die Islamisierung des Abendlandes*, Patriotic Europeans Against the Islamisation of the Occident/West in English) was founded in Dresden in October 2014 to organize weekly demonstrations against the Islamization of the Western world from October 2014 to February 2015, and PEGIDA's marches are gaining support rapidly ("Racism"). In the first half of the year 2015 alone, "some 150 arson or other attacks were recorded on refugee shelters," and in a violent protest against asylum-seekers in the eastern German town Heidenau, some protesters even shouted "Heil Hitler" ("Germany"). Some other protesters denied that they were right-wing or Nazis; they were just worried for their country and children ("Anti-Islam"). Also, German human rights groups criticized the German police in a two-day hearing that they usually conduct "racial profiling" in routine checks on trains ("Racism"). "[T]he German government admitted to the UN Committee on the Elimination of Racial Discrimination in Geneva" that "[r]acism in Germany is not only found in extreme right-wing circles, but in all parts of society" ("Racism"). To fight racism, the German government declared zero-tolerance toward xenophobic and racist actions after the riot in Heidenau ("Germany"), and Chancellor Angela Merkel warned the protesters "'not to be exploited' by radical elements trying to tap into fears of a foreigner takeover in Germany" (Connolly).

Although I pointed out earlier in this chapter that Germany was not ready to open its gates to refugees after shipwreck tragedies happened in the Mediterranean Sea, Chancellor Merkel decided in September 2015 that Germany would allow "tens of thousands of refugees" to "enter Germany via Austria," suspending "European asylum rules" ("Merkel"), and in 2015 alone, Germany would admit 800,000 refugees, while France and Britain "have agreed only to take in a combined 44,000 refugees" (Lennard and Hermsmeier). Merkel even stated "repeatedly that the right to asylum has 'no upper limit'" ("Merkel"). However, President Joachim Gauck "responded that 'our reception capacity is limited even when it has not yet been worked out where these limits lie,'" implying an objection to Merkel's decision ("Merkel").

Because of this decision, Merkel is facing fierce criticisms, especially “from within her own conservative bloc — the Christian Democratic Union (CDU), which she leads, and the Christian Social Union (CSU), which exists only in Bavaria and usually supports her” (“Merkel”). Moreover, the public’s fear of refugee influx rose, and “[a]pproval of Mrs Merkel dropped by 9 points to her lowest level since 2011” (“Merkel”). With the high admission of refugees, the number of unregistered refugees in Germany has increased. Armin Schuster, “a member of Parliament for the Christian Democrats who was a federal police officer and border guard patrolling Germany’s frontiers for 29 years before switching to politics in 2009,” worried about Germany’s national security after the refugee influx and stated that “[i]t’s not acceptable that people are coming uncontrolled across Germany’s borders,” and “[a] country has to be able to keep control of its borders. Politically, [Germany has] given that up far too easily. That’s not anyone’s idea of national security” (Kirschbaum). He further noted that the “police estimate there could be as many as 200,000 to 300,000 undocumented and unregistered refugees in Germany now [end of 2015], far more than a year ago” (Kirschbaum).

Also, Germany’s radical right party AfD (Alternative for Germany) gained support rapidly — “[s]upport for the AfD has risen amid deepening public unease over Chancellor Angela Merkel’s open-door policy for refugees The party is now represented in eight of 18 regional state assemblies, and has about 15 percent support in national opinion polls” (Copley). AfD claimed that “the influx of mainly Muslims fleeing conflicts in Syria, Iraq and Afghanistan makes the ‘Islamisation of Germany’ a real threat” and “backed a manifesto pledge that says Islam is not compatible with the German constitution and calls for a ban on minarets and the burqa” (Copley). AfD promoted its policies with the idea of German nationhood, as a leading politician of the party Alexander Gauland told a reporter of *Die Zeit*: “The Nazis had touched many things which are no longer speakable through this contact. The national pride that every Englishman, every Frenchman feels, is largely questioned among us according to the motto: Are we allowed to say it at all?”³³ (qtd. in “Hitler”; my translation). He further explained that the reason for his anti-Islamic sentiments is that “the current form of Islam can-

³³ The original text reads:

Die Nazis haben viele Dinge berührt, die durch diese Berührung plötzlich nicht mehr sagbar wurden. Der Nationalstolz, den jeder Engländer, jeder Franzose empfindet, ist doch bei uns enorm hinterfragt, nach dem Motto: Dürfen wir das eigentlich noch sagen?

not integrate into Western society”³⁴ (qtd. in “Hitler”; my translation). Here, the ethnocultural sense of Germanness is put forward, and the “real threat” AfD sees is the threat to this kind of Germanness.

Under pressure, Merkel promised in December 2015 that “the number [of refugees entering Germany] would drop and that refugees had to respect German law and customs” (Smale and Homola). On New Year’s Eve 2015, sexual assaults and robberies on scores of women happened in Cologne. By January 5, 2016, “[a]t least 90 criminal complaints have been made to police about the harassment by gangs at the city’s main railway station,” and “[t]he attacks were said to involve groups of drunk and aggressive young men which witnesses and police said were of Arab or North African appearance” (“Shock”). This triggered violent protest against refugees and Germany’s admission of refugees, for suspects of the attacks included refugees and asylum-seekers. In response, Merkel proposed to tighten deportation laws — “[e]ven refugees sentenced to probation by German courts could face deportation. In addition, the party called for new random identity checks of refugees and asylum seekers and tougher sexual-assault laws” (Faiola, “German”). Finally on March 18, 2016, Merkel fulfilled her promise, signing a deal with Turkey to keep out refugees — “in exchange for cash and concessions to Turkey, [Germany] would send back virtually all migrants crossing the Aegean Sea to find shelter in Europe” (Faiola, “New”). This deal will strengthen Merkel’s position in the federal elections in the second half of 2017 if this deal holds (Nixon), although Merkel’s deal was immediately criticized by human rights groups, saying that she was “compromising on European values that she herself had championed regarding the protection of refugees” (Smale), and other critics “questioned a partnership with Turkey” (Smale), arguing that the deal “would amount to an imperfect, immoral and potentially illegal solution that would corral refugees in Turkey, a nation plunging deeper into instability and violence” (Faiola, “New”). The reinforcement of Merkel’s position through this deal suggests that the public supports a reduction of refugees despite a contradiction to humanitarian assistance.

The changes in Germany’s policies toward refugees elucidate how public opinions influence policymaking, and humanitarian interest in immigration policy is quite vulnerable compared to political interest. Also, the changes in public attitudes toward refugees indicate that

³⁴ The original text is:

Ich glaube einfach, dass der Islam in seiner heutigen Form nicht integrierbar ist in eine westliche Gesellschaft.

the influx of immigrants/refugees will result in insecure feelings of citizens regardless of the activities of these immigrants/refugees in the country, and individual negative behavior of immigrants/refugees can affect the general impression of this population.

5.3. Comparison and Reflection

Both the United States and Germany face serious problems of illegal immigration, and the number of undocumented immigrants in both countries is increasing. Therefore, both countries put an effort on border control. The United States focuses on tightening the U.S.-Mexico border, building fences and strengthening border patrol. However, Germany's borders are beyond its national borders due to the Schengen Agreement, and Germany's border control is not Germany's task alone.

Although illegal immigration is not desirable in either country, undocumented immigrants do contribute to the country in fields such as construction and agriculture, and both countries are to some extent dependent on them. The reason is that undocumented immigrants fill in the vacancy in undesirable labor. Also, some employers risk to hire undocumented immigrants, because they can minimize their spent on wages and taxes and thus expand their production with this money.

Even if border control is successful, it can only reduce the number of undocumented immigrants to a very limited extent, because many undocumented immigrants in both the United States and Germany are visa over-stayers or undocumented workers on a temporary visitor visa. This type of illegal immigration is very difficult to control, and the United States and Germany have a somewhat different policy toward undocumented immigrants already in the country. There have been amnesty programs in the United States, and in the past few years President Obama's immigration reform offered undocumented immigrants a way to gain citizenship. There had also been attempts to convert undocumented immigrants into legal temporary workers, as I discussed in chapter four. In addition, some jurisdictions protect undocumented immigrants by declaring themselves sanctuary cities, creating "no-hassle" zones for undocumented laborers, or issuing even undocumented immigrants a city resident card. There had also been attempts to control illegal immigration in a very extreme way such as the en-

actments of California's Proposition 187 and Alabama HB 56. However, most of the provisions in these acts were abolished in the end. Furthermore, deportation is a means to control illegal immigration, but it is only used as a relatively symbolic gesture to warn undocumented immigrants. Anti-illegal-immigration voices also exist, (an extreme case is Trump's immigration reform plan), but they have not managed to change the policy thus far (December 2016). On the contrary, Germany takes a zero-tolerance policy toward undocumented immigrants, where amnesty had never been and probably will never be a possibility. Therefore, the United States has a much more generous policy on illegal immigration than Germany. This difference mirrors two different models of immigration policies of the two nation-states (nation of immigrants vs. country of immigration, as explained in chapter four), for it is possible that the United States tends to tolerate anyone who can make great contribution to the country's development, while Germany is more conservative and concerned about the cultural influence and consequences — illegal immigration is not acceptable in Germany, for undocumented immigrants do not go through a selection process.

Debates on illegal immigration in the United States are mainly about whether undocumented immigrants deserve to gain their legal status for the contributions they have done for the country, while debates in Germany usually focus on whether Germany should open its gates to refugees for humanitarian reasons (and the answer has changed from no to yes and finally a limit). This suggests that the United States intends to convert illegal immigration to a practical and beneficial situation for the country's economy if it cannot control illegal immigration in an effective way. Like any change in the U.S. immigration policy, changes in policy on illegal immigration (e.g., amnesty) are driven by the country's economic and political needs. Germany, on the other hand, does not compromise on a more generous policy toward undocumented immigrants, and it has also been very cautious about any assistance to undocumented immigrants. If it was not for humanitarian reasons, Germany is not likely to consider a deed that would result in increasing the number of undocumented immigrants. The fear of refugees that radical right parties promote indicates that the ethnocultural sense of nationhood is still essential in German national identity, because by accepting large numbers of Muslim refugees, this identity is challenged. It is possible that Germany's strict policy on illegal immigration will not change in the near future, because if undocumented immigrants

have a pathway to gain legal status, they will have an opportunity to gain citizenship, which challenges German identity to a great extent.

Despite the difference in policies between the United States and Germany, undocumented immigrants face the same hardships. They are likely to be exploited at work, have very poor dwelling conditions, and fear to see a doctor when sick. Even for undocumented immigrants who have gained their legal status (e.g., children born in the United States of undocumented immigrants and undocumented immigrants in Germany who have married a German citizen), their living conditions very often stay the same. The same hardships in the two countries suggest that differences in policies do not necessarily affect the quality of life of undocumented immigrants. That is to say, a more generous policy toward undocumented immigrants does not necessarily improve their living conditions; it is only a possibility for the country to gain economic benefits.

Illegal immigration in both countries also influences the public's attitude toward immigrants in general and creates discrimination against immigrants, legal or undocumented. Similar to undocumented immigrants' living conditions, the public's attitude does not seem to be related to the type of immigration policies — a more generous policy does not make the public tolerate illegal immigration more. Moreover, the attitude is not likely to change as long as illegal immigration exists and is associated with illegality as the term suggests.

6. Conclusion and Prospect

Immigration policies of the United States and Germany are derived from different models, and this difference is basically due to citizens' perceptions of their national identity. Table 6.1 shows a brief comparison of the two immigration models. American values (the American

Table 6.1

Comparison of Immigration Models between the United States and Germany

	United States	Germany
Understanding of National Identity	Political	Cultural
Immigration Category	Nation of Immigrants	Country of Immigration
Citizenship	<i>jus soli</i>	<i>jus sanguinis</i> → <i>semi jus soli</i>
Race/Ethnicity (Based on the Understanding of National Identity)	Heterogeneous	Homogeneous

Creed) are the most essential element in gaining American identity, while the embodiment of German *Kultur* symbolizes German identity. The different perceptions of national identity are what make the United States adopt the *jus soli* principle and Germany the *jus sanguinis* principle in the citizenship law, and accordingly, the United States becomes a racially and ethnically heterogeneous society, while Germany stays homogeneous. Moreover, different perceptions of national identity also result in the differences in immigrants' assimilation levels and their self-identification of who they are. While first-generation immigrants in both countries show signs of low assimilation level and tend to hold on to their foreign identity, second-generation immigrants in the two countries are different — second-generation immigrants in the United States largely adopt American culture and are likely to identify themselves as Americans rather than foreigners, whereas second- or even third-generation immigrants in Germany still hold on to their foreign identity and tend to have a double identity (or as some literary works suggest, no identity at all). The reason is that a politically based national identity makes it easier for an immigrant to integrate and feel that he or she belongs, because an immigrant is considered to be integrated when he or she fully accepts American values. Furthermore, racial or ethnic diversity in the country does not make a non-Anglo-American im-

migrant feel less American, and this diversity also creates acculturation — a two-way cultural influence between Anglo-American culture and other cultures — though not necessarily intended. However, a culturally based national identity makes race and ethnicity indispensable to people's identification of national belonging, and thus creates a gap between natives and immigrants. Even second- or third-generation immigrants (who are already citizens) are treated as foreigners instead of citizens by ethnic Germans, which further prevents immigrants from feeling German. This mental alienation of immigrants, in contrast to acculturation in the United States, leads to a one-way assimilation situation, where foreign cultures seldom change the notion of German culture. Although assimilation is not a necessity in the process of immigration, it is inevitable due to education in the host society, contact with natives, and defamiliarization of the country of origin.

Because of this difference in the perception of national identity, the U.S. immigration policy is more flexible than the German immigration policy. To a great extent, the U.S. immigration policy is profit-oriented, and the change in its immigration policy is usually caused by the country's economic and political needs. In contrast, Germany has to balance between its economic and political needs and the ethnocultural perception of national identity, which limits the flexibility of the German immigration policy. The difference in the flexibility of immigration policy is shown especially in policies on illegal immigration. The United States intends to control illegal immigration, but it tolerates undocumented immigrants when there is labor shortage in the country, and amnesty is granted when undocumented immigrants contribute a great deal to the country. However, Germany adopts a zero-tolerance policy toward illegal immigration, although undocumented immigrants also contribute to the country's economy. Compared to the United States, Germany admits many more refugees and asylum-seekers during the current refugee crisis, which shows that the United States is more profit-oriented, for admitting refugees does not bring profit for the country, and thus it is a deed purely out of humanitarian interest. Refugees pose a danger to Germany's idea of a zero-tolerance policy toward illegal immigration, because many of them need to enter the country illegally to seek protection, and a number of them remain unregistered. The fact that Germany's debates on illegal immigration focus more on refugees and asylum-seekers than on guestworkers suggests that Germany's policy on illegal immigration is not likely to be bent for greater profit. From the policies on illegal immigration, we see that the United States and

Germany carry out different immigration policies to deal with the same situation (illegal immigration).

The difference in flexibility is also shown in guestworker programs. The reason that the Bracero Program in the United States was strongly related to illegal immigration is that the program went from a government controlled deal to a direct grower-bracero program, hence the program became less organized, and more migrants crossed the U.S.-Mexico border illegally to seek job opportunities. The U.S. government was not eager to deport undocumented workers, because growers needed them to fill labor shortage, and the government compromised immigration control for economic profit. Germany's guestworker programs, on the other hand, did not have a strong connection with illegal immigration, which indicates that Germany does not bend its immigration policy for greater profit.

Guestworker programs in the two countries are of different significance also due to the two different models of immigration policy. Guestworker programs in the United States are not the main reason why the United States became a nation of immigrants, but rather only a component of its whole immigration history. However, Germany's guestworker programs started an immigration influx to Germany, which has shaken German culture by changing the country's racial and ethnic demography and adding *Gastarbeiterdeutsch* and *Gastarbeiterliteratur* to its culture. To a large extent, the increase in foreign population caused by Germany's guestworker programs led to the revolutionary reform of the German immigration policy starting at the turn of the twenty-first century.

As I stated in table 6.1, Germany's citizenship principle changed from *jus sanguinis* to *semi jus soli*. Germany changed its immigration policy from an exclusive focus to an inclusive one, and it gave birthright citizenship to foreign children born in Germany whose parent is a permanent resident. By comparing the U.S. and German immigration policies, people find that many provisions are similar or even the same. One could say that immigration policies in the United States and Germany are becoming more and more similar. The reasons for Germany to reform its immigration policy are, for one thing, to minimize potential immigrant-state conflict caused by the large number of immigrants living in the country by giving immigrants the opportunity to gain more political rights (e.g., naturalization), and for another, to achieve economic development by competing for skilled foreign workers (e.g., employment-based permanent residency) and promoting business opportunities (e.g., permanent res-

idency through investment). The possibility to gain permanent residency through family and refugee status in both countries represents both countries' obligation to admit immigrants out of family and humanitarian interests. Also, the prerequisites of naturalization in both countries are similar, and they represent a selection process of an ideal citizen. For example, naturalization requirements in both countries suggest that integration is necessary, because integrated immigrants are less likely to cause cultural conflict, and the United States and Germany have no intention to change their mainstream cultural values. Therefore, similar situations and needs in the United States and Germany result in similar immigration policies in the two countries.

Although the United States and Germany have different immigration models, public opinions on immigration and immigrants in the two countries are similar. Nativism has been existing in both countries throughout history, and there are still a considerable number of people who think that immigrants are a burden to the country because they drag wages down and take away jobs from native workers, even though policies already give priority to native workers when both native and foreign workers are qualified, and many low-skilled immigrants only work in fields where native workers do not wish to work. Also, prejudice against immigrants is a very common phenomenon in both countries despite the fact that there are no discriminating laws against them. The public tends to believe that immigrants make crime worse and immigration should not be increased.

To answer the questions in my introduction: the national identity approach of immigration policy is fundamental in policymaking in regard to immigration, because the different perceptions of national identity separate immigration policies in the United States and Germany into two different immigration models. Similar economic and political needs in the two countries mostly result in similar immigration policies, but with some exceptions. Similar immigration policies are, for example, guestworker programs, permanent residency requirements, and naturalization requirements. Exceptions include, for instance, policies on illegal immigration. However, similar immigration policies do not necessarily mean similar receptions in public or similar impacts on society. For example, although naturalization requirements are similar in the two countries, native Germans (with German blood connotation) tend to treat second- and even third-generation immigrants as foreigners, while anyone born in the United States is treated as a native-born American. This results in different levels of assimilation and self-

identification of second- and third-generation immigrants, and the difference is again derived from the national identity approach. Another example is that although both countries employed guestworker programs, they had different results. Guestworker programs in the United States were/are strongly linked with illegal immigration, while programs in Germany barely had/have this connection. From this point of view, immigration policy is associated with culture (perception of national identity) and at the same time has an impact on culture (acculturation and the concepts of assimilation and integration), which more or less influences the immigrants' sense of belonging. In other words, from a cultural perspective, immigration policies and their associated consequences in the United States and Germany have different impacts on immigrants.

It is also important to note that even different immigration policies may have similar receptions in public or similar impact on immigrants themselves. For example, although the United States and Germany are of different immigration models and have different perceptions of national identity, public attitudes toward immigration and immigrants are similar. This may suggest that public attitudes toward immigration are independent of a country's immigration policy model, but they are related to its resource availability (e.g., housing, jobs, education, etc.) and security (e.g., crimes, terrorist attacks, etc.). Another example is that undocumented immigrants in both the United States and Germany face similar hardships regardless of the state's policy on illegal immigration. A more profit-oriented and tolerant policy of the United States does not necessarily improve the living and working conditions of undocumented immigrants, nor does it make the public tolerate illegal immigration. In this sense, immigration policy alone does not seem to be able to solve immigrant-native conflict or steer public attitudes toward immigration and immigrants. More precisely, immigration control policy can only set a framework for legal immigration, but it does not necessarily create a secure feeling for the public. Immigrant policy can only provide basic legal protections for immigrants, but it does not reduce nativism or anti-immigration sentiments. In other words, from a political perspective, the government needs to combine immigration policy with other policies (e.g., economic) in order to solve immigrant-native conflict, because immigration policies alone do not have much effect on public attitudes toward immigration and immigrants. For example, people who support Trump's immigration reform are not necessarily nativists who are against immigration per se. Anti-Mexican sentiments may only be a re-

direction of fear for job scarcity and a decrease in social welfare, because Mexicans are stereotyped as undocumented immigrants by many Americans, and a number of Americans believe that undocumented immigrants take away jobs and their children take away social welfare. Anti-Muslim sentiments may only be caused by the fear of terrorist attacks, and again, based on their stereotypes.

For future studies, it is worth seeing if German national identity will gradually change as the population of non-ethnic Germans (in a political sense of German citizenship) grows. It is possible that the change in ethnic demography will affect the perception of German national identity in the long run in the same way that American national identity changed. The notion of German blood as part of the national identity will hinder this process, and thus I do not expect the change in the perception of German national identity to happen in the near future. If this perception ever changes, the German immigration policy might change accordingly, which will further demonstrate the national identity approach.

Works Cited

- “1965 Immigration and Nationality Act, a.k.a. the Hart-Celler Act (An Act to amend the Immigration and Nationality Act, and for other purposes).” *Library.uwb.edu*. The University of Washington-Bothell Library, n.d. Web. 8 Dec. 2015.
- Ackermann, Irmgard. “Integrationsvorstellungen und Integrationsdarstellungen in der Ausländerliteratur.” *Zeitschrift für Literaturwissenschaft und Linguistik: Eine Zeitschrift der Universität Gesamthochschule Siegen* 14.56 (1984): 23–39. Print.
- Act on the Residence, Economic Activity and Integration of Foreigners in the Federal Territory: Residence Act. *Gesetze-im-internet.de*. Bundesministerium der Justiz und für Verbraucherschutz, 2015. Web. 23 Feb. 2016.
- “Acts of the First Congress of the United States.” *The Public Statutes at Large of the United States of America from the Organization of the Government in 1789, to March 3, 1845*. Ed. Richard Peters, ESQ. Boston: Charles C. Little and James Brown, 1845. 23–225. *Library of Congress*, n.d. Web. 11 Dec. 2013.
- Alba, Richard, and Victor Nee. “Rethinking Assimilation Theory for a New Era of Immigration.” *International Migration Review* 31.4 (1997): 826–74. *JSTOR*. Web. 13 Dec. 2013.
- Anderson, Benedict. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. Rev. ed. London: Verso, 2006. Print.
- Angelucci, Manuela. “U.S. Border Enforcement and the Inflow-Outflow of Mexican Illegal Migration.” *Ifs.org.uk*. Institute for Fiscal Studies, Aug. 2003. 1–38. Web. 3 Dec. 2012. PDF file.
- Anil, Merih. “No More Foreigners? The Remaking of German Naturalization and Citizenship Law, 1990–2000.” *Dialectical Anthropology* 29 (2005): 453–70. *Springer*. Web. 1 May 2015.
- Anti-Defamation League (ADL). *Is FAIR Unfair?: The Federation for American Immigration Reform (FAIR)*. *Archive.adl.org*. ADL, 2000. Web. 20 Aug. 2015. PDF file.
- “Anti-Islam ‘Pegida’ March in German City of Dresden.” *BBC.com*. BBC News, 16 Dec. 2014. Web. 26 Aug. 2015.
- Aradas, Anahi. “US-Mexico Border: Efforts to Build a Virtual Wall.” *BBC.com*. BBC News, 29 Aug. 2012. Web. 21 Nov. 2012.

- “Archives of the West from 1877–1887: Documents on Anti-Chinese Immigration Policy.” *Pbs.org*. PBS, n.d. Web. 24 Nov. 2015.
- “Arizona Immigration Law (SB 1070).” *New York Times*. New York Times, 25 Jun. 2012. Web. 26 Nov. 2012.
- Atzmon, Ezri. “The Educational Programs for Immigrants in the United States.” *History of Education Journal* 9.3 (1958): 75–80. *JSTOR*. Web. 4 Dec. 2013.
- Barkin, Noah. “Back to Reality for Merkel As Europe Stalls on Refugees.” *Reuters*. Reuters, 18 Dec. 2015. Web. 28 Dec. 2015.
- Bartsch, Matthias, Andrea Brandt, and Daniel Steinvorth. “Turkish Immigration to Germany: A Sorry History of Self-Deception and Wasted Opportunities.” Trans. Christopher Sultan. *Spiegel.de*. Spiegel Online, 7 Sep. 2010. Web. 17 Sep. 2015.
- Bauer, Mary, and Meredith Stewart. “Close to Slavery: Guestworker Programs in the United States.” *Splcenter.org*. Southern Poverty Law Center, 18 Feb. 2013. Web. 30 Aug. 2015.
- Bean, Frank D., and B. Lindsay Lowell. “Unauthorized Migration.” *The New Americans: A Guide to Immigration since 1965*. Ed. Mary C. Waters and Reed Ueda. Cambridge: Harvard UP, 2007. 70–82. Print.
- “Becoming a German Citizen by Naturalization.” *Bmi.bund.de*. Federal Ministry of the Interior, 29 Dec. 2004. Web. 13 May 2015.
- Belczyk, Jaclyn. “Federal Appeals Court Blocks Alabama Immigration Law.” *Jurist.org*. Jurist, 14 Oct. 2011. Web. 26 Nov. 2012.
- Bershidsky, Leonid. “Stopping Refugee Shipwrecks.” *Bloombergview.com*. Bloomberg View, 20 Apr. 2015. Web. 21 Jul. 2015.
- Bhatt, Anju. “Immigrant Experience in Jhumpa Lahiri’s *The Namesake*.” *New Perspectives on Indian English Writings*. Ed. Malti Agarwal. New Delhi: Atlantic, 2007. 37–43. Print.
- Biondi, Franco. *Abschied der zerschellten Jahre*. Kiel: Neuer Malik-Verlag, 1984. Print.
- Birkle, Carmen. *Migration — Miscegenation — Transculturation: Writing Multicultural America into the Twentieth Century*. Heidelberg: Universitätsverlag Winter, 2004. Print. American Studies Monograph Ser. 114.
- “Birthright Citizenship (2010).” *Fairus.org*. Federation for American Immigration Reform, 2010. Web. 20 Nov. 2012.

- Bloemraad, Irene, and Reed Ueda. "Naturalization and Nationality." *A Companion to American Immigration*. Ed. Reed Ueda. Malden: Wiley-Blackwell, 2011. 36–57. Print.
- Bonwick, Colin. "From Settlement to Independence." *A New Introduction to American Studies*. Ed. C.W.E. Bigsby and Howard Temperley. Harlow: Pearson Longman, 2006. 29–49. Print.
- "Border Patrol History." *Cbp.gov*. Department of Homeland Security, 1 May 2010. Web. 21 Nov. 2012.
- Bourne, Randolph S. "Trans-national America." *Atlantic* 7 (1916): n.p. Web. 14 Dec. 2014.
- Brettell, Caroline B., and James F. Hollifield. "Introduction: Migration Theory: Talking across Disciplines." *Migration Theory: Talking across Disciplines*. 2nd ed. Ed. Caroline B. Brettell and James F. Hollifield. New York: Routledge, 2008. 1–29. Print.
- Brizee, Allen, J. Case Tompkins, Libby Chernouski, and Elizabeth Boyle. "New Historicism, Cultural Studies (1980s – Present)." *Owl.english.purdue.edu*. Purdue Online Writing Lab, 16 Mar. 2012. Web. 16 Nov. 2016.
- Brotter, Cody. "Exploring the American Immigrant Experience through Literature." *Inquiriesjournal.com*. Inquiries Journal, 2010. Web. 16 Jun. 2016.
- Brubaker, Rogers. *Citizenship and Nationhood in France and Germany*. Cambridge: Harvard UP, 1998. Print.
- . "Comments on 'Modes of Immigration Politics in Liberal Democratic States.'" *International Migration Review* 29.4 (1995): 903–08. *JSTOR*. Web. 21 Apr. 2016.
- Bruno, Andorra. *Immigration of Temporary Lower-Skilled Workers: Current Policy and Related Issues*. Congressional Research Service, 13 Dec. 2012. Web. 30 Aug. 2015. PDF file.
- Bryant, Arthur. "This Year's Five Most 'Frivolous' Lawsuits by 'Greedy' Trial Lawyers." *Acslaw.org*. American Constitution Society for Law and Policy, 10 Jun. 2015. Web. 1 Sep. 2015.
- Bryson, Bill. *Made in America*. London: Black Swan, 1998. Print.
- Bustamante, Jorge A. "Proposition 187 and Operation Gatekeeper: Cases for the Sociology of International Migrations and Human Rights." *Migraciones Internacionales* 1.1 (2001): 7–34. Web. 23 Nov. 2012.

- Calavita, Kitty. *Inside the State: The Bracero Program, Immigration, and the I.N.S.* New Orleans: Quid Pro Books, 2010. Print.
- California Proposition 187. CAL. EDUC. CODE Sec. 48215 and 66010.8. CAL. GOV'T CODE Sec. 53069.65. CAL. HEALTH & SAFETY CODE Sec. 130. CAL. PENAL CODE 113, 114, and 834b. CAL. WELF. & INST. CODE Sec. 10001.5. 1994. Web. 25 Nov. 2012.
- Callan, Eamonn. "The Ethics of Assimilation." *Ethics* 115.3 (2005): 471–500. *JSTOR*. Web. 13 Dec. 2013.
- Camarota, Steven A. "Unskilled Workers Lose Out to Immigrants." *New York Times*. New York Times, 6 Jan. 2015. Web. 20 Aug. 2015.
- "CA's Anti-Immigrant Proposition 187 Is Voided, Ending State's Five-Year Battle with ACLU, Rights Groups." *Aclu.org*. American Civil Liberties Union, 29 Jul. 1999. Web. 25 Nov. 2012.
- Chien, Marsha. "When Two Laws Are Better than One: Protecting the Rights of Migrant Workers." *Berkeley Journal of International Law* 28.1 (2010): 15–63. Web. 6 Sep. 2015.
- Chin, Rita. *The Guest Worker Question in Postwar Germany*. Cambridge: Cambridge UP, 2007. Print.
- "Chinese Exclusion Act (1882)." *Ocp.hul.harvard.edu*. Harvard University Library Open Collection Program, n.d. Web. 23 Nov. 2015.
- Citrin, Jack, and David O. Sears. *American Identity and the Politics of Multiculturalism*. New York: Cambridge UP, 2014. Print.
- Clayton, William E. Jr. "'Our Border Can Be Controlled,' Says Analysis of Two Crackdowns Study Looks at El Paso and San Diego." *Cis.org*. Center for Immigration Studies, 1 Jun. 1995. Web. 22 Nov. 2012.
- Colebrook, Claire. *New Literary Histories: New Historicism and Contemporary Criticism*. Manchester: Manchester UP, 1997. Print.
- "Comprehensive Immigration Reform." *Barackobama.com*. Organizing by Action, n.d. Web. 28 Dec. 2015.
- Connolly, Kate. "Estimated 15,000 People Join 'Pinstriped Nazis' on March in Dresden." *Guardian*. Guardian, 15 Dec. 2014. Web. 26 Aug. 2015.

- Coolidge, Mary Roberts. *Chinese Immigration*. New York: Henry Holt and Company, 1909. *Harvard University Library*. Web. 23 Nov. 2015.
- Copley, Caroline. "Germany's Gabriel Compares Anti-Immigrant AfD Party to Nazis." *Reuters.com*. Reuters, 11 Jun. 2016. Web. 18 Jun. 2016.
- Cornelius, Wayne A., Philip L. Martin, and James F. Hollifield. "Introduction: The Ambivalent Quest for Immigration Control." *Controlling Immigration: A Global Perspective*. Ed. Cornelius et al. Stanford: Stanford UP, 1994. 3–42. Print.
- Cornelius, Wayne A., and Idean Salehyan. "Does Border Enforcement Deter Unauthorized Immigration? The Case of Mexican Migration to the United States of America." *Regulation & Governance* 1 (2007): 139–53. Web. 21 Nov. 2012.
- "The Cost to Local Taxpayers for Illegal Aliens (2008)." *Fairus.org*. Federation for American Immigration Reform, 2008. Web. 20 Nov. 2012.
- Costantini, Cristina. "The Times Is Behind the Times." *Abcnews.go.com*. ABC News, 3 Oct. 2012. Web. 20 Aug. 2015.
- Dancygier, Rafaela M. *Immigration and Conflict in Europe*. Cambridge: Cambridge UP, 2010. Print.
- Danticat, Edwidge. *Krik? Krak!* New York: Vintage Contemporaries, 1996. Print.
- "David, et al. v. Signal International, LLC, et al." *Aclu.org*. American Civil Liberty Union, 29 May 2013. Web. 1 Sep. 2015.
- Diehl, Claudia, and Michael Blohm. "Rights or Identity? Naturalization Processes among 'Labor Migrants' in Germany." *International Migration Review* 37.1 (2003): 133–62. *JSTOR*. Web. 4 Dec. 2013.
- Downes, Lawrence. "The 'Illegal' Trap." *New York Times*. New York Times, 28 Sep. 2012. Web. 20 Aug. 2012.
- "Dwight Eisenhower on Immigration." *Ontheissues.org*. On the Issues, 30 Dec. 2015. Web. 5 Jun. 2016.
- "Earned Citizenship." *Whitehouse.gov*. The White House, n.d. Web. 11 Dec. 2013.
- Eder, Richard. "The Americanization of Chang: TYPICAL AMERICAN by Gish Jen." *Los Angeles Times*. Los Angeles Times, 17 Mar. 1991. Web. 12 Jun. 2016.
- "Einbürgerungslinien." *Jurion.de*. Jurion, n.d. Web. 3. May 2015.

- “Einbürgerungsstatistik.” *Bmi.bund.de*. Bundesministerium des Innern, 17 Jul. 2014. Web. 9 May 2015.
- Emergency Quota Law of 1921. Pub. L. 67–5. 42 Stat. 5–7. 19 May 1921. Web. 4 Dec. 2015.
- Enchautegui, Maria E. “Immigrants Are Replacing, Not Displacing, Workers.” *New York Times*. New York Times, 6 Jan. 2015. Web. 20 Aug. 2015.
- Espenshade, Thomas J., and Katherine Hempstead. “Contemporary American Attitudes toward U.S. Immigration.” *International Migration Review* 30.2 (1996): 535–70. *JSTOR*. Web. 2 Mar. 2016.
- Esses, Victoria M., John F. Dovidio, Lynne M. Jackson, and Tamara L. Armstrong. “The Immigration Dilemma: The Role of Perceived Group Competition, Ethnic Prejudice, and National Identity.” *Journal of Social Issues* 57.3 (2001): 389–412. *Wiley*. Web. 30 May 2016.
- “Executive Order 9066 Dated February 19, 1942, in Which President Franklin D. Roosevelt Authorizes the Secretary of War to Prescribe Military Areas.” *Catalog.archives.gov*. National Archives Catalog, n.d. Web. 31 May 2016. PDF file.
- Fachinger, Petra. *Rewriting Germany from the Margins: “Other” German Literature of the 1980s and 1990s*. Montreal: McGill-Queen’s UP, 2001. Print.
- Faiola, Anthony. “German Chancellor Pledges Crackdown on Criminal Asylum Seekers.” *Washington Post*. Washington Post, 9 Jan. 2016. Web. 19 Jan. 2016.
- . “New Plan for Migrants Draws Scorn as Germany’s Angela Merkel Struggles for Unity.” *Washington Post*. Washington Post, 17 Mar. 2016. Web. 21 Mar. 2016.
- Far, Sui Sin. *Mrs. Spring Fragrance: A Collection of Chinese-American Short Stories*. Rpt. Mineola: Dover Publications, Inc., 2013. Print.
- Fatemeh, Pourjafari, and Vahidpour Abdolali. “Migration Literature: A Theoretical Perspective.” *Dawn Journal* 3.1 (2014): 679–92. Web. 5 Jun. 2016.
- Fetzer, Joel S. *Public Attitudes toward Immigration in the United States, France, and Germany*. Cambridge: Cambridge UP, 2000. Print.
- “A Fragile Rebound for EU Image on Eve of European Parliament Elections: Chapter 3. Most Support Limiting Immigration.” *Pewglobal.org*. Pew Research Center, 12 May 2014. Web. 7 Mar. 2016.

- “Free Movement — EU Nationals.” *Eu.europa.eu*. European Commission, n.d. Web. 22 Feb. 2016.
- Freeman, Gary P. “Modes of Immigration Politics in Liberal Democratic States.” *International Migration Review* 29.4 (1995): 881–902. *JSTOR*. Web. 30 May 2016.
- Garcia, Charles. “Why ‘Illegal Immigrant’ Is a Slur?” *Edition.cnn.com*. CNN, 6 Jul. 2012. Web. 27 Aug. 2015.
- “German Imperial and State Citizenship Law. July 22, 1913.” *American Journal of International Law* 8.3 (1914): 217–27. *JSTOR*. Web. 1 May 2015.
- “Germany Vows to Fight Racism after Attacks on Refugee Shelter.” *Irishtimes.com*. Reuters, 24 Aug. 2015. Web. 26 Aug. 2015.
- Gordon, Milton M. *Assimilation in American Life: The Role of Race, Religion, and National Origins*. New York: Oxford UP, 1964. Print.
- Gordon, Susan M. “Integrating Immigrants: Morality and Loyalty in US Naturalization Practice.” *Citizenship Studies* 11.4 (2007): 367–82. *Taylor & Francis*. Web. 3 Jul. 2013.
- Green, Simon. “Beyond Ethnoculturalism? German Citizenship in the New Millennium.” *German Politics* 9.3 (2000): 105–24. *Taylor & Francis*. Web. 1 May 2015.
- . *The Politics of Exclusion: Institutions and Immigration Policy in Contemporary Germany*. Manchester: Manchester UP, 2004. Print.
- Greenberg, Jon. “Economist: Immigrants Have Taken All New Jobs Created Since 2000.” *Politifact.com*. Tampa Bay Times Pundit Fact, 2 Dec. 2014. Web. 20 Aug. 2015.
- Greenblatt, Stephen. “Towards a Poetics of Culture.” *The New Historicism*. Ed. H. Aram Veesser. New York: Routledge, 1989. 1–14. Print.
- “Green Card through the Diversity Immigrant Visa Program.” *Uscis.gov*. U.S. Citizenship and Immigration Services, 14 Feb. 2014. Web. 17 Dec. 2015.
- “Green Card through Family.” *Uscis.gov*. U.S. Citizenship and Immigration Services, 13 May 2011. Web. 10 Dec. 2015.
- “Green Card through Investment.” *Uscis.gov*. U.S. Citizenship and Immigration Services, 30 Mar. 2011. Web. 11 Dec. 2015.
- “Green Card through a Job.” *Uscis.gov*. U.S. Citizenship and Immigration Services, 14 Jun. 2013. Web. 10 Dec. 2015.

- “Green Card through Refugee or Asylee Status.” *Uscis.gov*. U.S. Citizenship and Immigration Services, 29 Oct. 2015. Web. 14 Dec. 2015.
- “Green Card through Self Petition.” *Uscis.gov*. U.S. Citizenship and Immigration Services, 30 Sep. 2015. Web. 13 Dec. 2015.
- “Green Card through Special Categories of Jobs.” *Uscis.gov*. U.S. Citizenship and Immigration Services, 11 Mar. 2011. Web. 14 Dec. 2015.
- “H-2A Temporary Agricultural Workers.” *Uscis.gov*. U.S. Citizenship and Immigration Services, 28 Apr. 2015. Web. 30 Aug. 2015.
- “H-2B Temporary Non-Agricultural Workers.” *Uscis.gov*. U.S. Citizenship and Immigration Services, 28 Apr. 2015. Web. 30 Aug. 2015.
- Hailbronner, Kay. *EUDO Citizenship Observatory: Report on Germany*. *Euro-citizenship.eu*. European University Institute and Robert Schuman Centre for Advanced Studies, 2012. Web. 1 May 2015. PDF file.
- Halfmann, Jost. “Immigration and Citizenship in Germany: Contemporary Dilemmas.” *Political Studies* 45 (1997): 260–74. *Wiley Online Library*. Web. 29 Feb. 2016.
- Harper, Tiffany. “No Movement on the Border: Why Immigration Reform Fell Short under Bush.” *Papers.ssrn.com*. Western Political Science Association 2011 Annual Meeting. 1 Feb. 2011. Web. 4 Sep. 2015. PDF file.
- Heckmann, Friedrich. “Illegal Immigration: What Can We Know and What Can We Explain? The Case of Germany.” *International Migration Review* 38.3 (2004): 1103–25. *Wiley Online Library*. Web. 19 Nov. 2012.
- Hernandez, Maricarmen. “A Marxist Analysis of Immigration as a ‘Spatial Fix.’” *Sites.la.utexas.edu*. UT Austin SOC, 4 Feb. 2015. Web. 15 Aug. 2015.
- Higham, John. *Send These to Me: Immigrants in Urban America*. Revised ed. Baltimore: Johns Hopkins UP, 1984. Print.
- . *Strangers in the Land: Patterns of American Nativism, 1860–1925*. New Brunswick: Rutgers UP, 1955. Print.
- “Hitler hat den Deutschen das Rückgrat gebrochen: Ein Gespräch mit dem AfD-Politiker Alexander Gauland über deutsche Komplexe, Homosexuelle und Hindenburg, den Islam und Frauke Petry.” *Zeit.de*. Zeit Online, 28 Apr. 2016. Web. 18 Jun. 2016.

- Hoefler, Michael, Nancy Rytina, and Bryan Baker. *Estimate of the Unauthorized Immigrant Population Residing in the United States: January 2011*. *Dhs.gov*. Homeland Security Office of Immigration Statistics, Mar. 2012. 1–7. Web. 13 Jul. 2015. PDF file.
- Höhne, Jutta, Benedikt Linden, Eric Seils, and Anne Wiebel. “Die Gastarbeiter: Geschichte und aktuelle soziale Lage.” *Boeckler.de*. WSI Report, 16 Sep. 2014. Web. 23 Sep. 2015. PDF file.
- Hollifield, James F. *Immigrants, Markets, and States: The Political Economy of Postwar Europe*. Cambridge: Harvard UP, 1992. Print.
- . “The Politics of Immigration and the Rise of the Migration State: Comparative and Historical Perspectives.” *A Companion to American Immigration*. Ed. Reed Ueda. Malden: Wiley-Blackwell, 2011. 132–58. Print.
- Hollinger, David. *Postethnic America: Beyond Multiculturalism*. New York: Basic Books, 1995. Print.
- Holm, John. *Pidgins and Creoles*. Rpt. Cambridge: Cambridge UP, 1994. Print. Cambridge Language Surveys vol. 2.
- Holpuch, Amanda. “Trump Re-ups Controversial Muslim Ban and Mexico Wall in First Campaign Ad.” *Guardian*. Guardian, 4 Jan. 2016. Web. 5 Jan. 2016.
- Holtz, Jeff. “This Summer’s Surprise Hit: An Elm City ID.” *New York Times*. New York Times, 16 Sep. 2007. Web. 26 Nov. 2012.
- Howard, June. “Sui Sin Far’s American Words.” *Comparative American Studies* 6.2 (2008): 144–60. Web. 9 Jun. 2016.
- Howard, Marc Morjé. “The Causes and Consequences of Germany’s New Citizenship Law.” *German Politics* 17.1 (2008): 41–62. Web. 1 May 2015.
- Hron, Madelaine. *Translating Pain: Immigrant Suffering in Literature and Culture*. Toronto: U of Toronto P, 2009. Print.
- Hugger, Justin. “Illegal Immigration to Germany at Record High — Increase of 75 Per Cent in One Year.” *Telegraph*. Telegraph, 8 Apr. 2015. Web. 13 Jul. 2015.
- Huhn, Armin, Chip Lockwood, and Kathleen Semanski. “Breaking the Silence: An Honest Discussion about Illegal Immigration to Germany.” *Humanityinaction.org*. Humanity in Action, 2006. Web. 13 Jul. 2015.

- Huntington, Samuel P. "The Clash of Civilizations?" *Foreign Affairs* 72.3 (1993): 22–49. Web. 17 Mar. 2016.
- . *Who Are We?: America's Great Debate*. London: Free Press, 2005. Print.
- Instructions for the 2016 Diversity Immigrant Visa Program (DV-2016). *Travel.state.gov*. U.S. Department of State Bureau of Consular Affairs, n.d. Web. 17 Dec. 2015. PDF file.
- Ilias, Shayerah, Katherine Fennelly, and Christopher M. Federico. "American Attitudes toward Guest Worker Policies." *International Migration Review* 42.4 (2008): 741–66. Web. 19 Apr. 2016. PDF file.
- "Illegal Aliens Taking U.S. Jobs (2011)." *Fairus.org*. Federation for American Immigration Reform, 2011. Web. 20 Nov. 2012.
- "Illegal aufhältige Migranten in Deutschland: Datenlage, Rechtslage, Handlungsoptionen." *Bmi.bund.de*. Bundesministerium des Innern, Feb. 2007. Web. 1 May 2013. PDF file.
- Immigration Act of 1924. Pub. L. 68–139. 43 Stat. 153–70. 26 May 1924. Web. 5 Dec. 2015.
- Immigration and Nationality Act of 1990. Pub. L. 101–649. 104 Stat. 4948–5089. 29 Nov. 1990. Web. 26 Dec. 2013.
- Immigration and Nationality Act of 1965. Pub. L. 89–236, 79 Stat. 911–22. 1965. Web. 11 Dec. 2013.
- "Immigration Reform That Will Make America Great Again." *Donaldjtrump.com*. Donald J. Trump for President, Inc., n.d. Web. 28 Dec. 2015.
- Jakob, Maria. "'Unfortunately, There Is No Plural for 'Heimat' in German': Home and Belonging in German Naturalization Ceremonies." *Diasporic Constructions of Home and Belonging*. Ed. Florian Kläger and Klaus Stierstorfer. Berlin: De Gruyter, 2015. 297–313. Print.
- Jen, Gish. *Typical American*. New York: Vintage Contemporaries, 2008. Print.
- Jensen, Richard. "'No Irish Need Apply': A Myth of Victimization." *Journal of Social History* 36.2 (2002): 405–29. Web. 15 Dec. 2015.
- Johnson, Lyndon B. "State of the Union Address." *State of the Union Addresses by United States Presidents: State of the Union Addresses by Lyndon B. Johnson*. Ed. Jim Manis. Hazleton: Penn State Electronic Classics Series Publication, 2003. 3–11. Web. 11 Dec. 2013.

- Jonsson, Patrik. "Is Alabama Immigration Law Creating a 'Humanitarian Crisis'?" *Christian Science Monitor*. Christian Science Monitor, 6 Oct. 2011. Web. 5 Dec. 2012.
- Kálnoky, Boris. "Ungarn zieht Grenzzaun gegen Flüchtlinge hoch." *Welt.de*. Die Welt, 6 Jul. 2015. Web. 25 Aug. 2015.
- Kirschbaum, Erik. "Germany's Angela Merkel Faces Discontent at Home over Refugee Crisis." *Los Angeles Times*. Los Angeles Times, 12 Dec. 2015. Web. 5 Jan. 2016.
- Krogstad, Jens Manuel. "On Views of Immigrants, Americans Largely Split along Party Lines." *Pewresearch.org*. Pew Research Center, 30 Sep. 2015. Web. 4 Mar. 2016.
- Lacey, Marc. "Arizona Officials, Fed up with U.S. Efforts, Seek Donations to Build Border Fence." *New York Times*. New York Times, 19 Jul. 2011. Web. 22 Nov. 2012.
- Lahav, Gallya, and Virginie Guiraudon. "Actors and Venues in Immigration Control: Closing the Gap between Political Demands and Policy Outcomes." *West European Politics* 29.2 (2006): 201–23. *Taylor & Francis*. Web. 13 Feb. 2014.
- Lahiri, Jhumpa. *The Namesake*. London: Fourth Estate, 2011. Print.
- Learn about the United States: Quick Civics Lessons for the Naturalization Test*. *Uscis.gov*. U.S. Citizenship and Immigration Services, Jun. 2013. Web. 13 Dec. 2013. PDF file.
- Lee, Erika. "A Nation of Immigrants and a Gatekeeping Nation: American Immigration Law and Policy." *A Companion to American Immigration*. Ed. Reed Ueda. Malden: Wiley-Blackwell, 2011. 5–35. Print.
- Leitner, Helga. "International Migration and the Politics of Admission and Exclusion in Postwar Europe." *Political Geography* 14.3 (1995): 259–78. Web. 25 Dec. 2015.
- Lennard, Natasha, and Lukas Hermsmeier. "Merkel's Refugee Policy Is Political Calculus, Not Humanitarian Generosity." *Thenation.com*. Nation, 19 Nov. 2015. Web. 5 Jan. 2016.
- Li, Qianqian. "Becoming an American: Rethinking the United States Naturalization Policy." *Diasporic Constructions of Home and Belonging*. Ed. Florian Kläger and Klaus Stierstorfer. Berlin: De Gruyter, 2015. 315–30. Print.
- Lind, Michael. *The Next American Nation: The New Nationalism and the Fourth American Revolution*. New York: The Free Press, 1995. Print.
- Lister, Ruth. "Inclusive Citizenship: Realizing the Potential." *Citizenship Studies* 11.1 (2007): 49–61. *Taylor & Francis*. Web. 30 Jan. 2015.

- Lohse, Eckart, Julian Staib, and Stephan Löwenstein. "Österreich kontrolliert Flüchtlingsrouten kaum." *Faz.net*. Frankfurter Allgemeine, 18 Aug. 2015. Web. 24 Aug. 2015.
- Lynch, Robert, and Patrick Oakford. "The Economic Effects of Granting Legal Status and Citizenship to Undocumented Immigrants." *Americanprogress.org*. Center for American Progress, 20 Mar. 2013. Web. 20 Aug. 2015.
- Macwan, Hiral. "A Study of Diasporic Sensibility and Acculturation in Jhumpa Lahiri's *The Namesake*." *Ijellh.com*. International Journal of English, Language, Literature and Humanities, n.d. Web. 11 Jun. 2016.
- Marcus, Ruth. "After the Selfies: Angela Merkel's Migrant Dilemma." *Washington Post*. Washington Post, 6 Nov. 2015. Web. 25 Feb. 2016.
- Marshall, T. H. "Citizenship and Social Class." *Inequality and Society*. Ed. Jeff Manza and Michael Sauder. New York: W. W. Norton and Co., 2009. 148–54. Print.
- Martell-Gómez, Alpha. "Policing the U.S.-Mexico Border: Is Border Enforcement the Real Solution to Stop Unwanted Migration?" *Migrantsrights.org.uk*. Migrants' Rights Network, 2 Aug. 2010. Web. 21 Nov. 2012.
- Martin, Philip. "Trends in Migration to the U.S." *Prb.org*. Population Reference Bureau, May 2014. Web. 9 Jun. 2016.
- Martin, Philip L., and Michael S. Teitelbaum. "The Mirage of Mexican Guest Workers." *Foreignaffairs.com*. Foreign Affairs, Nov./Dec. 2001. Web. 4 Sep. 2015.
- Marx, Karl. *Capital: A Critical Analysis of Capitalist Production*. Trans. Samuel Moore and Edward Aveling. Ed. Institut für Geschichte der Arbeiterbewegung and Institut für Marxismus-Leninismus beim Zentralkomitee der Kommunistischen Partei der Sowjetunion. Berlin: Dietz Verlag, 1990. Print. Vol. 41 (II/9) of *Karl Marx Friedrich Engels Gesamtausgabe (MEGA)*. 114 vols to date. 1975- .
- . "The Grundrisse: Notebook V. 22 January 1858 – Beginning of February 1858, Continued." *Marxists.org*. Marxists Internet Archive, n.d. Web. 15 Aug. 2015.
- McLoughlin, William G. "Experiment in Cherokee Citizenship, 1817–1829." *American Quarterly* 33.1 (1981): 3–25. *JSTOR*. Web. 15 Sep. 2014.
- Mekhennet, Souad. "A 50-Year Journey for Turkey and Germany." *New York Times*. New York Times, 30 Oct. 2011. Web. 18 Sep. 2015.
- "Merkel at Her Limit." *Economist.com*. Economist, 10 Oct. 2015. Web. 5 Jan. 2016.

- Meyers, Eytan. "Theories of International Immigration Policy — A Comparative Analysis." *International Migration Review* 34.4 (2000): 1245–82. *JSTOR*. Web. 1 Jan. 2014.
- "Milestones: 1921–1936: The Immigration Act of 1924 (The Johnson-Reed Act)." *History.state.gov*. U.S. Department of State Office of the Historian, n.d. Web. 8 Dec. 2015.
- Mintz, Steven. "Immigration Policy in World War II." *Gilderlehrman.org*. Gilder Lehrman Institute of American History, n.d. Web. 9 Jun. 2016.
- Miranda, Luis. "Get the Facts on the DREAM Act." *Whitehouse.gov*. The White House, 1 Dec. 2010. Web. 26 Nov. 2012.
- Money, Jeannette. *Fences and Neighbors: The Political Geography of Immigration Control*. Ithaca: Cornell UP, 1999. Print.
- Mora, Terézia. *Day In Day Out*. Trans. Michael Henry Heim. New York: Harper Perennial, 2007. Print.
- Myrdal, Gunnar. *An American Dilemma: The Negro Problem and Modern Democracy*. New York: Harper & Brothers Publishers, 1944. Print.
- Nationality Act. *Bmi.bund.de*. Bundesministerium des Innern, 13 Nov. 2014. Web. 1 May 2015. PDF file.
- Nationality Act (1913, As Amended 1999). *Legislationline.org*. Legislationline, n.d. Web. 6 May 2015.
- "The Naturalisation Test." *Bamf.de*. Federal Office for Migration and Refugees, 18 Jan. 2011. Web. 16 May 2015.
- "Naturalization." *Bmi.bund.de*. Bundesministerium des Innern, n.d. Web. 16 May 2015.
- "Naturalization Oath of Allegiance to the United States of America." *Uscis.gov*. U.S. Citizenship and Immigration Services, 4 Sep. 2012. Web. 1 Dec. 2013.
- Nelson, Eugene. *Bracero*. Culver City: Peace Press Publishing, 1972. Print.
- Nixon, Simon. "Stakes Are High for Germany's Angela Merkel in Success of New Migrant Deal." *Wall Street Journal*. Wall Street Journal, 20 Mar. 2016. Web. 21 Mar. 2016.
- Oezcan, Veysel. "Germany: Immigration in Transition." *Migrationpolicy.org*. Migration Policy Institute, 1 Jul. 2004. Web. 15 Sep. 2015.
- Olneck, Michael R. "Assimilation and American National Identity." *A Companion to American Immigration*. Ed. Reed Ueda. Malden: Wiley-Blackwell, 2011. 202–24. Print.

- Ören, Aras. *Was will Niyazi in der Naunynstraße*. Trans. H. Achmed Schmiede and Johannes Schenk. Berlin: Rotbuch Verlag, 1973. Print.
- Palmer, Edith. "Citizenship Pathways and Border Protection: Germany." *Loc.gov*. Library of Congress, Mar. 2013. Web. 22 Jul. 2015.
- . "Guest Worker Programs: Germany." *Loc.gov*. Library of Congress, Feb. 2013. Web. 24 Sep. 2015.
- Park, Robert E., and Ernest W. Burgess. *Introduction to the Science of Sociology: Including an Index to Basic Sociological concepts*. Student ed. Chicago: U of Chicago P, 1970. Print.
- Parsons, Dana. "Kemp's Prop. 187 Stance a Courageous 'Act of Stupidity.'" *Los Angeles Times*. Los Angeles Times, 21 Oct. 1994. Web. 5 Dec. 2012.
- Passel, Jeffrey S. "Growing Share of Immigrants Choosing Naturalization." *Pewhispanic.org*. Pew Research Center, 28 Mar. 2007. Web. 5 May 2015.
- Pazarkaya, Yüksel. *Ich und die Rose*. Hamburg: Rotbuch Verlag, 2002. Print.
- "Permanent Labor Certification." *Foreignlaborcert.doleta.gov*. United States Department of Labor Employment & Training Administration, 22 Aug. 2014. Web. 10 Dec. 2015.
- "Permanent Resident Alien." *Uscis.gov*. U.S. Citizenship and Immigration Services, n.d. Web. 27 Aug. 2015.
- Photong-Wollmann, Pimonmas. "Literarische Integration in der Migrationsliteratur anhand der Beispiele von Franco Bondis Werken." *Deutsche-digitale-bibliothek.de*. Deutsche Digitale Bibliothek, Oct. 1996. Web. 27 Oct. 2015. PDF file.
- Planas, Roque. "'Illegal vs. Undocumented' Debate: Obama and Romney Weigh in at Town Hall Meeting." *Huffington Post*. Huffington Post, 17 Oct. 2012. Web. 20 Aug. 2015.
- . "Jose Antonio Vargas Restarts 'Illegal' v. 'Undocumented' Debate, Highlighting Role of Latino Media." *Huffington Post*. Huffington Post, 1 Oct. 2012. Web. 20 Aug. 2015.
- Plyler v. Doe*. 457 US 202. Supreme Court of the US. 1982. *Supreme Court Collection*. Legal Information Inst., Cornell U Law School, n.d. Web. 26 Dec. 2013.
- Popp, Maximilian, and Jörg Schindler. "SPIEGEL Migration Debate: 'One of the Most Serious Dramas of Our Times.'" *Spiegel.de*. Spiegel Online, 12 May 2015. Web. 21 Jul. 2015.
- Poushter, Jacob. "Refugees Stream into Europe, Where They Are Not Welcomed with Open Arms." *Pewresearch.org*. Pew Research Center, 24 Apr. 2015. Web. 23 Jul. 2015.

- “President Bush Proposes New Temporary Worker Program.” *Georgebush-whitehouse.archives.gov*. The White House, 7 Jan. 2004. Web. 4 Sep. 2014.
- Preston, Julia. “In Alabama, a Harsh Bill for Residents Here Illegally.” *New York Times*. New York Times, 3 Jun. 2011. Web. 26 Nov. 2012.
- . “Risks Seen for Children of Illegal Immigrants.” *New York Times*. New York Times, 20 Sep. 2011. Web. 11 Dec. 2012.
- Prevezanos, Klaudia. “Turkish Guest Workers Transformed German Society.” *Dw.com*. Deutsche Welle, 30 Oct. 2011. Web. 17 Sep. 2015.
- Prose, Francine. *My New American Life*. New York: Harper Perennial, 2012. Print.
- “Racism in Germany ‘in All Parts of Society,’ UN Review Shows.” *Dw.com*. Deutsche Welle, 5 May 2015. Web. 26 Aug. 2015.
- Reineke, Robin, and Daniel E. Martínez. “Migrant Deaths in the Americas (United States and Mexico).” *Fatal Journeys: Tracking Lives Lost during Migration*. Geneva: International Organization for Migration, 2014. 45–83. Web. 21 Aug. 2015. PDF file.
- “Relocation and Incarceration of Japanese Americans during World War II.” *Calisphere*. *universityofcalifornia.edu*. University of California, n.d. Web. 31 May 2016.
- Ruhs, Martin, and Philip Martin. “Number vs. Rights: Trade-Offs and Guest Worker Programs.” *International Migration Review* 42.1 (2008): 249–65. Web. 30 Aug. 2015.
- Schiffer, Eckart. “Der Koran ist nicht Gesetz.” *Der Spiegel*. Der Spiegel, 30 Sep. 1991. Web. 27 Apr. 2015.
- Schmidt, Heidi. “Illegals in Germany Face Similar Problems as Those in US.” *Dw.com*. Deutsche Welle, 2 May 2006. Web. 15 Jul. 2015.
- Schneider, Jens, and Maurice Crul. “New Insights into Assimilation and Integration Theory: Introduction to the Special Issue.” *Ethnic and Racial Studies* 33.7 (2010): 1143–48. Web. 8 Jun. 2016.
- Schrag, Peter. *Not Fit for Our Society: Immigration and Nativism in America*. Berkeley: U of California P, 2010. Print.
- Schuck, Peter H. “Citizenship and Nationality Policy.” *The New Americans: A Guide to Immigration since 1965*. Ed. Mary C. Waters and Reed Ueda. Cambridge: Harvard UP, 2007. 43–55. Print.

- . "Law and the Study of Migration." *Migration Theory: Talking across Disciplines*. 2nd ed. Ed. Caroline B. Brettell and James F. Hollifield. New York: Routledge, 2008. 239–57. Print.
- Seminara, David. "Hello, I Love You, Won't You Tell Me Your Name: Inside the Green Card Marriage Phenomenon." *Cis.org*. Center for Immigration Studies, Nov. 2008. Web. 9 Jan. 2016.
- Şenocak, Zafer. *Atlas des tropischen Deutschland: Essays*. Berlin: Babel Verlag, 1992. Print.
- . *Deutschsein: Eine Aufklärungsschrift*. Hamburg: Körber-Stiftung, 2011. Print.
- "A Sensible Path in California." *New York Times*. New York Times, 16 Oct. 2011. Web. 5 Dec. 2012.
- "Shock over Cologne New Year's Eve Sexual Assaults." *BBC.com*. BBC, 5 Jan. 2016. Web. 19 Jan. 2016.
- Smale, Alison. "Angela Merkel's Trust in Turkey and Greece on Migrants Comes with Risks," *New York Times*. New York Times, 20 Mar. 2016. Web. 21 Mar. 2016.
- Smale, Alison, and Victor Homola. "Merkel Defies Conservative Critics of Her Refugee Policy." *New York Times*. New York Times, 14 Dec. 2015. Web. 28 Dec. 2015.
- Smith, Rebecca. "Guest Workers or Forced Labor?" *New Labor Forum* 16.3–4 (2007): 70–78. *JSTOR*. Web. 29 Aug. 2015.
- "So Much for the Nativists." *New York Times*. New York Times, 26 Oct. 2011. Web. 5 Dec. 2012.
- Sollors, Werner. *Neither Black nor White Yet Both: Thematic Explorations of Interracial Literature*. New York: Oxford UP, 1997. Print.
- Ross, Janell. "What Does Donald Trump Really Believe about Immigration?" *Washington Post*. Washington Post, 20 May 2016. Web. 10 Jun 2016.
- Statistisches Bundesamt. "Ausländische Bevölkerung." *Destatis.de*. Statistisches Bundesamt, n.d. Web. 8 May 2015.
- Stöbbe, Holk. "Undocumented Migration in the USA and Germany: An Analysis of the German Case with Cross-Reference to the U.S. Situation." *Ccis.ucsd.edu*. Center for Comparative Immigration Studies of UCSD, Feb. 2000. Web. 18 Jul. 2015. PDF file.
- Sullivan, Margret. "Is 'Illegal Immigrant' the Right Description?" *New York Times*. New York Times, 24 Sep. 2012. Web. 20 Aug. 2015.

- . "Readers Won't Benefit if Times Bans the Term 'Illegal Immigrant.'" *New York Times*. New York Times, 2 Oct. 2012. Web. 20 Aug. 2015.
- "Survey Shows Half of All Germans Favor Taking in More Refugees." *Dw.com*. Deutsche Welle, 24 Apr. 2015. Web. 23 Jul. 2015.
- Synon, M. E. "Germany Is Europe's Top Destination for Illegal Immigrants, Says Berlin Top Cop." *Breitbart.com*. Breitbart, 14 Jul. 2014. Web. 21 Jul. 2015.
- Takaki, Ronald. *A Different Mirror: A History of Multicultural America*. Boston: Little, Brown and Company, 1993. Print.
- Tantow, Lutz. "In den Hinterhöfen der deutschen Sprache: Ein Streifzug durch die deutsche Literatur von Ausländern." *Zeit.de*. Zeit Online, 6 Apr. 1984. Web. 27 Oct. 2015.
- Tehrani, John. "Performing Whiteness: Naturalization Litigation and the Construction of Racial Identity in America." *Yale Law Journal* 109.4 (2000): 817–48. Web. 11 Dec. 2014.
- Teraoka, Arlene Akiko. "Gastarbeiterliteratur: The Other Speaks Back." *Cultural Critique* 7 (1987): 77–101. *JSTOR*. Web. 19 Sep. 2015.
- Teske, Raymond H. C., and Bardin H. Nelson. "Acculturation and Assimilation: A Clarification." *American Ethnologist* 1.2 (1974): 351–67. *JSTOR*. Web. 13 Dec. 2013.
- Thadden, Rudolf von. "Das schwierige Vaterland." *Die Identität der Deutschen*. Ed. Werner Weidenfeld. Bonn: Bundeszentrale für politische Bildung, 1983. 51–63. Print.
- Tost, Daniel. "Poll: Majority of Germans Reject Immigration from outside the EU." *Euractiv.com*. Trans. Erika Körner. EurActiv with Reuters, 20 Feb. 2015. Web. 23 Jul. 2015.
- "Transcript: Illinois Senate Candidate Barack Obama." *Washington Post*. Washington Post, 27 Jul. 2004. Web. 16 Jul. 2015.
- Tucker, Davis, and Jessi Creller. "Summary: 1917 Immigration Act." *Library.uwb.edu*. The University of Washington-Bothell Library, n.d. Web. 28 Nov. 2015.
- Turner, Frederick Jackson. *The Frontier in American History*. Mineola: Dover Publications, Inc., 2010. Print.
- Ueda, Reed. "Immigration in Global Historical Perspective." *The New Americans: A Guide to Immigration since 1965*. Ed. Mary C. Waters and Reed Ueda. Cambridge: Harvard UP, 2007. 14–28. Print.
- United States Code. 8 USC. Sec. 1324a. 2011. Web. 8 Dec. 2015.

- . 8 USC. Sec. 1401. 2011. Web. 29 Dec. 2013.
- . 8 USC. Sec. 1409. 2011. Web. 29 Dec. 2013.
- United States. Cong. House. *Report to the President of the Commission on Naturalization*. Washington: Government Printing Office, 1905. Web. 11 Dec. 2014.
- “United States Policy toward Jewish Refugees, 1941–1952.” *Ushmm.org*. United States Holocaust Memorial Museum, 29 Jan. 2016. Web. 9 Jun. 2016.
- Van Hook, Jennifer, Susan K. Brown, and Frank D. Bean. “For Love or Money? Welfare Reform and Immigrant Naturalization.” *Social Forces* 85.2 (2006): 643–66. *JSTOR*. Web. 4 Dec. 2013.
- Veesser, H. Aram. “Introduction.” *The New Historicism*. Ed. H. Aram Veesser. New York: Routledge, 1989. ix–xvi. Print.
- Vile, John R. *American Immigration and Citizenship: A Documentary History*. London: Rowman & Littlefield, 2016. Print.
- Viotti, Paul R., and Mark V. Kauppi. *International Relations Theory*. 4th ed. New York: Longman, 2010. Print.
- Waters, Mary C., and Tomás R. Jiménez. “Assessing Immigrant Assimilation: New Empirical and Theoretical Challenges.” *Annual Review of Sociology* 31 (2005): 105–25. *JSTOR*. Web. 13 Dec. 2013.
- Watson, Peter. *The German Genius: Europe’s Third Renaissance, the Second Scientific Revolution and the Twentieth Century*. London: Simon & Schuster, 2010. Print.
- Weber, Wolfgang. “The Debate in Germany over the Crimes of Hitler’s Wehrmacht.” *Wsws.org*. International Committee of the Fourth International (ICFI), 19 Sep. 2001. Web. 26 Feb. 2015.
- Weidenfeld, Werner. “Die Identität der Deutschen — Fragen, Positionen, Perspektiven.” *Die Identität der Deutschen*. Ed. Werner Weidenfeld. Bonn: Bundeszentrale für politische Bildung, 1983. 13–49. Print.
- Welsh, Teresa. “8 Facts about the U.S. Program to Resettle Syrian Refugees.” *Usnews.com*. U.S. News & World Report, 20 Nov. 2015. Web. 16 Dec. 2015.
- “Wir werden den Zaun aufessen.” *Zeit.de*. Zeit Online, 10 Aug. 2015. Web. 25 Aug. 2015.
- Wittlinger, Ruth. *German National Identity in the Twenty-First Century: A Different Republic After All?* Chippenham: Palgrave MacMillan, 2010. Print.

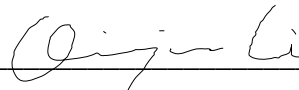
- Yalçın-Heckmann, Lale. "Negotiating Identities: Media Representations of Different Generations of Turkish Migrants in Germany." *Fragments of Culture: The Everyday of Modern Turkey*. Rpt. Ed. Deniz Kandiyoti and Ayşe Saktanber. London: I. B. Tauris, 2013. 308–21. Print.
- "Yes to the California Dream Act." *Los Angeles Times*. Los Angeles Times, 16 Sep. 2011. Web. 5 Dec. 2012.
- "Zahl der Ausländer in Deutschland von 1990 bis 2014 (in 1.000)." *De.statista.com*. Das Statistik-Portal, n.d. Web. 9 May 2015.
- Zengerle, Patricia. "Contentious Syrian Refugee Measure Likely to Die in U.S. Congress." *Reuters*. Reuters, 15 Dec. 2015. Web. 16 Dec. 2015.
- Zhang, Minglan. "An Analysis of the Disillusioned American Dream in Gish Jen's *Typical American*." *Theory and Practice in Language Studies* 4.7 (2014): 1452–57. Web. 12 Jun. 2016.
- Zolberg, Aristide R. "International Migrations in Political Perspective." *Global Trends in Migration: Theory and Research on International Population Movements*. Ed. Mary M. Kritz, Charles B. Keely, and Silvano M. Tomasi. New York: Center for Migration Studies, 1981. 3–27. Print.
- Zong, Jie, and Jeanne Batalova. "Frequently Requested Statistics on Immigrants and Immigration in the United States." *Migrationpolicy.org*. Migration Policy Institute, 26 Feb. 2015. Web. 9 May 2015.

Hiermit erkläre ich, Qianqian Li, geb. am 25.08.1987, dass ich zu keinem früheren Zeitpunkt eine Promotion versucht habe.

Hiermit versichere ich, dass ich die vorgelegte Dissertation selbst und ohne fremde Hilfe verfasst habe, nicht andere als die in ihr angegebenen Quellen oder Hilfsmittel benutzt habe, alle vollständig oder sinngemäß übernommenen Zitate als solche gekennzeichnet sowie die Dissertation in der vorliegenden oder einer ähnlichen Form noch bei keiner anderen in- oder ausländischen Hochschule anlässlich eines Promotionsgesuchs oder zu anderen Prüfungszwecken eingereicht habe.

Marburg, 30.11.2016

Ort, Datum



Qianqian Li (Unterschrift)