Race, America's Multiple Traditions, and Incorporating Immigrants in the Twenty-First Century

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ABIGAIL FISHER WILLIAMSON, WELCOMING NEW AMERICANS? LOCAL GOVERNMENTS AND IMMIGRANT INCORPORATION (UNIVERSITY OF CHICAGO PRESS 2018). PP. 368. HARDCOVER $97.50. PAPERBACK $32.50.

CHRIS ZEPEDA-MILLÁN, LATINO MASS MOBILIZATION: IMMIGRATION, RACIALIZATION, AND ACTIVISM (CAMBRIDGE UNIVERSITY PRESS 2017). PP. 308. HARDCOVER $105.00. PAPERBACK $29.99.

IMMIGRANT INCORPORATION AND AMERICA'S MULTIPLE TRADITIONS

The United States of America: a nation of immigrants. Or so says American lore. Yet historically with every immigration influx, there have been immigrant populist backlashes which have enjoyed from tepid to strong support among pluralities of the population. Chris Zepeda-Millán's *Latino Mass Mobilization: Immigration, Racialization, and Activism* and Abigail Fisher Williamson's *Welcoming New Americans: Local Governments and Immigrant Incorporation* capture how the politics of immigrant incorporation bring into relief what Rogers Smith refers to as America's "multiple traditions" and their influence on immigrant incorporation in the twenty-first century.[1] Zepeda-Millán examines the causes and legacies of the 2006 Latinx mass protests. Williamson investigates how small to medium sized cities have responded to increasing immigrant populations as new immigrant destinations. Both studies investigate the interrelationship between immigration influxes, immigrant incorporation, anti-immigrant backlashes, and the role of race in facilitating the politics of all of the above. Ultimately, both studies take stock of the politics of immigrant incorporation in the new millennium: what shapes it; what are its electoral impacts; and what their findings suggest for

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1. CHRIS ZEPEDA-MILLÁN, LATINO MASS MOBILIZATION: IMMIGRATION, RACIALIZATION, AND ACTIVISM (2017); ABIGAIL FISHER WILLIAMSON, WELCOMING NEW AMERICANS: LOCAL GOVERNMENTS AND IMMIGRANT INCORPORATION 14 (2018); Rogers M. Smith, *Beyond Tocqueville, Myrdal, and Hartz: The Multiple Traditions in America*, 87 AM. POL. SCI. REV. 549, 550 (1993).

immigrant incorporation going forward. In doing so, they offer a snapshot of America's multiple traditions in the twenty-first century, a generation and a half removed from the ideational and institutional legacies of the African American Civil Rights movement of the 1960s and 1970s, a hegemonic period for American racial liberalism. How have America's multiple traditions played out in immigrant incorporation in the first quarter of the twenty-first century, and how will they shape immigrant incorporation in the future?

IMMIGRATION AND AMERICA'S MULTIPLE TRADITIONS

Rogers Smith counters classic characterizations[2] of American political culture as predominantly liberal. In such descriptions, illiberal traditions and practices (racism, sexism and other ascriptive discrimination) are viewed as the anarchic expressions of the ignorant and prejudiced, traditions that will eventually submit to the liberal ideologies and practices intrinsic to the American political system. Smith argues a more accurate description reveals the predominance of multiple traditions in American political culture historically: republican, liberal and illiberal traditions that have intertwined, contradicted and constrained one another.[3]

Immigration politics has perennially reflected these multiple traditions. Polls have found majorities of Americans to both revere America's immigrant roots while harboring deep suspicions of its immigration present.[4] Daniel Tichenor also references Smith's multiple traditions approach in citing the requisite cross-partisan coalitions for political development in immigration control policy throughout American history.[5] Tichenor sees these traditions represented in the perennial spectrum of interests ranging from liberal multicultural pluralism to illiberal protectionism which have contested, constrained and intertwined in immigration control policy. Tichenor likewise sees race as intrinsic to these contestations—central to immigrant admissions and incorporation debates.

THE ROLE OF RACE IN IMMIGRANT INCORPORATION

Zepeda-Millán and Williamson similarly theorize how race is the primary framing for the politics of immigrant incorporation in their respective cases. In both studies, how immigrants are racialized by anti-immigrant forces and the extent to which immigrants mobilize as a racialized group of linked fate is foundational to the politics of immigrant incorporation in these cases. Concurring with Smith's multiple traditions theory, instead of being a relic of the past, racial politics is intrinsic to the politics of immigrant incorporation, with those for and against couching their positions in racial terms. Hence, their studies also illustrate the current role of race in twenty-first century American politics and its influence on immigrant incorporation more specifically.

THE AFRICAN AMERICAN CIVIL RIGHTS PARADIGM AND ITS EXTENSION TO IMMIGRATION

The subnational immigrant incorporation debates featured in these two books are

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2. Smith, *supra* note 1, at 550.
3. *Id.*
4. DANIEL J. TICHENOR, DIVIDING LINES: THE POLITICS OF IMMIGRATION CONTROL IN AMERICA 254 (Ira Katznelson, et al. eds., 2002).
5. *Id.* at 283.

framed by the political and institutional legacies of the 1960s Civil Rights era. In Smith's work with Desmond King, America's multiple traditions foster competing racial orders (an egalitarian order versus a white supremacist/non-transformationist order) that when traced historically can offer a framework explaining political development in race over time.[6] King and Smith argue that the egalitarian racial order unequivocally delegitimized overt racism and de jure segregation by the end of the 1960s, ushering in institutional and legal configurations authorizing the state to police and facilitate racial egalitarianism.[7] These included the Civil Rights Act, the Voting Rights Act, the Immigration Act of 1965, and the Elementary and Secondary Education Act (ESEA). The racial/ethnic demographics of the post 1965 immigrants and the race-neutral language of Civil Rights legislation extended protections to and facilitated the incorporation of immigrants. Extensions include the Immigration Act of 1965, which embodied the racial egalitarianism of its time; extending protections/largesse from the ESEA, the Civil Rights Act and Voting Rights Act to immigrants; the Bilingual Education Act (Title VII of the ESEA); the Lau rulings (requiring states to accommodate second language students); and the *Plyler v. Doe* ruling guaranteeing access to public education for undocumented students. The "rights revolution," more generally, spawned by the Civil Rights movement brought the rights of immigrants to approximate those of citizens.[8] Moreover, civil rights era sensibilities made restrictionist initiatives targeting non-white immigrants vulnerable to accusations of racism, making such initiatives less legitimate as viable approaches to regulating immigrant flows or opposing initiatives of cultural recognition.[9] The increasingly entrenched immigrant rights lobby at the federal and state level successfully employed charges of racism to counter restrictionist proposals, helping to secure expansive immigration control and cultural recognition legislation from the 1970s through 1990. This hegemonic period of civil rights egalitarianism facilitated liberalization in immigrant incorporation initiatives at the federal and state level. Immigrants had access to welfare benefits, bilingual education programs, public education regardless of legal status, voting rights protections, refugee admittance and resettling programs, and affirmative action redistributive benefits.[10]

Zepeda-Millán's cases illustrate how the institutional and ideational paradigms of civil rights liberalism influence political and bureaucratic elites in the small to medium sized cities of study. Zepeda-Millán's general finding is that small and medium size cities have generally been accommodating to new immigrant populations despite the increasingly restrictionist tenor of the national debate and similar (racialized) sentiments

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6. *See* Desmond King & Rogers Smith, *Racial Orders in American Political Development*, *in* RACE AND AMERICAN POLITICAL DEVELOPMENT 80 (Joseph Lowndes, Julie Novkov & Dorian T. Warren eds., 2008). King and Smith argue that political development in race can be viewed through the perennial competition between competing racial orders (an egalitarian racial order and a segregationist (pre-1965)/non-transformational (post-1965) order). *Id.* at 80–84. They define racial [institutional] orders as coalitions of state institutions and other political actors and organizations that seek to secure governing power to allocate power, resources and status along racial lines. *Id.* at 80. Coalitions are bound together by racial concepts, aims, and commitments although individual actors may not share all of these in the same degree. *Id.* at 81.

7. *Id.* at 93–94.

8. TICHENOR, *supra* note 4, at 220.

9. *Id*. at 221.

10. Christian Joppke, *Why Liberal States Accept Unwanted Immigration*, 50 WORLD POL. 266, 275 (1998).

among their populations.[11] Zepeda-Millán argues that the aforementioned political and institutional legacies of civil rights liberalism were a primary stimulus to political and bureaucratic elites' accommodating responses in the cases studied—viewing immigrants as clients worthy of protection from discrimination and incorporation into the polity.[12]

IMMIGRANT INCORPORATION DEBATES AMID AN AGING CIVIL RIGHTS HEGEMON

These two studies, however, capture the US at a point distant enough from the hegemonic ascension of "civil rights liberalism"[13] in the mid-1960s and 1970s, where its institutional and political legacies have been weakened, presenting changing political environments for immigrant incorporation debates. In Zepeda-Millán's cases, the renaissance of restrictionist framings in the national immigration debate has made the more accommodating stances of urban and bureaucratic elites more politically problematic especially in red leaning states. In Williamson's cases, anti-immigrant backlashes—emboldened by the increasingly restrictionist stances of the Republican Party since 2000—all but halted the mobilization of the 2006 protests from having any effect on the immigration reform debate in the immediate succeeding years.

Since the late 1970s, there has been a whittling away at the institutional and ideational hegemony of 1960s civil rights liberalism. With segregation resolved the politics of race transitioned in the 1970s to a new issue of the day, government initiatives to correct racial inequities.[14] Using the King and Smith framing of race and political development, the losing white supremacist order reformed as a non-transformational order opposing government programs to aid minorities.[15] With a slowing economy, stagnant wages, deindustrialization, white collar layoffs/outsourcing, aversion to taxes, and growing isolationism and nativism,[16] the non-transformational order was more in line with the political zeitgeist than civil rights liberalism. Nevertheless, liberal immigration interests continued to score victories, increasing refugee and legal immigration ceilings and policy arrangements sanctioning cultural recognition, through 1990. Coalitions of liberal cosmopolitans, business, and labor prevailed, successfully removing policymaking from electoral politics.[17] Collectively, with the aforementioned political sensitivities to opposing [non-white] immigrant incorporation, restrictionist efforts were stymied through the 1980s.[18]

THE ASCENSION OF MODERN NATIVISM

Liberal interests also prevailed partly by separating illegal immigration from legal

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11. ZEPEDA-MILLÁN, *supra* note 1, at 1.

12. *Id*. at 2–3.

13. DANIEL MARTINEZ HOSANG, RACIAL PROPOSITIONS: BALLOT INITIATIVES AND THE MAKING OF POSTWAR CALIFORNIA (2010).

14. King & Smith, *supra* note 6, at 87–94.

15. *Id*. at 93.

16. Gregory A. Huber & Thomas J. Epenshade, *Neo-Isolationism, Balanced Budget, Conservatism, and the Fiscal Impacts of Immigrants*, 31 INT'L MIGRATION REV. 1031, 1034 (1997).

17. TICHENOR, *supra* note 4, at 85.

18. *Id*. at 242–44; *see* Antje Ellerman, *Undocumented Migrants and Resistance in the Liberal State*, 38 POL. & SOC. 408 (2010).

immigration and refugee policy.[19] However, as the undocumented population increased with the "browning of America," an immigrant backlash emerged that equated Latinx with illegal and illegal with Latinx.[20] Combining with a politics of austerity and nativism,[21] the racialization of Latinx as an illegal/illegitimate presence created a political context where the politics of restrictionism and cultural exclusivism[22] increasingly resonated beginning in the late 1980s. Moreover, restrictionist forces increasingly exploited the disconnect between accommodating elites and restrictionist electorates with the increasing employment (and resonance) of anti-immigrant populism.[23] Williamson's subnational cases capture this latter dynamic and its effect on immigrant incorporation debates. Both studies capture the fusing of immigrants with illegal/illegitimate—revealing how immigrants are racialized.

The trilogy of referenda[24] in California in the 1990s attacking immigration and civil rights liberalism emerged in this context, marking the beginning of the more Trumpian style nativism. Specifically, Proposition 187 unabashedly targeted immigrants' access to education and welfare benefits. Despite passing by substantial majorities in California, most of its provisions would be overturned by the Supreme Court. Nevertheless, some of its policy provisions wound up in the Newt Gingrich led immigration reform, the Illegal Immigration Reform and Immigrant Responsibility Act, in 1996.[25] The Act restricted welfare benefit access for both legal and illegal immigrants. The courts have said such distinctions are permitted except for those pertaining to education and emergency benefits. Hence, conservative forces were able to weaken the access to welfare secured via the "rights revolution," reestablishing a hierarchy between citizens and immigrants regardless of legal status.[26] Zepeda-Millán also cites this opposition to welfare benefits as foundational to the restrictionist sentiment among the non-immigrant populations in his cases.[27]

From Proposition 187 forward proponents of illiberal, anti-immigrant politics began to institutionalize these racial concepts and aims. Donald Trump (who also fused economic protectionism—traditionally a position of the left—with his nativism) has been the latest beneficiary of this turn in politics. Having kicked off his victorious presidential campaign claiming that Mexicans are murders and rapists suggests that illiberal politics has more political legitimacy now than it has had since prior to the 1960s. America's multiple traditions are on far more even political ground in the first quarter of the twenty-first century. Williamson and Zepeda-Millán feature subnational case studies where the politics

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19. TICHENOR, *supra* note 4, at 239.
20. ZEPEDA-MILLÁN, *supra* note 1, at 120.
21. Huber & Epenshade, *supra* note 16, at 1036.
22. TICHENOR, *supra* note 4, at 267.
23. Joppke, *supra* note 10, at 271.
24. California's trilogy of referenda in the 1990s refers to the following:
    1. Proposition 187 which sought to establish a California-run citizenship screening system and deny all non-emergency welfare benefits (including public education) to the undocumented.
    2. Proposition 209: ended affirmative action programs in state governmental institutions.
    3. Proposition 227: ended bilingual education programs in California's public schools.
25. Joppke, *supra* note 10, at 280.
26. 8 U.S.C. § 1101.
27. ZEPEDA-MILLÁN, *supra* note 1, at 138.

of immigrant incorporation reveal this post-Civil Rights balance of America's multiple traditions.

THE RACIALIZATION OF IMMIGRANT COLLECTIVE ACTION—THE 2006 IMMIGRANT PROTESTS

Chris Zepeda-Millán's *Latino Mass Mobilization: Immigration, Racialization, and Activism* depicts the tug o' war of liberal and illiberal traditions, with neither gaining hegemony. Zepeda-Millán argues that responding to the racialized politics of The Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005, commonly known as the Sensenbrenner House Bill or HR 4437, Latinxs mobilized with a sense of linked-fate (cutting across legal status and class) to counter a proposed bill they saw as an existential threat to the Latinx community at large—a process Zepeda-Millán argues is a form of racial identity formation.[28] The study investigates the causes and impacts of mass Latinx protests between February and May of 2006. Zepeda-Millán uses the study to investigate the link between immigrant collective action and racial identity formation in explaining the unprecedented mobilization of Latinxs. Investigation also aims to more fully theorize how opportunities and threats are negotiated by collective action campaigns. Merging theoretical insights from political process and social movement theorists, the study looks at mass popular Latinx protests across three American cities.[29]

Zepeda-Millán theorizes how perceived threats impact immigrant identity and how this relationship influences collective action.[30] The key to understanding this relationship is seeing threats as multidimensional: the scope of the threat, and the timing, source and visibility of the threat.[31] The scope of HR 4437 was broad: it aimed to criminalize illegal immigration and extended criminal penalties to those assisting the undocumented, effectively criminalizing broad sectors of the Latinx population—potentially targeting the undocumented and legal immigrants (those assisting the undocumented) alike.[32] This broad scope facilitated broad based mobilization and identity formation among Latinx. As Latinx share a common language, Spanish-language mobilization offered a lingual connection across social class and race, helping unite a broad coalition of those threatened by the bill. Legislation came from a single source, Congress, making it straightforward for political entrepreneurs to attribute a target for mobilization. The bill's wide scope and single source made it easy to make the threat of HR 4437 highly visible in the media.[33] Timing wise, as a legislative proposal, the slow nature of the legislative process allowed for sufficient time to educate and mobilize a coordinated attack. The racialized nature of

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28. *Id*. at 146, 209.

29. *Id*. at 6. (Zepeda-Millán argues political process theory lacks the dynamic understanding of the relationship between threat and structural opportunities that social movement theorists proffer).

30. *Id*. at 8. (Zepeda-Millán's theory addresses Okamoto and Ebert and Bloemraad et al., who both call for more research into the relationship between perceived threats and immigrant identity. *See* Dina Okamoto & Kim Ebert, *Beyond the Ballot: Immigrant Collective Action in Gateways and New Destinations in the United States*, 57 SOC. PROBS. 529 (2010); Irene Bloemraad et al., *The Protests of 2006: What Were They, How Do We Understand Them, Where Do We Go*, *in* RALLYING FOR IMMIGRANT RIGHTS: THE FIGHT FOR INCLUSION IN 21ST CENTURY AMERICA 3 (2011)).

31. *Id*. at 10.

32. H.R. Res. 4437, 102nd Cong. (1992) (enacted).

33. ZEPEDA-MILLÁN, *supra* note 1, at 12.

the anti-immigrant politics of HR 4437 combined with its broad scope triggered a sense of linked fate and group consciousness, fostering mobilization of a broad-based coalition. The racialized nature of the debate stemmed from HR 4437 proponents' fusing of Latinx immigration as illegal and/or illegitimate—recycling a traditional illiberal strain in American immigration politics, one that targeted Chinese, German, and southern and eastern European immigrants in the nineteenth and twentieth centuries. Zepeda-Millán's argument here is thorough and compelling, using process tracing to account for city responses over time and marshalling interviews with various movement leaders to convey the threat felt by legal and undocumented immigrants within the case studies.[34]

Zepeda-Millán then provides a framework to explain the historically massive protests and the varied degrees of collective action across three American cities (Los Angeles, New York City, and Fort Meyers, Florida), the rapid demobilization after the protests achieved their immediate goal, and the policy and electoral implications of the protest movement. HR 4437 proposed increasing border and interior enforcement of illegal immigration, criminalizing the undocumented status—changing the violation from a civil offense to a federal felony—while also making those who assisted the undocumented in any way subject to criminal prosecution. Four factors and their variation in the three cities of study are investigated to explain the varied degrees of mass mobilization: the appropriation and use of pre-existing community based resources; the appropriation and use of ethnic media to disseminate calls to action; the increased salience of collective action identities, and the building of broad and diverse coalitions."[35] The protests are worthy of study as they were unexpected considering the Latinx population's demographic characteristics: a poorer community with comparatively low levels of education and limited access to requisite resources, augmented with a large undocumented population. Zepeda-Millán argues that the 2006 protests are an example of large-scale collective action taking place amid a great political threat and constricted political opportunities (due to their lack of wealth and access to resources to affect decisionmakers).[36] In addition to the broad-based group consciousness caused by the scope and racialized politics of HR 4437, collective action was also facilitated by appropriating and employing pre-existing community resources to disseminate calls to action. Resources such as ethnic radio and community soccer leagues were used as forums to educate the community on the threat of HR 4437, build coalitions, and organize protest events. With a sense of group consciousness activated, the employment of these community resources to coordinate calls to action made such efforts more authentic for the group: group members using community created resources to communicate calls to action to defend their communities from a threat from without.[37] The success of collective action subsequently becomes a function of the homogeneity of the state's immigrant communities as HR 4437 was understood to target the Latinx (specifically the Mexican) community. Those cities with more homogenous Latinx populations, especially if Mexicans[38] were the majority (such as Los Angeles and

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34. *Id.* at 14.

35. *Id.* at 22.

36. *Id.* at 7.

37. *Id.* at 22.

38. The fusing of Latinx with illegality/illegitimacy has resonated most when targeted at Mexicans, being the

Fort Myers, Florida), were better able to appropriate their community resources to bring attention to the threat of HR 4437 and make calls for action by actualizing the group consciousness elicited from the racialized politics of HR 4437.[39] This explains the massive protest activity in Los Angeles, the unexpectedly large protests in Fort Meyers, Florida, and the underperforming activity in New York City[40]

In all three cases, Zepeda-Millán depicts the central role of race. The racialized debate of an initiative targeting a racialized group elicited a racialized collective action response from its targets. In New York, where group consciousness was fragmented because of the heterogenous immigrant communities' fragmented sense of group consciousness, mobilization efforts were depressed.[41] What's significant in all three cases is that race is a tool employed by both liberal and illiberal aspirants. This speaks to the evolution of the politics of race (its liberal employment evident in the logic of redistributive policies such as affirmative action and minority empowerment movements) since the 1960s.[42]

THE NEW LEGITIMACY OF IMMIGRANT RESTRICTIONISM

But as Smith's multiple traditions theory argues, the political resonance of the individual traditions ebb and flow, intertwine in political resonance, traction and/or hegemony but they're never completely eliminated and normally constrain the other when paradigmatic or hegemonic.[43] Accordingly, in the more level political playing field for liberal and illiberal traditions, the 2006 protests garnered a multiprong immigrant backlash from within and without government. Increased government raids, deportations, state and local ordinances and hate crimes targeted the Latinx community.[44] Contrary to the threat posed by HR 4437, the response came from many sources, making it more difficult for immigrant rights advocates to target a response. As these attacks were widely communicated via the same community resources, many Latinxs felt the 2006 protests had worsened their situation and abstained from further organizing. Moreover, the protests were polarizing outside of the Latinx community. Despite succeeding in killing HR 4437, protests had the effect of further polarizing Congress over illegal immigration with the Democrats and Republicans assuming more uncompromising positions on the undocumented, all but killing the potential for major immigration reform.[45] Illegal immigration had been separated from the immigration debate in the 1980s, to remove its divisive politics from the legal immigration and refugee debates—netting expansive policies through 1990. Zepeda-Millán's findings here illustrate the political sagacity of this move. Latinx mass protests also galvanized the anti-immigrant movement. Hate

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largest ethnic group of the US Latinx immigrant population. *See* ZEPEDA-MILLÁN, *supra* note 1, at 131–32.

39. *Id.* at 18–19.

40. New York City's immigrant population is more heterogeneous consisting of Mexicans, Puerto Ricans, Central Americans and significant non-Latinx immigrant populations. *See id.* at 101–32.

41. *Id.* at 119.

42. Christian Joppke, *How Immigration Is Changing Citizenship: A Comparative View*, 22 ETHNIC & RACIAL STUD. 629, 633 (1999).

43. Smith, *supra* note 1, at 549–66.

44. ZEPEDA-MILLÁN, *supra* note 1, at 139–41.

45. *Id.* at 172.

crimes and other persecutions spiked in the aftermath of the protests.

Anti-immigrant forces had responded. Collectively, these all had a chilling effect on Latinx mobilization in the aftermath of the 2006 protests. The immigrant rights movement's larger goal of netting liberal immigration policy reform subsequently was not achieved. The more open restrictionism, sometimes fusing with ascriptive discrimination, is noteworthy suggesting an increased legitimacy compared to the 1980s, and early 1990s (prior to California's Proposition 187). This suggests a partial rollback of racial-immigration egalitarian political development when considered with the legislative and court actions that have gutted civil rights liberalism.

From Proposition 187 forward, illiberal anti-immigrant forces began to institutionalize their racial concepts and aims, placing illiberal politics on more politically legitimate footing nationally—framings Williamson finds influential on local elite responses to increasing immigrant populations in his cities of focus.[46] The Illegal Immigration Reform and Immigrant Responsibility Act has already been mentioned. The mid 1990s also saw the militarization of border enforcement,[47] institutionalizing the fusing of immigrants with illegality. After the September 11th attacks of 2001, the politics of security changed further. In March of 2003, the Department of Homeland Security was created, the largest bureaucratic reorganization in a century.[48] The Department of Homeland Security facilitated the creation of United States Immigration and Customs Enforcement (ICE). The Department of Homeland Security and ICE had the capacity and the political legitimacy to be more aggressive in immigration enforcement. The Bush administration used the political resonance of security to establish cooperative arrangements between federal and local police in immigration enforcement (the Secure Communities Program, for example), which President Trump has reimplemented after being rescinded by President Obama. Williamson does find that small cities closer to the border are less accommodating of immigrants, arguing that political and bureaucratic elites are more influenced by the criminal framing of immigrants in these cities.[49] The post-protest raids and deportation sweeps in Zepeda-Millán's study were part of these initiatives. Restrictionism had become more politically legitimate in 2007 than it had been in 1986. The hegemonic hold on political sensibilities of the civil rights era were coming to an end.

AMERICAN LIBERALISM LIVES: THE ELECTORAL FACTOR

Nevertheless, the liberal tradition provided an alternative avenue for the immigrant rights movement: elections. Immigrant rights groups in the cities with larger populations of naturalized immigrants (NYC and Los Angeles) took advantage of the group consciousness and the mobilization of legal Latinxs to defeat HR 4437, registering Latinxs to vote.[50] Latinxs provided a key constituency for the successful presidential candidacy of

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46. *Id*. at 28.
47. *Id.* at 29; TICHENOR, *supra* note 4, at 5; ANTJE ELLERMAN, STATES AGAINST MIGRANTS: DEPORTATION IN GERMANY AND THE UNITED STATES 67 (2009).
48. ELLERMAN, *supra* note 47, at 2.
49. WILLIAMSON, *supra* note 1, at 271.
50. John Mollenkopf & Jennifer Hochschild, *Immigrant Political Incorporation: Comparing Success in the*

Barack Obama, the more immigrant friendly candidate in 2008. This liberal electoral effect has been central to those arguing for the predominance of America's liberal tradition—immigrants' comparatively quick naturalization and incorporation into the American electoral system.[51]

Zepeda-Millán concludes that to conquer the rise of anti-immigrant populism such as that associated with the rise and election of Donald Trump, mobilization efforts that appeal to shared persecution, eliciting cross-group consciousness are necessary to galvanize pan-Latinx mobilization and pan-ethnic mobilization more generally.[52] This conclusion implies the increased prominence of America's illiberal tradition currently requires increased mobilization efforts (as opposed to simple appeals to racism) for immigrant rights interests to prevail.

SMALL TOWN HOSPITALITY AND AMERICA'S MULTIPLE TRADITIONS

Abigail Fisher Williamson's *Welcoming New Americans: Local Governments and Immigrant Incorporation* investigates small and medium size city responses to influxes in their immigrant populations. Large cities have gotten all the press and attention for publicly welcoming immigrants and refugees in the face of President Trump's and other restrictionist efforts. More than half[53] of the nation's large, politically liberal cities have in varying degrees been more accommodating to immigrants and refugees. These large cities, even if they have not declared themselves Sanctuary Cities,[54] have either made public statements welcoming immigrants or have set up special offices to facilitate their incorporation. Williamson argues that their midsized and smaller brethren, although neither declaring themselves Sanctuary Cities nor being as likely to set up special offices of accommodation, have similarly established a range of informal practices that have generally supported rather than opposed immigrants.[55] The book sets out to describe these accommodating practices in small to medium size cities, where and when they are likely to occur, and the benefits and pitfalls for actual immigrant incorporation. The study uses process tracing and interviews of political and bureaucratic officials to trace the responses of three cities to increasing immigrant populations since the 1980s.[56] The study then uses a national survey of political and bureaucratic officials in small to medium size cities to assess their perspectives and responses to immigrant communities.[57] Survey results are employed to discuss how generalizable the case study findings are to small and medium size cities nationwide. Williamson argues that understanding these practices is important due to the spread of immigrant destinations since the 1990s from the large traditional gateway cities to these smaller cities and municipalities.[58] As these smaller cities

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United States and Western Europe, 33 ETHNIC & RACIAL STUD. 6, 18, 20 (2010).

51. *Id*. at 13.

52. ZEPEDA-MILLÁN, *supra* note 1, at 210–14.

53. WILLIAMSON, *supra* note 1, at 1.

54. *Id*. at 1–2. The general term for varying degrees of resisting compliance with federal immigration enforcement efforts.

55. *Id*. at 2.

56. *Id*. at 17, 19–20.

57. *Id*. at 21.

58. WILLIAMSON, *supra* note 1, at 2, 16.

increasingly become forums for immigrant incorporation, understanding these practices assists in understanding why these practices fail to advance immigrant incorporation as well as aids in improving public attitudes to their increasing presence. Understanding the new, municipal role of these new gateways is also important to understanding immigrant incorporation as the traditional institutions that facilitated immigrant incorporation in the early twentieth century (unions and parties) have either declined or reoriented their attention away from immigrants, leaving municipals with a more central role in immigrant incorporation.

Williamson explains small cities' accommodating response as a function of the divergent interests of political and bureaucratic elites from its citizens.[59] Williamson finds that urban elites are more likely to view immigrants as deserving clients worthy of federal (civil rights) protections and work to build trust with and serve the new immigrant communities.[60] These views, however, differ from the non-immigrant population (especially those in predominantly Republican areas), who are more likely to view immigrants increasing presence skeptically and as illegitimate.[61] Elites' accommodation of immigrants makes them susceptible to electoral backlash as well as making the political atmosphere less receptive to immigrant political incorporation—as the elite-constituent disconnect leaves the latter resentful of immigrants and accommodating initiatives. Williamson concludes that for accommodating measures to elicit less electoral blowback, elites need to encourage forums where immigrants and locals can interact authentically on equal footing encouraging recognition of their shared fate and contributions as city inhabitants.[62]

THE CIVIL RIGHTS PARADIGM AND ACCOMMODATING URBAN ELITES

Williamson finds that federal regulations and national political elites help frame how the state should treat immigrants and that these are the primary influence on subnational responses to immigrant presences.[63] For example, the *Plyler v. Doe*[64] and *Lau v. Nichols*[65] rulings, which require states and localities to provide access to public education for immigrant children and for its schools to accommodate second language students, respectfully, legally framed elites to see immigrants as deserving clients of state accommodation; Civil Rights era protections invite federal scrutiny in cases of discrimination. Moreover, negative (especially national) media coverage from restrictionist initiatives has also chastened localities into being more accommodating, fearing reputational costs which could harm capital investment and/or make their cities less attractive destinations for new (upwardly mobile) settlers. Williamson concludes her

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59. *Id.* at 5–6.

60. *Id.*

61. *Id.* at 14.

62. *Id.* at 15. Commenters of political development in immigration have recognized this disconnect between elites and the general population. Freeman in his classic piece, explaining expansionary immigrant politics in the post war era argues that clientele politics leads elites to remove immigration from electoral politics leading to expansive policy. *See also* TICHENOR, *supra* note 4.

63. WILLIAMSON, *supra* note 1, at 6.

64. *See* 457 U.S. 202 (1982).

65. *See* 414 U.S. 563 (1974).

study arguing that as conservatives continue to whittle away the legal and institutional legacy of Civil Rights liberalism, national framings may soon become more restrictionist, diluting what has been a mostly liberal paradigm for immigrant incorporation.[66] With such framings weakened, restrictionist, illiberal forces are advantaged as local elites will be less encouraged to view immigrants as deserving clients and for electoral reasons may give in to their constituents' more restrictionist views.[67]

Williamson's conclusion suggests that as the illiberal tradition becomes more politically legitimate, institutionalized in court rulings and law, this will affect prospects for immigrant incorporation in the decades to come. As small and midsized cities are increasingly forums for immigrant incorporation, this could perhaps create a more bifurcated setting for immigrant incorporation: more accommodating in large liberal cities and small cities in liberal states; less accommodation in small cities in conservative states. As Williamson cites, this is already the general perception of small and medium size cities. However, with changes to the balance of power in America's multiple traditions, this perception may be more real than myth in the decades to come.

THE NECESSITY OF PAN-ETHNIC COLLECTIVE ACTION IN AN AGE OF ASCENDANT ILLIBERALISM

Philip Klinkner and Rogers Smith argue that the 2016 election of Donald Trump was a return to normalcy in racial politics for the US.[68] They argue that America's illiberal tradition has typically had the support of one of the political parties, making racial progress difficult.[69] Only during times of war against illiberal forces has this support lessened making possible racial progress. Klinkner and Smith correctly tie the ebbs and flow of racial progress to the major wars. And the election of Trump may indeed be a return to normalcy in racial politics. However, the end of World War I saw the triumph of illiberal forces in the passage of the Immigration Acts of 1921 and 1924 establishing the racial quotas system. Liberal immigration laws, however, were the norm in the nineteenth century before World War I and only came to an end because post war isolationism finally tipped the coalition scale in the restrictionist favor.[70] An implication of Tichenor's overall findings and framework is that although race is intrinsic to immigration politics, political development in immigration control policy has had a different trajectory than political development in race.[71] Although there is significant overlap in the interests (cultural exclusionists tend to concur with white supremacists on racial and immigration policy, illustrated in the twentieth century coalition of Western conservatives and southern segregationists on related issues[72]), their preferences differ with respects to race and immigration because of the differences in the salient political debates they engender.

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66. WILLIAMSON, *supra* note 1, at 270–74.

67. *Id.*

68. Philip A. Klinkner & Rogers M. Smith, *Trump's Election Is Actually a Return to Normal Racial Politics. Here Is Why*, WASH. POST (Nov. 17, 2016), https://www.washingtonpost.com/news/monkey-cage/wp/2016/11/17/trumps-election-is-a-return-to-normal-at-least-in-u-s-attitudes-on-race/.

69. *Id.*

70. TICHENOR, *supra* note 4, at 43–44.

71. *See, e.g.*, *id.* at 150–52, 170–75.

72. King & Smith, *supra* note 6, at 88; *see also* TICHENOR, *supra* note 4, at 179–96.

Dejure and residential segregation, the franchise, redistributive policies have been the issues defining debates in race.[73] Immigrant labor, bilingualism, and cultural assimilation have been those for immigration politics.[74] Consequently, independent, separate interests have developed orienting political debate in race and immigration. It is more accurate to see race and immigration as separate political issues with separate historic trajectories in which the former, nevertheless, is often intrinsic to the politics of the latter.

The US party system nevertheless is increasingly polarized along racial and immigration positions. Zepeda-Milan and Williamson investigate immigrant incorporation within this new political setting in American racial and immigration politics and find one where neither the liberal nor illiberal sides can claim complete victory. However, a standoff is in some sense a victory for the illiberal side as it is they who have been ascendant since the late 1970s, and it is they who currently command an ally (or at least an enabler) in the Oval Office, willing enablers in the Republican Party, and in the conservative majority on the Supreme Court. And contrary to the liberal traditionalists, these studies illustrate that race has not submitted to American liberalism. It has transcended, reified by both liberals and illiberals, illustrating its place as a pillar of the American political tradition. Zepeda-Millán and Williamson find America's political culture as one of multiple traditions with race at its center.[75] Any account of immigrant incorporation is incomplete without acknowledgement of how intrinsic race and these traditions are to the politics of immigrant incorporation.

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73. King & Smith, *supra* note 6, at 92–93.
74. Joppke, *supra* note 42, at 633–37; TICHENOR, *supra* note 4, at 36.
75. *See* ZEPEDA-MILLÁN, *supra* note 1; WILLIAMSON, *supra* note 48.