



The Hart-Celler Immigration Act of 1965

Political figures and historic circumstances produced dramatic, unintended consequences

By Jerry Kammer

As President Lyndon Johnson signed a landmark immigration reform bill into law at a ceremony beneath the Statue of Liberty on October 3, 1965, he predicted the legislation would not significantly affect the life of the nation, but also declared it would accomplish an important national goal.

“This bill that we will sign today is not a revolutionary bill,” the president said. “It does not affect the lives of millions. It will not reshape the structure of our daily lives. ... Yet it is still one of the most important acts of this Congress and of this administration. For it does repair a very deep and painful flaw in the fabric of American justice. It corrects a cruel and enduring wrong in the conduct of the American nation.”

The wrong that Johnson and Congress sought to correct was codified in legislation passed 41 years earlier, during a post-war era fraught with anxiety about mass immigration, the shadow of European radicalism, and theories of racial superiority.

As historian John Higham observed in his account of the 1924 Johnson-Reed Act: “Nativists during this period argued that the so-called new immigration from southern and eastern Europe was racially inferior to the ‘old immigration’ from northern and western Europe. It was therefore polluting the nation’s bloodstream.”¹

The 1924 law established a quota system based on national origins. It directed nearly 70 percent of the immigration slots to northern Europeans, cutting back drastically on immigration from southern and eastern Europe. It maintained formidable barriers against immigration from Asia and Africa, while leaving immigration from the Western Hemisphere unrestricted — a gesture of hemispheric solidarity that also served the cheap-labor interests of American employers.

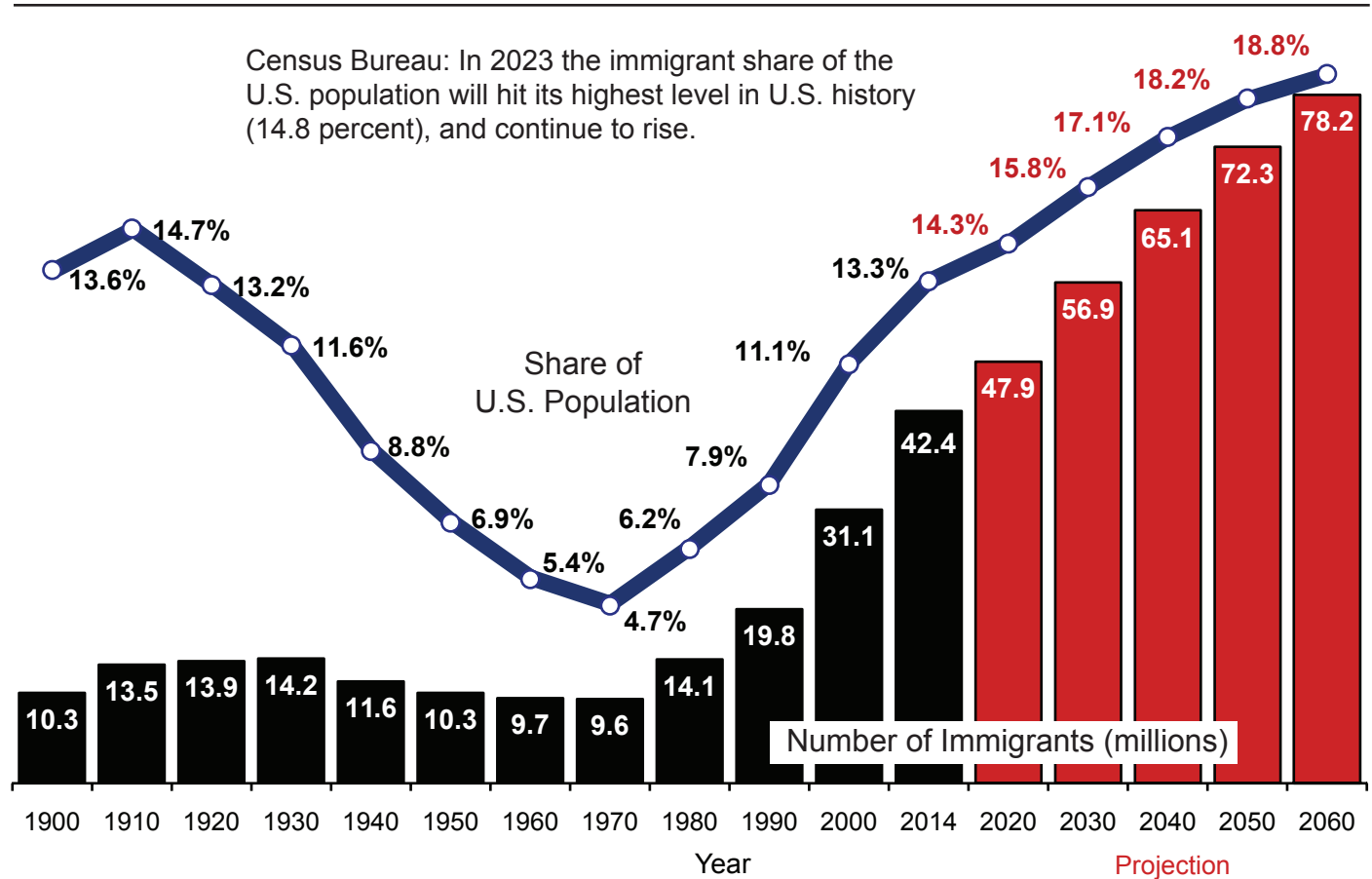
The 1965 legislation was named the Hart-Celler Act for its principal sponsors in the Senate and House of Representatives. It abolished the quota system, which critics condemned as a racist contradiction of fundamental American values. By liberalizing the rules for immigration, especially by prioritizing family reunification, it also stimulated rapid growth of immigration numbers. Once immigrants had naturalized, they were able to sponsor relatives in their native lands in an ever-lengthening migratory process called chain migration. That unintended consequence is Hart-Celler’s enduring legacy.

“The 1965 immigration law quickly transformed the ethnic portrait of the United States,”² scholars have noted. At first the new immigration came largely from southern Europe, especially Italy. But that stream played out in about a decade. Meanwhile, immigration from Eastern Europe was limited by repressive communist governments.

By 1980, most immigrants were coming from Latin America, Asia, and Africa — in numbers far greater than the annual average of 300,000 that had prevailed during the 1960s. Despite assurances by Hart-Celler advocates that the bill would add little to the immigrant stream, more than seven million newcomers entered the country legally during the 1980s. That trend has continued. Meanwhile, illegal immigration also began a decades-long surge.

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Figure 1. Number and Percent of Immigrants in the United States, 1900-2014; Plus Census Bureau Projections to 2060



Source: Decennial censuses for 1900 to 2000, American Community Survey for 2014. [Census Bureau population projections](#) released March 2015.

Another major factor in the immigration boom was the worldwide population explosion. The population of Latin America, for example, soared from about 200 million in 1960 to 600 million by the end of the century. “As Latin America’s population has grown and its governments and economies have foundered, more and more of its people have looked northward for relief,” journalist James Fallows wrote in 1983.³

The growth of immigration from Mexico was especially dramatic, for reasons of geography and labor markets as well as demography. By 1960, according to Douglas Massey and Karen Pren, “a massive circular flow of Mexican migrants had become deeply embedded in employer practices and migrant expectations”⁴ and was sustained by immigrant networks. Those networks exploded along with Mexico’s population, which grew from 35 million in 1960 to 100 million at the end of the millennium.

Immigration networks have also spread across Africa. In 2006, for example, a Nigerian man who had just sponsored his mother’s immigration under terms of the 1965 legislation told National Public Radio, “I don’t know if you know this: Everybody in the world ... wants to come to the United States of America.”⁵

Fifty years after the Hart-Celler signing ceremony on Liberty Island, the United States welcomes about a million immigrants each year. They travel along networks energized by the American Dream, swollen by the doubling of the world’s population, and enabled by the Hart-Celler Act.

An Extension of the Fight for Civil Rights

Just as the 1924 legislation was a reflection of what John Higham called “the tribal twenties,”⁶ the 1965 legislation was a signature moment of the 1960s. A year earlier Congress had passed the Civil Rights Act, barring discrimination on grounds of race, color, religion, sex, or national origin. Attorney General Robert Kennedy, brother of slain President John F. Kennedy, connected that legislation to the national origins quota system. “Everywhere else in our national life, we have eliminated discrimination based on national origins,” he told a congressional hearing. “Yet this system is still the foundation of our immigration law.”⁷

Hart-Celler can also be seen as an expression of the power of emotions noted by John Higham. Long known as the dean of immigration scholars, Higham said that as the 1924 restrictions reduced the immigrant share of the population from 14.7 percent in 1910 to 5.4 percent in 1960, “a very rapid and widespread assimilation went forward”, which while encouraged by the government, “arose mostly from an enormous yearning to become Americans.”⁸

That yearning — for acceptance and recognition in American society — was manifest in the struggle of ethnic and religious organizations that waged a decades-long fight to abolish the quota system that they perceived as an ongoing insult to millions of Americans and the lands from which they had come. Passage of the 1965 act was therefore a deeply satisfying symbolic gesture.

While the consequences of the 1965 act are clear, the story of how it came to be is less well known. As this paper will show, it was shaped by the combination of political circumstances and the ideology and ambition of key figures. Here we will examine the stories of five of them: Presidents John F. Kennedy and Lyndon Johnson, Reps. Emanuel Celler of New York and Michael Feighan of Ohio, and Sen. Edward Kennedy of Massachusetts.

President John F. Kennedy

Fifty-two years after President John F. Kennedy was assassinated in Dallas, his name is linked to immigration primarily because of his still-popular book, *A Nation of Immigrants*.

First published in 1958 as Kennedy was a senator preparing to run for the presidency, the book had two central themes: a celebration of immigrants’ contributions to the nation and a call to abolish the system by which they had been selected since 1924.

Nearly three decades after that system was enacted it was reaffirmed by the 1952 McCarran-Walter Act, which Congress passed over the veto of President Harry Truman. Truman condemned the national-origins quota system as “a slur on the patriotism, the capacity, and the decency of a large part of our citizenry.”⁹

Renewal of the system was particularly offensive to groups that represented Italians and Jews, who had been particularly affected by the restrictions. The American Committee on Italian Migration conducted an intensive lobbying campaign. Publication of *A Nation of Immigrants* was a project of the Anti-Defamation league of B’nai B’rith, which had been impressed by Sen. John F. Kennedy’s record of supporting liberal immigration laws, including measures to accept refugees from war-ravaged Europe.

The book was actually written by a member of Kennedy’s staff, Myer Feldman. Describing Kennedy’s participation as minimal, Feldman said the senator had “reviewed it, and did some editing.”¹⁰

While Kennedy was one of his era’s most outspoken reform advocates, he used a 1957 speech to the American Jewish Congress to make clear that he did not favor unlimited immigration. He stated his conviction that “we should have a system of limited and selective migration to the United States.”

Kennedy’s principal objection with the status quo was about “the nature, not the existence” of restrictions. Asserting that a selective policy was necessary, he said that policy should “give preference to an immigrant because he is a nuclear physicist rather than because he is an Anglo-Saxon.”¹¹

Kennedy was aware of the political as well as the ideological value of expansive immigration policies, especially in northern states where immigrants and their families were concentrated. In a 1955 letter to fellow Sen. Lyndon Johnson, he wrote, “The Democratic Party must do something to fulfill its 1952 pledges concerning revision of the McCarran Act if it is to have any appeal in the large cities of the North in 1956.”¹²

Kennedy’s ambition to appeal to the ethnic vote, however, faced resistance from fellow Democrats whose principal concern was the Cold War confrontation with the Soviet Union. They saw immigration policy as a potential entry point for Communist subversives.

One of the most important immigration skeptics in Congress was Francis Walter (D-Pa.), co-author of the McCarran-Walter Act. As chairman of the House Judiciary Committee, Walter wrote a 1957 article titled “The War Against Our Immigration Law”, in which he warned: “Spearheaded by the Communists, their fellow travellers, Congressional ‘liberals’ and spokesmen for the so-called ethnic minority blocs, the assault on America’s immigration system is increasing in intensity every month.”¹³

In this super-heated environment, Kennedy’s approach was a mixture of liberal idealism and political pragmatism. And so, after becoming president in 1961, he moved cautiously lest he antagonize Walter, with whom he had a good relationship. The *New York Times* described the Pennsylvanian as “one of President Kennedy’s most valued lieutenants in the House.”

One Justice Department official assigned to the project of drafting and promoting a bill said the task initially seemed “almost hopeless”¹⁴ because of the entrenched congressional opposition that had long been led by Walter. As the *New York Times* later reported: “When it came to regulating immigration during the Truman and Eisenhower Administrations, President proposed, but Representative Walter disposed.”¹⁵

Walter’s death in mid-1963 after a battle with leukemia enabled Kennedy to make his move. He called for a new system that would allow for “those with the greatest ability to add to the national welfare, no matter where they were born.” He called on Congress to “eliminate discrimination between peoples and nations on a basis that is unrelated to any contribution that immigrants can make and is inconsistent with our traditions of welcome.”¹⁶

In short order, twin bills that embodied the president’s program were introduced. The Senate version was sponsored by Philip Hart (D-Mich.), while the House bill was sponsored by Emanuel Celler (D-N.Y.).

By this time, however, the administration was occupied with other priorities, particularly in foreign policy. Moreover, it quickly became apparent that Walter’s replacement at the head of the Judiciary Committee was not eager to move on immigration.

And so wrote Abba Schwartz, the State Department official who had been assigned to get the ball rolling on immigration: “It was not surprising, therefore, that little was done on the pending immigration legislation before President Kennedy went to Dallas in late November, 1963.”¹⁷

President Lyndon B. Johnson

When President Lyndon Johnson signed the Hart-Celler Act into law in October 1965, he was at the height of his powers. A year earlier, after his landslide election victory over Barry Goldwater, he was in a euphoric mood as he proclaimed, “These are the most hopeful times since Christ was born in Bethlehem.”¹⁸ Richard Goodwin, a White House speechwriter, had coined the phrase the “the Great Society” to signal the extent of Johnson’s ambition to establish a broad range of government services and programs. Goodwin later wrote that liberals during this period had the expansive sense that the world was “malleable to their grasp”.

Beginning the new term with an overwhelmingly Democratic Congress, Johnson presided over a series of legislative victories, including the Civil Rights Act, the Voting Rights act, the establishment of Medicare and Medicaid, and programs to implement his “war on poverty”. He made immigration a priority for 1965.

Johnson biographer Robert Dallek said the tragic circumstances that had put Johnson in the White House also made many Americans eager to support his redemptive vision of national greatness.

“John F. Kennedy’s assassination played a large part in creating a national mood of eagerness for reform,” Dallek wrote. “It was as if the country wished to purge itself of feelings that it was a sick society that fostered violence instead of healing and education and uplift. Johnson, with his evangelical fervor for social change and ability to speak to the country and the South in particular ... was the right president at the right time.”¹⁹

President Kennedy, preoccupied with foreign policy, had not mentioned immigration in any of his three State of the Union addresses. But as Johnson delivered his first such address less than two months after becoming president he became an energetic advocate of the reform.

“We must ... lift by legislation the bars of discrimination against those who seek entry into our country, particularly those who have much needed skills and those joining their families,” President Johnson said. In a reference to the legislation’s use of preferences to replace national quotas, he added: “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?’”

Famous for his forceful talents of personal persuasion, Johnson summoned congressional leaders to a White House meeting that included representatives of religious, ethnic, and labor organizations. He learned that House Judiciary Committee Chairman Emanuel Celler was encountering resistance from Michael Feighan, the conservative Ohio Democrat who replaced Francis Walter as chair of the immigration subcommittee.

Johnson responded with characteristic forcefulness. The *New York Times* reported that Johnson “put Mr. Feighan on his fabled list for ‘the treatment.’ That meant White House dinners, consultations in the Oval Office and trips on Air Force One.”

Johnson’s success with the immigration bill was one of his last domestic victories. His popularity would be fleeting. The war in Vietnam deeply divided the country and Johnson decided not to seek reelection in 1968. There were hints of the trouble ahead even in that fall of 1965 as he signed the immigration bill.

The same October 4, 1965, *New York Times* front page that reported on the signing ceremony on Liberty Island included other stories that foreshadowed the trouble ahead. One reported a warning from Chinese President Chou En-lai about the dangers of expanding the war in Vietnam. But Johnson persisted. He expanded the war, and his popularity withered. The war would have major implications for immigration. Hundreds of thousands of Southeast Asians would flee the violence as refugees and many would find homes in the United States.

In publishing the story about the signing of Hart-Celler, the *Times*, made an editorial decision that suggested the issue of Cuban refugees was more momentous and controversial than the sweeping immigration reform, which had passed with overwhelming majorities in both the House and Senate. Its headline read: “U.S. to Admit Cubans Castro Frees; Johnson Signs New Immigration Bill”.

The story’s lede reported that:

*President Johnson, speaking in the shadow of the Statue of Liberty, announced today that he would open the nation’s gates to all Cubans who wanted to escape the regime of Fidel Castro and “seek freedom” in the United States.*²⁰

Rep. Emanuel Celler

John Higham described the 1924 Johnson-Reed Act as a “blatantly discriminatory” effort “to freeze the existing balance of ethnic strains in the total American population” by sharply restricting the arrival of immigrants from southern and eastern Europe. “Since the brunt of the restrictionist attack was aimed more than ever at the supposedly racial qualities of the new immigration, it stung the Jews, the Italians, the Slavs, and the Greeks deeply,” Higham wrote.²¹

No one gave voice to that resentment more forcefully than Emanuel Celler. He became a member of the House of Representatives in 1923 and fought the Johnson-Reed Act from the start. Celler kept fighting for 41 years until he was able to attach his name to legislation that erased the national-origins system.

While agreeing that Congress needed to establish limits on immigration, Celler was bitterly opposed to a system whose advocates talked of defending a “distinct American type” and “keeping America for Americans.”²²

As Johnson-Reed became law, to be hailed in a *Los Angeles Times* story headlined “Nordic Victory Seen in Drastic Reduction,”²³ Celler issued this brooding assessment:

*The “inferior complex” is now extended to all Europe, save Nordics. The Austrian rubbing elbows with the Norwegian in the subway or on the street is beset with emotions of inferiority. His pride surges within him. He resents the stigma placed upon him. Surely he does not view the favored one with complacency. Does he not rather view him with hatred? ... And so race is set against race, class against class.*²⁴

Celler’s combativeness grew from his affection for the immigrant strivers who lived in his district. “The folklore of Poland, of Lithuania, of Russia, of Italy became part of my folklore because I had heard it so often,” he wrote in his autobiography. “I knew their richness and their laughter and the disappointing heartbreak of the struggle in America to adjust. I knew, also, their pride, the unfulfilled dream of independence that had first brought them here.”²⁵

During World War II, Celler appealed in vain for President Franklin Roosevelt to rescue Jewish refugees fleeing the Nazis. In the Cold War era of the 1950s, he opposed the McCarran-Walter Act, whose advocates said it was needed to protect the country from subversives from abroad.

The prevailing national mood in the early 1950s was conservative and isolationist. It was a trying time for liberal advocates of immigration reform. One militant critic on the right mocked them as “the usual claqué of innocent dupes who don’t know what they are doing — the gulliberals — who have always done the work of the Communist Party.”²⁶

Eventually the wary conservatism of the 1950s — given its most virulent expression by the notorious, red-baiting Sen. Joseph McCarthy — gave way to the liberal activism of the 1960s, whose galvanizing figure was the Rev. Martin Luther King, Jr. Celler, as chairman of the House Judiciary Committee, played an important role in passage of the Civil Rights Act of 1964, whose explicit prohibition of discrimination by national origin became a predicate for immigration reform. “In a time when this country is attempting to wipe away ancient wrongs against Negro citizens,” said a *New York Times* editorial, “its conscience will not permit a sign at all ports of entry reading: ‘Only whites from Northwestern Europe are welcome.’”²⁷

When President Johnson picked up the legislation written by President Kennedy’s Justice Department, Celler immediately signed on. But progress stalled as Celler engaged in what became a notorious Capitol Hill feud with the chairman of the Judiciary Committee’s immigration subcommittee, an ardent anti-communist and immigration skeptic from Ohio named Michael Feighan.

The communist threat was not the only concern of those who resisted changes to the national origins quota system. The early 1960s was a time of growing alarm about what the *New York Times* described as “the explosive rate of the growth of the world’s population”. A former chairman of the Federal Reserve System described the population boom as the “most vitally important problem facing the world today,” warning that it “may well prove to be more explosive than the atomic or hydrogen bomb.”²⁸

A *New York Times* editorial demonstrated the issue’s connection to immigration. Citing projections that the world’s population would double to more than six billion by the end of the century, it observed that the demographic boom “imposes a severe burden on efforts to raise the miserably low standards of living of two-thirds of the world’s people.”²⁹

Those who sought to limit immigration warned that unless Congress acted, the United States could be overwhelmed by desperate people ignoring borders and clamoring for visas. The reform advocates responded with a disciplined messaging strategy. Uniting in the insistence that their proposal would allow only minimal growth of immigration, they played up the symbolic importance of erasing the old system.

Celler, for example, dismissed concerns about immigration-driven population growth as “totally irrelevant since the bill before you in no way significantly increases the basic numbers of immigrants to be permitted entry. We are not talking about increased immigration; we are talking about equality of opportunity for all peoples to reach this promised land.”³⁰

In another attempt to discredit the alarmists, Celler said, “Since the people of Africa and Asia have very few relatives here, comparatively few could immigrate from those countries because they have no family ties in the United States.”³¹

Rep. Michael Feighan

In early 1965 Ohio Democrat Michael Feighan, chairman of the House immigration subcommittee, delivered what he would call his “bombshell”³² speech to the 36th annual conference of the American Coalition of Patriotic Societies, a conservative group that supported the national origins quota system of immigration law.

Feighan, who had used his position at the immigration subcommittee to stall the Johnson administration’s push for reform, proposed an alternative plan. He would go along with abolition of the national origins system. But as part of the deal he wanted a new system whose first priority would be family unification, not boosting the nation’s supply of skilled workers.

Feighan sought to win over conservative groups by demonstrating that the old system had been rendered useless by special legislation — including thousands of “private bills” to aid individuals and families — that swelled the numbers of immigrants not covered by the quotas. “If the system was intended to restrict immigration to the United States, it has failed,” Feighan said.”³³

Historian Steven Gillon called Feighan’s move “a clever ploy [that] allowed him to support reform by claiming that the old system was too permissive.”³⁴ In any case, the Feighan plan became part of the 1965 law and led to the radical change in future immigration. The administration had proposed reserving 50 percent of the immigrant visas for persons with needed skills. Feighan’s legislation allocated 74 percent to family visas, including so many for siblings that it was dubbed “the Brothers and Sisters Act.”³⁵

In a single stroke, Feighan sought to cast off the obstructionist label he had acquired in 1964 when he stalled hearings on the administration bill because of his feud with Celler over Feighan’s request to fund a joint House-Senate subcommittee investigation into the federal government’s management of immigration policy.

Celler blocked the funding, suspecting that Feighan would turn the inquiry into a witch hunt for communist influence in U.S. policy.³⁶ Feighan’s militant anti-communism was widely known and struck some of his critics as obsessive. “Many of Mr. Feighan’s colleagues regard him as temperamental and unpredictable and bracket him vaguely with ‘the right wing cranks,’ the *New York Times* reported.”³⁷

A year earlier, columnist Drew Pearson mockingly wrote that Feighan “has been seeing communist plots around almost every corner.”³⁸ Pearson openly favored Feighan’s opponent in the 1964 Democratic primary, a young Cleveland attorney who had made Feighan’s immigration politics a major part of his campaign.

President Johnson also weighed in. During a campaign visit to Cleveland that year, he also reprimanded the local congressman for delaying the bill.³⁹ A State Department official who worked on immigration reform would write that little progress was made until “Feighan’s recalcitrant attitude was broken by heavy pressure from his colleagues in the Congress, the White House, private organizations, and his constituents in Cleveland.”⁴⁰

Feighan’s plan was a master stroke of local politics. It not only endeared him to labor unions that did not want a soft labor market for employers of skilled workers, but also won the gratitude of ethnic organizations that represented his district’s large population of voters with relatives in eastern Europe.

The archives of Feighan’s documents at Princeton, his alma mater, show the importance of the ethnic groups to his narrow 1964 primary win. A letter from the Committee of Serbian Organizations of Cuyahoga County announced their unanimous endorsement of Feighan.⁴¹ Another document shows endorsements from Organized Labor, the Hungarian Democratic

League, the Slovak League of America, the United Ukrainian Societies of Cleveland, the Croatian Societies of Cleveland, American Friends of Anti Bolshevik Bloc of Nations, and the Byelorussian Association of Cleveland.

The archive also shows that Feighan was under pressure from an Italian-American organization that had been frustrated by his lack of enthusiasm for reforming a system that “blatantly brands us second-class citizens.”⁴²

Feighan’s plan even had fans on the other side of the debate. Conservative and patriotic groups like the American Legion expressed satisfaction with his assurance that it would maintain the old, familiar pattern of immigration that had been eroded in recent years.

An article in the *American Legion Magazine* assured readers: “Nobody is quite so apt to be of the same national origin of our present citizens as are members of their immediate families, and the great bulk of immigration henceforth will not merely hail from the same parent countries as our present citizens, but will be their close relatives.”⁴³

In addition to reversing the preference priorities, Feighan also sought to reduce immigration by setting an absolute annual limit on the number of immigrants welcomed to the country. That effort would fail, but concerns about population growth would live on.

In a speech delivered at the City Club of Cleveland in the spring of 1965, Feighan cited a column by influential national political commentator Eric Sevareid who spoke of “fast-running population growth” as a national problem and expressed concern about the 300,000 immigrants the United States was taking every year.

“That means a million extra every three years,” wrote Sevareid in a call for a national discussion on the issue. “This country is not going to close its doors to refugees from tyranny, or refuse to reunite families — that would harm the very soul of America — but beyond that point in immigration there is not only room for argument, but need for argument.”⁴⁴

But there was remarkably little discussion of the population issue as Hart-Celler moved through Congress. The bill’s conservative foes raised the issue. Its liberal supporters were successful in dismissing it.

Meanwhile, the press gave credence to the predictions that the legislation would not change the sources of the immigrant flows. A *Washington Post* editorial said Feighan’s move to prioritize family relationships over skills “had more emotional appeal and, perhaps more to the point, insured that the new immigration pattern would not stray radically from the old one.”⁴⁵

Sen. Edward Kennedy

When the Hart-Celler Act became law, Sen. Edward Kennedy marveled at the accomplishment. “It’s really amazing,” Kennedy said. “A year ago, I doubt the bill would have had a chance. This time it was easy.”⁴⁶

There were multiple reasons for the success in overturning an immigration system that had been locked in place since 1924. Perhaps the most important was the landslide election of 1964, after which the Democrats held 68 seats in the Senate and 248 seats in the House. The switch of Rep. Michael Feighan from resistance to cooperation was key in the House. In the Senate, much of credit went to the political and personal skill of the 33-year-old Kennedy, who had been elected just three years earlier to the seat once held by his brother John.

One of the elements of Kennedy’s success was his good working relationship with the chairman of the House Judiciary Committee, Mississippi Democrat James Eastland. Eastland, a notorious segregationist, had long fought to uphold the system put in place in 1924. But in the summer of 1965, the *New York Times* reported Eastland had said “that he would do nothing to block the administration’s measure, and turned over public hearings of the bill to one of its strongest advocates, Edward M. Kennedy.”⁴⁷ Eastland’s remarkable gesture may have been an effort to support his old friend, President Johnson.

Kennedy was particularly effective in winning the trust of the Judiciary Committee’s most articulate and committed defender of the old system, North Carolina Democrat Sam Ervin. Ervin favored special recognition of those “groups who historically

had the greatest influence in building the nation”. He described the national-origins system as a benign “mirror reflecting the United States”.⁴⁸

But of course the United States in the mid-1960s was undergoing dramatic social change where liberal values were ascendant, particularly regarding race relations and minority rights. Edward Kennedy’s ability to develop friendships with those who resisted the change, particularly powerful southern Democrats, enabled him to defuse tensions like those that developed between Ervin and Kennedy’s brother, Robert Kennedy, who had been elected to the Senate from New York in 1964.

The intensity of Robert Kennedy’s dislike of the national-origins system brought advantages and disadvantages to the reform effort. On the one hand, he was an eloquent spokesman for the proposition that the old system was unjust. On the other, he was temperamentally incapable of concealing his frustration with Ervin’s views.

Edward Kennedy managed to smooth things over. As described by biographer Burton Hersh, he “ostentatiously pinned a shamrock on Sam Ervin’s lapel on Saint Patrick’s Day, very soon after Bobby had riled up the old Dixie autocrat.”⁴⁹

In his effort to ease the anxiety of conservatives, Edward Kennedy met with representatives of the American Coalition of Patriotic Societies, the American Legion, the Daughters of the American Revolution, and the National Association of Evangelicals. There he appears to have benefitted from Rep. Feighan’s research showing that Congress so frequently passed legislation to circumvent the quotas that the national origins system had become dysfunctional.

“While most of those with whom I met were skeptical regarding the various reform channels,” Kennedy wrote, “I believe it is fair to say that all recognized the unworkability of the national origins quota system and at the close of the meeting expressed a willingness to cooperate in finding a new formula for the selection of immigrants.”⁵⁰

One of the strongest arguments against the reform bill was presented at a Senate hearing by Myra C. Hacker, of a group called the New Jersey Coalition. Warning against lowering the barriers to entry at a time of a worldwide population boom, she told a Senate hearing:

*In light of our 5 percent unemployment rate, our worries over the so-called population explosion, and our menacingly mounting welfare costs, are we prepared to embrace so great a horde of the world’s unfortunates? At the very least, the hidden mathematics of the bill should be made clear to the public so that they may tell their congressmen how they feel about providing jobs, schools, homes, security against want, citizen education, and a brotherly welcome ... for an indefinitely enormous number of aliens from underprivileged lands.*⁵¹

The Johnson administration devised a successful strategy for dismissing such concerns. It issued a “Blue Book” that advised reform advocates to stick to the message that their measure “leaves the present authorized level of immigration substantially unchanged.”⁵²

The line was rigorously followed by two key administration officials who testified at the hearing: Attorney General Nicholas Katzenbach and Secretary of State Dean Rusk. And in the Senate, Edward Kennedy offered this assurance: “The bill will not flood our cities with immigrants. It will not upset the ethnic mix of our society. It will not relax the standards of admission. It will not cause American workers to lose their jobs.”⁵³

Such assurances reflected political necessity rather than careful analysis. Steven Gillon reported that “neither Congress nor the White House had carefully analyzed the potential impact of the family preference system.”

And so, swept along by an historic tide of liberal convictions, the Hart-Celler Act won overwhelming approval in both Houses of Congress.

Edward Kennedy helped the bill clear a final obstacle by accepting the demand of Ervin and Senator Minority leader Everett Dirksen that it include a cap on immigration from the Western Hemisphere. When the bill became law, Ervin had high praise for his young colleague. He wrote that the legislation would have taken a different course “had it not been for the tact and the understanding and the devotion which the senator from Massachusetts gave to the bill.”⁵⁴

Conclusion

One of the most widely quoted critiques of the Hart-Celler Act was written by journalist Theodore White, author of a Pulitzer Prize-winning book on the 1960 presidential campaign won by John Kennedy. In his 1982 book *America in Search of Itself*, White first described the legislation as “noble”. Then he contradicted President Johnson’s signing-day assurance that it was “not a revolutionary bill”. White said the bill was “revolutionary and probably the most thoughtless of the many acts of the Great Society.”⁵⁵

Historian Roger Daniels took note of the legislation’s cascading demographic effects and issued this somber judgment: “Had Congress fully understood its consequences, it almost certainly would not have passed.”⁵⁶

The nobility of the legislation lay in its defense of the American creed that all men are created equal. Its success in Congress was a demonstration of how much the nation had changed from the days when conservatives smeared immigration-reforming liberals as communist dupes and “gulliberals” and when frankly segregationist views were commonplace.

Today, the prevailing ideological boot is on the other foot. As early as 1968, when the *New York Times* reported that “the extent of the change” in immigration because of the new law had surprised nearly everyone, it quoted someone who said corrective action was not likely because “congressmen don’t want to look like racists.”⁵⁷

Now it is those who express the conservative conviction that immigration should be limited who receive the harshest attacks. Immigration advocacy groups and political operatives often label them as racists, nativists, bigots, and reactionaries.

Today, the political and demographic momentum is on the side of expansive immigration. The role of the immigrant vote is more important than ever. Their political organization has grown steadily stronger from a base that was already politically effective 30 years ago when, as Carolyn Wong noted, “Ethnic advocates representing Asian American and Hispanic communities were particularly skillful in their advocacy of open-immigration policies toward their countries of origin.”⁵⁸

Hart-Celler culminated the nation’s dramatic change from the era after the 1924 legislation when, according to historian Aristide Zolberg, the United States in effect proclaimed to the face of the world, “We are no longer a nation of immigrants.”⁵⁹

In 1993, assessing the legacy of Hart-Celler, Nathan Glazer wrote, “When one considers present immigration policies, it seems we have insensibly reverted to mass immigration, without ever having made a decision to.”⁶⁰

In 2000, Harvard sociologist Christopher Jencks took a look at the demographic consequences of U.S. immigration policy, projecting that it had put us on course for a population of 500 million by 2050. Wrote Jencks:

*When I first made these calculations, I viewed them as statistical fantasies. Long before 2050, I thought, the electorate would revolt. Every European country that has experienced high levels of immigration has seen such a revolt. But Congress will not curtail the growth of immigration just because poll data show that the public favors such a change. Immigration will level off only if the political groups that drove it up over the past generation become weaker or if those who want immigration reduced become stronger.*⁶¹

Then, perhaps with an idea about the sort of political pressures reflected in the 1968 *New York Times* article on congressmen who didn’t want to appear to be racist, Jencks added a gloomy assessment of the possibilities that leaders would direct a change. “Once I posed the problem this way,” he wrote, “my statistical projections no longer seemed so fanciful.”

Jencks had quantified concerns that led Theodore White to lament the consequences of Hart-Celler. “Only one other great republic has ever experienced such a change in the texture of its people — the Roman Republic,” White wrote. He then observed that “Rome could not pass on the heritage of its past to the people of its future” and ultimately unraveled so badly that it “could no longer govern itself”.

White’s pessimism about the potential consequences of mass immigration remains a central concern of those who seek to limit immigration. But, of course, there are powerful voices on the other side of the debate. In a new book released in time

for Hart-Celler's 50th anniversary, journalist Tom Gjelten quotes Walter Lippman's observation in 1913 — an era of intense immigration that eventually led to the backlash that produced the 1924 Johnson-Reed Act — that while immigration “may swamp us, it may, if we seize the opportunity, mean the impregnation of our national life with a new brilliancy.”

Gjelten closes his book with an optimistic assessment of the ongoing legacy of Hart-Celler, writing that “it is only in the half century after 1965, with a population connected to every corner of the globe, that the country has finally begun to demonstrate the exceptionalism it has long claimed for itself.”⁶²

End Notes

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⁵ Jennifer Ludden, [“1965 Immigration Law Changed Face of America”](#), National Public Radio, May 9, 2006.

⁶ John Higham, [Strangers in the Land: Patterns of American Nativism 1860-1925](#), New Brunswick, N.J.: Rutgers University Press, 1969, title of Chapter Ten.

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