



## The 1965 Immigration Reforms and *The New York Times*

### Context, Coverage, and Long-Term Consequences

By William McGowan

Accusations of liberal bias at *The New York Times* date back decades, and given the tide of PC coursing so strongly through its pages on a daily basis now, it's tempting to think that bias has always been part of its institutional DNA.

But a more fine-grained review of ideologically sensitive stories, trends, and developments in the 1960s and early 1970s shows that the paper was hardly then a liberal monolith. This certainly goes for its news reporting and, surprisingly, for its editorial page too. The paper was kind to the Moynihan report on dysfunction within the black family,<sup>1</sup> and took a dim view of the counterculture.<sup>2</sup> It condemned black separatism, declaring that “Black Power Equaled Black Death”<sup>3</sup> and said that the assassination of Malcolm X was something he brought on himself through his “exaltation of fanaticism.” It scorned homosexuals, preferring the term “deviate” over “gay.”<sup>4</sup> And although it did publish the Pentagon Papers, it did so with more reluctance and hesitation than the triumphalist narrative the Fourth Estate has embraced.<sup>5</sup>

Indeed in June 1972, William F. Buckley's *National Review* produced an article examining these charges of left-leaning bias. Conservatives, the *National Review* observed, had long dismissed the *Times* as a “hopeless hotbed of liberalism, biased beyond redemption, and therefore not to be taken seriously.” Yet *National Review* concluded that, “Things on 43rd Street aren't as bad as they seem.” The magazine applauded “the degree of fairness” it saw in the evidence it examined, writing that “Were the news standard of the *Times* more broadly emulated, the nation would be far better informed and more honorably served.”

The *Times*' record on immigration in that era, particularly immigration reform, was one marked exception, however. Contrary to the journalistic rigor and editorial moderation it brought to many cultural, political, and social issues and developments, the *Times*' news reporting and editorials that constituted its coverage of the watershed Immigration and Nationality Act of 1965 were particularly slanted — and slack. Originally intended as a modest step to overturn the restrictionist legislation of the 1920s — which was based on national origins and favored immigrants of European descent — the legislation, also known as the Hart-Celler Act, had dramatic, unintended demographic, cultural, and political consequences. Indeed, this legislation launched the country on a “vast social experiment,” as the sociologist Christopher Jencks has phrased it,<sup>6</sup> as millions of third-world immigrants continue to pour in. Ending the “Great Lull” in American immigration history that began with the passage of the national origins legislation, the 1965 reform facilitated a dramatic change in the country's size and demographic composition, in ways the reform's backers and its chief cheerleader in the press — i.e. the *Times* — did not foresee. Understanding the *Times*' failures, then, is a window to understand current failures, too — a way to understand how, as Nathan Glazer once wrote, “[it] seems we have insensibly reverted to mass immigration policies without ever having made a decision to do so.”<sup>7</sup> 1965 still echoes throughout the mainstream press but particularly at the *Times*, which no matter how many journalistic blunders and scandals it has seen in the recent past, still sets the agenda for most of the rest of the media. If the Hart-Celler Act of 1965 was immigration reform's Original Sin, the *Times* coverage of it constitutes complicity, and a great disservice to public debate — one that resonates still today.

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## The Context

At the time, immigration reform was not a pressing public concern. A Harris poll released in May 1965 showed that the public strongly opposed easing immigration law by a two-to-one margin (58 percent to 24 percent).<sup>8</sup> Nevertheless, as civil rights laws loosened the grip of racial discrimination, the national origins system, which favored Irish, German, and British immigration at the expense of Southern and Eastern European, as well as Asian and Latin American immigration, was castigated as the equivalent of Jim Crow, a reflection of theories of ethnic superiority that contradicted “America’s ideal of the equality of all men without regard to race, color, creed, or national origin,” as Senator Hiram Fong (R-Hawaii) said as Senate hearings began.<sup>9</sup> The push for immigration reform also reflected Cold War moral self-consciousness. How could the United States exert world leadership, asked Congressman Emanuel Celler (D-N.Y.), one of the bill’s cosponsors, if our current immigration system was “a gratuitous insult to many nations?”<sup>10</sup>

Opponents of the bill, most of them conservatives still in disarray from the Goldwater rout in 1964, said it would vastly increase the number of immigrants coming into the country and that the bulk of those immigrants would be coming from third-world nations, representing a threat to the country’s existing demographic profile. Myra C. Hacker, Vice President of the New Jersey Coalition of Patriotic Societies, warned of granting entree to “an indeterminately enormous number of aliens from underprivileged lands.”<sup>11</sup> Whatever may be America’s benevolent intent toward many people, Hacker maintained, the bill “fails to give due consideration to the economic needs, the cultural traditions, and the public sentiment of the citizens of the United States.” Hacker also said that the bill had “hidden mathematics” about which the public was not being informed.

In the Senate, another opponent, Sam Ervin (D-N.C.), said that it was impossible not to discriminate and that it was therefore alright to favor “groups who historically had the greatest influence in building the nation.”<sup>12</sup> To put all the earth’s peoples on the same basis as prospective immigrants to the United States, Ervin argued, “was to discriminate against the people who had first settled and shaped the country.” Ervin found an ally in Senator Robert Byrd (D-W.Va.) who said our current (1965) system is “just and wise,” since “additional population” from Western European

countries is “more easily and readily assimilated into the American population.” Byrd added: “Why should the United States be the only advanced nation in the world today to develop a guilt complex concerning its immigration policies?”<sup>13</sup>

Rallying their forces, the Johnson Administration, joined by Democratic members of Congress, took to Capitol Hill, issuing reassurances that refuted anxiety about future immigrant flows and the countries from which they came. In his opening remarks, newly elected Massachusetts Democratic Senator Ted Kennedy, who had become Senate floor leader on the legislation, chose to speak to what he said were false fears the bill’s opponents were fanning. “First, our cities will not be flooded with a million immigrants annually,” Kennedy said.<sup>14</sup> “Under the proposed bill, the present level of immigration remains substantially the same. . . . Secondly, the ethnic mix of this country will not be upset. . . . Contrary to the charges in some quarters, S. 500 will not inundate America with immigrants from any one country or area, or the most populated and economically deprived nations of Africa and Asia.” Echoing him, his brother Democratic Senator Robert Kennedy of New York estimated an overall increase of “at most 50,000 a year.”<sup>15</sup>

Refuting anxieties about an influx of Asians, Africans, Latin Americans, and people from the Caribbean, officials testified that the bulk of new immigrants would come from large backlogs from Italy, Greece, and Poland. Although the population of Mexico had doubled between 1940 and 1960 and three million Mexicans had come to the United States as temporary workers or *braceros*, Attorney General Nicholas Katzenbach stated that “there is not much pressure to come to the United States from these (third-world) countries.”<sup>16</sup> Indeed Secretary of State Dean Rusk maintained that the total number of immigrants who would come from India would be 8,000 over the next five years.<sup>17</sup> Robert Kennedy had a somewhat lower prediction of 5,000, tops, and added that after that “immigration from that source would virtually disappear.”<sup>18</sup> Hiram Fong was categorical: “Our cultural pattern would never be changed.”<sup>19</sup>

Supporters of the bill did not merely say the critics were mistaken; they basically said they were bigots. Referring to anxieties voiced by the opposition, Ted Kennedy contended that “The charges I have mentioned are highly emotional, irrational, and with little foundation in fact. They are out of line with the obligations of responsible citizenship. They breed hate of our heritage.”

## The Coverage

The *Times* editorial page quickly and firmly established racial rectification as its primary theme.<sup>20</sup> Echoing President Lyndon Johnson, it claimed that there was “no piece of legislation [Hart-Celler] before Congress that in terms of decency and equity is more demanding of passage,” and thundered: “In a time when this country is attempting to wipe away ancient wrongs against its Negro citizens, its conscience will not permit a sign at all ports of entry reading: ‘Only whites from Northwestern Europe are welcome.’”

Another scalding editorial examined the current law as the product of unfounded paranoia produced by “the mood of Harding isolationism, periodic Red Scares, and the revival of the Ku Klux Klan” in the “reactionary” 1920s.<sup>21</sup> It reminded readers that the national origin quotas were “designed to keep out immigrants from Southern and Eastern Europe and thus stabilize the racial make-up of the nation.” The quota system, this editorial contended was also “the illegitimate child of the new social sciences,” referring to the then-popular but now discredited theory of eugenics. It cited a sociologist from 50 years before referring to those the law excluded as “beaten members of beaten breeds,” and predicted that when Congress voted on the new law, “it is safe to predict that the echoes of the old pseudo-science will once again reverberate in the arguments of the opposition.” The “intellectual poison” of racism “is slow to work its way out of any people’s system.”

What little moderation and caution that was expressed about the new bill was focused on the issue of immigration from Latin America, which had never been subject to ceilings before. “Rather than invite an ugly situation in the future” with a mass influx of Latinos leading to a legislative backlash to shut it off, the *Times* argued that “it would be an act of prudence and foresight to stabilize hemispheric immigration at its present level [of 120,000] on a nondiscriminatory first-come, first-served basis.”<sup>22</sup>

Although the news reporting on the bill’s progress was hardly as strident as the editorializing, it was still unmistakably one-sided, clearly in sympathy with sponsoring Sen. Philip Hart (D-Mich.) that the hearings on the bill “would explode some of the scare crows and red herrings about what this bill would do.”<sup>23</sup> The reporting minimized the anxieties and concerns of the opposition, depicting them in a reactionary light. (The congressional testimony of Myra Hacker, who along with other opponents of the bill questioned the mathematics of the legislation, was noted in a mere six-paragraph item.)<sup>24</sup> The paper devoted substantially more

space to supporters, extolling Democratic leaders and giving prominence to their positions and predictions. It trained a particularly adoring eye on fledgling Senator Ted Kennedy. A 5,000-plus-word Sunday *Magazine* profile on Ted Kennedy, written by editorial board member and Kennedy camp-follower William Shannon, claimed that Kennedy’s debut as floor manager of the bill marked “another milestone in the remarkable career of the junior Senator from Massachusetts” and the completion of Kennedy’s “political apprenticeship.”<sup>25</sup> Shannon even touted him as “a hotshot possibility for the presidency,” weighing his appeal against brother Bobby’s.

This lengthy profile, however, failed in any way to examine the social, cultural, and economic implications of the legislation Kennedy was driving. Although Shannon’s salute led with the claim that when the immigration bill came to the Senate floor, the press, galleries, and other Senators will focus “as much on the skill of the sponsor as the merits of the bill,” those merits, or demerits, were hardly even mentioned.

The *Times’* preferences were also made clear in coverage of testimony and remarks made by Bobby Kennedy and Attorney General Katzenbach, which got good play. In one news article, Bobby Kennedy predicted the revisions’ approval, and said they would show “that one people is not intrinsically superior or inferior to another people.” Kennedy went on to cite the large number of naturalized Americans who had played a role in the 1962 orbit space flight of the Gemini 4 and he asked how many others like them might be left “stranded on some foreign shore from joining us here and contributing their genius to a better America.”<sup>26</sup> A report on Katzenbach’s Senate testimony quoted him at length, saying that selecting immigrants based on “personal pedigree” was intolerable. “I do not know how any American could fail to be offended by a system which presumes that some people are inferior to others because of their birthplace,” Katzenbach asserted.<sup>27</sup>

The *Times* also played carrots and sticks. Earlier that summer, an editorial chastised Cleveland Democratic Representative Michael Feighan as being unsympathetic to the bill and for favoring a more restrictionist bill of his own. It was that editorial that had invoked the image of a sign “at all ports saying that ‘Only whites from Northwestern Europe are welcome.’” That editorial also said that “the country’s immigration law, based on racially angled national origins quotas, makes a strange counterpoint to its progressive laws against racial discrimination here at home.” But when Feighan threw his support behind the bill, he was feted, credited with guiding and shaping the bill from his congressional immigration subcommittee chair. A News

Analysis/“Man in the News” profile<sup>28</sup> that ran three days after the Kennedy magazine piece said that Feighan had been seen as “an intellectual bedfellow of the conservative and patriotic groups who have most stoutly defended the status quo” and that “many of his colleagues regard him as temperamental and unpredictable and bracket him vaguely with ‘the right wing cranks.’” Feighan was not “the most likely fellow I can think of to be responsible for an important immigration reform bill like this,” one anonymous “government official” told the paper, “But by God, he’s done it.”

When *Times* news coverage did get into technical details of the reform bill at all, it did so with a marked lack of depth and curiosity, especially toward the reform’s “hidden mathematics.”<sup>29</sup> Uncritically relaying unfounded predictions and glib assurances, it overlooked the elephant in the next room — i.e. massive potential third-world influxes, ignoring the dramatic demographic consequences the legislation would have. “The bill would greatly increase immigration from such nations as Poland, Greece, Italy, and Portugal,” one *Times* report maintained, failing to even mention places like India, China, Africa, and Latin America as the source of most of the subsequent post-1965 immigration.<sup>30</sup>

### Long-Term Consequences

The Senate bill passed by an overwhelming majority, a vote of 76 to 18. As historian Otis Graham has written, “Congress had decisively repudiated the old system for managing immigration, replacing it with what turned out to be an unpredictable and radically new regime.”<sup>31</sup> The law of unintended consequences, Graham maintained, “was about to produce a major case study.” Reformers were putting in place a new system under which total numbers would triple and the source countries of immigration would radically shift from Europe to Latin America and Asia — exactly the two demographic results that the restrictionist campaign of earlier decades strove to prevent and which supporters of the 1965 reform bill said would never happen. Inarguably, every one of the assurances issued by the legislation’s supporters proved to

be false. With adoption of the Hart-Celler Immigration Act of 1965, legal immigration began a striking rise from both Latin America and Asia. In the decade of the 1970s, Europe and Canada sent 20 percent of legal immigrants and Latin America and Asia sent 77 percent, a pattern that has continued through the 1980s, 1990s, and into the 2000s.<sup>32</sup> (The 5,000 immigrants from India that Robert Kennedy predicted turned out to be many, many times that.) And the ethnic mix of America has been radically altered, with implications that reach into every corner of our policy-making and our politics at the local, state, national, and international levels.

The key to the changes in the immigration flow was the bill’s “family reunification” provisions and the chain migration it set off. Although the bill’s stated priority was an increase in skilled labor, the many provisions for immigrants to bring relatives and for those other relatives to bring in even more other relatives opened the doors to millions of third-world arrivals who supporters of the legislation, such as the *Times*, had not expected to immigrate. Within a dozen years, one immigrant who had entered as a “skilled immigrant” could generate 25 visas for various family members. “No wonder the 1965 Act came to be called ‘the Brothers and Sisters act,’” one historian joked.<sup>33</sup>

Years later, surveying the impact of the legislation, journalist Theodore White said the 1965 reforms were “noble, revolutionary *and one of the most thoughtless of the many acts of the Great Society.*”<sup>34</sup> If that is the case, the *Times* bears a good share of responsibility for the lack of thought about unintended side-effects, which ramify to this day. And while no subsequent immigration reform debates have generated coverage quite so egregiously one-sided and myopic, since 1965 the *Times* has failed to report on various immigration debates with needed balance and rigor. Demagogic accusations of nativism continue, as well as an institutional resistance to framing and pursuing vital journalistic questions, demonstrating, on too many occasions, a “contempt prior to investigation” that the 19th century liberal political philosopher Herbert Spencer said “is a bar against all information” and “proof against all arguments.”

## End Notes

- <sup>1</sup> *The New York Times*, 11/25/65; *The New York Times*, 8/27/65.
- <sup>2</sup> Edwin Diamond, *Behind the Times: Inside the New New York Times*. Villard Books, 1993, p. 188.
- <sup>3</sup> *The New York Times*, 7/7/66; “Malcolm X,” *The New York Times*, 2/11/65.
- <sup>4</sup> “Nationwide Ring Preying on Prominent Deviates,” *The New York Times*, 3/3/66.
- <sup>5</sup> Susan E. Tift and Alex S. Jones. *The Trust: The Private and Powerful Family Behind the New York Times*, Little Brown and Company, 1999. pp. 480-493.
- <sup>6</sup> Christopher Jencks, “Who Should Get In? Pt 1,” *New York Review of Books*, 12/20/01.
- <sup>7</sup> *The New Republic*, 12/27/93.
- <sup>8</sup> Otis Graham, *A Vast Social Experiment: The Immigration Act of 1965* (NPG Forum, October 2005); see also Stephen T. Wagner, “The Lingering Death of the National Origins Quota System,” PhD dissertation, Harvard University, 1986, pp. 8-19.
- <sup>9</sup> Otis Graham, *A Vast Social Experiment*; see also Betty Koed, “The Politics of Immigration Reform,” PhD dissertation, University of California, Santa Barbara, 1995.
- <sup>10</sup> Otis Graham, *A Vast Social Experiment*.
- <sup>11</sup> Otis Graham, *A Vast Social Experiment*; see also U.S. Senate, Subcommittee on Immigration and Naturalization of the Committee of the Judiciary, Washington, DC, 2/10/65.
- <sup>12</sup> Otis Graham, *A Vast Social Experiment*; see also Senate Report 748, p. 22.
- <sup>13</sup> Otis Graham, *A Vast Social Experiment*; see also Congressional Record, Senate, 9/14/65, p. 23,793.
- <sup>14</sup> Otis Graham, *A Vast Social Experiment*; see also *Congressional Digest*, May 1965, p.152.
- <sup>15</sup> Otis Graham, *A Vast Social Experiment*; see also: statement by Senator Robert F. Kennedy before the subcommittee on immigration, 1965.
- <sup>16</sup> Otis Graham, *A Vast Social Experiment*.
- <sup>17</sup> See Senate Subcommittee on immigration and naturalization of the Committee on the Judiciary, Washington DC, 2/10/65, p. 65.
- <sup>18</sup> Otis Graham, *A Vast Social Experiment*; see also: Scott McConnell, “The New Battle Over Immigration,” *Fortune*, 5/9/88, p. 94.
- <sup>19</sup> Lawrence Auster, “The Path to National Suicide: An Essay on Immigration and Multiculturalism;” see also Senate Committee on the Judiciary, subcommittee on immigration, Hearings on Immigration Reform Act of 1965, 2/10/65 to 3/11/65.
- <sup>20</sup> “LBJ Echo: Action at Last on Quotas,” *The New York Times*, 8/27/65; “Immigration Impasse,” *The New York Times*, 6/18/65.
- <sup>21</sup> “Farewell to Quotas,” *The New York Times*, 8/5/65.
- <sup>22</sup> “New Day on Immigration,” *The New York Times*, 9/24/65.
- <sup>23</sup> “Katzenbach Hits Quotas on Aliens,” *The New York Times*, 2/10/65.
- <sup>24</sup> “Quota Immigration Backed at Hearing,” Associated Press, 5/20/65.
- <sup>25</sup> William Shannon, “The Emergence of Senator Kennedy,” *The New York Times Magazine*, 8/22/65.
- <sup>26</sup> “Kennedy Predicts Approval of Immigration Provisions,” *The New York Times*, 6/11/65.
- <sup>27</sup> “Katzenbach Hits Quotas on Aliens,” *The New York Times*, 2/11/65.
- <sup>28</sup> Michael Aloysius Feighan, “Man in the News: Immigration Reformer,” *The New York Times*, 8/24/65.
- <sup>29</sup> Lawrence Auster, “The Path to National Suicide: An Essay on Immigration and Multiculturalism;” see also Senate Committee on the Judiciary, subcommittee on immigration, Hearings on Immigration Reform Act of 1965, 2/10/65 to 3/11/65.
- <sup>30</sup> “President Asks Ending of Quotas for Immigrants,” *The New York Times*, 1/14/65.
- <sup>31</sup> Otis Graham, *A Vast Social Experiment*.
- <sup>32</sup> Otis Graham, *A Vast Social Experiment*; see also David Reimers, *Still the Golden Door*, Columbia University Press, 1992.
- <sup>33</sup> David Reimers, “An Unintended Reform: The 1965 Immigration Act and Third World Immigration to the United States,” *Journal of American Ethnic History*, Fall 1983.
- <sup>34</sup> *America in Search of Itself*, Harper Collins, 1984, p. 363.

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