Proceedings of ICILLP 2025 Symposium: Digital Governance: Inter-Firm Coopetition and Legal Frameworks for Sustainability
DOI: 10.54254/2753-7048/2025.BR26708

U.S. Immigration Policy and White Supremacy: A Historical and Contemporary Analysis

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Abstract. The United States has long presented itself as a "nation of immigrants", yet its immigration policies have often operated to preserve a white racial majority. This paper investigates the extent to which U.S. immigration law, historically and today, functions as a structural tool for enforcing white supremacist ideology. This paper puts forth the question of how the U.S. immigration policy historically has constructed and sustained racial hierarchy, and in what ways do contemporary laws and discourse continue to reflect these white supremacist foundations? Drawing on legal analysis, historical records, demographic data, and contemporary political rhetoric, this paper finds that from the 1790 Naturalization Act through the 1924 national origins quota system, immigration law explicitly favored white, European-origin populations. Even after the formal abolition of racial quotas in 1965, immigration enforcement disproportionately targets nonwhite immigrants, and nativist ideologies such as the "Great Replacement" theory have re-emerged in mainstream political discourse. This research exposes the persistence of racial bias embedded in American immigration governance. Understanding these patterns is not only essential for historical accountability, but also for informing urgent policy reform. In a world of demographic shifts and geopolitical competition, the U.S. must move beyond its racialized immigration legacy to harness immigration as both a moral imperative and strategic advantage.

Keywords: Immigration policy, white supremacy, racial quotas, enforcement disparities, Great Replacement theory

1. Introduction

U.S. immigration policy has never been purely about managing population flow; it has also been a project of nation-building and racial engineering. From the earliest days of the republic, lawmakers used immigration and naturalization rules to shape the desired demographics of the country, explicitly privileging those of European descent and excluding or limiting others. This history raises the central question addressed in this paper: How has the U.S. immigration policy historically constructed and sustained a racial hierarchy, and in what ways do contemporary laws and discourse continue to reflect these white supremacist foundations? In exploring this question, we define "white supremacy" not merely as overt hate by extremist groups, but as a systemic power structure that has positioned "whiteness" as normative and desirable, using law and policy to maintain racial

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DOI: 10.54254/2753-7048/2025.BR26708

dominance. The essay's thesis is that the U.S. immigration laws, from the eighteenth through the twenty-first century, have been a key instrument in creating and upholding a racial hierarchy with white Anglo-Americans at the top. While legal reforms in 1965 formally abolished overt racial exclusions, the legacy of those policies endures in modern immigration enforcement and political rhetoric.

To develop this argument, the second section of this paper provides an overview of historical immigration policies and how they were designed to preserve a white majority and subjugate or exclude racialized others. The third section examines contemporary immigration laws and public discourse, including enforcement patterns, recent executive orders, and political narratives, to demonstrate that many of the assumptions and effects of earlier openly racist policies persist in subtler form today. This study relies on a range of sources, including statutes, congressional records, court decisions, and scholarly analyses, to connect past to present, and it reflects on what this continuity means for current movements toward immigration reform and racial justice.

2. Historical foundations: racial design of U.S. immigration law

U.S. immigration policy was explicitly used as a tool of racial engineering for much of the nation's history. Lawmakers crafted immigration and naturalization laws to favor immigrants considered racially "desirable" – generally those of Northern and Western European origin – and to bar or limit those deemed undesirable or threatening to the racial order. Over time, these policies constructed a legal hierarchy of racial worthiness for membership in the American polity. This section traces three key phases in which immigration law helped construct and sustain white supremacy: the early naturalization regime, the era of Asian exclusion, and the establishment of the national origins quota system in the 1920s (with its legacy lasting until 1965).

2.1. "Free white persons": racial qualifications in early immigration and citizenship law

The United States' first immigration-related laws set a clear racial threshold for who could belong to the nation. The Naturalization Act of 1790, passed by the first Congress, restricted naturalized citizenship to "free white person[s]" of good character [1]. In effect, from the very founding of the republic, only individuals deemed white could legally become Americans, a limitation that pointedly excluded indigenous peoples and those of African or Asian descent. This racial prerequisite for citizenship was no accident or anomaly; it reflected the prevailing view of the new republic as a fundamentally white nation. Even after the Civil War, when the Reconstruction-era Congress extended citizenship eligibility to people of African nativity or descent in 1870, all other non-white groups remained barred from naturalization [2]. In other words, for nearly two centuries (1790–1952), the U.S. law codified a racial hierarchy at the gateway of citizenship, with whiteness as the key to entry.

This legal encoding of white supremacy was reinforced by the courts. In the early 20th century, a series of Supreme Court decisions upheld the racial prerequisites for naturalization by policing the boundaries of whiteness. For example, in Ozawa v. United States (1922), the Court ruled that a Japanese immigrant could not naturalize because he was "clearly…not Caucasian," explicitly stating that the 1790 Congress did not intend to include "the brown or yellow races of Asia" as eligible for citizenship [3]. The next year, in United States v. Bhagat Singh Thind (1923), the Court denied naturalization to a South Asian immigrant who argued that Indians were scientifically "Caucasian," reasoning that "free white persons" in the common understanding did not encompass those of Asian

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Indian descent [4]. These rulings underscored that U.S. law officially sanctioned a hierarchy in which only those deemed white could fully join the polity.

2.2. Excluding "undesirable" races: Asian exclusion and early immigration restrictions

By the late 19th century, alongside the limits on who could become a citizen, the federal government began directly regulating who could enter the country – and did so in openly racist ways. The first major federal immigration restrictions targeted Asian migrants, who were perceived as an economic and racial threat to the Anglo-American social order, particularly in western United States. The Chinese Exclusion Act of 1882 marked a watershed: it was the first U.S. law to bar an entire group of people from immigration based on ethnicity or nationality. The Act's text justified the ban on Chinese laborers by declaring that their coming to the U.S. "endangers the good order" of certain localities [5]. This language echoed the virulently racist rhetoric of the time that painted Chinese immigrants as inherently unassimilable and dangerous to white workers and communities. Initially a 10-year ban, Chinese exclusion was extended and eventually made indefinite; Chinese immigrants remained largely barred until World War II. Following the Chinese exclusion precedent, U.S. policy soon expanded to bar virtually all Asian immigration. The Immigration Act of 1917 established the "Asiatic Barred Zone," shutting out immigrants from British India, Southeast Asia, and the Middle East, among other regions [6]. A narrow exception was made for Japan through diplomatic agreement and for the Philippines because it was a U.S. colony, but in practice Asians broadly were deemed undesirable. The 1917 law also imposed a literacy test and other measures aimed at reducing immigration from Southern and Eastern Europe, reflecting a growing nativist sentiment that those groups (often Jews, Italians, Slavs, and others considered not quite "white") were inferior or unfit.

Under these laws, U.S. immigration enforcement took on an overtly racial character. Not only were Asian migrants categorically excluded, but even within Europe a racial gradation was applied. Lawmakers and influential proponents of restriction (including prominent eugenicists) argued that immigrants from Southern and Eastern Europe were of "inferior stock" compared to Anglo-Saxons or Nordics [7]. Pseudoscientific racism and eugenics heavily influenced immigration debates in the late 19th and early 20th centuries. The federal Dillingham Commission report (1911) asserted that new immigrants from Italy and Eastern Europe were debased races causing social ills, and this provided intellectual cover for further tightening the gates. By the early 1920s, calls to preserve American "racial purity" reached their peak in the push for a permanent quota system. The stage was set for the 1924 Act, which would enshrine a hierarchical, race-based immigration regime as national policy.

2.3. Engineering a white nation: the Johnson-Reed Act of 1924 and the quota system

In 1924, Congress passed the Immigration Act of 1924 (also known as the Johnson-Reed Act), the capstone of decades of racist immigration policy. This law created a strict national-origins quota system explicitly designed to favor immigrants from Northern and Western Europe while almost entirely cutting off those from the rest of the world. Lawmakers of the time were remarkably blunt about their intentions. Pennsylvania Senator David Reed, a lead author of the act, lauded that the new quotas would permanently preserve America's ethnic composition; as he proudly wrote, "The racial composition of America at the present time thus is made permanent" [8]. Representative Albert Johnson, the bill's co-sponsor, described the act as a "bulwark against a stream of alien blood," framing it as a defensive measure to protect America's racial stock [9]. These statements

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leave little doubt that the quotas were crafted as an instrument of white supremacist ideology: the goal was to freeze the American population's racial makeup in the proportions that favored those of Anglo-Saxon and Northern European heritage.

The mechanism of the 1924 quota system was intentionally biased to achieve this racial outcome. The law capped annual immigration from any given country at 2% of that national-origin group's U.S. population as recorded in the 1890 census, a formula deliberately chosen to weight admissions in favor of old-stock immigrants (primarily British, Irish, and German) while cutting down newer immigrants from Italy, Poland, Russia, and other Southern/Eastern European countries [6]. In addition, the act completely banned immigration from Asia, building on the earlier Asian exclusion measures. By law, no "alien ineligible to citizenship"– a euphemism at the time for Asians, since U.S. nationality law still limited naturalization to whites and persons of African descent – could be admitted. In all of its parts, "the most basic purpose of the 1924 Immigration Act was to preserve the ideal of U.S. homogeneity," as the U.S. State Department's own historical summary puts it [6]. Put plainly, the American immigration system was now formally organized around a racial hierarchy: Northern Europeans at the top (receiving the lion's share of visas), other Europeans drastically limited, and all Asians (and other non-whites) excluded entirely.

Table 1. U.S. immigration quotas by region under the 1924 act [10]

Region	Annual Quota	% of Total Immigration Quota
Northern & Western Europe	142,483	85%
Southern & Eastern Europe	21,847	13%
Asia	0	0%
Africa	100	~0%
Other regions	2,570	2%

Table 1 clearly illustrates the act's racial engineering: 85% of legal immigration slots were reserved for Northern and Western Europeans, while vast regions where billions reside were effectively barred. The impact was immediate. Immigration from Italy, Russia, and Eastern Europe plummeted, while Anglo and Germanic arrivals surged [11]. President Calvin Coolidge captured the spirit of the law when he declared, "America must be kept American" [12] -- a statement whose racial undertone becomes clear considering these exclusionary patterns.

It is also important to note that the white supremacist logic of immigration restriction in the 1920s was not limited to Europe and Asia, but extended to the western hemisphere in practice. While the 1924 law did not set quotas on countries in the Americas, Latino immigrants faced the same racial treatment. A head tax and visa requirements were imposed on Mexican entrants, and officials often exempted Mexican laborers when needed and expelled them when not. During the Great Depression, this unofficial policy took an overtly racist turn in what historians call the Mexican Repatriation: U.S. authorities rounded up and deported an estimated 1 to 2 million people of Mexican ancestry, the majority of whom were U.S. residents and nearly half of whom were U.S. citizens. These expulsions, conducted in the 1930s under the rhetoric of "getting rid of outsiders to free up jobs," blatantly targeted persons with "a Mexican-sounding name" regardless of legal status [13]. The program devastated Mexican American communities; families were separated, and many American-born individuals were essentially forced out of their own country. A generation later, in 1954, the federal government undertook a similar mass expulsion campaign (infamously code-named "Operation Wetback") to deport over a million Mexicans and Mexican Americans in the

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Southwest. In both episodes, immigration enforcement served as a tool of racial dominance, reinforcing that Latino residents were perpetually outsiders to be removed in times of social stress.

By the mid-20th century, the most egregious racist immigration provisions began to face criticism, especially in the wake of World War II and the civil rights movement. The starkest legal pillars of the old system started to erode: in 1952, Congress finally repealed the racial bar to naturalization (so immigrants of any race could theoretically become citizens), and in 1965, the national-origins quota system was abolished [14]. The Immigration and Nationality Act of 1965 (Hart-Celler Act) ended the use of racial or ethnic criteria in immigration admissions, replacing it with a system based on family reunification and job skills. President Lyndon Johnson, signing the bill at the base of the Statue of Liberty, proclaimed that the new law "corrects a cruel and enduring wrong in the conduct of the American Nation" by doing away with discrimination in immigration policy [15]. Indeed, the 1965 reforms opened the door to immigrants from Asia, Africa, and Latin America in ways previously impossible, dramatically changing the ethnic makeup of inflows and, over time, of the U.S. population [8]. However, the mere removal of explicit racial language did not wholly uproot the biases and power imbalances entrenched over decades. The next section explores how elements of white supremacist ideology and racial hierarchy continued (and continue) to manifest in U.S. immigration law enforcement and political discourse after 1965.

3. Continuity and change: white supremacist legacies in contemporary policy

With the civil rights era reforms, U.S. immigration law entered a new formal regime: in principle, the law became color-blind and equal for all nationalities. In practice, however, long-standing hierarchies did not disappear so neatly. This section analyzes two dimensions of contemporary immigration, the legal/policy framework and the public discourse surrounding immigrants, to demonstrate that many of the underlying logics and effects of earlier white supremacist policies persist.

3.1. Law and enforcement: a system of exclusion by another name

Contemporary immigration laws no longer explicitly rank or exclude people by race, but the system's outcomes often perpetuate a racial hierarchy. Scholars have pointed out that modern immigration enforcement "unmistakably impacts people of color from the developing world" far more heavily than it does immigrants from Western Europe or other majority-white regions [16]. One reason is historical momentum: the 1965 law removed racial quotas but imposed new numeric limits on the Western Hemisphere for the first time, suddenly making legal immigration from Latin America (especially Mexico) far more restricted than it had been. This change, combined with ongoing labor demands and geographic proximity, led to a surge in unauthorized immigration from Mexico and Central America in subsequent decades. U.S. policy responses, such as militarizing the southern border, creating new criminal penalties for immigration violations, and expanding deportation forces, have overwhelmingly targeted Latino immigrants.

In essence, even without saying so, the immigration enforcement regime reconfigured itself to control the same populations earlier deemed undesirable. As law professor Kevin Johnson observes, immigration laws "as enacted and applied" after 1965 have continued to "limit the immigration of people of color to, and facilitate their removal from, the United States" [17]. The plenary power doctrine, established by the Supreme Court in the Chinese Exclusion Case (1889), gave Congress and the executive branch virtually unchecked authority to regulate immigration, remains in effect, and insulates most immigration decisions from constitutional equal protection challenges [18]. This

DOI: 10.54254/2753-7048/2025.BR26708

means policies with disproportionate racial impact can often survive so long as they are justified under the broad rubric of sovereignty or security.

Several examples from recent history illustrate how ostensibly race-neutral policies have reproduced racialized outcomes. Deportation and detention practices, for instance, show a strong skew by nationality: the vast majority of people deported from the U.S. in the past few decades have been from Latin American and Caribbean countries, especially Mexico, Guatemala, Honduras, and El Salvador. This is not surprising given migration patterns, but it is also the result of enforcement priorities that equate "illegal immigration" largely with Latino border-crossers. U.S. law makes it a federal crime to re-enter the country after deportation, and prosecutions of this offense exploded after the 2000s, becoming one of the most common federal crimes charged – almost exclusively against Mexican and Central American defendants. Legislation in 1996 broadened the range of crimes that could get even long-time lawful immigrants (green card holders) deported, and this too has hit immigrant communities of color hardest (e.g., Jamaicans, Dominicans, and Mexicans with minor offenses are often swept up). Meanwhile, immigrants from countries favored in public and political imagination, for example, European or Canadian visa overstayers, are far less likely to be the focus of aggressive enforcement, even though they too violate immigration laws.

Table 2. Average deportations by region (2000–2023) [19]

Region	% of Total Deportations (avg.)
Latin America	91%
Asia	4%
Africa	2%
Europe/Canada	1.5%
Other	1.5%

As shown in Table 2, deportations overwhelmingly fall on Latin American migrants, who constitute over 90% of total removals in recent decades despite making up a smaller share of total immigration. This is not a neutral outcome: it reflects how deeply immigration enforcement continues to be shaped by racialized priorities. Meanwhile, the minimal deportation rates for immigrants from Europe and Canada (1.5%) highlight a stark disparity: while white visa overstayers are technically deportable, they are not subjected to the same level of scrutiny, surveillance, or punitive action. In practice, enforcement has become a racial sorting mechanism that disproportionately targets non-white populations, especially from the Global South.

A dramatic example of modern racialized immigration policy unfolded under the Trump Administration (2017–2021), which, as Kevin Johnson argues, mounted a "powerful counter-response" to immigrant rights by reinforcing the racial caste quality of the U.S. immigration system [16]. From the outset, the administration advanced policies cloaked in the rhetoric of national security or legality but transparently aimed at excluding non-white populations. The most infamous was the so-called "Muslim Ban," which initially barred nationals from seven Muslim-majority countries under Executive Order 13769 and later iterations. Despite superficial adjustments and the eventual inclusion of a few non-Muslim countries, the policy overwhelmingly affected Muslims and was widely seen as fulfilling Trump's campaign promise to bar them. The Supreme Court's 2018 decision in Trump v. Hawaii upheld the ban by invoking the plenary power doctrine, choosing executive deference over confronting its thinly veiled religious and racial animus--echoing 19th-century precedents like the Chinese Exclusion Case [17]. Similarly, the administration's 2018 "zero tolerance" policy led to the mass separation of Central American children from their parents at the

DOI: 10.54254/2753-7048/2025.BR26708

southern border, a move unimaginable if the migrants were white Europeans. These separations, along with efforts to dismantle DACA and gut refugee admissions, disproportionately targeted immigrants from Latin America, Africa, and the Middle East. Even without explicit racial language, the Trump-era enforcement regime systematically burdened non-white migrants, offering modern proof that white supremacist ideology can survive behind the veil of neutral-sounding policy.

It is worth noting that not all continuity is intentional or driven by overt bias; some is structural. Global inequalities mean that more migrants now come from Asia, Africa, and Latin America, and U.S. immigration bureaucracy (e.g., visa allocations) has struggled to adapt without reproducing old biases. For example, the employment-based visa preferences favor highly educated and skilled workers, which in practice tends to admit more people from developed (often majority-white) countries, whereas unskilled labor visas are few. Refugee policies have sometimes shown disparities in compassion: compare the relative warmth and ease of acceptance for refugees from Europe (e.g., Soviet Jews in the 1980s, or more recently Ukrainians) to the far more stringent limits placed on refugees from Haiti or Central America. These patterns mirror past notions of desirability. The key point is that, even after 1965, the power structures and ingrained prejudices that defined earlier immigration law did not vanish – they morphed and reasserted themselves in new guises.

3.2. Nativist discourse and racialized narratives in the immigration debate

Law and policy do not exist in a vacuum; they are influenced by and reinforce public discourse. Although the language has evolved – today one is more likely to hear euphemisms about "security" or "culture" rather than blunt talk of racial purity – the underlying tropes remain strikingly similar: immigrants, especially those from non-European backgrounds, are cast as dangerous "others" who threaten the nation's safety, steal jobs, degrade American culture, or even plot conquest by demography.

One recurring trope is the portrayal of immigrants as inherently criminal. Donald Trump's 2015 campaign launch infamously claimed, "They're bringing drugs. They're bringing crime. They're rapists," in reference to Mexican immigrants [20]. Such characterizations echo early 20th-century accusations against Italian, Jewish, or Chinese immigrants and reveal how racialized stereotypes are still deployed to stoke public fear. Although Trump faced backlash for the explicitness of those remarks, the sentiment resonated with a significant segment of the public and set the tone for a resurgence of nativism in mainstream politics.

Another common narrative is that of immigrants as "invaders." The use of militarized and apocalyptic language to describe migrant flows -- particularly at the southern border -- resurrects 19th-century imagery of the "Yellow Peril" and 1920s Klan warnings about Catholic and Jewish immigrants [21]. This invasion rhetoric has increasingly merged with the "Great Replacement" conspiracy theory, which posits that elites are encouraging non-white immigration to displace white Americans. Once confined to fringe hate groups, this idea now surfaces in political discourse through coded language to suggest the fear of losing white Christian dominance, such as warnings about threats to "Western civilization" or traditional culture [22]. The real-world consequences are deadly: the 2019 El Paso mass shooter explicitly referenced this narrative in targeting Mexicans [23]. The normalization of these ideas in political and media spheres perpetuates white supremacist ideology under the guise of national interest.

Ultimately, contemporary immigration discourse operates on two levels. The visible surface is populated with arguments about economics, legality, and national security. But just beneath, or even in plain sight, are deeply rooted fears: that immigrants from Latin America, the Middle East, or Africa are unassimilable, dangerous, or corrosive to national identity. These views sustain a racial

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hierarchy by suggesting that "real" Americans are a fixed group: implicitly white, Western, and under siege. Such narratives not only shape public opinion and policy preferences but also legitimize laws and enforcement patterns that continue to disproportionately target non-white immigrants. In doing so, they carry forward the ideological architecture of exclusion laid down in earlier eras, reinforcing white supremacist logic in the immigration system today.

4. Conclusion

From the 1790 Naturalization Act to present-day enforcement disparities, U.S. immigration policy has consistently served as a mechanism for constructing and maintaining a racial order that privileges whiteness. This essay has shown how immigration law historically operated through explicit racial exclusion—such as the restriction of naturalization to "free white persons," the Chinese Exclusion Act, and the 1924 national origins quotas—to engineer a predominantly white nation. Even after the formal repeal of these overtly racist statutes, the racial hierarchy embedded in the system did not disappear. It merely assumed new, ostensibly race-neutral forms: Western Hemisphere caps, enforcement strategies targeting Latino migrants, and political rhetoric that recycles nativist tropes under the guise of legality and national security.

Understanding this history is essential to confronting the racial inequities that persist today. The disproportionate deportation of Latin American and African immigrants, the marginalization of refugees from non-European countries, and the reemergence of white nationalist narratives like the "Great Replacement" theory are not aberrations. They are symptoms of a system shaped by centuries of racial exclusion. Meaningful reform must begin with an acknowledgment of this legacy and proceed with the explicit goal of dismantling its structural remnants.

This means repealing punitive enforcement laws, challenging the plenary power doctrine's insulation of discriminatory policies, and rejecting the racialized fearmongering that dominates political discourse. A just immigration system must be grounded in principles of equity, inclusion, and shared humanity. Only by directly confronting and reversing its white supremacist foundations can U.S. immigration policy fulfill the democratic ideals it so often claims to embody.

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