

## **Democracy in Danger**

### **S2 E13 Bittersweet Dreams**

**Will Hitchcock** [00:00:03] Hello, I'm Will Hitchcock.

**Siva Vaidhyanathan** [00:00:04] And I'm Siva Vaidhyanathan

**Will Hitchcock** [00:00:06] And from the University of Virginia's Deliberative Media Lab, this is Democracy in Danger.

**Siva Vaidhyanathan** [00:00:12] Today on the show, we're delving into an idea that is fundamental to any modern society, but especially to democracies. The concept of citizenship.

**Will Hitchcock** [00:00:23] Siva, a little later, we're going to talk to Amanda Frost, a legal scholar whose work unearths the troubling history of revoking U.S. citizenship in some pretty questionable circumstances. But before we get to that, we want to share the personal narratives of two young people who have struggled over the years to find their footing in this country precisely because their legal status is so uncertain, even though they essentially grew up in the United States.

**Siva Vaidhyanathan** [00:00:49] So now we will turn the show over to them so you can hear their stories in their own words

**Alejandro** [00:00:56] Well, to begin with, I was I was born and raised in La Paz, Bolivia, until I was about 11 years old, which is when my family and I migrated to the United States.

**Sayra** [00:01:08] Most of my family is from Michoacan, Mexico, and I was born in Lazaro Cardenas. That's kind of like a little port town near the Pacific. And I don't have a lot of childhood memories, unfortunately, of Mexico, because we immigrated to the United States when I was just a baby. I was about to turn like a year old.

**Alejandro** [00:01:36] So my name is Alejandro, and I am aiming to become a social personality psychologist in the future.

**Sayra** [00:01:46] My name is Sayra and I am a fourth year student at the University of Virginia.

**Alejandro** [00:01:54] We had an ever present sociopolitical tensions in Bolivia, and I remember one time when I was - I want to say it was between like eight or nine - I was playing soccer outside after school. And this football field was right next to a street in La Paz. And now we're just playing. And all of a sudden we start hearing like fireworks, I guess, shoot it up in the air. There's like a protest. And then all of a sudden we just start seeing tear gas. And my eyes got so red and I saw my dad and like running and trying to get me. It's just chaos. That that happened to my mom also, she was working just being collateral damage to the police trying to crack down on these protests with tear gas, with rubber bullets and such. And it happened more often than I would like to remember.

**Sayra** [00:02:46] I mean, it was just like for my mom especially, she grew up on the rancho and like, you know, she had a pretty difficult life because of issues in our family.

**Alejandro** [00:02:59] For example, during that time, we lived in a small studio bedroom and my mom had to go in the morning. I didn't really see my mom so much. I was usually the last kid to leave the school because she had to stay and work very, very late. And then the job that she was in didn't pay her that much. So she spent a lot of time working. And that has big implications because you feel like you're not connected with the person that you should be connected with.

**Sayra** [00:03:24] And then, like my dad, his brother had gone before him and was like, oh, like, you know, there's jobs, like there's like a better life here, you know, you don't have to struggle to make ends meet. It's just, you know, building a better life for his kids. And you can actually think about a future. So my father went first and then he sent money back for us by way of, like the coyote. And my mom basically just, you know, put the belongings that we had and like important documents in like a little book bag. And we took busses from Michoacan all the way up to the north. And she said that she was scared a little bit because she hadn't brought enough baby food for me. And she said that she was just nervous, too, because it was such a long journey and she wasn't sure what to expect.

**Alejandro** [00:04:23] Everybody has a different journey. We travel by airplane from Bolivia up to Mexico and then from Mexico, we migrated through the Mexico border along the Rio Grande River and we crossed that river. And from that point on, we just walked.

**Sayra** [00:04:48] They waited, they told her to wait until it was night time, and she said that after she had been directed to go to this, like opening in the fence, she just slipped right through it with me in tow. And she said that the first place that she ever came to in the United States was McDonald's because she was so hungry and she was just she just wanted to kind of like wash herself off and things like that. And this was in in Nogales, in Arizona. That's where we crossed.

**Alejandro** [00:05:25] It was grueling terrain. Didn't eat much. Didn't talk much. Didn't drink much. Walking in the dark and not knowing where we'll be walking we would zigzag a lot. You're stressed because at any moment something could happen and you're always imagining the worst. It grapples with your sense of mortality and you realize how much the essentials are important. When I immigrated with my parents, I actually had a lot of resentment towards them because I felt like I didn't understand the whole scope of why we had made such a heart pounding trip to come here. You know, my dad had to juggle various day laboring jobs, delivering appliances, delivering packages to warehouses, delivering furniture, and my mom, she had to also deliver cleaning houses and taking care of elderly individuals as well. Later on, she worked overtime at McDonald's for, I want to say, about a year and a half. But then she had to quit because her health was declining and she got kidney stones. And because we don't have health insurance is still something that affects her today.

**Sayra** [00:06:39] Well, I grew up in predominantly rural northern Virginia. I went through - I was going through a lot of different things when I was a teenager. Just like figuring out what to do and like coming to terms with my sexuality and things like that, not to mention the regular teenage angst that happens during those years. But I just you know, I went through high school believing, oh, yeah. Like I'm going to do well, I'm going to go to college right after I graduate. Like, that's something that your family, your immigrant family tells you. Echale ganas, and you do the things that we weren't able to do. Like that's why we're in this country

**Alejandro** [00:07:24] In the transition to the school system, I mean, on a personal level was extremely hard. I had no prior experience with English. A lot of language barriers beginning from the get go. I remember we went to a some sort of mutual building where I had to take some tests and I went with my parents and then we went into an office with some lady to do some paperwork. And the first thing she asked is, was, can I see your visas? And my parents just looked at each other and that was one of the instances in which we were like, well, what do we say? What is there to say? And thankfully, the lady she was able to pick up on, I guess, a nonverbal cues and she just said, forget it. And I can remember very clearly I could pick up on how my relationship with this country was going to be one that really was going to entail a lack of belonging.

**Sayra** [00:08:28] Being undocumented was actually very shrouded in secrecy. And the way I found out, it didn't happen until I was like about to graduate high school. So I would just make these comments like, oh, like mom like, you know, I need to take the SATs soon. And like, I've been looking at these schools and like, you know, I really want to go. And she would just like, oh, mi hija, that's great. Like, that's wonderful. Like, you know, you keep doing. And and it got to the point where I remember one day I just approached her and she had just been working like a long shift or something. And I said, you know, why don't we ever have these, you know, concrete conversations about me continuing school? And then she just kind of solemnly just broke it to me of just like, well, unfortunately, right now, I don't think that you will be able to go to school after high school because we don't have papers. We never had them. And I just remember feeling like I got slapped in the face. I just remember feeling crushed because suddenly there's no future. Suddenly it's just darkness. It's uncertainty. It's anxiety.

**Alejandro** [00:09:50] I felt like I had this tag on me that said undocumented and that really - it was it was challenging to sort of navigate a new context with that sense of alienation. And I'm struggling in high school because I don't seem to find my north, I don't seem to find a reason for me to study, a reason for me to apply myself in high school, because I think to myself, what's the point? College seemed like an other worldly pursuit. It was a world that didn't seem like that was designed for somebody who is seen as invisible, undocumented, illegal, is an alien, it's not for you. And that sort of created such huge dissonance in me.

**Sayra** [00:10:35] Well, after I found out that I was undocumented, I mean, it was a dark period for me, I was going through a lot of mental health things, but I never brought it up to my mom because I didn't want her to think that I was guiltning her or like I hated her because she hadn't told me. And there wasn't much that I could do because in my culture, being the eldest daughter and not only that, but being the eldest daughter in a foreign country where you don't know the language, you become that bridge for your family, you become the interpreter. So it's like I've had all these responsibilities, but I had all of this this anger inside of me. And it manifested in very just like unhealthy ways. So I you know, I turned to drinking. I turned to drugs during this time because I just wanted to disappear.

**Alejandro** [00:11:31] But then I was able to get my Deferred Action for Childhood Arrivals notice, which was so, so huge. It sparked opportunity. It's part that sense of this is something that could be done now. All of the sudden, because of all of this two pieces of paper, I had access to that other worldly pursuit.

**Sayra** [00:11:55] The only people that ever knew about my status were my close friends. And then also my first girlfriend knew because eventually she actually helped me by providing an affidavit when I applied for my DACA saying that she knew me at the times

because there was a lapse when I graduated from high school, there wasn't a trace of me. I remember being excited and terrified at the same time, because I was like here, here is something that can potentially give me my future back. But then at the same time, I was like revealing myself as an undocumented person. I was terrified of coming out of the shadows and it not being worth it, of being denied DACA and then being immediately deported. And not only that, but I was also risking my other family members because I had to put down where I lived. Here's a scary situation where I can potentially lose everything I've ever known and never see my family again or potentially them, you know, also being wrapped up in that.

**Alejandro** [00:13:22] In 2017, when Trump rescinded DACA, I went to my morning class - my social theory class - and my professor comes in and, you know, they go, 'Hey, class, you know, I usually don't talk about politics and such, but I just wanted to share something that that really struck me and really demoralized me.' And then he laid the news on me, news that I was not aware of. I remember very, very, very well like the sensation. It was like this cold chill in my back. Like wait, wait, wait. What? Like, I couldn't really believe it. And mind you, I went to a predominantly white institution in a state that in both years voted for Trump. It felt like, OK, DACA is going to end. What am I getting my degree for? How am I going to be able to work when I get out?

**Sayra** [00:14:17] The Trump years were - it was like I went back to a place that I thought I would never find myself again. It was constant anxiety. It was reading news and being like, oh, there's a strong possibility that this will be dismantled. And then, oh, they're taking this to the Supreme Court. It was just coming up with a contingency plan at all times. Having enough money, you know, in case I'm sent back. It was having like a bag at the ready for like me to be able to put some of the most important things in my life to take with me that I felt was necessary to survive in Mexico.

**Alejandro** [00:15:07] The Supreme Court, this past June, ruled for DACA not getting rescinded. They were like very conflicting implications for that, like there's - OK, so for those of us who still have it there's less stress - but still further uncertainty as to what is going to happen. Right. It's not saying that DACA's here to stay. It's not even saying you can't shut it down. It's saying you can't shut it down the way you did it. So it was sort of like less stress for the moment, but more anxiety, more uncertainty about the future

**Sayra** [00:15:38] Every time that there's some sort of news about immigration, whether it's good or bad. The thing that my mother says to me all the time is 'Solo que tiene papeles, mi hiji. Mi, no importa.' So basically, as long as you get papers, I'll be OK. I'll be fine. And every time she says that, it just kind of chips away at me because I'm like, why? Why is it that you have to sacrifice something in order for me to persevere, to flourish in this country? Why can't it be both of us? And then just thinking about what does citizenship even mean to me? A person who is, you know, declared a foreigner, declared an alien, and given the history of this country, of its stolen land. Of the brutality of the enslavement of black people in this country, is this even something that I want to be a part of?

**Alejandro** [00:16:46] I mean, I want to I want to be honest, I cherish my Bolivian citizenship and I wouldn't exchange it. Now an American citizenship opens a lot of many doors. And I mean, when I say that I cherish my Bolivian citizenship is me saying that I cherish my Bolivian heritage because that is a strong part of who I am and my identity. Now, do I also cherish my American identity? Because the United States has allowed me to become the individual that I am today. I have been shaped and I have molded my life within this context. That doesn't mean that I'm less Bolivian and more American. It just

means that my identity is multifaceted and thus I am completely OK with that. The question is whether others are OK with it as well.

**Sayra** [00:17:41] Because to me, you know, there needs to be a strong reevaluation of what it means to be an American, and I think for me at this point, I just - I'm content with perhaps getting permanent residency or something that allows me to live and work here. Because citizenship? I just don't think that that's, you know, my end goal anymore. And it's just wild to think that when I was younger, my whole - like my whole mantra was just, you know, I want to be a citizen. I want to be a citizen. And just thinking that that was the solution.

**Alejandro** [00:18:28] So one thing that I do want to mention, though, is that I'm thankful for those experiences. It was it was that push. It was that stepping back that allowed me to really, like, become more observant and more discerning of my environment, certain of my family, their emotions, their behavior, their health. And that really allowed me to get curious about psychological processes, which is my subject of study, and I love it. And I'm going to be transitioning to a PhD program in the fall of 2021, and thankfully I will also be supported through a multi year fellowship.

**Sayra** [00:19:06] You know, the system, in my opinion, continues to fail a lot of people. It's there's these stipulations you have to prove that you are worthy to be a United States citizen. There's no room for mistakes. There's no room for the inequalities of the justice system. You have to prove in the sense of a capitalistic mindset that you are worthy to be a citizen. And why should I or why should anyone else have to prove their humanity to people? I graduate May 22nd, so right around the corner, unfortunately, because of covid, you know, we can't have too many people. Otherwise I'd have so many family members here. But yeah, my mother my sister will be at my graduation and it's it'll be very great to see them supporting me there.

**Will Hitchcock** [00:20:14] That was Sayra, a fourth year undergraduate at the University of Virginia and Alejandro, who just finished up a master's degree in the Washington area. They spoke with our producer, Robert Armengol, and they asked that we not identify them by their last names. We'll be right back.

**Siva Vaidhyanathan** [00:20:32] Will, as I listened to Sayra and Alejandro tell their stories, their families stories, I was so moved. I come from a family of immigrants who were able to become welcomed in this country with relatively little stress and trauma. So listening to Sayra and Alejandro and all that they have had to go through, I feel even more grateful and fortunate that my family's transition to this country - motivated by, you know, many of the same push factors as as Sayra and Alejandro - went so easily, relatively. You know, we have a very bad record in this country of differentiating among immigrants and dubbing some of them troublesome and some of them welcomed. These standards, these tags, are historically contingent, inconsistent and often counterproductive. But the one thing that really struck me about them, their stories is both Sayra and Alejandro came out of those experiences so wise and so ready to deal with whatever comes their way.

**Will Hitchcock** [00:21:58] Yeah, there's no doubt they're shaped and hardened, tempered by a very difficult experience. The thing that I kept hearing in their stories was this wearing sense of uncertainty, not knowing what does the future hold, but what is my status, where do I fit in, where do I belong? And they've really never known a time when they had answers to those questions and they really don't fully have answers to them yet. And I think the one element that they helped me to see that I had not thought of, not perceive

before is the way that the generational gap, the relationship between the children and their parents is also put under a lot of strain because the young people growing up in America, without documents uncertain of their future at different times in their life, might feel some resentment toward their parents. Why are we here? Why am I in this contingent position? But they also feel immense responsibility for them. If I can succeed, if I can get citizenship, if I can prevail over this difficult system, that I can provide security for my family. So they are burdened with all kinds of emotional baggage, none of which they asked for, but which they have courageously decided to carry. But you can hear in their voices that it's always hard.

**Siva Vaidhyanathan** [00:23:13] I mean, Sayra and Alejandro have granted us the favor of getting to know their stories a little bit, but it's risky for them. It's always risky for them to tell their stories. It's always risky for them to be fully honest and open about who they are and how they got where they are. And that's a terrible burden in itself. And I you know, I need to applaud them. They they're about to launch into, you know, the fullest American lives they could imagine. And they did so despite all that we have laid in front of them.

**Will Hitchcock** [00:23:49] No question. We've laid a lot in front of them. Sayra and Alejandro told us about the trauma of trying to come into the United States and searching for a place here and the burdens and the challenges that they have faced. There's also another way of looking at the problem. You can see it from the other side of the coin. What happens when the U.S. government decides to take away citizenship from certain people, whether they're immigrants or not? You know, Donald Trump made no secret of his anti-immigration sentiments when he tried to rescind the DACA program and make the naturalization process more onerous for new Americans. But there was more. His Justice Department also launched an alarming plan to revoke the citizenship of some foreigners who had already been naturalized. And Trump even railed against the long standing and constitutional guarantee of birthright citizenship.

**Siva Vaidhyanathan** [00:24:43] That's right, Will, and while we might like to think of the Trump years as unprecedented and now behind us, it turns out that stripping people of their citizenship has a long history in the United States and implications for the present and the near future. Our next guest drives that point home in her research. When we talk about the history of citizenship, we tend to emphasize the story of people who wish to gain full rights as citizens. But Amanda Frost, a law professor at American University, argues that the full story of American citizenship involves not just the efforts among people to become citizens, but also their struggles, often to remain citizens when the government decides they should not be.

**Amanda Frost** [00:25:29] I wanted to tell this history as much as possible through the stories of those who lost their citizenship.

**Will Hitchcock** [00:25:34] Her book, "You Are Not American: Citizenship Stripping from Dred Scott to the Dreamers" opens with some stunning anecdotes. They're all about Americans who lost their status as citizens in various ways and various times. Most of them were ordinary people whose lives were caught up with powerful forces that deemed them dangerous, unwanted, even inhuman. And we asked her to tell us some of their stories and why they matter.

**Amanda Frost** [00:26:01] So I start the book with Ethel Mackenzie. She was born in 1885 in San Francisco. She was the daughter of a wealthy vineyard owner. But in her 20s, she caught suffrage fever, as she called it, and she began fighting for women's right to vote in

California. And she was successful. She was one of the leaders of the movement that won the right to vote for women in California in 1911, nine years before the nation's women got that right in the Constitution. But then when she herself went to vote, she was told by the registrar, you cannot vote. You are not even a citizen of the United States. And the reason was that she married a non citizen and under a federal law, she was stripped of her citizenship automatically upon marrying him, as were tens of thousands of other women.

**Will Hitchcock** [00:26:45] Amanda, one of the people that you spend quite a bit of time on in the book is Emma Goldman, a real favorite and fascinating figure. And she's an interesting case because she was not deported from the United States during the First World War because of her race or ethnicity, which is usually the lens through which we tell the story of immigration and nativism and xenophobia. She was deported because of her politics. She was an anarchist, an outspoken opponent of the First World War, an outspoken opponent of conscription. And, you know, she was she was condemned for that. But the question is, do you think the government should be able to have recourse to deporting recent immigrants like Emma Goldman, who might present some kind of threat to national security? I mean, I'm fascinated by Emma Goldman's story, and I naturally am sympathetic with the idea that you shouldn't be penalized for speech. But during World War I, you could be penalized for speech, especially if it was anti-war. Is this something that you thought through in terms of what are the tools the government should be allowed to use if they view people as a security threat?

**Amanda Frost** [00:27:55] Yeah, her case was fascinating and a real object lesson for today because it's very clear the government targeted her because of her speech, but use naturalization law as a way to get rid of her. So your question, though, is, Will, when can a democracy, a government ever choose to get rid of someone and have that be legitimate and valid? And that's a hard question. And I do tackle that in the book. I think Fritz Julius Kuhn is a good example of one of the stories I tell of a man who I think deserved to lose his citizenship. He was a German citizen who became a naturalized U.S. citizen in the 1930s, and then he led the German American Bund. He was openly anti-Semitic, openly pro Nazi Germany, and he lied to get his naturalization. So he's an example of the kind of threat obviously posed by the Nazis at that time at his own lying to get his citizenship and his desire to harm the United States at a time of war with that country. But I think there's very few Fritz Kuhns and a whole lot of innocent people who lost their citizenship in our history.

**Will Hitchcock** [00:28:55] Yeah, I mean, it's important to note Emma Goldman was not the only person deported in that period. There were so many people who appeared to be a threat because they were communists, they were left wing. They were critical of the draft of conscription in the First World War, and they all suffered for their political views.

**Amanda Frost** [00:29:10] And let's be clear, the criminal law exists that applies to naturalized citizens like everybody else and it applies to immigrants. So there's plenty of ways to protect the country. If you think someone poses a threat, the question is, do we strip them of their citizenship and deport and eject them for their speech? And the answer to that, of course, I think is no.

**Siva Vaidhyanathan** [00:29:27] You know, we often hear about the Dred Scott case, right? The Supreme Court case that had tremendous ramifications for the expansion of slavery and ultimately setting the stage for the Civil War. But in your book, you highlight how the notion of citizenship was central to the Dred Scott case. Could you walk us

through that, give us a background and help us think about the Dred Scott case in a fresh way?

**Amanda Frost** [00:29:52] Yes. I mean, I think most Americans know the name Dred Scott and they know that he and his wife sued for freedom. But what they don't realize is a threshold question in that case was whether they were citizens entitled to bring their case to court. And this was remarkably a question that the nation hadn't addressed and answered yet. The Constitution didn't define citizenship and there was four million enslaved black people. And I think the general view is they were not citizens. They had no rights whatsoever. But what about the half a million free blacks? That was the big question, and that was the question that the Supreme Court answered in Dred Scott's case. And to the surprise of many, the court said no black person, slave or free, could ever be a citizen of the United States. And Chief Justice Taney, writing for the court, said. I'm quoting him, Blacks are not included and we're not intended to be included under the word citizens in the Constitution of the United States. And he went on to say they had no rights whatsoever. And that was shocking to many. And if you read newspaper accounts at the time, they were as appalled - the Northern newspapers - were appalled by that part of the opinion as by the portion that said that Dred Scott and his wife remained slaves and that expanded slavery. And the truth was this was a question that was at the heart of slavery because you couldn't justify enslaving four million people on the basis of their race if you treated half a million free blacks of that same race as having the full rights of citizenship, which some northern states did.

**Will Hitchcock** [00:31:17] Of course, the idea was for southern states to be able to count a percentage of those slaves when they were apportioning votes in Congress and the Electoral College, but not to give them any rights of citizenship, which was the bitterly cynical way in which slaves could be useful while also being kept in a state of bondage. Amanda, I was particularly drawn to one chapter in your book about Wong Kim Ark. I mean, if there's anything that most of us think we know about the American Constitution, it's that if you were born in the United States, you're a citizen. That's kind of a bedrock principle of our imagined constitution. But it turns out the US government has not always, and in fact has often, violated that principle. And the story of Wong Kim Ark is a wonderful window into how this unfolds. He was an American born of Chinese immigrants in San Francisco in 1870. He goes on to play an important role in this landmark case about birthright citizenship. What was it that drew you to Wong's story and tell us a little bit about how he is, how he illuminates this complicated story of birthright citizenship.

**Amanda Frost** [00:32:27] Its long story is fascinating and I think tells us a lot, not just about where we've come as a country, but where we still are. Because Wong Kim Ark as you said, born in California in 1870, lived in the United States most of his life, and in 1868, in response to the Dred Scott case to overrule it, Congress had put into the Constitution the 14th Amendment, making clear that everyone born in the United States was a birthright citizen. But then Wong Kim Ark, who lived in the US, went to visit his family in China, comes back to the United States in the 1890s and is told by his own government, We concede you were born in the United States, but we still think you are not a citizen because you're the child of immigrants. First of all, if this was an extraordinary argument, it would have taken citizenship away from far more than just Wong Kim Ark. There were tens of thousands, hundreds of thousands of Americans who would have lost their citizenship if the government had won.

**Will Hitchcock** [00:33:18] And this is there's a technicality here, right, with respect to jurisdiction. And isn't that how the argument was made for denying Wong citizenship?

**Amanda Frost** [00:33:26] Absolutely. And remarkably, this argument is still being made today, even though it was a failure before the Supreme Court one hundred and fifty years ago. So the text of the 14th Amendment, it's one sentence reads, All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and the state wherein they reside. So the government in Wong's case argued that the language "subject to the jurisdiction thereof" excluded people like Wong, born to noncitizen parents. But they said what they argued to the Supreme Court was the child of an immigrant is loyal not to the United States, but to his parents country of citizenship, and therefore he is not subject to the jurisdiction of the United States. Well, first, the history of this phrase makes clear it was never intended to apply that way, and in fact, it was intended to exclude the children of diplomats. So if the French ambassador has a child while living in the US, that child wouldn't automatically be a U.S. citizen. Makes total sense. And to exclude Native Americans, which is a fascinating group historically on its own, not to exclude the children of immigrants, which, of course, so many Americans are the children of immigrants. And so that the Supreme Court rejected that proposition soundly. And yet we saw President Trump raise that argument again during his presidency.

**Will Hitchcock** [00:34:37] But poor Wong, although he won his case, his own personal story, continues to unfold in a kind of sad and maybe bittersweet ways.

**Amanda Frost** [00:34:48] Yes. And I think, sadly, that tells us a lot about the battle of birthright citizenship, which is lawyers tend to think things end with a Supreme Court victory, and it didn't for him or for millions of other Americans who faced the same problems that he did. So the first thing that happened to Wong and I was lucky to discover this, buried in an archive, he moved to Texas and he was in El Paso when he got arrested again three years after he won his Supreme Court case. And he was arrested by immigration officials who said, we don't think you're entitled to be in the US. We don't think you're a US citizen. Need to post three hundred dollars bond and get a lawyer. He had to say, and convince these officials, No. I'm the Wong Kim Ark who won the Supreme Court case establishing birthright citizenship for the nation. And then and then his family's troubles didn't end there, his children - four sons - and one of them coming to the US was rejected, kept on Angel Island equivalent to Ellis Island but in San Francisco Bay, and eventually sent back to China because they didn't believe that this man was the son of a citizen. And that was typical. The US government took a very hostile view to those of Chinese descent claiming citizenship and made it very difficult to establish citizenship for that group.

**Siva Vaidhyanathan** [00:36:03] Well, it's hard to reflect on Wong's story without noting that we are once again perhaps still living in a moment of anti Asian xenophobia and violence. A gunman opened fire at three spas in Georgia, killing eight people. Six of them were women of Asian descent. There's been a spike in hate crimes against Asian-Americans and Asian immigrants during the pandemic. Many, many people have cited President Trump's rhetoric as partly an instigation for this. Do you think that Wong's story is relevant to this moment? And what is the particular or maybe peculiar role of immigration and naturalization from Asian countries in this story?

**Amanda Frost** [00:36:53] Yes, I think the lost story of our immigration system turns in part on our xenophobia and hostile reaction to immigrants from Asia, both China and Japan. So the Chinese Exclusion Act of 1882 was the first significant law to bar immigrants from coming to the United States. And it established the bureaucracy we have today with all the

forms and paperwork and stamps and detention centers. That's what we had to create in responding. And Wong Kim Ark himself, he was the product of a society that was incredibly hostile. He lived in Chinatown, in San Francisco. Now, maybe he wanted to, but he also was basically forced to under laws that excluded him from other areas. His children couldn't have attended the public schools. He was subject to discriminatory laws and practices. And he and his family lived through pogroms, through racial violence in San Francisco and Los Angeles that killed some of his fellow residents of the Chinatown. So his family story is sadly typical of a long and dark history.

**Will Hitchcock** [00:37:54] Amanda, I wrote a book about the Eisenhower years, and in my research in the early phase of the 1950s, I kept coming across something in the records that I almost couldn't believe I was seeing. And it was a reference to something called quote that I'm going to use a slur here, Operation Wetback. And I thought to myself, what the heck is that? I tried to look into it, but I found that the records were very difficult to come by. But it turns out that Operation Wetback, which was using the American armed forces to round up seasonal and agricultural workers from the Southwest and deport them back to Mexico, wherever they may have come from, was actually the tail end of a long, very nasty history of rounding up and deporting thousands of Mexican Americans from the United States that had started in the 1930s during the Depression. And the more I looked into it, I couldn't believe that this was not as well known as it should be. And you've really brought it out in your book and given us a wonderful introduction to this. What happened in the 30s that allowed the United States government to arrest and deport people of Mexican descent who were born and raised in the United States? How could this have been possible?

**Amanda Frost** [00:39:12] Yes, if you look back at the record, the government records of the time in the 1930s and of course, the country was going through a depression, you'll see, they said, we want real - This is the quote from the Hoover administration - we want real jobs for real Americans. And it was clear they didn't view the legal Mexican immigrants or Mexican Americans as real Americans, as people that belonged to the United States and belonged in the country and were worthy of holding jobs and being part of the economy. So the deportation was clearly both racially motivated, xenophobic, and was part of the theme of my book, which was stripping citizenship, whether through formal legal mechanisms or through deporting people and denying them return to the United States. That was a way of trying to say who is a real American and who isn't. And that's a debate we are still sadly having today.

**Will Hitchcock** [00:40:00] But I mean, is this should we view this through the lens, this particular case, through the lens of economic competition? All right. Depression hits. There's a shortage of work. We want to make sure that, you know, the few jobs that are available are apportioned out to white people. I mean, is this a story of economic grievance or racial grievance? You see where I'm going. This is the great debate of our own time. What's driving the radicalization of the American public? How did you how do you see it from the 1930s.

**Amanda Frost** [00:40:29] Yeah, I mean I think it's an intersection of both of those things. So one is a desire to find a scapegoat to decide that my economic problems or misery is not the cause of my a greater problem with the nation or the world at that point, but rather to target a particular racial group and say if this group is eliminated from my community, then I will have work and my family situation will improve. And, of course, xenophobia factors into which group you pick. And of course, it was also a matter of government officials thinking this is something we can show our constituency that we're doing. We're

we're removing people who are competing with them for jobs. And finally, it's a view of these people were never really Americans. That was the view when you see official after official making that point and others protesting occasionally and saying these are Americans and yet you're removing them without any hope of letting them return. And the answer was, well, they're not real Americans. That's what these officials who removed these Mexican-American thought.

**Siva Vaidhyanathan** [00:41:26] And just like with the Chinese Exclusion Act, and the Wong story, we hear and feel and witness echoes of those same sentiments. Now, earlier in this episode, we heard Alejandro and Sayra tell their stories of growing up as undocumented people in the United States and how important the Deferred Action for Childhood Arrivals or DACA program has been to them. Now, of course, they aren't citizens yet, but I wonder what perspective your research on citizenship stripping has given you on the current naturalization conflict.

**Amanda Frost** [00:42:08] Yes, and their stories are powerful, and I'm glad you've included them. I guess the message I would like to send people about citizenship is I think the mistaken perception is that citizenship is somehow neutrally granted and that if you don't have citizenship, you don't deserve it in some way. And yet if you look at the long history of citizenship, Asians were barred from naturalizing until the mid 1950s. We had laws, basic naturalization on race, barring groups from naturalizing until recent memory. And so when we look at citizenship stripping, who lost their citizenship, it was millions and it was not random. It was people that were targeted for their race or their speech or some view that others had, that they were not real Americans, as I've said before. So when you go back to the stories of dreamers who are on temporary status under DACA, I think one question to ask is, well, citizenship is not just a legal status. It's also about belonging. It's about being culturally an American. And particularly the dreamers are culturally American. They've grown up, they've gone to school, they've worked hard, they've paid their dues, and they're culturally as American as anyone else. Our undocumented population has been in the United States now on average more than 10 years. And we might say, just like we have statutes of limitation for other wrongs that people commit, including very serious crimes, we might say that there should be a statute of limitations on denying citizenship to someone who's been in the United States for so long. And when we think about whether we want to grant them citizenship, we should look at our long and tortured history of citizenship and citizenship stripping and realize it's not been neutrally applied. And we should grant it to people who belong to us as much as any other group.

**Siva Vaidhyanathan** [00:43:57] That was Amanda Frost, the Ann Loeb Bronfman distinguished professor of Law and Government at American University. She's the author of "You Are Not American: Citizenship Stripping from Dred Scott to the Dreamers".

**Will Hitchcock** [00:44:10] Democracy in Danger is part of the Democracy Group Podcast Network. Visit [DemocracyGroup.org](http://DemocracyGroup.org) to find all our sister shows. We'll be right back after this message from our friends.

**Jane Frankel** [00:44:27] Remember when Donald Trump talked a lot about draining the swamp when he ran for office? That slogan fired up his base as much as it caused his critics eyes to roll. But what is the swamp anyway? And what's in it? Swamp Stories, another podcast from the democracy group, shines a light on the shadowy corners of Washington, from congressional slush funds to dark money influence across the political spectrum. Hear from reform leaders, elected officials and experts on the culture of cash

and corruption in American politics and how to fix it. Go to [SwampStories.org](http://SwampStories.org). Or listen wherever you get your podcasts.

**Will Hitchcock** [00:45:15] Siva, one of the things that Amanda Frost is asking us to think about is whether or not people who are already in this country, people who have grown up here, people who were brought here as children and that we're undocumented, we have to think about offering them a place here almost as a form of reparations, not just for the harm that they themselves have experienced, but for the harm that generations have experienced in this country being kept out, being deported, being forced to live in a second class status as non-citizens. There is, in a sense, a lot of repair work that this country has to do or should do towards immigrants and towards new arrivals in this country who want to be here, who have something to offer, and in many cases have already invested deeply in the success of America. They have a place and we need to recognize it for this generation precisely because we didn't recognize it for so many previous generations.

**Siva Vaidhyanathan** [00:46:13] And reparations take many forms and we've heard arguments for straight up financial reparations. But in this case, we can see reparations in a broader sense. There are lots of people in this country who have started their lives in this country with significant structural disadvantages and came to this country under immigration status that locked them out of basic opportunities, locked them out of legitimacy, locked them out of any hope of participating fully as citizens. We need to take that seriously and say for our country to operate smoothly, successfully and fully as a democracy, we have to iron out all of these wrinkles. We have to think generously and creatively about how to address them.

**Will Hitchcock** [00:47:17] That's all for this episode of Democracy in Danger. Next time we'll move to Europe and take a closer look at extremist movements in Germany, where the far right is once again on the rise.

**Thomas Zimmerman** [00:47:28] If you ask the question, should we be worried? I mean, the answer is always yes. Right. But will the conservatives hold the line? Historically speaking, that's the deciding factor for whether or not democracies fall.

**Siva Vaidhyanathan** [00:47:39] Are you a dreamer? Are you an immigrant in the process of applying for citizenship? We want to hear from you. Please share your story and share this episode on social media. We're @dindpodcast on Twitter that's D-I-N-D podcast. And our website is [DinDanger.org](http://DinDanger.org).

**Will Hitchcock** [00:48:01] Subscribe to the show wherever you listen to podcasts and help us keep growing. Leave us a review and some stars.

**Siva Vaidhyanathan** [00:48:08] Democracy in Danger is produced by Robert Armengol with help from Jennifer Ludovici. Our interns are Denzel Mitchell and Jane Frankel.

**Will Hitchcock** [00:48:17] Support comes from the University of Virginia's Democracy Initiative and from the College of Arts and Sciences. The show is a project of UVA's Deliberative Media Lab. We're distributed by the Virginia Audio Collective of WTJU Radio in Charlottesville. I'm Will Hitchcock.

**Siva Vaidhyanathan** [00:48:32] And I'm Siva Vaidhyanathan. Until next time.