



The role of “ethno-racial” classification in the Americanization process

OLIVIER RICHOMME

University of Lyon 2

The role that “ethno-racial” classification plays in American society is often overlooked. This classification, which is the systematic administrative categorization of people along “ethnic” and/or “racial” lines, is used to create statistics that have become essential for the judicial, administrative and political organization of the United States; to the point that “ethno-racial” classification is inseparable from any discussion about American identity.¹ The concept of Americanization can be defined loosely as the act of becoming American. It is therefore linked to the evolution of citizenship and naturalization, in which the concept of “race” and “ethnicity” played a central role. The very definition of who is allowed to become American is essential to the American identity. But Americanization is more than just becoming legally American. It can also be understood as a political process. And this article will try to analyze how the question of equality has been elaborated around these “ethno-racial” categories as the rights of minority groups have been defined in opposition to the White or Anglo majority. This trinity of identity, equality and statistics is one major axis around which American society revolves. Americans learn their role and therefore situate themselves within this network of social relations, a place that David Hollinger has called the “American ethno-racial pentagon”.² Therefore a good indication of the degree to which a new immigrant has become American is the manner in which he or she has integrated this “ethno-racial” classification. Adult immigrants who come from societies with different social interactions, and who assimilated a different social classification, Americanize by understanding what it means to be White and by mastering the political dynamics of American “ethno-racial” groups. One could argue that one aspect of Americanization is to look at oneself as a member of one of the five major groups composing the “ethno-racial” pentagon: Caucasian/Anglo-American, African-American, Asian-American, Native-American, and Hispanic/Latino. If this pentagon represents a distinguishable aspect of the American society, a sort of uniqueness, it might therefore be interesting to explore how people develop this perspective, how this Americanization comes about.

¹ In this article we will use “race” and “ethnicity” as being synonymous since from a political perspective we consider that the “hispanic” category does not operate differently from other groups.

² See *Postethnic America: Beyond multiculturalism*.

Americanization and naturalization

From the 1790's until the 1950's American legislation made sure foreigners had to be declared legally White to become American citizens. This pattern was part of a system of "racial" distinctions in immigration policy. Not everybody was deemed fit to assimilate into the American society and not everybody deserved to become an American citizen, to be naturalized which literally means becoming natural. The composition of the American population is the result of historical happenstance but also the result of proactive immigration and naturalization policies. From 1790 until 1952 and the *McCarran-Walter Immigration and Nationality Act*, every piece of legislation dealing with immigration contained the words "white person".³ This led to two interesting episodes in the history of the American nation: the debates in judicial courts to decide what being a "white person" really meant and the establishment of a "list of races of people" by the immigration authorities to determine who was allowed to immigrate and become a citizen.

The Constitution said nothing about birthright citizenship or *jus soli* and this question remained unresolved until the *Dred Scott* decision in 1857⁴ which forbid Blacks, freed or enslaved, the right of *standing* since they could not become citizens. After the Civil War the *Civil Rights Act* of 1866 invalidated the *Dred Scott* decision and *jus soli* entered the Constitution through the Fourteenth Amendment. Nevertheless the status of some "non-Whites" remained problematic. In 1898, the Supreme Court declared that children of parents who were not eligible for citizenship because of their skin color were citizens.⁵ *Jus soli* was refused for Native-Americans in 1884 since tribal affiliation prevailed.⁶ They had to wait until 1924 for Congress to offer citizenship to all Native-Americans born in the U.S.; however, the status of Native-Americans born on U.S. soil after 1924 remained unclear until the passage of the *Nationality Act* of 1940.

The prerequisite cases

The original United States naturalization law of March 26, 1790 (1 Stat. 103) provided the first rules to be followed by the United States in the granting of national citizenship:

Be it enacted by the Senate and House of Representatives of the United States of America being assembled, that any alien, being a free white person, who shall have resided within the limits and under the jurisdiction of the United States for a term of two years, may be admitted to become a citizenship thereof.⁷

³ López, 43.

⁴ *Dred Scott v. Sanford*, 60 U.S. 393 (1857).

⁵ *United States v. Won Kim Ark*, 169 U.S. 649 (1898).

⁶ *Elk v. Wilkins*, 112 U.S. 94 (1884).

⁷ *A Century of Lawmaking for a New Nation: U.S. Congressional Documents and Debates, 1774–1875. Statutes at large, 1st Congress, 2nd Session.* <<http://rs6.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=226>> 12 May 2007.

This law therefore left out indentured servants, slaves, free Blacks and later Asian-Americans. According to Ian Haney López this legislation reproduced the spirit of southern laws. He identifies at least three southern states (Virginia 1779, South Carolina 1784, and Georgia 1785) which limited naturalization to only “White persons” before 1790. Between 1790 and 1870, only “White persons” could become American citizens but at that time, that is before a sense of unity would spread throughout the country, federal citizenship remained far less important than state citizenship. While the Fourteenth Amendment had given citizenship to any person born on the American soil, in 1870 Congress went further and in an effort to assimilate former slaves into the American nation, extended citizenship eligibility to “aliens being white persons, people of African nativity and persons of African descent”.⁸ This amendment of Section 2169 of U.S. statutes would lead to many debates on the definition of “racial” identity. The law was not clear on its intent. Instead of declaring that White and Black people could be naturalized or that people of “African nativity” or people of “African or European descent” could become U.S. citizens, the law seemed to combine the notion of descent (or “race”) with the notion of geography. Later, the *Chinese Exclusion Act* of 1882 was to be the only piece of legislation barring citizenship to one nationality only. However this interpretation could be considered an anachronism since the term “Chinese” at the time might have designated “the Chinese race” for the legislator. This confusion was best summed up by Judge Lowell’s opinion in 1910:

Thus classification by ethnological race is almost or quite impossible. On the other hand, to give the phrase “white person” the meaning which it bore when the first naturalization act was passed, viz., any person not otherwise designated or classified, is to make naturalization depend upon the varying and conflicting classification of persons in the usage of successive generations and of different parts of a large country. The court greatly hopes that an amendment of the statutes will make quite clear the meaning of the word “white” in section 2169.⁹

The concepts of race, blood and descent seemed to form the semantic pillars of American naturalization. Little by little more “races” were added to the list. In 1940 Congress extended citizenship eligibility to “the races indigenous to the western hemisphere”. It would only be in 1952 that the U.S. abolished these practices of blatant discrimination. However, until that year, some people residing in the U.S. fought these restrictions in front of the courts, in what are called “the prerequisite cases”, generally not in order to try to abolish them but to try and prove that they should be considered legally White. Almost none of the prerequisite cases deals with someone trying to prove he or she was Black in order to become citizen even though Blacks had been eligible for citizenship since 1870. Being considered Black had a social cost that most people were not ready to pay to enjoy rights as U.S. citizens. Actually one person tried, unsuccessfully, to convince judges that he was Black and therefore should be eligible for citizenship.¹⁰ So these

⁸ *Act of July 14 1870*, (16 Stat 254). Amending section 2169 of U.S. *Revised Statutes*.

⁹ *In re Mudarri*, 176 F. 465 (C.C.D. Mass. 1910), judge Lowell’s opinion, 5.

¹⁰ *In re Cruz*, 23 F.Supp. 774 (E.D.N.Y. 1938). The court declared in this case that a person “one quarter African” and “three quarters Indian” could not become an American citizen.

trials focused almost exclusively on the definition of the “white race” and American judges helped carve the legal framework of Whiteness. The impossibility of defining precisely this social norm and the ambivalence of the American society obsessed with anything “racial” rendered the task of coming up with a coherent classification elusive. But the absence of any common thread throughout the jurisprudence did not deter these legal definitions from standing.

The first case occurred in 1878¹¹ and “racial” restrictions towards naturalization ended, after 51 trials, in 1952. Some scholars have argued that the reason why there were no prerequisite cases before 1878 was because before that date the distinction between Whites and Blacks was obvious and the arrival of new immigrants (who were neither really White nor really Black) triggered this series of court cases.¹² Unfortunately, this explanation is emblematic of deconstruction failing to think “outside the box”. For scholars to argue that Native-Americans and Armenians were “obviously” less White than British or French indicates how these authors assimilated the stereotypes that these cases helped create. America was never divided into two groups, Whites and Blacks, because there were not enough “in-between” people to challenge such a classification. Understanding “racial” classification in terms of skin tones is to have incorporated it. It is classification that creates skin color, not the other way around. A good indication of how “racial” classification is intertwined with the American ethos is the difficulty scholars have in taking the distance necessary to analyze the racialization of their own society. In fact, one could argue that there were no “White people”, in the modern sense, before those trials. In a way the prerequisite cases helped Europeans become White and helped Whites become Caucasians. There were many “races” in 1790 (Celtic, Hebrew, Slavic, Iberic, Mediterranean, Teutonic, etc.) divided along religious, geographic or national lines, which slowly disappeared inside the newly formed “White race”. And the prerequisite cases played a decisive role in shaping this monolithic European origin.¹³

The broad fact remains that the European peoples taken as a whole are the fair-skinned or light complexioned races of the world, and form the peoples generally referred to as “white”, and so classed since classification based on complexion was adopted.¹⁴

Yet, legally defining what constitutes the “White race” is never a neutral action. In this domain, maybe more so than in any other, judges did not apply the law, they interpreted it. Because their role was to give “racial” hierarchy the legitimacy of law that was so useful for institutional segregation to operate efficiently. Still, the rhetoric of the courts, full of contradictions, reveals the role “race” played in the building of the American nation and also reveals the identity urge that “race” served to satisfy.

¹¹ *In re Ah Yup*, 1 F. cas.223 (C.C.D. Cal. 1878).

¹² López, 50.

¹³ Jacobson, 225.

¹⁴ *In re Dow*, 213 F. 355 (E.D.S.C. 1914).

INS "ethno-racial" classification

The question of citizenship, if it is linked to that of naturalization is also inseparable from immigration. In fact, immigration policies were the indispensable counterpoint to naturalization "racial" restrictions. Indeed, there was no point in letting inassimilable people immigrate to the U.S. The confluence of naturalization and immigration policies became clear in the 20th century with the creation of *Immigration and Naturalization Services* (INS). The courts were not the only place where "racial identities" were debated and defined. INS, in its constant dialogue with the judiciary branch, shows how the genesis of the definition of "racial" categories was a national endeavor.

From the establishment of the Union and throughout the 19th century, immigration and naturalization policies were treated separately by Congress. Except for the *Chinese Exclusion Act* of 1882, the two topics had from a legislative standpoint no influence on each other. In 1790, Congress decided that judges were to determine naturalization (*any common law court of record*).¹⁵ But judges had no precise federal directives and therefore "racial identities" determination procedures differed enormously from one jurisdiction to the next.¹⁶ Most county judges used their "common sense" and jurisprudence was not really helpful since it contained real contradictions. It is therefore this lack of uniformity in naturalization procedures that led Congress to create the *Bureau of Immigration and Naturalization* in 1906.¹⁷ The new agency soon realized that it was rather problematic to harmonize non-federal courts. Besides, naturalization laws presented some major obstacles which were "racial" restrictions.¹⁸ For instance, section 2169 indicated that White persons and persons of African descent were eligible for citizenship, but a 1898 decision by the Supreme Court confirmed that the Fourteenth Amendment applied to all people born in the U.S. even when they were of Chinese descent or any descent prohibiting naturalization.¹⁹ Section 2169 thus limited naturalization eligibility and not *jus soli*. Moreover, several times Congress offered citizenship to groups prohibited to naturalize under section 2169. Numerous Native-American tribes obtained citizenship rights through treaties and naturalization rights were given to Chinese-Hawaiians when the islands were annexed.²⁰

After a steady increase of the number of immigrants in the various states of the Union, the federal government decided to create a federal agency in 1891, the *Office of the Superintendent of Immigration*, in charge of immigration regulation. This agency changed its name several times and merged in 1933 with the naturalization agency to form the *Immigration and Naturalization Services*.²¹ In 1898, the American immigration services created

¹⁵ *Naturalization Act* of 26 March 1790 (1 Stat. 103).

¹⁶ The same remark could be made about "good moral character".

¹⁷ *Naturalization Act* of June 29, 1906 (34 Stat 396).

¹⁸ Smith, 91-105.

¹⁹ *U.S. v. Wong Kim Ark*, 169 US 649 (1898).

²⁰ In essence exchanging territories for citizenship.

²¹ After the creation of immigration and naturalization services in 1906 the two started being treated independently as early as 1913 and they are called today the U.S. Citizenship and Immigrations Services.

a "List of races or Peoples", which was used at Ellis Island, in order to improve statistics concerning immigration. The creation of this list was crucial for the direction that "ethno-racial" classification took in the U.S. since, for the first time, statistics were collected concerning "races" that belonged to the "White race" thus far and it served the institutionalization of this distinction. This list was supposed to help the federal government obtain "objective" statistical data concerning different immigrant groups in the U.S., especially concerning their assimilation, thus providing "scientific" evidence to the eugenic and nativist movements concerned with the arrival of "unfit" peoples. Therefore this list helped put together the anti-immigration legislation of the 1920's which endured until the 1950's since it allowed the rejection of groups legally eligible. Indeed, with these statistics, immigration services could pretend rejecting "ethno-racial" groups on socio-economic grounds or because they did not seem to assimilate to the U.S. population.²² Finally, this list cannot be portrayed as a nativist enterprise because organizations favoring "cultural plurality" were very active in the creation of this data.

Americanization and "ethno-racial" statistics

The *Dictionary of Races*²³ and the "list of races of peoples" did not only serve an anthropological purpose. Indeed this categorization of humanity played an important role in defining who could become part of the American nation and who was left out. In the same vein, the creation of "ethno-racial" statistics served a dual purpose. Because counting is creating, statistics create identities as much as they describe society. There was a time in American history when there was not any Hispanic in the U.S. The concept of "ethnicity" did not exist. There were Mexicans but no Hispanics. There were no Asians, but "Orientals". There were mulattoes and Teutons, Celts and Alpines. These categories represented different social interactions, different conceptions of what it meant to be American. These categories do not exist in themselves but illustrate the way the U.S. analyses its social setting. Statistics help represent reality as much as they create it.

The census

The Census has become a formidable creator of norm in the U.S. The main reason is that it is the only national source of "ethno-racial" classification. Therefore its standards influence the country as a whole and help develop a sense of unity for the federal system. But the census is not only a descriptive instrument, taking a picture of American society every ten years. The census has always had a much more active role which has been

²² Weil, 627.

²³ U.S. IMMIGRATION COMMISSION (1907-1910) (*Dictionary of Races or Peoples*. Washington, Govt. Print. Off. 1911. Detroit: Gale Research Co., 1969).

described thoroughly in the past two decades by American scholars.²⁴ Its role has been to shape the image of the American nation, to help implement the perspective that the U.S. as a state wanted or needed to have of itself. Therefore the decennial census has a very important symbolic role. And it is no accident that “ethno-racial” classification seems to be one of its most important features. Two types of questionnaires are sent to the American people every ten years. A short one which is sent to every household in the country that contains only the most basic demographic inquiries (name, address, age, number of people in the household...). A long version is sent to only 5% percent of the population containing more detailed questions, in particular financial resources. However, both feature the “ethno-racial” questionnaire, which on the short version represents the biggest part of the document. Symbolically speaking this is a very strong message. “Ethno-racial” statistics are perceived by the federal government as being a priority. As a rule these statistics are the first to be published. Americans usually know first how many people consider themselves White before knowing how many of people live under the poverty line. Thus a “color-conscious” perspective on American society is facilitated by the census format.

One aspect of Americanization is incorporating a representation of the American society fitting that of official statistics. But Americanization also means understanding the political functioning of the agencies creating statistical categories in order to influence them. Minority organizations realized very soon how instrumental the census could be for their political advancement. The census is one of the most interesting places to study the political tensions of the American system, and of course “ethno-racial” discourses are highly political. Nowadays the census is torn between two opposite factors. First, one of the main roles of the census is to provide “ethno-racial” statistics that are so valuable for the ever more numerous anti-discrimination policies. And for this purpose statisticians need a limited number of comprehensive “ethno-racial” categories. In 1978 the federal government adopted today’s “ethno-racial” pentagon model of four major “racial” groups and one “ethnic” group. These categories follow a color pattern familiar to all Americans: White, Black, Brown, Red and Yellow, or its more politically correct versions of Caucasian, African-American, Hispanic, Native American, and Asian-American.²⁵ Every subsequent category has to be a subcategory of one of the major “racial” or “ethnic” groups. Except for the mysterious category “Other race” which is used as a miscellaneous group where all the responses that could not be aggregated back into the main groups end up. Yet, another purpose of the census is to provide categories reflecting the identity claims of an ever changing population in a “multicultural” society. Every ten years some new subcategories are added and others disappear or migrate to a different major group. This multiplication of categories was complicated in 2000 when the census bureau, after several years of lobbying by “multiracial” organizations, finally allowed Americans to check more than one box. Today, the number of possible “ethno-racial” category combinations has reached 126. The census bureau decided against the creation a “multiracial”

²⁴ Nobles, 2000.

²⁵ “Directive 15, Race and Ethnic Standards for Federal Statistics and Administrative Reporting”, 260.

category after several groups, in particular African-Americans, feared this new category would diminish the size of their population.

The census is a place of intense lobbying from organizations that seek national recognition.²⁶ For every ten years officials of the census bureau decide what group names will appear on the questionnaire. Groups which believe to have specific needs or have a particular agenda negotiate with the federal government to try to obtain their own box and therefore gain visibility. That is why the census categories number increases every ten years. Unfortunately, the acknowledgement and celebration of this form of "cultural" diversity is in opposition to anti-discrimination monitoring which requires stable "ethno-racial" categories over time to be able to measure the evolution of "race relations". This political negotiation between these two very important tasks is a process of Americanization in the sense that every ten years new groups are being incorporated (inside older groups) and new groups are created. Different social groups have to find their place and their role at the negotiating table in order to exist statistically and therefore politically (and of course financially). For instance, in 2000 Pacific Islanders and Hawaiians²⁷ were successful in separating themselves from the Asian-American category in which they only represented a small minority while sharing little common interest. A new racial category was thus created. One might argue that a new side was added to the "ethno-racial" pentagon but in the eye of the American public it is still considered as belonging to the Asian group. This political shift has not overcome the historical stereotype that these groups should be part of the "yellow people". The political aspect of "ethno-racial" classification is still overshadowed by centuries of scientific discourse. Hawaiians were actually trying to obtain the political status of Native-Americans on the ground that they too are indigenous people. Of course Native-Americans being sovereign nations inside American common law, they enjoy a very unique status in American society. Most federally recognized tribes can, for example, operate casinos, a highly profitable source of revenues. Arab-Americans organizations have been lobbying for years to obtain their own separate category from Whites. Indeed, it can be argued that Arab-Americans (whatever definition one gives to this category) are victims of particular discrimination which became even more obvious after the terrorist attack on September 11, 2001 and the second Iraq war. However, U.S. authorities are reluctant to create sub-categories within the "White race". Other groups have tried and failed so far. It appears that creating an Arab-American category might trigger many questions concerning the meaning of this Caucasian category that statisticians are not ready to tackle. One way to dodge these questions would be to create a new "ethnic" category instead of a "racial" one, like Hispanic. So if the Arab-American community gets some political leverage it is not impossible a new "ethnic" category might be created by 2010.

Yet "ethnic" categories are used in reality as another exclusive category. That is why we have been using the expression "ethno-racial pentagon". The difference between "ethnicity" and "race" is so subtle that it only exists in theory. Anti-discrimination policies always treat Hispanics as

²⁶ See Skerry.

²⁷ Once again these terms are to be taken here as "ethno-racial" categories. One can live in Hawaii without considering oneself as a member of the Hawaiian "ethno-racial" category.

a separate category thus making it another essential group. That is because one of the first goals of “ethno-racial” statistics is to help implement anti-discrimination programs. In the 1970’s “Spanish descent” organizations were able to organize politically and lobby the federal government for the creation of a Hispanic category in order to help monitor legislation protecting people of Latin American descent. But before studying how politics uses these categories, let us have a look at a very important source of statistical data that is often overlooked and is a great indicator of why “ethno-racial” classification is so important in the U.S. The role of the “ethno-racial” classification displayed by the census bureau can only be understood if one bears in mind that in the U.S. this classification accompanies Americans all throughout their lives, from birth till death.

Vital statistics

To be able to implement health policies, and especially monitor “ethno-racial” disparities, state governments are responsible for compiling Vital Statistics, which are statistics dealing with birth and death (and in some states with marriage). Any information concerning the health of newborns, the causes of death or the rate of different diseases of the American population is recorded by each state which sells its statistics to federal health agencies. Therefore every American is identified “ethno-racially” before he or she is born and after he or she is dead. But, unlike the census, the source of these statistics is not a single federal questionnaire. Statistics extracted by the 50 states are compiled by the federal government to create national rates. Most Americans born before 1998 have birth certificates indicating their “ethno-racial” identity. After this date only the race of the mother appears on the birth certificates, which makes comparison over time simply impossible. The questionnaires are usually completed by the parents in hospitals but nurses may sometimes do it also. But too often the hospital staff is not trained to fill these up and try to guess a person’s “ethno-racial” identity by looking at them or using information such as a last name or the language they speak. This is an old habit every state health department tries to eliminate. After death, it is the funeral director who is in charge of filling the questionnaires. The accuracy of these techniques differ from other “ethno-racial” classifications in the sense that self-identification is obviously impossible. But if asking “happy parents” to fill up paperwork about “ethno-racial” categories is not always easy, bothering mourning families with these questions is so delicate (for funeral directors whose social skills are essential in their line of work) that people hesitate to ask the next of kin for information. The “ethno-racial” identity on a birth certificate and on a death certificate may not correspond. Sometimes the person chose to identify differently throughout his or her life. Sometimes the medical examiner based his guess on the appearance of the body or the last name of the person. Therefore *post-mortem* “ethno-racial” identification is notoriously not reliable.²⁸ Minority groups have a serious tendency to disappear and the White and Black categories usually take over. This has tremendous

²⁸ Hahn *et al.*, 75-80.

consequences since the life expectancy of smaller minority groups cannot be calculated accurately. Another source of inaccuracy is the fact that each state being responsible for its own classification, it varies from one state to the next. Every state uses the categories that seem necessary for its own population but when they send their statistics to the federal level the categories are aggregated inside the standard category established by the federal government. These differences are significant. For instance, Florida decided to create another "ethnic" group (besides Hispanic). Florida's health department records statistics about "Haitians" but they disappear at the federal level. The Haitian "ethnicity" is integrated into the non-Hispanic group.²⁹

Beyond the question of accuracy of Vital Statistics, the most important point to bear in mind is that "ethno-racial" classification is not only a question of self-identification but also of hetero-identification which means that these identities are not considered as cultural and personal choices but go beyond one individual's will. "Ethno-racial" categories are inherited and passed on. One is not free to identify as he or she pleases. Even the categories that one writes in a given questionnaire are analyzed and often re-coded by statisticians for practical reasons. Many respondents indicate the name of a city or a country inside the "racial" or "ethnicity" box. Codes are established to know what category corresponds to geographical or national answers. For example, a response "French" to the "race" question is generally transferred back into the "White race" category. But even for statisticians this arbitrary classification of countries has its limits. Indeed countries such as Brazil usually end up in the "other race" box. It is probably so because officials in state and federal health departments cannot agree on the "racial" identity of this one country. Anyone understands that statistical categories as numerous as individual feelings would be useless to fight discrimination or health disparities. The government has an obligation to limit the options available when filling up an "ethno-racial" identity questionnaire. When a woman, for example, gives birth in a U.S. hospital, her child is assigned an "ethno-racial" identity that she may not agree with. The option of selecting several identities is not yet available in every state. Mixed couples still have to choose one of their two "ethno-racial" identities for their child. And when this option is available it is only theoretical because in practice multiple answers are re-coded inside other categories, following an arbitrary protocol, usually favoring the smallest minority group. If parents select "White" and "Asian", the child birth will be counted in the Asian category. As one becomes American by being born on American soil, one is assigned his or her first "ethno-racial" identity that they might not agree with later on in life. Numerous people born in the 1970's carry the word "Mexican" as their "racial" identity while today such an answer would be considered an "ethnic" one. Americanization also means being born with an "ethno-racial" identity and knowing that this identity will still exist after one dies. Therefore one aspect of Americanization is the process of creating timeless "ethno-racial" categories.³⁰

²⁹ Unable to identify precisely their destination, our best guess is that they are either transferred back inside the "black" category or possibly into the mysterious "other" category.

³⁰ For a detailed description of the Vital Statistics system cf. Olivier Richomme. "La classification "ethno-raciale" des statistiques démographiques aux États-Unis".

And this is the direct consequence of a precise practical goal. Originally “ethno-racial” classification in Vital Statistics had the role of preventing and controlling “interracial” relationships and especially intercourse. The crime of miscegenation was enforced through Vital Statistics which were created very early on in the states of the Union. However, when segregation ended in the 1960’s a shift of paradigm changed the role of statistics but not their form. Statistics that were previously used to separate and distinguish the “races” became with the civil rights revolution a tool used to measure the degree of disparity, and therefore discrimination, between American social groups. Vital statistics became one of the most important sources of statistics because they allowed some measurement of disparities between “racial” groups such as life expectancy or the occurrence of particular pathologies. So nowadays, since fighting discrimination has been the focus of American society for the last forty years, in order to eliminate any trace of its shameful past, Vital Statistics have become essential for the medical field. From epidemiology to genetics, scientists use “ethno-racial” classifications on a daily basis, so much so that this data is often considered scientific evidence that may have more than a mere sociological value. It is very close to being considered biological information.³¹ As more and more foreign researchers move to American campuses to conduct their research they have to assimilate this classification and learn to use it accordingly. The lure is extraordinary since the fight against “ethno-racial” disparities is a sure way to obtain grants. And thus, little by little, foreign scientific researchers become Americanized.³²

Americanization and “racial politics”

This very strong link between the creation of statistics and the policies they are supposed to serve is essential. The shift from a system of segregation to a society of multiculturalism cannot be understood unless the role of “ethno-racial” classification is stressed. While the first civil rights fighters argued for the disappearance of this sort of classification to head towards a colorblind society, rapidly, the U.S. opted for color-consciousness as the only way to fight the consequences of centuries of oppression. Therefore the emphasis was put on “ethno-racial” statistics which have been multiplied in almost every aspect of life since the 1960’s. The Americanization process evolved out of pragmatism in the wake of a discrimination-free society proven and measured through a proportionality standard that linked identity, equality and “ethno-racial” statistics.

³¹ Krieger, 36-75.

³² This of course begs the question of the internalization of human taxonomy since the World Health Organization seems to have followed an “Anglo-Saxon” perspective and adopted an “ethno-racial” classification which looks like the one in place in the U.S. or Great Britain. For a discussion on this topic, cf. Olivier Richomme. “Race as a medical truth: a sociological approach”.

Affirmative action policies

The most well-known policies symbolizing this ideological shift are affirmative action policies. In the 1960's and 1970's, realizing that the mere disappearance of Jim Crow legislation would not "level the playing field", American authorities, mainly the legislative and judiciary branches of government, decided to help minority groups that had been victims of discrimination. These policies were originally designed for African-Americans and women. Native-Americans who belonged to federally-recognized tribes benefited from their own specific policies so the extension of affirmative action policies did not really concern them. However, because immigration restrictions were lifted in 1965, America welcomed unprecedented numbers of new immigrants coming mainly from South-East Asia and Central and South America. This new influx of immigration changed the political dynamic of the country. Since various Asian groups (Chinese, Japanese) or Mexicans and other non-Whites had been discriminated against throughout American history very soon they were also entitled to affirmative action policies. Or so was the argument. African-Americans occupy a very special place in American history and even though other groups had not been victims of slavery, the U.S. government could not establish a hierarchy based on victimization. Besides, new immigrants started organizing themselves politically to claim civil rights and they rapidly gathered around two categories that were created after the civil rights revolution: "Asian-Americans" and "Hispanics". The fact that these two categories are not culturally homogenous did not hinder their establishment. These groups are composed of people of different nationalities and different cultures; freshly arrived immigrants and Americans who have been living in the U.S. for four generations; wealthy Americans and extremely poor undocumented immigrants. The argument is that these immigrants are victims of the same type of discrimination that White or mainstream America displayed against people from the Asian continent or people of Latin America origin without these subtle distinctions. Therefore, the policies that had targeted African-Americans were rapidly extended to other minority groups, mainly Hispanics because they were the most numerous.³³

Asian-Americans have not benefited from these policies as extensively for several reasons. First of all, their small number and their geographical concentration make them more of a local consideration in Hawaii or major cities on the West coast. Secondly, they have not been able to organize politically as a minority group and lobby as efficiently as Hispanics. And lastly, because of the creation of a homogenous Asian-American category, sharp differences within this group have been overlooked, especially regarding college admission policies. Asian-Americans have been labeled as the "model minority" because *as a group* they tend to be more successful in school than other minorities or even than Whites. While African-Americans, Native-Americans and Hispanics are overwhelmingly underrepresented in elite colleges, Asian-Americans tend to be overrepresented especially in

³³ See Skrentny, *The Ironies of Affirmative Action: Politics, Culture, and Justice in America*.

scientific departments. They are therefore excluded from college affirmative action policies and often feel as victims of *de facto* discrimination. This raises two issues. First, struggling Asian-Americans are not taken into consideration within this broad category, just like poor, uneducated Whites disappear inside the heterogeneous majority, just as the children of wealthy, successful African-Americans continue to benefit from affirmative action policies and scholarships. Affirmative action policies have had some success on the middle class but have failed the underclass. Second, college admission policies have established a proportionality standard that is difficult to abide by. Discrimination is measured by comparing the discrepancy between percentages of groups on a college campus and the percentages of these groups among the general population. This norm is more a rule of thumb than a hard target. The word quota does not describe accurately the situation; however, one cannot argue that judges and the public at large do not use some sort of yard-stick. In other words one might suspect a pattern of discrimination if the discrepancy is too large between the "ethno-racial" composition of a particular region of the country and the composition of a professional field. The logic of this argument has one major drawback since it calls for real social engineering. In all logic the government should suspect discriminatory patterns if the percentage of African-American brain surgeons in the country is lower than 13%. As a consequence the courts should intervene until the composition of the brain surgeon pool of the United-States is roughly composed of 1% Native-American, 4% Asian-Americans, 13% African-Americans, 15% Hispanics and 77% White. Only such figures could prove beyond any doubt that the U.S. has overcome its past issues. Of course such neat figures are impossible to achieve in part because some Asian-Americans do so well in the scientific and medical field. The use of statistics has become the only way discrimination is measured transforming the notion of equality into an exclusively "ethno-racial" question. One could argue that there is much more than percentages and statistics to the measurement of equality. The American perspective on equality has been linked to the notion of "ethno-racial" identity, for better or for worse. As a consequence Americanization can be understood as adopting a particularly identity-oriented approach to equality. Affirmative action policies through their pragmatic, systematic and mathematical approach have influenced the way America envisions social relations by putting the emphasis almost exclusively on "ethno-racial" statistics as the alpha and omega of equality. Affirmative action jurisprudence has become extremely obscure because judges have to reconcile notions of equality that can be contradictory. One cannot understand the legal arguments defining the usage of affirmative action policies in today's America if the creation of "ethno-racial" identities and their influence of the American definition of equality are not taken into consideration. The meritocracy myth meets a norm of "ethno-racial" proportionality and the judiciary branch is the one trying to reconcile the two. No wonder affirmative action law cases have become so unclear.

But this example is not the only one. The entire American political system has revolved around "ethno-racial" statistics ever since America became extremely active in its attempt to eliminate discrimination based on "ethnicity" or/and "race" and provide mathematically measurable ways of

establishing the eradication of its historical demons; to the point that an expression was created to define this system: "racial politics". Access to positions of wealth and power by minorities is what affirmative action policies encourage and one logical extension of this issue is the question of access to political positions and political representation.

Redistricting

In the U.S., after the minority rights revolution and as the American society was perceived as becoming more diverse, political representation went through a crisis. Once again diversity is to be understood in "ethno-racial" terms and so is representation. Federal and State legislatures have been accused of not representing America's diversity. This loss of legitimacy did crystallize in the fact that minorities were statistically underrepresented in most legislatures throughout the country. And numerical representation has become synonymous with effective representation. Politicians do not represent all their constituents but only the group to which they belong. In other words, Whites represent "White interest", and only Blacks can represent "Black interest" because only they can truly understand what it means to be Black in today's America.³⁴ And this perception is confirmed by voting patterns since voting is highly polarized along "ethno-racial" lines.

Under Jim Crow, to make sure that a Black politician would not be elected, the legislature, which is in charge of redistricting in most states, used to draw electoral districts that would *dilute* Black vote thus making sure Whites were the majority and therefore guarantee the election of a White politician. So when the civil rights revolution came about the *Civil Rights Act* of 1965 was voted to correct this anti-democratic system. But, instead of adopting a "race neutral" approach, America decided to keep its old system, using the disease as a cure so to speak, by directing legislatures to purposefully draw district lines that would create minority-majority districts, districts in which minorities have a real opportunity of electing the candidate of their choice. That is how the number of minority politicians has increased dramatically over the last forty years.³⁵ Just like affirmative action policies, the *Voting Rights Act* has helped to reform the nation, create opportunities for minorities and make them more visible. Yet, affirmative action policies help minorities find elite jobs or enter elite universities because they are minorities. People used to be discriminated against because of their "ethno-racial" identities, now they are supported because of their "ethno-racial" identities. People are still only considered members of their "ethno-racial" categories, representatives of *their* community. The essential aspect of a person is still something he or she is not responsible for. Just like affirmative action policies, redistricting policies have done little to change perspectives, which is not surprising because it is not their direct goal. Some

³⁴ Of course one would have to come up with a clear definition of what constitutes "interest". Do "ethno-racial" communities systematically have a common identifiable interest?

³⁵ Barack Obama, presidential hopeful for the Democratic Party and the only African-American in the Senate, did not benefit from redistricting. Indeed, only two senators per state are sent to Washington, which means the districts are too large to create minority majorities.

legislatures present a percentage of minority politicians close to that of minorities in the general population. Therefore the state and its voters cannot be considered displaying racist behaviors. Statistical proportionality reassures society that discrimination in the electoral process is disappearing. But one can wonder if it is really so. The number of minority politicians being elected has increased steadily yet voting continues to be “ethno-racially” polarized in great parts of the country. And this should not come as a surprise since redistricting policies have not tried to eradicate it and encourage crossover voting. To the contrary, the drawing of electoral districts is based on the assumption that people will vote along “ethno-racial” lines and also that communities are sufficiently spatially segregated so that district maps do not have unconventional or illegal shapes.³⁶

But this is not the only paradox of redistricting. Redistricting policies were supposed to bring back legitimacy to an electoral process that was perceived as flawed but it came at a price. In order to increase the number of minority politicians in office, legislatures have drawn electoral districts in which minority candidates would have a very strong chance of being elected. The goal of redistricting is not to bring competition to the electoral process but to ensure that in some districts competition actually disappears. Legislatures, by using statistics wisely, can decide who will vote in any given election and therefore decide what type of candidate will be elected. And since “ethno-racial” identities are closely related to political affiliation (in most cases), not only do legislators decide the “ethno-racial” identity of the candidate that will be elected but they can also decide the party he belongs to.³⁷ Wealthy White conservatives do not vote democrat while minority candidates usually belong to the donkey party. Pack enough liberals and minorities in a district and republicans do not even bother sending a candidate to run. In order to ensure the election of minority candidates the U.S. has decided to lower electoral competition. In order to bring back legitimacy to the electoral system by providing success for minority candidates, the U.S. opted to do away with some of the legitimacy provided by competition. More elections produce minority candidates but voters do not even bother to exercise their right to vote since elections are already decided and their vote will not make a difference. Therefore one could argue that in the U.S. the result of the electoral process has become more important than the system itself. The end justifies the means when it comes to help the nation believe that it has done away with discrimination while its entire political system relies on “ethno-racial” statistics. Voting might be the most basic, most important act in a democracy. Americanization therefore can appear as the process through which an individual will accept to bend the rules of democracy in the name of democracy, when individuals choose that it is more important to provide measurable evidence that discrimination is waning and to decide elections in advance. Because the pain of segregation is so great the quick fix is perceived as the best solution. The American electoral system would benefit from a profound reform but that would take a tremendous amount of time.

³⁶ See Lublin, *The Paradox of Representation: Racial Gerrymandering and Minority Interest in Congress*.

³⁷ See Mann & Cain (eds), *Party Lines: Competition, Partisanship and Congressional Redistricting*.

The American society needs to feel that it has eradicated its old demons and it is willing to pay a high price for it. Americanization can be understood as the acceptance of a new hierarchy of priorities. Americanization could be defined as considering American solutions to American dilemmas.

Conclusion

Rather than trying to define completely a word such as *Americanization* it is preferable to limit oneself to one aspect of it. This article has tried to illustrate how central "ethno-racial" classification was in the Americanization process. In order to find one's place in American society one needs to find his or her role in the "ethno-racial" pentagon. Once inside the pentagon, one needs to learn the rules of "racial politics". Outside of it one will always feel a foreigner. It is necessary to enter to realize how "ethno-racial" proportionality reassures and soothes America. "Ethno-racial" statistics are here to answer questions about identity and equality that one might never raise if he or she does not step into America's system. While "ethno-racial" classification is far from being the only Americanization process, it is an important one. But whatever definition one gives to this process it seems to always be some sort of a motion, a step inside, the crossing of threshold. One might enter through a different door but it is necessary to go in to understand how society operates. And this process of entering might be called Americanization. Some people enter for good, some, like American Studies professors, do it from time to time. Americanization is the act of penetrating the world of the "Other", the American "Other". It is the experience of learning to know oneself by discovering a different perspective on the world. Americanization is a crossroads. It is the reminder that "You" always precedes "I".

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