National Identity and Immigration Policy: Concern for Legality or Ethnocentric Exclusion?

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Does support for tough policies against undocumented immigration reflect anti-immigrant sentiments or a neutral concern about upholding laws? This study addresses the question by examining the relationship between different expressions of national identification and ethnocentric enforcement bias—that is, support for punishment of law-breaking immigrants but not law-breaking American employers who knowingly hire undocumented immigrants. Results revealed an association of this enforcement bias with nationalism (an ethnocentric engagement with national identity) but not with patriotism (a more critical engagement with national identity). A moderation analysis indicated that the relationship between nationalism and ethnocentric enforcement bias was most evident among participants who endorsed a “culture”-based construction of American identity in terms of American citizenship and ability to speak English. Discussion focuses on policy developments that reflect a symbolic threat to culture-based constructions of American identity and on the implications for fair and just enforcement of immigration policy.

The mood here is not anti-immigrant... The racial profiling has little to do with legalities; it is about the expressed targeting of red-brown Indigenous peoples...
—Roberto Dr. Cintli Rodriguez, 2010

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Illegal is not a race. It’s a crime… (SB 1070) is not about race, it’s about enforcement of the law.

—Arizona State Senator Russell Pearce, Author of Arizona SB 1070

These quotes are examples of the debate that has accompanied passage and implementation of Arizona’s SB 1070, which mandates interrogation about immigration status and detention for failure to produce proper identification when authorities suspect that a person is in the United States illegally. Opponents charge that the law is a racist measure that targets not only undocumented immigrants or so-called “illegal aliens” (Immigration and Nationality Act, 1952), but also legal immigrants and even American citizens whose ethnic or racial identity is associated in popular imagination with the issue of immigration. These opponents suggest that the law encourages racial profiling because law enforcement and other authorities might be more likely to suspect and detain Americans with “suspicious” identities (e.g., Hispanic or Asian) than Americans of European descent.

In contrast, supporters argue that the tough measures for which the law provides are necessary to combat undocumented immigration. Proponents vehemently deny claims about racism and note the absence of any mention about race, nationality, and/or ethnicity in the bill. From their perspective, the bill “is not about race” (Pearce, 2010), “has nothing to do with [racial profiling]” (Brewer, 2010), and focuses on upholding law and order.

Does support for tough measures against undocumented immigration reflect concern about illegality, or does the issue of illegality provide cover for harassment of racialized others? In this article, we report the results of an empirical study that bears on this issue.

Reactions to Arizona SB 1070

The self-proclaimed aim of Arizona SB 1070 is to discourage and deter “unlawful entry and presence of aliens and economic activity by persons unlawfully present in the United States” (2010). Although Arizona SB 1070 is one of the more controversial measures, legislatures in five states (South Carolina, Pennsylvania, Minnesota, Rhode Island, and Michigan) had introduced similar bills as of June 2010. Polls have indicated broad support for separate policy provisions of the bill, with 73% of Americans endorsing the requirement that people produce identification documents upon police request; 67% agreeing that police have a duty to detain anyone who cannot verify their legal status; and 62% agreeing that police have a duty to question people whom they suspect may be in the country illegally. Support for the law is strongly associated with Republican political identity (Pew Research Center for the People and the Press, 2010).

Opponents of Arizona SB 1070 suspect that the legislation is less about enforcing laws and more a function of xenophobic or racist prejudice against
immigrants. One reason for such suspicion is a bias in popular discourse about the bill. Although the Arizona bill includes provisions for punishment of Americans who “knowingly employ illegal alien(s),” popular discourse has focused almost exclusively on law-breaking immigrants. To the extent that support for Arizona SB 1070 reflects concern about upholding laws, then one should expect similar patterns of support for tough measures to punish anyone—both undocumented immigrants and American employers who illegally employ them—who breaks immigration laws. Instead, the ethnocentric enforcement bias implicit in popular discourse, which focuses almost entirely on punishment of law-breaking immigrants rather than law-breaking Americans who illegally employ them, suggest that support for tough measures against undocumented immigrants is a function of anti-immigrant sentiments rather than concern for (il)legality.

Constructions of National Identity

One possible influence on anti-immigrant sentiment in the immigration debate concerns national identification (Staerkle, Sidanius, Green & Molina, 2005). Reflecting the tendency for research to focus on national identification as unidimensional strength or degree of engagement, one can anticipate a relationship between high levels of national identification and greater degrees of ethnocentric enforcement bias. In contrast, we propose that the relationship between national identification and ethnocentric enforcement bias depends on qualitative variation in meaning or constructions of national identity. People construct an experience of national identity as an imagined community with others who are distant in time and space (Anderson, 1983), and different constructions of national identity may impact the relationship between national identification and ethnocentric bias in different ways.

Nationalism and Patriotism. One dimension of variation in national identification concerns the distinction between nationalism and patriotism (Kosterman & Feshbach, 1989; Sidanius, Feshbach, Levin, & Pratto, 1997). While nationalism and patriotism both involve positive evaluations toward the nation, the former is intergroup in scope and involves beliefs about superiority or dominance over other nations, whereas the latter emphasizes positive effect towards one’s country. Accordingly, research has associated nationalism with support for authoritarian structures, definitions of nation based on race or cultural affiliation (a conceptualization of the nation as a core, homogenous group), and intolerance towards ethnic minorities whom the dominant mainstream considers a threat to defining cultural values (Blank & Schmidt, 2003; Crowson, 2009; Mummendey, Klink, & Brown, 2001; Renner, Salem & Alexandrowicz, 2004). In contrast, research has associated patriotism with democratic principles, multicultural constructions of the nation, and tolerance towards minorities (Blank & Schmidt, 2003).
Primordial, Cultural, and Civic Definitions of National Identity. Another dimension of variation in national identification concerns definitions of national identity. Instead of merely categorizing oneself as belonging to a nation, people construct an experience of what nationhood means and who this sense of nationhood includes and excludes (Pakulski & Tranter, 2000; Pehrson & Green, 2010; Smith, 2001).

Primordial. Primordial constructions represent a relatively exclusive understanding of American identity, with an emphasis on enduring, essential features (e.g., birthplace and ethnicity) that one either does or does not possess. In the context of immigration, primordial constructions of national identity often exclude immigrants from the category “American,” especially first-generation immigrants not born in the United States.

Cultural. Cultural constructions also represent a relatively exclusive form of American identity, in this case with an emphasis on assimilation to mainstream American culture (especially English language). Similar to primordial constructions, cultural constructions may exclude immigrants from being a part of the nation state; however, this exclusion focuses on racial or cultural “others” who do not assimilate to Anglocentric understandings of American citizenship. In this way, cultural constructions may be even more stringent than primordial constructions, as they would exclude not only first-generation immigrants who were not born in the United States, but also later generation immigrants who do not assimilate to dominant understandings of national culture.

Civic. Civic constructions represent a relatively inclusive understanding of American identity with an emphasis on choice in self-categorization and performance of duty. This definition permits imaginations of American community that are more ethnically and culturally diverse than those of primordial or cultural definitions. In the context of immigration, civic definitions provide conceptual boundaries that are relatively permeable, resulting in the inclusion of immigrants to the nation.

The Present Study

To examine the relationship between experience of national identification and support for tough measures against undocumented immigrants, we conducted a study among students and residents of a Midwestern university town and the surrounding metropolitan city. One purpose of the study was to investigate how support for tough measures against undocumented immigration relates to the varieties of national identification associated with nationalism and patriotism (Kosterman & Feshbach, 1989). To the extent that nationalism assesses beliefs about
in-group superiority, one can hypothesize that it will be positively associated with support for punishment of law-breaking immigrants but not with support for punishment of law-breaking U.S. citizens who employ those immigrants (i.e., ethnocentric enforcement bias). In contrast, to the extent that patriotism taps a more critical attachment to nation beyond beliefs about superiority, one can hypothesize no difference in its relationships with support for punishment of law-breaking immigrants and for punishment of law-breaking U.S. citizens who employ them.

Another purpose of the study was to examine different constructions of national identity and their impact on ethnocentric enforcement bias. This aspect of the study was exploratory, as previous research on these constructions of national identity considered non-American samples (Pakulski & Tranter, 2000; Pehrson & Green, 2010) with different sets of concerns than those that inform the present debate on immigration in the United States. Despite this exploratory status, theoretical considerations suggest main effects such that exclusive definitions of national identity (i.e., primordial and cultural) will be positively associated with ethnocentric enforcement bias, and/or moderation effects such that the hypothesized relationship of nationalism and ethnocentric bias will be stronger among participants who endorse exclusive definitions of national identity.

Method

Participants

We recruited 125 participants from the University of Kansas and from the Kansas City metropolitan area. After filtering for U.S. born and White/Caucasian participants, the combined sample consisted of 54 men and 40 women (six nonresponse) ranging in age from 18 to 59 years ($M = 24.16, SD = 9.71$).

Procedure

Participants from the college sample completed the survey for course credit. For the community sample, a trained research assistant randomly approached pedestrians at a shopping area in Kansas City and invited them to complete a survey. Participants completed the following set of measures.$^1$

$^1$We also included an experimental manipulation, with a 2 (race) x 2 (legal status) design. Before participants completed measures, they first read seven statements that described U.S. immigration with an emphasis on Hispanic or Asian cases and legal or illegal status. Since there were no significant findings for the manipulations, we do not discuss them in this brief report.
Measures

Immigration Policy. We created an instrument to assess endorsement of policies related to enforcement of immigration laws similar to Arizona SB 1070. Participants rated their agreement with each item on a scale of 1 (strongly disagree) to 7 (strongly agree). Two of these items—“States should have the right to question people about their immigration status if they suspect they are in the U.S. illegally” and “States should have the right to question and detain anyone without proper identification who is suspected of being in the U.S. illegally”—referred to measures designed to apprehend and punish undocumented immigrants. We computed the mean of these items to form a composite indicator of immigrant-focused law enforcement ($\alpha = .89$). Another two items—“Authorities should penalize, jail or otherwise punish American businesses that knowingly recruit and employ illegal immigrants” and “Authorities should prosecute and punish Americans who exploit illegal immigrants for their labor or other services”—referred to measures designed to apprehend and punish Americans who knowingly employ and exploit undocumented immigrants. We computed the mean of these items to form a composite indicator of Employer-focused law enforcement ($\alpha = .71$).

Patriotism and Nationalism. Participants used a scale of 1 (strongly disagree) to 7 (strongly agree) to rate their agreement with six items from a measure of patriotism and nationalism (Kosterman & Feshbach, 1989). We computed the means of relevant items to form composite indicators of patriotism (e.g., “I feel a strong attachment towards America,” $\alpha = .86$) and nationalism (e.g., “The more the United States actively influences other countries, the better off these countries would be,” $\alpha = .68$).

Constructions of American Identity. To assess constructions of American identity, we adapted six items from the International Social Survey Program (1995, 2003). Participants used a scale from 1 (strongly disagree) to 7 (strongly agree) to rate their agreement with statements about what it meant to be “truly” American. Following previous research (Pehrson and Green, 2010), we used these items to measure three dimensions of nation definition. We computed the mean of two items—“Have been born in America” and “Have lived in America for most of one’s life”—to form a composite indicator of relatively exclusive, primordial constructions of American identity in terms of birthplace and long-term residence ($\alpha = .81$). We computed the mean of another two items—“Have American citizenship” and “Be able to speak English”—to form a composite indicator of relatively exclusive, cultural constructions of American identity in terms of assimilation to Anglocentric standards ($\alpha = .73$). We computed the mean of the remaining two items—“Feel American” and “Know America’s history”—to form a composite indicator of more inclusive, civic constructions of American identity ($\alpha = .69$).
Means, standard deviations, and correlations for all measures appear in Table 1. In general, results provide evidence of the hypothesized relationship between nationalism and ethnocentric enforcement bias. Nationalism was strongly related to support for measures that target immigrants, $r = .42, p < .001$, but not to support for measures that penalize Americans for employing undocumented immigrants, $r = .12, p > .1$. A statistical test indicated that this difference in correlations was significant, $t = 2.55, p = .007$. We also created an indicator of ethnocentric enforcement bias by computing a difference score that tapped each participant’s preference for punishing law-breaking immigrants over punishing law-breaking American employers. Nationalism was related to this indicator of ethnocentric enforcement bias, $r = .17, p = .041$.

One can contrast results for the ethnocentric concept of nationalism with those for the less ethnocentric companion concept of patriotism. As for nationalism, we observed strong correlations between patriotism and support for measures that target immigrants, $r = .43, p < .001$. Unlike nationalism, we also observed a moderate correlation between patriotism and measures that penalize Americans for illegally employing undocumented immigrants, $r = .29, p = .002$. As a result, both the statistical test of this difference in correlations ($t = 1.21, p > .1$) and correlation of patriotism with ethnocentric enforcement bias ($r = .06, p > .1$) did not reach conventional levels of statistical significance.

To confirm that these patterns represented independent relationships (rather than overlap between predictors), we conducted multiple regression analyses with patriotism and nationalism as simultaneous predictors of immigrant-focused law enforcement, employer-focused law enforcement, and the difference-score measure of ethnocentric enforcement bias. In general, results imply the same conclusions as zero-order correlations. In the analysis of immigrant-focused law enforcement, both patriotism ($\beta = .29, p < .001$) and nationalism ($\beta = .26, p = .014$) emerged as significant predictors of support for policy designed to
apprehend and punish undocumented immigrants. In the analysis of employer-focused law enforcement, only patriotism ($\beta = .33$, $p = .005$) but not nationalism ($\beta = -.06$, $p > .1$) emerged as significant predictors of policy designed to punish Americans for hiring undocumented immigrants. Accordingly, in the analysis of the indicator of ethnocentric enforcement bias, only nationalism ($\beta = .22$, $p = .06$) and not patriotism ($\beta = -.07$, $p > .1$) emerged as a predictor of the preference for punishing law-breaking immigrants but not law-breaking American employers.

Our final analysis investigated the impact of different constructions of national identity (primordial, cultural, and civic) both as “main effects” on ethnocentric enforcement bias and as moderators of the relationship between nationalism and ethnocentric enforcement bias. The first block of variables in this analysis consisted of the five predictors: Nationalism, Patriotism, Primordial identity, Cultural identity, and Civic identity. The second block of variables included all six, two-way interactions involving either patriotism or nationalism and one of the three indicators of identity constructions (e.g., Nationalism × Primordial, Nationalism × Cultural, Nationalism × Civic, Patriotism × Primordial, Patriotism × Cultural, and Patriotism × Civic). The only significant effect to emerge from this analysis was the Nationalism × Cultural interaction ($\beta = 5.37$, $p = .025$). Using Preacher, Curran, and Bauer’s (2006) interaction utilities to probe this interaction, we plotted separate lines for the regression of ethnocentric enforcement bias on nationalism at two levels of endorsement of cultural definitions of American identity (one standard deviation above and below the mean). Results suggest a moderating effect of identity construction such that the strength of the relationship between nationalism and ethnocentric enforcement bias—again, the preference for punishing undocumented immigrants over the employers who illegally hire them—increases with greater endorsement of cultural definitions of American identity (i.e., the tendency to regard language and citizenship, rather than birthplace or personal choice, as defining criteria of American identity).

**Discussion**

Results of the present study suggest a strong relationship between national identification and support for tough measures against undocumented immigration. How is one to understand this relationship? Proponents of tough measures claim that their support reflects neutral concern about upholding the law rather than ethnocentric prejudice against immigrants. Results of the present study cast doubt on this claim.

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2Following Aiken & West (1991), we mean centered the variables before conducting regression analysis.
A concern about upholding the law suggests similarly high endorsement of tough measures to punish anyone—both undocumented immigrants and American citizens who illegally employ them—who breaks laws relevant to immigration. With respect to indicators of national identification, we observed this pattern only for patriotism, a form of national identification that is relatively free from ethnocentrism. For nationalism, a relatively ethnocentric form of national identification, results revealed a positive relationship with ethnocentric enforcement. That is, nationalism was positively related to endorsement of policies to punish law-breaking immigrants, but was unrelated to endorsement of policies to punish law-breaking Americans who employ and exploit undocumented immigrants. From this perspective, tough policies against undocumented immigration may be less about law and order than they are about nationalism and associated ethnocentrism.

Theorists and researchers have noted that ethnocentric exclusion may reflect a perception among dominant groups that immigrants represent a threat to the nation (see Deaux, 2006). This threat can take at least two forms. White Americans may perceive that immigrants (documented or undocumented) compete for physical or material resources and thus pose a realistic threat to their general welfare (Esses, Dovidio, Jackson, & Armstrong, 2001; Esses, Jackson & Armstrong, 1998; Stephan, Ybarra, & Bachman, 1999). Furthermore, White Americans may perceive immigrants as a symbolic threat to the cultural identity and values of a Eurocentric or Anglicized mainstream (Kinder & Sears, 1981; Sears, Hensler & Speer, 1979). To the extent that support for tough anti-immigration measures reflects realistic threat of competition over material resources, then one should expect similar support for punishment of anyone—both immigrants and Americans who employ them—who contributes to this competition. In contrast, patterns of ethnocentric enforcement bias suggest that support for such tough measures reflects racial intolerance and perceptions of symbolic threat to cultural ideologies rather than concerns for reducing competition over material resources.

Consistent with this “symbolic threat” story is the moderating effect of constructions of American identity on the relationship between nationalism and ethnocentric enforcement, which was strongest among participants who endorsed a relatively exclusive, “culture”-based construction of American identity in terms of American citizenship and ability to speak English. In contrast, endorsement of similarly exclusive, primordial constructions of American identity (in terms of birthplace and long-term residence) did not have an effect on either ethnocentric enforcement bias or its relationship with nationalism. These patterns provide an interesting framework for understanding developments in the United States, where legislators and government officials are considering measures to do away with so-called “birthright citizenship” (i.e., awarding of U.S. citizenship to anyone born in U.S. territory) and to exclude people from civic participation based on adoption of English as an ‘official’ language (Texas HB 81, 2009). The story that emerges
from the present research is that these developments are not merely coincidental, but have their source in experience of symbolic threat to dominant, Anglocentric constructions of American identity.

A possible alternative to ethnocentrism as the explanation for enforcement biases is an ostensibly principled preference for “supply-side” interventions that punish providers rather than the consumers of illegal goods and services (e.g., drugs or prostitution; see Baumeister & Vohs, 2004; Durchslag, & Goswami, 2008; Hao, 2005). To the extent that immigrants are suppliers of illegal labor, one can understand the preference for punishing these suppliers (rather than the American employers who illegally consume their labor) as a manifestation of this ostensibly principled policy approach. In contrast, our analysis resonates with the suspicion that a focus on suppliers (e.g., cocaine producers, prostitutes, or immigrants) rather than on the consumers (middle-class Americans, men, and employers) may serve as an ideological cover for racism or other forms of domination. Indeed, results of the present research associate this ostensibly principled policy preference with nationalism, a relatively ethnocentric form of engagement with national identity. To the extent that nationalism is similarly associated with support for other forms of supply-side intervention, it casts doubt on the “principled” nature of this policy preference.

One can interpret the policy relevance of the relationship between nationalism and ethnocentric enforcement bias in two ways. In the previous discussion, we have interpreted the pattern in a conventional fashion: namely, that tough policies against undocumented immigration are less a function of concern about (il)legality than anti-immigrant sentiment. This interpretation resonates with a focus on equal provision of human rights, and it highlights the need for strong legal protections that insulate immigrants and citizens alike from policies of racial profiling that subject people with racialized identities to disproportionate harassment by law enforcement officials.

However, there is an additional, complementary interpretation that typically does not receive much attention, even in debates about undocumented immigration. This interpretation focuses on the idea that an ethnocentric bias in application of immigration law enforcement not only reflects denial of human rights and imposition of unjust burdens on people with devalued or racialized identities, but also reflects awarding of undue privilege to American citizens, especially those who occupy positions of racial dominance. Accordingly, one implication of this nationalistic focus on punishment of law-breaking immigrants means that many law-breaking American citizens who illegally employ or exploit these undocumented immigrants go unpunished. From this perspective, a true concern for law, order, and justice requires that officials dismantle this form of racial privilege and apply penalties against law-breaking American employers with the same enthusiasm as they show for penalties against law-breaking immigrants. Indeed, the observed relationship between scores on the patriotism scale and support for punishment
of law-breaking American employers who illegally employ undocumented immigrants suggests that such an even-handed approach to law enforcement may even be “patriotic.”

References


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