

A CASE OF LEGALITY OR RACIALIZATION?

IMMIGRATION POLICY IN THE U.S.

BY

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Submitted to the graduate degree program in Psychology  
and the Faculty of the Graduate School of the University of Kansas  
In partial fulfillment of the requirements for the degree of  
Masters of Arts.

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Date Defended: August 30, 2011

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## Abstract

The current research draws upon a liberation psychological (LP) perspective to examine the extent to which support for strict policies against undocumented immigration does not reflect neutral concern for law and order, but instead reflects Euro/Anglo-centric values and promotes interests of the White majority. Drawing upon an LP analysis, the present work considers the possibility that concern for legalities operate as a smokescreen not only for anti-immigrant sentiments, but also for anti-Mexican sentiments. Results from study 1 indicate an association between nationalism (an ethnocentric engagement with national identity) and ethnocentric enforcement bias—that is, support for punishment of law-breaking immigrants over law-breaking U.S. employers who knowingly employ undocumented immigrants. Further, this relationship is most evident for those who endorse a ‘culture’ based construction of national identity, in terms of the ability to speak English. Study 2 expands upon the results of study 1 and indicates that rather than punish *all* undocumented immigrants equally, there is a preference for punishing Mexican immigrants over Canadian immigrants and perceiving this form of treatment as fair and legitimate. Once again, this relationship is most evident for those who endorse ‘culture’ based constructions of national identity. Discussion focuses on the socially constructed nature of the legal framework and its role in promoting and re-producing systems of domination and oppression.

## Acknowledgements

I would like to thank Ludwin Molina, for his support, guidance and patience throughout the planning, conducting, and writing stages of this thesis. Special thanks to Glenn Adams for his advice and encouragement right from the planning stages of this work. I would like to thank Glenn Adams and Jessica Vasquez for serving on both the proposal defense and final defense committees and for their invaluable feedback. I would also like to thank Tuğçe Kurtiş, Heidi Welsh and Alex Horwitz for their assistance in completing this project. Many thanks to the Culture and Psychology Research Group for providing helpful comments and suggestions on the research. Last, but not least, I would like to thank my family and friends who provided invaluable support.

## A Case of Legality or Racialization?

### Immigration policy in the U.S.

Immigration, especially undocumented or ‘illegal’ immigration, has been a topic of much discussion in the United States. Proponents of recent policy developments such as Arizona SB 1070 (2010) or Texas HB 81 (2009) believe that such policies are necessary to combat undocumented immigration, emphasize that they have ‘nothing to do with race’ (Brewer, 2010) and reflect neutral concerns of upholding law and order. Senator Russell Pearce, one of the authors of SB 1070 claims that, ‘illegal is not a race, it is a crime’ (Pearce, 2010). In contrast, opponents argue that such policies constitute institutionalized forms of racism and target not just undocumented immigrants, but even documented immigrants and citizens whose racial and ethnic identities are associated with ‘illegal’ immigration (Ramakrishnan et al., 2010).

In the present paper, I examine the extent to which support for tough immigration legislation reflects support for racial domination rather than neutral concern for law. Across two studies, I examine the extent to which concern for legalities operate as a smokescreen for anti-immigrant sentiments and, more specifically, anti-Mexican sentiments and ethnocentric considerations. I consider ethnocentric considerations in light of two sources: (1) a program of experimental research on differences in support for strong measures against immigrants based on target national origin and legal status; and (2) a Liberation Psychology perspective, developed by the late Martín-Baró (1994), as a means to understand the differential treatment of national (and presumably racial) groups under immigration policy ultimately with an eye toward social justice.

## **Understanding Arizona's SB 1070: Anti-'illegal' immigration of anti-Mexican?**

Arizona's Senate Bill 1070 mandates that undocumented immigrants must always have their immigration documents in their possession; failure to do so can result in jail time, payment of jail costs, and, depending on the situation, can result in deportation of the immigrant. The bill also requires police officers to determine a person's immigration status if there is 'reasonable suspicion' that s/he is an undocumented immigrant. However, immigration status is not something that one can visibly observe, and the characteristics on which a police officer might rely in forming the necessary suspicion are primarily racial. For example, proponents of the law rely on racial stereotypes to describe the characteristics—such as 'grooming', 'too many occupants in a rental occupation'—that might lead a police officer to be reasonably suspicious that the person is an undocumented immigrant or 'illegal alien' (see Moran & Mauldin, 2010). Thus, SB 1070 arguably requires officers to racially profile.

Although Arizona SB 1070 is one of the more controversial measures, legislature in eight states (Michigan, Minnesota, Nebraska, Virginia, Pennsylvania, Rhode Island, South Carolina and Utah) are currently considering or have already introduced legislation similar to Arizona SB 1070 (Na, 2010). Polls indicate broad support for various 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 (Pew Research Center for the People and the Press, 2010b). Supporters of the bill argue that such tough measures—mandatory interrogation about immigration status and detention for failure to produce proper identification when authorities suspect that a person is in the US illegally—are necessary to combat undocumented immigration.

They deny claims about racism; note the absence of race, nationality, and/or ethnicity in the bill; and believe that the bill is not anti-immigrant, but rather anti-crime: that is, about the enforcement of law.

On the other hand, opponents of the bill propose that the legislation is less about enforcing immigration law and more a function of racist prejudice against immigrants, regardless of their legal status. One reason for suspicion of racism and ethnocentric considerations, concerns enforcement bias. Even though the bill includes provisions for punishment of law-breaking U.S. employers who knowingly employ undocumented immigrants, popular discourse has almost exclusively focused on punishing law-breaking immigrants. This ‘ethnocentric’ enforcement bias—focus on punishing law-breaking immigrants but not law-breaking U.S. employers— suggests that support for such tough policies might be more anti-immigrant than anti-criminal.

Another reason for suspicion of racism and ethnocentric considerations concerns variation in support for immigration as a function of ethnicity and national origin of the target immigrant. The early immigrants—mostly of European origin— represented a search for hope, opportunity, and freedom as symbolized by the Statue of Liberty at Ellis Island (Lee & Bean, 2010; Staerklé, Sidanius, Green & Molina, 2005)<sup>1</sup>. In contrast, the more recent immigrants from Latin America, Asia, or the Caribbean have generated anxiety and alarm about the perceived negative impact on the nation (Alba & Nee, 2003; Chavez, 2008; Huntington, 2005; Lee & Bean, 2010; Schlesinger, 1998; Telles & Ortiz, 2009). Most Americans consider Latino, and

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<sup>1</sup> When the demographics of immigrants shifted from northern and western Europe to southern and eastern Europe, immigrants from the latter areas were initially not as well received as those from northern and western area. However, because of the overwhelming European composition, U.S. became more firmly entrenched in Euro-centric culture and values.

particularly Mexican, immigrants as ‘unassimilable’, and ‘illegal’ (Chavez, 2001, 2008; DeGenova, 2005), and viewed more unfavorably than European immigrants (Lapinski, 1997).

There is clear evidence of prejudice and stereotypes towards Latino immigrants (see Dovidio et. al, 2010)., Americans view Latino and Mexican immigrants more unfavorably than immigrants from China, Jamaica, and Poland, in part because they consider them to be an economic burden: people who use social services but do not bring needed skills into the country (Deaux, 2006). Further, they associate Mexican immigrants with the issue of undocumented or ‘illegal’ immigration. Despite the fact that both documented and undocumented immigrants come from all over the world, public and governmental attention has almost exclusively focused on undocumented immigration from Mexico (DeGenova, 2005; Johnson, 1998). Association of undocumented immigration with Latinos and Mexicans raises the possibility that support for tough measures against undocumented immigrants may have its source in racism against Latino and Mexican immigrants, regardless of whether they are U.S. citizens, documented residents, or undocumented immigrants (see Ramakrishnan et al., 2010). As one observer notes about Arizona,

The mood here is not anti-immigrant. It is anti-Mexican. The racial profiling has little to do with legalities; it is about the expressed targeting of red-brown Indigenous peoples...

(Rodriguez, 2010)

Reflecting these concerns, polls indicate that 57% of Latinos worry that they or someone they know will be deported; 9% of Latinos—including those who are born in the United States—said that they had been asked by police or other authorities about their immigration status; and 32% of Latinos experienced discrimination because of their racial or ethnic background (Pew Research Center for People and Press, 2010a). To the extent that Americans’ views towards

immigration are influenced by anti-Mexican racism, there should be greater support for measures against undocumented immigration (such as Arizona's SB 1070) when the target is Mexican compared to other immigrants, even when the Mexican immigrant is here legally.

### **Constructions of National Identity**

Besides biased enforcement of immigration laws, another influence on possible anti-immigrant and anti-Mexican sentiments in the immigration debate is one's construction of national identity (Pehrson & Green, 2010; Staerklé et al., 2005). People construct an experience of national identity based on an imagined community with others who are distant in time and space (Anderson, 1983), and different constructions of national identity may lead to different conceptions about immigration.

*Nationalism and patriotism.* One dimension of variation in national identity concerns the distinction between nationalism and patriotism (Kosterman & Feshbach, 1989; Sidanius, Feshbach, Levin, & Pratto, 1997). Nationalism and patriotism both involve positive evaluations of the nation but the former involves beliefs about superiority or dominance over other nations, whereas the latter emphasizes positive affect towards one's country. Accordingly, research has associated nationalism with support for definitions of nation based on a particular race or cultural affiliation (a conceptualization of the nation as a core, homogenous group), and intolerance towards ethnic and racial minorities (Blank & Schmidt, 2003; Mummendey, Klink, & Brown, 2001; Renner, Salem & Alexandrowicz, 2004). In contrast, research has associated patriotism with multicultural constructions of the nation, and tolerance towards ethnic and racial 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 being a member of a nation or how much one identifies with 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* constructions represent a relatively exclusive understanding of U.S. national identity with an emphasis on enduring features (e.g., birthplace) that one either does or does not possess. In the context of immigration, primordial constructions of national identity often exclude immigrants from being a “true” member of the U.S., especially first generation immigrants not born in the U.S.

*Cultural* constructions also represent a relatively exclusive form of U.S. national identity, in this case with an emphasis on assimilation to mainstream U.S. 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 cultural or racial “others” who do not assimilate to Euro-centric understandings of U.S. 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 U.S., but also later generation immigrants who do not assimilate to dominant understandings of national culture.

*Civic* constructions represent a relatively inclusive understanding of U.S. national identity with an emphasis on choice in self-categorization and performance of duty. This definition permits imaginations of U.S. 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.

## Present Research

The present work applies one of the basic tenets of a Liberation Psychology perspective—concept of ideologized realities (Martín-Baró, 1994)—to examine how support for strong measures against undocumented immigration may reflect racist or ethnocentric considerations rather than the rule of law. In his writings on Liberation Psychology, the late Ignacio Martín-Baró (1994) states that prevailing understandings of everyday experience are not neutral reflections of objective truth; instead they represent particular constructions of reality that resonate with dominant ideologies that deny or ignore the experience and understandings of the oppressed. By determining the extent to which support for strong measures against undocumented immigration reflects racist biases as opposed to concern for legality, one de-ideologizes the apparently ‘neutral’ concern for the rule of law, revealing it instead to be a tool of White cultural domination.

Across 2 studies, I investigate the extent to which support for tough measures such as Arizona’s Senate Bill 1070, reflects concerns for legality and ethnocentric considerations. Study 1 examines the extent to which there is a bias in punishing undocumented or ‘illegal’ immigrants compared to U.S. citizens who employ undocumented immigrants. Study 2 extends results of Study 1, and examines the extent to which there is a bias against not all undocumented immigrants but *Mexican* immigrants in particular, regardless of legal status.

### **Study 1: Anti-‘illegal’ *immigration* or anti-‘illegal’ *immigrants*?**

In study 1, I measured participants’ endorsement of national identity and investigated the implications for support of ethnocentric enforcement bias—punishing law-breaking immigrants over law-breaking U.S. employers who illegally employ undocumented immigrants. To the extent that nationalism taps feelings of national dominance and superiority, one can hypothesize

that scores on this measure will be positively associated with ethnocentric enforcement bias. To the extent that patriotism taps a more critical form of attachment to the nation, one can hypothesize that scores on this measure will be related to equal endorsement for punishing law-breaking immigrants and law-breaking U.S. employers.

Another purpose of the study was to examine the impact of constructions of national identity on ethnocentric enforcement bias. This aspect of the study was mostly exploratory, as previous research on these constructions considered non-U.S. samples (Pakulski & Tranter, 2000; Pehrson & Green, 2010) with different sets of concerns than those that inform the present debate on immigration in the U.S. 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**

I recruited 125 participants from the University of Kansas and 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 (6 non-response) 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. A trained research assistant randomly approached pedestrians at a shopping area in Kansas City and

invited them to complete the survey<sup>2</sup>. After consenting to participate in the study, participants completed the set of measures listed below<sup>3</sup>. Participants rated their agreement with each item on a scale of 1 (strongly disagree) to 7 (strongly agree). After completing the survey, participants were debriefed on the specific purpose of the study. The study took less than thirty minutes to complete.

## Measures

***Immigration policy.*** I created an instrument to assess endorsement of provisions related to SB 1070. Participants rated their agreement with each item. 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. I computed the mean of these items to form an indicator of *immigrant-focused law enforcement* ( $r = .81$ ). 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 U.S. employers who knowingly employ and exploit undocumented immigrants. I computed the mean of these items to form an indicator of *employer-focused law enforcement* ( $r = .56$ ).

***Patriotism and nationalism.*** Participants indicated their agreement with six items from a measure of patriotism and nationalism (Kosterman and Feshbach, 1989). I computed the means

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<sup>2</sup> I also included an experimental manipulation, with a 2 (race: Asian vs. Hispanic immigrant) x 2 (legal status: Documented vs. Undocumented immigrant) design. Before participants completed measures, they first read seven statements that described U.S. immigration with an emphasis on Hispanic or Asian cases, and documented or undocumented status. Since there were no significant findings for the manipulations, I do not discuss them further.

<sup>3</sup> See Appendix 1 for all the measures.

of three relevant items to form an indicator of *patriotism* (e.g., “I feel a strong attachment towards America”,  $\alpha = .86$ ) and three relevant items to form an indicator of *nationalism* (e.g., “The more the United States actively influences other countries, the better off these countries would be”,  $\alpha = .68$ ).

***Constructions of national identity.*** Participants rated their agreement with six items adapted from the International Social Survey Program (1995, 2003). Based on previous research (Pehrson and Green, 2010), I used these items to measure three definitions of national identity. I computed the mean of two items—“Have been born in America” and “Have lived in America for most of one’s life”—to form an indicator of relatively exclusive, *primordial* constructions of U.S. identity in terms of birthplace and long-term residence ( $r = .68$ ). I computed the mean of another two items—“Have American citizenship” and “Be able to speak English”—to form an indicator of relatively exclusive, *cultural* constructions of U.S. identity in terms of assimilation to Anglo and Euro centric standards ( $r = .58$ ). I computed the mean of the remaining two items—“Feel American” and “Know America’s history”—to form an indicator of more inclusive, *civic* constructions of American identity ( $r = .55$ ).

## **Results**

The primary purpose of Study 1 was to examine the association between understandings of national identity and ethnocentric enforcement bias—preference for punishing law-breaking immigrants over law-breaking U.S. employers. To the extent, nationalism represents a more ethnocentric measure of national identity, one would expect it be associated with ethnocentric enforcement bias. In contrast, to the extent patriotism represents a less ethnocentric measure of national identity one would not expect it to be associated with ethnocentric enforcement bias. A

secondary purpose was to assess the impact of constructions of national identity on the above relationships. A summary of the analyses addressing each of these two goals follows.

### **The relationship between national identity and ethnocentric enforcement bias.**

Mean, standard deviations and correlation for all measures appear in Table 1. The first set of analyses examined the association between nationalism and patriotism and support for immigration policy. Results provide evidence for the hypothesized relationship between national identity and ethnocentric enforcement bias. Nationalism was associated with support for *immigrant-focused* law enforcement,  $r = .43, p < .001$ , but not for *employer-focused* law enforcement,  $r = .13, p > .1$  and this difference in correlations was significant,  $t = 2.55, p = .007$ . I 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 U.S. employers. Nationalism was related to this indicator of ethnocentric enforcement bias,  $r = .17, p = .041$ . Patriotism, on the other hand, was associated with support for both *immigrant-focused* law enforcement,  $r = .43, p < .001$  and for *employer-focused* law enforcement,  $r = .29, p = .002$ . Consequently, this difference in correlations ( $t = 1.21, p > .1$ ) and correlation of patriotism with ethnocentric enforcement bias ( $r = .06, p > .1$ ) did not reach statistical significance.

To confirm that these patterns represented independent relationships rather than an overlap between predictors, I conducted multiple regression analyses with nationalism and patriotism as simultaneous predictors of *immigrant-focused* and *employer-focused* law enforcement. Results led to the same conclusions as zero-order correlations: Both, nationalism ( $\beta = .26, p = .014$ ) and patriotism ( $\beta = .29, p < .001$ ) significantly predicted support for punishing law-breaking immigrants. However, only patriotism ( $\beta = .33, p = .005$ ) emerged as a significant

predictor of *employer-focused* law enforcement. Subsequently, in the analysis 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 U.S. employers. Table 2 summarizes results of this analysis.

### **Do constructions of national identity moderate above findings?**

The second set of analysis focused on the impact of constructions of national identity (primordial, cultural, or civic-based) on the relationship between national identity (patriotism and nationalism) and ethnocentric enforcement bias. In order to test for the moderating effect of constructions of national identity, I conducted a hierarchical multiple regression analysis predicting ethnocentric enforcement bias. The first block of variables in this analysis consisted of the five predictors<sup>4</sup>: 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 (i.e., Nationalism X Primordial, Nationalism X Cultural, Nationalism X Civic, Patriotism X Primordial, Patriotism X Cultural, and Patriotism X Civic).<sup>5</sup> The only significant effect to emerge from this analysis was the Nationalism X Cultural interaction, ( $\beta = .44, p = .022$ ). I used Preacher, Curran and Bauer's (2006) interaction utilities to probe this interaction, and plotted separate lines for the regression of ethnocentric enforcement bias on nationalism at two levels of endorsement of cultural definitions of U.S. identity—one standard deviation above and below the mean (see Figure 1). Results suggest a moderating effect of identity construction such that the strength of the relationship between nationalism and ethnocentric enforcement bias—the preference for punishing law-breaking immigrants over law-breaking U.S. employers—increases

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<sup>4</sup> I report results without covariates. Analyses with gender, age and SES as covariates produced similar results..

<sup>5</sup> Following Aiken & West (1991), variables were mean centered before conducting regression analysis.

with greater endorsement of cultural definitions of U.S. identity (i.e., the tendency to regard language and citizenship as defining criteria of U.S. national identity).

### **Discussion**

Results from study 1 delineate a strong relationship between national identification and anti-immigrant sentiments. A ‘neutral’ concern for law implies that one should punish anyone who breaks the law: both undocumented immigrants as well as U.S. employers who illegally employ them. However, I observed this pattern only for patriotism. The relationship between nationalism and ethnocentric enforcement bias suggests that support for such policies may be less about law and order than about nationalism and ethnocentrism. Further, the moderating influence of cultural constructions of identity on ethnocentric enforcement bias indicated that the relationship between nationalism and bias was strongest for those who endorsed cultural definitions of national identity. Defining U.S. identity in terms of U.S. citizenship and knowledge of English language was associated with stronger anti-immigrant sentiments and weaker resolve to punish law-breaking U.S. employers. In contrast, endorsement of primordial constructions of U.S identity (in terms of birthplace and long-term residence) did not have an effect on either ethnocentric enforcement bias or its relationship with nationalism.

In sum, results from study 1 suggest that support for tough immigration legislation have less to do with legal concerns surrounding the issue of undocumented *immigration* per se (i.e., punishing employer and immigrant alike who both contribute towards the issue of ‘illegal’ immigration) as much as it is about undocumented *immigrants*—an exclusive focus on the immigrant group. Further this pattern is most evident for those who define American identity in terms of assimilation to mainstream, Anglo-centric values. Study 1 provides initial evidence that support for immigration policy is associated with ethnocentrism rather than a neutral concern for

law. Resonating with the tenet of *ideologized realities* (Martín-Baró, 1994), results suggest that rather than being ‘objective’ or neutral, forms of legislation (as related to undocumented immigration) may serve to establish and sustain social power and privilege those who belong to dominant groups (in this case, the U.S. employers).

### **Study 2: Anti-‘illegal’ immigrants or Anti-Mexican immigrants?**

Study 2 investigates the possibility that rather than view all undocumented immigrants unfavorably, people might endorse anti-immigrant sentiment when the target group is Mexican—both, documented as well as undocumented. Consistent with the alarmist imagery (see Chavez, 2008) which associates all Mexicans as ‘illegal’, one can hypothesize that all Mexican immigrants, whether documented or undocumented, are viewed unfavorably and considered ‘suspicious’. To understand the racialization of immigration, study 2 contrasts people’s attitudes about Mexican immigrants with Canadian immigrants, the latter group being similar to the dominant White, Euro/Anglo-centric group in the U.S. Study 2 focuses primarily on attitudes toward immigrants and examines how concern for legal status of an immigrant operates as a smokescreen for anti-Mexican sentiments. In particular, I investigate one of the key provisions of Arizona SB 1070 type legislation—that is, the mandate requiring police officers to determine a person’s immigration status if there is “reasonable suspicion” that s/he is an undocumented immigrant.

In Study 2, I presented participants with a description of an event where a police officer deems an immigrant’s behavior suspicious and detains the immigrant after he fails to produce documentation to indicate his legal status. I varied the immigrant’s national origin (Mexican vs. Canadian) and legal status (undocumented vs. documented) to examine the impact on people’s support for severe punishment toward immigrants and perceptions of fairness. A primary

purpose of the present study was to extend results of study 1 and examine whether people's support for punishment (and perceptions of fairness) differed as a result of the nationality and legal status of the target immigrant. A secondary purpose was to examine how a racialized understanding of immigration policy (reflecting anti-Mexican sentiments rather than neutral concern for law) was associated with primordial, cultural, and civic constructions of national identity. Thus study 2 examined not only whether people had a racialized outlook of immigration but also the extent to which this understanding was associated with different constructions of U.S. national identity.

To the extent undocumented immigrants are viewed unfavorably compared to documented immigrants (see Deaux, 2000)—and consistent with the anti-illegal aim of such policies— one can hypothesize that participants will show stronger support for punishing and blaming undocumented immigrants and perceive this punishment as fair and appropriate. However, rather than punish all undocumented immigrants equally and consistent with the alarmist imagery that is associated with Mexican immigrants (Chavez, 2008; Esses et al., 2001; Dovidio et al., 2010; Larsen et al., 2009; Telles and Ortiz, 2008), one can hypothesize that participants will show stronger support for punishing and blaming Mexican immigrants (compared to Canadian immigrants) and perceive this punishment as fair and appropriate.

Further, to the extent that concerns for legality operate as a smokescreen for anti-Mexican sentiments, one can hypothesize that participants will show support for punishment and perceive the punishment as fair even when the Mexican immigrant is documented. Conversely, to the extent Canadian immigrants are afforded a form of White privilege, participants will show less support for punishment and perceive this exchange as unfair even when the Canadian immigrant is undocumented.

Finally, if anti-Mexican sentiments are associated with the experience of cultural threat to dominant Euro or Anglo-centric identity, one can hypothesize that racialized understandings of the immigration debate will be associated with endorsing cultural constructions of national identity, that is, defining U.S national identity in terms of assimilation to dominant and Anglo-centric cultural values (eg., knowledge of English language).

## Method

### Participants

One hundred and forty undergraduates from the University of Kansas participated in an online study in exchange for partial course credit. For the purpose of the analyses that follow, I retained data for the 102 participants who identified as ethnically White/Caucasian and U.S. born.<sup>6</sup> The final sample consisted of 54 men and 45 women ranging in age from 18 to 35 years ( $M = 19.77$ ,  $SD = 2.26$ ).

### Procedure

The study took the form of an online study. Participants who consented to do the study first read an extract of a newspaper story (which I created) supposedly from the *Kansas City Star*. The story reported an incident in which a police officer asked an individual, whom he suspected of being undocumented, for identification to verify the individual's legal status. The individual did not have the necessary documents in person and was subsequently fined and detained in the police station (see Appendix 2 for complete stimuli). . To manipulate documentation status, I described the man as either a documented or undocumented immigrant.

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<sup>6</sup> There were not sufficient non-white or non U.S.-born respondents to examine group difference in attitudes on immigration. Besides filtering for place of birth and ethnicity, three participants were dropped based on their individuals scores: Two participants had consistent scores of 4 and 7 across the entire survey including items that were reverse scored. The third participant had z-scores above 2.75. While pattern of results were similar when all the filtered participants were included in the analysis, they did not reach conventional levels of statistical levels of significance.

To manipulate national origin, I described the man as either Joseph from Canada or José from Mexico. I randomly assigned participants to one of the four conditions associated with the intersection of these treatment manipulations. After reading the passage, participants completed the following set of measures on 7-point Likert scales (1 = *strongly disagree*, 7 = *strongly agree*, unless otherwise noted).

## Measures

***Immigrant-focused punishment.*** I developed an instrument to assess endorsement of punishment toward the immigrant in the news story. Participants rated their agreement with seven items that focused on punishing the immigrant. The items ranged in severity of punishment for failure to carry identification from giving the immigrant a warning (no punishment) to deporting the immigrant to his country of origin (most severe punishment). A principal factor analysis using promax rotation indicated a one-factor solution. I averaged across all seven items, reverse coded when appropriate, to form a single index of *immigrant-focused punishment*<sup>7</sup> ( $\alpha = .87$ ).

***Officer-focused punishment.*** I included an item that focused on punishing the police officer for his behavior in the incident (i.e., “[Immigrant] has grounds to sue the police officer for questioning and detaining him”). Participants rated their agreement with this statement and this item served as a one-item measure of *officer-focused punishment*.

***Perception of fairness.*** I created a four-item measure to assess the extent to which participants perceive the exchange between the police officer and the immigrant as fair.

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<sup>7</sup> There were two open-ended items—also assessing punishment towards the immigrant— where participants indicated the length of jail time (measured in months) and amount of fine (in U.S. dollars) that the immigrant should be subjected to as a form of punishment. However, since many participants did not complete this measure, the sample size (N= 74) was too small for a four-cell design. The small N resulted in low power to detect significant results; while the patterns of the findings are similar to that of the close-ended measures, none of them achieved conventional levels of statistical significance. Thus, I do not present findings for these measures in the current document.

Participants used a 7-point Likert scale to (1 = *Not at all fair*, 7 = *Very fair*) to indicate the degree to which they thought each item was fair (eg., “Finding [immigrant’s] behavior suspicious” and “Expecting [immigrant] to always carry his identification even when he steps out of the house for a few minutes”). As principal factor analysis using promax rotation suggested a one-factor solution, I averaged across the four items to form a single index of *perception of fairness* ( $\alpha = .70$ ).

***Evaluation of officer and immigrant.*** I created two items to assess participants’ negative evaluations of the police officer (“By finding [immigrant’s] behavior suspicious, the police officer was being a jerk. After all, he was just talking outside an ATM!”) and, the target immigrant (“[Immigrant] should have had his identification with him. He should have known better than to walk around without an ID”). I presented each item in the form of an anonymous comment made by a reader of the online news story (see Appendix 2 for the presentation of the comments). Participants indicated their level of agreement with each comment and each comment served as a single-item measure to assess whether the actions of (a) the police officer demonstrated callousness for detaining the immigrant; and (b) the immigrant demonstrated irresponsibility for not carrying his identification.

***Constructions of national identity.*** Participants completed the same measure of constructions of national identity as in Study 1 (ISSP, 1995, 2003). As in study 1, I calculated indices for *primordial* ( $r = .65$ ), *cultural* ( $r = .56$ ), and *civic* ( $r = .43$ ) constructions of national identity.

## **Results**

The primary purpose of Study 2 was to test the hypothesis that strong measures against immigrants are racialized such that concerns for legal status operate as a smokescreen for anti-

Mexican sentiments. Rather than equally punish all undocumented immigrants, study 2 tested the hypothesis that Mexican immigrants, compared to Canadian immigrants, would be punished and evaluated negatively. Findings are presented that summarize the impact of national origin (Mexico vs. Canada) and legal status (undocumented vs. documented) of immigrant as a way to test the racialized account of immigration policy. A secondary purpose was to assess the association of constructions of national identity (i.e., primordial, cultural, or civic) with racialized outlook of immigration.

### **Impact of National Origin and Legal Status on Attitudes toward Immigrants**

To test for the hypothesized effects of national origin and legal status of immigrant, I performed a series of two-way analyses of variance (ANOVAs) on measures of punishment, perceptions of fairness and evaluation of officer and immigrant<sup>8</sup>. Of specific interest, was to examine whether on outcome measures vary as a function of immigrant national origin and documentation status. To test this hypothesis, I examined the simple effects of legal status on both Mexican and Canadian immigrants (provided there was a significant two-way interaction between national origin and legal status). Means and standard deviations for each outcome appear in Table 3.

*Immigrant-focused punishment.* Results provided partial evidence for the primary hypothesis. Participants were more likely to punish undocumented immigrants ( $M=3.35$ ;  $SD=.97$ ) compared to documented immigrants ( $M= 2.32$ ;  $SD= 1.08$ ),  $F(1, 91) = 31.36$ ,  $p < .001$ ,  $\eta^2 = .25$ . Consistent with the hypothesized anti-Mexican sentiments, participants were more likely to punish Mexican immigrants ( $M= 2.98$ ;  $SD= 1.21$ ) compared to Canadian immigrants ( $M= 2.62$ ;

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<sup>8</sup> For all the analyses reported, gender, political ideology and socioeconomic status were treated as covariates. While patterns of relationships remained consistent with and without covariates, statistical significance decreased when covariates were excluded. Thus, I report analyses which include covariates.

$SD= 1.06$ ),  $F(1, 91) = 4.83$ ,  $p = .03$ ,  $\eta = .05$ . There was no significant interaction,  $F(1,91) = .03$ ,  $p > .1$ ,  $\eta < .001$  and observed power of the interaction was .05<sup>9</sup>.

***Officer-focused punishment.*** Results for this dependent measure provided partial evidence for the primary hypothesis. Participants were more likely to agree that the documented immigrant ( $M= 4.84$ ;  $SD = 1.69$ ) should sue the police officer compared to the undocumented immigrant ( $M= 3.89$ ;  $SD = 1.52$ ),  $F(1, 76) = 15.29$ ,  $p = .01$ ,  $\eta = .08$ . While, there was a pattern wherein participants were more likely to agree that the Canadian immigrant ( $M= 4.45$ ;  $SD= 1.56$ ) should sue the police officer compared to the Mexican immigrant ( $M= 4.32$ ;  $SD= 1.78$ ),  $F(1, 76) = 1.13$ ,  $p > .1$ ,  $\eta = .02$ , this did not reach conventional levels of statistical significance. There was no significant interaction between legal status and national origin,  $F(1,76) = 2.03$ ,  $p > .1$ ,  $\eta = .03$ , and observed power of the interaction was .29<sup>10</sup>.

***Ethnocentric punishment bias.*** I created a difference score based on the two punishment measures to evaluate the extent to which participants were more likely to punish the immigrant over the officer. As shown in Figure 2, there was a main effect of legal status on this measure of bias,  $F(1, 76) = 17.42$ ,  $p = .044$ ,  $\eta = .19$ . Participants were *less* likely to demonstrate anti-immigrant bias when the target was a documented immigrant ( $M= -2.60$ ,  $SD = 2.58$ ) when compared to an undocumented immigrant ( $M = -.58$ ,  $SD = 2.07$ ). There was a marginally significant main effect of national origin,  $F(1, 76) = 3.49$ ,  $p = .065$ ,  $\eta = .04$ . Participants were less likely to demonstrate anti-immigrant bias when the immigrant was Canadian ( $M = -2.04$ ,  $SD$

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<sup>9</sup> Simple effects of legal status were significant for Mexican as well as Canadian immigrants,  $p < .001$ , indicating that legal status mattered for both immigrant groups.

<sup>10</sup> Interestingly, analyses of the simple effects indicate that legal status had a significant effect when the target was a Mexican immigrant,  $F(1, 76) = 8.67$ ,  $p = .006$ , but had no effect when the target was Canadian,  $F(1, 76) = .64$ ,  $p > .1$ . This highlights the privilege afforded to Canadian immigrants as regardless of whether they were documented or undocumented, participants believed that they had the right to sue the police officer. In contrast, while participants believed documented Mexican immigrants could sue the police officer; undocumented Mexican immigrants had no such right.

= 2.25) compared to when it was a Mexican immigrant ( $M = -1.14, SD = 2.78$ ). There was no significant interaction,  $F(1, 76) = .56, p > .1$  and observed power of the interaction was .11<sup>11</sup>

**Perceptions of fairness.** Consistent with hypothesized anti-Mexican sentiments, there was a significant main effect of national origin  $F(1, 91) = 4.46, p = .04, \eta = .05$ . As seen in Figure 3, participants were more likely to perceive the interaction between the police officer and individual as fair if the immigrant was Mexican ( $M = 3.71, SD = 1.27$ ) compared to when the immigrant was Canadian ( $M = 3.23, SD = 1.23$ ). Legal status of immigrant had no effect on perceptions of fairness  $F(1, 91) = .06, p > .1, \eta = .001$ . There was no significant interaction between national origin and legal status of immigrant,  $F(1, 91) = .05, p > .1, \eta < .001$ <sup>12</sup>. In summary, participants reported the exchange as more fair when the immigrant was Mexican compared to when the immigrant was Canadian, regardless of legal status.

**Character evaluations.** Results for both items tapping character evaluation provide evidence for the primary hypothesis. A two-way ANOVA on evaluation of the police officer, demonstrated a significant effect of national origin  $F(1, 85) = 6.97, p = .01, \eta = .08$ . Participants were more likely to perceive the police officer as being callous when a Canadian immigrant was the target ( $M = 5.36, SD = 1.14$ ) than when a Mexican immigrant was the target ( $M = 4.50, SD = 1.87$ ). There was no main effect of legal status of immigrant on evaluation of the police officer,  $F(1, 85) = .31, p > .1, \eta = .004$ . In addition, there was no significant interaction between legal status and national origin of immigrant on evaluation of the police officer,  $F(1, 85) = 1.35, p > .1$  (observed power of the interaction was .21<sup>13</sup>). In summary, the pattern of results highlight the anti-Mexican sentiments present in the immigration debate and suggests that support for such

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<sup>11</sup> Analysis of simple effects of legal status on the two immigrant groups indicated that legal status mattered for both, Canadian immigrants,  $F(1, 76) = 5.35, p = .023$  as well as Mexican immigrants  $F(1, 76) = 12.57, p = .001$ , although there was a stronger effect of legal status when the target was a Mexican immigrant.

<sup>12</sup> Simple effects of legal status for Mexican and Canadian immigrants were non significant,  $ps > .1$

<sup>13</sup> Simple effects of legal status for Mexican and Canadian immigrants were non significant,  $ps > .1$

measures have little to do with fairness and equality. If a police officer were to apply such laws equally and apprehend undocumented Canadian immigrants as well as undocumented Mexican immigrants, the present findings suggest that it might lead the former to sue officers and accuse the officers of unlawfully detaining them.

Next, a two-way ANOVA demonstrated an effect of legal status and national origin on perceptions that the immigrant was irresponsible for not carrying identification. Participants were more likely to blame undocumented immigrants ( $M= 4.20, SD= 1.91$ ) compared to documented immigrants ( $M= 3.42, SD= 1.73$ ),  $F(1, 91) = 4.93, p = .029, \eta^2 = .05$ . Consistent with the hypothesized anti-Mexican sentiments, participants were more likely to blame Mexican immigrants ( $M= 4.44, SD= 1.78$ ) compared to Canadian immigrants ( $M= 3.18, SD= 1.71$ ),  $F(1, 91) = 13.054, p < .001, \eta^2 = .13$ . Results indicated no significant interaction between legal status and national origin of immigrant,  $F(1, 91) = .87, p > .1$  and observed power of the interaction was .15<sup>14</sup>.

***Ethnocentric evaluation bias.*** To evaluate whether participants were more likely to negatively evaluate the immigrant over the police officer, I created a difference score and labeled this variable as *ethnocentric evaluation bias*. There were main effects of national origin and legal status on this measure of bias (see Figure 4). Consistent with anti-undocumented immigrant sentiments, participants were more likely to negatively evaluate the immigrant over the officer when the target was an undocumented immigrant ( $M= -.61, SD= 2.88$ ) compared to a documented immigrant ( $M= -1.89, SD= 2.78$ ),  $F(1, 85) = 5.65, p = .02, \eta^2 = .06$ . Consistent with the hypothesized anti-Mexican sentiments, participants were more likely to negatively evaluate

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<sup>14</sup> Simple effects of legal status indicated that legal status mattered when the target was a Canadian immigrant  $F(1, 91) = 4.81, p = .031$ . Participants were more likely to blame the Canadian immigrant when he was undocumented compared to when he was documented. However, legal status did not matter for Mexican immigrants,  $F(1, 91) = .84, p > .1$ . Thus, participants blamed Mexican immigrants for their irresponsibility regardless of whether they were documented or undocumented.

the immigrant over the officer when the target was a Mexican immigrant ( $M = -.06$ ,  $SD = 3.09$ ) compared to a Canadian immigrant ( $M = -2.44$ ;  $SD = 1.97$ ),  $F(1, 85) = 20.63$ ,  $p < .001$ ,  $\eta^2 = .20$ . There was no significant interaction between national origin and legal status,  $F(1, 85) = .18$ ,  $p > .1$ ,  $\eta^2 = .67$  and observed power of this interaction was .07<sup>15</sup>.

Analyses so far provide evidence for a racialized understanding of immigration, which highlights not just the discriminatory treatment of Mexican immigrants but also the privilege afforded to Canadian immigrants. While legal status of immigrant mattered in people's support for punishment and evaluation of targets, there was no effect of legal status on perceptions of fairness. That is, regardless of whether the immigrant was documented or undocumented, participants were more likely to agree that the immigrant's behavior was suspicious and that it was fair to question and detain him when he was of Mexican origin. In general, results indicate that participants viewed Mexican immigrants more unfavorably when compared to Canadian immigrants.

The next set of analyses focused on the source of this racialized understanding of undocumented immigration. Specifically, the following set of analyses investigated the extent to which racialized understanding of immigration was associated with different conceptions of national identity. Based on findings from study 1 and theoretical considerations, more exclusive constructions of national identity were expected to be associated with a racialized account of immigration.

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<sup>15</sup> Analysis of simple effects of legal status indicate that legal status had a marginal effect on Canadian immigrants  $F(1, 85) = 3.54$ ,  $p = .06$ . Ethnocentric evaluation bias was stronger for undocumented Canadian immigrants when compared to documented Canadian immigrants. However, there was no significant effect of legal status on Mexican immigrants,  $F(1, 85) = 2.09$ ,  $p > .1$  suggesting that regardless of legal status, participants were more likely to demonstrate ethnocentric evaluation bias when the target was a Mexican immigrant.

## Do Constructions of National Identity Moderate Above Findings?

*Effects of national origin, legal status and constructions of national identity.* In order to test for the moderating effect of constructions of national identity, I conducted a series of hierarchical multiple regression analysis predicting *ethnocentric punishment bias* (punishing immigrant over the officer), *perceptions of fairness*, and *ethnocentric evaluation bias* (negatively evaluating immigrant over the officer). Following an Aiken & West (1991) approach, the first block of the regression analysis consisted of participant demographics: gender, political ideology and socioeconomic status. The second block of variables included the two categorical predictors (national origin and legal status of immigrant) and one of three identity measures (primordial, cultural or civic). The third block of variables included all two-way interactions involving the three predictors from block 2. Finally, the fourth block included a three-way interaction between national origin, legal status, and construction of identity (primordial, cultural or civic). I conducted three sets of hierarchical regression analyses to test the impact of each construction of identity. For the purpose of this analysis, I assigned the following dummy codes for legal status and national origin: I coded undocumented as 0 and documented as 1; Canadian as 0 and Mexican as 1. I mean centered constructions of national identity—each of which was a continuous variable—before entering them into the regression equation.

*Ethnocentric punishment bias.* Both, cultural and primordial constructions had significant moderating effects on ethnocentric punishment bias (there were no effects of civic constructions of identity). There was a two-way interaction between legal status and a *cultural* construction of identity ( $\beta = -.262$ ,  $p = .04$ ,  $R^2 = .523$ ). Using Preacher, Curran and Bauer's (2006) interaction utilities to probe this interaction, I plotted separate lines for the regression of ethnocentric enforcement bias on cultural construction of identity for documented and

undocumented immigrants (see Figure 5). Defining U.S. identity in terms of assimilation to mainstream Euro-centric values was associated with punishing undocumented immigrants *more* ( $\beta = .32, p = .05$ ) compared to documented immigrants ( $\beta = .30, p = .61$ ). There was a three-way interaction between national origin, legal status and *primordial* construction of national identity ( $\beta = -.370, R^2 = .525, p = .02$ ). Using the same interaction utilities I plotted separate lines for the regression on perceptions of fairness for undocumented and documented immigrants, and for Canadian and Mexican immigrants (see Figure 6). Analysis of simple slopes indicates that defining U.S. national identity in terms of birthplace was not associated with ethnocentric punishment bias for Canadians (documented *and* undocumented) and documented Mexican immigrants,  $ps > .1$ . However, primordial construction was associated with ethnocentric punishment bias for undocumented Mexican immigrants ( $\beta = .37, p = .06$ ). Those who defined U.S. national identity in terms of birthplace were more likely to support harsh treatment of undocumented Mexican immigrants compared to not just documented Mexican and Canadian immigrants but even undocumented Canadian immigrants.

***Perceptions of fairness.*** Findings indicated there was a three-way interaction between cultural constructions, national origin, and legal status ( $\beta = -.14, R^2 = .917, p = .04$ ). Using the same interaction utilities described above, I plotted separate lines for the regression on perceptions of fairness for undocumented and documented immigrants, and for Canadian and Mexican immigrants (see Figure 7). For the documented immigrant condition, cultural constructions were not associated with perceiving the exchange as fair for either Canadian ( $\beta = .16, p = .46$ ) or Mexican ( $\beta = .19, p = .75$ ) immigrants. However, for the undocumented immigrant condition, results indicated that those who defined national identity as assimilation to mainstream, Euro-centric values were more likely to perceive the exchange as fair when the

target was a Mexican immigrant ( $\beta = .43, p < .001$ ) compared to when it was a Canadian immigrant ( $\beta = .15, p = .04$ ). This is consistent with the hypothesized relationship between cultural constructions and anti-Mexican sentiments. Neither primordial nor civic constructions of identity moderated the relationship between immigrant national origin, legal status and perceptions of fairness.

***Ethnocentric evaluation bias.*** As shown in Figure 8, there was a two-way interaction between national origin and cultural constructions of national identity ( $\beta = .42, R^2 = .42, p = .03$ ). Regardless of legal status, cultural constructions was associated with ethnocentric evaluation bias—negatively evaluating immigrant more than the officer—when the immigrant was Mexican ( $\beta = .63, p = .002$ ) compared to when the immigrant was Canadian ( $\beta = .37, p > .1$ ). This is consistent with the hypothesized relationship between cultural constructions and anti-Mexican sentiments.

## **Discussion**

Results of study 2 extend those of study 1 by demonstrating that people distinguish among immigrants in terms of legal status and national origin. Findings illustrate that there is discriminatory treatment towards Mexican immigrants and also privilege afforded to Canadian immigrants. Participants were more likely to support punishment of Mexican immigrants than Canadian immigrants and consider Mexican immigrants as more irresponsible for not carrying documentation when compared to Canadian immigrants. Furthermore, participants perceived the officer's request for immigration paperwork and detainment of the individual as fair when the target was a Mexican immigrant (compared to a Canadian immigrant), even when the target was a documented Mexican immigrant. Rather than equally enforce legal measures against all law-breaking immigrants, Mexican immigrants—documented and undocumented—were

discriminated against and perceived more negatively and seen as deserving of harsh treatment compared to Canadian immigrants. Results suggest an opposite effect for Canadian immigrants. Participants were more likely to support punishing the police officer (i.e., suing the officer) and judging the officer's behavior as callous when the Canadian immigrant was the target. This provides evidence for a system of oppression that not only discriminates against Mexican groups but also privileges Canadians.

In addition, endorsing exclusive constructions of national identity—primordial and more so cultural—was associated with anti-Mexican sentiments. Participants who defined U.S. national identity in terms of English language and who read the story with a Mexican immigrant target (instead of a Canadian immigrant) were more likely to punish immigrants over the police officer, perceive treatment of the individual by officer as fair, and evaluate immigrants negatively over the officer. In addition, defining U.S. national identity in terms of birthplace (primordial constructions) was associated with punishing Mexican immigrants more than Canadian immigrants. Cultural and primordial constructions of identity—which have arguably manifested in recent policy developments such as a move towards ending birthright citizenship to children of undocumented immigrants and support for English-only legislation—may be employed as symbolic forms of exclusion that discriminate against not only those who are not born in the nation but also those who do not assimilate and conform to mainstream values.

### **General Discussion**

Results of the present research suggest that support for tough measures against undocumented immigration do not reflect a neutral concern for law and order. To the extent that it is about the rule of law, then one should expect participants to punish anyone who breaks the law in relation to immigration. However, results indicate otherwise: Study 1 showed that there

was a preference for punishing undocumented immigrants over U.S employers who knowingly employ them. Results from study 2 indicated that rather than punish *all* undocumented immigrants equally, there was a preference for punishing Mexican immigrants over Canadian immigrants.

### **White perception of immigrants: Realistic or symbolic threats?**

Researchers have noted that anti-immigrant sentiments 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, 1991). 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). If support for tough immigration measures reflects realistic threat of competition over material resources, then one would expect similar support for punishment of anyone contributing to this competition—immigrants and U.S. employers or Mexican and Canadian immigrants. In contrast, the present work suggests that support for tough measures are biased, reflecting racial intolerance and perceptions of cultural/symbolic threat.

Consistent with this symbolic threat story is the association of cultural constructions of national identity with anti-immigrant sentiments. Defining U.S national identity, for example, in terms of ability to speak English was associated with punishing immigrants over U.S. employers (Study 1) and punishing Mexican over Canadian immigrants (Study 2). These patterns provide an interesting framework for understanding developments in the U.S, where legislators are

considering measures to exclude people based on adoption of English as an ‘official’ language (Texas HB 81, 2009). Despite a growing emphasis on multiculturalism and diversity, English language has become a marker of national identity and social inclusion (Telles and Ortiz, 2008) and, being ‘American’ is becoming tantamount to ‘speaking American... that is English’ (Vasquez, 2011).

Finally, consistent with a Latino threat narrative in which all Latinos and Mexicans are considered ‘illegal’, participants failed to differentiate between Mexican undocumented and documented immigrants and perceived the punishment as fair when both documented and undocumented Mexican immigrants were apprehended (*ethnic lumping* of Mexican immigrants; see Chavez, 2008; Vasquez, 2011). It also suggests that this racial or ethnic lumping might be extended to *anyone* of Mexican origin—immigrants as well as U.S. citizens—and all Mexicans may be considered ‘illegal’ and deserving of antipathy and punishment. This reflects the fears of Mexicans who see themselves being discriminated more than others (Pew Research Center for People and Press, 2010b) under tough anti-immigration legislation and show that their fears and experiences are ‘objective’, legitimate, stemming from historical experiences (see Adams, O’Brien & Nelson, 2006 for work on group differences in perceptions of racism and knowledge of past acts of discrimination).

This resonates with the action-oriented liberation psychological perspective (Martín-Baró, 1994) which places emphasis on the need to de-ideologize everyday discourse—retrieve the original experiences of people and return this to them as ‘objective’ data—as a way of verifying the validity of their experiences and knowledge. This perspective emphasizes that oppressed groups’ tendencies to perceive discrimination are not distortions of objective and ‘neutral’ realities; instead, they reflect valid concerns and knowledge of systems of oppression. It

also calls for the need to design policies that incorporate perspectives of the oppressed and minority groups.

### **Limitations and Future Directions**

The current work examines the issue of undocumented immigration in the U.S. Specifically, it investigates people's attitudes towards immigrants and the extent to which they consider the immigrant's legal status and national origin (presumably race and ethnicity). Findings of the current work expose the racialized understanding of the issue of immigration and Arizona SB 1070-type legislation, however, it doesn't address what can be done about it. That is, how can one increase people's tendencies to acknowledge and challenge systems of oppression that marginalize certain groups and privilege groups that are consonant with Anglo-centric or Euro-centric values?

**Endorsing constructions of national identity.** One approach is to examine the implications of endorsing each construction of national identity—primordial, cultural and civic—individually. That is, one can investigate whether endorsing a particular construction of national identity increases or decreases critical forms of engagement and forms of collective action. The predictions associated with definitions of national identity—primordial, cultural and civic—received some support, but additional studies are needed to fully examine the impact of these constructions. Although cultural definitions had relatively consistent effects on anti-immigrant and anti-Mexican sentiments, primordial definitions had marginal effects while civic definitions had no effects. One way in which these constructs can be further examined is by creating texts that more precisely instantiate the conceptual distinctions between the three definitions of national identity and investigate the implications of endorsing each on attitudinal

measures as well as behavioral indicators of collective action (e.g., volunteering to be a part of an organization that promotes inclusiveness and multiculturalism).

**Representations of U.S. immigration history.** Another way in which one can increase people's willingness and motivation to act upon oppression is through engagement with critical forms of history (i.e., knowledge of historical accounts of oppression). Previous research has examined the impact of engaging in more critical forms of history (see Adams, O'Brien & Nelson, 2006; Kurtiş, Adams & Yellowbird, 2010; Salter, 2010) and how it can provide a means to interpret and acknowledge systems of oppression and mobilize collective resources. In the context of immigration, one can investigate the implications of engaging in more critical representations of U.S. immigration history in alerting people to the manifestations of discrimination as well as privilege and in providing an impetus for collective action. A concern for social justice calls for a recovery of historical memory (Martín-Baró, 1994) that can act as liberatory tools to confront and challenge oppression.

**White perceptions of immigration.** Another important limitation in this work is the exclusive focus on White American experience. A focus on White, U.S. born Americans is associated with my interest in how majority groups reinforce Anglo-centric values and use the notion of 'neutral' and objective concern for law as a smokescreen for anti-Mexican sentiments. However, an important task for future research is to consider the immigration debate from the perspectives of minority and immigrant groups. In line with Martín-Baró's thoughts on Liberation Psychology, there is a need to advance understandings of social issues by bringing in perspectives from the oppressed and minority groups.

**Notion of 'reasonable suspicion'.** Finally, a task for future research would be to build on the issues of 'reasonable suspicion' and racial profiling and examine not only people's

understanding of these concepts, but also get perspectives from the police officers who are required to implement such immigration policies. Recall that the present work suggested that participants are more likely to blame the police officer for his callousness when the target was a Canadian immigrant—even when the Canadian immigrant was undocumented. One way of interpreting this result is that there are racial groups that are acceptable to approach (e.g., Mexicans) whereas other groups are off limits or should not be subject to the same suspicion and treatment (e.g., Canadians). This could reflect the desire—amongst White Americans—to use techniques such as racial profiling in implementing immigration policies; by selectively apprehending and punishing immigrants who fit the schema of an “illegal alien” thus privileging others as not being “reasonably suspicious”.

### **Concluding Remarks**

The discussion so far has highlighted the extent to which tough policies against undocumented immigration are less a function of concern for legal status than anti-immigrant and more specifically, anti-Mexican sentiment. This interpretation emphasizes the need for policies that emphasize equal provision of human rights and protect citizens *and* immigrants from discriminatory treatment. There is an additional, corresponding interpretation that focuses on the idea that support for such policies reflects denial of human rights and discrimination against those with marginalized identities, but also awards privilege to those who belong to mainstream, Euro or Anglo-centric groups and occupy positions of racial/ethnic dominance (eg., U.S. citizens and Canadian immigrants). An implication of the latter interpretation is that there are many law-breaking U.S. citizens and Canadian immigrants who go unpunished. The findings from the two studies suggest that immigrants are more likely to be punished compared to U.S. employers (Study 1) and Mexican immigrants are more likely to be the targets of punishment

compared to Canadian immigrants (Study 2). Related to this set of findings is that certain groups have a privileged status; for example, although U.S. employers may break the law, they are not as likely to be targets of punishments as the immigrants themselves. In addition, law-breaking Canadian immigrants are less likely to be considered 'suspicious' and punished compared to Mexican immigrants.

Rather than being apolitical or 'rational', the law is revealed to be an ideological construct that legitimizes and reinforces the dominant discourse (eg., the 'illegal' Mexican immigrant) and group-based hierarchies (see Sidanius & Pratto, 1999). This also resonates with the theoretical perspective of Critical Race Theory, which examines the socially constructed nature of law and its role in promoting and re-producing systems of domination and oppression (Adams & Salter, 2011; Crenshaw, Gotanda, Peller & Thomas, 1995; Telles & Ortiz, 2009; Vasquez, 2011). To the extent that the legal framework *legitimizes* the use of racial power, legal scholarship about race and ethnicity becomes an important source for the construction of power (Adams & Salter, 2011). Across the decades, laws on immigration in the U.S. have legitimized notions of inclusiveness and exclusiveness and constructed the 'illegal alien'. This is evidenced from naturalization laws in the late 1700s that required all immigrants to be 'White' and 'Caucasian'; everyone else was considered 'illegal', blameworthy and punished. Further, by requiring proof of citizenship in obtaining drivers licenses, undocumented immigrants are forced to commit an 'illegal' activity by driving without licenses to carry out their day-to-day lives. In this way, the legal framework maintains the alarmist Latino imagery, which associates all Latinos and Mexicans as *being* 'illegal' and *doing* 'illegal' (Chavez, 2008). 'Through *policies* which are implicitly racial, state organizations organize and enforce the racial politics of everyday life' (quoted in Vasquez, 2011).

The present work critically analyzes the prevailing discourse on immigration—in particular, undocumented immigration—and national identity, and represents a departure from forms of research and analysis that consider the law as ‘neutral’ and positionless. It deconstructs the professed ideals of the ‘rule of law’ and ‘equal protection before law’ and reveals the (invisible) positionality of the legal framework. Rather than arguing for the need to be neutral or ‘positionless’, I argue that it is important to take into account different ideologies and recognize that the so-called positionless and neutral ‘standard’ is also positioned—grounded in predominantly Euro or Anglo-centric understandings.

Recognizing and revealing the constructed nature of the legal framework is the first step towards dismantling the system of racial privilege. In the context of immigration, this highlights the need to recognize immigrants’ contribution in the structural demand for labor (Sassen, 1989) and more importantly, recognize that (il)legality is socially, culturally and politically constructed (Chavez, 2008). Finally, a true concern for law, order and justice requires that one equally applies penalties against *all* those who break the law—apply penalties against law-breaking U.S. employers and law-breaking Canadian immigrants with the same enthusiasm as one shows for applying penalties against law-breaking Mexican immigrants.

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## Appendix 1

### Study 1: Materials

#### 1. Support for Immigration Policy (based on provisions in Arizona SB 1070):

Instructions: Please read each of the policy statements below and indicate the extent to which you support them.

*Strongly disagree*

*Strongly Agree*

**1**

**2**

**3**

**4**

**5**

**6**

**7**

- \_\_\_ 1. States should have the right to question people about their immigration status if they suspect they are in the U.S. illegally
- \_\_\_ 2. States should have the right to question and detain anyone without proper identification who is suspected of being in the U.S. illegally
- \_\_\_ 3. Authorities should penalize, jail or otherwise punish American businesses that knowingly recruit and employ illegal immigrants
- \_\_\_ 4. Authorities should prosecute and punish Americans who exploit illegal immigrants for their labor or other services.

#### 2. Measure of national identity (Kosterman & Feshbach, 1989):

Instructions: Please use the scale below to indicate how you feel about America.

*Strongly disagree*

*Strongly Agree*

**1**

**2**

**3**

**4**

**5**

**6**

**7**

- \_\_\_ 1. I feel a strong attachment towards America.
- \_\_\_ 2. Being American is important to me.
- \_\_\_ 3. The more the United States actively influences other countries, the better off these countries would be.

\_\_\_4. To maintain our country's superiority, war is sometimes necessary.

\_\_\_5. The USA should not dominate other countries.

\_\_\_6. I find the sight of the American flag very moving.

3. Constructions of national identity (adapted from ISSP 1995, 2003):

Instructions: Please use the scale below to indicate what it means to be a true American.

*Strongly disagree*

*Strongly Agree*

**1**

**2**

**3**

**4**

**5**

**6**

**7**

*To be truly American, it is important to...*

\_\_\_ 1. Have been born in America

\_\_\_ 2. Have American citizenship

\_\_\_ 3. Have lived in America for most of one's life

\_\_\_ 4. Be able to speak English

\_\_\_ 5. Feel American

\_\_\_ 6. Know America's history

4. Demographics:

1. What is your age? \_\_\_\_\_

2. What is your gender? \_\_\_\_\_

3a. Are you a college student?  Yes  No

3b. If yes to 3a then what year in college are you in?

Freshman  Sophomore  Junior  Senior  5<sup>th</sup> year senior  6 or more years

4. Which of the following best describes your ethnic and/or racial background? If more than one category is appropriate for you, check all that apply.

- |  |   |
|--|---|
| <input type="checkbox"/> African American/Black        | <input type="checkbox"/> Latino(a)/Hispanic     |
| <input type="checkbox"/> American Indian/Alaska Native | <input type="checkbox"/> White/Caucasian        |
| <input type="checkbox"/> Asian/Pacific Islander        | <input type="checkbox"/> Other (Specify: _____) |

5. Were you born in the United States?       Yes       No

6. What is your family's income level each year?

- Below \$25,000       \$25,001 - \$50,000       Above \$50,001       Don't Know

7. How would you describe your political party preference?

- |   |   |
|---|---|
| <input type="checkbox"/> Strong Democrat      | <input type="checkbox"/> Independent Republican       |
| <input type="checkbox"/> Weak Democrat        | <input type="checkbox"/> Weak Republican              |
| <input type="checkbox"/> Independent Democrat | <input type="checkbox"/> Strong Republican            |
| <input type="checkbox"/> Independent          | <input type="checkbox"/> Other -Please Specify: _____ |

8. How would you describe your political outlook?

- Very Liberal
- Liberal
- Somewhat Liberal
- Neither Liberal or Conservative
- Somewhat Conservative
- Conservative
- Very Conservative
- Other -Please Specify: \_\_\_\_\_

## Appendix 2

### Study 2: Materials

#### Condition 1: Documented Mexican immigrant

**Instructions:** Below you will see a snapshot of a newspaper article. Please read the article carefully as you will be asked some questions about it.

THE KANSAS CITY STAR  
**KansasCity.com**  
 HOME NEWS SPORTS BUSINESS ABOUT US JOBS CARS HOMES RENTALS ENTERTAINMENT OPINION BLOGS OBITS  
 CONTESTS CONTACT US LOCAL SHOPPING

38° Cloudy  
 44° High  
 30° Low  
 Forecast  
 Weather alert

GREAT BRANDS.  
 BRIGHT IDEAS.  
 ROLLOVER TO SEE  
 HOW YOU CAN SAVE.  
 UP TO \$39 IN SAVINGS

HAVE YOU TRIED THIS YET?  
 Pantene

KansasCity.com  
 Web Search powered by YAHOO! SEARCH

Posted on Sat, Mar. 12, 2011 1:20 PM  
 Email Print

**Police detains 29-year old immigrant for not carrying identification.**  
 By Staff | March 12, 2011

It was late Friday night, when Jose realized that he was out of cash. He walked over to an atm nearby. While he was waiting outside the atm, he received a call and decided to finish with the call before walking inside to withdraw money.

A police officer walked by and, finding his behavior suspicious, asked Jose to show some form of identification. Since Jose had just left his house to withdraw some money, all he had in his pockets were an atm card and phone and, thus was unable to provide the necessary documentation to verify his legal status. Jose was handcuffed and taken to the nearest police station for further questioning where it was discovered that he was a legal immigrant from Mexico.

Jose was not given the right to make a phone call and was detained overnight. Jose was annoyed and frustrated at not just being detained overnight but also, for not being able to attend an important meeting with a client, that he had the next morning. He has accused the officer for infringing upon his rights.

Read More

Dermatology: Hate Her!  
 Local Mom Reveals \$5 Trick To Erase Wrinkles With Stocking. Part 10

Lawrence Mom Earning \$6,795/mo Online  
 She makes over \$6,795 almost working from home! Read how she...

E-Cigarettes Exposed  
 The E-Cigarette craze is sweeping the country, it's really hot!

RDS BY YAHOO! COM

Lawrence: Dermatology: Hate Her!  
 Local Mom Exposes an Anti-Aging Miracle. Her \$5 TRICK ERASES WRINKLES!

Lawrence Job Scam (EXPOSED)  
 The Investigator work at home jobs and what we found may shock you...

Condition 2: Undocumented Mexican immigrant

THE KANSAS CITY STAR  
**KansasCity.com**

38° Cloudy  
44° High  
30° Low  
Forecast  
Weather alert

HOME NEWS SPORTS BUSINESS LIFESTYLE CARS HOMES RENTALS CLASSIFIEDS OPINION BLOGS OBITS

CONTACT US ABOUT US JOBS

LOCAL SHOPPING

PLACE AN AD

UP TO \$39 IN SAVINGS  
GREAT BRANDS. BRIGHT IDEAS. ROLLOVER TO SEE HOW YOU CAN SAVE.  
Pantene PANTENE  
HAVE YOU TRIED THIS YET?  
P&G

KansasCity.com

Web Search powered by **YAHOO!** SEARCH

Posted on Sat, Mar 12, 2011 1:20 PM

Share

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A police officer walked by and, finding his behavior suspicious, asked Jose to show some form of identification. Since Jose had just left his house to withdraw some money, all he had in his pockets were an atm card and phone and, thus was unable to provide the necessary documentation to verify his legal status. Jose was handcuffed and taken to the nearest police station for further questioning where it was discovered that he was an immigrant from Mexico, whose visa had expired a few months ago.

Jose was not given the right to make a phone call and was detained overnight. Jose was annoyed and frustrated at not just being detained overnight but also, for not being able to attend an important meeting with a client, that he had the next morning. He has accused the officer for infringing upon his rights.

[Read More](#)

DERMATOLOGISTS Hate Her!  
Local Mom Reveals \$5 TIKI To Ease Wrinkles With Shocking Results

LAWRENCE Mom Earning \$6,796/mo Online  
Site makes over \$100 a month working from home! Read how she....

E-Cigarettes Exposed  
The E-Cigarette craze is sweeping the country. Is it really that good?

LAWRENCE: Dermatologists Hate Her!  
Local Mom Exposes an Anti-Aging Miracle. Her \$5 TIKI ERASES Wrinkles!

LAWRENCE Job Scam (EXPOSED)  
We investigated work at home jobs and what we found may shock you....

Condition 3: Documented Canadian immigrant

THE KANSAS CITY STAR  
**KansasCity.com**

38° Cloudy  
44° High  
30° Low  
Forecast  
Weather alert

HOME NEWS SPORTS BUSINESS LIFESTYLE CARS HOMES RENTALS OPINION BLOGS OBITITS

CONTESTS CONTACT US ABOUT US JOBS CLASSIFIEDS

PLACE AN AD

LOCAL SHOPPING

**HAVE YOU TRIED THIS YET?**

**UP TO \$39 IN SAVINGS**

Web Search powered by **YAHOO!** SEARCH

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Joseph was not given the right to make a phone call and was detained overnight. Joseph was annoyed and frustrated at not just being detained overnight but also, for not being able to attend an important meeting with a client, that he had the next morning. He has accused the officer for infringing upon his rights.

[Read More](#)

DERMATOLOGISTS HATE HER!  
Local Mom, Parents, \$5 Trick To Erase Wrinkles With Shocking Results

LAWRENCE MOM EARNING \$6,795/MO ONLINE  
She makes one \$6,795 a month working from home! Read how she...

E-CIGARETTES: EXPOSED  
The E-Cigarette craze is sweeping the country. Is it really "harmless"?

LAWRENCE: DERMATOLOGISTS HATE HER!  
Local Mom Exposes an Anti-Aging Miracle. Her \$5 TRICK ERASES WRINKLES!

LAWRENCE: JOB SCAM (EXPOSED)  
We investigated work-at-home jobs, and what we found may shock you...

## Condition 4: Undocumented Canadian immigrant

THE KANSAS CITY STAR  
**KansasCity.com**

44° High  
30° Low  
Forecast  
Weather alert

38°  
Cloudy

HOME NEWS SPORTS BUSINESS LIFESTYLE ENTERTAINMENT OPINION BLOGS OBITS

CONTESTS CONTACT US ABOUT US JOBS CARS HOMES RENTALS CLASSIFIEDS

PLACE AN AD

LOCAL SHOPPING

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KansasCity.com

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GO

Posted on Sat, Mar. 12, 2011 1:20 PM

Share Email Print

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By Staff | March 12, 2011

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A police officer walked by and, finding his behavior suspicious, asked Joseph to show some form of identification. Since Joseph had just left his house to withdraw some money, all he had in his pockets were an atm card and phone and, thus was unable to provide the necessary documentation to verify his legal status. Joseph was handcuffed and taken to the nearest police station for further questioning where it was discovered that he was an immigrant from Canada whose visa had expired a few months ago.

Joseph was not given the right to make a phone call and was detained overnight. Joseph was annoyed and frustrated at not just being detained overnight but also, for not being able to attend an important meeting with a client, that he had the next morning. He has accused the officer for infringing upon his rights.

[Read More](#)

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	Dermatologists Hate Her! Local Mom Reveals \$5 Trick To Erase Wrinkles With Shocking Results
	Lawrence Mom Earning \$6,795/mo Online She makes over \$6,795 a month working from home! Read how she...
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	Lawrence: Dermatologists Hate Her! Local Mom Exposes an Anti-Aging Miracle. Her \$5 Trick ERASES Wrinkles!
	Lawrence Job Scam (EXPOSED) We investigated work at home jobs and what we found may shock you...

## Measures

### 1. Support for punishment

Instructions: We would like you to answer some questions about this event. Please indicate your responses to the following statements by selecting the appropriate number using the scale below.

*Strongly disagree*

*Strongly Agree*

1

2

3

4

5

6

7

- \_\_\_1. José/Joseph has grounds to sue the police officer for questioning and detaining him.
- \_\_\_2. The police officer should have given José/Joseph a warning, asking him to always have the verification documents in his possession (no punishment)
- \_\_\_3. José/Joseph should be taken to the nearest police station for further questioning.
- \_\_\_4a. José should be detained at the police station.
- \_\_\_\_\_4b. In your opinion, what should the length of the jail time be? (*indicate in terms of months/years*)
- \_\_\_5. José/Joseph should pay for the jail costs.
- \_\_\_6a. In addition to jail costs, José/Joseph should pay a fine.
- \_\_\_\_\_6b. In your opinion, how much fine should José/Joseph pay? (*indicate in terms of dollars*)
- \_\_\_7. José/Joseph should be transferred to the custody of US immigration and customs enforcement/US customs and border protection department.
- \_\_\_8. José/Joseph should be deported to Mexico.

### 2. Perceptions of fairness

Instructions: Now we would like you to answer some more questions about the exchange between José/Joseph and the police officer and extent to which you think it was fair and legitimate. Please use the scale below to indicate your response.

*Not at all fair**Somewhat fair**Very fair***1****2****3****4****5****6****7**

\_\_\_\_\_ 1. Finding José/Joseph's behavior suspicious

\_\_\_\_\_ 2. Expecting José/Joseph to always carry his identification even when he steps out of the house for a few minutes.

\_\_\_\_\_ 3. Asking for documents to verify José/Joseph's legal status

\_\_\_\_\_ 4. Detaining José/Joseph at the police station for not having his identification on him.

### 3. Evaluation of the officer and immigrant

**Instructions:** Now you will see some of the comments made by the readers. Please read each of them carefully and respond to each comment by circling the number in the given scale.

#### **Comment #1:**

*Strongly disagree**Strongly Agree***1****2****3****4****5****6****7**

Sort by   Subscribe by email  Subscribe by RSS

 **anonymous** 2 days ago

By finding Jose's behavior suspicious, the police officer was being a jerk. After all, he was just talking outside an atm!

Sort by   Subscribe by email  Subscribe by RSS

 **anonymous** 2 days ago

By finding Joseph's behavior suspicious, the police officer was being a jerk. After all, he was just talking outside an atm!

**Comment #2:**

 **anonymous** 1 day ago

Jose should have had his identification with him. He should have known better than to walk around without an id.

Like Reply

 **anonymous** 1 day ago

Joseph should have had his identification with him. He should have known better than to walk around without an id.

Like Reply

*Strongly disagree*

1

2

3

4

5

*Strongly Agree*

6

7

4. Constructions of national identity (adapted from ISSP 1995, 2003). Please refer Appendix 1.

5. Demographics. Please refer Appendix 1.

## Table and Figures

**Table 1. Means, standard deviations, and inter item correlations of key variables (N=100)**

Variable	M	SD	1	2	3	4	5	6	7	8
1. Nationalism	3.63	1.32	--							
2. Patriotism	5.64	1.49	.56***	--						
3. Primordial Identity	4.51	1.87	.34***	.49***	--					
4. Cultural Identity	5.73	1.36	.47***	.67***	.71***	--				
5. Civic Identity	5.01	1.52	.17*	.23**	0.1	.38***	--			
6. Immigrant-focused <sup>1</sup>	4.57	1.7	.43***	.43***	.23**	.36***	0.01	--		
7. Employer-focused <sup>2</sup>	4.51	1.66	0.13	.29**	.22*	.31**	.28**	.18*	--	
8. Bias <sup>3</sup>	0.16	1.8	.17*	0.06	0.04	0.01	-.23*	.50***	.72***	--

*Note.* <sup>1</sup> Immigrant-focused law enforcement; <sup>2</sup> Employer-focused law enforcement; <sup>3</sup> Ethnocentric enforcement bias (punishing undocumented immigrants over employers who illegally employ them)

\*  $p < .05$ ; \*\*  $p < .01$ ; \*\*\*  $p < .001$ .

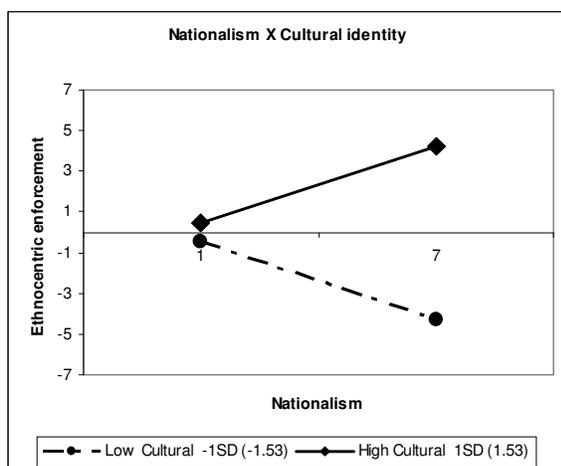
**Table 2. Multiple regression analysis of nationalism and patriotism on support for immigration policy.**

Predictors	Immigrant-focused	Employer-focused	Ethnocentric Enforcement Bias
Patriotism	.29***	.33**	-.07
Nationalism	.26**	-.06	.22 <sup>+</sup>
Total R <sup>2</sup>	.24	.09	.04

<sup>+</sup>  $p = .06$ ; \*\*  $p < .01$ ; \*\*\*  $p < .001$ .

Note. Cell entries represent standardized slopes. The table reports results without covariates. Analyses with gender, age and SES as covariates produced similar results.

**Figure 1. Interaction of nationalism and cultural constructions of national identity on ethnocentric enforcement bias for study 1.**



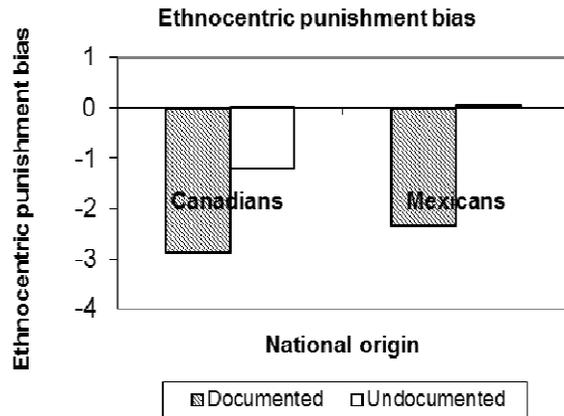
**Table 3. Effects of national origin and legal status on outcome variables**

	<i>Mexican immigrant</i>		<i>Canadian immigrant</i>	
	<i>Documented</i>	<i>Undocumented</i>	<i>Documented</i>	<i>Undocumented</i>
Immigrant-focused punishment	2.54 (1.03)	3.60 (1.20)	2.07 (1.11)	3.15 (.70)
Officer-focused punishment	4.84 (1.82)	3.58 (1.46)	4.83 (1.54)	4.14 (1.55)
Ethnocentric punishment bias <sup>1</sup>	-2.32 (2.72)	-.02 (2.31)	-2.95 (2.38)	-1.10 (1.77)
Perceptions of fairness	3.72 (1.05)	3.70 (1.56)	3.28 (1.14)	3.19 (1.33)
Evaluate officer	4.76 (1.77)	4.20 (2.01)	5.22 (1.43)	5.52 (0.87)
Evaluate immigrant	4.24 (1.62)	4.60 (2.01)	2.63 (1.44)	3.76 (1.78)
Ethnocentric evaluation bias <sup>2</sup>	-.52 (3.01)	.40 (3.20)	-3.11 (1.23)	-1.76 (2.22)

*Note.* Cell entries refer to mean scores (and standard deviations) for each condition.

<sup>1</sup> Punishing immigrant over police officer; <sup>2</sup> Negatively evaluating immigrant over police officer

**Figure 2. Effect of national origin and legal status on ethnocentric punishment bias.**



**Figure 3. Effect of national origin and legal status on perceptions of fairness.**

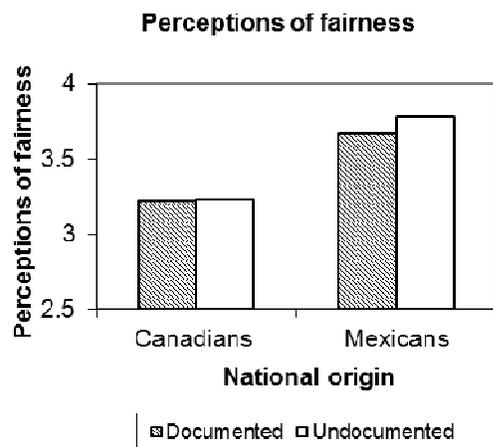
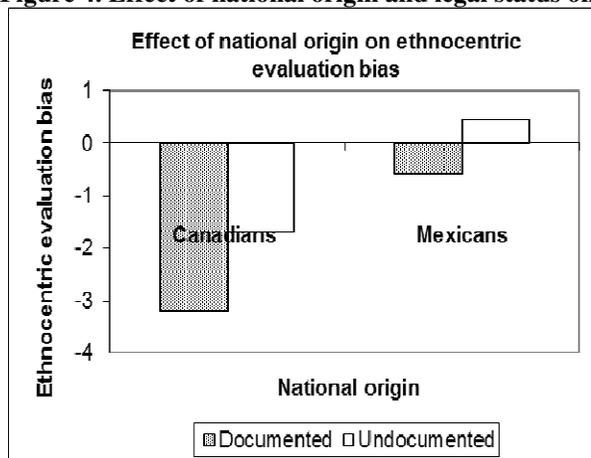
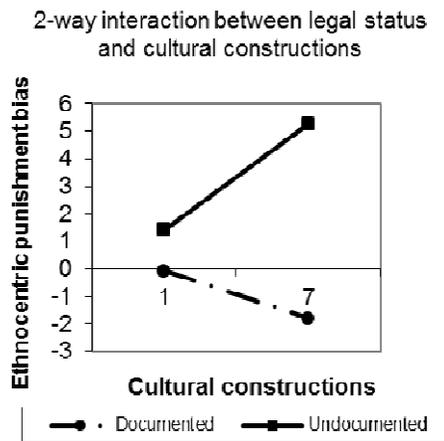


Figure 4. Effect of national origin and legal status on ethnocentric evaluation bias.



**Figure 5. 2-way interaction between legal status and cultural constructions of identity**



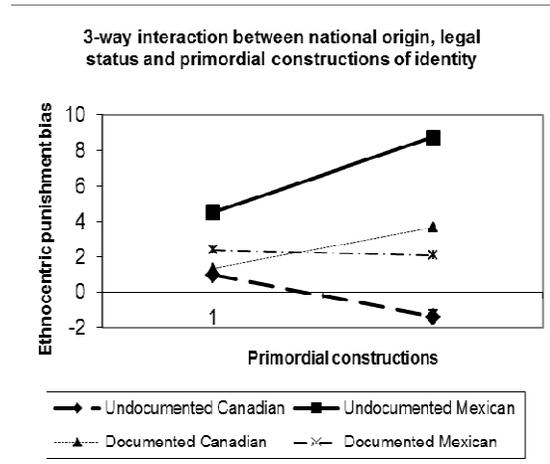
**Figure 6. 3-way interaction between national origin, legal status and primordial constructions of identity**

Figure 7. 3-way interaction between national origin, legal status and cultural constructions on perceptions of fairness

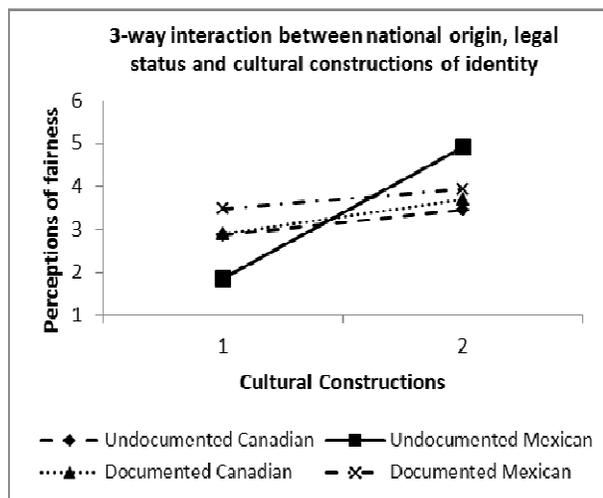


Figure 8. 2-way interaction between national origin and cultural constructions on ethnocentric evaluation bias.

