

## INTRODUCTION

### *The Subaltern Past of Immigrant Rights*

Thus the writing of history must implicitly assume a plurality of times existing together, a disjuncture of the present with itself. Making visible this disjuncture is what subaltern pasts allow us to do.

—DIPESH CHAKRABARTY, *Provincializing Europe*

You have made me indestructible because with you  
I do not end in myself.

—PABLO NERUDA, “To My Party”

Struggles for immigrant rights have a long history in the United States. Most people, including those deeply involved in contemporary immigrant rights organizing, are unaware of the existence of this subaltern past. It has been obscured by a more familiar “Nation of Immigrants” narrative, in which immigrants arrive and face minor obstacles before assimilating to become part of a nation that is, in turn, enriched by the diversity conveyed by their presence. Yet the other past of immigrant rights—in which migrants contend with protracted animosity to their presence by collectively creating alternative political and cultural formations—has been there all along.<sup>1</sup>

By tracing the subaltern past of immigrant rights organizing during the twentieth century, this book aims to render this elusive history visible. It does so in large part by pursuing the history of the American Committee for the Protection of the Foreign Born (ACPFB), a multiracial organization with a broad national network among foreign-born communities. Emanating from the liberal-left coalitions of the Popular Front era, the ACPFB started operations in New York City in 1932; the organization’s central office closed its doors there in 1982, which was a moment of ascendance for other immigrant rights organizations.

The multiracial, networked nature of the ACPFB makes its archives rich in the subaltern pasts of twentieth-century immigrant rights organizing. Founded in response to crises of what the organization referred to as “the deportation terror,” the ACPFB was shaped by broad, transnational

mobilizations around labor and civil rights throughout the twentieth century. The mobilizations of the 1930s drew on different aspects of the left, including, as Benjamin Balthaser describes, Communists as well as “liberal antifascists, socialists and black nationalists, often linking questions of racial oppression in the United States to colonialism abroad.” Immigrant rights formations in this era connected the transnational experiences of migrants to the internationalist, antiracist analysis and political channels of the Communist Party and the Popular Front.<sup>2</sup>

The ACPFB advocated for the foreign born against the increasing repression of immigration enforcement over the course of the twentieth century. The central office in New York organized supporters and engaged in media and political advocacy. The office also functioned as a hub connecting networks of foreign-born communities throughout the nation: northern Minnesota, southern Texas, and the Lackawanna Valley in Pennsylvania, to name only a few. Sometimes these connections resulted in the lasting formation of a local Committee for the Protection of the Foreign Born. As often, they did not. The history of the ACPFB, therefore, embeds myriad subaltern pasts. Some of them are traceable through the archives left in the correspondence of short-lived organizations, such as the Klamath Valley Committee for the Protection of the Foreign Born. Many others left little in the way of a paper trail. But the short-term connections between the central office and migrant crises reflected flashpoints in ongoing struggles. The history of this one organization, then, contains the traces of a much broader story.<sup>3</sup>

Struggles for immigrant rights exist in a dialectical relationship with technologies of immigration enforcement that imbue the status of being “foreign born” with distinct juridical meaning. Evidenced by the migration of the immigration service from its inception as part of the Treasury Department in 1891 to the Department of Labor (1903), the Department of Justice (1940), and, most recently, the Department of Homeland Security (2011), immigration enforcement became a central aspect of domestic as well as international governance over the course of the twentieth and twenty-first centuries. Migrants contested the enhanced regulation of their daily lives. Immigration enforcement affected their access to work, housing, relief, and education, and, as deportation became a key technology of the immigration service, their right to remain in the country. Being foreign born meant being vulnerable to deportation and constant subjection to inspection, surveillance, and policing by the federal immigration forces. Very often, these forces collaborated with local law enforcement to repress labor and civil rights organizing among the foreign born and their allies.<sup>4</sup>

The access of the foreign born to assimilation was regulated by laws regarding race and national origin. Many migrants were legally or cultur-

ally prohibited from becoming citizens by exclusionary immigration laws and labor policies, and by a racial common sense that equated eligibility for citizenship with whiteness. And, because ideological loyalties could impede their progress toward Americanization, migrants were particularly vulnerable to deportation or denaturalization on grounds of their politics, actual or suspected. Migrants racialized by the infrastructure of U.S. immigration laws and those with radical political beliefs and/or associations felt the brunt of immigration enforcement. As a result, these migrants often became engaged in immigrant rights organizing.

Resisting immigration enforcement, migrants forged alternative identities. They summoned transnational histories and drew on alliances formed after their arrival, creating “migrant imaginaries” that, in the words of Alicia Schmidt Camacho, “define[d] justice in terms that surpass[ed] the sovereignty of nations or the logic of capital accumulation, just as their struggles revive[d] the repudiated body of the migrant as the agent for ethical survival.” These migrant imaginaries deployed identities created by immigration enforcement: immigrant, foreign born, racialized, and/or un-American other. Through the networks that connected them to the ACPFB, migrants drew on the language of the transnational left to describe their experiences of repression as part of a larger system of global racial capitalism. Political theorist Chantal Mouffe describes the political necessity of creating a “chain of equivalence” that allows for a “convergence . . . that recognizes the specificities of different struggles but also fiercely recogniz[es] the commonalities and solidarities among the various struggles.” Over the course of its fifty years of existence, the ACPFB provided such a space of convergence for a broad array of migrants facing deportation and repression.<sup>5</sup>

As a juridical category, the identity of being “foreign born” took on increased meaning over the course of the twentieth century, locating migrants in an alien category, distinct from the native born. The term circulated in legal as well as in mass-media discourse, conjuring a sense of alienness. Being “foreign born” placed migrants into a queer relationship with the state, which, by the logic of the “Nation of Immigrants” paradigm, functioned as police and parent. In this paradigm, immigration enforcement regulated the process of harmonious assimilation into national life, which was to culminate in naturalization into citizenship and full membership in the nation. The Americanization process had an implicit developmental teleology, in which assimilation represented individual and collective uplift. The naturalization of immigrants also functioned to affirm the legitimacy of claims to land confiscated by prior generations of Euro-American migrants from indigenous people, who themselves were able to naturalize broadly only as a result of the Indian Citizenship Act of 1924.

Their collective queer natality located migrants outside the linear time frame, or temporality, of assimilation and eventual naturalization into a narrowly defined national identity, conveying, as Mark Rivkin explains in another context, “a sense of being out-of-sync with Euroamerican narratives of development.”<sup>6</sup> The “Nation of Immigrants” narrative, with its assumptions of common progress toward an American identity modeled on the experience of European immigrants, failed to describe the experiences of many twentieth-century migrants, including contract laborers, transnational activists, and itinerant workers.

Many of these foreign-born Americans inhabited what Jack Halberstam calls “nonnormative logics and organization of community, sexual identity, embodiment and activity in space and time.” Eric Tang describes the alternative sense of time prevalent among contemporary Cambodian refugees as a “refugee temporality” linking their struggles in Cambodia with those of refugee transit and their new homes in the United States. This alternative temporality resists the “Nation of Immigrants” narrative, in this case, what Tang calls a “refugee exceptionalism” equating their resettlement with salvation. “Out-of-sync” formations like refugee temporality have long been a wellspring for migrant imagination and organizing. Often in concert with native-born allies, migrants participated in creating rich American identities defined outside a developmentalist trajectory, innovating new interpretations of citizenship and rights.<sup>7</sup>

Literary scholar Elizabeth Freeman points to conflicts over “not only the shrapnel of failed revolutions but also one or more moments when an established temporal order gets interrupted and new encounters consequently take place.” The disruption of established temporal orders, Freeman explains, can lead to new relationships. Many migrants inhabited temporalities that looked to other horizons besides assimilation and citizenship: they did not recognize the necessity of their slow transformation into Americans. Instead, they claimed membership in a nation of workers linked by “transnationalism from below.” Their Americanism was constituted through internationalism. As Guatemalan American labor organizer Luisa Moreno proclaimed in 1949, prior to her eventual deportation: “This Latin American alien came here to assist you in building and extending American democracy.” Moreno parodied the logic of assimilation by asserting that her encounter as an “alien” with the nation enabled her contribution to American democracy.<sup>8</sup>

While their experience took place in nonnormative temporalities, the foreign born also inhabited alternative spatial imaginaries that inspired their resistance to immigration enforcement. Transnational migrants carried with them cognitive maps of the world that differed radically from those dictated by national diplomatic and security priorities, often recog-

nizing parallels between immigration enforcement and military policies abroad. These alternate spatial imaginaries drew them into internationalist alliances with migrants from other national origins. For example, the multiracial Los Angeles Committee for the Protection of the Foreign Born (LACPFB) came into being in 1950, when foreign-born Euro-Americans, diasporic Koreans, and Mexican Americans recognized the parallels between the repressive, U.S.-backed regime in South Korea, McCarthyist attacks on foreign-born organizers, and the immigration dragnets of Operation Wetback. The historical memories and alternate geographies of these foreign-born communities shaped the LACPFB.

The subaltern past of immigrant rights coexists with the liberal multiculturalism of the “Nation of Immigrants” narrative, in which even political struggles for rights lead gradually to broad acceptance. The “Nation of Immigrants” story is progressive and uplifting, claiming that the forces of tolerance and inclusion prevail over racism and nativism, to the broad benefit of the nation. In contrast, the subaltern past of immigrant rights is not a triumphant narrative. Immigrant rights advocates created multiracial alliances that advanced the causes of equal access to citizenship and rights; they publicized their positions, at times gaining traction in the mass media as well as in national political and human rights advocacy discourses. But although advocates succeeded in defending some individuals against deportation, the ACPFB was unable to prevent federal immigration enforcement from waging repeated campaigns of deportation terror, which wrought havoc on well-ensconced migrant communities. These campaigns have continued into the twenty-first century. Barack Hussein Obama, whose American birth was frequently contested by his political enemies, left office after having presided over record-high deportation numbers. His successor, Donald Trump, brandishes the deportation terror against supposed “criminal aliens” in the name of “national security and public safety,” making such public spaces as schools and courthouses increasingly dangerous for the approximately twelve million undocumented immigrants currently residing in the United States.<sup>9</sup>

What is the legacy of this subaltern past? As Robin D. G. Kelley argues in his analysis of contemporary Black university student organizing, “winning is not always the point.” Resistance is a long, creative, collaborative process of struggling to understand and build institutions counter to the powers that be. Nadia Ellis draws on Jose Esteban Muñoz to describe failure as a “territory of the soul,” noting that failure always contains a “utopian reach.” What appears to be failure in the short term, then, seeds alternate futures.<sup>10</sup>

The achievements of the subaltern past can be difficult to discern. Because the history of immigrant rights is dialectically entwined with that

of immigration enforcement, limited successes often resulted in enhanced repression. For example, ACPFB general counsel Carol Weiss King's successful defense of Australian-born labor organizer Harry Bridges against accusations of Bridges's "past membership" in the Communist Party in 1940 was followed almost immediately by new federal legislation authorizing deportation on grounds of prior activities. Lightning-fast responses like these function to obscure accomplishments taking place in the subaltern past.<sup>11</sup>

Over the course of the twentieth century, immigrant rights advocates mustered substantial resistance to escalating surveillance, enforcement, and deportation, creating alliances and coalitions among foreign- and native-born communities. They forged connections that often spilled over into other struggles, defining their own terms of belonging. They aspired to alternative horizons for democracy and justice throughout the twentieth century and beyond; they created networks that persisted despite repression, generating other spaces and times for resistance. Ellis describes the alternative horizon of queer Black diasporic temporality: "This, to recapitulate, is a future-oriented belonging, a feeling for place that relies on the belief in a surely finer place to come."<sup>12</sup>

The history of immigrant rights is entwined with the emergence of what some scholars have called "neoliberalism." As a distinct phase of global racial capitalism, neoliberalism is characterized by "free trade," or increasing economic collaboration across national borders; by the deregulation of industrial, agricultural, and resource extraction; and by declining investments in the social wage through the defunding of public institutions. Economic deregulation means fewer workplace protections and lower wages for workers, while lowered investment in public infrastructure leads to increased economic inequality and declining civil rights protections. Neoliberal doctrine prescribes austerity for workers and for the public sector as a means to prosperity for transnational corporations and their executives; it undermines labor rights in the name of "free trade."<sup>13</sup>

The contradictions of neoliberalism have particularly severe implications for the foreign born. Many migrants leave homelands wracked by the effects of enforced austerity and free trade, finding work on their arrival in the industries with the lowest wages and the fewest workplace protections. An enhanced security regime distances Latinx and Asian migrants, in particular, from the protections of citizenship. It posits them, instead, as potential lawbreakers and/or terrorists. At the same time, neoliberal political discourse emphasizes "personal responsibility" to explain social inequalities. Chandan Reddy explains that "the state has effectively managed to increase the numbers of immigrants, as the economy continues to demand low-wage noncitizen labor, and at the same time use immigration as a ve-

hicle to dismantle its welfare responsibilities.” While Reddy describes contemporary, twenty-first-century formations, the demand for low-wage, low-rights labor has been consistent over the course of U.S. history.<sup>14</sup>

Sociologist Loïc Wacquant argues that the emergence of neoliberalism is paralleled by the formation of what he calls the “centaur state”: human at the top, with strong, equine legs for trampling the working classes beneath. Enforcing austerity within the nation and maintaining the infrared technology that secures its borders require constant monitoring by an expensively militarized state force; the poor are forced into what Wacquant describes as racialized “hyperghettos.” Tang describes the ways Cambodian refugees navigate the hyperghettos into which they are resettled by drawing on their experiences surviving the genocidal regime in Cambodia. Of necessity, racialized migrant communities resist the austerity and enhanced policing of neoliberalism.<sup>15</sup>

The ACPFB and its allies paid careful attention to the developing brutality of this “centaur state.” Having fled the depredations of capital accumulation in their home countries, only to find themselves struggling for basic labor and social protections, many migrants were familiar with the ongoing processes of “accumulation by dispossession,” as David Harvey describes it. Their migration linked regions undergoing different phases of capitalist economic development; therefore, their analysis of immigrant rights connected struggles against imperialist expropriation in their home nations to the ways in which hierarchies of race and class limited protections in the United States. ACPFB advocates criticized immigration policy as an arm of global racial capitalism. The organization is an important junction of the internationalist analysis of the mid-twentieth century and the transnational critique of neoliberalism in the twenty-first.<sup>16</sup>

Most accounts of neoliberalism place it as emerging in the 1970s. But careful attention to the subaltern past of immigrant rights indicates that many of the characteristics of neoliberal developments, including transnational industrial collaboration, the forced “flexibility” of labor, and the diminution of workplace protections, began much earlier. Agriculture and shipping, in particular, depended on international capitalist political and economic collaboration. These industries employed a transnational labor force whose flexibility derived partially from their racialized deportability. As workers in these industries organized during the 1930s and 1940s, they contended with resistance from agricultural and shipping interests allied strongly with local police departments and federal immigration enforcement. This alliance worked to keep migrant laborers deportable and at the same time to increase the transnational flexibility of these industries.

The ACPFB advocated for the rights of Filipinx and Latinx agricultural workers and Greek and Indonesian sailors, defending them in the

inevitable deportation cases that ensued from their union activity. Precisely because they were “out of sync” with dominant formations of space and time, migrants were able to resist the depredations of transnational capital and immigration enforcement. Through the networks of the ACPFB, the internationalist, anti-imperialist analysis of the Popular Front converged with transnational migrant imaginaries; activists recognized the roots of emergent neoliberalism in ongoing practices of global racial capitalism. Sociologist Jordan Camp points out that the ensuing struggles “sustained and naturalized unprecedented prison expansion during the emergence of neoliberal capitalism”; to this important formation, I would add the acceleration of migrant detention and deportation in the same period.<sup>17</sup>

Drawing on the work of French theorists Gilles Deleuze and Félix Guattari, Peter Funke describes the “rhizomatic logic” informing “contemporary movement-based counter-power.” Like many theorists of neoliberalism, Funke assumes that the decentered nature of protests articulated by Zapatistas or the Coalition of Immokalee Workers are recent responses to the ascent of neoliberal capitalism, and that such “New Social Movements” differ in character from labor and civil rights movements. He argues that these movements bridge the class-based emphasis of the “Old Left” with the identitarian multiplicity of the “New Left.” While the ACPFB differed in many ways from the groups that Funke describes, its reliance on a network of resistance, or what Mouffe calls a “chain of equivalence,” anticipated these movements and created a precedent for them. Because the ACPFB survived to span the periods considered “Old” and “New” Lefts, the organization provides a link between them.<sup>18</sup>

A defining characteristic of subaltern pasts is that they are hidden. The history of immigrant rights organizing in the twentieth century has been occluded by the dominance of the “Nation of Immigrants” narrative, a liberal multiculturalism that sees the conflicts of the past as necessarily being resolved by the national progress. Dipesh Chakrabarty describes a “minority history” that grants the presence of subaltern groups like the foreign born while recruiting them into a broader story of national progress. Of necessity, this minority history eclipses the gorgeous imaginings and limited victories, the rough roadmap of the subaltern past. In the next section, I examine the consequences of this eclipse and what revisiting this subaltern past might mean.

## A Gap in the Record

By tracing the work of the ACPFB and its allies over half a century, this book provides much in the way of historical precedent for contemporary immigrant rights organizing. The chapters that follow illuminate the his-



tory of a multifaceted, multiracial, ongoing, and geographically dispersed immigrant rights organization originating in the mid-twentieth century and lasting until the 1980s, at which time other organizations took precedence. Small but definitely continuous, the ACPFB brought immigrant rights advocates of different national origins together to fight against the increasingly widespread threat of deportation; it united them in opposing policies targeting progressive activists and communities of color. The ACPFB continually asserted an antiracist critique of federal immigration policy and advocated for the labor rights of noncitizen workers, who often had the least power.

Why has this story not been told before? As I discuss presently, pieces of the story of the ACPFB, most notably the Los Angeles chapter, have begun to be recounted through creative and diligent historical labor. Still, with the exception of these important works, the story of the ACPFB—nothing less than the story of a national, multiracial movement for immigrant rights over much of the course of the twentieth century—has largely remained untold.

There are a few reasons for this gap in the record. One is the lingering legacy of ethnic particularism in the writing of immigration history. Although new approaches move away from this trend, the tendency has been to tell the story of immigration based on the experiences of individual, usually European, nationality groups. Historians have explored the encounters of such groups with deportation and restrictive immigration policy. Some have even referred to the ACPFB in the context of its work in defense of particular individuals or groups. But by and large, the story of immigration has tended to unfold with one group's journey from Europe to America and its subsequent assimilation into a "Nation of Immigrants."

In response to this overemphasis on one-way migration from Europe to the United States, many scholars have labored to describe migration from Latin America, Asia, the Middle East, and Africa, arguing that many of the frameworks designed to explain immigration from Europe do not work as well for the experiences of migrants perceived as nonwhite in the United States. This important work has often focused on particular groups of migrants. But overall, this tendency to narrate immigration history one ethnoracial group at a time may have limited our ability to recognize trends and movements taking place among many different groups, across geography and time.

In recent years, many historical accounts have begun to consider migration as a social process and to analyze experiences across different ethnic and racial groups. Because it emphasizes experiences across migrant cohorts, this important scholarship gives us a basis for comparison. A key development has been scholarship that analyzes the ways in which

migrant identities are created by immigration law and policy. Such scholarship recognizes the ways in which the experience of migration is structured by what historian Erika Lee calls “gatekeeping” policies. Much of this scholarship has tended to focus on the interactions of migrants with the state, at the border and after entry. As a result, this important scholarship has been somewhat less inclined to look at migrants as actors, particularly as actors in a unified social movement, such as the immigrant rights movement.<sup>19</sup>

Perhaps the very word “immigrant,” used in a scholarly context, tends to stress the processes of migration and adjustment rather than the possibilities for immigrant political engagement. This language is the legacy of the pioneering scholarship of the Chicago School of Sociology of the early twentieth century. These scholars focused on what seemed at the time to be pressing questions about the possibilities of Americanizing then-“new” immigrants. Therefore, these scholars tended to prioritize who and what these migrants were becoming, paying less attention to who they were and where they were born. In contrast, the work of the American Committee for the Protection of [the] *Foreign Born* assumed that to be foreign born, regardless of national origin or ethnic identity, meant sharing common political problems. The term “foreign born” emphasized the accident of birth rather than legal status and suggested possibilities for political coalition with the “native born”; it also suggested a legible and legitimate subjectivity outside the citizenship imagined by the “Nation of Immigrants” narrative as a reward for assimilation. The popular media picked up and used the term “foreign born” when describing the travails of immigrants with deportation. “Foreign born” was a common term until it was eclipsed in the mid-1950s by much harsher, more racialized language describing those struggling with deportation as “illegal aliens.” As I discuss in Chapter 6, the consequences of this change in language for popular understandings of immigrant rights have been immeasurable.

The experiences of different migrant cohorts with deportation and repression varied widely. Because of its internationalism and explicit commitment to antiracism, the ACPFB connected, for example, the struggles of Mexican Americans against the mass deportations of Operation Wetback to those of Greek sailors fighting certain imprisonment and possible death on being forced to return to their homeland. Because scholars have tended to think about migration according to racial-ethnic cohort and have generally perceived the identity of being an immigrant or “foreign born” to be a product of interaction with the state, immigration historians have missed the ongoing existence and significance of connections like this one, and of such organizations as the ACPFB, which advocated for the rights of the foreign born collectively.

The scholarly tendencies explored above partially explain the disappearance of the story of the ACPFB from historical accounts of twentieth-century immigration and social movements. But there is a larger reason for this absence. The ACPFB was an offshoot of the liberal American Civil Liberties Union (ACLU) and the International Labor Defense (ILD), which was closely allied with the Communist Party USA (CPUSA). The organization represented a coalition between Communist and non-Communist organizations. The ILD was founded by the Communist Workers Party of America in 1924 to handle legal defenses of labor and civil rights activists. It played a central role in celebrated cases, like those of Nicola Sacco and Bartolomeo Vanzetti and the Scottsboro defendants; it also coordinated legal work on behalf of strikers. During the long New Bedford textile strike of 1928, the ILD provided key relief and legal defense efforts. Young Portuguese migrant Eulália Mendes, who was later defended by the ACPFB against deportation, became involved in labor organizing during this strike.

As Michael Denning explains, Popular Front organizations brought workers, artists, and intellectuals together, shaping new, grassroots approaches to politics. Denning and Kelley, among many others, emphasize the ways in which grassroots organizations were able to make use of the Communist Party's organizing resources during the era of the Popular Front, which began in the 1930s and persisted into the early Cold War period. For these historians, the presence of Communists in progressive organizations was less important than what these groups were able to achieve in advancing social justice. The Popular Front framed local struggles, such as those of migrants against deportation, in a broad and international context. This internationalism was particularly valuable to the development of a multiracial, multiethnic immigrant rights movement.<sup>20</sup>

Particularly in context of the post-World War II Red Scare, the Communist background of the ACPFB and the leftist leanings of many of those involved with the organization made it a target for suspicion. Many of the foreign-born individuals it represented had been party members at one point in their lives; many of the lawyers and advocates involved faced accusations of Communist associations as well. According to historian Robert Justin Goldstein, U.S. attorneys general had long kept informal lists of subversive organizations. Official publication of these lists commenced in 1947 as the Attorney General's List of Subversive Organizations. The ACPFB was designated as a subversive organization in 1948. In 1952, the organization was compelled to register with the Subversive Activities Control Board (SACB); it was required to continue doing so until a 1965 Supreme Court case absolved it of being a subversive organization, because the evidence used against it was "stale." In its publications, the ACPFB linked enhanced

surveillance of the organization with increasing attacks against the foreign born.<sup>21</sup>

In contrast to the Popular Front described above, the idea of a “Communist front” emerged from the language of the Red Scare. Such organizations were considered to be controlled not by domestic organizers and priorities but by the much-feared international network of the Union of Soviet Socialist Republics (Soviet Union [USSR]). The McCarran Internal Security Act of 1950, which also targeted many foreign-born residents for deportation, created the SACB to police the infiltration of the United States by anti-American, Communist agents. These agents were thought to work by founding dummy, “Communist front” organizations to dupe Americans into supporting causes that, in fact, syphoned funds and sympathies to Moscow.

At almost the same time of the SACB investigation, New York State attorney general Jacob Javits ordered leaders of the ACPFB to appear before the New York State Joint Legislative Committee on Charitable and Philanthropic Organizations, charging that it had violated the New York State social welfare law governing charitable organizations by using monies for “political” purposes. Javits sought “the liquidation of the American Committee for the Protection of the Foreign Born on the charge that it is operating in violation of the State Law relative to philanthropic and charitable organizations.”<sup>22</sup>

Because it was accused of fraud in the solicitation of public funds, the organization could not accept dues or sponsorships after 1955; instead, it was reduced to petitioning its remaining supporters for “voluntary contributions.” The organization speculated that Javits’s accusation originated with his political mentor, federal attorney general Herbert Brownell. By 1958, the situation had been rectified by the ACPFB’s registration under a different section of the New York State social welfare law. Goldstein points out that state laws were often used to discredit and destroy “Communist front organizations.”<sup>23</sup>

Abner Green, who led the organization from 1940 until his death in 1959, quipped: “Somebody must be wrong—either Mr. Brownell [U.S. attorney general] in Washington or Mr. Javits in New York. We obviously cannot be doing both—taking money from the Communist Party and giving money to the Communist Party, since that would be a completely fruitless procedure.”<sup>24</sup>

Despite Green’s levity, charges of being a “Communist front” affected the organization’s work, making certain key allies and funders leery of being associated with it and consuming valuable time and resources in defending itself against these charges rather than doing legal defense or policy advocacy work. Further, suspicion that the organization was Com-

munist may well have led to the charges emanating from Attorney General Javits's office. Green himself spent six months in jail for refusing to submit a list of contributors to the New York chapter of the Civil Rights Congress (CRC), of which he was a board member.<sup>25</sup>

As historian Gerald Horne points out in his work on the CRC, an organization that was in some ways quite similar to the ACPFB and was closely allied with it, the notion of the "Communist front" itself—an organization set up to dupe the general public and many of its members into collusion with Moscow—was very likely a product of the active imagination and excellent spin machine of J. Edgar Hoover. Horne describes the character of charges of "subversion" against the CRC: that its members were just "using" the cause of African American civil rights to cover their real purpose, which was to cause dissent and chaos in American civil society, ultimately laying the groundwork for a Communist takeover of the country. Refuting these charges, Horne argues that the CRC was genuinely committed to the legal defense of primarily Black defendants in the politically and racially charged early Cold War period. While he confirms that there were active Communists involved, he also points out the effectiveness and dedication of the short-lived organization, questioning the motives of the Federal Bureau of Investigation's (FBI's) allegations against it. In other words, Horne comes down on the side of Denning's and Kelley's arguments about the Popular Front. He concludes that such organizations as the CRC included Communist members, some of whom were active in the party and some of whom were not, but that these organizations advanced goals directed and controlled by key local imperatives, such as the struggle for racial justice.<sup>26</sup>

Most important to explaining the absence of such organizations as the ACPFB and the CRC from the historical record, Horne points out that "Communist front" allegations outlived the organizations they targeted, tainting the mention of them by even progressive historians. The red-baiting of such organizations as the CRC and the ACPFB during the Cold War had powerful consequences for these organizations. Importantly, the idea of the "Communist front" has created a gap in the historical record. It is as though, once branded as potential "Communist fronts," these organizations disappeared entirely as legitimate historical actors. The historical record has been whitewashed to cover any trace of red, even if the red was skillfully tinted by false accusations and paranoia. Balthaser writes, "What has not been taken into account is the extent to which the Cold War has shaped our cultural memory of the Popular Front, beyond anti-communism to the erasure of a whole fabric of political and cultural anti-imperialism." The history of immigrant rights is among those that have been erased by anti-Communist whitewashing.<sup>27</sup>

Such whitewashing emanates from deep misunderstandings about the nature of Popular Front organizations, including the ACPFB. These organizations included and defended current and former members of the Communist Party. At the same time, they worked during the Cold War to defend a democratic vision of the United States that was the creation of a broad coalition that included many foreign-born activists. Many of these migrants linked repression in their home countries to the emerging depredations of the Cold War regime. Describing the deportation campaign against diasporic Korean intellectuals Diamond Kimm and David Hyun, Cindy I-Fen Cheng notes the ways in which the government's case twisted the advocacy of the two men on behalf of democracy for Korea, accusing them of "Communism" because of their criticism of the U.S.-backed regime of Syngman Rhee. The "Communist" slur was a Cold War shorthand for "un-American." This taint has had a lasting impact.<sup>28</sup>

The only recent, full-length study of the ACPFB is John W. Sherman's *A Communist Front at Mid-Century: The American Committee for Protection of Foreign Born, 1933–1959* (2001). As its title proclaims, this book falls into the pattern Horne describes, in which prior accusations of being a "Communist front" continue to determine the ways historians represent an organization. Throughout the book, Sherman works to discredit the other book-length account of the organization: *Torch of Liberty: Twenty-Five Years in the Life of the Foreign Born in the U.S.A.* (1959), which was written by active ACPFB member and Wellesley College professor Louise Pettibone Smith and is currently out of print. While most historians would treat a contemporary account like Smith's with the kind of critical perspective that accrues with the benefit of time, Sherman assumes that Smith's purpose in writing it was to provide cover for the covert agenda of the organization. Citing an unnamed government informant along with arch-conservative anti-Communist Archibald Roosevelt, Sherman asserts that Smith's claim that the ACPFB was founded by the ACLU in concert with the ILD is false and that the organization was merely a spin-off of the "Communist" defense organization.<sup>29</sup>

Because Smith was deeply involved with the work of the ACPFB, *Torch of Liberty* is an unapologetically partial account. In it, she advocates quite clearly for the significance of the ACPFB and the importance of its work in defense of the foreign born. But Sherman's account is also limited, burdened by its tremendous ideological impetus. Sherman hunts relentlessly for evidence to support his conviction that the organization was nothing more than a "front." To Sherman, their membership in the National Lawyers Guild is enough to indicate that ACPFB lawyers Carol Weiss King and Ira Gollobin were Communists. In the case of Abner Green, Sherman's evidence is composed of a single reference to Green in the *Daily Worker* in

1938, a tribute to the man in a 1979 “official history” of the CPUSA, and the assertion that, because Green was Jewish and from New York City, he “certainly matches up with [the party’s] primary demographic composition.” It is questionable scholarly practice to substitute assumptions about an ethnic group for historical research; moreover, even if Green had been a member of the Communist Party at one time in his life, this would prove little about his later work for immigrant rights. Further, this anti-Communist lens predisposes Sherman to dismiss the accomplishments of the ACPFB—such feats as winning stays of deportation and forging coalitions against coercive legislation at the height of the Cold War—as mere skull-duggery.<sup>30</sup>

*Against the Deportation Terror: Organizing for Immigrant Rights in the Twentieth Century* places the ACPFB in its broader context. A key ambition of this book is to fill in the gap left in the record by recounting the subaltern past of immigrant rights organizing in the twentieth and twenty-first centuries. This book adds to other considerations of Cold War and migrant activism, such as Horne’s study of the CRC, which provides a portrait of Cold War civil rights activism among African Americans and their allies, and recent studies of migrant anarchism by Jennifer Guglielmo and Kenyon Zimmer, which have revealed similar multiethnic, transnational subaltern pasts. Because the ACPFB has disappeared into the gap in the record that has consumed so many of the accomplishments of Communist-allied organizations in the twentieth century, its story reveals an almost completely obscured history of geographically diffuse, multiracial advocacy by and for the foreign born. The following section outlines how the history of the ACPFB contributes to our understanding of the history of social movements, immigration, and labor in the twentieth and twenty-first centuries.<sup>31</sup>