Intelligence Tests and the Immigration Act of 1924

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ABSTRACT: It is often claimed that the racially biased Immigration Act of 1924 was passed with the help of the intelligence testing community of the period. The claim consists of two components: first, that the intelligence testing community saw its test data on social and ethnic differences as favoring a discriminatory immigration policy and, second, that Congress relied to some significant extent on the testing community and/or its data. An examination of the historical record failed to uncover any support for either component of the claim. The testing community did not generally view its findings as favoring restrictive immigration policies like those in the 1924 Act, and Congress took virtually no notice of intelligence testing, as far as one can ascertain from the records and publications of the time.

For critics of intelligence testing, nothing seems more devastating than Kamin's (1974) characterization of H. H. Goddard's (1917) assessment of newly arriving immigrants at Ellis Island: "83% of the Jews, 80% of the Hungarians, 79% of the Italians, and 87% of the Russians were 'feeble-minded'" (Kamin, p. 16). Nobel-laureate Peter Medawar (1979) cited the percentages and said that a test producing such numbers represents "extremities of folly . . . which . . . may never be surpassed" (p. 25). In the *Atlantic,* James Fallows (1980) wrote:

> The first crude IQ tests were used mainly for racial and ethnic exclusion. In 1912 [sic], on the basis of tests run at Ellis Island, Henry Goddard scientifically proved that 83 percent of Jews were "feebleminded," along with 90 [sic] percent of Hungarians, 79 percent of Italians, and 87 percent of Russians (most of them Russian Jews). Modern ETS [Educational Testing Service] researchers recall with sad smiles the miraculous finding, some years after the Ellis Island tests, that Jews and Italians improved dramatically in intelligence after they had lived in this country for a while, and that their children, raised as English speakers, seemed somehow to have been spared their parents' feebleminded genes. (p. 39)

Since it would indeed take a degree of prejudice verging on the delusional to believe that such percentages truly represent the mental capacities of ethnic populations, Kamin and many others in addition to the two quoted here cite them as evidence of the ethnic biases, not just of Goddard (of Kallikak family fame), but of IQ testers in general. Given the historical setting around the time of World War I, when American nativism was cresting with the flood of pre- and post-war immigration, the prejudices of the testers are said to have been directly linked to the passage of the Immigration Act of 1924, a law commonly, and, in our opinion, aptly described as "nativist, racist, and mean" (*New York Times,* 1982).

The indignation toward tests for their alleged role in promoting a restrictive immigration policy was succinctly epitomized by physicist Jeremy Bernstein (1982) in the *New Yorker* as he praised paleobiologist Stephen Gould (1981) for his prize-winning book, *The Mismeasure of Man.*

> Whether, as Professor Gould maintains, this [intelligence testing] was the primary cause of the death of an enormous number of Jews who could not immigrate to this country in the nineteen-thirties is debatable. My own guess is that, considering the anti-Semitism that was part of the fabric of American life at that time, this "scientific evidence" of racial inferiority simply allowed some people to do with better conscience what they would have found a way to do anyway. . . . It would be good to report that all this belongs to some "medieval" past. But, as professor Gould makes clear, and as we all know, the spirit of Yerkes [i.e., Robert M. Yerkes, an early tester] and his ilk persists. . . . What Professor Gould's superb book makes clear is how dangerous race prejudices are. (pp. 152–153)

Nor is the indignation peculiar to nonpsychologists writing for the general public. It is not uncommon to find in the pages of the scholarly psychological literature references to "the involvement of the mental testing movement in the passage of an overtly racist immigration act in 1924" (Kamin, 1982). A modern textbook on assessment tells its beginning students, "Goddard (1913 [sic]) reported that based upon his examination of the 'great mass of average immigrants,' 83 percent of the Jews, 80 percent of the Hungarians, 79 percent of the Italians, and 87 percent of the Russians were 'feeble-minded'" (Kleinmuntz, 1982, p. 333).

In this article we will examine the factual basis of this argument of Bernstein, Gould, Kamin, and others against intelligence testing. Were IQ test data, in fact, generally considered by testers to be inimical to potential immigrant populations? Did the results of testing actually play an important role, directly or indirectly, in the legislation on immigration policy?

Let us start with Goddard's (1917) assessment of immigrant intelligence. The numbers Kamin (1974) gives are indeed reported by Goddard, but in other respects Kamin's account is misleading. For example, Kamin neglects to mention that Goddard preselected his sample of entering immigrants at Ellis Island in New York to eliminate both the "obviously feeble-minded" and the "obviously normal" (p. 244). In this small study (178 subjects, all of them steerage passengers), Goddard was not trying to quantify immigrant populations, but to promote the use of a presumably objective screening instrument, his intelligence test, by demonstrating its ability to discriminate among people of apparently borderline intelligence. Although Goddard supposed that in order to assess the true degree of feeblemindedness among steerage passengers at that time "the figures would only need to be revised (reduced) by a relatively small amount" (p. 244), he said explicitly that his study "makes no attempt to determine the percentage of feeble-minded among immigrants in general or even of the special groups named—the Jews, Hungarians, Italians, and Russians" (p. 244). Nor does Kamin report Goddard's views on the issue of the nature of the apparent feeblemindedness of immigrants. Was it, Goddard (1917) wondered, a matter of inheritance or environment? He understood that the answer was particularly apropos to the question of the restriction of immigration:

> Assuming for the sake of argument that the percentages and mental levels shown in the foregoing results are approximately correct, what is to be done about it? Shall we say that they are feeble-minded; and we want no feeble-minded persons in the country, at least no more than we can produce ourselves? That is undoubtedly our first thought, but let us look at the matter broadly. (p. 269)

Although the formal methods of quantitative genetics were not yet available, Goddard concluded:

> We may argue that it is far more probable that their condition is due to environment than it is due to heredity. To mention only two considerations: First, we know their environment has been poor. It seems able to account for the result. Second, this kind of immigration has been going on for 20 years. If the condition were due to hereditary feeble-mindedness we should properly expect a noticeable increase in the proportion of the feeble-minded of foreign ancestry. This is not the case. (p. 270)

Finally, Kamin does not acknowledge that Goddard's intelligence test was deficient on several counts already apparent to his contemporaries. Goddard (1917) acknowledged that at the time of his study, "We were in fact most inadequately prepared for the task. There were scarcely any tests standardized at that time" (p. 243). Goddard was using his adaptation of the French-language Binet-Simon scale, an early, pre-IQ, intelligence test that lacked the chronological stability that, among other reasons, made Lewis Terman's IQ test, the still preeminent (though updated) Stanford-Binet, so successful. Goddard's intelligence test overestimated the proportion of mental retardation even in native American adults (Merrill, 1947), let alone immigrants who might well have had a variety of disadvantages working against them, as Goddard noted. Terman (1916) estimated that of a sample of adults who had tested as low-normals on his own test, about 50% would have tested as feebleminded on Goddard's test, indicating a serious discrepancy between the two tests for the lower half of the distribution. In short, the "fact" that is most often cited as evidence of IQ's nativistic bias was not based on IQ scores, not taken even by its discoverer as accurately representative of immigrants or as a clean measure of inherited abilities, and it used a test that was known at the time to exaggerate feeblemindedness in adult populations of all sorts.

But, one might wonder, If not Goddard's "fact," were there not other facts that fit the story better, showing less equivocally how intelligence tests abetted immigration policy? A more obviously biased work from the same period was by a Princeton University assistant professor, C. C. Brigham, whose book, *A Study of American Intelligence* (1923), examined the Army intelligence tests (Yerkes, 1921) as they related to immigrant populations. Although the Army "Alpha" and "Beta" tests were developed too late in the war to have had any practical effects on manpower utilization at the time, their results became, and have remained, controversial on numerous counts, including the ethnic and national differences that Brigham's book focused on. As its theoretical background, the book accepted the hypotheses of anthropological writers of the time, such as Madison Grant (1916), who argued that Europeans could best be understood through an analysis of their racial character.

Brigham's (1923) conclusions can be summarized briefly: (1) The Army mental tests do indeed measure innate intelligence; (2) the average scores for native-born draftees are higher than those of foreign born; (3) the average scores of immigrants from

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northern Europe are higher than those from southern and eastern Europe; (4) in the preceding 20 years there was a decline in the average score of immigrants, as represented among draftees. This decline accompanied a shift toward populations from southern and eastern Europe; (5) immigrants from southern and eastern Europe come from what Grant would have characterized as the innately inferior Alpine and Mediterranean stocks, as opposed to the superior Nordic race of northern Europe; (6) an uncontrolled influx of immigrants from southern and eastern Europe would lower native American intelligence; therefore (7) immigration should be restricted to those of Nordic stock.

While few today would defend Brigham's (1923) work as science, and more likely, would condemn it as racist (Brigham himself recanted in 1930), the impression is often given that it went virtually unchallenged following its publication in 1923. Kamin (1974), for example, suggested that *A Study of American Intelligence* was decisive at the time of the debate leading up to the Immigration Act of 1924, since it used the Army data, which Kamin said, "came as near being official data of the psychological profession as could well be had" (p. 24). To support his claim, Kamin cited Rudolph Pintner's (1923b) assessment of Brigham's book as a "logical and careful analysis of the army tests." This, says Kamin, was "representative of the psychological establishment's response" (p. 22). In the *New Yorker,* Bernstein (1982) reported that Brigham's book "was widely accepted and led to the Immigration Restriction Act of 1924, which devised a quota system to keep out the groups that had scored poorly on the (Army's) tests" (p. 152). In an article in the *New York Times,* the editor of the *National Elementary Principal,* Paul L. Houts (1977), reviewed the Army test results on national differences and added, "One of the few voices raised in protest against such conclusions was that of Walter Lippman, the journalist, who warned against accepting the idea that 'these tests really measure intelligence. . . .' Little attention was paid to Lippman's warning" (p. Ed21). In other words, among professional testers and psychologists, the Army data were taken at face value.

In fact, these writers overestimate flamboyantly the acceptance of the Army tests themselves and of the way they were used in Brigham's book, which provoked substantial adverse commentary within the scientific literature, not just in Lippman's critical articles in the *New Republic* in 1922, most of it prior to the passage of the 1924 Immigration Act.

Much of the reaction against Brigham was directed at his attempt to draw conclusions about the intelligence of immigrants in general from so unrepresentative a sample as the foreign born among draftees. Stanford professor Percy Davidson, criticizing the Army tests in the *Scientific Monthly* in 1923, wrote:

> A reading of the list of occupations reported will show that the army draft was not thoroughly representative of American industrial society. The distinctly greater number of the designations refer to artisan trades. . . . The great farm-holding group seems not to have been represented. . . . The independent business community was similarly not represented. . . . These groups contain something like 30 per cent of the working population and quite possibly have in them a disproportionate share of abler individuals. . . . The presumption is, consequently, that generalizations from the selected groups do not accurately carry over to the general public, and so fail to do justice to its intelligence. (p. 185)

Substantially identical comments were made by Kimball Young (1923), a social psychologist not averse to hereditarian views, in a review of Brigham's book in *Science* the same year. Hexter and Myerson (1924) in a scathing critique of just about every aspect of Brigham's book pointed out that in its analysis of the intelligence of draftees of various nationalities, the individual-country sample sizes were all too small to render statistically significant results. But perhaps the most sweeping attack on the limited generality of the Army tests came from E. G. Boring (1923), one of the psychologists who designed, administered, and analyzed the tests. About Brigham's conclusions he said:

> It is not Mr. Brigham's fault that he cannot be more convincing. He has done the best that any one could do with the data at hand, and he has put all his cards frankly upon the table. The trouble is with the data. The indications are in the direction which Mr. Brigham points, but it seems to me that we are by no means ready definitely to recommend legislation. We need ever so much more information, and, especially, data collected under better conditions. There is a mountain of statistical material in the army report. That in this case the mountain could bring forth only a timid mouse may be due to the fact that mountains for all their size do not necessarily have leviathans in them. (p. 246)

Boring's skeptical comments seem to be more representative of the psychological community's response than Pintner's (1923b) uncritical approval.

Brigham claimed that the Army exams were both reliable and valid measures of native intelligence. The reliability, he said, was shown by the fit between the Army tests and the normal curve, the familiar bell-shaped curve found in many natural measurements. This was a curious argument, first, because the scores on an invalid and unreliable test could just as well be normally distributed as a valid and reliable one, but, second, because the Army data were, by and large, not normally distributed. Three types of tests had been used by the Army: almost 2 million men got either the Alpha for English-

speaking draftees or the Beta nonlanguage test; a smaller experimental group got the new individual Stanford-Binet. As Davidson (1923), Young (1923), and Hexter and Myerson (1924) all point out, the results of each test were highly skewed; in statistical terms, they were nonnormal. In this respect, the worst was the one given to the largest number of men, the Alpha, which consisted of eight subtests. Davidson indicated that on six of these the most common score was zero, sometimes outnumbering the next most common score by a factor of two or three. Simply stated, this means that those subtests were too hard for the population being tested. In contrast, the Beta results were negatively skewed, the sign of too easy a test. Either too easy or too hard a test loses the power to discriminate among individuals. Even subtests that were not too easy or too hard often produced distributions of scores so uneven that they allowed no simple interpretation of the nature of the population tested. Similar problems were observed with the Stanford-Binet test, leading Young, in 1923, to challenge Brigham's claim of test reliability: "In view of the accumulating criticism of the entire testing movement one cannot help feel that this assertion is, to say the least, overdrawn" (p. 668).

Brigham's arguments for the validity of the Army tests came under even stronger attack than those for their reliability. William Bagley (1924), for example, claimed that the Army tests were never properly validated against the possibility that they were measuring, not a man's intelligence, but his past opportunity for education. Northwestern professor A. J. Snow (1923), in a review of *A Study of American Intelligence* in the *American Journal of Psychology,* granted that the Army test measured intelligence, but took issue with Brigham's conclusion that they measured *native* intelligence:

> As to the usefulness of the test we must agree, and pay our humble compliment to the work of the army psychologists; but for the definite conclusion that the tests measure *innate* intelligence there are not yet enough data. From the so-called crucial and objective tests we may infer only that the tests are tests of intelligence, not necessarily that they are tests of *native* intelligence. It is to be expected that men in more advanced economic positions should score higher than men who are economically subordinate; but to say that this is necessarily because of a difference in *native* intelligence is surely unwarranted. (p. 305)

The "crucial test" (p. 64) of validity for Brigham (1923) was a study in which officers tested higher than a group of draftees matched for educational level. Since the officers were obviously more intelligent, by virtue of their being officers, the tests were validated, said Brigham. But Bagley (1924) argued that while the Army tests may have been valid measures of native intelligence when applied to a group with homogeneous education, such as the men in Brigham's comparison, when applied to men with heterogeneous backgrounds, such as those of draftees in general, "the tests become in an outstanding fashion measures of educational opportunity" (p. 182). Bagley offered two pieces of evidence for his counterargument. First, among draftees, Alpha scores were correlated with the efficiency of schools in the home state. Second, among foreign-born draftees, test scores were correlated with the ratio of school-age children enrolled in school in the home country, presumably an indication of the native country's investment in education. Both findings are consistent with Bagley's interpretation, though not proof of it since they do not establish the direction of causation. They do not answer whether good schools produce populations with high scores, or whether populations with high scores demand good schools—or perhaps both.

A similar ambiguity surrounds Davidson's (1923) more general evidence against Brigham's (1923) claims. Davidson reported significant correlations between Alpha scores and such socioeconomic factors as percentage of the population living in urban areas, percentage of resident-owned homes, percentage of resident-owned farms, and wages for farm labor in rural states. All of these correlations are open to a variety of interpretations, as are the correlations noted by Brigham (1923) and the Army testers. Our intention here is not to try to resolve these issues, but to illustrate that in the 1920s, neither the data nor the statistical methodology was quite ready for the drawing of firm conclusions about national differences in test scores, as Brigham's critics often complained.

In his argument for a discriminatory immigration policy, Brigham (1923) relied heavily on the declining average scores of immigrants. From the Army data, it seemed that immigrant test scores were correlated with length of residence in the United States, such that recent immigrants had lower-than-average scores but the "foreign born group in this country over 20 years have an average score identical with the average score of the native born, the actual difference (.05) being smaller than the probable error of the difference (.0664)" (Brigham, 1923, p. 93). Faced with this fact, the Army testers themselves had drawn no conclusion: "At best we can but leave for future decision the question as to whether the differences represent a real difference of intelligence or an artifact of the method of examination" (Yerkes, 1921, p. 704). Brigham (1923), on the other hand, was convinced that the test scores were tracking a real decrease in the innate intelligence of newly arriving immigrants. He was particularly impressed with the results of a comparison of Alpha and Beta scores for immi-

grants who came to the United States up to 20 years before testing. Finding that the two sets of test scores increased equally with years of residence in America, he argued that the rising test scores must reflect rising native intelligence since "if the increase in the average score . . . were due to the language and educational factor, then the gain should come from Alpha and not from Beta, for Alpha involves language and (indirectly) education, and Beta does not" (p. 102). He could, of course, have argued with equal force that the Beta test was as contaminated by American education and culture as the Alpha, as the Army testers had pointed out, along with Brigham's critics.

Most of Brigham's critics in fact found it more plausible or more congenial to discuss the possible biases in the tests than to accept innate intellectual differences among nationalities. The Army tester, E. G. Boring (1923), listed five alternative explanations for the test results, then wrote:

> I do not conclude, therefore, that Mr. Brigham is wrong. He may be right. There are, however, so many other possibilities that I think we can say little more than that we do not know; or, if in the face of our ignorance we have to make a judgment, we may say that the chances are that he is wrong. (p. 245)

Young (1923) also found Brigham's (1923) conclusions unsupported: "Sociologists and economists who have investigated immigration have never given us any evidence whatsoever that the sources of immigration, either in terms of geography, economic status, or intellectual classes, have altered in the past twenty years to the extent Mr. Brigham's interpretation assumes" (p. 669). Hexter and Myerson (1924) criticized Brigham's analysis of Alpha and Beta scores, which they considered faulty on a number of statistical grounds: "The labored attempt of Brigham to show an inherent racial difference between the native born and the foreign born, and also between the foreign born who came here some years ago and those who came recently, collapses like a house of cards because its structure is flimsy indeed" (p. 76).

Prior to 1924, research had already uncovered indications of biases due to language in mental testing, even for so-called nonverbal tests. Myers (1921), reporting a significant correlation between Beta score and performance in an Army educational program, noted that the relationship did not hold as well for foreign-language speakers, many of whom outperformed expectations. This implied, as Myers pointed out, that even the supposedly language-neutral Beta test handicapped non-English speakers. Pintner (1923a; Pintner & Keller, 1922), who Kamin (1974) invoked as Brigham's ally, had himself reported that differences in Binet-Simon scores between children from native and immigrant homes could be significantly reduced by the use of the Pintner language-free test. Along with the critical commentary following Brigham's book, the pattern of empirical studies itself betrays an awareness of the dangers of biases in mental testing, among at least some early workers.

Brigham's "racial" orientation, per se, evoked criticism. Most objectionable seems to have been his reliance on Madison Grant's (1916) notion of a "superior Nordic race." Kimball Young (1923) rejected Brigham's conclusions, noting that Madison Grant's "mythical race hypothesis" (p. 670) had long since been abandoned by knowledgeable anthropologists. Other reactions ranged from specific criticisms—Bagley's pointing out a *negative* correlation between test score and the amount of "Nordic blood" in a state—to less focused objections—illustrated by Hexter and Myerson (1924). The final paragraph of their article vividly shows how far Brigham's views on immigration were from the psychological consensus.

> We regret that it is so, but since it is so, we say it deliberately: One of the latest developments in psychology, the intelligence tests, has in America been overrated as a means of passing judgment upon the unfortunate subjects who are tested. But this is not so important as the danger *that these tests might be used—and in fact are being used, we believe, by certain people—not to advance science or in the scientific spirit, but for race discrimination and in the spirit of propaganda.* (p. 82; italics in original)

Neither Brigham nor the Army tests were universally condemned; rather, the psychological community of the early 1920s was far from unified, one way or the other, about the book and its implications. Besides Pintner's (1923b) laudatory comments cited earlier, a note in the *Pedagogical Seminary* ("Book Note," 1923) called Brigham's book a "careful and competent study . . . a book not only for intelligent citizens but for statesmen to ponder" (p. 103). Floyd Allport (1924) liked the book, but his favorable review nevertheless echoed the chorus of critics:

> [Brigham's] reasoning has of course laid the author open to considerable criticism on the basis that residence in this country somehow increases one's familiarity with problems such as those upon which the tests are constructed. Reviewers have not been slow to assert this, and also many other objections. The present reviewer believes that through certain eliminations of the language factor, and by other controls, Professor Brigham has already anticipated these criticisms more fully than critics are willing to admit. There seems to be a curious timidity, due perhaps to the fear of being accused of racial prejudice, about accepting statements concerning differential intelligence levels among groups of any sort. Scientific caution is to be commended, but it may be overdone. (p. 312)

But Allport (1924) himself objected to the sugges-

tion that the test score differences among immigrant populations reflected differences in native populations and concluded that "As a study of race psychology however the work is suggestive, but in no sense authoritative" (p. 313).

Lewis Terman (1922), the premier American mental tester and one of the authors of the Army tests, drew a guarded conclusion about the implications of the Army data for immigration policy:

> The immigrants who have recently come to us in such large numbers from Southern and Southeastern Europe are distinctly inferior mentally to the Nordic and Alpine strains we have received from Scandinavia, Germany, Great Britain, and France. The samplings we have received do not, of course, afford convincing proof that the Mediterranean race, as a race, is inferior. It is quite possible, for example, that our Nordic immigrants have been drawn chiefly from the middle and upper social classes, and our Mediterranean immigrants from the lower social strata. . . . However this may be, we owe it to the future of our civilization to set a minimum mental standard for our immigrants from every source. . . . No nation can afford to overlook the danger that the average quality of its germ plasm may gradually deteriorate as a result of unrestricted immigration. (p. 660)

By the time of his APA presidential address in December 1923, Terman (1924) seems to have retreated even from this position. Though his personal opinion evidently remained much the same, he admitted that "Whether these 'chronic' traits reflect primarily the influence of endowment or of environment is a question to which no certain answer can at present be given" (p. 102).

It appears that the actual scene in the early 1920s featured conflicting views, occasional acrimony, and a general skepticism about the diagnostic powers of the largely unproven tests (see Cravens, 1978), unlike the one-dimensional picture painted by Kamin (1974), Gould (1981), and other modern commentators. Searching the scientific literature of that time, one can find no consensus for using intelligence tests to restrict immigration. It would, in fact, be easier to substantiate the reverse, that the testing community was at least reluctant, and perhaps firmly opposed, to using tests so irreversibly.

The Immigration Act of 1924

Even so, the bulk of the data in the early part of this century showed immigrants, particularly recent immigrants, scoring lower than native-born Americans. It may therefore seem plausible that test data figured prominently in the passage of the Immigration Act of 1924, which placed severe restrictions along national lines. The testers may have been reluctant to use their data, but the politicians might not have been. Gould (1981), for example, declared, "Congressional debates leading to the passage of the Immigration Restriction Act of 1924 continually invoke the army data" (p. 232). The Act imposed quotas on immigration based on the percentage of immigrants from each country as of the census of 1890. Using the 1890 census effectively excluded many immigrants from southern and eastern Europe, which had sent most of its refugees to America after 1890, in favor of those from northern and western Europe. We can surmise that the new law was welcomed by Carl Brigham and some other mental testers of the day (possibly including Terman). But the question for us is whether the empirical results of mental testing played any role on Capitol Hill, as recent commentators like Kamin and Gould have so insistently argued. An examination of the legislative record finds almost no support for their argument.

We may begin with the Act itself, which in 32 sections makes no reference to intelligence tests, intelligence, feeblemindedness, or any other related term. If the legislators cared about test results, they were careful to keep their concerns out of the legislation itself. From Kamin's (1974) book (and the many other works that draw on it) there seems no doubt that the results of mental tests played a large role in the passage of the Act, but the evidence offered, taken from congressional committee hearings and records prior to floor debate, is both exaggerated and, occasionally, misconstrued. Information about intelligence tests results was presented to the committees in three ways:[1] as addenda to the actual presentations made before the committee, in a statement before the Senate committee by Francis Kinnicutt, and as part of a report on characteristics of the immigrant presented by Harry Laughlin to the House committee. As we examine each of these more carefully, we shall see that they were surely not crucial in the congressional deliberation, and, most likely, they were immaterial.

The easiest of these to put into proper perspective are the few items that were placed into the record in written form rather than presented in person to the committee. Generally, letters and reports are submitted as addenda to a day's hearings along with other material relating to aspects of the legislation under consideration. In his book, Kamin (1974) cites three such documents: a letter from

[1] We were unable to find any other references to intelligence testing in committee hearings besides the few that Kamin cites, although, admittedly, our review of this voluminous material was not exhaustive. Kamin (1976) also quotes a statement in praise of the Army tests by Madison Grant to the Senate Committee on January 10, 1924. Unfortunately, neither we nor the staff of the Government Documents Division of the Harvard University Library have been able to find any record of a Senate Immigration Committee hearing on that date, or evidence that Madison Grant made a statement before the Senate Committee at any time.

Arthur Sweeney on "Mental Tests for Immigrants,"[2] the "Report of the Committee on Selective Immigration of the Eugenics Committee of the United States of America,"[3] and a letter from the chair of the Allied Patriotic Societies of New York.[4] In each case the document was placed into the record with minimal introduction, and in no case could we find any mention of the documents or their contents anywhere else in the committee hearings or in the floor debates. Like most of the other addenda, this material seems to have entered the legislative record without leaving a detectable trace on the course of events.

On February 20, 1923, Francis Kinnicutt, chairman of the Immigration Restriction League, Inc., testified before the Senate Committee on Immigration, arguing for the further restriction of immigration from southern and eastern Europe. He drew much support from *A Study of American Intelligence* (Brigham, 1923), which he called "the most important book that has ever been written on this subject." Kamin (1974) quotes a passage from Kinnicutt's speech, and notes that Senator LeBaron Colt, the chair of the committee and a major proponent of the Immigration Act, thanked Kinnicutt for sending a copy of the book. In addition, as Kamin quoted him, Colt asserted, "I think every member of the committee ought to read that book and then arrive at his own judgment in regard to it." The impression given, that Colt was much impressed with Brigham's conclusions, is belied by a more complete examination of the exchange between the Senator and Mr. Kinnicutt:

The Chairman (Senator Colt). Well, I will take Professor Grant's theory of the division of the races, based upon the formation of the skull. The Nordic, coming from northern and western Europe; the Mediterranean; and the Alpine. The Nordic have the elongated head, light hair, and blue eyes; the Alpine have the round head, dark eyes, and dark hair; and the Mediterranean have the elongated head, dark eyes, and dark hair. Now, he undertakes to demonstrate that these racial characteristics exist and are not affected in any way by environment or climate; that they exist throughout all generations.

Mr. Kinnicutt. Yes sir.

The Chairman. Therefore, if we admit any of the Alpine or Mediterranean stock, he argues that we are mingling a lower race with a superior race, and that the off-spring will inherit the characteristics of the lower race. I take up another book and I find that Doctor Grant [1916] is controverted; that all the races of Europe are merged races made up of different waves of immigration that have passed over Europe. The highest products of the human intellect were produced by a little band of Athenians, several centuries B.C., the age of Pericles; they were not Nordic; they were of Mediterranean stock, or a mixture of Mediterranean and Nordic.

I turn to Rome, that built up the greatest empire in all the world, which lasted for 1,200 years, and I find they were the Mediterranean race.

Now, you can not say, as a practical man, that we must take this analysis of Army tests, of small things—and I admit it is a very able book, but we can not take them as a real test. Did you give the title of the book?

Mr. Kinnicut. Yes; it is *A Study of American Intelligence.*

Mr. Chairman. And you will leave the book with us?

Mr. Kinnicut. Yes; if you wish.

The Chairman. I want to thank you for sending me a copy of it. I admit my examination has been rather superficial. But it is a very interesting book.[5]

The final piece of evidence cited by Kamin (1974) is a report entitled "Europe as an Emigrant-Exporting Continent and the United States as an Immigrant-Receiving Nation" submitted by Harry H. Laughlin, a biologist on the staff of the Carnegie Institution, to the House Committee on Immigration and Naturalization on March 8, 1924.[6] Kamin (1974) says that "Professor Brigham's tables, and those published by the National Academy of Sciences, figured prominently" (p. 25) in Laughlin's report. In fact, intelligence was discussed in a six-page section, "Natural Intelligence," of the 206-page report. During his presentation, Laughlin was asked by Chairman Albert Johnson what he felt a "practical immigrant examination" for the elimination of defectives would consist of. Laughlin replied, "Mental tests for adults are now practicable and reliable if supported by individual and family records. At present such tests are developing rapidly, but they are not yet an absolute criterion of natural intelligence if treated without other evidence. They are splendid and necessary supplementary evidence of mental quality" (p. 1273).

Laughlin took a hereditarian, anti-immigration line in his report, and one may ask how his report was received by the members of the House. The answer is that no comment was made in committee following Laughlin's statements on the intelligence

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[2] *Hearings before the Committee on Immigration and Naturalization, House of Representatives, January 3, 4, 5, 22, and 24, 1923.* Washington, D.C.: U.S. Government Printing Office, 1923.

[3] *Hearings before the Committee on Immigration and Naturalization, House of Representatives, December 26, 27, and 31, 1923 and January 2, 3, 4, 5, 7, 8, 10, and 19, 1924.* Washington, D.C.: U.S. Government Printing Office, 1924.

[4] *Hearings before the Committee on Immigration and Naturalization, House of Representatives, December 26, 27, and 31, 1923 and January 2, 3, 4, 5, 7, 8, 10, and 19, 1924.* Washington, D.C.: U.S. Government Printing Office, 1924.

[5] *Hearings before the Committee on Immigration, United States Senate, February 20, 1923.* Washington, D.C.: U.S. Government Printing Office, 1923.

[6] *Hearings before the Committee on Immigration and Naturalization, House of Representatives, March 8, 1924.* Washington, D.C.: U.S. Government Printing Office, 1924.

of the immigrant, and they were never brought up again in committee. However, on April 5, 1924, Representative John J. O'Connor of New York, addressing the full House, called Laughlin's report, "the greatest joke book that has been published during this session of Congress. It is founded on fallacies from beginning to end."[7] He also directed attention to the spelling of the first syllable of Laughlin's name. Representative Johnson of Washington, chairman of the House Committee on Immigration and Naturalization, answered in Laughlin's defense, but nowhere in his comments, or those of O'Connor, was intelligence or intelligence testing mentioned. On April 8, 1924, Representative Emanuel Celler of New York, speaking on the House floor, presented an extended criticism of "Europe as an Emigrant-Exporting Continent . . ." and of an earlier report by Laughlin entitled "An Analysis of America's Melting Pot."[8] Celler attacked Laughlin's sampling strategies and was particularly critical of Grant's Nordic-supremacy hypothesis, cited by Laughlin, which Celler called "most dangerous" (p. 5914). No one replied to Celler's critique and no other reference to Laughlin's report can be found anywhere in the House debate leading up to the passage of the Act.

Of the total committee hearings and addenda for both House or Senate, then, allegations of innate intellectual inferiority of immigrants represented a minute fraction. The few reports presented or inserted into the record seem to have been largely ignored, and when not ignored, sharply criticized. The unimportance of intelligence test data is epitomized by House Report No. 350,[9] the Majority and Minority Reports from the House Committee on Immigration and Naturalization to the full House. The Majority Report, written by Representative Johnson, emphasized the need "to stand against the large number of aliens who desire to enter the U.S." (p. 2) and "to guarantee, as best we can at this date, racial homogeneity in the U.S." (p. 16). The report teems with reasons for keeping "inferior" immigrants out of the country, but it contains no mention whatever of intelligence or intelligence testing. No mention, either, in the Minority Report, written by Representatives Adolph Sabath and Samuel Dickstein who label the proposed act as racist and discriminatory, and who uphold the worth of the immigrant. Even when the innate characteristics of immigrants were the central issue, as in both of these reports, neither intelligence nor testing came up.

If intelligence testing was of little importance in committee hearings, it played an even smaller role in floor debate. In both chambers of Congress, concern focused on two topics: the influx of cheap labor via immigration and the general, though unspecified, inferiority of immigrants. The bill's supporters argued for restricting immigration because immigrants, who were willing to work for less pay, were taking jobs away from native workers. They also argued against immigration on the grounds of what they called racial purity or racial inferiority. The bill's opponents tried to refute both kinds of claims against immigration. Neither proponents nor opponents made any use of the data from intelligence tests, except for the occasions described below.

In the Senate, the focus was principally on cheap labor, but such issues as the preservation of racial homogeneity and the dangers of having communities of unassimilable immigrants in American society also came up. In over 200 pages of debate, the only mention of mental testing or anything like it came on April 8, 1924, when Senator Arthur Capper of Kansas claimed that according to a congressional survey, foreign-born people represented 20.63% of those in "institutions for the care of feeble-minded, insane, inebriates, criminals, and chronically diseased,"[10] as compared to 14.7% in the general population. During the next day's session, Senator Nathaniel Dial of South Carolina noted that he had read something to the effect that nine tenths of the inmates of New York asylums (no mention is made of what kind of asylums) were foreigners. On both occasions, Senator Royal Copeland of New York, one of the bill's opponents, replied that present-day selection procedures no longer allowed incompetent foreigners to enter the country. No details about these selection procedures were given, but from other sources (Goddard, 1913, 1917), we infer they were psychiatric examinations.

In contrast with the Senate, the House expressed more concern with the nature of immigrants themselves and the issue of assimilation, rather than with labor problems. But with all the concern over the qualities of immigrants, only one discussion of testing can be found in the 398 pages of the House debate in the *Congressional Record.* On April 8, 1924, Representative Sam McReynolds of Tennessee cited a long list of evidence showing that the percentage of foreign born in jails, insane asylums, and other institutions for the socially inadequate far exceeded the percentage in the general population. As part of this evidence, McReynolds stated that,

[7] *Congressional Record* 68th Congress, 1st session, April 5, 1924. Washington, D.C.: U.S. Government Printing Office, 1924.

[8] *Hearings before the Committee on Immigration and Naturalization, House of Representatives, November 21, 1922.* Washington, D.C.: U.S. Government Printing Office, 1922.

[9] *House of Representatives Report No. 350,* 68th Congress, 1st Session, March 24, 1924. Washington, D.C.: U.S. Government Printing Office, 1924.

[10] *Congressional Record,* 68th Congress, 1st Session, April 8, 1924. Washington, D.C.: U.S. Government Printing Office, 1924.

"The investigation made by the Intelligence Division of the War Department of foreign born during the enlistments for the World War show[s] a much greater mental deficiency of foreign born than can be imagined from the figures given above."[11] Later in the same day, Representative Celler, as part of the statement in which he had criticized Laughlin's reports, addressed each of McReynold's points, presenting counterevidence or showing where statistical errors had been made. On the issue of intelligence testing, Celler presented his own analysis showing that there was no correlation between the percentage of draftees from a state showing mental deficiency and the percentage of foreign born in that state. This exchange represents the only reference to the Army test data, or any other intelligence test results, in the entire floor debate in either chamber on the Immigration Act of 1924.

Summarizing our examination of the *Congressional Record* and committee hearings: There is no mention of intelligence testing in the Act; test results on immigrants appear only briefly in the committee hearings and are then largely ignored or criticized, and they are brought up only once in over 600 pages of congressional floor debate, where they are subjected to further criticism without rejoinder. None of the major contemporary figures in testing—H. H. Goddard, Lewis Terman, Robert Yerkes, E. L. Thorndike, and so on—were called to testify, nor were any of their writings inserted into the legislative record. The overlapping distributions of test scores for various national and racial populations would probably have created more problems for the Act's proponents than for its opponents, which may help explain why the intelligence testing movement of the early 20th century left so few traces in the record. The examples of racism occasionally evident in both early psychometric writings and the Immigration Act do not appear to be causally related to each other. Rather, each reflects in its own way a crest in the long history of American Anglo-Saxonism, anti-Catholicism, and anti-Semitism, following World War I (Higham, 1973).

We have examined, and found wanting, two common allegations about intelligence testing in its early days, namely, that the hereditarian interpretation of ethnic and racial differences went largely unchallenged and that those differences were a significant factor in the passage of the Immigration Act of 1924. But the historical record contains challenges aplenty, even among testers, and nothing in the record suggests an important role for tests in the formulation or enactment of immigration policy. The allegations are usually offered as evidence of the sinister influence of tests and of their affinity to reprehensible political purposes, in this case a restrictive immigration law. Even if the allegations were true, it would be an odd argument—a form of guilt by association—to blame the tests rather than the political process that allegedly appropriated them for reprehensible ends. But, as it turns out, the record fails to show testing guiltily associated as charged.

[11] *Congressional Record,* 68th Congress, 1st Session, April 8, 1924. Washington, D.C.: U.S. Government Printing Office, 1924.

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