

DANIEL IMMERWAHR

## The Border Crossed Us: Taking the Measure of a Migrating Country

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On March 31, 1917, more than 25,000 people became U.S. nationals at the same time. It was an emotional moment; the *New York Times* reported many in the crowd weeping at the sight of the Stars and Stripes.<sup>1</sup> It was also an unusual moment, as the 25,000 new nationals weren't migrants. They hadn't crossed its borders or even moved at all. Rather, the United States had paid Denmark \$25 million to buy the Danish West Indies, and they were part of the deal. The U.S. Virgin Islands—the new name of their colony—was now a territory of the United States.

We usually assume, in speaking of migration, that there are two sorts of people in the United States: the native-born and the newcomers. Members of the first group, who make up the majority of the population, have citizenship by birthright. Members of the second, today numbering more than forty million, are not all citizens. But they have a different claim on the country: they opted for it. They are “Americans by choice,” “dreamers” who crossed a border “seeking a better life,” as the peppy titles of recent books put it.<sup>2</sup>

What we don't always appreciate is that, in the course of U.S. history, there has been another route by which people have ended up in the country, which is annexation. It is not just people who have moved; borders have, too. U.S. borders, in fact, have danced across North America, the Caribbean, the Arctic, and the Pacific, enclosing people like the U.S. Virgin Islanders. Only rarely did the annexed populations have a say in this. Most were absorbed into the country involuntarily, by conquest or by sale from one empire to another. The slogan of Mexican-American activists captures this well: “We didn't cross the border. The border crossed us.”

We don't have a ready language for the involuntary inhabitants brought into the United States this way. The words we usually use to refer to the non-

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<sup>1</sup> “Took Over Virgin Islands,” *New York Times*, 2 April 1917.

<sup>2</sup> It should be noted that in many cases that “choice” was made less out of affinity for the United States and more from an urgent need for safety, in some cases from perils exacerbated by U.S. policies. In earlier periods, the notion of those who moved to the United States as “choosing” it breaks down entirely, as hundreds of thousands of people who entered the country did so in chains, as slaves.

native-born all imply some form of movement: *migrants*, *immigrants*, *newcomers*, *refugees*, *asylum seekers*, or perhaps, going back further, *pioneers* and *settlers*. Often—with the important exception of enslaved or trafficked people—the stories we tell about such individuals emphasize their great desire or need to move. In these stories, the United States is a torch of prosperity and freedom, and the people of the world are drawn to it.

The word that best captures the plight of those crossed by the border, by contrast, is one that doesn't always arise in discussions of U.S. history: *colonized*. It's a contentious word because there's a long history of U.S. leaders insisting that their country is a republic, not an empire. Yet there's an even longer history of the United States expanding by annexing foreign lands. The country at its founding stretched from present-day Maine to Georgia, from the Atlantic to the Mississippi. This was a large domain, yet it amounted to less than a quarter of the area that the United States claimed at its peak in the twentieth century. The other three quarters came by war or purchase. In other words, by colonizing.<sup>3</sup>

How many people were fenced within the United States when its boundaries advanced? The numbers below are pulled from official censuses and supplemented in a few instances by scholars' population estimates. Despite their to-the-last-digit appearance of precision, they are approximations and in some cases undercounts, most suffering badly from the U.S. state's lack of interest in counting its nonwhite populations throughout the nineteenth and early twentieth centuries. Nevertheless, they give a rough sense:

<i>Populations at annexation</i>	
Louisiana Territory, 1803	102,375
Florida, 1819	35,000
Mexican lands (including Texas), 1845–54	285,000
Oregon Territory, 1846	13,000
Alaska, 1867	33,000
Hawai'i, 1898	154,001
Philippines, 1899	7,635,426
Guam, 1899	9,000
Puerto Rico, 1899	953,243
American Samoa, 1900	6,100
U.S. Virgin Islands, 1917	26,051
Northern Marianas, 1986	32,270
<b>Total</b>	<b>9,284,466</b>

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<sup>3</sup> Much of the following account is based on Daniel Immerwahr, *How to Hide an Empire: A History of the Greater United States* (New York: Farrar, Straus and Giroux, 2019). Other useful recent overviews of the United States' territorial empire are Julian Go, *Patterns of Empire: The British and American Empires, 1688 to the Present* (Cambridge: Cambridge University Press, 2011) and A. G. Hopkins, *American Empire: A Global History* (Princeton: Princeton University Press, 2018).

Using these figures, we can safely say that between nine and ten million people have acquired U.S. nationality via colonization. There are two things worth noting about that. The first is the sheer size of that number. More people were annexed into the United States than comprised its original settler population upon independence from Britain (3 to 4 million), and more came into the country via annexation than by the African slave trade (less than 500,000).<sup>4</sup> From 1820, the first year immigration data are available, to the end of the nineteenth century, colonization supplied about half as many permanent residents as immigration did.<sup>5</sup> In other words, in that period two out of every three people who came to reside in the United States crossed a border, and the third was crossed by one.

A second thing to note is the source of those people. The United States fought for and bought many bits of land, but in terms of population its largest acquisitions were the Philippines and Puerto Rico, both won in an 1898 war against Spain, during which the United States also annexed Guam and the non-Spanish lands of Hawai'i and American Samoa. When students in the United States are taught the history of their country's expansion, their attention is typically drawn to the Louisiana Purchase and the 1846–48 war with Mexico, both of which added enormous amounts of acreage to the country that eventually became states. But in terms of adding people, the 1898 war was the true centerpiece, accounting for roughly 95% of the annexed populations—and for territories that never became states.

Of course, the above chart tabulates only the initial populations in the newly added lands. Those populations grew. The three most populous U.S. states today—California, Texas, and Florida—were all annexed lands, and in each the population is more than a quarter Latino. The overseas territories grew in population, too, and at their peak around World War II they encompassed nearly nineteen million colonized subjects. At that time, if you lived in the United States there was a one-in-eight chance you were living in an overseas territory. The United States at that time contained more colonized people than it did Black people or immigrants.<sup>6</sup>

And that only counts formally annexed territories. The United States also occupied foreign countries, establishing temporary jurisdiction over them without officially making them part of the country. Its most famous occupations followed wars: Cuba in 1898, Japan and parts of Germany in 1945,

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<sup>4</sup> *Slave Voyages: The Trans-Atlantic Slave Trade Database*, [www.slavevoyages.org/assessment/estimates](http://www.slavevoyages.org/assessment/estimates), accessed 15 February 2020.

<sup>5</sup> U.S. Department of Homeland Security, *Yearbook of Immigration Statistics 2019* (Washington, DC: Department of Homeland Security, Office of Immigration Statistics, 2020), table 1. 18.6 million people legally became permanent residents of the United States from 1820–1899, compared with the roughly 9.1 million who became permanent residents by annexation in that same period.

<sup>6</sup> Daniel Immerwahr, "The Greater United States: Territory and Empire in U.S. History," *Diplomatic History* 40 (2016): 376.

and Iraq in 2003. Although Washington still treated occupied areas as foreign, the line could be blurred, as when the U.S. government established U.S. postal service at domestic rates in Cuba or included the Panama Canal Zone in the U.S. census. Counting the occupied territories, at the end of World War II there were around 135 million people living under U.S. jurisdiction overseas. Significantly, that was more than the 132 million people living on the U.S. mainland. If you looked up and saw the Stars and Stripes in late 1945, in other words, you probably weren't seeing it because you lived in a state. You were more likely seeing it because your country was occupied or colonized.<sup>7</sup>

That 135-million-strong empire didn't last long, though, because the United States shifted to another form of power projection. Today, the footprint of U.S. territorial power abroad mainly takes the form of military bases: hundreds of small zones of semi-sovereignty over which the United States claims jurisdiction. The most developed bases came to resemble "little Americas." By the start of the twenty-first century, Guantánamo Bay, which the United States had "leased" from Cuba since 1903 (Cuba has for decades tried to end this lease), contained a shopping mall, a McDonald's, a Baskin-Robbins, a Boy Scout contingent, a Star Trek fan club, and a golf course. Today, there are some 750 of them in territories and foreign countries.<sup>8</sup>

THE UNITED STATES prides itself on being a republic, a land of citizens rather than subjects. But there are currently two important formal constraints on citizenship. The first is on the border crossers: people entering the country have faced hurdles, sometimes impossibly high, to becoming citizens. The second is on the border-crossed.

Border-crossed peoples were on rocky legal terrain from the start. Native Americans did not, as a rule, become citizens of the United States upon being enclosed within its borders. In fact, the Constitution specifically excluded "Indians not taxed" from the polity for the apportionment of representation—the only people to be so treated.<sup>9</sup> The Fourteenth Amendment, ratified in 1868, granted citizenship to anyone born in the United States—save Indians in tribes. In the early twentieth century, another carve-out came with a set of Supreme Court rulings collectively known as the Insular Cases. The Constitution, the Court ruled in those cases, only fully applied to *part* of the United States, to the "incorporated" land. The country also contained "unincorporated" territories—including all of the colonies seized from Spain—where the Constitution did not fully apply. As one justice explained the logic, the

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<sup>7</sup> Ibid., 388.

<sup>8</sup> David Vine, *The United States of War: A Global History of America's Endless Conflicts, from Columbus to the Islamic State* (Oakland: University of California Press, 2020), 2.

<sup>9</sup> U.S. Const. art. I, § 2.

Constitution was the “supreme law of the land,” but the unincorporated territories were “not part of the ‘land.’”<sup>10</sup>

The result was to turn the United States into legally partitioned space, divided into a constitutionally governed zone and an extraconstitutional zone. That is why, even today, if you are born in American Samoa you are a U.S. national but not a citizen, despite American Samoa having been “American” for well over a century.

There’s a colloquial term for people denied standard civil rights: second-class citizens. In the case of colonial subjects, their citizenship—when they’ve had it—has been literally second class, in that it’s a different type of citizenship. Because the Supreme Court has never ruled that the Fourteenth Amendment covers the inhabitants of the unincorporated territories, they’ve lacked constitutional citizenship. Instead, they have had at most statutory citizenship, granted by Congress, a legislative body in which they have no effective representation. But because statutory citizenship is not backstopped by the Constitution, it can be rescinded by a congressional majority.

Often, citizenship for annexed peoples came late, if at all. Puerto Ricans became citizens in 1917, Native Americans in 1924 (some were already citizens by special legislation), U.S. Virgin Islanders in 1927, and Guamanians in 1950. Filipinos were never made citizens before gaining independence in 1946 and American Samoans to this day have no birthright to citizenship.

It is not an accident that the U.S. nationals who have been denied citizenship or granted only statutory citizenship have been largely—at least in the eyes of lawmakers—nonwhite. The history of annexation, like the history of immigration, has been one of careful racial curation. Until 1898, decisions about where U.S. borders should go were explicitly governed by an exclusionary logic. Generally, U.S. leaders sought to annex as much land as they could without bringing too many more nonwhite people into the country.<sup>11</sup> One influential argument against annexing large territories around 1898 was the fear that new annexations would inject too many nonwhites into the union. Policymakers overcame this objection by protecting white rule in a different way: they annexed those territories but restricted rights and representation in them—and blocked them from becoming states.

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<sup>10</sup> *Dorr v. United States*, 195 U.S. 138, 155 (1904) (Harlan, J., dissenting). See Christina Duffy Burnett and Marshall Burke, eds., *Foreign in a Domestic Sense: Puerto Rico, American Expansion, and the Constitution* (Durham: Duke University Press, 2001); Bartholomew H. Sparrow, *The Insular Cases and the Emergence of American Empire* (Lawrence, KN: University Press of Kansas, 2006); and Gerald L. Neuman and Tomiko Brown-Nagin, eds., *Reconsidering the Insular Cases: The Past and Future of American Empire* (Cambridge, MA: Human Rights Program Series, Harvard Law School, 2015).

<sup>11</sup> Eric T. L. Love, *Race over Empire: Racism and U.S. Imperialism, 1865–1900* (Chapel Hill: University of North Carolina Press, 2004); Paul Frymer, *Building an American Empire: The Era of Territorial and Political Expansion* (Princeton: Princeton University Press, 2017).

Part of the United States but disenfranchised and not quite “American” in the eyes of its leaders, the people of the post-1898 territories suffered serious hardships. It’s no accident that the largest mass shooting by police happened in the colonies: the 1937 Ponce Massacre in Puerto Rico, in which more than 150 were wounded. The worst military massacre took place in them, too: the Bud Dajo massacre in the Philippines, which killed hundreds and possibly more than a thousand.<sup>12</sup> The bloodiest war on U.S. soil was not the Civil War, as is commonly assumed. The 1899–1913 war to suppress Philippine independence and the Second World War in the Philippines both appear to have killed more people.<sup>13</sup> Such was life in the “back room” of the United States, as the president of the Philippine commonwealth Manuel Quezon put it.<sup>14</sup>

In all this, the border-crossed people of the United States have much in common with the border-crossing ones. But there are important differences. One has to do with legality. Some migrants to the United States enter or remain in violation of the law, and their lack of documentation puts them in a precarious and dangerous position. In the case of annexed peoples, questions of legality arise in a different way. The chief legal question with respect to annexation is whether the *United States* broke the law. This possibility has attended annexations since the first, the Louisiana Purchase, which Thomas Jefferson himself acknowledged went “beyond the constitution.”<sup>15</sup> The United States’ first overseas acquisitions, a set of uninhabited “guano islands” valued for the nitrate-rich fertilizer they possessed, met with a challenge that rose to the Supreme Court.<sup>16</sup> To this day, sovereignty activists maintain that the U.S. acquisition of Hawai‘i violated international law and that Hawai‘i is not part of the United States but rather illegally occupied by it.

Hawai‘i’s incorporation into the United States came over the strong objection of Native Hawaiians, who bombarded the authorities with anti-annexation petitions.<sup>17</sup> When the United States annexed the Philippines, it could fully establish civilian rule there only after fighting for fourteen years against an armed independence movement that, at least at the start of the war, appears to have commanded strong popular support. This is another difference between the border crossers from the bordered-crossed: colonized populations by and large did not choose the United States. Only in Texas and the Northern

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<sup>12</sup> Immerwahr, *How to Hide*, 422n.

<sup>13</sup> Immerwahr, *How to Hide*, 103, 211–212, 421n.

<sup>14</sup> Charles A. Willoughby and John Chamberlain, *MacArthur: 1941–1951* (New York: McGraw-Hill, 1954), 56.

<sup>15</sup> Thomas Jefferson to John Dickinson, 9 August 1803, *Founders Online*, National Archives, [founders.archives.gov](http://founders.archives.gov).

<sup>16</sup> Christina Duffy Burnett, “The Edges of Empire and the Limits of Sovereignty: American Guano Islands,” *American Quarterly* 57 (2005): 779–803.

<sup>17</sup> The extent of local resistance is documented in Noenoe K. Silva, *Aloha Betrayed: Native Hawaiian Resistance to American Colonialism* (Durham, NC: Duke University Press, 2004).

Mariana Islands was annexation put to a popular vote, and in Texas that vote was restricted to white men. Thus, of the roughly 9.3 million who joined the country via annexation, fewer than 200,000—around two percent—did so via a vote. It is not a coincidence that, of the tiny number who got to choose annexation, the majority were white.

MIGRANTS TO the United States have met by and large with three fates: in, out, or in between. In other words, they've been legally included via official status and perhaps citizenship, they've left or been deported, or they've remained in the United States without documentation. We can use the same schema to think about the three trajectories for the places that have, via annexation, become territories of the United States. Some have become states (in), others have gained independence (out), and still others remain indefinitely as territories, persisting in a sort of legal gray zone (in between).

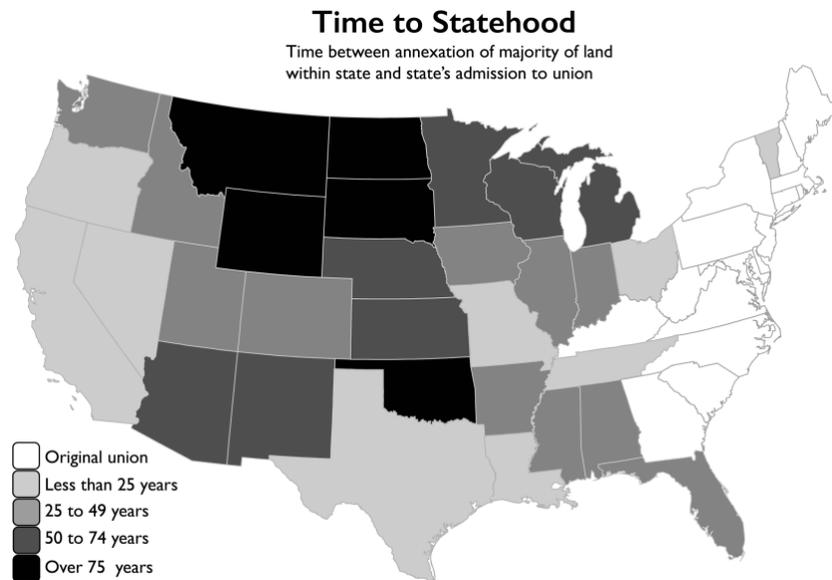
The willingness of the United States, from the start, to welcome territories into the union as states on an equal footing with existing states is noteworthy. Not only was this a country open to incorporating new people, it was one open to incorporating new places. In other empires, territories often remained subordinate without any expectation that they'd achieve the political status enjoyed by the metropole. But with the Northwest Ordinance of 1787 and a series of similar laws following it, U.S. lawmakers established a process by which territories could become states, sometimes in less than a decade. This was a sign that the United States represented a new kind of politics, republican rather than imperial.

Still, there were caveats. Until territories gained statehood, the federal government held absolute power over them. The Northwest Ordinance recommended population thresholds at which the territories would gain internal representative government and then statehood, but these thresholds weren't binding; Congress could (and did) hold territories back or admit them early. "In effect," wrote James Monroe, who drafted the Northwest Ordinance, it established "colonial government" in the territories, akin to the kind that had governed the thirteen colonies before U.S. independence.<sup>18</sup> And it is remarkable how long the federal government held its territories in that form of colonial government. On the mainland, the average time from annexation to statehood was 45 years.<sup>19</sup>

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<sup>18</sup> James Monroe to Thomas Jefferson, 11 May 1786, *Founders Online*.

<sup>19</sup> Immerwahr, "Greater United States," 384.



This map hints at the source of the delay. The territories that lingered were the ones with large and enduring Native populations. The column of territories springing from the top of Texas, all of which took more than fifty years to become states, were carved out of Indian Territory (also called Indian Country), an enormous zone that initially covered 46% of the United States' area.<sup>20</sup> Oklahoma, the Dakotas, and places like them stayed territories so long not because they were empty, waiting for enough people to form a government, but rather because they were inhabited by Native polities. The magic dust sprinkled on territories to turn them into states was white settlement, and the territories that had moved most quickly into the union were the ones in which settlers most quickly outnumbered Indigenous people. This explains why California, which filled quickly with settlers due to its gold rush and saw mass murders of Native peoples, became a state in two years whereas Oklahoma, long reserved for Indians, remained a territory for more than a century.

It also explains the fate of the overseas territories. The colonies that seemed most amenable to settlement campaigns by whites from the U.S. mainland were Alaska and Hawai'i, the only overseas lands that the Supreme Court ruled "incorporated." Still, they never saw as much white migration as expected; at the end of the Second World War, Alaska was still half Native and whites were an outright minority in Hawai'i. So both remained territories for quite a while: 92 years in Alaska's case, 61 years in Hawai'i's.

It was only during the Cold War, when their subordinated status became a vulnerability on the world stage, that Alaska and Hawai'i joined the union. Moscow made much of the fact that the United States, for all its boasting about freedom and democracy, still had large colonies. U.S. Congress finally made

<sup>20</sup> Immerwahr, *How to Hide*, 38-40.

them states in 1959, overcoming strong internal resistance from segregationists, to showcase the United States' commitment to multiracial democracy. These were the only overseas territories the United States would ever admit into the union, and the only states whose admission was not ultimately dependent on white settlement. They have since been important sources of Native advocacy, anti-imperialism, and racial diversity within U.S. politics; it's telling that the first Black president was born in Hawai'i.<sup>21</sup>

If statehood resolved the predicament of empire by inclusion, independence resolved it by separation. There has been only one clear-cut case of a U.S. territory gaining independence, the Philippines—the most populous territory the United States ever held, relinquished in 1946. Beyond that, a few places that the United States administered for decades—but never annexed—gained independence from U.S. rule. Haiti regained self-government after nineteen years of U.S. occupation (1915–1934), Okinawa reverted to Tokyo's control after twenty-seven years (1945–1972), and the U.S.-administered Panama Canal Zone was finally relinquished after more than seven decades (1903–1979), its land reverting to Panama. In Micronesia, the United States administered the Trust Territory of the Pacific Islands under the United Nations' sovereignty from 1947 until the 1980s and 1990s, when the territory was broken up into the Republic of the Marshall Islands, the Federated States of Micronesia, the Republic of Palau, and the Commonwealth of the Northern Mariana Islands, the last of which became an unincorporated U.S. territory in 1986.

By the “in, out, or in between” analogy between annexation and migration I am proposing, independence corresponds to deportation. This may seem like a strained comparison, but there are important similarities. Both are mechanisms the United States has used to rid itself of unwanted populations, either by retracting its border or pushing people over it. It was largely this exclusionist logic that led U.S. policymakers to decide to cast off the Philippines in the 1930s. At that time, the economic hardships of the depression had prompted white workers on the West Coast to turn against job-seeking Filipino migrants and mainland farmers to complain about competition from Philippine produce. Freeing the Philippines would draw an international border between the colony and the U.S. mainland, one that neither migrants nor goods could easily cross (it would also relieve the U.S. military of the obligation to protect the Philippines if Japan invaded). Liberation in any broader sense was far from lawmakers' minds at the time. “I want our people to keep out of the Orient and I want the Orient to keep out of the United States,” is how one U.S. senator voiced the argument for independence.<sup>22</sup>

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<sup>21</sup> Sarah Miller-Davenport, *Gateway State: Hawai'i and the Cultural Transformation of American Empire* (Princeton: Princeton University Press, 2019).

<sup>22</sup> Samuel Morgan Shortridge in *Congressional Record*, 72d Cong., 2d sess., 383.

President Franklin Delano Roosevelt put it more bluntly: “Let’s get rid of the Philippines.”<sup>23</sup>

The Philippine Independence Act, passed in 1934, did not immediately free the colony. Rather, it cut off unrestricted Filipino migration to the mainland and gradually raised tariff walls while putting the Philippines on a countdown to independence. By the time that countdown ended, on July 4, 1946, World War II had come and gone, leaving the meagerly defended colony in ruins. Now, U.S. policymakers gained new reasons for setting the Philippines free, to do with securing legitimacy in decolonizing Asia. This understanding aligned much more closely with the popular Philippine desire for independence. On this logic, the United States denationalized some 19 million people at a stroke.<sup>24</sup>

Nineteen million is far more than the 2.4 million that the United States formally deported in the twentieth century. However, historian Adam Goodman has shown that formal deportations only accounted for a small fraction of total expulsions, because the United States also removed people via “voluntary departures.” Despite their name, Goodman writes, there was “nothing voluntary about them”; they were just accomplished at a lower administrative level than formal deportations, without court hearings.<sup>25</sup> Adding voluntary departures (counted since 1927) to the tally, deannexation accounted for roughly a third of twentieth-century removals from the United States.<sup>26</sup>

The vast bulk of U.S. territories ultimately became states, though the largest, the Philippines, was set free. Between those two poles lie five overseas territories that remain unincorporated territories, part of the polity but not part of the union: Puerto Rico, Guam, American Samoa, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands. And within U.S. states—existing as partial legal carve-outs—are more than 300 federal Indian reservations, covering a collective acreage the size of Idaho.

Imminent changes for these spaces seem unlikely, though there is talk of Puerto Rican statehood and, it now appears, a slim majority of support for it on the island (53% expressed a preference for statehood in a nonbinding yes-or-no referendum in 2020). The territories remain, just as the chief justice in

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<sup>23</sup> H. W. Brands, *Bound to Empire: The United States and the Philippines* (New York: Oxford University Press, 1992), 163.

<sup>24</sup> Motives and process discussed in Daniel Immerwahr, “Philippine Independence in U.S. History: A Car, Not a Train,” *Pacific Historical Review*, forthcoming.

<sup>25</sup> Adam Goodman, *The Deportation Machine: America’s Long History of Expelling Immigrants* (Princeton: Princeton University Press, 2020), 3.

<sup>26</sup> Formal deportations and voluntary departures (or “returns”) account for 38.4 million expulsions, 1900–1999, according to DHS, *Yearbook*, table 39. There are three important caveats. First, the DHS figures count total expulsion events, not individuals, so the same person being deported four times will count as four deportations. Second, Goodman found evidence of voluntary departures before 1927, when our numbers are first available. Third, running alongside both formal deportations and voluntary departures were intimidation campaigns causing migrants to “self-deport,” and those self-deportations do not count in the tally.

one of the turn-of-the-century Insular Cases predicted they would, like a “disembodied shade, in an intermediate state of ambiguous existence for an indefinite period.”<sup>27</sup>

That “ambiguous existence” comes with costs. In 2017, a series of deadly hurricanes tore through the Caribbean, striking the U.S. Virgin Islands, Puerto Rico, Florida, and Texas. The damage was general, but the repair wasn’t. Federal personnel, charitable giving, and media coverage all privileged the states over the territories. Puerto Rico waited nearly a year before electricity service was fully restored, and the president at the time, Donald Trump, seemed more interested in selling off the territory than helping it.<sup>28</sup> Not “a single dollar” should go to Puerto Rico, Trump privately told his advisers.<sup>29</sup>

Trump’s hostility to Puerto Rico was more brazen than the quiet disregard of other U.S. leaders. But it was of a piece with a long tradition of neglect, enabled by the fact that residents of the overseas territories cannot vote in presidential elections, lack effective representation in Congress, aren’t covered by the Constitution, and do not count as “Americans” in the popular mainland imagination. Woodrow Wilson, speaking of the overseas territories, described them as lying “outside the charmed circle of our own national life.”<sup>30</sup>

He was right. Today, all of the U.S. territories are poorer, per capita, than all of the U.S. states. And most mainlanders are only dimly aware of the territories’ existence.

MORE THAN A CENTURY has passed since the Stars and Stripes went up over the U.S. Virgin Islands, making more than 25,000 people U.S. nationals. In that century, Congress has both extended and retracted U.S. borders; it has set a colony free, annexed new territory, started and ended massive occupations, and made territories into states. The country has not been a fixed location, in other words, but has moved around the map.

These movements are sometimes hard to see. Most people, if prompted to envision the United States, picture a familiar shape: the Atlantic-to-Pacific span of states. They imagine a static and contiguous nation-state, a homeland. In this vision, much of the United States’ diversity, laudable or not, stems from outsiders rushing in. If there are too many of them, well, one can always build a wall.

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<sup>27</sup> *Downes v. Bidwell*, 18 U.S. 244, 372 (1901) (Fuller, C. J., dissenting). A helpful reflection on the status ambiguities afflicting both immigrants and the colonized (as well as other subordinated groups in U.S. history) is Sam Erman, “Truer U.S. History: Race, Borders, and Status Manipulation,” *Yale Law Journal* 130 (2021): 1188-1249.

<sup>28</sup> Michael D. Shear, “Leading Homeland Security under a President Who Embraces ‘Hate-Filled’ Talk,” *New York Times*, 10 July 2020.

<sup>29</sup> Tracy Jan, Arelis R. Hernández, Josh Dawsey, and Damian Paletta, “After Butting Heads with Trump Administration, Top HUD Official Departs Agency,” *Washington Post*, 16 January 2020.

<sup>30</sup> Woodrow Wilson, First Annual Message, 2 December 1913, Gerhard Peters and John T. Woolley, *American Presidency Project*, [www.presidency.ucsb.edu](http://www.presidency.ucsb.edu).

But once you understand the United States as a dynamic empire, talk of “insiders” and “outsiders” makes less sense. The United States, which hasn’t been contiguous for more than 150 years, simply isn’t the kind of place you can build a wall around. Much of its diversity—including a recent president from Polynesia—comes from its shifting borders. Because it’s not only the people who have migrated. The place has, too.