

## Ethnic and Racial Discrimination against Immigrants

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**Abstract:** This paper examines the ethnic and racial discrimination faced by immigrants in workplace. The challenges immigrants face on and off the workplace due to their status, their amount of legal protection, and their knowledge of the work and legal system are illustrated. Although there have been many debates surrounding U.S. immigration policies concerning the assertion that natives lose jobs to immigrants, there is also an ignored side of this coin that shows that employers sometimes prefer to hire immigrants mainly because of the possibility of exploiting them. This is an ethical issue that immigrants face when entering the labor market. Apart from being an immigrant in general, some racial issues also come into play in the labor market. These issues became heightened in the workplace particularly as a backlash after the 9/11 terrorist attack. Integration into the labor market as an immigrant became even more complex and challenging for minority races. This study explores complexities and provides a comprehensive insight into the world of immigrants who are vulnerable and often victims of racial and ethical discrimination in workplace.

**Key words:** ethnic and racial discrimination; foreign workers; workplace; U.S. immigration policy

**JEL codes:** J71, J61, J83, K31, K37

### 1. Introduction

An increasing number of people throughout the world are employed in foreign countries where they do not hold citizenship or permanent residency (Soylu, 2013). Due to this lack of citizenship there is increasing recognition that immigrants throughout the world are often discriminated against. Dealing with the complexities of being an immigrant is a difficult task. They are often blamed and persecuted for high unemployment rates, crime and other illicit behavior, overcrowding of schools, diseases, and unwanted changes in American culture due to the beliefs of this “unwelcomed” group of people. Citizens, especially the old stock Americans, fear that immigrants would not assimilate to the prevailing “American way of life”. In fact, in 1751, Benjamin Franklin complained that the “Palatine Boors” were trying to Germanize Pennsylvania (Hirschman, 2006). Even in highly diversified workplaces, there is still insensitivity toward legal immigrants, an issue which leads to harassment and discrimination. This study seeks to explore how racial/ethnic context determines attitudes toward immigrations. In this paper, focus will also be placed on the issues relating to ethnic and racial discrimination against immigrants and solutions will be proposed to help resolve them, particularly in the workplace.

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## 2. Literature Review

### 2.1 Brief History of Immigration

There are currently 11.9 million unauthorized (undocumented) immigrants living in the United States, with an average of 500,000 new entrants arriving annually over the last decade (Passel & John, 2009). Undocumented workers make up a large segment of the workforce in many countries, but their illegal status makes them difficult to study using conventional survey methods (Soylu, 2013). The average *annual* inflow for legal immigrants was about 252,000 in the 1950s, about 332,000 in the 1960s, and 449,000 in the 1970s, and jumped to 734,000 in the 1980s. On average, annually more than 900,000 foreigners were admitted as legal immigrants to the United States between 1991 and 2000, followed by 1 million in 2001 and 2002, below 1 million annually for 2003 and 2004, and above 1 million for 2005 through 2010 (Office of immigration statistics, 2011).

Historically, immigrants have contributed significantly to the development of the United States. During the Lincoln administration, immigrants were actually encouraged to come to America, as they were considered valuable to the development of the country. As a matter of fact, the growing industrial economy after the Civil War required a large work force, which was filled by immigrants. In a Congressional Report from 1868, it was stated that the rapid growth and prosperity of the country greatly depends upon foreign emigration (Vogel, 2006). Furthermore, the authors of this report believed that immigrants would aid in the American dream of “making this republic the freest and most powerful empire of the world” (Vogel, 2006). One can see that this policy has shown the expectant results since, as evident today, America is one of the most developed and diversified countries in the world. The U.S. population is becoming more racially and ethnically diverse, and immigration has been a major influence on both the size and the age structure of the U.S. population (Shrestha & Heisler, 2011).

The net immigration rate has been and is projected to be positive (with in-migration exceeding out-migration) for the full century (1950 to 2050) (Shrestha & Heisler, 2011). During the last 30 years, an increasing trend in immigration rates had been noted and the annual rates in the 1990s were in the range of 3.0 to 3.9. The U.S. Census Bureau projects that the migration will continue to be an important component of population growth through 2050 with continuing higher rates than those currently observed.

### 2.2 The Contribution of Immigrant to the U.S. Economy

According to Census 2000, immigrants constitute 12.2 percent of the total workforce and 12.5 percent of total business owners, and the total business income generated by immigrant business owners was \$67 billion of the \$577 billion in U.S. business income, representing 11.6 percent of all business income in the United States (Fairlie, 2008).

According to Fairlie (2008), immigrants show a 30 percent higher probability of starting businesses than non-immigrants and represent 16 percent of all new business owners in the U.S. He also says that immigrants are proprietors of 11.2 percent of businesses that generate more than \$100,000 in sales as well as owners of 10.8 percent of businesses with employees. Moreover, Fairlie's (2008) report indicated that immigrants contribute across different sectors of the economy, including more than one-fifth of businesses in the recreation, arts, and entertainment industries. They reportedly also contribute significantly to the transportation industry and wholesale and retail trades as well as other services.

### 2.3 Other Impact of Immigrants to the U.S. Society

As already stated, immigrants contribute significantly to the economic development of America and the American dream. In addition to that, they have also demonstrated a great deal of civic engagement. One saw just a

few years ago how immigrants belonging to minority groups assisted in the election of a black president, Barack Obama, the son of a Kenyan immigrant, which could change the political landscape of this country. According to Hoyt (2009), the Obama election can be seen as an attempt by a significant portion of the socially disaffected in the United States to apply a democratic corrective to the decline in social trust. Immigrant efforts (including marches) also encourage democracy and demonstrate an increase in social capital within and between groups. The relationships that led to the mobilization of people signify strong networks which could be used to build social capital and bridge the gap between immigrants and their fellow citizens.

Immigrants offer a host of benefits to America far beyond mere diversity. Some of the most noteworthy benefits (apart from faster economic growth already discussed) include greater creativity and the increase in third world trade, thus leading to the resultant economic development of these parts of the world. With respect to creativity, immigrants to the United States account for three to four times as many Nobel laureates, National Academy of Science members, Academy Award-winning film directors, and winners of Kennedy Center awards in the performing arts as native-born Americans (Putnam, 2009).

#### **2.4 Attitudes towards Immigrants**

There is relatively little research on perceived workplace discrimination against foreign workers. Banerjee's study of Canadian immigrants found that perceived workplace discrimination was higher among immigrants than among the native-born (Banerjee, 2008). Several studies have documented earnings discrimination among foreign workers (Anton, De Bustillo & Carrera, 2010; Buhr, 2010; Nielsen, Rosholm, Smith & Husted, 2004). Perceived discrimination has often been documented among immigrants and temporary residents such as foreign college students (Ataca & Berry, 2002; Berry & Annis, 1974; Moyerman & Forman, 1992; Sandhu & Asrabadi, 1994). It seems likely that foreign workers will have similar experiences. For instance, many come from non-European countries and have racial or religious characteristics that fit one or more of the "protected" classes recognized by U.S. employment law as potential targets of discriminatory actions (Soylu, 2013).

The United States had an open immigration policy up to 1924, when the National Origins Immigration Policy came into effect (Huffman, 2008). Later, in the 1930s, with the advent of opinion polling, immigration policy analysis was carried out by collecting insights from the public on various issues. These factors encouraged the heated debate on immigration policy, which was further intensified by George W. Bush's immigration proposal regarding whether the U.S. should be more open or less open to new immigrants (Blendon, Pelletier, Brodie, Benson, Hamel, Raleigh, Rosenbaum, & Altman, 2005). Moreover, the 9/11 terrorist attack left the country in a state of paranoia and fear that strengthened the desire for closed borders. It also led to the perpetuation of the "No immigrants or dogs allowed" and other anti-immigrant sentiments among the citizens, especially by the old stock Americans. Still further, times of economic pressure such as those of today have led non-immigrants to ignore the value added to this country by immigrants and instead developed a negative attitude toward this group.

Although many studies provide inconsistent findings on what shapes individuals' attitudes towards immigrants, it is quite conceivable that those attitudes may be partially due to economic concerns and the concerns of competition in the labor market. Some natives accuse immigrants (especially illegal immigrants) as being a burden on the economy. Similarly, the labor market competition model predicts that citizens will be most opposed to immigrants who have skill levels similar to their own (Hainmueller & Hiscox, 2010). Other factors, such as ethnocentrism and ideologies, also play a significant role in the way natives feel about immigrants. Some believe that immigrants corrupt their society. They believe immigrants often refuse to adapt and integrate themselves into American culture, thus resulting in the development of subcultures and the breakdown of social

capital. Whether these reasons hold true or not, immigrants are discriminated against racially and ethnically in and out of the workplace, which is a growing concern for everyone as well as the economy.

### **2.5 To Identify or not to Identify—The Starting Point of Ethnic Discrimination in the Workplace**

Ethnic discrimination starts with the national identification of individuals on the workplace during the application process, during interviews, or even during the course of the individual's employment. It is also very common to identify persons based on their appearance, beliefs, religions, native languages, and accents. However, subjectively placing national labels on persons and stereotyping them accordingly is wrong and is often the foundation for discrimination. Because of immigration, today's society and workforce are much diversified, which creates new dimensions for discrimination. Discrimination in the workplace can seriously harm those who are its targets (Reskin & Padavic, 2002). It makes the organization seem an unfriendly and even hostile place.

Decades ago, studies of discrimination (Utsey, Pontgerotto, Reynolds & Cancelli, 2000) were mostly focused on its effects on blacks and females. People subject to discrimination are torn between "fight or flight" responses: either being assertive and demanding one's rights or avoiding the situation altogether. A study of African Americans' responses to discrimination found that the fight response, or "confrontation," was used less often because it was felt to be too costly in time and energy (Utsey, Pontgerotto, Reynolds & Cancelli, 2000). More frequently used was flight—that is, an "avoidance strategy." Either response is fraught with costs and risks for the foreign employee. Confronting discrimination is problematic for foreign employees because of their uncertain status and limited influence in the organization. Active strategies create uncertainty and instigate retaliation, while avoidance strategies lead to reduced self-esteem, unhappiness, and depression (Utsey et al., 2000). For foreign employees, the option of quitting and going to another company is problematic. Thus, neither fight nor flight fully resolves the problem, and either response is likely to bring further consequences that drain energy and create new problems (Soylu, 2013).

Today, however, discrimination has more faces and is a reality for persons of different national origins and ethnic backgrounds. This discrimination sometimes starts on the doorstep of workplace. Normally, when an employer advertises a job vacancy, interested persons apply and the employer collects relevant information from applicants concerning their skills, capabilities and other demographic data. This information is then taken into consideration given the nature and requirements of the job vacancy in order to come up with a match or a good fit between the job and the prospective employee. The best fit would result in the eventual employment of "the best" prospect. However, the perception of "fit" or "suitability" may be biased by group or job stereotypes which lead to discrimination (Krings & Olivares, 2007). Immigrants are also faced with issues related to discrimination and prejudice. This idea of job suitability does not always hold true for them, either. Interestingly, though, according to Krings and Olivares (2007), some foreign ethnic groups may be more favored than others and thus more likely to be confronted with discrimination, as compared to members of other foreign ethnic groups because of negative stereotypes. Still further, discrimination against immigrants may become even more present depending on the type of job being applied for in terms of the level of technical skills needed or the interpersonal skills of that person. It is much easier to assess an applicant applying for a job that requires technical skills simply by reviewing the applicant's resume. However, it is much more difficult to assess an applicant's social or interpersonal skills required for certain jobs. This assessment will then be more subjective since inferences cannot be made from just looking at an applicant's documents. This situation, in itself, places immigrants in a difficult position as stereotypes and discrimination are often more likely to occur in situations of ambiguity. Moreover, a job that require high levels of interaction (whether with co-workers or clients) demands that a person be liked, which also

has a significant bearing on job performance. Being disliked will then impair the quality of social interaction and, hence, job performance. In essence, applicants who are members of disliked groups according to race or national origin who then apply for jobs that require interpersonal skills may be unjustly denied the position.

Following the terrorist act in September of 2001, this type of hiring behavior and other forms of discrimination became heightened. Immigrants in general—and members of the Middle East and Arab community in particular—became targets of discriminatory acts, which led to the involvement of the Equal Employment Opportunity Commission (EEOC) and the Labor Department. However, despite the joint initiative to remedy discrimination and harassment against individuals who were perceived to be Muslim, Arab, Middle Eastern, etc., the number of complaints filed at the EEOC for workplace discrimination relating to religion, ethnicity, national origin, and citizenship revealed that this type of discrimination had continued to rise. These groups became very disliked and, as a result, were grossly discriminated against, especially in situations in which they applied for jobs that required high levels of interaction with clients and co-workers alike (Malos, 2010). This practice is illegal under Title VII and should not be practiced or tolerated in the workplace.

### **2.6 Do Attitudes towards Immigration Have Racial Undercurrents?**

The US population showed a significant growth of 9.7% between 2000 and 2010. The majority of this growth came from races other than white, particularly those who reported their ethnicity as Hispanic or Latino (Humes, 2011). The increase in immigration, coupled with the increased birthrate associated with members of minority races, has led to this shift in population composition. This composition poses a serious issue to Caucasian Americans whose long-held position as the majority group is now seriously threatened. A backlash to this situation is the increased resentment and prejudice shown to immigrants. Minority races find it difficult to come to terms with this kind of hostility, which results in a racial issue. In addition, some research (Facchini G. & Mayda A., 2009; Scheve K. & M. Slaughter, 2001) has shown that natives' attitudes to immigrants are predicated upon racism and other political and social issues and that their preferences for immigration policies are influenced by racial resentment toward some groups depending on the ethnic or racial background. According to these studies, it was shown that an individual sharing a phenotype (such as Latino) with a stigmatized other (such as illegal Mexican immigrant) makes that person vulnerable to discrimination and prejudice. This, therefore, indicates that attitudes towards immigrants are partially an image of citizens' racial repugnance towards the group (Latinos in this case) (Ayers, Hofstetter, Schnakenberg, & Kolody, 2009). According to Hainmueller and Hiscox (2010), a very different set of studies argues that material economic concerns lie at the heart of anti-immigrant sentiment and that individual attitudes toward immigration are profoundly shaped by fears about labor market competition (Kessler 2001; Mayda, 2006; Scheve & Slaughter, 2001) and/or the fiscal burden on public services (Facchini & Mayda, 2009; Hanson, 2005; Hanson, Scheve, & Slaughter, 2007).

### **2.7 Ethnic and Racial Discrimination against Immigrants and Its Effects on Unionizations**

Discrimination against immigrants and ethnic minorities in the hiring and firing process has also had some subsequent effects on unionization. Unions develop to counter employer power by exerting control over the employer's labor supply (Fossum, 2012). Unions have long been found to enhance equality and reduce discrimination within the workplace by, for example, reducing the wage gap between visible minority and majority workers (Harcourt, Lam, Harcourt, & Flynn, 2008). However, some argue that these benefits are not always extended to immigrants who would also like to be unionized for better protection against pre- and post-employment discrimination. According to Harcourt et al. (2008), ethnic minorities are considered to increase competition in the labor market and, thus, threaten majority workers. Also, these ethnic minorities are accused of

being responsible for reducing wages, which is the opposite of what unions strive to achieve. With this being said, another important issue needs to be addressed; do unions encourage employers to discriminate? According to Harcourt et al. (2008), there are two views of looking at the unions' role in employment decisions; the exclusive view and the inclusive view.

The exclusive view concerns the union's goal of keeping members' wages up, which would imply some sort of monopoly control on the supply of labor. However, the large numbers of immigrants who are seeking employment along with those already in the workforce are believed to reduce overall wages and negatively affect the bargaining power of unions.

The inclusive view, however, contradicts the argument put forward by those who support the exclusive view. First of all, studies (Harlan & Berheide, 1994) have shown that immigrants are usually restricted to low-paying jobs and are not particularly attractive to citizens. Harlan and Berheide (1994) define a low-paying job as one in which a man or woman earns less than one and a half times (150 percent) the federal poverty threshold for a family of four.

In many segments of the labor market, immigrants have become a significant factor (Nissen, 2002). According to Nissen (2002), unions unable or unwilling to incorporate immigrants or to develop leadership from their ranks will inevitably fail to grow in the coming years, yet, very little scholarly work has been done on current union attitudes toward immigrants, recent union experiences in attempting to organize immigrant workers, or internal factors making a union more or less amenable to immigrants within their ranks (For exceptions, see Delgado, 1993; Haus, 1995; Milkman, 2000; Delgado, 2000; Nissen & Grenier, 2001; Nissen, 2002).

In terms of the monopoly argument, restricting membership is not exactly a good idea since greater membership results in more bargaining power for unions and, considering that union membership has been on the decline over the years (from a high of 33.5% in 1954 to 13.3% in 1998 for non-agriculture employees in the U.S.). Therefore, the fast-growing immigrant population should be a logically attractive source of members for the survival of unions.

Employers have the option of finding cheaper non-union workers through employment agencies, contracting out to non-union companies, as well as the option of turning to technology to replace manual labor. Therefore, not including immigrants in unions does not necessarily increase the employment opportunities for union members.

### **2.8 Possible Benefits of Natives Due to Low-skilled Immigrants**

As already expressed throughout this paper, immigrants are usually seen as a competitive threat. It has been revealed through studies that low-skilled citizens can indeed benefit from low-skilled immigrants in the form of increased wages. This thought-provoking notion can be explained through simple logic. The immigration of low-skilled workers places a downward pressure on the low-skilled wage and the unemployment benefit. This increase in the number of low-skilled workers decreases low-skilled income but increases the total number of low-skilled jobs, which is more to the advantage of the low skilled citizens. Moreover, immigrants are less likely to capture these jobs, and the difference between net earnings and the unemployment benefit becomes higher, which depends on trade union power and objectives (Kemnitz, 2005). According to Kemnitz (2005), this outcome is more likely to take place under conditions in which discrimination against immigrants is high; trade unions have the right amount of bargaining power with a stronger preference for income as opposed to employment of members, and in situations in which the tax rate financing unemployment benefits is not too high.

The vast majority of immigrants entering the US originate from less developed countries, and many of them are unskilled. With this being the case, it is also important to note that the skills set of immigrants is important to

the economy of the host country in terms of cost and benefit since skill level is a determinant of productivity and welfare services utilization (Polgreen & Simpson, 2006).

### **2.9 Attitudes towards Immigrants Based on Their Skill Level Relative to that of the Natives**

The ideas presented in this paper are predicated upon the level of skills possessed by immigrants. These skills, or the lack thereof, then play a role in shaping citizens' attitudes towards immigrants based on whether the immigrants are less or more skilled than they are. The chance that natives will have a favorable view toward immigration is either an increasing or decreasing function of that individual's skill in countries where the relative skill composition of natives to immigrants is either high or low (Facchini & Mayda, 2009). The idea is that when immigrants are unskilled they decrease the relative supply of skilled labor to unskilled labor. This ratio, as a result, leads to an increase in the skilled wage and a reduction in the unskilled wage. This logic also holds true when the situation is in reverse and immigrants are more skilled than natives.

Based on what we have discussed so far, attitudes towards immigrants can be improved by adjusting immigration policies depending on trends predicted in the labor market in terms of the level of skilled or unskilled workers anticipated for the future. As absurd as the idea may seem, there can be times when the economy and the labor market favor immigration similar to what happened in 1998 when Silicon Valley entrepreneurs made a case to congress for an increase in the number of H-1B visas, which allow a foreign national to be employed in the U.S. for up to six years and requires a sponsoring U.S. employer who will file a labor condition application (LCA) with the U.S. Department of Labor attesting to payment of prevailing wages for the position and the working conditions offered (Soylu, 2007).

## **3. Discussion and Conclusion**

Despite several decades of legislation outlawing discrimination on the basis of race, gender, religion and national origins, contemporary research documents that it still exists in the workplace (Kessler, Mickelson & Williams, 1999). Discrimination can seriously harm those who experience it (Reskin & Padavic, 2002). Throughout the discrimination of immigrants' literature, we have seen that immigrants have and will continue to contribute to the growth and development of the economy. It was under the Lincoln administration that immigrants were invited to come to the US, who then contributed to making this country one of the greatest and most prosperous territories in the world. Although many natives are concerned about immigration and its perceived impact on them, these perceptions may not always be properly and objectively evaluated. As we have also seen, some of these attitudes towards immigration may even be driven by racism. This is unfortunate and is an atrocity on and off the workplace as we should have recognized by now that diversity is important and beneficial to all societies for reasons pertaining to greater creativity, faster economic growth, and economic development.

Throughout this country's history, immigrants have played many roles from planting corn to managing and founding corporations. As a matter of fact, some of the most distinguished and profitable firms such as Intel, Yahoo!, and eBay were founded by immigrants. Also, people of Chinese and Indian descent are markedly likely to lead high-tech firms in Silicon Valley (Dalziel, 2008). According to Dalziel (2008), entrepreneurial success is highly correlated with a number of personality traits such as a tendency for taking risks, a tolerance for ambiguity, and perseverance and passion. These traits are often found in immigrants, who consciously decide to abandon their familiar environment, culture, social relations, and, in many cases, their native language with no assurances

of betterment but only the simple possibility. This is a clear demonstration of those traits identified to be associated with entrepreneurial success, which should be taken advantage of especially in the workplace.

Although it is undisputable that immigrants have, in fact, contributed to the development of the country, it is important to also note that there has been some division among the natives as to the net impact of immigration on the country in general. Research has shown that about half of the natives believe that immigrants are burdensome to the economy and that they place a great amount of pressure on the social system and deprive natives of jobs and other opportunities while the other half believe that immigrants are a benefit to the country because of their hard work and other talents (Blendon et al., 2005). The negative reaction towards immigration, however, is often expressed without making a clear distinction between legal and illegal immigrants.

Many natives are concerned about the increasing competition in the labor market and its negative impact on wages brought on by incoming immigrants who may possess similar skill levels as their own. On the other hand, other natives believe that some immigrants actually complement them in the labor market and, hence, are more receptive to them (Facchini & Mayda, 2009).

All in all, the contributions of immigrants to the economy are vast and will continue to be important especially in the near future as the United States workforce ages and the baby boomers retire. Another important aspect of immigration is that it is pro-cyclical – more foreigners enter the country when labor demand accelerates and less when it declines. Similarly, immigrants respond to shortages in labor supply in growing regions and sectors by moving to those areas and, thus, satisfying the high labor demand (Orrenius & Nicholson, 2009). These and other reasons are why it is important to continuously sensitize the public (particularly the workforce) on topics relating to diversity and its benefits. Rules and regulations need to be enforced and new laws need to be established to not only protect immigrants from ethnic and racial discrimination, but also to control the level of immigration and mitigate its effects on natives. Of course, immigration is important to the economy on a macro level but can have a much different effect on natives at a lower level. This is why it is so difficult to settle debates on immigration policies and the way forward. Nonetheless, globalization is a reality and the world is currently one market place with the free and easy movement of goods, services, and labor. As immigration and the potential for racial and religious conflicts continues, which makes laws protecting against racial and ethnic discrimination even more important as well as laws promoting integration, integration and enhancement of social capital between groups is also of dire importance. Finally, although the distinction between US citizens (insiders) and non-citizens (outsiders) is important, this distinction also fosters discrimination as one group (the insiders) may naturally feel superior to the other (the outsiders), which could make the non-citizens more susceptible to racial or ethnic discrimination.

#### **4. Limitations and Future Research**

The information presented in this literature was based on studies carried out in the past. Therefore, some of the findings may not hold true today as some of this research is several years old and may reflect attitudes and opinions or even facts that are no longer valid. In a similar vein, some information used in past recent studies was based on old census data from the year 2000. There have been some significant changes with respect to immigration and immigration related topics since then.

Also, some portion of the research that was referenced was based on qualitative studies that may not allow for the generalization of the findings to the entire population. Still, those findings provided some interesting and



useful insights into the complex issues that were discussed throughout this paper.

For future research some focus should be given to a broad cross section of immigrants. Throughout the history of immigration most focus had been given to Latinos and Hispanics (primarily persons from Mexico and Cuba), Canadians, Asians, and Europeans. Previously, the majority of focus was placed on the Latino and Hispanic group since this group constitutes the largest proportion of immigrants; however, the size of the other groups mentioned is growing. Now, immigrants are sprouting up on American soil from places such as Africa, South America, and the Caribbean more than ever before and they should be given more attention since these individuals have unique cultures, vernaculars, and religions, which can also expose them to ethical and racial discrimination.

To address a limitation mentioned above, more quantitative research is needed on this topic. Many debates have been based on this topic for decades and there has not been much settlement or agreement on the issues related to immigration. With quantitative research, however, it would be easier to provide definitive and conclusive evidence based on statistical analyses, which are much more reliable than mere qualitative findings.

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