

The American Immigration Polemic

by **Randall S. Wood**

In the late 1970s, journalist, author, and motorcycle enthusiast rode a Triumph motorcycle around the world, visiting dozens of countries over the course of a four year trip. He found only one thing that united humankind across the globe: xenophobia. Foreigners are first perceived as a threat, regardless of reality. (Simon, 1979)

In 2006 the United States finds itself divided, not for the first time, over the issue of immigration. The divisions run deep across gender and socioeconomic lines, partly because the United States is itself a nation of immigrants but just as equally because in the aftermath of September eleventh 2001, the United States doesn't know whether would-be workers in the country are more a boon or a burden, a threat or a buttress. At hand are fundamental questions: do immigrants bolster the American economy or draw on it? Are willing, foreign workers a threat to the American labor pool and the so-called "American way of life" or are they themselves a part of the same? Do already-working but undocumented workers have a right to assimilate into society legally or would addressing their documentation provide amnesty and an unwitting incentive for further immigration? And lastly (for the moment), does America have the right or the ability to enforce its borders, and if so, how?

It's worth looking at the statistics first. Legal immigration has increased slowly and steadily every year since World War II with the exception of a brief surge in immigration in 1991 caused by policy reform that had unintended consequences. In the 1980s, 7.3 million immigrants entered the United States; in the 1990s, 9.1 million entered (Daniels, 2004 pg. 235). But nearly 500,000 unskilled migrants cross America's mostly unpatrolled borders every year, and an estimated 11 million immigrants live illegally in the United States. 11 million is a staggeringly large figure that is testimony not only to the powerful economic draw of the United States but as well the facility with which undocumented immigrants can enter and prosper within the borders of the United States. (The Economist, 2006) 11 million is a number larger than the population of some of the countries from which those immigrants arrive, and equal to the population of New York City and Chicago (Friel, 2006).

Immigrants – both documented and undocumented, and it's important to remain clear in a debate in which the two issues are frequently conflated – are a part of the social fabric of the United States, in which nearly everybody is an immigrant anyway. But they are an important part of the economic fabric of the nation as well. American sociologists and economists have written extensively about the transformation of the United States into an information economy, in which we increasingly produce services in lieu of goods, and our knowledge and capacity for reasoning is more valuable than the strength of our hands or the fertility of our soils. But this slyly overlooks the inconvenient fact that all those information workers need homes in which to live and someone has to string the cables that connect the backbone of our beloved information superhighway. Any economy will produce jobs across different economic strata – think of them as markets – and in any of these markets, a country that does not produce workers willing or able to fill those jobs will be forced to import the workers who do. The fact that so many immigrants are willing to take such corporal and emotional risks is proof these jobs are worth

taking to the immigrants who cross the borders, both legally and illegally, to fill them.

Immigration does affect wages, driving them downward, but unequally across the different categories of labor. Early research showed no effect on wages (Martin, 2004) but now it's clear the effect is diminished because locals affected by immigrants move out and find work elsewhere (Martin, 2004). The most vulnerable to immigrant labor is the socioeconomic stratum that shares the same skill set, and therefore effectively competes for those jobs. But shutting the door on immigration of any sort will not provide this group the protection it needs, because it is on the wrong side of the forces of economics. In a tightening economy demand and competition will drive prices down, providing an indomitable incentive for immigrant labor or cheap, imported goods. Globalization and market pressure will always threaten unskilled Americans, and the debate over immigration in this context is nothing more than a proxy. The solution, as always, remains education, training, and entrepreneurship. At the same time, certain sectors of the American economy, particularly hotels, the restaurant trade, and construction, depend on – and lobby for – access to immigrant labor.(Katel, 2005)

At the same time, unskilled labor is helping provide low-priced goods throughout the American market, and facilitating not only the local housing boom that is suspected of being the one economic sector responsible for floating the American economy through a troubling recession. Cheap goods keep America competitive internationally and thus provide jobs for millions of American workers dependent on America's continued ability to export, and fuel the consumer expansion that has kept Americans buying and building even in the wake of 9/11. It's tempting to wonder what the American economy would have looked like in the absence of that labor supply. There is more data than supposition, of course, but it's unlikely the United States would have bounced back from the terrorist attacks of 9/11 with such economic alacrity had it been forced to pay the wages Americans demand.

Legal immigrants have every right to demand services such as schooling and healthcare, and do so. Illegal immigrants' rights in this regard is more open to debate. It's true that even illegal immigrants tend to put their children in school, and thus place an economic burden on the cities and towns where they settle down, even if temporarily. This economic burden is unfairly placed on the municipalities, which are forced to pay for additional teachers, nurses, hire additional law enforcement officers, and so on. This highlights the disparity between the nation as a whole, which benefits from immigrant labor, and certain cities and towns, which pay a greater share of the costs. A successful resolution to any immigration legislation must address this issue.

As is, the unwieldy combination of powerful incentives to immigrate, porous borders, and border patrols too few to stem the tide of illegal border crossers, place too great a burden on the justice system. The Department of Homeland Security, the Justice Department, and the federal courts bear the brunt of apprehending and processing the hundred thousand or so immigration cases that pass through the system each year. Homeland Security is continuously short on detention space for detained immigrants, and the immigrants that are captured and released frequently remain within American borders. The system is overloaded and the issue of illegal immigration has not nearly been resolved.(Friel, 2006)

A Time Magazine poll in 2006 showed the majority of Americans claim illegal immigration is a serious problem even though they are not personally affected by it – we assume they mean negatively – and would like the government to do something more about it.(Thornburgh, 2006) But if Americans are conflicted about how best to address the immigration conundrum, the American Congress is more so. The immigration issue has threatened to divide the conservative right between law-and-order Republicans offended by the egregious abuse of

national borders and American law vs. business-minded Republicans that rely on cheap labor to run their businesses. And the immigrant marches of April 2006 strengthened everyone's resolve. To those who saw a threat in illegal immigration, the sight of so many immigrants, principally Latinos, furthered their convictions that the immense number of immigrants poses a cultural and economic threat. To those immigrants that felt popular opinion swinging unfairly against Latinos as a cultural group, the same marches provided a sense of security, solidarity, and even pride to be part of a movement that has had such a dramatic impact on the country. (Kirkpatrick, 2006)

There are two issues, and multiple approaches. First of all, immigration or no? The answer is clearly yes to a nation composed of immigrants and to a government that has made a conscious effort to attract knowledge workers, offered diversity visas, and since the nation was founded, made itself a home for those who would contribute to the society in exchange for a chance for a new start. But it is the nation's right and obligation to enforce its own laws. Failure to do so undermines the system as a whole and rightfully enrages those to whom a nation's borders are sacrosanct. But a physical fence along the borders of the nation is neither practicable nor efficient and should be eliminated from the discussion. To protect borders as broad as the United States' it is easier and cheaper to address the incentive for immigration in the first place.

Criminalizing employers who hire undocumented workers is a smart first step that has been attempted half-heartedly before. Force employers to declare on their tax statements whether or not they have employed anyone (not "knowingly employed," a wink-wink, nudge-nudge loophole that exonerated everyone the last time this was attempted) and make those statements open to anyone who cares to analyze them. This puts the burden of proof on the employer to do what is required by the law, and gives legal immigrants and the local labor pool the competitive advantage they deserve.

But what to do about the demand for cheap labor? Supply it. President Bush's worker program was on the right track and unfairly criticized by both sides for political reasons and not on its merits alone. The demand for this service – labor for the tough and unrewarding jobs – exists, and many currently undocumented laborers living precariously and undertaking risky trips through the desert to get to the United States. Many would be willing to pay the money for and undergo the bureaucracy necessary to get to the States legally, thus avoiding the risk, if the process were efficient enough. But getting the process right is the tricky part. It would require a background check and threat estimation, and officers trained in what to look for and what legitimate documents used for applications look like. These things can be obtained.

That leaves the question of what to do about the 11 million undocumented workers currently living in the United States. Lacking the resources and the political will to harass every foreign-looking worker in the nation, it will be nearly impossible to round up workers and force them to legalize. But it is much easier to exert the pressure on American employers to hire legal workers or face consequences, and this should be done. Undocumented workers will find it hard to find work and the incentive to return home will eventually drive some of them back out of the country. But a path to legalization should be made available, if for no other reason than that currently employed immigrants are filling a valuable role in the economy and we need them. Conversely, it is not fair to favor the illegal border-crosser over the immigrant that tries to follow the rules, so any legalization process must involve at least the same process that would have occurred back home in addition to fines for the transgression.

The worker program should allow would-be immigrants willing to accept and abide by American rules, who pass the background checks and other requirements, to participate in the American

economy. They should pay taxes, and those taxes should be deflected to the communities in which they work so their money can help offset the cost of the services they consume, particularly education. Communities affected by immigrant labor will thus come to receive some notable benefits from the program, and even compete to host them. The American educational system is not without flaws, but it is better than the schools in many of the places immigrants come from, and by packaging it as a product immigrants can purchase and consume fairly, all sides can benefit. Lastly, after 5 years, immigrants that participate in this program should be forced to re-apply, or seek nationalization through the existing channels, through which the influx of immigrants can be controlled.

I believe in facilitating controlled and respectful immigration for one additional reason. As a development professional participating in the struggle to help underdeveloped nations increase their capacity back home, I have seen the positive effect emigration to the United States has had for workers that return home to develop their own countries using the skills they learned in the United States. America has much to offer as a society, from our belief in democracy and checks and balances, to our empowerment of women and protection of the underprivileged, to our hard work and values. By sharing our values and our economic opportunities – especially if our own people are uninterested in them – with the less fortunate we can contribute much to underdeveloped nations by providing a good example, and in some cases, a good education. These skills and values have economic and political effects far greater than we are capable of measuring, but may indeed be the strongest tool we have for democratization in our arsenal.

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