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# THE PERIODICAL OBSERVER

Reviews of articles from periodicals and specialized journals here and abroad

## Losing Control of Immigration

*A Survey of Recent Articles*

In this nation of immigrants, illegal immigration remains one of the decade's most highly charged issues. By official estimates, some 3.5 million aliens now live in the United States illegally, and 200,000 to 300,000 more are coming each year. Mexicans and Central Americans account for more than half of the influx, but illegal immigrants also come from Europe, Asia, Africa, South America, and Canada. Congress tried to stem the tide eight years ago by strengthening border enforcement and imposing sanctions on employers who knowingly hire illegal aliens. But the Immigration Reform and Control Act of 1986 only temporarily slowed the illegal influx. Meanwhile, the same law gave legal status to more than three million illegal aliens already living in the United States. The Immigration Act of 1990—which increased legal immigration by 35 percent—granted stays of deportation to their family members.

Easy immigration has many supporters, from those who see it as an American tradition to free-market conservatives. Employers who use unskilled workers on farms, in the garment industry, or in hotels and restaurants have welcomed aliens as a source of cheap labor. Liberal activists see the United States as a sanctuary, and have pressed to expand the rights of illegal aliens, hoping to guarantee them not only a right to virtually all government social services but even a right to vote. All in all, the distinction between legal and illegal immigrants seems to have become increasingly blurred.

Not surprisingly, perhaps, a *New York Times*/CBS News survey last year found that 68 percent of Americans mistakenly believe that most recent immigrants are here illegally. (In fact, illegal aliens amount to perhaps one-fourth of the foreigners who permanently settle in the United States each year.) According to a 1993 Gallup poll, 65 percent of Americans think that there are too many immigrants entering the country—almost double the percentage that took that view in 1965. Even naturalized Americans want to restrict entry. In the

*American Experiment* (Summer 1994), a publication of the Manhattan Institute's Center for the New American Community, Joel Kotkin, a Senior Fellow at the Progressive Policy Institute, notes that three-fourths of Mexican Americans, two-thirds of Cuban Americans, and four-fifths of Puerto Ricans tell pollsters that there is too much immigration.

"Americans who are frustrated with our country's inability to regulate immigration might reflect on the experience of other industrial nations, even those with less inclusive traditions," observes free-lance writer Richard Rothstein in *Dissent* (Fall 1993). Western Europe is now home to some five million "undocumented" immigrants. France has one million; Germany has nearly two million Turkish immigrants, who came as "guest workers" in better days and never went home. Even Japan has an immigration problem, Rothstein points out. To fill a need for low-wage workers, employers have recruited some 200,000 South American workers who have partial Japanese ancestry. "But professional smuggling rings are already at work importing South Americans with documents faking Japanese bloodlines," notes Rothstein. Half of the 30,000

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Peruvians now in Japan may be there illegally. Also in the country are hundreds of thousands of people from Brazil, Malaysia, Thailand, Iran, Bangladesh, and Pakistan who overstayed their tourist visas. In 1992 alone, some 280,000 foreigners came to Japan on short-term visas and then disappeared.

**T**here seem to be more and more immigrants on the move everywhere in the world, observes the University of Delaware's Mark J. Miller, guest editor of an issue of the *Annals of The American Academy of Political and Social Science* (July 1994) on immigration control. Perhaps 100 million people now live in countries in which they were not born.

"The presence of illegal immigrants . . . should not be taken to mean that states cannot control their borders," Gary P. Freeman, a political scientist at the University of Texas at Austin, argues in the same issue of the *Annals*. "Just as no country is willing to expend the resources and bear the costs necessary to reduce crime to near zero, neither would it be rational to try to establish impervious borders." Most nations try to keep illegal immigration down to "a reasonable level."

How effectively a nation can police its borders depends a lot on what those borders are like. The island state of Australia has perhaps the least serious control problem, although even it had difficulties with students and other visitors overstaying their short-term visas during the 1980s, sociologist Robert Birrell, of Monash University in Melbourne, writes in the *Annals*. The United States—with a 1,945-mile border with Mexico, and illegal entry common at airports and by sea—has the world's worst immigration-control problem, notes Gary Freeman. Each year, the U.S. Border Patrol apprehends about one million people trying to sneak into the country from Mexico.

In recent years, the United States has taken a much less severe approach to illegal immigration than Western European nations have. "As Europe has shut down many of the legal entry routes in recent years," Freeman says, "there has been an upsurge in illegal entry or visa overstayers, and official attitudes have hardened. Enforcement is aided by the European practice of requiring national identity cards and

by the extensive cooperation between European states on the matter." All the major European nations except Britain have some form of employer sanctions; although initially ineffective, they are now vigorously enforced in most countries.

In the United States, by all accounts, the employer sanctions established in 1986 have not been effective. They are hard to enforce without a reliable system of worker identification, and the production of fraudulent documents has become a thriving underground business. The U.S. Immigration and Naturalization Service (INS) devotes only limited resources to enforcement of the sanctions, and INS officials in the field often put a higher priority on apprehending aliens and deporting those who are criminals, Rosanna Perotti, a political scientist at Hofstra University, writes in the *Annals*.

**W**hile the original impetus behind the 1986 and 1990 legislation was restrictionist, in keeping with public sentiment, Daniel J. Tichenor, a Research Fellow at the Brookings Institution, notes in separate articles in *Polity* (Spring 1994) and the *Responsive Community* (Summer 1994), the end result was "[to] create new alien rights and unleash new forces for increased immigration." This curious outcome, he says, was the work of a fragile coalition of rights-minded liberals and free-market conservatives. The former wanted to aid the oppressed seeking to come to the United States from Latin America, the Caribbean, and Asia, while the latter aimed to help U.S. employers. Both coalition partners, for different reasons, opposed a reliable worker-identification system. The free-market conservatives obtained an exemption from employer sanctions for small businesses. "Lax enforcement of employer sanctions by the Reagan and Bush administrations, which viewed them as another regulatory burden on U.S. businesses," Tichenor says, "further undermined immigration control."

The failure to get illegal immigration under control not only breeds disrespect for the law but plays into the hands of leaders who would severely restrict all immigration, observes Joel Kotkin in the *American Experiment*. Those who rush protectively to confer various rights on illegal aliens ignore the role that citizenship—carrying responsibilities as well as rights—must play in immigration.