

Common Sense About Immigration

"We have it in our power to begin the world over again." -- *Thomas Paine, Common Sense*

It is baffling to many citizens to find that approximately 3% of the people in the United States are in the country illegally -- that is, they are in the country as a result of having crossed its borders and settled in it without following the government's immigration control procedures. They are thus often called "illegal immigrants" or "undocumented immigrants."

These undocumented immigrants' contribution to society is recognized by many. Others resent what they perceive as a theft of American well-being, since immigrants can easily be forced to take jobs at lower wages than Americans have established for themselves through arduous labor movement struggles. Still others believe that, having broken the law in the act of entering the United States, undocumented immigrants are criminals, and that many of them can be expected to continue criminal behavior while they live here.

In the early years of the twenty-first century the presence in the nation of undocumented immigrants has become a hot public issue. Political demagoguery exploits racial and nationalistic prejudices against them, and angry calls for a correction of the situation are voiced repeatedly and menacingly.

It is time, therefore, to take a comprehensive and dispassionate look at the situation. We will see that meeting the requirements of justice with respect to immigration, although an ambitious undertaking, would redound to the benefit of everyone living in the United States.

1) The Roots of the Immigration Problem.

Current problems in the United States over immigration actually have their roots far back in the pre-history of the human race. Adequately to deal with the current situation in the United States requires a cursory glance, at least, at this prehistory.

2) Development of Cultural Communities.

During humankind's long pilgrimage on earth, collections of people in different geographical places evolved languages and cultures unique to themselves. This development of separate cultures resulted from the relative isolation of different communities from each other caused by the difficulties of travel and of communication in pre-technological times. Cultural developments were usually responsive to the ecological characteristics of particular places, as people developed rituals and practices which maximized survival and general happiness under the prevailing conditions. There thus frequently developed a sort of mystical identification of a people with the land they occupied. With the development of agriculture there was an intensification of the identification of cultural groups with the portion of the earth they happened to inhabit, although this enhanced identification began to have the characteristics of personal ownership rather than of mystical communal and cultural bonds.

3) The Ownership of the Earth.

As human populations grew and cultural communities expanded they came to abut each other and to develop strategies for defending territory they assumed to belong to themselves. Out of this grew the concept of boundaries – mutually recognized delineations of portions of the earth which it is agreed belong to one group or another. This evolution occurred pragmatically without any particular self-conscious attention to the ethical implications of groups of people aggregating to themselves portions of the earth, the common inheritance of humankind, for their own exclusive use.

4) Nation-States and Empires.

Commercial and military processes have, from time to time, resulted in very large aggregations of different cultural communities into single political entities, or empires. These huge aggregations usually prove to be temporary. The end result of this long and complicated evolution is a system of small and large nation-states presently incorporated into the United Nations system.

5) Cultural Diversity.

Although in the evolutionary process through which the nation-state developed people tended to overlook the ethical implications of reserving portions of the earth for specific cultural groups, the process has had the beneficial result of allowing the flowering of a variety of cultures with differing characteristics – a kind of human laboratory for the development of diverse political, cultural, economic, and social arrangements.

6) Borders as Peace-keeping Devices.

Whatever peaceableness has been allowed to flourish in modern times has been rooted significantly in the concept of national sovereignty within the agreed upon borders of the territory allocated to cultural groups, and on a sense of the inviolability of these agreed-upon borders.

7) Arbitrary and Unjust Borders

It is, nevertheless, the case that many borders have been established unjustly, or have been modified by force of arms.

8) Border Transgressions.

Throughout modern history nations which enjoyed military and economic strength in comparison to others have felt justified in transgressing the borders of weaker nations in various ways, including the establishment of colonies characterized by the political oppression and economic exploitation of the colonized nations' inhabitants.

9) Abuses of Sovereignty.

It is also the case that within their own borders political communities can and often do oppress minority cultural and racial groups. Concepts of democracy and human rights have percolated only very slowly and fitfully into this "sovereignty-within-established-borders" international system. Domestic economic and political arrangements are frequently manipulated to favor some groups over others.

10) Migration Control.

Sovereignty has come to include the right of nations to control in-migration. It is impossible to imagine that the "laboratory model" of diverse cultures finding ever more successful and productive ways to organize human society could exist if there was a totally free movement of people across national boundaries. Some twenty-first century idealists, harkening back to the original failure millennia ago to understand and justify ethically the allocation of portions of the earth to particular social and cultural groups, seek to advance an ethic which would dissolve the right of political communities to keep people out. While at some future time the whole earth might be organized like the fifty United States or the European Community, within which people can move freely, many complicated problems need to be addressed and solved before such a development would truly advance humanity's well-being, given the evolution of nation-states which has

taken place. For example, if every United States citizen who lacked adequate health care could simply migrate to Canada, the Canadian system would be swamped, and there would be two political communities without adequate health care, not just one. It seems, therefore, that for the immediate future, progress towards justice must take place within a system where each society explains to itself who belongs within its political community, what territory it governs, and how it will organize its relations with the universal human community outside of itself.

11) Refugees.

Within the convention of national sovereignty and the absolute right of countries to control in-migration, under the United Nations system the practice has been advanced of nations admitting refugees – people fleeing persecution or natural disasters in their home countries. This benevolent exception to the right of nations to prevent unwanted in-migration is coming under increasing strain as the number of such refugees has increased dramatically in the Twenty-first Century due to deteriorating conditions in the politics and the economies of many nation states, and due to natural disasters exacerbated by humanly-induced climate change.

12) American Exceptionalism.

One of the ways in which citizens of the United States consider their nation to be unique among all others is that, unlike most other nations, its identity is not rooted in a long history of the cultural development of a community tied to a particular piece of the earth's territory, as most nations are, but rather to the voluntary joining together of diverse people from different parts of the globe committed to democratic governance and to the belief in the equality of all human persons regardless of their cultural or racial characteristics. The United States is often referred to as "a nation of immigrants." While it is customary to regard this image in a self-flattering way, the reality is laden with reprehensible characteristics: a) the encouragement of in-migration was integral to a genocidal assault by European-Americans against Native Americans; b) enthusiasm for the concept of open borders has waxed and waned throughout American history, with earlier arrivals often hostile to the arrival of later ones, particularly later ones seen as distinctly different from themselves. At different phases of American history immigrants from Asia, Africa, southern Europe, Ireland, and Latin America have been excluded from coming, or they have been discriminated against if they managed to get to the United States.

13) Immigration from Latin America to the United States.

Against this background of expectations about national sovereignty, about the sanctity of borders, and about the right of nation states to control in-migration, the presence in the United States of people who have arrived from Latin America without formal government sanction, estimated to number between 10 and 12 million individuals (as mentioned, somewhat more than 3% of the total population), has become the subject of passionate political debate in the United States in the early part of the Twenty-first Century. About half of the people here without government sanction are from Mexico, but the proportion of Mexicans has been decreasing.

14) Oversimplification and Racial Prejudice.

Within the context of the expectation that national boundaries are sacrosanct and that governments have an absolute right to control or prevent in-migration, it is easy to assume that undocumented immigrants residing in the United States are simply criminals who are here by virtue of their having flouted American law. And it is easy to heap upon people seen as “other” because of their racial or cultural characteristics allegations of other criminal proclivities – casting them as rapists, violent robbers, murderers, drug dealers – *in spite of all the concrete evidence to the contrary*. Throughout American history, the people in charge of the political economy have, with unfortunate success, managed to shift blame for legitimate social and economic discontent from themselves onto other people by stoking the prejudices of their victims against minorities or the foreign-born.

15) Criminal Accomplices.

If one was to adopt the simplistic analysis that crossing the border and settling in the United States without proper government approval is a crime, it is necessary to identify the vast number of native-born co-conspirators who must share the guilt for this crime. Enforcing the immigration laws, regardless of these laws’ ethical character, would have been an easy thing for the United States government to do; that it did not must be regarded as criminal neglect. This criminal neglect was inspired by the many employers who saw it as advantageous to hire people willing to work for very low wages, people who were exploitable because they could not defend themselves from various sorts of abuse given of the precariousness of their “illegal” status. This criminal neglect had a second “bonus” for employers in that it provided low-wage competition to unionized workers, and over time became a key factor in undermining labor unions, which are workers’ key defense against the predations of “winner-take-all” capitalists. While a few working people recognized the pernicious effect on employment and wages of thousands of undocumented people, many did not, but

calmly accepted the bonus of low prices for consumer goods, especially agricultural commodities, which the undocumented labor force allowed. So any retribution against illegal immigrants would, in fairness, have to be matched by commensurate penalties against their criminal accomplices: employers, especially, and the American public in general. The egregious hypocrisy of the total situation is wonderfully epitomized by President Donald Trump, who employed undocumented immigrants at his hotels and golf courses while demagogically railing against the presence of such people in the United States at his political rallies.

16) Mexican-American Border.



The yellow area was the territory of Mexico in 1824.



The white area was annexed by the United States at the end of the Mexican American War (1846-1848).

The conventional understanding of a border as a sacrosanct boundary with respect to which sovereign nations have an absolute right to control who does, or does not, cross into their territory needs to be modified by some nuanced understanding in the case of the border between Mexico and the United States. In 1848 the United States launched an unjustified, aggressive war against Mexico, the end result of which was the annexation by the United States of 55% of the territory of Mexico. The white area in the accompanying map shows the territory which the United States, for all practical purposes, simply seized from Mexico. Given this imperialist history, it would seem not unreasonable for the United States to relax its restrictions regarding in-migration of Mexican citizens into the United States.

17) Monroe Doctrine.

The fifth president of the United States, James Monroe, proclaimed the “Monroe Doctrine” in 1823. It purported to prevent the further colonization of the Americas by European powers. In reality, it also established the unspoken principle that Latin America was a sphere in which the United States would be free to manipulate, and to exploit for its own purposes without impediment, the nations there, all of which were much weaker than itself. Any reasonable assessment of the situation must conclude that whatever economic, social and political disorders are causing people to flee from Latin American countries to the United States are, in some very significant measure, the responsibility of the United States. Much of this manipulation has been subtle, but there are also egregious examples. The CIA backed the Guatemalan coup-d’etat in 1954 which overthrew the democratically elected government of Jacob Arbenz.¹ It backed the 1964 coup d’etat in Brazil which overthrew the democratically elected government of Joalo Goulart. President Richard Nixon waged economic warfare against the democratically elected government of Chilean President Salvador Allende, contributing significantly to the violent overthrow of his government. Officials of the Nixon Administration also backed, by legal and illegal means, the “Contra” movement which greatly compromised the ability of the Nicaraguan government to carry out its reform program effectively. United States interventions in Cuba both before and after the revolution there are well known. The American-sponsored NAFTA trade agreement has had a ruinous effect on the rural economy of Mexico, although technically the Mexican government agreed to it. The use by United States citizens of illegal drugs trafficked by criminal cartels contributes greatly to the violence and instability of Latin American countries. There is no way the United States and its citizens can hold themselves aloof from and innocent of the economic, social and political turmoil which drives refugees to the United States’ border.

18) The Solution.

Given the factors described in paragraphs 1) through 17) above, a solution to the nation’s immigration dilemma must have five components:

- a) **Amnesty for Undocumented People in the United States.** In the light of the broad acquiescence over many years by powerful United States interests in the arrival and exploitation of undocumented people, and in the light of the benefits derived by the broader American public from their labor, the only fair thing to do is to allow all undocumented people who are

¹See Endnotes

here, and their children, to become naturalized citizens through the same procedures employed in the case of legal immigrants.

- b) **A Marshall Plan for Latin America.** Simultaneously, the United States needs to inaugurate a broad Marshall-Plan-type program for Latin America which allows for democratic rehabilitation of the economic, social and political conditions in those countries the well-being of which have been undermined by United States interests. In addition to cash payments and loans, included in such plans should be the return to their local land reform programs of all agricultural land owned by foreign interests, as well as the return of other foreign-owned assets – mines, seashore hotels, etc. -- to local ownership.
- c) **Refugee Resettlement.** Pending the successful rehabilitation of local administrations in Latin American countries, the United States, to meet the minimal requirements of justice in the light of its past behavior, should adopt generous policies for the acceptance of refugees from the area.
- d) **Ending the War on Drugs.** After many decades of a futile “war on drugs,” which obviously causes more problems than it solves, it is time for a radically new approach. The profit incentive motivating Latin American criminal cartels must be eliminated. This will require nothing short of ensuring decent conditions of life for all United States citizens – full employment at decent wages for everyone able and willing to work, and health care for all. The despair and deprivation of large segments of the United States population which undergirds the nation’s drug problem having been eliminated, those persons who remain drug addicts should be provided with the drugs they require at negligible cost, with easy access to rehabilitation programs for those who desire it.
- e) **Establishing a Racism-free Immigration Policy.** Once the above policies have stabilized the situation, the United States should establish a rational immigration policy. While the principle of the free movement of people across the globe remains a very distant aspiration (see section 10 above), all nations, including the United States, can be considered within their rights to control in-migration. The basis on which they do this will express their national values., and will expose discrepancies between their expressed principles and their actual practice. The United States should adopt an immigration policy which is free of racism and elitism of any kind. One way of doing this would be to determine how many newcomers the United States can accommodate each year, and divide the total proportionally among the world’s nations according to their population size. Unused quotas in a given year could be added to the grand total for the following

year, which in turn would be divided proportionally among nations, so that the absolute number of entries allotted to countries where demand exceeds that nation's allotment would experience a modest increase as the years pass without exceeding the nation's goal for total immigration. Supplementing this regular policy would be additional entries allotted to places where political oppression or natural disasters generate refugees.

Thus, it is difficult to imagine a fair and practical solution to the current injustices in the United States' immigration policies short of the establishment of social practices of fairness and justice in the political and economic system of the United States generally, as well as in its foreign policy. A failure to recognize the inter-related character of diverse social, political and economic practices, and the cause-and-effect dynamic among them, would only result in our fixing one injustice at the expense of exacerbating another.

Yet it is possible to advance on the broad front described without risking the sort of sweeping revision of the social order which a revolution entails, revolutions which have had baleful consequences in the modern age. The program suggested above can be effectively pursued by addressing sensibly, one at a time, concrete and visible injustices, and replacing them with practices consistent with the ideals we assume to be at the basis of our way of life – equality, democracy, decency and fairness.

The distresses we are experiencing over immigration expose our failure to realize that humanity is a family, and that the world is really but one community. While recognizing the independence, and the special character and virtues, of different elements of this human community, we must always also recognize that the person residing one block away and the person on the other side of the world are equally worthy of our kindness and compassion. We must strive to overcome our habitual sense of inequality, our sense of differences determined by national boundaries or racial characteristics, and our exaggerated self-esteem. Immigration policy, like all policies, should express genuinely humanitarian goals, and to the extent that it does so, it will foster a world of peace and harmony, and a human community enlivened by prophetic hope.

Endnotes:

Some examples of Interference by the United States in the Affairs of Latin American Nations

The Cochabamba Water Wars

As we know, water is a necessity of life. Both an adequate amount and an adequate quality of water are essential for public health and hygiene. In the United States, in recognition of the principle that access to water is a human right, and that water is a natural resource bestowed by the Creation itself for the benefit of all its creatures, most people have access to water as a result of community organized utilities. Moreover, a water system is innately monopolistic, in that you cannot have free market competition with dozens of firms laying competing sets of pipes in bids to attract customers. The provision of water is carried out through cooperative effort via municipal governments, or through government-regulated monopolies, called public utilities.

The job is to build and maintain the infrastructure necessary efficiently to deliver a commodity presumed to be a common possession to the members of the community in the locations where they need to use it. No individual or corporation is presumed to own as their personal private property the rain which falls or the aquifer which flows under the earth's surface.

Bolivia is one of the poorer countries in Latin America. Its third largest city, Cochabamba, is generally considered a pleasant place, located on a plain high in the Andes. As is the case with many Third World cities, by the late 1990s the water system was decaying and in need both of renewal and extension. Previously existing infrastructure which was corroding needed to be replaced, and the system needed to be extended to serve the spreading population of urbanizing newcomers at the city's periphery.

Bolivia applied for a development loan from the World Bank to improve the water system. The World Bank made it a condition of providing a loan for water system development that the public water system be privatized. This led to a forty-year concession being granted to a consortium of multi-national companies led by the Bechtel Group of San Francisco, one of whose principles is former United States Secretary of State George Shultz. Within weeks of being granted the contract, the consortium raised water rates by 50% for most people, and for some poor households the percentage increase was even higher.

Bechtel's price hikes were met with fierce public protest. Cochabamba was shut down by general strikes on three separate occasions. In an effort to protect the Bechtel contract, the Bolivian government declared a state of martial law and began arresting protest leaders in their homes in the middle of the night. In the disorders that followed, six people were killed, including an unarmed 17-year-old boy. Hundreds of others were injured. But finally, in the year 2000, Bechtel was forced to leave the country and the water company was returned to public ownership.

But the story does not end there. In November of 2001 Bechtel and its associates filed a suit for \$50 million dollars against the Bolivian government and the Bolivian people before the World Bank's trade court, known as the International Center for the Settlement of Investment Disputes.

It is the practice of the World Bank's trade court to bar the public and the media from being present at its proceedings, and the Bank will not even disclose who testifies. Nevertheless, several international human rights organizations, as well as citizens' groups from Bolivia, sought "friend of the court" status, or at least an opportunity to witness the court's proceedings. In February of 2003 the President of the World Bank's tribunal issued a letter denying the citizens and the public interest organizations any access to the proceedings. The letter also rejected all requests that the documents associated with the proceedings be made public. In other words, a proceeding in which one of the richest corporations in the world was suing the people of one of the poorest countries of the world for \$50 million was to be conducted entirely in secret.

For four years citizen groups on five continents waged a global campaign to pressure Bechtel to drop the case. Protesters closed down Bechtel's San Francisco headquarters twice. Citizens groups from 43 nations petitioned the World Bank with demands that the case be tried in public. In the end, after the case achieved an unprecedented degree of notoriety in the international press, Bechtel backed down. It dropped its case in exchange for a token payment of thirty cents.

The American people are often largely oblivious to what international actors who symbolize their country are doing abroad, and how these doings impact upon local people. Nor do people realize it when an unprecedented degree of international outrage is focused on an American corporation in which an American Secretary of State had once served as CEO and still remained an active functionary.

Nor do United States citizens realize that powerful institutions like the World Bank and the International Monetary Fund, largely controlled by United States-based multi-national corporations, are determined to spread a kind of free-market fundamentalism, even in situations where a free market could not possibly function fairly or effectively. This allows already wealthy stockholders and executives of multi-national corporations to become further enriched by extracting profits to themselves from poor countries

through the monopolistic control of indigenous resources, like water and hydrocarbons.

Those interested in justice and peace must face the fundamental question of who owns the earth and its resources, who has the right to exploit them, and for whose benefit are they allowed to do so.

The Coup d'Etat in Guatemala

The CIA overthrew the democratically elected government of Jacobo Arbenz of Guatemala in 1954. This was provoked by the expressed intention of Arbenz to nationalize lands owned by a United States firm called the United Fruit Company, also known as Chiquita Banana.

From the perspective of the United Fruit Company this was, undoubtedly, a ruthless challenge to the sacred principle of private property. But anyone who has been to Guatemala knows very well that a very large portion of the population there is Native American. From their perspective, illegal aliens from Europe invaded their country, seized their land, proceeded to kill many of their people, and then brutally exploited the survivors. By the 1950s enough was enough; it was time to give the land back to the people to whom it had originally belonged.

The situation was aggravated by the fact that the United Fruit Company, in order to maintain its own monopoly on the growing and exporting of bananas, bought large tracts of land which it kept idle so that competitors like Dole, or like the indigenous people themselves, could not produce bananas in competition with United Fruit. So, presumably, everyone who was eating Chiquita bananas in the 1950s and 1960s was paying a much higher price for them than a free market would have required. So there was in place a land tenure system in which a wealthy foreign company could outbid locals for territory, use some of the land to produce fruit to be exported while holding the rest of it idle, while local people remained impoverished and malnourished and unable to produce either the beans and corn they needed for themselves, or the bananas which they might have exported so that they, too, could prosper.

Guatemala's President Arbenz's proposed solution to this was to buy back the idle land from the United Fruit Company at the price at which they had valued it in their tax returns, and then to redistribute it to poor and landless Native American peasants.

The then Secretary of State, John Foster Dulles, had previously been a partner in the law firm which represented the United Fruit Company. His brother, Allen Dulles, was the director of the CIA. The Assistant Secretary of State, John Moors Cabot, was the brother of the president of the United Fruit Company. Although constitutionally elected, Arbenz appeared to them to be a dangerous communist, and the CIA was summarily dispatched to overthrow him, ushering in a long and nightmarish period

of conflict, guerilla warfare, and government sponsored death squads. Again, as with George Shultz, Bechtel and Bolivian water, the American people were scarcely aware of the dangerous and costly conflation of the special interests of the United Fruit Company and the foreign policy of the United States of America.

Iran

Iran is obviously not part of Latin America. But American behavior regarding that country is very relevant. The CIA was a relatively young agency at the time of the Guatemalan affair, having been organized out of the former OSS after World War Two. But the Arbenz affair was already its second successful overthrow of a legitimately elected government. Its first triumph in this field was the 1953 overthrow of Iran's elected Prime Minister, Dr. Mohammed Mossadegh, followed by America's relentless support of the increasingly autocratic Shah of Iran and his dreaded secret police, SAVAK, which brutally crushed all internal opposition. The enormously popular Dr. Mossadegh had committed the offense of nationalizing Iran's oil fields. When the Shah was finally toppled in 1978 after 25 years in power, enraged students seized the United States embassy and held our diplomats hostage for well over a year, probably to ensure that the embassy would not function once again as a launching pad for counter-revolution. Needless to say, nearly 70 years later, the United States is still struggling to pick up the pieces of the CIA's anti-Mossadegh misadventure.

Although not part of Latin America, Iran illustrates that the essential problem in Latin America – how the resources of the earth are to be owned and exploited – is a universal one. The status quo, wherein the precious resources of diverse Third World countries are exploited for the benefit of the First World and for the profit of the elite stockholders and executives of multi-national corporations, while the people in the Third World countries themselves remain impoverished, cannot reasonably be regarded as fair or just. And so it is hardly reasonable for Americans to feel surprised or indignant when present arrangements generate leftism and jihadism.