

CENTER FOR PUBLIC CONSCIENCE

P.O. Box 220722

WEST PALM BEACH, FL 33422-0722

Bromwell Ault, Founder/Editor
Phone (561) 697-2233
Fax (561) 242-9264

www.centerforpublicconscience.org
Email: moconscience@aol.com

Sandra Beck, Publisher
Phone (561) 784-9444
Fax (561) 784-9052

MATTERS OF CONSCIENCE[©]

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THIRD ANNIVERSARY ISSUE

IN THIS ISSUE

We fittingly return to the issue of immigration which served as the base topic for our first two issues in 2003. Our approach this time, however, will be somewhat different, for, rather than exploring the historical and statistical elements of this subject, we will attempt to anticipate its role in the coming congressional (2006) and presidential (2008) elections.

IN OUR NEXT ISSUE

We will, as our main subject, reference The Mucker Pose, an early 20th century essay by James Truslow Adams on America and Americans, in light of the nearly one hundred years that have passed since its writing.

REAFFIRMATION OF PURPOSE

As we enter our fourth year of existence, we find that many of the concerns that originally motivated us to commence publication are still with us, and have even intensified.

We view our country's world role as sole superpower as one imposed upon us and which at this time in history presents us, and perhaps everyone else, with too many conflicts, both internal and external, to play it well.

We feel that the tremendous growth in our national wealth and power, the double helix of our political DNA, has separated us from the ideals of our origins and has, effectively, changed both the structure and the ways of our government with a resulting loss of the people's comprehension and involvement.

Take, for example, the Freedom of Information Act by which Congress mandated that information possessed by government, unless it poses a

security threat, should be available to the public and not withheld for political reasons. The majority of members of both political parties are in agreement on this, as evidenced by the act's congressional passage, and yet in a functioning, open, transparent democracy, which we claim to be, why should Congress have to pass an act?

The answer, of course, is that over time our politics as professed and as performed have grown apart, and a curtain of secrecy has gradually reduced both our vision of our government and our trust and participation in it.

Today the Freedom of Information Act serves as a key protection of our liberty. As a piece of legislation it stands out because of its consistency with our founding principles. And yet, it took an act of Congress to reassert those principles.

This discrepancy between what we say and do, can be fatal to democracy. It can favor our enemies

at home and abroad, lead to corruption at the highest levels, encourage “special interests”, extend our political polarization and, again, alter both the structure of our government and the way it operates.

These difficulties of our democracy are now revealing themselves with increasing frequency in our superpower policies and conduct, and will pose even more difficult challenges to our country until we take determined action to resolve them.

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INTRODUCTION

For the last forty years immigration has been a major drama playing without much notice at a small theatre. While its impact upon the country has increased geometrically since 1965, when the McCarran-Walter Act was abandoned and our immigration system completely overhauled, the course of government management and legislation has existed pretty much below the public’s radar screen.

One notable exception was the amnesty for three million illegals granted in 1986, but, except for it, most changes consisted of adjustments by the Congress in response to specific requests by special interest groups. The over-all, inclusive subject of immigration was avoided as either a local or national electoral issue by mutual agreement of both political parties.

Today that is no longer true. The recent 2000 to 2005 period was the highest in America’s

immigration history with almost half of those entering doing so illegally.¹ Immigration will soon be a highly publicized and articulated election issue, especially in western states where already some candidates have made it their key, or wedge, issue with the assignment to it of the power to succeed or to fail. This total, 180° reversal in immigration’s campaign status is just one of many elements in the political turbulence that this issue is now capable of generating.

Much of this turbulence is not readily visible on the surface. There are far-reaching social, cultural, constitutional and economic consequences that await America’s and Americans’ (the two, government and the public, not always being the same) decision as to who will participate, and under what circumstances, in twenty-first century America.

This will be a lengthy and bitterly contested determination. Big money and big egos (political and personal) are at stake. Because some of the issues are so highly charged with emotional content they will not be revealed to the bright glare of public scrutiny and inquiry.

The multiple concerns and wide impact of immigration are minimized when we refer to it as the “immigration issue”. In truth, it is a population issue, a constitutional issue, an economic issue, a social issue, an environmental issue, a security issue, an employment issue, a tax issue, and a fairness issue. Because these elements must be confronted at local, state and federal levels of government our present out-of-control immigration has become a massive *government* issue.

In this letter we will attempt to describe the immigration problem in reality, to throw light into its dark

corners, so that its consequences for our country are recognized. Perhaps, at the end you’ll know more than you thought you would ever want to know about US immigration.

* * *

IMMIGRATION – 2006

NATIONAL SECURITY, ECONOMIC COSTS AND TRANSFORMATION OF AMERICAN IDENTITY RAISE QUESTIONS IN COMING ELECTIONS

In looking ahead to the coming elections most political candidates will frame the debate in terms of security and jobs and will include with the latter amnesty for illegals currently living here.

This attempts to cover most of the political soft ground. After all, if a campaigning candidate comes out for national security, a job program that will bring in new, low-cost labor and also provide protection for those presently employed here, he/she will have covered the rhetorical bases and pushed the right emotional and economic levers to appeal to a broad band of voters without going into embarrassing or conflicting detail.

What, then, are the true dimensions of our continuing immigration crisis? And what are the answers that we must provide to questions that will not be asked? Thanks to the determination of both parties to avoid any meaningful solution, we now find ourselves in a trap of our own making from which we will not be able to escape without considerable effort and unnecessary difficulty.

In the analysis that follows

we have included two visual images that may be helpful in understanding our current predicament. The first is an iceberg and the other is a python that has swallowed an alligator.

* * *

TITANIC TROUBLES

The iceberg, in spite of its awesome beauty, is a silent killer. As the visible part is only ten percent of its mass, the remaining ninety percent lies below the surface in an irregular form with its contours and size hidden from surface view. It is, therefore, very similar to our national immigration problem.

Today, a serious drama is being played out in America's immigration issue. The public, in spite of its stated caution, is being carried along by elected representatives of both political parties to a possibly disastrous conclusion by denying or ignoring all warning signals.

The catastrophic loss of the White Star Line's Titanic in 1912 was one of several shocks that challenged the thinking and shattered the confidence of the old order in Europe – and then, in an historical instant, rearranged the world.

How could a fate so wildly unthinkable
Befall a ship we thought
was unsinkable?

In the pages that follow we attempt to identify the true subsurface shape and contours of immigration in America and call attention to what warnings are available.

* * *

WHERE ARE WE NOW AND HOW DID WE GET THERE?

The passage of the McCarran-Walter Act in 1942 reflected concerns caused by the pressure of international communism and the possibility of WWII espionage. It was basically a structure of valves designed to control both the number and types of immigrants admitted. By occasional and easy adjustments we could invite more mosaic artists or machine tool makers, for instance, and keep out those we deemed undesirable for any number of reasons including "moral turpitude" and past or present ties to Communism.

Immigrants were required to have a basic knowledge of American history, at least a limited English language skill and a sponsor who could provide financial support so that they would not become "wards of the state".

McCarran-Walter was, in short, a piece of legislation that efficiently accomplished its purpose – immigration regulation and control. It was abandoned and replaced by the Immigration and Reform Act of 1965 which first raised the spectre of massive admissions under its family reunification provision and which, with occasional modifications, has continued to serve as our controlling legislation.

In 1986 one such modification established a "one time" amnesty for the three million illegals then estimated to be living/working in the country. In immigration matters the meaning of the phrase "one-time" is often altered to "until the next time", as evidenced by the several further amnesties granted since 1986.

The political status of the

immigration issue from 1965 until the present reveals two constants – first, that polls have consistently indicated that a majority of the American public favors reducing immigration, and, secondly, that this preference is strongly opposed by the powerful, well financed and organized supporters of open borders and high immigrant admissions.

This deep and continuing divide has created paralysis among politicians of both parties who have taken electoral refuge in denial of the magnitude of the problem and in evasion of its consequences. When pressed for any meaningful response, they have offered mostly broad generalizations, ambiguous positions or the need for further study.

As an example, we have only to go back a couple of years to the Albuquerque, NM debate between the eight Democratic presidential candidates. In front of a largely Latino audience a delicate waltz of words took place as each candidate attempted to provide assurance of his suitability without making a commitment that would later offend or prove indefensible at the national level.

For approximately the past twenty years both Republican and Democratic presidential candidates avoided any reference to immigration by mutual consent, but, as the numbers and costs, both political and economic, of immigration increased, it became clear that the growing pressures from both sides of the argument would move it to center stage for open debate. And that is where it is today.

* * *

BELOW OUR SOUTHERN BORDERS

There is another force at work over which we do not have direct control that has greatly increased in strength over the past two decades. This is the role played by Mexico which provides about 60% of our present illegal immigrant traffic² and, according to the Treasury Dept., receives about sixteen billion dollars annually in remittances to their families from Mexican residents in the US. These funds provide substantial relief from Mexico's domestic financial problems.

The course of colonization of Latin America, mainly by Spain, Portugal and France, placed most of its wealth (i.e. land and minerals) in the hands of a European minority. As a strong partner in the colonization process, the Catholic Church enabled the sword and the Bible to move hand in hand.

Little money and many mouths to feed is an equation for poverty which is the basic economic condition experienced by the Latin American native (Mestizo) population. Nowhere has this disparity been more evident than in Mexico where single party rule and corruption at every level and branch of government prevails. Remember, one political party, the PRI, held the presidency in Mexico for more than seventy years.

In any consideration of current immigration Mexico stands out. It has contributed 30% of our resident immigrants and about 60% of all illegals³ — far more than any other single nation. It shares the entire length of our southern land border of 2,000 miles. In the years 1993 – 2000 it accounted for over 95% of deportable aliens identified

or located by US immigration officials; and over 75% of all aliens removed because of criminal records.⁴

Over the course of the past decade, Mexico's export of immigrants to the US and the political rhetoric to justify it has increased greatly. President Vicente Fox has repeatedly and forcefully expressed Mexico's need and reasons for this traffic, claiming that Mexican nationality reaches beyond its borders and, indeed, exists in Mexicans that have moved north. He has urged Mexicans in the US to vote in elections in Mexico (a clear violation of our oath of citizenship) and has expressed his vision of a Western Hemisphere amalgamation of Canada, the US and Mexico without borders and with a shared government structure similar to the E.U. This message has been delivered with increasing frequency and vigor, not only to the Mexican people, but also to every level of our government — the White House, Congress, Departments of State and Treasury — as well as Latin America's Organization of American States and the U.N.

Regarding the latter, he has successfully brought a complaint before the International Court of Justice ("ICJ") against our courts' conviction of a Mexican national for crimes of violence⁵.

In brief, Jose Medillin and four fellow gang members were convicted of killing and raping two Houston, TX girls in 1993. Four years later the Texas Court of Criminal Appeals denied their appeal. Then Mexico, citing Medillin's Mexican citizenship, claimed his rights had been violated and brought suit in the ICJ which, by a vote of 14-1, ruled that the US had violated the Vienna Convention on Consular

Relations. President Fox has threatened another similar action in which he will again claim that Mexicans are not subject to US law in the US.

The presence within our borders of millions who claim to lie beyond the reach of our courts cannot help but raise questions for our law enforcement and judiciary systems that, almost assuredly, will neither be asked nor answered by campaigners in our coming elections.

This matter of applied jurisdiction surfaces again in the attitudes of some religious and church groups that have adopted an active role in opposing the enforcement of our present immigration laws, citing their allegiance to a higher law of God, even though our system of law is laced with moral and ethical values.

When asked whether it was lawful to pay tribute (i.e. taxes) to Caesar, Jesus replied "Render unto Caesar the things that are Caesar's; and unto God the things that are God's" (Matthew 22: 17-21) The Roman tax collector and the American border patrol are both, in ways, head counters, and nothing would seem to come more logically and comfortably to Caesar's hand than the enforcement of border and immigration controls.

In April we witnessed demonstrations in our streets protesting the new and firmer line taken by the House of Representatives in its proposed bill to control immigration. Fortunately, these large demonstrations have so far involved only supporters of one side, but the time is almost certain to come when counter demonstrations and clashes will occur, as they already have on a small scale in CA and NY several

years ago.

“ . . . but the numbers and differences are much larger in hyphenated twenty-first century America.”

Street demonstrations and clergy citing a “higher law” than government: Does this remind you of the sixties and, if so, which sixties? Well, of course, the more recent 1960s, but also the 1860s and the 1760s. All were times of heightened social/political ferment and agitation for our country. We were divided, but we survived. Hopefully we will do so again, but the numbers and differences are much larger in hyphenated twenty-first century America.

The emotional impact of the immigration issue is clearly evident in the raised (and resistant) voices of church groups and clergy. The outcry of the latter introduces a new element separate from our economic, security and cultural considerations. It is the posture of church and state, waiting in the wings to be called onto the stage of our democracy.

On the campaign trails we will hear the immigration argument pressed mostly in economic and security terms – and, perhaps, even socially. But add an active dose of church/state relationship and we are almost assured of silence.

The church/state confrontation may not engage the whole country, but where it does it will tend to be as prolonged and bitter as other faith-based conflicts that arise from the clash between personal religious beliefs and government function.

As its contours become more visible, this is getting to be *some*

iceberg. Who would have ever thought . . . ? Our ship of state moves in perilous waters. Was that a shudder that we felt, or just the pulsing of its engines?

As the emotional heat and frustration of this issue continues to build, so too will the chances of public violence and damage to our democracy.

While we view ourselves as a benevolent superpower bringing the benefits of largely Christian, free-market democracy to less fortunate societies, our perspective is not one with universal appeal or acceptance. To many other countries we are a source of deep resentment, envy and antagonism.

In Mexico these feelings have been nurtured by our increasing wealth and power and its continuing poverty. We see Mexico today not as a friend, but as an embittered neighbor seeking a measure of revenge and allied with Fidel Castro and other dictators in Latin America and elsewhere.

This attitude does not derive solely from Mexico’s economic and social problems. There is a strong emotional factor present too, as many Mexicans now openly press for the return of the land we acquired as the result of our victory in the Mexican War of 1846-48 and by the subsequent Gadsden Purchase in 1853. This territory includes the greater part of CA and all of AZ, NM, TX and OK which Mexicans refer to as Aztlan and consider part of their national heritage.

There have been multiple confrontations on our side of the border between our Border Patrol and heavily armed Mexicans in military uniforms, but little publicity has been allowed. The reason most frequently given for this unauthorized presence is

that the Mexicans are in pursuit of drug smugglers and crossed the border only for that purpose as part of a joint effort by our DEA and its Mexican counterpart to prevent drug traffic. However, clear evidence continues to reveal that, in reality, the Mexican military is being used to assist and protect, rather than apprehend, drug smugglers⁶.

Our FBI, DEA and Border Patrol are well aware of Mexico’s repeated incursions across the border into US territory, and yet official Washington continues to stonewall and engage in diplomatic niceties in order to show our political solidarity with Mexico.

In effect, our lack over the last forty years of any control or defense of our southern border has permitted a sort of reverse colonization where Mexican customs, culture, language and population are dominant.

A key question which will be repeated throughout this issue must now be asked. **Is this what Americans want for America?** It is not an easy question, and its answer should serve the people, not the political purposes of their representatives.

* * *

THE FIRST AMERICAN DREAM

The colonists who came to this land in the 17th century were given a virgin continent to support whatever political or cultural forms they chose. Their separation from their European origins permitted them to slowly but surely coalesce and declare their independence. Their choice of political philosophy and form was a democratic republic which came into being without

titles, religious dominance, monarchical continuity or royal privilege.

Looking back, it may be no exaggeration to say that the land and our form of government shared a symbiotic relationship in which each one contributed to the other's survival, development and success. Our progress was neither easy nor even, but, as a nation, we have established a workable, if not perfect, majority rule, and have persisted and been able to endure. That was our first American dream.

“... could cast a shadow of deserved doubt upon our earliest dream.”

Today both our land and form of government face serious challenges posed by environmental, population, constitutional and economic threats all of which are embodied in the current immigration crisis. All of these threats, either alone or in some form of combination, have reached, or are reaching, points where they can seriously alter our government, weaken our land's ability to support us and could cast a shadow of deserved doubt upon our earliest dream.

* * *

A NATION OF LAWS?

We have claimed with continuing pride over the course of our history that we are “a nation of laws”. Yes, of course; but which ones? Some are better than others. And some are enforced while others are not.

In a democratic form of government there can be nothing more antithetical to its purpose

and destructive to its performance than selective enforcement of the law. It is a step that occurs early and often in the rise of dictators to power and prepares the way for the public's acceptance of far greater and later abuses.

Looking back over four decades of immigration “control”, we are faced with the bleak realization from clear evidence that existing law was ignored and evaded at every level and branch of government from our borders to Washington.

Well intentioned career officers of the Border Patrol were thwarted in the performance of their duties by order of their superiors⁷ with a consequent break down of morale and efficiency. This failure in the field and all along the bureaucratic chain of authority only reflected the criminal neglect of our immigration law by the Congress and the executive branch of both Republican and Democratic administrations.

The subject was seen as too difficult, or needing more study, or unfair and, at the heart of the matter, politically risky so that no action would be preferable to offending supporters of either side.

Most sadly, the US Congress repeatedly opted for non-enforcement of its own law, even descending to approving hiring additional Border Patrol personnel, but refusing to fund them — a deception in which the executive branch also joined.

There are other constitutional conflicts that arise from our failure to face the consequences of excessive, unregulated immigration. One of these is the conflict caused by dual allegiances which every new citizen of the US renounces

under the “Oath of Renunciation and Allegiance”:

“I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state or sovereignty of whom or which, I have heretofore been a subject or citizen...”

Dr. John Fonte⁸ in an article for the Center for Immigration Studies points out that, unlike many other countries, our nationality is not based in some fixed ethnic or religious circumstance, but, rather, is an individual's voluntary choice. This free choice is completely compatible with our concept of government's power deriving from the “consent of the governed” and the freedom and fervor with which prior generations of Americans have chosen citizenship and, even more important, assimilation.

It is this last element, lack of assimilation, even more than numbers, that marks the greatest qualitative difference between present and prior immigration practice. Today far too many of our immigrant arrivals continue, after their admission, to speak their native language, to refer to themselves as hyphenated Americans, to show no interest in American history, to live in ethnic enclaves and to maintain political ties with their home countries.

* * *

AND THE LAW OF LIMITS

When we invoke our identity as “a nation of laws”, as we frequently do, one law that is never mentioned is the law of limits. This is unfortunate because, unlike our government laws, it's not man-made. It's a law of nature that will be applied

without an appeal process when our natural order is abused or ignored.

Take numbers, for instance. We have observed how the immigration problem has played out in this country with growing concern for the past thirty years, and have heard every argument offered by each side many times over. As with most complicated issues, there are aspects of truth to be found throughout, but they are difficult to make come together. Like trying to pick up mercury, they keep fragmenting and moving apart.

Our immigration crisis is certainly one of numbers, among other things. And yet we have never heard any group or individual of pro-immigration persuasion indicate a numerical level which we should not exceed – i.e., a limit. From the political chorus come clamors for “more”; from reason, the unheard word “enough”.

We know that our environment, our population and our economic and social structures will impose practical limits to immigration. And yet both sides of the argument are so philosophically distant from each other that neither will discuss a numerical limit.

And now our second image comes into focus. Not long ago, our local TV news showed an alligator being eaten by a python. The python unhinged its jaws and began the process of swallowing its victim. Quietly and slowly the alligator disappeared into the snake’s interior, although it was evident that both reptiles were exerting great force. Then suddenly it was all over. The python exploded and all that remained was its remnants and the crushed form of the alligator.

Let’s go back to 1986 when,

in response to pressure that had built up since the passage of the 1965 Act, Congress declared an amnesty for three million illegals that were then estimated to be in the country. Fast-forward to today’s estimated ten to twenty million⁹ which is many times the 1986 level.

If in the next twenty years our illegal alien population increases as much as it did in the past twenty years (and what would prevent this? Congress?), we would be faced with the costs and difficulties of having an illegal immigrant population of seventy-five, or more, million. The python/alligator image is not a comfortable one.

Immigration, we know, triggers geometrical population increases which, if not checked, can radically alter, or terminate, the ability of a land to support its population. But even before such an awesome finality occurs, there comes a time when the unlimited addition of immigrants from other countries will transform our identity. If you have one substance in a container and then incrementally add another to it, the identity of the original will first be altered and then will no longer be discernible. This is as true of cultures as it is of liquids.

“The law of limits is gradual, silent and inarguable.”

Our transformation will not be a conscious choice by the majority, but time will pass, numbers will grow, and we will be changed.¹⁰

The law of limits is gradual, silent and inarguable.

Question: Is this what Americans want for America?

* * *

TRUE COSTS AND WHO PAYS THEM

It should be evident to anyone who considers the scale of our immigration problem that having from ten to twenty million illegal aliens eligible to participate in our generous menu of government assistance programs will have a heavy price attached. How much is this price and who pays it?

Pro-immigrant forces, and the politicians that support them, repeatedly offer as a benefit of our large illegal alien presence that illegals make a positive contribution to our economy by “working hard and paying their taxes”.

This claim is only partially true and is designed to mislead. It is true that many illegals do find jobs and work hard. Others are unemployed and collect various forms of financial assistance. As for taxes, yes, some pay them, but this payment falls far short of equaling the costs of the multiple benefits which they receive.

About ten years ago Dr. George Borjas¹¹, a noted demographer at Harvard, estimated that the net cost of illegals to the government over and above their payment of taxes was approximately \$70 billion a year. This includes a variety of federal and local services and benefits, as well as free education and medical treatment and the cost of having translators on hand to provide these services in the illegal’s language of choice. As time passes and numbers increase, so do these costs. We believe that today \$85 billion would be a more accurate assessment.

As the revenues and expenses of federal programs are spread throughout our national budget,

their cost is joined with others and charged to the ultimate payer — the US taxpayer. It's a big expense item that adds to our national deficit and debt and, thereby, will be passed along to our descendants.

There is a dual immorality in this situation — first, the numbers themselves. At their current level in approximately ten to fifteen years they could reduce our national debt (now approaching \$9 trillion) by a trillion dollars, rather than add to it.

But even worse is “the silence of the lambs” that results from politicians refusing to recognize or identify the amount of this cost and who must pay it.

Question: Is this what Americans want for America?

There is another more specific economic cost about to be incurred that should be revealed. Recently, Jo Ann Barnhart, our Commissioner of Social Security, entered into an agreement with her counterpart in Mexico, Dr. Santiago Levy Algazi, to make Mexican citizens eligible to receive US Social Security benefits for wages paid to them while working (legally or illegally) in the US.

Mexico's fraud and corruption are very much an ensconced way of life and probably the primary reason why, in spite of its considerable wealth and natural resources, Mexico remains in many respects a third world country.

Mexico's climate of corruption is important because, as presently written, this Social Security agreement would relegate to Mexico all right and responsibility for verification and documentation of claims, eligibility, payment, identification, adjudication, etc.

The possible consequences

are mind-boggling. Present estimates are that this agreement could cost our already weakening Social Security system \$345 billion over the next decade¹², but there is no way to really gauge its true impact. One clue, however, might be that we have committed to the construction of a new high-rise building in Mexico City which will be staffed by Mexicans to house this program's operations.

The cited precedent for this agreement is a treaty we have in place with some other governments which permits wage benefits in a foreign country for diplomatic, bureaucratic or academic employees or consultants to be recognized in a home country. This has mostly functioned as a courtesy that applied to a relatively small number of people — certainly nothing on the scale of the US/Mexico treaty.

The present status is that the President has indicated his approval. At some point, when all negotiations and preparations are completed, a brief countdown for Congressional approval or rejection will begin, but the Congress cannot merely indicate disapproval by a vote. Rather, it must actually pass a bill of nullification which, given the short time frame, might prove difficult.

Question: Is this what Americans want for America?

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COROLLARY COSTS OF
CO-EXISTENCE

The insertion into our population of a large and different culture whose primary purpose is not assimilation has consequences of convenience and quality of

life, as well as economics, in that the “free” services we provide to illegals are not by any means “free” to their hosts.

These include overcrowded schools that further weaken a damaged educational system; overcrowded roads that create hazardous driving conditions; and hospitals that have had to reduce staff or cease operations entirely due to the influx of large numbers of uninsured patients for whom the emergency room is their front, and only, line for medical care.

Much time is required to treat patients that lack both medical records and basic English language skills with the result that small, local hospitals are overwhelmed to the point where the community's medical care system is either drastically compromised or fails.

Additionally, our public health system is facing growing evidence of diseases of foreign origin, including a new form of drug resistant tuberculosis that is spreading throughout the world. In this country this new strain has been found mostly in people that have entered from Mexico, the Philippines and Vietnam. We tend to take our public health system for granted, but crises, when they occur, can spread quickly and be both expensive and dangerous.

We can also expect to see continuing increases in drug traffic and in the spread of violence by youth gangs. The latter, which first appeared in large cities such as NYC and LA, have now “gone national” and can be found throughout the country. They are often allied with and provide distribution for the Mexican drug cartels.

Such local fall-out from our immigration policy (or lack there-

of) has grown in recent years, especially in our southwestern states, but it is unlikely that it will receive much emphasis from our campaigning politicians. Python/alligator redux.

Question: Is this what Americans want for America?

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THE CURIOUS AND SPURIOUS CASE OF HUMAN RIGHTS

Within the last few years, as open border interests have sought to deflect the public's growing concern over uncontrolled immigration, they have offered the argument that it is a "human right" to try to improve one's circumstances and that the pursuit of this right supersedes such foundations of our society as treaties, national borders, property rights, voting eligibility and one man/one vote electoral representation.

This, of course, is primarily an emotional appeal which can readily produce volatile reaction. It finds common cause with those who see political correctness as the preferred political and social policy of our time. We do not agree and tend more towards Robert Frost's "Good fences make good neighbors"¹³ view, but the "human rights" claim cannot be dismissed.

Question: Is this what Americans want for America?

There is a glaring fallacy, of course, to the "human rights" claim. The use of the word "human" implies that these rights are broadly based and spread throughout our world. And yet they are only claimed for poorer peoples attempting to move to wealthier societies who can thereby fulfill their desires

for economic and political improvement.

There is no mention of millions of citizens of France, England, Japan or the US having the "right" to enter, work, and be supported in places such as China, Mexico, Sub-Saharan Africa, North Korea, etc. Nor is there any significant flow of "human rights" traffic from one poor country to another except in cases of natural or human disaster across a shared border.

The fact that "human rights" is an intellectually flawed argument for open borders does not, however, in any way, lessen its appeal to those who find it rhetorically useful. Their concerns, however, invariably "follow the money".

Often promulgated jointly with the "human rights" argument is the rationale that any attempts to restrict our border crossings are doomed to failure because the human need to improve one's lot is undeniable, and exiting population will find a way through, over, under or around any barriers.

North and South Korea share a border, much shorter than ours with Mexico, across which North Korea acknowledges neither entrances nor exits.

Of course, it is a matter of commitment and we don't have to make use of the same methods and manpower as the Koreans do. Nor, however, do we have to abandon any hope of controlling our borders because of self-serving claims by others.

* * *

There are many complex and conflicting aspects of our immigration problem which make it difficult to determine how most Americans want to resolve it.

Although in the past we have been able to regulate immigration by legislation, by ignoring our legislation we have allowed the problem to grow in size and complexity so that today it poses problems of limits and considerations of moral/ethical choices.

Here again the iceberg image is pertinent. Our laws, which are visible and specific, constitute the tip, while beneath the surface lie the unknown limits of human honor, patience, endurance and good will. There are legitimate claims and values on each side, but they are largely overwhelmed by the emotions and politics of the moment, and sorting them out will not be easy, and may not even be possible.

At a time such as this we would be well served by having the ability to put the matter in direct question form to all Americans via a national referendum, but we do not have such a mechanism available, as the content of our ballots are determined at state and local levels.

This results from our founders' embrace of states' rights as a means of distancing our form of government as much as possible from England's parliamentary democracy. Even something as national in scope as ratification of constitutional amendments must be accomplished by state legislatures with the result that in today's world of instant communications our democracy is subject to delay and filtration.

"... the best prospects for world-class waffling and career continuity..."

The closest that we come to a national referendum is our choice to vote for one of the party platforms presented by

the two major political parties, but they are assembled with the spin, vagueness, and clichés that each party's leadership thinks will provide both the broadest appeal and the easiest escape. They offer the best prospects for world-class waffling and career continuity, not solving complex economic/social/political problems.

We have been strongly and frequently critical of Congress' role in allowing our immigration crisis to fester and grow over the past forty years. In late March Senator Mel Martinez, R-FL, made a speech before the US Chamber of Commerce in which he said, "We, as Republicans, need to be careful about how we address this issue . . ." and went on to warn that recent Republican success with Hispanic voters could be put at risk by an anti-immigrant position.¹⁴

The tragedy of Sen. Martinez' vision and comment is, of course, his specifying "as Republicans" and his framing the issue as a political party matter rather than seeing it as an increasingly serious national confrontation that, regardless of its final determination, will have a negative impact on many Americans.

It is of real concern that Sen. Martinez' mentality and ideology are offered as valid judgment in response to the many difficult questions posed by our failure to face this problem.

We see legitimate claims on both sides of the immigration divide, and we have read many proposed solutions. Without doubt, we think the best is one by Mark Krikorian of the Center for Immigration Studies¹⁵ It makes the case for reducing our immigrant population over time by attrition by deaths and

voluntary departures, and by real enforcement of border security and employer sanctions for hiring illegals. Being gradual, it is also more humane and might well provide an effective solution. It engages the issue in a moderate and intelligent way, but we will be surprised if it can gain much traction in the coming campaigns.

But here, again, the questions that must be answered are those that ask what Americans want for America. The refusal of multiple administrations and congresses to enforce existing law for reasons of political convenience in a matter as potentially transformative for our country as immigration denies our most basic democratic rights and values.

Almost uniquely, the immigration issue has the ability to reach into all parts of our country and to exacerbate other problems such as education, public health, drug, animal and domestic abuse, law enforcement, crime, unemployment, etc. If that is what Americans want for America, they can have it, and, thanks to governmental dereliction, we will have made a strong start in that direction.

We do not think that this is what Americans want, for, until the immigration issue is presented to them in full detail and straight language, they will not have had a valid basis for choice.

It is our hope that, in the course of the coming 2006 and 2008 elections, Americans will be provided by both parties with the facts necessary for an informed choice and that thereafter American voters and their government can come to agreement as to new legislation

and its enforcement.

* * *

FEAR OF THE FEW
VS.
MAJORITY RULE

Over our history we have proclaimed, in spirit and actuality, our commitment to majority rule as basic to our democracy. And we have pretty much stayed with it — until recently, that is, when uncontrolled immigration introduced the era of the hyphenated American. Whether the process is viewed as Balkanization or diversification, the result has been the same — the creation of ethnic enclaves that cling to their origins and resist assimilation.

This has been encouraged by the pro-immigrant lobbyists and primarily Latino interest groups such as LaRaza, MChA, LULAC, and MALDEF who each spend many millions of dollars annually to promote immigrant causes to the public, the Congress and the media. Their support is provided by Latino interest groups, major corporations, private foundations and labor unions; and by our US Congress which at the end of last year appropriated four million dollars for LaRaza, alone.¹⁶

In the immigrant argument it is frequently stated that "It's not over until the immigrant wins". This reflects the persistence with which immigrant interest groups press their case in court and Congress. Their language is emotional and given to hyperbole. As it has been used to both protest and enflame, it is not surprising when violence results.

These ethnic enclaves are tempting electoral targets for

THE WAY AHEAD

politicians in that they can be reached easily and economically. It becomes a matter of simple political packaging whereby pieces are chipped off the whole and treated and managed separately — and more conveniently.

This process of separation is a form of political cynicism, which leads to alienation which, in turn, increases ethnic insecurity and manipulation.

Within this cycle has arisen a largely unidentified, but nonetheless real, challenge to majority rule. It is fear of the few — the sense, both culturally and politically, that all these elements of ethnic separation, of Balkanization and diversification, must be served independently as if they are not part of the whole.

By extension to politics this means that all groups, regardless of their size, are given equal value. For example, if a whole is divided into two groups, one 90% of its size and the other 10%, and each is given one vote, majority rule no longer exists.

“It is the tyranny of our time.”

This disproportionate weighting of political representation has led to the conflict in our society between majority rule and fear of the few. It is a serious threat that can hold our political process hostage, as it has in our inability to deal with our immigration problem.

Fear of the few is the bastard offspring of political greed and correctness, and we should acknowledge both its presence and its power. It is the tyranny of our time.

* * *

Finally, again, the question that must be answered — **What do Americans want for America?** This is now a question so charged with emotion and political conflict that in some quarters it is deemed to be unanswerable.

We think American voters are capable of determining their own fate, and must do so without interference. Accordingly two conditions must be met:

- 1) The issue must be presented openly and honestly without spin, hype or lies.
- 2) Whatever preference is indicated by the American electorate should be fully reflected in new legislation and its enforcement.

At this point, having been treated by both the executive and legislative branches with four decades of dereliction and denial, the immigration solution must be found elsewhere. We think that “elsewhere” should be a blue-ribbon independent commission somewhat similar to the 9/11 commission with acknowledged expertise in economics, population, demography, history, culture, the environment, security and law enforcement for starters. Input from other disciplines could be obtained by invitation. The purpose of this commission should be to gather the best thought and evidence available on our immigration problem and draft an objective policy statement for the next half century. From this report both major political parties could construct their platforms, as the body of knowledge developed by the commission would have greater credibility, currency and objectivity than other sources.

For various reasons cited below this cannot be a quick fix,

as there are some significant difficulties to overcome, but we are running out of time and the country needs a policy that can be accepted and enforced.

This brings to mind the Jordan Commission established in the Clinton administration and headed by Congresswoman Barbara Jordan. It produced a report that actually addressed the problem by a variety of recommendations around which some consensus might have developed, but which was met with deafening silence by her fellow legislators.

CONGRESS AT WORK

We can't decide between stop and go.

We set a pace less fast, more slow.

Our ethics scale runs from none to low.

And we give our all for status quo.

Presently, time is both our friend and our enemy and, yet, somehow its passage must be put to use to benefit the nation.

* * *

LOOKING AROUND CORNERS

On April 6 a group of Senators from both parties announced an “historic breakthrough” compromise in their efforts to produce an immigration bill. Twenty-four hours later the agreement had collapsed and they returned to their home states for their Easter recess. This turnabout came as the result of some newly found political realism. It could delay any Senate bill until the November elections and, perhaps, even until 2008.

Such a timetable could offer a workable opportunity for a blue-ribbon commission, but other considerations as to the establishment and identity of a commission intervene.

The bill that fell apart was basically one favored by President Bush and Sens. John McCain and Ted Kennedy. It flew in the face of human nature and any possibility of effective enforcement.

The main problem facing the establishment of a blue-ribbon commission now is that none of the Bush/McCain/Kennedy sponsors comes to the table with clean hands. President Bush's record of first attempting to prevent the establishment of the 9/11 Commission and then to deny it access to relevant documents, as well as having taken no action on immigration in his first six years in office, lessens his credibility and does not suggest that he would be able to create the kind of commission needed.

Sen. McCain has both presidential aspirations and a strong pro-immigrant record that would effectively preclude him from serving as a chairman or member of a policy development group. Sen. Kennedy comes with the same track record as McCain and the added drawback of having been a key sponsor of the 1965 Immigration Reform Act and, as such, having made multiple false assertions as to that act's effect on the nation's immigration.

These various elements suggest that the appointment of a valid commission cannot take place until after the 2008 presidential election. Assuming that the study and preparation of the commission's report might take a year, then, if the

commission was in place by spring of 2009, we could expect a completion date four years from now in 2010. This may sound like just more of the delay and inaction that has dominated the treatment of immigration in the past, but these four years must not be treated as a time-out. At a minimum, present law must be enforced so that effective control of our borders and employment practices can be established and exercised.

President Bush could save some time by inviting a panel of, say, three distinguished non-political citizens to recommend a list of names to serve on the commission. This group of three might consist of a sociologist, historian, foundation head, economist, author, etc., but not anyone from the corporate or political worlds. This would provide the next president with an opportunity to eschew politics by creating a commission from candidates proposed outside of his own administration. President Bush could gain an apolitical moment of statesmanship by initiating a process that would yield the benefit of input from two administrations, but control by neither.

Our government is so polarized that its spirit and its ability to function have suffered. To regain credibility we believe it must move the firing line back from the fringes and allow a moderate center for both parties. We see the kind of long term policy plan above as being helpful in the process of restoring our political balance.

Such a magical moment in politics is unlikely to occur, but time passes and the situation only gets worse which makes it increasingly important that we determine **"What Americans**

want for America" and come up with a policy that reflects their will, offers continuity and must be enforced.

* * *

EPILOGUE

The immigration issue we face today is one of our own making crafted out of years of political cowardice and comfort. If we do nothing, if we ignore existing law, and treat it as another opportunity for political manipulation, rhetoric and pandering we will largely forfeit whatever remaining sense of political honor to which we might lay claim.

Immigration is not, however, the only issue confronting us in which our failure of political will and leadership is apparent. Like immigration, we have created a financial crisis of spending and debt that could, at any moment, escape our control with grave national and international consequences.

We have come to where we are by casual financial management which has allowed and, over an extended period, accepted both excessive and unnecessary spending and their resultant increase in our national debt. Today mandatory expenses account for 60% of our annual budget¹⁷ and will continue to grow unless we can first reduce and then eliminate our national deficits.

Equally alarming from a structural as well as an economic view has been the growing use in Congress of ear-marks whereby any member can attach a grant of funds of his/her choice to any designated project or recipient. In the last ten years the use of these ear-marks has grown from approximately 1,400 to 14,000

annually.¹⁸

“It is the sound of one hand clapping.”

And we should beware the new world order’s siren song of triumphant globalism which erroneously promises all winners and no losers. It is the sound of one hand clapping.

While our immigration and fiscal problems can be readily resolved by government action, the questions of our relationship to our environment and how to counter the effects of a hundred and fifty years of rapid population and technology growth are not as easily answered.

Our environmental debate is not merely among ourselves. Rather, if we are to have any chance of a successful outcome, we must engage in a prolonged and far-ranging conversation with nature and science. It is their voices that will have the final say, and we must listen. Again we face the law of limits.

Our government’s responses to these three issues — immigration, fiscal responsibility and the environment — have been long on dereliction and denial. These are real, not imaginary, issues involving forces and circumstances that can, in one way or another, threaten our well-being and, even, our lives. And yet they are avoided, like some political plague, by our 537 elected members of our government. But the truth for all to see is that they cannot be avoided. They involve things like numbers and limits. And they care neither for rhetoric nor for votes.

* * *

AMERICA – THE SOLE SUPERPOWER

This is a statement that is made so frequently that it has become accepted almost as fact. Is it fact? Partially. It emerged about the time of the collapse of the USSR and at the time could be taken as both military and economic truth.

Today the growth of radical Islam, Red China and the possibility of a reinvented Russian entity suggest that the use of “sole” does not ring with its former strength and conviction.

Is our description as “sole superpower” complete? No; it can still be applied militarily, but there has been an ominous development over the past quarter century. We have become the world’s super debtor with serious implications for our national and international destiny.

As superpower, our foreign policy is bound to be resented. It will also be mistrusted in varying degrees by other nations. The inherent danger of our position is that we will come to a time when our policies and our currency are equally mistrusted. Such a moment could develop spontaneously, perhaps from some seemingly minor origin, and without warning. It could cause disruption in other currencies and countries, and a significant alteration in our economy and way of life.

While measured expansion of debt financing can be (and for a limited time and purpose has been) argued successfully, any full flight into ever deeper debt must raise warning signals to economists and politicians alike.

Our best hope, given the way government has come to function, may be to “hope for the

best”, but the “best”, especially in politics, rarely happens by pure chance (an act devoid of any intention).

If we are to survive, it will require a persistent effort by the public to instruct its representatives in those ways and ideals of government upon which our earliest discourse was based.

The American people have a say as to their future. If they look back over their history, they should realize that their true future is inseparable from the ideals of their origins. It will take informed action to reclaim them, but for ourselves and for others we must try.

In the world of physiology and body medicine we are now warned, as age increases, to “use it or lose it”. Today’s nuclear-armed major powers, and especially the US, have come to realize that their power is so overwhelming that “use it and lose it” has become the rule in geopolitics.

Even non-nuclear conflict, as in Iraq, tends to bear this out. While we are not in danger of suffering “defeat” there, the cost to our military and economic system has been sufficiently heavy as to limit our options and policy in other confrontations should they arise.

We have experienced diplomatic isolation, too, that, like the iceberg, is mostly invisible at the public level, but very much a reality beneath it.

Again, these results are not in any sense fatal, but they are limiting and point out how the use of great force can diminish, rather than expand, our power around the world.

History has a way of applying “term limits” to superpowers, and there is no reason to believe that

we will be an exception, nor that we will know when the time has come for us to play a shared, or lesser, role. Our best response is to prefer the way of wisdom to the path of power, applying the latter selectively, firmly and discreetly when necessary, as our founders did.

* * *

THE IRAQI DEATH TOLL

MARCH 2003-2006

Estimating the number of Iraqis that have been killed by either US or insurgent fighters is very difficult, as there is no central reporting organization in Iraq and a substantial number of fatalities, both civilian and military, go undiscovered.

Based on what meager public and private information exists we made two calculations using different data and techniques. Each one produced a figure of about 80,000. We also obtained an estimate of 71,400 from a London human rights group¹⁹. It should be more accurate than ours and we conclude that from 65,000 to 75,000 would, therefore, strike a reasonable balance.

The Iraqi people have suffered greatly and it is unlikely that they will experience a cessation of bloodshed any time soon. After thirty years of Saddam Hussein's rule and three years of war, Iraq is bleeding to death. Its body is battered and its soul poisoned by civil conflict. Its times are tough, as are its choices and prospects. All that remains that appears easy is the slaughter of civilian targets.

As all the bloodshed and the

chaos mount, the prospect of restoring balance fades, the public will is weakened, and both the road ahead and the way back to where we started are obscured. Our best hope is that somehow the Iraqi people will be able to survive their attacks from all sides and endure in some cohesive form, but the odds grow longer and time shorter while history is being written.

Over our history some of our most intelligent and respected leaders have stated their opinions on immigration. In coming issues we will print those that we think deserve notice under the heading "Quota Quotes". Time and circumstances have changed, but their thoughts have an essence still applicable today.

END NOTES

¹ Center for Immigration Studies – News From the Center – 3/06 Dr. Steven Camarota

² Center for Immigration Studies – BACKGROUNDER – November, 2005 – Dual Allegiance, A Challenge to Immigration Reform and Patriotic Assimilation, page 9 – by John Fonte, Ph.D. Dr. Fonte is a Senior Fellow and Director of the Center for American Common Culture at the Hudson Institute in Washington, DC

³ Ibid

⁴ Department of Homeland Security

⁵ Mountain States Legal Foundation – Letter 4/5/06 – William Perry Pendley, Pres.

⁶ Rep. Tom Tancredo (R-CO) via Border Alert; US Border Control, 8180 Greensboro Drive – Suite

1070, McLean, VA 22102; March 2006

⁷ Bill King, Chairman, Americans Against Illegal Immigration. "And when I was a Chief Patrol Agent with the US Border Patrol, . . . politicians in Washington kept me from fully enforcing the law." Letter; 3/8/06

⁸ See note 2 above

⁹ Mountain States Legal Foundation. 1/4/06 .Estimates of our illegal immigrant population range from eight to twenty million. Most government sources settle at the ten to 11 level. Our opinion is that the real figure is in the seventeen million range.

¹⁰ U S English, Inc. 3/28/06. "Today 322 languages are spoken in America; 21.3 million Americans can barely speak English . . . a 52% increase in only 10 years."

¹¹ Dr. George J. Borjas, Robert W. Scrivner Professor of Economics and Social Policy at the John F. Kennedy School of Government, Harvard University.

¹² The Conservative Caucus Research, Analysis & Education Foundation, Inc. Howard Phillips, Pres. 4/1/06

¹³ Mending Wall by Robert Frost. Oxford Anthology of American Literature by William Rose Benet & Norman Holmes Pearson. Oxford University Press, New York. 7th printing – 1946

¹⁴ Palm Beach Post – 3/30/06 – Immigration law will erode GOP gains, Martinez warns by Larry Lipman, Washington Bureau

¹⁵ Not Amnesty but Attrition; The Way to go on Immigration, by Mark Krikorian, Center for Immigration Studies, 1522 K Street NW, Suite 820, Washington DC 20005. 202-466-8185 or center@cis.org or www.cis.org

¹⁶ Americans for Immigration Control via Middle American News 2/06

¹⁷ Citizens Against Government Waste. Waste Watch. Fall/Winter 2005

¹⁸ Ibid

¹⁹ Iraqi Body Count