



The Failure of Immigration Prohibition

Critics of Open Borders Have to Answer for Themselves

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Open Borders Day came and went this week with little fanfare. While that is no slight on the organizers and activists involved, it reflects how glibly the notion is dismissed by politicians and media talking heads alike.

The derision is so strong that the open-borders label gets thrown around as though it were a slur to be avoided at all costs. Perhaps the most prominent US advocate for freedom of movement, Andrew Napolitano, shared at the recent International Students for Liberty Conference that he faces heat at Fox News whenever he mentions the topic.

The great irony to this rhetorical environment is that where freedom of movement is permitted, it proves to be a great success — be that between provinces, territories, or states of the same nation, or between nations with reciprocal agreements, as is the case between New Zealand and Australia (with more nations on the way).

But what of the status quo in the Americas: with limited exceptions, such as Mercosur, immigration is tightly controlled and prohibited for almost everyone. How's that working out?

Let us consider the prevailing situation in A Nation of Immigrants, in the words of late President John F. Kennedy.

Welcome to the United States of Bureaucracy, where compliance is nigh impossible without expert legal help. If you thought the Department of Motor Vehicles in your state was bad, just wait until you meet the federal government's maze. Such is the logjam, Cato Institute analysts recommend simply bypassing it and allowing states to offer their own visas for entry and employment.

And this doesn't come for free. All the fiscal conservatives who want to crack down and "enforce the law" might want to consider that arrests by way of border drones cost US \$28,000 per individual apprehended. The Department of Homeland Security will cost US taxpayers \$38.2 billion this year and employ 240,000 people.

These employees then manage to violate citizen privacy with inland checkpoints and E-Verify. This program can monitor every new employee, and is already mandatory in some states. Next they will likely get in the way of people leaving the United States.

If you are on the wrong side of these laws, as millions of people are, you can expect an existence as less than a second-class citizen. Nativists decry the “burden” of illegal immigrants, even though they are ineligible for all government aid but emergency medical care.

Some critics even suggest that US citizens and veterans get worse treatment than new arrivals, but we’ve yet to see a line of them throwing their papers in the river to become illegal immigrants. Perhaps they would like to take a ride on the Beast through Mexico, or try their hands at crossing the border with a coyote.

This treacherous passage, all to simply move to another country, is where the rubber meets the road. Interventionism combined with opportunity for arbitrage foments black markets; in this case human trafficking is inevitable. Hundreds continue to die along the US-Mexico border each year, and you can bet if there were a legal route, they would take it.

And all this enforcement for what? If security were the name of the game, we could do away with quotas and employment sponsors. Of course, such policies attest to the underlying desire for economic protectionism, anathema to the American ideal of life, liberty, and happiness.

Aside from the human toll, though, it is a political failure for those who continue to push back against immigrants. As Andrew Napolitano has said, “this is an opportunity for the Republican Party to do the right thing, to expand its base in an area towards human freedom, and get on the other side of the immigration issue from the Democrats.”