



## The real, no-kidding reason Bret Stephens' op-ed on deporting Americans is bunk

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Focus, people. Focus. For the soul of your nation, please remain focused on the actual reasons for policy, and stop falling for strawman diversions.

On Friday, Bret Stephens came out in his column at the *New York Times* as “strongly pro-deportation.” Ha-ha, of course he didn’t mean he was really pro-deportation. He was making a point with sarcasm. He went on to propose, tongue-in-cheek, the deportation of native-born Americans who are dragging America down with their social pathologies.

I speak of Americans whose families have been in this country for a few generations. Complacent, entitled and often shockingly ignorant on basic points of American law and history, they are the stagnant pool in which our national prospects risk drowning.

On point after point, America’s nonimmigrants are failing our country. Crime? A study by the Cato Institute notes that nonimmigrants are incarcerated at nearly twice the rate of illegal immigrants, and at more than three times the rate of legal ones.

Educational achievement? ...

Religious piety — especially of the Christian variety? ...

Business creation? ...

He goes on and on. Eventually he comes up for air (sort of).

O.K., so I’m jesting about deporting “real Americans” en masse. (Who would take them in, anyway?)

A lot of conservative commentators have taken Stephens on over this, refuting, point by point, his disparaging screed against his fellow Americans.

Now, I am thrilled to say that I, like Stephens, am not one of these awful Americans whom we’d be better off without. He’s not talking about me; in fact, I’m higher on the Desirability Index than he is, in terms of the type of people we need to keep. I can perceive that from all the way over on the other side of the country.

So maybe it's easier for me to see past his pejorative characterization of multi-generation Americans. I don't have skin in his game. (And yes, for those who don't readily detect sarcasm, that's what I'm putting out there.)

But the real, no-kidding reason for not even bothering with his points is that they don't address the policy purpose of any of the following: deportations, enforcement of immigration law, or the role of immigration law in national security.

Stephens' points are nothing but a line-up of red herring. Deportations aren't about who is more desirable as a citizen.

A Desirability Index for citizens figures, to some extent, in debate over America's policy on legal immigration, as Congress draws it up. In recent years, it's been about things like immigrants' education level and suitability for the information-age job market.

Deportation, however, isn't about what qualities are desirable for legal immigration. Notice that in my list above – deportations, enforcement of immigration law, and national security – immigration policy *did not even appear*.

That's because deportation is about enforcing the law. Full stop. However it is shaded in the execution, we do it in the first place as a law-enforcement measure. Without the concept of law enforcement, and its importance to national life and the social contract, we wouldn't have deportations.

We'd have something like arbitrary posses instead, composed of whoever, running around driving whatever people they don't like from one place to another. Which, not incidentally, is the mental construct Stephens' op-ed evokes. He doesn't spell it out, but he does write as if enforcing the law is an exercise in provocative arbitrariness, something to address with indignation and emotion.

I don't find that embedded special pleading to be worthy of the Bret Stephens whose work I used to admire. But that's a separate issue.

Enforcing the law, as it pertains to immigration, is a key element of national security, whether at the borders or in matters like overstaying visas. As with all law, there are policy issues to discuss regarding execution. Execution takes decisions and judgment calls, which is where Presidents Trump and Obama, for example, both used their discretion to prioritize deporting illegal migrants who have criminal records.

But if you're not going to enforce immigration law, you automatically undermine national security. That's one of the main two reasons for deportation.

The other is respecting the rule of law. Turning a blind eye to illegal migration is, over time, a fatal blow to the rule of law in a society. It creates separate classes of people in the eyes of the law. We *cannot* be equal before the law when immigration law is not enforced – and day after day, reality drives home to us that we are *not* equal.

It does no favors to migrants who want to work and build a life for themselves, to encourage them to do it illegally. When truly *equal* treatment under the law eventually catches up with them – i.e., the law as it is written is actually applied to them – they are subject to deportation, including loss of whatever they have built.

On the other hand, while they are in the United States, they can get away with things no native-born American can. That's a bad pattern for illegal migrants to adopt, certainly. But that form of inequality is also vicious and insidious because it builds, over time, *cynicism about the law* in people who bear the burdens of being law-abiding. Their taxes and insurance premiums *too often* — noticeably too often, to an unnecessary and preventable degree — clean up the messes humans are prone to cause, wherever they are from.

A social contract in which some people are trackable, and can be compelled to carry insurance, pay taxes, and answer for liability and crimes, while others can live amongst them but bear none of those obligations, is not a social contract in which the trackable, compelled people will remain invested. That's especially true for the poorer trackable people.

I know every reader out there is intelligent enough to understand that this isn't an indictment of immigration. Immigration is legal and desirable. The indictment here is of *illegal migration*. Why should anyone be in favor of gradually transforming a nation's society through expanding, and proactively cultivating, a mindset that despises the rule of law?

The reason we don't deport the legal Americans we happen to think poorly of is not that we happy elite are such swell, tolerant folks. It's that we respect the rule of law. That's also the reason the unwashed Americans of Ignorance and Entitlement don't just invade and pillage us in our sleep. And it's the reason we do deport non-Americans who are here *illegally*, when they obtrude themselves on our notice.

Respect for the rule of law is a pillar that cannot crumble under us without utter catastrophe ensuing. Be very, very careful about striking emotional attitudes against it.