



Why Allowing Illegal Migrants to Choose Their Own Legalization Status Is a Very Bad Idea

By [Stanley Renshon](#),

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Over at the Cato Institute, Alex Nowrasteh [has an idea](#) that he thinks will bridge the gap between those who want to give illegal migrants a "path to citizenship" and those who are skeptical. His idea: "Several paths toward legal status should be created and the unauthorized immigrants should be allowed to choose for themselves."

His plan does not bridge the gap between Democratic advocates and GOP skeptics regarding a "pathway to citizenship" because, [as I pointed](#) out the other day, the plan is heavily weighted towards citizenship – "allowing a path to citizenship that, theoretically, most unauthorized immigrants could follow," Nowrasteh writes – and thus toward the Democratic position.

How this idea "addresses some of the concerns of immigration reform skeptics" (a.k.a. Republicans who are skeptical of "a path to citizenship") is wholly unclear. In fact, it would appear to do the opposite.

Actually, it is unclear that "most" illegal migrants would choose citizenship. [One poll](#) queried 400 persons of Spanish-speaking background, with no information about their age, length of time in the country, marriage status, or other relevant information, and reported that 87 percent of them would become U.S. citizens if a law passed making it possible.

This is consistent with [a Pew poll](#) conducted in 2012 that found that 92 percent of those who did not hold Legal Permanent Resident Status said they would like to become citizens. However, Pew then goes on to note:

Despite this near universal expression of a desire for citizenship, our analysis of government data shows a majority of Hispanic immigrants who are eligible to seek citizenship have not yet taken the opportunity to do so. Only 46% of Hispanic immigrants eligible to naturalize (become citizens) have, compared with 71% percent of all immigrants who are not Hispanic and are eligible to naturalize. The naturalization rate is particularly low among the largest group of Hispanic immigrants – Mexicans – among whom just 36% have naturalized.

So there is some evidence on both sides of the expressed concern – that either too few (Democrats) or too many (Republicans) would take advantage of an opportunity to gain citizenship.

The actual results of any legalization option are further complicated by [the finding](#) that among a nationally representative sample of Hispanics and Asians (both native-born and immigrant), legal status is seen as more important for illegal immigrants than a pathway to citizenship. Among Hispanic respondents, 55% said that legalized status is more important than citizenship, and for Asians the number is 49%.

These numbers rise dramatically for the foreign-born specifically. Among Hispanic immigrants in the poll (Hispanics make up the large bulk of the illegal population in the United States), "61% say being able to live and work in the U.S. without the threat of deportation is more important for unauthorized immigrant than having a pathway to citizenship." And remember, they are being offered both options in the question. ([on p.19 of the complete report](#)).

Yet, actually, the numbers on both sides of the impasse (too few or too many getting citizenship) won't really resolve what is at base the most basic problem with Nowrasteh's idea that "the unauthorized immigrants *themselves* [ought to be able] to choose the type of legal status they wish to have in the United States." (emphasis in original)

No, they should not.

That decision, as to whether to grant legalization at all, and if so what kind, should reside where it belongs, in the choice of the American people, and their representatives.

Those who have broken our immigration laws are already benefiting from that decision by their presence here. If some form of legalization is offered, it will mean that their violation of our laws will have been put aside, and that too is a very great benefit to them.

To all illegal migrants themselves to make the choice as to whether become citizens, with all the additional benefits to them and their families that citizenship entails, and to remove it from the hands of the American people, who are very likely to support a difficult but also compassionate compromise, appears to strongly favor the former at the expense of the latter.

And Americans will be rightly upset about the imbalance Mr. Nowrasteh appears to champion.

I know I am.