



INSANE ASYLUM

On the immigration disaster

PETER SKERRY

*On the immigration
disaster*

by Peter Skerry



national preoccupation with illegal immigration has—at least for now—been eclipsed by the more pressing concern, among elected officials and citizens alike, of addressing the chaos not only along our southern border but also in our major metropolitan areas. Legality has been superseded by reality.

At least since 1994, when the thunderbolt



routinely cited by advocates, allies, and the many sympathizers of immigrants to summarily dismiss legitimate concerns about the social strains and disorder resulting from these historic demographic changes. These of course do not typically rise to the level of “crimes.” Yet because this has become the dominant frame through which such developments get interpreted and debated, the persistent and legitimate concerns of many Americans about the noncriminal but nonconsequential impacts of mass migration are seldom adequately acknowledged or examined. Or are simply dismissed as irrational or racist.

In a related vein, Alan Bersin, U.S. attorney for the Southern District of California under President Clinton as well as “border czar” and then commissioner of U.S. Customs and Border Protection under President Obama, reminds us that the increased effectiveness of our border-control measures over the past few decades has resulted in at least a sixfold increase in the price charged by smugglers. Migrant-smuggling has been transformed from the “lone coyote” or “mom-and-pop” operations of the 1990s into “international smuggling networks that have become exceedingly well funded, organized, trained, and equipped.” Bersin concludes that migrant-smuggling now represents a “national security threat” that requires “executive action,” designating it “a tier one priority for intelligence collection, investigation, prosecution, and disruption.” Such highly informed insights not only undermine simplistic notions that undocumented migration is to be understood as a victimless crime but also lend considerable credence to the instinctive, though often poorly articulated, concerns about illegal immigration that so many Americans have been expressing.

From the same post-war period, another example of the tortuous, often blurred line between illegal and legal immigrants was the so-called Texas Proviso, a now forgotten provision of the Immigration and Nationality Act of 1952, also known as the McCarran-Walter Act. Loudly denounced for its maintenance of restrictive national-origins quotas as well as its authorization of the exclusion or deportation of communists and other subversives, the act made it a misdemeanor for aliens to enter without inspection or to overstay nonimmigrant