13 Appearances and Realities: Controlling Illegal Immigration in the United States

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The United States in the 1990s is passing through yet another of the recurrent anti-immigrant spasms that have marked its history since 1798, when the Alien and Sedition Acts equated the foreign with immorality and political radicalism. The current pursuit of restrictionist measures is being fueled by a combination of factors: economic frustrations and uncertainties about the future, which are largely the result of many years of stagnant or declining real wages for the average middle- or working-class citizen, and the more recent specter of job loss due to corporate downsizing and foreign competition; the increasingly visible presence of large numbers of ethnically and culturally distinct foreigners in large cities; declining confidence in the country’s ability to absorb immigrants and refugees, regardless of their legal status; and inflammatory posturing by opportunistic politicians who see immigration and its fiscal impacts as a “hot-button” issue that can be used to mobilize large numbers of voters.

Most – but certainly not all – of the public hostility and the political fire of the 1990s are being directed at illegal immigrants, particularly Mexicans who enter clandestinely via the southern border, rather than at legal immigrants or the numerous, predominantly non-Mexican visa overstayers who enter mostly as tourists. By most estimates, visa overstayers constitute between one-third and one-half of the total stock of unauthorized immigrants in the United States today, but their presence is almost totally ignored by the general public, as well as most elected officials. The reasons for this neglect,
which have to do with the political sensitivities and economic disruptions inherent in tougher enforcement of immigration laws within the US interior as contrasted with border enforcement, are quite telling.

Most of the purported remedies for illegal immigration now being implemented or advocated are policy options that have been discussed for many years. Some policy options, such as fines and criminal penalties against employers who knowingly hire illegal immigrants, are already "on the books," but have never been enforced vigorously and uniformly. Others, such as concentrated enforcement operations along the southwestern border with Mexico and the creation of a new employment eligibility verification system, are being attempted seriously for the first time. Thus, the US policy-making process in the 1990s is clearly locked into a "get-tough" mode on immigration control. It remains to be seen, however, if the outcomes of this process will be any more significant than the largely symbolic immigration control measures enacted at the federal and state levels in the United States from the 1940s through the 1980s (see Calavita, 1982, 1992, 1994).

This chapter reviews recent US experiences in applying each of the principal approaches to control of illegal immigration that are theoretically available to the United States, Japan, and other advanced industrialized countries. I also offer some empirically grounded speculations about the potential long-term efficacy as well as the political feasibility and sustainability of each of these policy options.

BORDER ENFORCEMENT

Under growing political pressure to "do something" to reduce the porosity of the United States' southern border, the Clinton Administration in 1993 embarked on a major build-up of Border Patrol resources. Interestingly, this effort was buttressed by the recommendations of a study commissioned by the Office of National Drug Control Policy and conducted by the Sandia National Laboratories, a federal government-supported facility devoted primarily to research for the military. The study recommended that the Border Patrol focus on