Beacon of Hope: The Case for Open Immigration

By "Coach Vance" Trefethen

***Resolved:* *The United States federal government should substantially reduce its restrictions on legal immigration to the United States.***

Open immigration, that is, abolishing the general system of visas and quotas and letting just about everyone in, used to be America's policy up until the late 1800s. Since then, restrictions have taken many forms, but it remains firmly entrenched policy that you have to qualify for a visa somehow to live in this country legally. Reverting back to something like our nation's traditional open immigration policy would bring numerous benefits.

There's no moral justification for refusing people the human right to migrate. And this country would reap numerous economic and social benefits from the influx of new workers. In addition, opening up legal immigration allows refugees at risk of death to come easily and eliminates the risk of immigrants dying in the desert trying to sneak in.

Beacon of Hope: The Case for Open Immigration 2

OBSERVATION 1. INHERENCY. Immigration limits 2

A. Limits. The Immigration & Naturalization Act (INA) limits immigration into the U.S. 2

B. Inefficiencies. Outdated restrictions miss economic incentives and create an undocumented underclass 2

OBSERVATION 2. The Plan. 2

OBSERVATION 3. ADVANTAGES 3

ADVANTAGE 1. Moral Responsibility Upheld 3

Criterion: The Veil of Ignorance. How would we want the world to be justly organized if we didn't know where we would be placed in it before we were born? 3

Link: In a just world, we would insist on a right to migrate – it's equally valuable as freedom of religion 3

Impact: No other moral choice. There's no moral right to exclude the unlucky from a better life 3

ADVANTAGE 2. Loss of talent reversed 3

U.S. society benefits from all the potential Einsteins who might come that are being blocked today 3

We turn away many talented individuals because immigration quotas are filled 4

ADVANTAGE 3. Economic Growth 4

Immigrants drive economic growth 4

ADVANTAGE 4. Lives saved – refugees and dangerous crossings 4

A. Refugee safety is important enough to justify American acceptance of more refugees 4

B. Many face certain death if sent home 4

C. Immigration restrictions cause thousands of needless deaths 5

ADVANTAGE 5. Reduce global poverty 5

Opening up to migration is the most powerful weapon in the fight against poverty 5

Works Cited 6

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Emma Lazarus' famous poem on the Statue of Liberty expresses what America's view on immigration used to be and should be again. “Give me your tired, your poor, Your huddled masses yearning to breathe free." Please join us as we affirm that: The United States federal government should substantially reduce its restrictions on legal immigration to the United States.

OBSERVATION 1. INHERENCY. Immigration limits

A. Limits. The Immigration & Naturalization Act (INA) limits immigration into the U.S.

Congressional Research Service 2018. " Permanent Legal Immigration to the United States: Policy Overview " 11 May 2018 <https://www.everycrsreport.com/files/20180511_R42866_fd2ab8b30d16f4294c009ec8cfb101b3b3b12741.pdf>

The INA limits worldwide permanent immigration to 675,000 persons annually: 480,000 family-sponsored immigrants, made up of family-sponsored immediate relatives of U.S. citizens ("immediate relatives”), and a set of ordered family-sponsored preference immigrants ("preference immigrants”); 140,000 employment-based immigrants; and 55,000 diversity visa immigrants. This worldwide limit, however, is referred to as a “permeable cap,” because certain categories of LPRs are not subject to numerical limitations. These include immediate relatives of U.S. citizens within the INA’s family-sponsored immigration provisions, as well as refugees whose number is determined by the President in consultation with Congress. In addition, the number of persons granted asylum is not numerically constrained. Consequently, the number of persons receiving LPR status each year regularly exceeds the INA’s statutory worldwide level for permanent immigration. The INA further specifies that countries are held to a numerical limit of 7% of the annual worldwide level of family-sponsored and employment-based immigrants, known as the percountry limit or country cap.

B. Inefficiencies. Outdated restrictions miss economic incentives and create an undocumented underclass

Prof. Giovanni Peri 2013. (professor of Economics at UC Davis) "The Economic Benefits of Immigration" <https://clas.berkeley.edu/research/immigration-economic-benefits-immigration>

While immigration flows, if managed efficiently and flexibly, would bring strong opportunities for economic growth, U.S. immigration laws remain outdated, cumbersome, and rather restrictive. These laws have substantially limited immigration for work-related reasons, both among the highly educated (scientists and engineers) and the less educated (construction, agricultural, and personal service workers). The misalignment between restrictive laws and economic incentives has also caused the population of undocumented immigrants to expand rapidly. Attracted by employment, but unable to secure a legal permit, 11 million people work and have set down roots in the United States, despite great uncertainty and little protection.

OBSERVATION 2. The Plan.

Congress votes to abolish immigration quotas and grant lawful permanent residency with path to citizenship to any immigrant who posts a $5000 bond and has no felony convictions and not a member of any terrorist group or on a terrorist watch list. Bond money is refunded if/when the immigrant achieves US citizenship.

OBSERVATION 3. ADVANTAGES

ADVANTAGE 1. Moral Responsibility Upheld

Criterion: The Veil of Ignorance. How would we want the world to be justly organized if we didn't know where we would be placed in it before we were born?

Prof. Harold Lloyd 2016 (law professor at Wake Forest Univ.) Beyond Rawls’ Fiction: The Veil of Ignorance Is Real 2 March 2016 <https://www.huffingtonpost.com/harold-lloyd/beyond-rawls-fiction-the_b_9365888.html>

I take the phrase “veil of ignorance” from the great philosopher John Rawls. For those who haven’t read Rawls and aren’t familiar with the phrase, here’s some brief and admittedly oversimplified background. In trying to construct a theory of justice, Rawls explored an imaginary “original position” where we would come together and agree on our political and social order. In an attempt to maximize fairness, Rawls imagined that we would do this behind a “veil of ignorance” that prevents us from knowing our own wealth, race, social status, gender, religion, talents, and other defining characteristics. Rawls invoked this veil in hopes of greater justice. If a rational person does not know his wealth, race, social status, gender, religion, talents, and other defining characteristics when agreeing to a future order, he should of course fear potential bias on those unknown grounds in any future order. Thus, one could reasonably expect that persons in any such “original position” would support a social and political order that, among other things, provides everyone with equal opportunity to the extent feasible regardless of these unknown defining characteristics.

Link: In a just world, we would insist on a right to migrate – it's equally valuable as freedom of religion

Prof. Joseph H. Carens 1987. (professor at the Department of Political *Science* of the University of Toronto, Canada) Aliens and Citizens: The Case for Open Borders <http://philosophyfaculty.ucsd.edu/faculty/rarneson/phil267fa12/aliens%20and%20citizens.pdf>

Behind the "veil of ignorance," in considering possible restrictions on freedom, one adopts the perspective of the one who would be most disadvantaged by the restrictions, in this case the perspective of the alien who wants to immigrate. In the original position, then, one would insist that the right to migrate be included in the system of basic liberties for the same reasons that one would insist that the right to religious freedom be included: it might prove essential to one's plan of life. Once the "veil of ignorance" is lifted, of course, one might not make use of the right, but that is true of other rights and liberties as well. So, the basic agreement among those in the original position would be to permit no restrictions on migration (whether emigration or immigration).

Impact: No other moral choice. There's no moral right to exclude the unlucky from a better life

The Economist 2018. "The case for immigration" 16 Apr 2018 <https://www.economist.com/open-future/2018/04/16/the-case-for-immigration>

The second argument for open borders is a moral one. Where someone is born is entirely a matter of chance, so there is no moral justification for compelling people to stay in a poor country. By the same token, those lucky enough to have been born in rich countries have no right to exclude others from their good fortune.

ADVANTAGE 2. Loss of talent reversed

U.S. society benefits from all the potential Einsteins who might come that are being blocked today

*Prof.* [John H. Cochrane](http://review.chicagobooth.edu/experts/john-h-cochrane)*2014 (AQR Capital Management Distinguished Service Professor of Finance and a senior fellow of the Hoover Institution) 5 Nov 2014* <http://review.chicagobooth.edu/magazine/fall-2014/why-the-us-should-free-its-immigration-policies>

Econ 101: figure out the price, then set the rules of the game; don’t decide the quantity, or determine the outcome. When a society sets target quantities, or sets quotas, as the US does now with immigration, the result is generally a calamitous waste. With an immigrant quota, an entrepreneur who could come to the US and start a billion-dollar business faces the same restriction as everyone else. The potential Albert Einstein or Sergey Brin has no way to signal just how much his contribution to our society would be.

We turn away many talented individuals because immigration quotas are filled

Hrishikesh Joshi 2015 (*Ph.D. candidate at Princeton University, in the Department of Philosophy* ) 4 Dec 2015 " Why the immigration quota system needs to go " THE HILL <http://thehill.com/blogs/congress-blog/foreign-policy/262021-why-the-immigration-quota-system-needs-to-go>

Third, the law is counterproductive even from the perspective of the interests of American citizens. Given the long delays and sheer luck involved in the green card process for people like Arvind, many otherwise talented foreigners are deterred from coming to America, and take their skills to Canada, England, or Australia instead. Further, since the H1-B lottery is determined entirely by luck, the U.S. in effect turns away many extremely talented individuals who would remain in the country if given a chance, and contribute significantly to its economic and scientific progress.

ADVANTAGE 3. Economic Growth

Immigrants drive economic growth

Prof. [Richard Florida](https://www.citylab.com/authors/richard-florida/) 2017 (co-founder and editor at large of CityLab and a senior editor at *The Atlantic.*He is a University Professor and Director of Cities at the University of Toronto’s Martin Prosperity Institute, and a Distinguished Fellow at New York University’s Schack Institute of Real Estate) 19 Jan 2017 The High Cost of Closed Borders <https://www.citylab.com/equity/2017/01/the-high-cost-of-closed-borders/510197/>

Trump and his supporters typically frame the question of immigration as: “Immigrants are taking something away from Americans.” They could not be more wrong. The reality is that immigration is key to the nation’s growth. Instead of taking jobs away from Americans, immigrants bring different skills to the table that complement those of American workers and help drive economies. Lower-skilled immigrants do the kind of low-paying, dirty, and dangerous work that American workers don’t want to do, while high-skill immigrants help power America’s innovative high-tech industries. Immigrants have been [integrally involved in](http://www.kauffman.org/~/media/kauffman_org/research%20reports%20and%20covers/2012/10/then_and_now_americas_new_immigrant_entrepreneurs.pdf) anywhere from a third to a half of high-flying high-tech startup companies.

ADVANTAGE 4. Lives saved – refugees and dangerous crossings

A. Refugee safety is important enough to justify American acceptance of more refugees

Jessica Brandt and Robert McKenzie 2016 (Brandt – Fellow in Foreign Policy with Brookings Institution. McKenzie – Brookings Institute Expert, Visiting Fellow, Foreign Policy, Center for Middle East Policy) 16 Dec 2016 "Addressing the Syrian refugee crisis" <https://www.brookings.edu/research/addressing-the-syrian-refugee-crisis-recommendations-for-the-next-administration/>

Yet since the Syrian uprising began in 2011, the United States has resettled a fraction of the nearly 5 million Syrians in need—only 10,000 to date. The overwhelming majority will not have the opportunity for resettlement in Western countries. Less than 1 percent of the world’s 21 million refugees will be resettled. However, the resettlement of even this small number of refugees is important. First, it provides a pathway out of frontline states for those who are particularly vulnerable and cannot safely be accommodated there.

B. Many face certain death if sent home

Krishnadev Calamur 2017 (senior editor) 25 Oct 2017 THE ATLANTIC "Trump's New Refugee Policy Targets These 11 Countries" <https://www.theatlantic.com/international/archive/2017/10/us-refugees-11-countries/543933/>

While the Trump administration might justifiably cite security as its reason for the additional screening of refugees from the countries affected, the security situations in those countries is precisely why people are fleeing. In the last fiscal year, for example, many of those admitted from the 11 countries were non-Muslims, and in some cases, particularly vulnerable to persecution by Islamist groups. Others, including Muslims, are, of course, fleeing oppressive regimes and face almost-certain death if they return home.

C. Immigration restrictions cause thousands of needless deaths

Joel Newman 2017 (bachelor’s degree in history from Pomona College and works as a teacher in Beaverton, Oregon) Immigration Restrictions Hurt Americans Too 23 Aug 2017 <https://openborders.info/blog/immigration-restrictions-hurt-americans/>

American immigration restrictions inflict immense suffering on immigrants and would-be immigrants. Thousands have died attempting to enter the U.S. through the desert, and others have perished attempting to make sea journeys. Tens of thousands languish each year in detention centers. Others are abused by government agents or criminals. Many are deported from the U.S. after having lived many years here.

ADVANTAGE 5. Reduce global poverty

Opening up to migration is the most powerful weapon in the fight against poverty

Rutger Bregman 2016 (master's degree in history) 17 Apr 2016 The Surprisingly Compelling Argument for Open Borders <http://fortune.com/2016/04/17/immigration-open-borders/>

The problem, in short, isn’t too much migration, but too little. In our era of “globalization,” goods, services, and stocks crisscross the globe, but figures from the United Nations Populations Fund show that [only 3%](http://www.unfpa.org/migration) of the world’s population lives outside their country of birth. By making people stay put, national borders form by far the greatest impediment to economic growth. Growth isn’t a cure-all, of course, but in most countries, it’s still the main driver of progress. Opening up our borders, even just a little, is the most powerful weapon we have in the global fight against poverty.

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