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Independent Migrants Have Rights Too

by Sheldon Richman

You'd never know it from the recent public discussion, but the people disparaged as "illegal aliens" — in fact they are independent migrants — have the same natural rights to life, liberty, and property that Americans have. As long as they violate no one else's natural rights, they should be free to go about their business.

Immigration restrictions are doubly invasive of rights. They violate the migrants' rights because they prohibit them from entering the property of Americans who would otherwise welcome them: employers and landlords, for example. And they violate the rights of those Americans who aren't free to hire migrants or rent and sell to them. Any American who wishes not to associate with a migrant should be perfectly free not to do so. But that American has no right to stop the rest of us from doing so. Nor has he a right to ask Congress to stop us.

But, it is said, a country has a right to control its borders. What does that mean? A country is not a country club. It's not a single parcel of land with common owners. If it's a free country, it's a collection of free people living in the same geographical area with a more or less common set of rights-protecting laws. It should have no rules of "membership" for living there beyond this rule: Respect the life, liberty, and property of others. Under those circumstances, borders lose their significance. As it is, people engaged in economic activities ignore national boundaries unless government intrusion (trade barriers) makes that impossible. Businesses usually are not interested in which side of an arbitrary line their potential customers were born.

Imagine an American whose land borders the boundary between the United States and Mexico. Is he not entitled to think of that border as his own? And if so, can't he welcome anyone to his property, including citizens from the other side of that line? To say no is to demonstrate how far we have drifted from our individualist and voluntarist moorings.

The issue of citizenship distracts us from more important matters. If government didn't have the open-ended power to deprive us of liberty and property, voting would represent no threat. As it stands today, I have no more reason to fear a Mexican in the voting booth than I do a

native-born American. It is not first-generation foreigners who brought Leviathan to America. If the problem is the welfare state, let's get rid of it instead of oppressing migrants.

Fear-mongers spend a lot of time disparaging Latino migrants for speaking Spanish and living in their own enclaves, as though similar things weren't said about earlier migrants. (A knowledge of history has never been a distinctive trait of the anti-migrant forces in this country.) I could point out that within a few generations the descendants of migrants speak English and assimilate. But I place no weight on that argument, because migrants are under no obligation to assimilate. As long as they violate no one's rights, they should be free to move here, engage in voluntary transactions, and speak — exclusively if they wish — any language they want. Of course, they should also accept responsibility for their choices. That's called freedom

For these reasons, the bills pending in Congress are objectionable. The borders should be open to migrants, but not the tax coffers. No one, native or migrant, has a right to stolen money. Moreover, the guest-worker program is an insult. It says that "we" will let migrants in as long as they are the right kind. What of the rights of the "wrong kind" (the low-skilled)?

The Fourth of July holiday is about a month away. Wouldn't it be nice if this time we could celebrate American freedom and really mean it?

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