

Immigration Control and Individual Liberty

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New Introduction

Although this was written for publication in the USA in 1985, at the time when the Statue of Liberty was being subjected to extensive repair and renovation, it is reprinted here substantially in its original form. The author's rationale for this is that he believes that the logical and ethical framework of his analysis is still valid – both in the USA and in Britain and in Europe generally – while the basic facts of immigration are now even more important and in need of clear thinking and firm political action in the interests of ecological balance, sound economics, social harmony, and the healthy functioning of democracy.

Immigration Control and Individual Liberty

Summary

It is not the case that immigration controls must necessarily reduce Liberty. Of course they must reduce *some* liberties for *some* people, but they can more than compensate by *adding* to the liberties of many *other* people indefinitely into the future.

Social control is the foundation of true freedom. Without social control there is not Liberty but anarchy, a state in which only the powerful are free.

A neutral way of analysing controls and freedom is essential for dealing with this issue, and the concepts 'Microfreedom' and 'Macrofreedom' are suggested as the basis for such a method. Microfreedoms are the simple, neutral, and indivisible freedoms of specific individuals or groups in specific situations, and the notion of Macrofreedom represents the sum of the microfreedoms of any one of these individuals or groups at a particular time and place.

All population change must inevitably alter the mix and strength of the microfreedoms, and beyond a certain population size the new ones added will be decreasingly valuable, while those lost will be increasingly fundamental.

People arguing that immigration controls must reduce Liberty should be asked: 'Which will reduce our macrofreedom (Liberty) *most*, further controls on immigration, or the immigration which will otherwise take place?' This is a complex and difficult question requiring a very careful analysis before a meaningful answer can be arrived at. Some pointers are now suggested:

Introductory Remarks

As a British student of population dynamics and individual liberty, I have keenly followed the persistent efforts of Senator Alan K. Simpson, Representative Romano L. Mazzoli, and, lately, Peter W. Rodino, Dan Lundgren, Edward Roybal, and Robert Smith to tighten U.S. immigration controls. My own country, one of the most densely populated in the world, does much heart searching on this same issue. What America decides to do may have profound implications for Europe and the world.

1.0 The Current Battle: Controllers vs Libertarians

Immigration controls are opposed by influential spokespersons for various interests such as ethnic minorities, civil rights, and industries wanting cheap labour. Tighter controls are wanted by other groups and by many unorganised individuals whose voices tend not to be heard. The opponents of tighter controls believe they are defending that Liberty so essential to the American way of life against a group determined to attack, even to destroy it.

The supporters of tighter immigration controls – the vast majority according to the opinion polls (including those confined to minority groups) – believe that the essence of Liberty is majority rule; America should be able to control immigration and settlement without veto by either idealists or vested interests.

Please note that above and in what follows the word "Liberty" is written – for reasons which will become apparent – with a capital "L".

2.0 The Foundations of the American Love of Liberty

In 1789 your new Constitution stressed Liberty as well as '... life ... and the pursuit of happiness ...' but unfortunately didn't define it, possibly because at that time and place everybody knew what it meant: freedom from British colonial rule. Since then, however, there has been a never-ending public debate on working definitions for specific concerns such as states-rights, prohibition, cartels, monopolies and labour-unions.

The freedom to bear arms has been hotly debated for decades, as in the case of the freedom to immigrate. Both sides are convinced that they are the true libertarians and it seems likely that a concept so long and so passionately debated cannot be either clear or simple.

The great Scottish philosopher, David Hume, said of the ancient Greeks;

'These people loved liberty, but seem not to have understood it very well' ¹

Could this be true of Americans today? Your much-loved Statue of Liberty is now shrouded in scaffolding and undergoing extensive renovation after years of unrelenting attack by the elements.

Is it possible that the concept of Liberty is also 'corroded' and similarly obscured by 'scaffolding' – erected by the embattled parties – of conflicting ideas and emotions?

Are these groups applying the same concept in different ways, different concepts, or attempting to enforce new definitions of Liberty upon your society? Does equipping it for a new lease of life in a world so dramatically different from that of the Founding Fathers mean that the concept of Liberty itself now requires a thorough overhaul comparable with that being given to the Statue?

3.0 Sweeping Changes since Liberty was enshrined in the Constitution

Since 1789 world population has increased six-fold, [now nearing eight-fold] to about 4,800 million [now 6.22 billion], while that of America has leaped sixty-fold, [now 72-fold] from under four to over 235 million [now almost 290 million]. In that period the 'natural increase' – the extra number needing to be fed, employed, etc. – increased over twenty times, from four to 85 million more each year [now 80 million], in the world as a whole.

The main sources of your early immigrants, Europe and Scandinavia, had a total population of less than 100 millions with a doubling time over 100 years. The main sources now, Latin America and Asia, have populations of 400 [now 535] and 2,800 millions [now 3,316 millions] with doubling times of 30 and 36 years, respectively [now 41 and 50 years]. The 'push' of population pressure is more than one hundred times greater.

**Now eight-fold to 6.2 billion ** Now 72-fold to 288 million*

4.0 Problems Created by Mass Immigration

4.1 Resources and Pollution

The 'environmental impact' of a population is clearly partly a function of its size but also of individual consumption: the average American is said to consume 40 times as much wealth as, say, an Indian, and all your immigrants aspire to 'normal' American living standards requiring the energy equivalent of 60 barrels [now 63] of oil per person per year with its inevitably heavy impact on scarce resources and environmental pollution.

4.2 Cultural Enrichment and Damage

Immigrant cultures always include valuable, sometimes greatly enriching strands. Equally, they can bring damaging elements such as religious intolerance, drug-trafficking, or gang warfare. Half of Los Angeles is said to be divided into gang territories largely controlled by ethnic minorities, and crime has been claimed to be your largest 'industry.'

4.3 Heterogeneity, Identity, & Group Solidarity

Though earlier immigrants retained strong private links with their Irish, Italian, Swedish, or other 'homelands', most tried to become 100% Americans in the public sphere – or at least made sure that their children did – in order to 'make good'.

Today, however, there is a powerful surge towards a proud if not militant fostering of the 'home' culture so that it is becoming increasingly hard to develop sufficient consensus to permit coherent education (I believe 52 languages are taught in Baltimore's public schools and 100 languages are spoken in San Francisco), efficient crime prevention, and orderly government in general.

Even on the assumption that all cultures are equal and all more good than bad, the sheer scale and variety of the cultural elements pouring into your society raise the question of whether social control (the foundation of true freedom as I argue in section 6.3) can be maintained.

5.0 Which is the Side of the Angels?

In the sharply polarised debate between the immigration controllers and the anti-controllers, the latter seem to have cornered the Liberty market. They have created the impression that they are on the side of the angels, defending Liberty against those who would reduce or even destroy it. That they should propagate this idea is readily understandable; that the pro-controllers should accept it is not.

Of course, controllers don't claim to be *against* Liberty, they say that they too are protecting it by minimising the new inroads which unfortunately have become necessary, but their apologetic stance is a tacit admission that the justification on their side is mere expediency; the other side is that of the angels.

The liberal and humane Senator Simpson falls into this trap, leaning over so far backwards to appease his allegedly Liberty-loving opponents as to appear on the defensive. In his Senate speech in August 1982 he focussed on the Liberty issue, admitted that tighter controls would make inroads but countered this by claiming:

*'...the threat is not serious...There is no 'slippery slope' towards loss of liberties, only a long staircase where each step downward must first be tolerated by the American people and their leaders.'*²

This may have won over a few waverers to the control side but what was the cost – in confirming their worst fears – in the alienation of others? The words 'threat', 'slippery slope', 'downwards', and 'tolerated' are negative and render the argument counter-productive because it accepts at the outset that the appropriate context for the debate is one of challenges to (and losses of) Liberty.

Only a small loss now, it is true, but bigger losses later when people are ready for the sacrifice. In his entirely honourable concern the Senator implicitly concedes the essence of the 'slippery slope' argument even as he overtly rejects it.

In this frame of reference the pros and cons of both immigration and its control cannot be sensibly debated and rational policies cannot be attained. A neutral framework for analysis is needed and I believe that one is available.

6.0 A Possible Way Forward

As I slowly became convinced in the early 1960s that overt population control was inevitable, I also became – as a libertarian myself – increasingly concerned about its price in terms of Liberty: was the cure worse than the complaint? However, many years of research and hard thought drove me to the paradoxical conclusion that beyond a certain point in the growth of numbers, population control is necessary not *in spite* of the need to preserve Liberty but *in order* to preserve it.

I published these findings in a widely reviewed book in 1971 and as counter-arguments have yet to appear I gain confidence that my analysis remains valid for both population control in general and migration control in particular.

The five stages of the argument are set out below; 6.1 to 6.5.

6.1 *Traditional Population Controls*

There is a vast literature, including the Bible, showing that population control – by varied and sometimes very harsh means (coitus interruptus, infanticide, abortion, killing the old, etc.) – is not a radical and dangerous innovation but one of humankind's oldest and most universal institutions. Modern controls tend to be humane and life-enhancing.

6.2 *The Meaning of Liberty*

Investigating a possible loss of Liberty from population control required both a working definition and a yardstick but I found that most people are quite unable to give any coherent account of the Liberty they say they hold so dear, let alone any means of measuring it. The more people try to pin it down – including professional thinkers – the more they disagree. As the 18th century philosopher Montesquieu observed:

'There is no word that admits of more varied meanings and has made more different impressions on the human mind ...' ³

A modern philosopher, Maurice Cranston, helped to clear up this confusion to some extent by pointing out that Liberty has two entirely different *kinds* of meanings, one 'descriptive', as we would expect, and another we generally overlook, the 'emotive' ⁴. The latter 'meaning' tends to remain both constant and favourable, while the descriptive meaning is always being adjusted to new and often unfavourable situations.

These radically differing processes constitute a powerful source of frustration and misunderstanding, but, despite all these difficulties, legislators cannot avoid *ad hoc* decisions about what Liberty means in practice.

In a classic judgement in 1937, US Justice Hughes declared:

'The Constitution does not recognise an absolute and uncontrollable liberty. Liberty in each of its phases has its history and connection ... (it) is thus necessarily subject to restraint ... and regulation ... reasonable in relation to its subject and in the interests of the community ...' ⁵

6.3 *Liberty versus Controls*

I also found that the population control debate is always conducted on the tacit assumption that *all* controls must reduce Liberty, that is what they are *for*, to stop people doing things they want to do, or make them do

things they don't want to do. But, as Cicero said of the ancient Romans:

*'We are all the law's slaves, that we might be free.'*⁶

Discounting the poetic licence in the use of the word 'slave', there is now a consensus in the social sciences that without social control there is not Liberty but anarchy, a state in which only the powerful are free.

6.4 Effects of Population Change on Liberty

My most interesting discovery was that nearly everyone takes it for granted that population factors cannot *themselves* have any effect on Liberty; the only relevant factors being controls. This assumption is obviously false; in a region with ample resources but few people, an increase in numbers brings a considerable increase in the freedom to socialise and to consume hitherto scarce or unobtainable goods and services.

(Although even here, for example, some new freedoms will be gained at the expense of others; space and wilderness will be less and pollution greater). Conversely, where resources are already scanty, an increase in numbers will tend to cause a *decrease* in the freedom to enjoy wealth and well-being.

The more people there are in a given area, the more interaction and the more control there must be simply to keep the system working. The enormous growth of road traffic regulations is an obvious example of this effect.

6.5 Liberty versus Liberties

Fact and logic are mostly swamped by emotion, self-interest, lack-logic, and false assumptions. Your cracker-barrel philosopher, Josh Billings, once observed:

*'Tain't ignorance causes trouble so much as folk knowing things that just ain't so.'*⁷

This is precisely what causes most of the 'trouble' here; folk *knowing* what Liberty means, *knowing* that controls reduce it (population changes, including migration, having no effect) so that controls must always be opposed. A neutral method of analysing controls and freedoms is essential before progress can be made and – once the need is acknowledged – it is easy to find one.

Only moderately careful readers will have noticed above (and in real life, too?) that what is at stake is mostly not Liberty in the round but *a specific freedom*. The idea of Liberty, as Chief Justice Hughes observed, must be adjusted from time to time so as to be '... reasonable ... in the interests of the community ...'.

This adjustment is invariably concerned with a specific issue and the simple dodge I hit upon was to relegate 'Liberty' to literature, as in Shakespeare's '... headlong liberty is lashed with woe ...'⁸ and then put practical discussions for legislation, etc., in terms of simple and neutral 'microfreedoms', specific and indivisible freedoms of specific individuals or groups in specific situations.

'Liberty' should then be supplanted by another bit of jargon, 'macrofreedom,' which, for any specific individual/group, etc., as above, would equal the sum of the microfreedoms at that time and place.

Macrofreedom is then an analogue of Liberty but by no means the same concept. It is built in small steps from the ground upward, as it were, instead of being revealed as a whole in all its glory from history – or even from heaven. Few would want to alter Patrick Henry's famous cry⁹ to ring out as 'Give me macrofreedom or give me death!' But the concept has the great virtue of neutrality, being much freer of untested assumptions and moral or emotional overtones.

Everyone is in favour of *Liberty* just as everyone is against sin, but if we ask which *set of microfreedoms* is preferred and in what order, we shall get as many answers as there are people. The question 'are you for or against Liberty?' is as unanswerable as, 'Have you stopped beating your wife yet?' The question 'Does population control reduce liberty?' is similarly misleading, and must be supplanted by the much more relevant, searching, and therefore difficult question: 'Which would reduce a particular group's macrofreedom most, population controls, or the population changes which will otherwise take place?'

7.0 Microfreedoms and Immigration Controls

The five points listed under 6.1 to 6.5 apply with equal force to immigration control, which:

- a) has been practised from time immemorial as it is essential for group welfare, even survival.
- b) is almost invariably discussed in terms of a romantic and impractical concept of Liberty.
- c) ditto in terms of a false dichotomy between control and Liberty.
- d) ditto in terms of the false assumption that immigration itself has no effect on Liberty.
- e) is far more fruitfully dealt with in terms of specific microfreedoms to immigrate and settle, to regulate those processes, and generally increase, enhance, reduce, or qualify the specific microfreedoms of specific individuals and groups.

This logic can now be used to refine US Senator Simpson's 'staircase' analogy by postulating a second staircase and asking whether a step *down* on one might be accompanied by a step *up* on the other, almost certainly the case in real life (although many more 'staircases' than two would be needed to model a society reasonably fully).

Granting an alien the right to settle gives you some new microfreedoms but only at the cost of some of those you previously had. Conversely, refusing the alien that right costs you those potential new microfreedoms while protecting your old ones. All population change must inevitably alter the mix and strength of macrofreedom; and beyond a certain population size or density the microfreedoms added will be decreasingly important while those lost will be increasingly fundamental.

A society really concerned about Liberty, or, more prosaically, about macrofreedom, must think in terms of the microfreedoms of one set of individuals or group against those of other sets, both now and in the future. Only in this painstaking (and probably painful) way is it possible to talk and act meaningfully about controls and freedom.

In a free-enterprise society such as that of the United States, the metaphor of the balance-sheet may be appropriate; controls being analogous to investments or production costs, while the resulting microfreedom changes are equivalent to profits and losses. As a society you invest in traffic controls – denying the freedom to drive on the left, for instance – in order to reap the considerable 'profit' of increased safety on your highways.

The example just chosen is simple, a small control 'investment' producing a large, obvious and immediate profit. Unfortunately, however, the cost of an investment in control often seems to many people high and immediate, while the resultant profit appears small and remote, and so is appreciated only by the far-sighted few.

The proof of this can be seen in the fact that nearly all of the essential modern controls now taken for granted were tenaciously opposed and prevented for substantial periods because powerful individuals or groups could see the immediate costs but not the long-term benefits.

8.0 Conclusions

Immigration control and all it means in terms of tradition, politics, and ethics, is now in an epoch of painful reappraisal in a world in actual or near crisis in many areas of public concern; military, economic, demographic, and ecological.

Nearly everyone accepts that with respect to immigration there cannot be, in Justice Hughes' words, '... absolute and uncontrollable liberty ...', but there are many shades of opinion about what constitutes '... reasonable ... restraint ... and regulation ...', and what, precisely, are '... the interests of the community ...'.

Since so many of these differences stem from differing ideas about Liberty, I hope that my contribution – though it certainly cannot solve the problems – might at least facilitate discussion by clarifying some of the key issues.

The *statement*, frequently made or implied: 'Tighter immigration controls will reduce our Liberty' should be reformulated as a *question*: 'Which will reduce our macrofreedom most (or least); further controls on immigration, or the immigration which will otherwise take place?'

This question implies many others on a wide range of topics including non-renewable resources, social cohesion, and so forth, and it would be presumptuous of an outsider to try to tell Americans which are the most important microfreedoms or how controls should be modified to realise them.

Nonetheless, I hope my readers will agree that the whole world has a stake in finding rational and humane solutions to the colossal problems of population and development, and consequently in the values and policies of your country, one of the largest and perhaps the wealthiest and most powerful yet to appear on earth.

Notes and References

The book by the author in which the arguments presented here were first developed is *Population versus Liberty*, published in 1971 in London by Pemberton Books, and, in 1973, at Buffalo, N.Y., by Prometheus Books. It is still in print and he believes that it remains the only work on this vital topic, population control and individual liberty.

- 1) Hume, David (1741), *Essays Literary, Moral, and Political*. Reprinted London & New York, George Routledge & Sons. (Undated) (Sir John Lubbocks' Hundred Books series)
- 2) Congressional Record, Reported in *Population & Development Review*, 8, No. 4, 1982.
- 3) Quoted in Inge, W. R. (1949), *The End of an Age*. Southampton, The Camelot Press.
- 4) Cranston, Maurice (1953), *Freedom, A New Analysis*. London & New York, Longmans, Green & Co.
- 5) West Coast Hotel v. Parrish, (300 U.S. 379).
- 6) Malinowski, B. (1947), *Freedom and Civilisation*.
- 7) Josh Billings, from memory.
- 8) Shakespeare, W., *Comedy of Errors*. Act II Sc. 1.
- 9) Wirt, W. (1818), *Patrick Henry*.
- 10) The original was: 'Give me Liberty or give me death.' See my *Population versus Liberty* for an extended discussion. (1971) (Details above.)

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*** & ** N.B.** This text has been very lightly modified by the author [notably by the insertion of updated statistics in square brackets] in the interests of clarity and of contemporary relevance. Other material by Jack Parsons on immigration problems includes, in reverse chronological order:

1. (1998) *Human Population Competition. A study of the pursuit of power through numbers*. 2 vols. Lewiston, N.Y. The Edwin Mellen Press. ISBN Vol. 1: 0-7734-8372-1. Vol 2: 0-7734-8374-8. See especially chapters 12, 20 & 21. Withdrawn by author from original publisher. An updated 4th edition was published by Population Policy Press in interactive CDROM format in July 2002, with the new title *Population Competition for Security or Attack. A study of the perilous pursuit of power through weight of numbers*. ISBN 0-9541978-1-X
2. (1994) 'An introduction to CO-ORD'. *The Social Contract*, V (2), pp. 155-6. ISSN 1055-145X
3. (1992) 'A visitor's eye-view of U.S. Immigration problems'. *The Social Contract* II (2), pp. 82-6. ISSN 1055-145X