

Blazing Arizona

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Editorial

On Jan. 1, Arizona intends to become the first state to try to muscle its way out of its immigration problems on its own. That is when, barring a last-minute setback in court, it is to begin enforcing a new state law that harshly punishes businesses that knowingly hire undocumented immigrants. It is a two-strike law, suspending a business's license on the first offense and revoking it on the second. It is the strictest workplace-enforcement law in the country.

We have always said that workplace laws should be enforced vigorously — as part of a comprehensive, nationwide immigration system that doesn't just punish, but tries to actually solve the problems that foster and sustain the breaking of immigration laws. The boosters of the Arizona law, including the Minutemen border vigilantes who have made "January First!" an anti-immigrant rallying cry, have a much narrower goal: the biggest purge of illegal immigrants in the Southwest since the federal government's Operation Wetback in 1954.

If that happens, the immigrants will take a big chunk of Arizona's growth and economic vitality with them — and not necessarily back across the international border. The collateral damage will be severe as citizens and legal immigrants are also thrown out of work, as businesses struggle to find workers in a state with a 3.3 percent unemployment rate and as sleazy employers move more workers off the books, the better to abuse and exploit them. And the national problem of undocumented immigration will be no closer to a solution.

There are many compassion-and-common-sense criticisms of Arizona's Fair and Legal Employment Act: stories about families torn apart, breadwinners deported and citizen children on public assistance. They make little headway with the law-and-order crowd. Nor does the fact that many hard-line defenders of workplace enforcement show a lopsided devotion to federal laws; they seldom complain when employers abuse undocumented immigrants and steal their wages, even though those violations worsen job conditions and pay for American workers, too.

For now, let's just point out that Arizona's plunge into enforcement-only immigration policy highlights the folly and inadequacy of that approach, particularly when it is left to a crazy quilt of state laws. America is a country where millions of illegal immigrants have entered for years all but invited and mostly not pursued. They have become integral to our economy, although now — thanks to harsher enforcement and the defeat of comprehensive immigration reform in Congress — most have no way to become legal, no options except slipping back into destitution on the other side of the border.

There is no way for Arizona or any other state to get businesses back on a legal footing without exacting a great economic and human toll.

It could be that Arizona's enforcement of the law will be calm and measured. But we worry about Maricopa County, which includes Phoenix and two-thirds of the state's

population. Maricopa's county attorney, Andrew Thomas, and county sheriff, Joe Arpaio, are prone to media-driven stunts. Sheriff Arpaio makes a show of his meanness, hounding and humiliating prisoners and forming his deputies into squads that check people's clothes and accents before demanding their papers.

Arizona is home to many moderate politicians, like Gov. Janet Napolitano, who were all too aware of the bill's problems, and yet it became law. Many say the Minutemen and their allies had offered an ultimatum: approve this bill or face a citizen's initiative on the 2008 ballot that would be even harsher and blunter, and all but impossible to repair. That promise was reneged on; petitions for the Minutemen's initiative are being collected now.

As Arizona exacts its punishment on the undocumented workers who have made it so prosperous, it runs the risk of proving itself tough but not smart.