

Liberty And Immigration

by *Thomas E. Woods, Jr. for the Foundation for Economic Education*

The extraordinarily high rate of immigration, legal and illegal, into the United States is an indication that our country is doing something right. The United States, while far from boasting a pure free market, clearly offers enough economic liberty to attract the migration of peoples from all over the world. Currently, half the world's immigrants come to the United States.

Libertarians have generally welcomed immigration, and on very simple grounds. According to the “non-aggression axiom,” it is wrong to aggress against the person or property of anyone who has not himself committed such aggression. To restrict the free movement of peoples across borders is thus to engage in unjustified aggression, and is therefore anathema.

Upon further reflection, however, it is puzzling why so many libertarians have so enthusiastically and uncritically accepted the “open borders” position. It leads, in fact, to an infringement on the property rights of millions of homeowners, and a tremendous increase in state power.

In a 1993 address before the Mont Pelerin Society, the late Murray N. Rothbard suggested an alternative libertarian approach to immigration. Imagine the pure private-property, or “anarcho-capitalist” model, in which all property, from streets to parks, is privately owned. There is no such thing as a “public space” under such an arrangement, and therefore no “immigration problem.” Individual property owners or contractual communities would be able to set their own immigration policy, and determine for themselves who would or would not be allowed to enter their private property.^[1]

The situation becomes muddled when we insert public property into the equation. Cultural cohesion is a value cherished by many, but it is gravely compromised by distant levels of government which force localities to allow “universal access” to local public property. It is hopelessly misleading to describe this state-enforced policy as “free immigration”; rather, as the libertarian philosopher Hans-Hermann Hoppe points out, it is a flagrant case of “forced integration.”^[2]

Libertarians and Public Property

The issue boils down to how libertarians should think about public property. Some libertarians hold that as long as a road or any other property is public, no restrictions can be placed on its use. If a nudist colony decided to march, *au naturel*, down the middle of a well-traveled area of Manhattan, such a libertarian would have no objection. (That chastened New Yorkers would be unlikely to notice is another matter.)

Clearly, no private road proprietor would dream of subjecting his patrons to such an environment. But until all roads are private—a situation unlikely to obtain anytime soon—on what grounds should the most basic civilizational norms not be observed on

public property? There is no reason why the mass of the public, already looted and oppressed by the state, should also be forced to endure offensive behavior or dreadful squalor every time they set foot on state-owned property.^[3]

The same analysis can be applied to immigration policy. Must people be forced to surrender to the state-imposed multiculturalism that is current immigration policy, or can they at least attempt to approximate the demographic patterns that would obtain under private-property conditions?

It is hardly unwarranted to assume that the vast majority of Americans, if control over immigration were devolved to the most local level possible, would freely choose to sort themselves according to very different demographic patterns from those which the state, through its invasive immigration policy, foists on them today. To allow our present immigration policy to continue, therefore, is to hand the state an enormous victory over the private property owners who must live with the forced integration of which the present system consists.

Many advocates of “open borders” contend that the real culprit is the welfare state, and not immigration per se. But this will not do. We all would like to see an immediate end to the welfare state, but with “welfare reform” another Beltway hoax and the rest of the New Deal/Great Society entitlement programs alive and well, this is no answer at all to those who are concerned about the unprecedentedly high infusion of immigrants, legal and illegal, into the United States.

A Unique Crisis

The current crisis is indeed unique in American history. As Peter Brimelow points out, previous waves of immigration were followed by long pauses during which the country was able to absorb and acculturate its new citizens. Not so today. The Immigration and Naturalization Service estimates the arrival of 12 to 13 million legal and illegal immigrants into the United States over the course of the 1990s, the overwhelming majority of whom will hail from radically different cultural environments from what they will find here. And there is no end in sight.^[4]

We must also ask ourselves seriously whether we will be more or less free after even two more generations of immigration of the size and composition of recent decades. That immigrants and the American bureaucracy that serves them will become yet another pressure group, clamoring for privileges and benefits in Washington, can scarcely be doubted. The overwhelming majority of current immigrants is eligible for affirmative action and the myriad other benefits that accrue, at others' expense, to the protected classes.

Yet there is a more subtle reason to be wary of the kind of radical heterogeneity that a continuation of current policy promises. In order to destroy the cultural and ethnic cohesion that acts as a bulwark against its expansion, the state has a history of engaging in deliberate demographic scrambling. When this forced integration inevitably produces

animosity, the state is all too eager to impose order on a chaos of its own creation.

Massive migration of ethnic Russians into Estonia, for example, was deliberately encouraged for the purpose of destroying Estonian culture and nationalism. In Yugoslavia, Tito enforced a policy of forced mixture and resettlement of Serbs, Croats, and Slovenes, exploiting the resulting animosities to justify further expansion of state power. A population thus divided against itself at the local level can pose no threat whatsoever to the central state. And this, of course, is the point.

Barring the establishment of a pure private-property system, the only sound libertarian approach to immigration is thus a radical devolution of power from the central state to the local level, and to allow individuals and communities to decide the issue for themselves.

A facile advocacy of “open borders” gives the central state exactly what it wants: the chance to supersede the preferences of property owners, and to provide the pretext for further encroachments on local and individual liberty. Such a system, in short, will make America less free. That's a good enough reason for libertarians to rethink it. []

Endnotes

1. Murray N. Rothbard, “Nations by Consent: Decomposing the Nation-State,” *Journal of Libertarian Studies* 11 (Fall 1994), pp. 1-10.
2. Hans-Hermann Hoppe, “Free Immigration or Forced Integration?” in Thomas Fleming, ed., *Immigration and the American Identity* (Rockford, Ill.: The Rockford Institute, 1995), pp. 212-20.
3. See Murray N. Rothbard, “What To Do Until Privatization Comes,” in *Making Economic Sense* (Auburn, Ala.: The Ludwig von Mises Institute, forthcoming), pp. 144-47.
4. Peter Brimelow, *Alien Nation: Common Sense About America's Immigration Disaster* (New York: Random House, 1995), p. 5.

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About The Author

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