one more Almodóvarian linkage of blood and sex.

The long sex scene that follows is, for a change, essential. It's a volcanic outburst of what both, in different ways, have been damming up until now and that explodes, not through roughness but through tenderness. Almodóvar ensures that we get the point: in one of the shots, he multiplies the sex in a many-paneled mirror. (One of the film's sly jokes: Abril remembers Banderas by his love-making. Only after their encounter does she recall that they had met before.)

We're told that Carmen Maura, the leading actress of most Almodóvar films, quarreled with him and that he then sought out Abril. Maura is a fine actress in the Irene Papas vein, but Abril is perfect for this part—supple, lovely, poutily kissed to the unique. Imagine Rosanna Arquette with talent. Or Rebecca de Mornay as she is. Banderas is open yet wary, attractive yet simple, fiery yet insouciant, with a reverse side that's revealingly close to the sentimental.

Behind the Green Card

BY JAGDISH BHAGWATI

The Economic Consequences of Immigration

by Julian L. Simon

(Basil Blackwell, 320 pp., $39.95)

Friends or Strangers:
The Impact of Immigrants on the U.S. Economy

by George J. Borjas

(Basic Books, 274 pp., $22.95)

The only other performance of note comes from the stalwart Francisco Rabal, familiar from *Vidancha* and *Eclipse*, as Abril's porno-horror director. Another grim Almodóvar joke, another bit of black fringe on his rosy romance: the director is confined to a wheelchair but is, he says, "hornier than ever."

José Luis Alcaine and José Alcedo, the cinematographer and editor who are both Almodóvar veterans, provide color and pace—just sufficiently colorful and sufficiently brisk. Sheerly in cinematic terms, Almodóvar shows more self-confidence. No longer does he use trick shots (for instance, through a pair of glasses lying on the floor) to show how clever he is. He puts his camera where it will be of best service, unobtrusively, to what, he says, drew him to filmmaking in the first place, "the passion of actors."

As a stylist he is unusual among the accomplished because it isn't easy to describe him by visual characteristics. Rather, it's the man himself, behind the film, who registers—light-handed, satirical, accomplished because it isn't easy to describe him by visual characteristics. Rather, it's the man himself, behind the film, who registers—light-handed, satirical, insouciant, with a reverse side that's revealingly close to the sentimental.
humanely looking the other way since they are already here? Other aliens land right at our doorstep, to seek first-asylum refuge. They challenge our ethical sensibilities and strain our public purse to the breaking point. Our return of the asylum-seekers to El Salvador and Guatemala led to the sanctuary movement; and Hong Kong's British masters face international outrage as they seek to deny asylum and return the boat people to Vietnam.

For the United States, a country whose history and psyche were defined by the open door of the nineteenth century, the operation of the closed door in the twentieth century has been particularly difficult. Starting with the national embrace of immigration restrictions in 1921, when the first quota limits were established, we have been witness to successive attempts at rewriting legislation, always in anguish, trying to come to terms with changing circumstances and sensibilities as best the political process permits.

The last decade has seen one more such effort, ambitious in scope and complex in architecture. The admission of refugees was settled in the 1980 Refugee Act, which allocated 50,000 visas for "normal flow" refugees and permitted the president, in consultation with Congress, to increase the allocation. Illegal immigrants were addressed in the 1986 Immigration Act: its key features included the amnesty program and the introduction of employer sanctions penalizing the hiring of illegals. Now we are in the process of legislating the admission of all others. This three-layered legislation is designed to define our immigration policy until at least the end of this century. For that reason, a scholarly look at this entire edifice is an urgent necessity, especially since there are excellent reasons to think that it is seriously flawed.

Julian Simon's book should have undertaken this task. It does not. The bulk of it is narrowly targeted, instead, at the critics of liberal immigration policies, seeking to establish that immigrants do us good and that added numbers would do even more. Simon certainly has a keen nose for rubbish. He demolishes many of the farcical, if popular and effective, claims of the anti-immigrationists. His scalpel is particularly sharp when he confronts, with cool logic and cold facts, those who claim that immigrants, whether legal or illegal, are a large net burden on the tax system, taking more in entitlements than they pay in revenues. Where Roger Conner of the Federation for American Immigration Reform argues that "taxpayers are hurt by having to pay more for social services," and Leonard Chapman, then commissioner of the Immigration and Naturalization Service (INS), adds that "we spend millions every month supporting people who are not supposed to be here," Simon argues that the data demonstrate otherwise. The immigrants are young and pay more into the Social Security system; they do not have significantly greater unemployment rates, and do not therefore claim differentially higher unemployment benefits; and in any event, the illegals tend to keep their heads in the sand and out of trouble, forgoing benefits that they can claim only at peril. On balance, they bring profit, not loss, to our tax system.

If you were a victim of the alarmist assertions that immigration today is at an all-time high or that illegal immigration is in excess of 10 million, Simon will assure you that you do not know your history, that patient research yields more comforting numbers. Simon can be a formidable foe of foolishness. But not always. Every now and then he buries the rubbish of others under his own. This is partly because economics is a hard taskmaster: you know it well or you pay the price. Simon's turgid technicalities and elementary algebra create an air of scientific rigor, but they do not save him from

At last the whole story can be told...

WOMEN, ART, AND SOCIETY
By Whitney Chadwick

Women as creators of art, women as the subject of art, women as nearly invisible presences in art history... Until now women and the visual arts is a subject that has been neglected at worst and treated piecemeal at best—a monograph here, a major exhibition there, a chapter in the leading texts. Now, in this brilliant and eagerly-awaited study the author provides a comprehensive, accessible and inspired look at ten centuries of women's involvement in the fine arts and highlights their achievements from the Middle Ages to the present day.

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Simons excesses follow also from his paranoia that econometrics have ways of getting around this "identification problem," but Simons fails to identify it at all. As a consequence, the case for liberal immigration that is based on the benign link between more population and more productivity remains unproven.

Part of the problem is that Simon is so offended by what he castigates as the "bunkum" produced by the anti-immigration lobbies during the long battles over the 1986 legislation, and so partisan in favor of more immigration (a conviction that he acknowledges that I share) that he falls prey to the well-known "ballooning up" process. Where analysis and evidence show that the anti-immigrants' claims are not necessarily correct, he tends to conclude that they are unnecessarily correct. Or he will occasionally indulge in the logical fallacy of ignoratio elenchii, more popularly known as creating a straw man. Thus, to counter the valid claim that many of our immigrants are ill-educated and low-skilled, he argues that they are more educated and makes sense. Or he will occasionally indulge in the logical fallacy of ignoratio elenchii, more popularly known as creating a straw man. Thus, to counter the valid claim that many of our immigrants are ill-educated and low-skilled, he argues that they are more educated and makes sense. Or he will occasionally indulge in the logical fallacy of ignoratio elenchii, more popularly known as creating a straw man. Thus, to counter the valid claim that many of our immigrants are ill-educated and low-skilled, he argues that they are more educated and makes sense. Or he will occasionally indulge in the logical fallacy of ignoratio elenchii, more popularly known as creating a straw man.
Pretending You Were Joseph

You could consider your seven fat losses. You could ponder the long lean years left.

You could count the rest of your exiled life not double-crossed but an Egyptian-style feast to be ceremoniously eaten. Too soon past. You could discover that in any parched season siblings, nearly forgotten and foreign, might knock for the food of forgiveness. You could ask:

"In a famine of mercy must everyone fast?"

SYBIL ESTESS
The science of economic policy concerns the search for maximizing or satisfying solutions subject to constraints, but those constraints are provided not merely by resources and know-how, as the elementary economics textbooks teach, but also by ethics, culture, history, and politics. In fact, the truly difficult issues that we face in immigration policy are not narrowly economic at all. The questions raised by illegal immigration and by first-asylum refugees go to the heart of the matter, and to our hearts. The 1986 act, designed to deal with illegals, and the 1980 act, addressed to refugees, are not adequate to the problems we confront. The former was wrongly premised and has become an irrelevance; its fate was predictable. The latter has been overtaken by the sudden emergence of first-asylum refugees; its inadequacy could not have been readily anticipated. But it's worth starting with a look at the current state of debate about legal immigration, before turning to illegals and refugees.

Legal immigration. How are any given quotas to be assigned among different claimants? This question is currently being debated in Congress. American policy since 1965 has overwhelmingly favored admissions on family criteria. Of the 270,000 numerically limited legal admissions in 1988, nearly 90 percent were assigned to the familial categories. First to Fifth Preference. Indeed, since 1978, 95 percent of all non-refugee legal immigrants have been admitted under such criteria. Is such a policy "fair"? Is it economically the most rewarding for us?

Some think that the policy is unfair because it is "nepotistic." The ethnic groups that do not profit from it, such as the Irish, object strenuously (and effectively through the good offices of Senators Kennedy and Moynihan), especially to the Fifth Preference for "brothers and sisters" of U.S. citizens, with its quota of 64,800 in 1988. The defense of "nepotism" comes, on the other hand, from Italians and Indians, who evidently have an abundance of siblings at the gates of our consulates in Rome and New Delhi. Fairness, in sum, is in the mind of the beholder; and conflicting views of it are resolved by the relative strength of the different pressure groups that play the political game.

For economists such as Simon and Borjas, however, the key problem with the family-reunification system is that it does not maximize the attendant import of skills, and hence the benefit to the United States from immigration. Simon simply assumes this when he argues, oddly, that "independent persons selected on economic grounds would be preferable to relatives, were there to be no humanitarian considerations. This change is unlikely, however, so no further consideration will be given to the matter." Borjas, by contrast, makes this a central issue in his work, arguing that the skill level of immigration has actually declined with the massive shift in 1965 to the family-reunification system. Presumably, the familial system has shifted the source of immigration to developing countries that send immigrants with lower educational levels than the earlier immigrants from the Western developed nations.

Borjas's evidence is mainly indirect, based on the fact that earnings estimates of the entering "foreign born" from census data show a decline. But earnings and skills are not the same thing. Nor do the data permit an explicit linkage between the category of the immigrant visa and the earning profiles: the thesis does not necessarily hold, for instance, for spouses who enter under the Second Preference from India. The reason lies in economics. There is an active "market" in India for potential spouses for holders of American green cards and citizens of Indian origin. The latter, because of the potentially large pool of candidates, can choose spouses who are educated and skilled enough to yield high economic returns to the family.

Moreover, the criticism that the familial system produces significant deterioration in the skill levels of immigrants entering the United States, as opposed to a skills-based system of the kind that both Simon and Borjas seem to favor, is particularly doubtful if we consider also that such skills-based systems are hard to fine-tune successfully (as shown by the Canadian "points" system of immigration, which grades applicants on a scale of zero to 100, requiring a minimum of fifty, and awarding extra points for education, age, and initiative). But then, if a skills-based system will not necessarily produce a truly substantial increase in skills for the United States, and if family values are important to us, then should economists, worrying only about the economic efficiency of immigration, encourage all the current fuss in Congress against the familial system?

Illegal immigration. A worldwide phenomenon today, illegal immigration is truly substantial for the United States. It comes largely from Mexico, though it now appears, based on the 1980 census and other evidence, that Mexican illegals amounted to not much more than half of the illegals here in the early 1980s. The influx from Mexico is the product of the economics of vast disparity in opportunity between the two countries, the fortuitous circumstance of a long border, and the morality that makes us unable to sustain drastic, draconian measures to enforce sanctions. Many cross the Rio Grande in the belief that Porfirio Diaz got it exactly wrong when he said: "Poor Mexico, how far from God and how near the United States."

We intercept abundantly. But all we do is send the Mexicans back; and they cross the Rio Grande again, and again, until they strike pay dirt. Getting past the INS, we do not construct Berlin Walls, we do not shoot glibly at the people violating our borders. And we cannot expect that internal enforcement against those who get past the border can be successful in a civilized society. Attempts to cut off the demand for illegal labor by enacting employer sanctions to penalize those who hire illegal aliens, as in our 1986 Immigration Control and Reform Act, have been generally unsuccessful wherever they have been adopted, even in such "no-nonsense" societies as Germany and Switzerland. Judges have been lenient; it is hard to come down heavily when the crime is the employment of impoverished aliens and the punishment could mean their deprivation and their destitution. And in the United States, we have had yet another civil rights complication. Faced with the prospect of discrimination against look-alike citizens and legal aliens, our legislation has often enzymated employer sanctions, reducing their bite even before they could deal offending employers to lenient courts.

There are more constraints. We cannot contemplate making enough investment in Mexico, or granting it sufficient aid, to make enough of a dent in Mexican misery to roll back the numbers seeking entry to the north. If anything, limited improvements, which is all we can hope for, could enable more Mexicans to finance the journey, and may paradoxically increase the illegal influx and compound the problem.

Given the letters on policy-making that derive from ethics, and the paradoxes that derive from economics, we have no option except to regard as infeasible the goal of reducing illegal immigration to negligible levels. Since illegals will remain in our midst, and more will keep coming, the only meaningful, and indeed compelling, question for us becomes a moral one: How do we treat these illegal aliens with decency,
assuring them and their families the civil rights that would rescue them from the afflictions of their illegal status? In my view, the answer has to take us in the direction of less internal enforcement, more protected and effective access by the illegals to our welfare programs, and equal rights (e.g., to education and health) for the children of illegals as for the children of legal aliens and citizens. These are solutions that contrast sharply with Simon's quick and conventional prescription to get tough on illegals' access to welfare services.

The 1986 legislation failed to get to this redefinition of our policy because it procured from the entire false premise that illegal immigration could be eliminated. It offered amnesty to the backlog of aliens already here. To shut off new inflows, it created employer sanctions, while promising a mild increase in border enforcement. It was apparent, though not to many on the 1978 Select Commission on Immigration and Refugee Policy (which was split on the issue of employer sanctions as on many others) or to the architects of the 1986 act, that neither measure could succeed in its objectives. Now we know who was right. A few more than 2 million have benefited from the amnesty, while a quarter of a million are expected to get legalized under the SAW (Special Agricultural Workers) Program. Large numbers, in other words, almost certainly languish in their illegal status, if Borjas's cautious estimate of 3 million to 4 million in 1980 is accepted. The illegal flows continue. The INS apprehended 1.6 million illegals at the border in (fiscal year) 1986, in 1988 the numbers were still running close to a million.

First-asylum refugees. The drafters of the 1980 Refugee Act imagined that we would continue to enjoy the luxury of deciding mainly on the admission requests of refugees situated elsewhere, distributing our quotas to those we favored and denying them to others with little fuss, and even less guilt since they were distant, their sorrows beyond our consciousness and our conscience. The problems that countries of first asylum face—how to handle refugees already in their midst, how to make the morally unsettling decisions (to deport them, to offer them the protection of our international-legal obligations without opening the door to all claims), how to handle sudden and large inflows—were matters that we simply did not think through.

In fact, the 1980 act did not even specify how asylum claims were to be handled; the matter was left to the attorney general. All that we had done, starting with our accession to the 1967 Protocol, an international treaty adhered to by nearly a hundred countries, was to accept the procedure of refoulement, or return of a refugee, that a civilized nation should follow in treating first-asylum refugees. In particular, we would have to forgo the refoulement to territories where his life or his freedom would be threatened. In the practice of those principles, however, problems soon arose.

We have now had three "crises" with first-asylum refugees. The Haitian "boat refugees," who started to arrive in late 1972 and increased in numbers in the late 1970s, were the first wave to attract retribution from the INS. Then, beginning in 1980, came the refugees from El Salvador and Guatemala. And in late 1988 a resurgence of Central American refugees occurred, principally from Nicaragua and El Salvador. Our response included such novel enforcements as taking aliens off domestic flights and joint combing operations with Mexicans (whose firm objections to collaboration directed at Mexican illegals crossing the Rio Grande contrast with their complicity in targeting the unfortunate Central Americans).

In each instance, the INS reacted with actions that offend our ethical traditions and violate the spirit, if not the letter, of the principles on asylum that we have embraced. In each instance, men and women of conscience objected, recalling us to the moral principles and providing much of the countervailing force that has constrained the INS from continued and further excesses. Our treatment of the Haitians illustrates this only too well. It was truly scandalous. James Silk of the U.S. Committee for Refugees records the existence of a 1978 INS "Haitian program" under which "asylum claims were prejudged. Various techniques were used to keep Haitians from gaining legal counsel, and hearings were speeded up and simultaneously scheduled, making it impossible for the few available lawyers to appear at all of them." (Judge James Lawrence King stopped this program in July 1980.)

Reversing the earlier policy of releasing most arriving aliens, the INS then started detaining all Haitian arrivals in South Florida, placing many in Camp Krome and others in federal detention facilities. This policy of detention was later extended to all arrivals, discrimination against Haitians being held legally untenable. The incarceration meant real hardship: separation of families (since men and women were typically divided), restrains put on contacts with relatives outside, obstacles to contacting lawyers...
who could help process asylum claims with an INS keen to see them denied—some of the many ways in which our procedures violated the spirit of Protocol 31, which bars any penalties on asylum seekers and binds us not to restrict their movement unnecessarily.

And that is not the worst part of the treatment of the refugees by the INS. In the Haitian case, we went a step further. Knowing full well that incarcerations and the denial of due process to the Haitians (admittedly not their right under our Constitution, which nonetheless affords some protections to aliens not legally accepted by us) would lead to protests and undercut support for these methods, the Reagan administration proceeded to interdict the Haitian boats at sea. While official noises were made about ensuring nonrefoulement, and the agreement of President Duvalier was obtained that no returned Haitian would be prosecuted (though unauthorized exit from Haiti was legally a crime), one would have to be morally defective to pretend that nonrefoulement, with retribution in Haiti, did not occur. The problem of dealing with Haitian first-asylum claimants was to be solved by interdiction, away from our eyes and our outrage, by the return of the Haitians to the tender mercies of the Tontons Macoute.

We could persist in these policies for so long because there was no sizable Haitian community in the United States and no powerful lobby to plead their cause, until public-interest groups began to agitate on their behalf. But why did we beat up on these defenseless boat people in the first place? The reason has to do with panic.

The American panic is owed partly to the large size of illegal immigration lately, and to the illusion, as Simon beautifully demonstrates, that it has been vastly larger than it actually is. Frustrated by the long and porous border to the south, the INS, with the administration not far behind, has tended to pick on anyone else they can, putting a finger in any hole they can find in the dike. Thus, we have been going after foreign students seeking admission here, getting our consuls to read their minds and to decide, arbitrarily and without due process, and without even bothering to justify their actions to the applicants, that a visa must be denied because the student is "likely to immigrate." Meritorious but poor students are thus denied entry, on the empirical basis of our policies with our values is at stake.

The panic must be met not by the methods of the INS, but by respect for our traditions and our obligations, by adhering to genuinely fair-minded procedures to evaluate the asylum claims. Brutality and cutting corners are unworthy of a nation that lives by the rule of law and respect for human rights, both virtues that we properly urge on others. And the notion that toughness will deter substantial numbers from seeking entry into the United States is ar- guably false. Even if we were to intern them all, and then deny them all asylum applications, violating all canons of decency and some canons of international law, should we not expect many of these same people, fleeing war and devastation in Central America, simply to join the masses that cross the Rio Grande illegally? We would only have diverted the inflow into another channel.

If we cannot bring ourselves to offer asylum to many of these people, moreover, let us at least meet their needs by offering them temporary safe haven until normal conditions return to their homelands, as now in Nicaragua. Vastly poorer countries than us have done this for much larger numbers: India for nearly 10 million refugees from East Pakistan, Pakistan for almost half as many refugees from Afghanistan. An acknowledgment of our moral obligation, and its codification in legislation, are called for.

If our current policies toward illegals and refugees were thus recast, there surely would be some increase in the number of aliens who get in. And there would surely be some reduction in the net benefit to our revenues as we treat illegals better. But neither is a cause for alarm. The real problem is distributional. We need, in particular, more generous compensatory assistance to the communities that must bear the financial brunt of larger alien inflows. As Simon shows, Washington is the winner in revenues from immigration, and it should find the funds to finance the losers. This is not too much to ask, when the consonance of our policies with our values is at stake.

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