

Putting Politics before Principles:  
Trade and Immigration Policies at Risk

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Trade and immigration policy were two of President Bush's chief claims to virtue. He stood for free trade, never once surrendering to the protectionist slogan "free but fair trade", unlike many Democrats. And, he was a spirited opponent of anti-immigration rhetoric and sentiments, unlike many Republicans. Yet, in both instances, his practice has been marked by folly, violating the essential principles of non-discrimination on which all decent Americans are agreed and reversing long-standing policies embodying these principles. It is time to sound the alarm bells.

### **Trade Policy**

Thus, on steel, the surrender to protectionism was deplorable, though the administration was caught in a pincer movement between the Republican party's vulnerability in key constituencies and an inexplicable finding by a unanimous International Trade Commission of injury from import competition. But the kicker is the way the steel tariffs have been implemented. The point of safeguards action is that it is non-discriminatory, which is why economists have advocated its use in preference to anti-dumping actions (where an unfair trader must be conjured up and targeted, often that target being the most efficient supplier or politically the least preferred one) if the going gets tough.

But the administration has proceeded to find all sorts of presumably WTO-compatible ways to exempt friends (e.g. Brazil and our NAFTA partners) and exclude others (e.g. the European Union) more stringently. And, what is even more astonishing, when the steel users at home predictably lined up in droves, seeking exemptions, the administration again obliged them in preferential fashion. This has not merely made

mockery of the safeguards approach; it has also undermined the spirit of non-discrimination which is at the heart of the multilateral trading system.

### **Immigration Policy**

But the willingness to sacrifice non-discrimination to political expediency is even more manifest in immigration policy. It is seen at its worst in the recent, pro-immigration initiatives that have been designed, and targeted, to benefit Mexico and its illegal emigrants across the Rio Grande. Presidents Bush and Vincente Fox have been engaged in designing our immigration policy reforms exclusively from the lens of Mexican migrants. In return for stricter border enforcement, the proposed policy changes would offer permanent residence to Mexicans illegally here, and a guest worker program for Mexicans. The discussions between the two Presidents in Monterrey last week, at the foreign aid conference, signaled that the issue, after the 9/11 hiatus, is returning to the policy agenda.

The President's inclination to provide an amnesty and guest worker program for Mexicans is hard to fault if one sees it only as a pro-immigration step. Yet, folly it is: for its privileged and exclusive largesse to Mexicans alone strikes at the egalitarian and nondiscriminatory principles, which we hold dear, and which have characterized our immigration policy for almost four decades.

The Immigration and Nationality Act Amendments of 1965 explicitly introduced the principle of equal access to immigration admission by abolishing the national origins formula that was initially introduced in 1921. The number of European immigrants was then limited by nationality to three percent of the number of foreign-born persons of that nationality resident as of the 1910 census. This followed the Oriental Exclusion Acts at

the turn of the century. Together, these were key building blocks in a fortress of restrictionist legislation that invoked ethnic and geographic biases. The 1965 provisions were followed by enactments that removed by 1978 the last vestige of differential geographic treatment in the form of different annual ceilings for immigrants from the Eastern and Western hemispheres. These adjustments were made despite specific objections that special consideration should be made for contiguous countries, particularly Mexico. The 1965 provisions are the reason we see today, among legal immigrants, a multitude of “exotic” ethnicities and a profusion of color and religion that would have been unthinkable in an earlier era.

Since 1965, therefore, any immigration measure of importance, built on explicit discrimination among potential immigrants, has been considered repugnant to the principle of non-discrimination. Indeed, the last amnesty in 1986 under President Reagan and the senior President Bush was non-discriminatory (even though two-thirds of the beneficiaries were Mexicans) and no one would have dared to suggest otherwise.

So, why this proposed regression in our immigration policy? They are the specious ones that assert that Mexico makes a “special” claim on us; and cynical ones that play to domestic politics. But they are not compelling.

Thus, Mexico’s special claim is argued on several grounds: We have a Free Trade Agreement, NAFTA, with Mexico. So, preferential immigration is simply part of “deeper integration” that should mimic the preferences on trade. But there are several free trade arrangements without immigration preferences. Do we plan similar preferences to Israel and Canada, and then to Jordan, Chile, Singapore and Vietnam?

Then again, the Rio Grande is often thought to be the frontier through which virtually all illegal immigrants enter; so that seems to many to be the place to concentrate one's mind. But even this logic is flawed. For some years now, the proportion of illegal immigrants flowing into the U.S. has been larger from elsewhere: approximately 40 percent of the current population of 7 million illegals come on legal visas (as did most of the perpetrators of the World Trade Center attack) and then disappear into our midst.

But should Mexico not enjoy a special status as it is part of North America, right on our border? But the United States is uniquely not defined by its geography. It is the land to which multitudes worldwide aspire and some manage to arrive. It belongs to all.

So, domestic politics has to be the real driving rationale for this bizarre for-Mexico-only proposal. The Hispanic vote is the obvious explanation. But has President Bush decided to write off the growing numbers of Asians and others, many who now vote, who see this as a blatant act of discrimination? Putting politics before principles is understandable if the principles are unimportant and the political payoffs are likely. That is not the case here.