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# Are There New Complexities in Global Migration Systems of Consequence for the United States “Nation-State”?

DENNIS CONWAY\*

## I. INTRODUCTION

Let me say at the outset of this commentary that the international migration research community is indebted to the Urban Institute and the research efforts of Jeffrey Passel, Michael Fix, Thomas Espenshade, Frank Bean, and Michael White among others, who have gone to great lengths to provide empirical substantiation to their observations on the character, magnitude, and scope of the immigration patterns affecting the United States today. The paper by Passel and Fix,<sup>1</sup> on which I have been asked to comment, is in many ways an essential *empirical* document countering the oft-times rhetorical excesses that accompany political posturing of the day and countering the journalistic “sound-bite” messages that reduce immigration “problems” to simplistic metaphors and straightforward solutions.

In this commentary I hope to achieve two purposes. First, I will highlight the main points the authors bring out. Following their example, however, I draw upon my research on Caribbean immigration and circulation patterns to substantiate these reflections on contemporary U.S. immigration patterns in their global context. A second objective will be to broaden the perspective beyond Passel and Fix’s treatment, while still generally supporting their arguments. In both, I will be necessarily brief and eschew comprehensiveness in the interests of providing some additional, provocative notions.

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1. Jeffrey S. Passel & Michael Fix, *U.S. Immigration in a Global Context: Past, Present, and Future*, 2 IND. J. GLOBAL LEGAL STUD. 5 (1994).

## II. MAIN DIMENSIONS OF U.S. "NEW IMMIGRATION"

First, let me move through the major points, adding qualifications where necessary. My own assessment of the contribution immigration has made, and continues to make, to the growth and prosperity of the United States, is similarly positive. Even during the latest post-1965 "new immigrant" era, which has witnessed an upturn in volume of immigration, the positive contributions of immigration outweigh the negative. I am firmly in agreement with Passel and Fix that the situation is not so calamitous as those clamoring for immigration reform would have it. Four dimensions warrant elaboration: clarifying the issues surrounding assimilation and multicultural plurality; refocusing on the economic and social impacts of legal immigrants, rather than framing the issue around illegal immigration; re-assessing the national situation of unauthorized immigration to frame it as a regional, uneven issue; and recasting U.S. immigration as a pan-regional and global process.

### A. *Towards Multicultural Diversity*

Without doubt, the post-1965 changes in immigration and refugee policies have brought about a new period of international immigration for the United States. The "new immigration" of these last three decades is composed of waves of newcomers from non-traditional sources: Latin America, the Caribbean, Africa, and Asia. However, traditional sources still serve as important contributors to the United States' immigrant waves. European countries remain significant providers; eastern Europe and countries of the former Soviet Union constitute another re-activated wave. The resultant multicultural plurality witnessed in many of the United States' "gateway" metropoli might be interpreted as a threat to the autonomy of the resident citizens' political community, at least if viewed through xenophobic or nativist lenses.<sup>2</sup> Certainly, the fear of loss of cultural dominance is a recognizable sociological reality of immigration experience.<sup>3</sup> Charles Keely has noted the fluctuations and habitual reoccurrence of such nativist fears

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2. Michael Walzer, *The Distribution of Membership*, in *BOUNDARIES: NATIONAL AUTONOMY AND ITS LIMITS* 1, 11 (Peter G. Brown & Henry Shue eds., 1981).

3. Cf. R.J. JOHNSTON, *CITY AND SOCIETY: AN OUTLINE OF URBAN GEOGRAPHY* 149-70 (1980) (suggesting xenophobia stems from fear of the unknown and competition for limited resources).

throughout U.S. history.<sup>4</sup> Warning that such fears may be premature, Passel and Fix note that this latest major wave of "new immigration" mirrors previous major waves in terms of its "accommodation" tendencies, high volumes of return migration,<sup>5</sup> and initial low citizenship-naturalization rates. Among Asian entries, for example, Passel and Fix point to recent increases in naturalization rates as indicative that assimilation appears to be occurring, as in the past.

A multicultural invasion may seem to threaten those whose nativist defense of their political community is viewed as a protection of Eurocentric-white homogeneity. However, such ethnocentricity overlooks important aspects of the "new immigration" that impact the non-white U.S. plurality. As Reid<sup>6</sup> rightly observes, new immigration from such non-traditional source regions as Africa, the Caribbean, and South Asia is bringing multicultural plurality to the Black- or African-American community. Not only is Latin American and Caribbean immigration contributing to Hispanic-American diversity, but also to an emerging pan-American heterogeneity. Accordingly, conventional, ascriptive distinctions of U.S. racial and ethnic minorities into "black" and "hispanic" are likely to face challenge, or at least undergo reconceptualization under the dawning (political) reality of non-white, cultural heterogeneity and diversity.<sup>7</sup> This is not the place to debate whether the latest era of immigration signifies a rejection of the notion of the United States as a "melting pot," thereby bringing assimilationist ideas into question. Theoretically and empirically, the more neutral idea of "accommodation" appears a more appropriate depiction of immigrant adaptation experiences, at least for Latin Americans and people from the Caribbean. Perhaps it is sufficient to acknowledge the reality that U.S. immigration and its consequences for multicultural diversity, bilingual

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4. CHARLES B. KEELY, *U.S. IMMIGRATION: A POLICY ANALYSIS* 52 (1979); cf. Elizabeth Petras, *The Role of National Boundaries in a Cross-National Labor Market*, 4 INT'L J. URB. & POL. RES. 157, 167-73 (1980) (suggesting that fluctuations in immigration controls stem from political and economic concerns).

5. See THOMAS KESSNER, *THE GOLDEN DOOR: ITALIAN AND JEWISH IMMIGRANT MOBILITY IN NEW YORK CITY 1880-1915* 28-29 (1977).

6. John Reid, *Immigration and the Future U.S. Black Population*, POPULATION TODAY, Feb. 1986, at 6, 8.

7. Dennis Conway and T. Cooke, *Non-White Immigration, Residential Segregation and Selective Integration in a Restructuring Global Metropolis, New York City*, in SOCIAL POLARIZATION IN POST-INDUSTRIAL METROPOLISES (J. O'Laughlin and J. Fredrichs eds., forthcoming 1994).

education, societal integration and the like, has been and will continue to be a topic of debate, replete with rhetorical excess.

### *B. The Legality of "New Immigration"*

The next point to reiterate, and to highlight, is the fact that this post-1965 pattern of "new immigration" and of increasing multicultural heterogeneity is the result of legal admission standards and procedures. Accompanying this increase in human capital through the decades of the 1970s and 1980s, volumes of Resident Alien admissions have not only increased under the family reunion and seven preference system,<sup>8</sup> but influxes of professional and highly-skilled immigrants have also been considerable. My own research of Caribbean and other non-white immigrant entries to New York City and Miami, as well as census estimates of their national employment profiles (differentiated according to ancestry), indicate that among the waves of non-white immigrants legally admitted in the 1975-1980 and 1985-1990 periods, several are bimodal in professional status: there are appreciable proportions with high-status occupations as well as substantial numbers in low-status employment.<sup>9</sup> Indeed, I am in full agreement with Passel and Fix and their assessment that the positive social and economic contributions of legal immigrants to the United States far outweigh the negative.

### *C. Unauthorized Immigration's Regional Significance*

The third factual point Passel and Fix ratify is their assessment of the relatively low volume of "illegal" immigration, or, as I would prefer it called, "unauthorized" immigration. They indicate that there were only 3.4 million illegal alien residents in the United States in 1992,<sup>10</sup> where the

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8. KEELY, *supra* note 4, at 19-23.

9. Conway & Cooke, *supra* note 7; Alejandro Porter & Ramon Grosfoguel, *Caribbean Diasporas: Migration and Ethnic Communities*, 539 ANNALS AM. ACAD. POL. & SOC. SCI. 48, 57-60 (1994); ETHNIC & HISPANIC BRANCH, U.S. BUREAU OF THE CENSUS, 1990 PROFILES OF OUR ANCESTRY: SELECTED CHARACTERISTICS BY ANCESTRY GROUP 70, 73 (1993); ETHNIC & HISPANIC BRANCH, U.S. BUREAU OF THE CENSUS, 1990 PROFILES OF THE HISPANIC POPULATION: SELECTED CHARACTERISTICS BY HISPANIC ORIGIN 27, 30 (1993).

10. ROBERT WARREN, INS STATISTICS DIVISION, ESTIMATES OF THE UNAUTHORIZED IMMIGRANT POPULATION RESIDING IN THE UNITED STATES, BY COUNTRY OF ORIGIN AND STATE OF RESIDENCE: OCTOBER 1992 (1994), *cited in* Passel & Fix, *supra* note 1, at 10.

annual volume of unauthorized, illegal aliens who enter and stay beyond their six-month visa is estimated to be between 217,000-255,000 persons.<sup>11</sup> This number can scarcely constitute an “out-of-control invasion,” nor does it indicate that the United States has “lost control of its borders.” When compared to other annual flows of visitors, tourists, foreign dignitaries, even international students, this unauthorized immigrant volume scarcely stands out as remarkable.

Passel and Fix concur with this last observation and then go further to highlight the highly-concentrated nature of immigration’s impacts. Six states are most affected: California, New York, Texas, Florida, Illinois, and New Jersey. Overwhelmingly, the immigrants settled in these regions’ metropolitan areas, and California received more than three-fourths of immigrant entrants during the 1980s. Political rhetoric over the immigration issue has been at its most extreme in California, which coincidentally has suffered the most severe regional economic recession under the current restructuring period. Such heightened nativist concern over immigration when there is economic hardship and recession<sup>12</sup> appears to be reflected in Californian perceptions. Not for the first time, it appears that immigrants are being used as “scapegoats” for recessional times, where the state’s redistributive means for providing the gamut of social and amenity services has been severely curtailed, both by cuts in taxes as well as by losses of revenue accompanying the regional economic downturn. If history is to repeat itself, relief of California’s economic woes is likely to diffuse that state’s reactionary climate for immigration reform.

#### *D. The World As an Interconnected Community*

The fourth point I would like to highlight concerns our recognition of the importance of international mobility in an increasingly interdependent world. The United States, as a nation of immigrants, has prospered from the continual infusion of human resourcefulness. International mobility has been recognized as a fundamental and significant process in such societal

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11. Robert Warren, *Annual Estimates of Nonimmigrant Overstayers in the United States: 1985-1989*, in *UNDOCUMENTED MIGRATION TO THE UNITED STATES: IRCA AND THE EXPERIENCE OF THE 1980s*, at 77, 82 (Frank D. Bean et al. eds., 1990).

12. See KEELY, *supra* note 4, at 13.

transformations as the industrial revolution, colonial empire-building, and post-World War II reconstruction, to name a few historical contexts.<sup>13</sup>

In today's global economic system, internationally-mobile labor is as essential as the international circulation of capital.<sup>14</sup> The new immigration that the United States is experiencing is not only helping forge network linkages to dynamic global players, as Passel and Fix suggest, but new immigration is also helping to consolidate a pan-regional, western Atlantic hemisphere system.<sup>15</sup> This consolidation strengthens the United States' hegemonic position, as it is being more firmly interconnected with its regional neighbors and with other global players.<sup>16</sup>

I would even go so far as to extend the depiction of the new global economic order beyond its macro-structural, capitalist dimensions to argue for consideration of the *world as a community*. The international mobility of people generates and strengthens person-to-person relations, expands and consolidates primary networks internationally, and creates "global-to-local" relations. Transnational systems are evolving, collapsing space-time differences and deterritorializing nation-states while contributing to the formation of new communities, new alliances, and new multicultural exchanges.<sup>17</sup> A pan-region system with the United States at its core appears to be one of three major new complexes of an emerging international mobility system. Defensive (and I would add out-moded) concerns for stemming immigration to protect the territorial integrity of the United States' "nation-state" overlook the functional, hemispheric "territory" that now constitutes the U.S. political-economic realm. NAFTA proponents might have sold the free-trade package to the public and Congress as a

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13. BRINLEY THOMAS, INTERNATIONAL MIGRATION AND ECONOMIC DEVELOPMENT 9-14 (1961); Douglas S. Massey, *The Social and Economic Origins of Immigration*, 510 ANNALS AM. ACAD. POL. & SOC. SCI. 60, 61-64 (1990); cf. BRINLEY THOMAS, THE INDUSTRIAL REVOLUTION AND THE ATLANTIC ECONOMY 164, 198, 200 (1993) (noting the correlation between immigration and significant increases in housing development and construction); Douglas S. Massey and Felipe G. Espana, *The Social Process of International Migration*, 237 SCIENCE 735, 737 (1987) (discussing "migrant networks" that facilitate international migration and affect societal transformations).

14. See SASKIA SASSEN, THE MOBILITY OF LABOR AND CAPITAL 31-36, 186-88 (1988).

15. See Orlando Patterson, *The Emerging West Atlantic System: Migration, Culture, and Underdevelopment in the United States and the Circum-Caribbean Region*, in POPULATION IN AN INTERACTING WORLD 227, 258-60 (William Alonso ed., 1987).

16. See John O'Loughlin & Herman van der Wusten, *Political Geography of Panregions*, GEOGRAPHICAL REV., Jan. 1990, at 1, 17-18.

17. See LINDA BASCH ET AL., NATIONS UNBOUND: TRANSNATIONAL PROJECTS, POSTCOLONIAL PREDICAMENTS, AND DETERRITORIALIZED NATION-STATES 244-46 (1994).

mechanism to inhibit immigration, in part because the functional complexity of international mobility's positive contributions deters the type of simple explanation the mass media prefers. I am inclined to agree that, NAFTA or no NAFTA, international networks and flows of capital and labor and international market developments and expansion are integral parts of the international future for the United States' transnational role in a western Atlantic pan-region.<sup>18</sup>

### III. BROADENING THE PERSPECTIVE

Now, let me turn to the second of my objectives: namely to broaden the perspective beyond Passel and Fix's treatment of U.S. immigration. Again, I will be deliberately selective in the presentation of this broader vision of international mobility and its consequences for the United States. Three extensions are envisioned. The first alludes to the entrenched nature of contemporary international mobility systems and to the growing interconnectedness of the United States with its global partners, both in formal associations and via informal mechanisms, both of which include international movement. Secondly, by examining temporary as well as more permanent forms of international mobility the complex nature of the contemporary U.S. international mobility system is revealed and humanitarian issues are discussed from a different perspective. A third broadening of perspective reiterates the consequences of the complex "new immigration" for U.S. societal diversity while supporting the continuation of U.S. immigration (and refugee-admission) policies and practices that will favor the maintenance of current levels of legal immigration.

#### *A. Formation and Consolidation of International Circuits of Mobility*

Since the establishment of hegemonic responsibilities for the Latin American hemisphere by U.S. administrations, corporations, and military forces,<sup>19</sup> the United States has become a mainland of opportunity for many Latin American and Caribbean people. Citizenry of the United States

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18. See JOHN A. AGNEW, *THE UNITED STATES IN THE WORLD-ECONOMY: A REGIONAL GEOGRAPHY* 19-20, 223-24 (1981).

19. See CATHERINE A. SUNSHINE, *THE CARIBBEAN: SURVIVAL, STRUGGLE AND SOVEREIGNTY* 68-69, 102-28, 231 (2d ed. 1988).



moving overseas assume that their movement is largely unfettered (with Vietnam and Cuba the only exceptions to this premise), beyond meeting the visa requirements of their destinations. The United States does not impose emigration restrictions; indeed, no formal documentation and measurement of U.S. emigration is undertaken.<sup>20</sup> Citizens and resident aliens have free access to international travel, the only restriction being its cost. International visitors afforded long durations of stay likewise receive these privileges of unfettered exit and entry: for example, diplomats, international students, and educational-exchange visitors. This assumed "freedom of movement" to pursue life objectives of business, career, pleasure, information-gathering, and even missionary and philanthropic work, is subsumed under the commitment of belonging to the United States, or of being accepted as a foreign guest under its roof.

The overseas travel of U.S. residents establishes personal, administrative, and business connections that translate into the establishment of communications networks, information exchanges, business partnerships, exchanges of values, and cultural diffusion. In such overseas places where U.S. economic, political, trade, and resource-extraction interests have been or are being pursued, the continuing presence and accumulative influences of U.S. people involved in such international ventures engender reciprocating responses, one of which might very well be international movement. Not only do impacted host communities come to accommodate U.S. foreign nationals, but they are likely to adopt, or adapt to, "American" values where advantageous to their own life pursuits. It would appear logical to expect that U.S. hegemonic expansion into Latin America, the Caribbean, the countries of southeast Asia, and the Philippines, and the resultant establishment of profitable or administratively expedient "circuits of power," would bring about the initiation of emigration and international circulation. Thus, the United States is likely to be viewed as a "welcoming society" for many in these incorporated regions, with international movement to the mainland, with or without return intentions, assumed to be one flexible adaptive strategy among several more localized alternative strategies.<sup>21</sup>

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20. See ROBERT WARREN & ELLEN PERCY KRALY, POPULATION REFERENCE BUREAU, THE ELUSIVE EXODUS: EMIGRATION FROM THE UNITED STATES 8 (1985).

21. See Charles V. Carnegie, *Strategic Flexibility in the West Indies: A Social Psychology of Caribbean Migration*, CARIBBEAN REV., Winter 1982, at 11-13, 54 (1982); Dennis Conway, *Conceptualizing Contemporary Patterns of Caribbean International Mobility*, CARIBBEAN GEOGRAPHY,

Once underway, the establishment of overseas enclave communities, the movements to and fro, return movements and remittances transfers, the continual reinforcement of immigration and circulation networks, and the evolution to transnational cultural patterns of adaptation and livelihood are likely to strongly focus and localize the international circuit patterns. Thus, well-entrenched streams and counter-streams of circulators, temporary sojourners, as well as relocating emigrants and re-patriating returnees (to name just a few of the alternative movers in the circuit), develop, linking U.S. metropolitan neighborhoods with regional and local communities throughout the American pan-region: Latin America and the Caribbean, and beyond to the Philippines and Southeast Asia. We might even conceive of this initiation and consolidation of international circuits as an effective broadening of U.S.-American "cultural-territory" beyond the continental federation. These transnational linkages appear to be a flexible adaptation to today's globalizing world. Far from being a challenge to the integrity of the national borders, the international mobility of U.S. citizenry and foreign visitors alike might be better considered as progressive and positive adjustments to today's global reordering.

### *B. International Circulation and Temporary Visiting*

For some time I have utilized a behavioral geography model that depicts the patterns and processes of Caribbean international mobility and its consequences for sending and receiving societies in terms of three different, micro-level spatial mobility strategies: emigration/immigration as a dislocation process, international circulation as a reciprocal process, and refugee flight as a behavioral response of crisis decisionmaking.<sup>22</sup> In particular, this construct exemplifies the repetitive nature of international circulation behavior, allows return migration and remittances to be treated as integral facets of the mobility circuit, and generally affords greater recognition to the importance of short-duration sojourning, to repetitive moves accompanying life-course transitions, and to the significance of a broader categorization of international mobility behaviors. For Caribbean people in all walks of life, international circulation appears to be a common adaptive strategy, and the United States has become a major host for

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Oct. 1988, at 145, 151-59 (1988).

22. See Conway, *supra* note 21, at 145, 147-50.

emigrants, sojourning circulators, reluctant emigrants, and refugees from the region.<sup>23</sup>

Is circulation behavior an aspect of the new complexity of the U.S. international mobility system? Return movement during earlier waves of U.S. immigration has not been afforded much attention, though evidence suggests it might always have been considerable.<sup>24</sup> Certainly, the costs of international movement have been substantially reduced with the growth of global airline travel, the spread of international communications media, and the internationalization of commerce. This is likely to facilitate more repetitive movement in the future. If we broaden our perspective on international mobility to include temporary visiting patterns, then the global context of the United States and its immigration experiences is given new meaning. Recall, Warren estimated the annual total of overstayers to be approximately 250,000 unauthorized aliens.<sup>25</sup> Passel and Fix noted that the sum presence of unauthorized aliens in the United States approximated 3 million, perhaps half of these entering from Mexico. When compared to estimates of foreign visitors legally admitted to the United States in the 1990s, the "illegal immigrant" presence is diminished by comparison.<sup>26</sup>

A total of nearly 21 million visitors arrived in the United States during 1992.<sup>27</sup> Of this total, 13.4%, or 2.8 million, entered using temporary business visitor visas.<sup>28</sup> Approximately 274,000 foreign students and their family dependents, together with 190,000 others on J-exchange visas, entered to study and do research in the United States in 1992.<sup>29</sup> Then, there were nearly 182,000 foreigners entering on diplomatic assignments.<sup>30</sup> Missing from these non-immigrant visiting data are the millions entering from Canada and Mexico for temporary sojourns: this because of expedited border procedures that allow these visiting neighbors to forgo the processing of visas and INS Form I-94s.<sup>31</sup> Japan, the United Kingdom, and Germany

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23. See Dennis Conway, *Caribbean International Mobility Traditions*, BOLETIN DE ESTUDIOS LATINOAMERICANOS Y DEL CARIBE, June 1989, at 17-18, 40-43.

24. See KESSNER, *supra* note 5, at 27-32.

25. Warren, *supra* note 11, at 77, 84-89, 92-98.

26. See U.S. IMMIGR. & NATURALIZATION SERVICE, STAT. Y.B. OF THE IMMIGR. & NATURALIZATION SERVICE, 1992, at 97 (1993) [hereinafter INS].

27. *Id.* at 96.

28. *Id.*

29. *Id.* at 97.

30. *Id.*

31. *Id.* at 99.

are the top three countries, respectively, sending the most visitors to the United States.<sup>32</sup> However, four Latin American countries are among the top fifteen of non-immigrant entries in 1992: Mexico (1.5 million), Brazil (0.5 million), Venezuela (0.4 million), and Argentina (356,000).<sup>33</sup> The illegal alien overstayers, who number approximately 250,000 persons,<sup>34</sup> are more than equalled by the annual influx from tiny Switzerland of 329,000 visitors!<sup>35</sup>

Welcoming foreign diplomats and administrators of international organizations, educating foreign students, fostering joint research teams, training allies' scientists, security personnel, and health practitioners, welcoming and respecting the human rights of tourists, sojourners, businesspersons, missionaries, adopted children, and the like: this is the moral code and practice of civilized society. U.S. citizenry would expect reciprocal treatment when they visit foreign shores. Surely, humanitarianism requires that the same compassionate and generous responses on the part of the U.S. people and administrations granted to visitors should also be granted to protect and secure the basic human rights of refugees and of an undisclosed proportion of unauthorized aliens whose informal status exposes them to human rights abuses.<sup>36</sup> Far from being a threat, the relatively small number of overstaying, unauthorized aliens, as well as the hemisphere's refugees, deserve the same moral support and civility the society affords foreign visitors.

### C. Societal Diversity and Transnationalism

The third facet of this broadened perspective concerns the consequences of the "new immigration" for U.S. societal diversity and for the nation-state as a "citizen-state" fashioned on behalf of all of its (multicultural) constituents, rather than as a territorial fixture defined in terms of the cultural majority. It should not be claimed that U.S. immigration policy is designed to promote cultural diversity. Indeed, one of the latest provisions

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32. *Id.* at 98.

33. *Id.*

34. WARREN, *supra* note 10.

35. INS, *supra* note 26, at 98.

36. See Dana W. Wilbanks, *The Moral Debate Between Humanitarianism and National Interest About U.S. Refugee Policy: A Theological Perspective*, MIGRATION WORLD MAG., No. 5, 1993, at 15.

of the Immigration Act of 1990,<sup>37</sup> identifying “aliens from countries ‘adversely affected’ by the Immigration and Nationality Act Amendments of 1965 . . . as eligible for the [diversity transition] program in 1992 because immigration from those countries decreased after the amendments went into effect,”<sup>38</sup> was a thinly-disguised amendment to increase immigrant entries by 40,000 per year from “traditional” northwestern European countries such as Ireland. Nevertheless, the replacement of national quota systems in 1965 with the seven preference system favoring family reunion, with later amendments retaining such an “equal opportunity” structure while adding categories favoring needed labor force specializations, has encouraged “new immigration” waves.

As pointed out earlier, black America is now more sub-culturally diverse than ever before. Accompanying this developing sub-group heterogeneity is greater diversity in socio-economic standing, evidence of sub-cultural renewal, revitalization, and revision,<sup>39</sup> and the development of international and transnational networks drawing black-American domestic communities into association and involvement with overseas communities.<sup>40</sup> Similarly, Hispanic America is evolving toward greater heterogeneity, to a pan-American subcultural melange of people and communities that contradicts conventional U.S. ascriptive typecasting of them as a minority. This heterogeneity transcends simple ethnic or racial labelling through the diversity of languages, physiological attributes, and religious and cultural practices these new Americans bring to the United States.

Although I have concentrated on depictions of new black and Hispanic American sub-cultural identities, there is similar sub-cultural diversification underway among Asian-Americans. Traditional sending countries—China (PRC), Taiwan, Hong Kong, Japan, Korea, and the Philippines—have increased their proportions, and refugee-turned-immigrant flows from non-traditional sources like Vietnam, Kampuchea, and Laos constitute new-immigrant entries of significance.<sup>41</sup> In similar fashion to the transnational

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37. Immigration Act of 1990, Pub. L. No. 101-649, § 132, 104 Stat. 4978, 5000 (codified as amended at 8 U.S.C. § 1153 note (Supp. V 1993)).

38. INS, *supra* note 26, at 13.

39. See generally PHILIP KASINITZ, CARIBBEAN NEW YORK 38-89 (1992) (discussing West Indian immigrants in New York City).

40. See BASCH ET AL., *supra* note 17, at 225-92.

41. Morrison G. Wong, *Post-1965 Asian Immigrants: Where Do They Come From, Where Are They Now, and Where Are They Going*, 487 ANNALS AM. ACAD. POL. & SOC. SCI. 150, 150 (1986).

acculturation of black- and pan-American communities in the metropolitan United States, Asian-American diversity is accompanied by a widening of international relations between sending and host societies. Transnationalism is developing through extended family networks that span two or more countries, business partnerships that grow to be transnational, and the development of multilingualism and bilingualism that fosters international communication and interconnections. As Passel and Fix rejoin, these international connections tie the United States to “some of the economies that will be among the most dynamic over the next decades” and “enable the United States to become an active and successful actor [partner] . . . .”<sup>42</sup> I might add that such transnational interconnectedness has added significance because it endows minority groups and communities with such international and external-network advantages, thereby playing somewhat of an equalizing role *vis-à-vis* the entrenched power of the resident majority. In today’s globalizing world, I view this transnational acculturation of new immigrants in the U.S.’s “new multicultural society” in positive terms, not as a threat to her territorial integrity or nation-statehood.

#### IV. CONCLUSION: THE PROTECTION OF GUESTS’ HUMAN RIGHTS

Derived from this broader understanding of a more complex, yet firmly-entrenched international mobility system, I support the continuation of U.S. immigration (and refugee-admission) policies and practices that favor the maintenance of current levels of legal immigration.<sup>43</sup> More restrictive practices, denying or delaying entry, would assuredly result in potential immigrants and circulators resorting to illegal forms of entry to achieve their travel objectives. By resorting to more informal mechanisms, such increased pressure would further fuel the document-forgery business. It would direct desperate, would-be immigrants to become involved with the clandestine (and criminal) underground organizations that profit in the smuggling of illegal drugs, armament shipments, prostitutes, and exotic birds and animals, thereby encouraging their participation in criminal activity far more heinous than their intention to make an illegal entry or to undertake a temporary visit

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42. Passel & Fix, *supra* note 1, at 19.

43. See generally Thomas J. Espenshade, *Why the United States Needs Immigrants (1987)* (Policy Discussion Paper, PDS-86-2, The Urban Institute, Washington D.C.) (analyzing immigration and demographic stability).

longer than six months in duration. More prey to exploitation, the resultant re-deployment of greater numbers of immigrants in informal, underground economic activities would expose them to abuses of indentured bondage and slavery, unsafe and unhealthy work-place conditions, child-labor abusive practices, as well as extremely low wages.

The entrenched nature of the international circuits of mobility that has developed ensures that immigrants and circulators will continue to seek access to the United States. Far better that their entry petitions be processed and thereby institutionally constrained by the capacity of the Consular administration to handle such applications, than denied, an observation receiving some ratification from the example of the U.S. Administration's current handling of Haitian refugees and the resolution demonstrated by escaping boat-people. In short, I am not at all convinced that the "new immigration" of the 1980s, when projected through the 1990s, poses the threat to the nation-state that immigration reformists suggest. Rather, unauthorized aliens, as well as refugee-petitioners, are two under-privileged groups of our society who are most deserving of a humanitarian, moral stance in protection of their human rights and dignities.