

Alabama Voices: Immigrant law ignores humanity

7:35 PM, Oct. 25, 2011

By Ken Scott

Regardless of the side upon which we fall in the issue of illegal immigration in Alabama, we as a state -- and nation -- have failed miserably to address the issue of the problem far too long. That issue is the influx of illegal immigrants into the United States as an event that spans many years. If this discussion were about drugs, weapons, and the cartels, my opinion would be to treat such events as if we were in a hostile conflict for our very national survival.

However, while the issue of illegals has included hotly debated topics related to what is legal throughout our national systems, whether those systems are our schools, medical facilities, border crossings, or entitlements, we have missed a very important issue that rises above the emotions and our disdain for what is illegal. This topic is the humanity of the immigrants.

I am not saying that this issue is without merit in terms of what is right and wrong. What I am saying is that we as a nation have had years to develop a method to create a system that is effective, whether that process includes more border patrols, regulations, or a better process to allow the legal influx of people seeking to provide for themselves and their families. For the sake of argument, I want to address the humanity of what is happening in our state.

Instead of creating a situation in which an exodus of people fled to remain able to provide resources for themselves and their families, why could we not as a state have decided to be proactive and create an innovative statewide immigration system that might have been emulated by the rest of the nation? For example, why could we not have established a system in which the resident illegal immigrants were to register, pay a reasonable fine, and be placed into a citizenship track to become legal immigrants, alongside the required mandate to obtain citizenship?

These illegals were already working in many areas of the state. If the process to move them from illegal status to a type of "in-citizen training" status, allowing or requiring them to become bilingual with English as the required language and pay taxes, how would this have harmed the state? Alabama would have created a system whereby it would have provided a naturalization process to keep its workforce viable, whether that workforce picks crops in the fields of our state or as laborers in many other areas of employment. And pay taxes!

One of the arguments has been that illegals take the jobs of legal citizens? Really? Then why are so many of our farmers talking about the lack of workers to pick the crops? Pray tell, where are the laborers to do these jobs since the illegals are leaving the state en masse? I may not have all the facts, but many other Alabama citizens are in the same position of understanding. Regardless, there is the human side of this issue.

What about the people who have been here for some time, worked hard, cared for family, remained faithful to the laws of the land (other than their illegal status, of course), and have begun to raise children in this state? Were these individuals so terrible that we had to suddenly throw them out of the state as if they were not human? Why didn't we try to solve the problem before we decided to treat them as something less than human beings? We have known they were here for years, yet we did nothing positively proactive to address the long-standing issue.

The counter argument I can hear rising up from some is simply that they broke the law and they are to be punished. You mean, like the people who are legal residents and break the law, yet they never pay any price for those laws broken? These immigrants may be here illegally, but unless they have criminal backgrounds or commit crimes while in the state, what other violations have they committed?

Before we condemn them, I would have hoped that Alabama would have taken this opportunity to lead from a humanitarian perspective. Until the federal government undertakes a serious immigration reform, illegal immigration will continue to be a problem. It will take creative leadership and courage to initiate a process to help those in our state illegally move towards becoming productive citizens, not just formerly productive illegal immigrants who lived in Alabama.


We as a nation condemn other nations when they experience conflicts in which one group of people try to rid themselves of others not like them for whatever reasons. I don't advocate reckless abandonment of immigration policies or laws; however, Washington's only solution is to sue a state it thinks has overstepped its authority. If Washington would create a responsive and responsible immigration reform process, maybe Alabama would not have to resort to such a law as to make it intolerable for these immigrants (yes, illegal immigrants) to flee the state.

These are human beings who are trying to make a better future for themselves and their families. Until our leaders in Washington design a viable and lasting solution to our border security and a regulated legal immigration system, creating anti-illegal laws in Alabama will only cause the illegals to move from place-to-place.

We in Alabama might have a different view if we were the people being displaced. There are solutions to this problem that should have been sought before we used our laws to pit humanity against humanity. There is a major difference in being here illegally to survive as compared to those who are here illegally to commit crimes. Surely Alabama is smart enough to know the difference and weed out the criminals. Alabama is worthy of a humanitarian effort to have helped these people become productive taxpaying citizens and neighbors.

Ken Scott of Montgomery has been a resident of Alabama for 26 years.

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Old_Tanker

11:50 AM on October 26, 2011

It took considerable thought and personal courage to write and post this editorial, for which I salute you.

As a nation, we suffer from more than 40 years of exposure to "Political Correctness"; which I define as deliberately muddled speech for the purpose of deliberately muddled thinking. It came with the effort to banish shame in the late 1970's and since has permeated most of our national fabric. It may have been a child of the Left, but political orientation is no longer a defense to its effects.

In the matter of immigration policy, we have been unable to see that there are two distinct issues on the table: "What should be the feasible and supportable border crossing & immigration policy of the United States?" and "Now that we've decided that, what do we do with the illegal aliens now in our society?"

The first question is a matter to be resolved by US citizens by way of constitutionally correct processes: changing laws, executive enforcement, judicial review. Illegals have no voice in this part of the work, nor is the impact on present illegals a major consideration. It will not be driven by anything but the cold security and economic calculations of national interest. By the same token, we citizens have no one to blame but ourselves that this work is not advancing. Sorry, but the matter rests with us and it seems to be at a dead stop. You and I need to do better. Now.

The second issue is sequential to the first. It concerns people in our communities who should be treated with dignity and respect..Like the wanderings of the Hebrews in the desert, it is bounded by the lifetimes of the generations present at the time the new policy is enacted. The "glass half full" approach advocated by this letter is the kind of thinking that will produce the best results for this problem. Most certainly, the focus on achievable pathways to citizenship will shorten the time that this matter is before us.

Vanzetta McPherson: Immigrant law hits state economy

7:02 PM, Oct. 26, 2011

In 1965, Douglas Turner Ward, the founder and long-time artistic director of New York's Negro Ensemble Company, wrote a satirical play entitled "Day of Absence." The play explores, with humor, the confusion and loss experienced by whites in a small 1960s Southern town after all of its African Americans mysteriously disappear.

The results are predictable -- as predictable as the results of Alabama's immigration law that forced thousands of Hispanic farm workers, construction laborers, roofers, and landscapers to flee the state.

One thing is clear: The law is the product of incompetent planning, and it led to consequences that Alabama lawmakers were not prepared to manage.

Given the impossibility of filling the jobs formerly held by Hispanics -- at times paying over \$100 per day in a state with an unemployment rate of 9.1 percent -- the Alabama Legislature has become 2011's biggest job killer.

Undoubtedly, foreign nationals who enter the United States by simply crossing the border have violated the law. But we now have indisputable evidence that foreign nationals -- especially Hispanics, and most especially Mexican immigrants -- are willing and arguably able to perform jobs that Americans find undesirable and are unwilling or unable to perform. That labor is critical to the sustainability of an already emaciated Alabama economy.

Enter the Beason-Hammon Alabama Taxpayer and Citizen Protection Act, the official name of the immigration law. In a xenophobic frenzy, the sponsors of the act, Rep. Micky Hammon of Decatur and Sen. Scott Beason of Gardendale, persuaded their colleagues to pass a law that has forced much of Alabama's Hispanic work force to leave their homes and jobs, and forced their children to leave their schools.

Their efforts have left many Alabama farmers with pastures with no pickers, a devastating status quo that cannot be remedied by the governor's after-the-fact -- and so far unsuccessful -- efforts to attract Americans to do the work. Sen. Beason may regret his recent characterization of post-enactment problems as "hiccups." Farmers and chicken processors across the state have spent the past month hiccupping. Now they are choking, and death -- of their crops and businesses -- may be imminent.

According to one employer who tried unsuccessfully to recruit replacement workers, American citizens "lack the physical stamina and the mental toughness" to do the jobs that Mexicans do quite competently. He found that it took 25 Americans to yield 80 percent of the daily

productivity of just four immigrant workers. In any case, Americans are "just not capable" -- this according to another employer.

That may or may not be true. However, it should surprise no one that certain low-income, low-skilled Alabamians have a natural aversion to bending over all day in a field, in 99 degrees, staring at interminable rows of product, under the watchful eye of an overseer.

It is time to incorporate official remediation of the worker shortage into the fabric of immigration reform. Throughout its history, the United States has adjusted its public policy to address dire circumstances produced by "behavioral inevitability."

During the 1920s, Prohibition was weakened by the inevitability of the American craving for alcohol. In the 20th century, racist laws and segregationist practices were worn down by the inevitable quest for political freedom by people living in a nation founded upon political freedom. Behavioral inevitability in the context of immigration to America is a legitimate basis for enacting enforceable laws which regulate guest workers, establish temporary amnesty for aliens who are here unlawfully, and develop statutory schemes to hasten eligibility for citizenship.

That behavior is inevitable is no reason, standing alone, to legitimize or validate it. The theory does not apply to all behavior, and it is neither necessary nor desirable to sanction an act merely because people will always commit it.

However, when the behavior is both inevitable and redemptive, when its natural consequences potentially benefit society, and when it is not an element of a general pattern of malfeasance, it warrants reconsideration in the face of comprehensively adverse laws and attitudes.

In the 1960s, Douglas Turner Ward's "Day of Absence" was typically performed alongside another of his plays, "Happy Endings." Forty years later, we can only hope that his dramatic combination has prophetic implications for Hispanic immigrants in Alabama.

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