

CONNECTICUT LAW REVIEW

VOLUME 39

JULY 2007

NUMBER 5

Commentary Introduction

Although the controversy over immigration reform has intensified since September 11, 2001, it has long been a subject that inflames individuals throughout the political spectrum. During the wave of immigration reform in the 1990s, arguments to change immigration laws focused on the economic threats allegedly posed by increasing numbers of unauthorized immigrants in the United States. The most recent controversy over immigration, however, emphasizes immigrants as potential sources of terrorism and threats to national security.

As shown by the stalled attempts in Congress to change immigration laws last year, there is no clear consensus on immigration reform. Many called for strengthening entry barriers and increasing sanctions for unauthorized immigration on immigrants and employers alike—citing immigrants as criminal, military, and economic threats. With equal fervor, many immigrant communities and their supporters organized unprecedented marches and protests against immigration restrictions, highlighting immigrants' contributions to economic welfare and national security. While the political climate has continued to change in the past year, neither the public nor Congress has decided how to resolve this latest controversy over immigration reform. In fact, very little discussion has attempted to decipher the muddled rhetoric on all sides of the immigration issue.

In this Commentary, Professor Jennifer M. Chacón of the University of California, Davis, School of Law, deconstructs the conflicting rhetoric over immigration reform and examines the impact of immigration control on crime and national security. In her article, *Unsecured Borders: Immigration Restrictions, Crime Control and National Security*, she chronicles the history of U.S. immigration control to demonstrate the impact of racism, economic unrest, and fear of external military threats on building political pressure to intensify immigration restrictions. Using this historical backdrop, she explores the recent rhetoric that immigration restrictions are essential to reduce crime and improve national security.

Contrary to those arguments, she finds that immigration enforcement has little connection either to fighting crime or improving security and does little to solve either problem. Instead, she points to ever-shrinking procedural protections in immigration proceedings as evidence that immigrants are being removed not to address crime or security threats, but rather to provide concrete action in response to unjustified fears of immigrants based on racism, economic unrest, and fear of terrorism.

Connecticut Law Review is fortunate to have two distinguished scholars offer their thoughts on Professor Chacón's analysis of immigration control rhetoric. In *Providing a Second Chance*, Professor Bill Ong Hing, Professor of Law and Asian American Studies at the University of California, Davis, challenges the inflexibility of sanctions against immigrants who violate immigration or criminal laws. Listing examples of immigrant criminal defendants who have been successfully rehabilitated, he contends that the immigration laws should be amended to provide intermediate sanctions short of deportation to encourage immigrants to integrate into society. Further, he asserts that the underlying solution for immigration reform is to improve resettlement and integration programs, not to pursue massive deportations.

In *Reaping the Harvest: the Long, Complicated, Crucial Rhetorical Struggle over Deportation*, Professor Daniel Kanstroom, Director of the International Human Rights Program at Boston College Law School, argues that immigration rhetoric focused on national security unfairly targets minority groups for deportation. Because national security rhetoric is easily exaggerated and misunderstood, yet laden with political power to encourage massive enforcement and judicial deference to deportation, he charges that national security rhetoric is inappropriate for immigration control. Instead, he recommends that the goal of immigration laws should be redefined to protect minority rights.

On behalf of *Connecticut Law Review*, I would like to thank Professor Chacón and the commentators for their insightful pieces. We are honored to publish their articles in this Commentary Issue.

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