THE RIGHTS AND RESPONSIBILITIES OF IMMIGRANTS

IMMIGRATION IS A PRIVILEGE, NOT A RIGHT

The starting point for a new way of thinking about immigration is the recognition that no one has a right to be in another person’s country any more than one has a right to move into their home. The Universal Declaration of Human Rights recognises no such claim, nor does established international law, the draft constitution of the EU, or any other authoritative body of law or ethics. Entry into a country is a privilege one can earn—and should be able to earn, under reasonable terms set by the community one aspires to join—but not a right all foreigners can justly claim.

People flourish when they are members of communities. To nurture these communities, the bonds of affinity must be sustained, a limited but significant set of shared values (or moral culture) must be fostered, and a sense of shared history and shared future must be cultivated. This is true not merely for small, local communities but also for nations, commonly understood as communities invested into states.

One day we may have regional communities like the EU or even a global community. However, currently and for the foreseeable future, nations often are the most relevant communities when dealing with immigration. To ignore this fact is to confuse wishes for a better world with the sociological reality in which we must function even as we seek to change it. Hence anyone who seeks to join a particular nation to improve their personal life must be willing to buy into the communal bonds and moral culture of the given national community, assume the burdens of its past and the obligations tending to its future. We shall see that this requirement does not entail that immigrants be blended down, disappear into the prevailing society, assimilate to the point they are no longer distinct, or be prohibited from working to change their new homelands. However, they must labour to become members in good standing or their quest to become a member can be justly denied.

Genuine asylum seekers are an exception. They do have a right to shelter. This right, however, is more limited than is often recognised. Asylum seekers are entitled—by international law and elementary justice—to a safe haven, to protection when their life is endangered or when they are truly escaping the threat of torture or other serious physical injury. However, this right does not entail a right to a particular shelter, in a particular nation. When a woman knocks on one’s door seeking shelter from an abusive husband, one ought to take her either into one’s own home or to a shelter for abused women. That is, the right to protection does not include the right to a specific, let alone five-star, shelter. Genuine asylum seekers need to be protected—some place. (I am speaking on moral grounds. Some argue that international treaties require that a nation allow asylum seekers who knock on its doors to stay in that particular country. If this is the case, these treaties ought to be renegotiated.) Hence it is legitimate to transport asylum seekers to safe havens in developing nations as long as they are safe in these nations and these nations serve as willing hosts. A side benefit of such a policy is that it would greatly curtail the motivation to fake a claim of asylum and prevent those whose claims have not yet been vetted from taking root in a community in which many of them will eventually be denied residence. Moreover, such a policy would greatly enhance the process of granting asylum to those who genuinely need it, for the sharp decline in fake applicants would vastly accelerate the processing. It would also lead to a much less hostile and suspicious view of applications than now, when most are applying under false pretences, undermining the reputation of those truly in urgent need.

One may argue that fake asylum seekers are merely poor people desperate to improve their lives, and that under such conditions many of us would resort to concocting lies and forging documents. Hence one should not deport them. To deal with this and related issues it is
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useful to distinguish between what might be called humanitarian immigration, the primary purpose of which is to help the individuals involved, and utilitarian immigration, whose main purpose is to help the economy of the nation involved. While humanitarian immigration seeks to help people most in need—often from deprived and vulnerable backgrounds—utilitarian immigration seeks out young, healthy workers, people with large amounts of capital, and those with skills in short supply. Of course some immigrants quality on both accounts, but many do not, and above all the examination of the issues involved is muddled when we do not draw the suggested distinction.

If we allow numerous fake asylum seekers to stay in a given country in the name of compassion, we end up allowing people in who are not the most in need; in effect they jump the queue in front of many who seek entrance and who are more in need. A nation should make the scope of humanitarian immigration proportionate to its compassion, but at the end of the day there will always be many more people who seek admission than can be admitted, and hence criteria for selection—immigration filters—need to be established and heeded.

It should be further noted that as far as humanitarian immigration is concerned, often many more people would be helped if a given nation would join others to pressure rogue countries (Sudan for instance) to treat all their citizens humanely. Along the same lines, progress would be made if the “have” nations increased the investments, credits and grants that they extend to people in need in their countries of origin rather than transplanting those people en masse to new countries. The promise of this course of action is higher the greater the cultural and educational differences between the country of origin and the new homeland.

To put it more bluntly: it is not compassionate to take someone with little preparation for modern workplaces, city life, not to mention democratic politics, out of some hinterland—and plant them in one of our cities on the naive assumption that they are going to acculturate and live happily ever after. Indeed both sides suffer, as we have witnessed recently in French cities and ought to admit is taking place in many other cities. In short, the more compassionate a nation is, the more resources it should dedicate to helping those most in need, often in their home country, and the more it should ensure that those who do immigrate are truly among those most in need.

Utilitarian immigration is different. Because these immigrants are to be chosen on the basis of qualifications that include their ability to find and hold jobs (say they have skills in short supply), youth, high level of preparation (for example, they have passed language tests)—they are much more likely to be successfully integrated into their new homeland economy and society. Bringing in immigrants on humanitarian grounds and assuming they will act like utilitarian ones generally does not work.

MAKING NEW MEMBERS: PREPARATIONS FOR THE NEW HOME

When a child is born to a family whose lineage harks back hundreds of years in the same national community, whose parents, grandparents and great-grandparents have all lived and served in the same community, whether a local or a national one, the community still lays a considerable set of demands on that child. We take it for granted that the child will learn the national language (or languages). Also we require that the child attend school in which familiarity with and commitment to society’s moral culture, history and future will be taught and fostered.

Above all, from an early age the child will learn to behave in line with the basic prevailing norms of respect for rules and the law, authority figures, non-violence and mutual tolerance. Although this is not always fully recognised, a good part of teaching in pre-school, kindergarten and primary school is dedicated to character and behavioural development (what social scientists call “socialisation”, making children into pro-social beings) rather than just the three R’s. Think about a child who is a bully or shows racial or gender bias and you will see my point. The staff will work long and hard with this child to introduce him to the societal norms and encourage him to internalise them.

From my days as a parent, I still remember the constant reminder, “Use your words”, for any child who showed the slightest inclination to use force against others, or “Use your indoor voice” for those who spoke in a louder or more agitated voice than the society considers appropriate. Numerous hours are spent in teaching children ways to work out differences by discussions rather than fights, to seek common ground, and to be empathetic.

There is no reason for a national community to expect less of immigrants than it demands of children born in that country. And just as we use tests in schools, citizenship tests should be used to determine whether a
Employers and career counsellors often use analogous selection testing—they use a questionnaire to provide a psychometric assessment of a candidate's work-related characteristics and then compare those characteristics to the personality traits of an optimal employee.

One might argue that meaningful citizenship tests will screen out too many people when nations are in need of immigrants. However, the need for immigrants does not dictate that those immigrants must come from backgrounds that make socialisation especially difficult. Spain, for instance, gives priority to immigrants from Spanish-speaking countries. In any event, immigrants best prepare and face preliminary tests before they enter a given country—and pass meaningful citizenship tests before they become permanent members of the community of their new homeland, citizens of their new state.

**THE MOSAIC: DIVERSITY WITHIN UNITY**

If immigrants buy into the basic values, laws, and institutions of their new homeland, they should be allowed, indeed welcome, to diverge on other matters. There is no reason to insist that one and all enjoy the same cuisine, dance the same dances, express identical interests in terms of their countries of origin, or even pray to the same God. On the contrary, such diversity within unity enriches the society and helps better prepare it for a globalising world.

Some expect immigrants to assimilate to the point that they become indistinct from native citizens (this is a common expectation in France, for instance). Such a degree of assimilation is often difficult to achieve and unnecessary for social peace and good community and obviates the enriching effects of diversity. On the other end of the spectrum, there are those who call for multiculturalism according to which immigrants are free to maintain their cultures and resist socialisation into the prevailing national culture (which in effect most nations do have, although this culture never encompasses everyone).

Some multiculturalists even call for abolishing any sense of national identity, as Lord Parekh's Commission on the Future of Multi-Ethnic Britain has suggested. Accordingly, the United Kingdom would become a territory which English, Scottish, Welsh, West Indian, Pakistani and so on would inhabit like tribes or communities resting next to each other with little more in common.

The images used for depicting these two positions are telling. The first is that of a melting pot, in which all differences are melted down; the other is that of a salad in which various pieces are tossed together but each maintains its original colour and flavour.

As I see it, to reiterate because this is the essence of the position here advanced, if immigrants buy into what
might be called the societal basics, they are not only free, but welcome to diverge on other issues. What belongs in the shared framework and what belongs in the realm of diversity is open to deliberation and change over time. However, it is clear that immigrants must accept the basic values of the society (for example, tolerance for people of different backgrounds, habits and religions, as well as respect for democratic policies and human rights), must obey the law, learn the nation’s language(s), and share not only in the treasures history has bequeathed to the nation, but also in its burdens.

Just as when one joins a family, through marriage or adoption, one cannot say, “I am entitled to part of the assets but not the liabilities,” so too when one becomes a member of a new society, one has to take the burdens of history along with the promises of the future. For example, as an immigrant to America I cannot claim that I had nothing to do with slavery and hence have no need to concern myself with making up for past injustices, and yet also claim that I am entitled to the rights that the Founding Fathers institutionalised. Similarly, a new German cannot pride himself on the achievements of Kant, Goethe and Bach but not also share responsibility for the Holocaust.

At the same time, every group in society is free to maintain its distinct subculture—those policies, habits, and institutions that do not conflict with the shared core—as well as a strong measure of loyalty to its country of origin, as long as this does not trump loyalty to the society in which it lives if these loyalties come into conflict. Cuisine, by itself of limited import, serves as an effective symbol for my point. Once upon a time there was a national cuisine, although there were always local variations and changes over time. We still recognise national cuisines today, but the effects of immigration, globalisation, increased travel, and other factors have meant that in most cities a large variety of other cuisines are prepared and consumed both privately and in public places such as restaurants, conferences and banquets. Nobody in his right mind would suggest that anything was lost in the process and that all the Brits (old and new) should be required to drink warm beer and eat shepherd’s pie and boiled vegetables.

In short, the diversity of cuisine has enriched our lives rather than threatened our unity. The same holds true for many other items including not merely music, dance and clothing styles, but also our second or third languages, special knowledge and interest in one’s country of origin, among others. The more new citizens bring special knowledge of and contact with parts of the world that native citizens have been less familiar with, the better one and all are.

The image of a mosaic captures the diversity within unity that I champion. A mosaic is enriched by a variety of elements of different shapes and colours, but it is held together by a single framework. This is not to say that the framework of the mosaic remains static; it can be recast and indeed it has been recast: frequently throughout history. However, those who seek membership in a given community must buy into the framework, and those who are native members best respect those differences the framework justifies and indeed welcomes.

Diversity Within Unity (DWU) does not advocate that identities of the host country should be overriding, that they should wipe out the identities of immigrants or all of their loyalty to their countries of origin. But DWU does for layered identities and loyalties, in which the more encompassing community (the nation or the European Union) would provide the overarching identities and loyalties within which various groups could maintain their sub-identities—for example, as Turkish-Germans.

The test comes when loyalties conflict. Will Americans from Panama fight for the United States if the United States invades Panama, or will they demand a right to sit out such a conflict? Will Turkish Germans take their cues on matters concerning national policies from Istanbul or Berlin? Dual citizenship is acceptable if it means that a person has rights in two countries and involvement in both—as long as there is no conflict between the two. But as a test, a nation will demand that in such situations loyalty to it will take precedence.

Schools as a Key Element of DWU

Education is of key importance for the future relationship between immigrants—and their children—and their new homeland. Different methods of schooling serve both as a powerful way to show how the DWU approach differs from other approaches and to show the implications of DWU for education in general. Unfortunately the ideal form of implementation that is discussed first here cannot always be followed, and hence a second-best approach is also outlined below.

The assimilationist model assumes that immigrants and minority members of society will be taught in public schools, that they will be taught basically the
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same material as other members of the society and more or less the same material as was previously provided. An unbounded diversity model calls for setting up separate schools—publicly supported—and distinct curricula for various ethnic groups from kindergarten to Year 12, such as, for instance, separate Muslim or Jewish schools, not merely as “Sunday” schools but as full-time schools.

A DWU approach, based on the concept of neighbourhood schools, suggests that ideally:

- All children from all backgrounds attend the same public schools and learn about each other as they interact not only in regular classes, but also in sports and other social activities.
- All children from all backgrounds should be expected to attend the same classes for 85 per cent of school time (this part of the processes fosters unity). The commonalities of sharing 85 per cent or so of the curriculum are intended to ensure that all members of the next generation are exposed to a considerable measure of the same teaching materials, narratives and normative content.
- Minorities should have major input concerning 15 per cent or so of the curriculum; this could be in the form of electives or alternative classes in which students particularly interested in one subject or history or tradition could gain enriched education in that area.
- Although teachers of all backgrounds should be welcome, requirements that children must be taught by teachers who are members of their ethnic group is not compatible with the DWU model. Teachers must be selected by educational authorities, meet professional standards, and cannot agitate for extremist religious or ideological viewpoints or any values incompatible with those that are part of the basic framework.
- The universal, unity-related content of the curriculum should be recast to some extent to include, for instance, more learning about minority cultures and histories.
- Bilingual education might be used, but only during a transition phase before mainstreaming begins and not as a continuous mode of teaching that is, in effect, segregated along ethnic lines. (Reference here is to education that is conducted in the languages of immigrants and not to educational policies in a country that has historically embraced two or more languages.)
- Teaching values is of particular concern. This issue is highlighted by the fact that many of the most contentious issues in schools, ranging from displacing crucifixes to requiring Muslim girls to wear swimsuits to banning Sikhs’ traditional turbans, relate to religion. As previously discussed, schools must help develop character and teach basic values rather than merely being institutions for learning “academics”. Classes that all pupils will be required to attend (the unity sector of 85 per cent plus) will include classes in basic civic values, such as respect for the constitution or basic laws, human rights, the merits of democracy, and the value of mutual respect among different subcultures. (These are to include civic practicums, such as doing community service, or play-acting as parliament or civil court.) Beyond that there ought to be room in the elective sections of the curriculum for teaching religion and secular humanism. Above all, character education benefits from community service, sports conducted with special attention to learning to play by the rules, and monitoring by older students of playgrounds, corridors and other shared spaces.

In some nations, private education is divided on religious lines—there are Catholic, Protestant and Jewish schools. These divisions are so deeply and so long ensconced that it is hard to imagine that a shift towards the ideal DWU education system is possible in the foreseeable future. In the meantime, it is important to ensure that 85 per cent of the curriculum of all private schools is the same, that all private schools transmit the basic shared values of the society to their students, and that no extremists will be allowed to agitate against the basic values of the society in private schools. To ensure adequate oversight it is best private schools are considered “deputised” by the state, rather than true private bodies. The state need not wait for them to violate a rule before it is entitled to act; it can be proactive in all the matters already listed. Also the DWU platform encourages private school students to interact with each other in social activities and community service.

WORK TO BE DONE

There are numerous other issues to be worked out in the context of the DWU approach and much is to be learned from applying it. However I hope that the preceding discussion serves to both outline and illustrate the basic idea of the approach.

DWU acknowledges the feeling of the overwhelming majority of the citizens in Europe and many other nations from Japan to Peru; the feeling that immigration poses a challenge to national unity and the prevailing moral culture. But DWU also captures the attitude that immigrants can also be allowed, and are indeed welcome, to retain distinct characteristics as long as they buy into the basics.

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